

# FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

## Proposed Heartland Town Square

(Redevelopment of a Portion of Pilgrim State Psychiatric Center)

Town of Islip, Suffolk County

Volume 1 of 3  
Text, Tables and Figures

### PREPARED FOR

*Town of Islip Town Board  
Islip, New York*

### PREPARED BY

 *VHB Engineering, Surveying and  
Landscape Architecture, P.C.  
Hauppauge, NY 11788*

**February 2014**

**FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT**

**AMENDMENTS TO THE ZONING CHAPTER OF THE  
CODE OF THE TOWN OF ISLIP (CHAPTER 68 OF THE CODE OF THE TOWN OF  
ISLIP), INCLUDING THE BUILDING ZONE MAP, TO ESTABLISH  
A PILGRIM STATE PLANNED REDEVELOPMENT DISTRICT (PSPRD) AND  
CHANGES IN THE ZONING CLASSIFICATIONS OF CERTAIN PARCELS, NOW  
CLASSIFIED IN THE "RESIDENCE AAA" ZONING DISTRICT,  
SO AS TO INCLUDE SUCH PARCELS IN THE NEWLY-ESTABLISHED PSPRD, AND  
REDEVELOPMENT OF THE RECLASSIFIED  
PARCELS IN ACCORDANCE WITH THE PSPRD AS  
HEARTLAND TOWN SQUARE**

**PROJECT LOCATION:** 452.0±-acre parcel located at the former Pilgrim State Psychiatric Center, east and west of the Sagtikos State Parkway, south of the Long Island Expressway and north of the Heartland Business Center and east and west of Crooked Hill Road, Hamlet of Brentwood, Town of Islip

**SUFFOLK COUNTY  
TAX MAP NUMBERS:** District 500 – Section 71 – Block 1 – Lots 10.2 , 10.8, 13.6, 13.15 and 13.16 (portion of former Pilgrim State Psychiatric Center site)

**APPLICANTS:** 22-50 Jackson Avenue Associates, L.P.  
and  
Pilgrim East, L.P.  
c/o 1 Executive Drive  
Edgewood, New York 11717

Contact: Jerry Wolkoff  
(631) 242-6300

**LEAD AGENCY:** Town of Islip Town Board  
655 Main Street  
Islip, New York

Contact: Eugene DeNicola , Special Counsel  
(631) 567-1200

**PREPARERS & CONTACT:** This Final Generic Environmental Impact Statement was prepared by:

**Applicants**  
22-50 Jackson Avenue Associates, L.P.  
and  
Pilgrim East, L.P.  
c/o 1 Executive Drive  
Edgewood, New York 11717

**Planning, Environment and Traffic**

Theresa Elkowitz, Principal  
Robert Eschbacher, PE, Principal  
Gail A. Pesner, AICP, Senior Project Manager  
Patrick Lenihan, PE, Director of Transportation  
VHB Engineering, Surveying and Landscape  
Architecture, P.C.  
2150 Joshua's Path, Suite 300  
Hauppauge, New York 11788

**Master Planning**

Phil Walker, AICP, Principal  
RTKL Associates Inc.  
2101 L Street NW  
Suite 200  
Washington DC 20037

Howard Elkus, FAIA, RIBA, LEED AP, Principal  
Oscar Mertz III AIA LEED AP, Senior Associate  
Elkus Manfredi Architects  
300 A Street  
Boston, Massachusetts 02210

**Site Engineering, Site Plan, Drainage**

Michael Marinis  
Barrett Bonacci & Van Weele, P.C.  
175A Commercial Drive  
Hauppauge, New York 11788

**Sewer and Water Supply, Water Budget**

Joseph Baier, P.E.  
Dvirka & Bartilucci Consulting Engineers  
330 Crossways Park Drive  
Woodbury, New York 11797-2015

**Economics and Demographics**

Pearl M. Kamer, Ph.D.  
Consulting Economist  
11 Westminster Road  
Syosset, New York 11791-6615

**Air Quality, Odor and Noise**

Kenneth Skipka  
RTP Environmental  
400 Post Avenue  
Westbury, New York 11590

**Town of Islip Environmental Consultant**

John Ellsworth  
Cashin Spinelli & Ferretti, LLC  
801 Motor Parkway  
Hauppauge, New York 11788

**Town of Islip Traffic Consultant**

Ronald N. Hill, P.E., Principal  
Dunn Engineering Associates, PC  
66 Main Street  
Westhampton Beach, New York 11978-2632

**Town of Islip Special Counsel**

Eugene L. DeNicola, Esq.  
200 Railroad Avenue  
Sayville, New York 11782

**DATE OF PREPARATION: February 2014**

**AVAILABILITY OF DOCUMENT:**

This document, together with the Draft Generic Environmental Impact Statement (DGEIS), is the Final Generic Environmental Impact Statement (FGEIS). It has been prepared for the Lead Agency, and copies are available for public review and comment at the offices of the Lead Agency, the Brentwood Public Library and online at <http://www.vhb.com/Heartland/FinalGEIS>

**DATE OF FILING: April 24, 2014**

This document represents a Final Generic Environmental Impact Statement (FGEIS) for Amendments to the zoning chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), including the Building Zone Map, to Establish  
A Pilgrim State Planned Redevelopment District (PSPRD) and Changes in the Zoning Classifications of Certain Parcels, Now Classified in the "Residence AAA" Zoning District, so as to Include Such Parcels in the Newly-Established PSPRD, and  
Redevelopment of the Reclassified Parcels in accordance with the PSPRD as  
Heartland Town Square.

This FGEIS incorporates, by reference, the Draft Generic Environmental Impact Statement (DGEIS) for this proposed action, dated as last revised March 2009.  
The above-referenced DGEIS was the subject of Town of Islip Town Board Public Hearing held on May 28, 2009. The comment period ended August 27, 2009.

The Written Correspondence and Public Hearing Transcripts are contained in Appendices IN-1 and IN-2, respectively, of this FGEIS.

Table of Contents

<b>1.0 Introduction .....</b>	<b>1</b>
<b>2.0 Revised Conceptual Master Plan .....</b>	<b>10</b>
2.1 Introduction .....	10
2.2 Revised Conceptual Master Plan .....	11
2.2.1 Introduction.....	11
2.2.2 Master Planning Team .....	13
2.2.3 Heartland Town Square Vision .....	14
2.2.4 Overall Design Concept.....	14
2.2.5 Differences Between DGEIS and FGEIS Conceptual Master Plans .....	17
2.2.6 Phasing and Additional Mitigation.....	20
<b>3.0 Conditions and Criteria Under Which Future Actions Will Be Undertaken or Approved, Including Requirements for any Subsequent SEQRA Compliance .....</b>	<b>23</b>
<b>4.0 Comments and Responses.....</b>	<b>27</b>
4.1 SEQRA PROCESS (SQ) .....	28
4.2 Public Participation (PP).....	41
4.3 Construction/Demolition (CD) .....	44
4.4 Phasing (PH).....	48
4.5 Land Use/Intensity (LU) .....	54
4.6 Smart Growth Concept (SG) .....	78
4.7 Scale/Size of Development (SC).....	96
4.8 Housing (HO).....	106
4.8.1 Workforce Housing .....	106
4.8.2 Housing Mix.....	117
4.8.3 Senior Housing .....	120
4.8.4 General .....	121
4.9 Easements (EA) .....	123
4.10 Zoning (ZO) .....	131
4.11 Condemnation (CO).....	134
4.12 Hazardous Materials (HZ).....	141
4.13 Topography/Grading (TO) .....	149
4.14 Water Resources/SGPA (WR).....	150
4.14.1 Groundwater .....	150
4.14.2 Sewage Disposal .....	161
4.14.3 Water Supply.....	176
4.14.4 Stormwater .....	181
4.14.5 Surface Water/Wetlands .....	193
4.15 Air Quality (AQ).....	195
4.16 Ecology (EC).....	201
4.17 Aesthetic/Visual Impacts (AV) .....	215
4.18 Light Pollution/Lighting (LG) .....	227
4.19 Historic Resources (HR) .....	233
4.20 Open Space/Recreation (OS).....	236

4.21	Transportation (TR).....	250
4.21.1	General .....	250
4.21.2	Accident Data .....	272
4.21.3	Trip Generation and Assignment .....	274
4.21.4	Internal Capture Rate .....	282
4.21.5	Access .....	293
4.21.6	Off-site Roadway Evaluation .....	298
4.21.7	Alternative Modes .....	319
4.21.8	Public Transportation/Transit .....	328
4.21.9	Trucks .....	345
4.21.10	Parking .....	347
4.21.11	Street/Roadway Design.....	355
4.21.12	Mitigation.....	358
4.21.13	Funding/ Acquisition.....	372
4.22	Energy/Green Buildings/Sustainability (EN) .....	378
4.23	Noise (NO) .....	388
4.24	Surrounding Community Linkages/Character (SU) .....	396
4.25	Socioeconomics (SO).....	405
4.26	Community Facilities (CF).....	437
4.26.1	Education .....	437
4.26.2	Emergency Services .....	451
4.26.3	Solid Waste .....	456
4.26.4	General .....	459
4.27	Alternatives (AL).....	462
4.28	General (GN).....	468
<b>5.0</b>	<b>Glossary of Abbreviations .....</b>	<b>496</b>

**List of Appendices**

Appendix IN-1:	Comment Letters
Appendix IN-2:	Public Hearing Transcript (May 28, 2009)
Appendix RP-1:	Conceptual Master Plan, Proposed Development Tabulation by Phase, Building Stories Plan, and Phasing Diagrams (including Overall, Phase I, Phase II and Phase III Diagrams)
Appendix RP-2:	Proposed Pilgrim State Planned Redevelopment District (PSPRD) Zoning
Appendix RP-3:	Design Guidelines
Appendix RP-4:	Heartland Town Square: Town Center Design Booklet
Appendix RP-5:	Property Proposed to be Purchased and Renovated in the Gateway Area
Appendix SQ-1:	Town Board Correspondence, dated January 22, 2009
Appendix SQ-2:	Public Hearing Advertisement; Brentwood High School May 28, 2009
Appendix SQ-3:	Notice of Completion and Town of Islip Points of Disagreement, dated April 14, 2009
Appendix SQ-4:	Notice of Extended Public Comment Period, Newsday, July 25, 2009
Appendix PH-1:	Conceptual Construction Phasing
Appendix LU-1:	Update Letter from Metropolitan Valuation Services, Inc. (MVS), dated May 24, 2013 and Revised MVS Marketability Study – March 2010
Appendix LU-2:	Friends of the Edgewood-Oak Brush Plains Preserve Letter, dated June 7, 2010
Appendix LU-3:	Reston Town Center Rezoning Document
Appendix HZ-1:	Expressway Aggregates CERCLIS Information
Appendix HZ-2:	Environmental Data Resources, Inc. Computerized Database Report
Appendix WR-1:	Suffolk County Water Authority Letter of Availability
Appendix WR-2:	Suffolk County Sewer Agency Conceptual Certification
Appendix AQ-1:	Revised Air Quality Analysis Report and Attachments
Appendix HR-1:	Society for the Preservation of Long Island Antiquities Letter, dated January 3, 2003
Appendix HR-2:	Demolition Permits
Appendix OS-1:	Walkability Map
Appendix TR-1:	Supplemental Traffic Analysis
Appendix TR-2:	Accident Data Analysis
Appendix TR-3:	Shared Parking
Appendix TR-4:	Alternative Modes
Appendix EN-1:	General Provisions Relating to the Extension of Facilities by Electric Corporations and Municipalities (NYCRR 16 Part 98)
Appendix NO-1:	Revised Noise and Odor Technical Report and Attachments (on disk)
Appendix SU-1:	Support Letter from Long Island Health and Greenway Trails, dated August 23, 2009
Appendix SU-2:	Support Letters from Brentwood Chamber of Commerce, dated February 15, 2010 and The Brentwood Civic Association, dated March 15, 2010
Appendix SO-1:	Long Island Index 2008 Fact Sheet
Appendix CF-1:	Payment-In-Lieu-of-Taxes (PILOT) Agreements

# 1.0

## Introduction

This document is a Final Generic Environmental Impact Statement (FGEIS) prepared in response to comments received by the Town of Islip Town Board (hereinafter the “Town Board”) on the “Draft Generic Environmental Impact Statement for Amendments to the zoning chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), including the Building Zone Map, to establish a Pilgrim State Planned Redevelopment District (PSPRD) and changes in the zoning classifications of certain parcels, now classified in the “Residence AAA”, so as to include such parcels in the newly-established PSPRD, and redevelopment of the reclassified parcels in accordance with the PSPRD as Heartland Town Square” (DGEIS).

The Islip Gateway Community Improvement Area (hereinafter the “Gateway Area”), as described in Section 2.1 of the DGEIS, is one in which the proposed PSPRD may be appropriate, as it would allow redevelopment of an area that is not coherently developed. Given that the Town Board is considering the rezoning of the Gateway Area to PSPRD, the Town Board was required to evaluate the potential rezoning to PSPRD and the potential development of the area in accordance with the PSPRD pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations. Accordingly, a potential development scenario was considered for the Gateway Area, which is consistent with redevelopment pursuant to the PSPRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD and development in accordance with that zoning district.

The comments include those that were made at the Town Board public hearing on May 28, 2009 and in written correspondence to the Town Board during the public comment period for the DGEIS that ended August 27, 2009.

As evidenced by the written comment letters, annexed as Appendix IN-1, and the public hearing transcript, annexed as Appendix IN-2, there was much duplication in comments. Accordingly, comments made were grouped by topic into the following categories:

TOPIC	CODE
Aesthetics and Visual Impacts	AV
Air Quality	AQ
Alternatives	AL
Community Facilities: Education Community Facilities: Emergency Services Community Facilities: Solid Waste Community Facilities: General	CF
Condemnation	CO
Construction-Demolition	CD
Easements	EA
Ecology	EC
Energy-Green Buildings-Sustainability	EN
General	GN
Hazardous Materials	HZ
Historic Resources	HR
Housing	HO
Land Use/Intensity	LU
Light Pollution-Lighting	LG
Noise	NO
Open Space-Recreation	OS
Phasing	PH
Public Participation	PP
Scale-Size of Development	SC
SEQRA Process	SQ
Smart Growth Concept	SG
Socioeconomics	SO
Surrounding Community Linkages/Character	SU
Topography-Grading	TO
Traffic: General Traffic: Accident Data Traffic: Trip Generation and Assignment Traffic: Internal Capture Rate Traffic: Access Traffic: Off-site Roadway Evaluation Traffic: Alternative Modes Traffic: Public Transportation	TR

Traffic: Parking Traffic: Trucks Traffic: Mitigation Traffic: Funding/ Acquisition	
Water Resources: Groundwater Water Resources: Sewage Disposal Water Resources: Water Supply Water Resources: Stormwater Water Resources: Surface Water/Wetlands	WR
Zoning	ZO

Each author of a written comment was assigned a code beginning with the letter "C" (e.g., C1). Then each comment from each author was assigned a number (e.g., C1-1 for comment 1 by author 1). All written correspondence with comment designations is included in Appendix IN-1 of this FGEIS. The following table lists each author and their associated comments, their code, and the date of the correspondence.

<u>Author</u>	<u>Code</u>	<u>Comments</u>
Town of Islip Planning Consultant – Phillips Preiss Shapiro Associates, Inc.	C1	C1-1 through C1-147
Town of Islip Traffic Consultant – Dunn Engineering Associates, PC	C2	C2-1 through C2-68
Ingerman Smith, LLP on behalf of the Brentwood Union Free School District	C3	C3-1 through C3-12
Brentwood Legion Ambulance Service, Inc.	C4	C4-1 through C4-5 C4A-1 through C4A-5
Suffolk County Department of Public Works	C5	C5-1 through C5-52 C5A-1 through C5A-23
Suffolk County Department of Health Services	C6	C6-1 through C6-19
Suffolk County Planning Department	C7	C7-1 through C7-31
Town of Huntington (including Greenman- Pedersen, Inc. Technical Memorandum)	C8	C8-1 through C8-23 C8A-1 through C8A-28 C8B-1 through C8B-28 C8C-1 through C8C-58
Town of Babylon Department of Environmental Control	C9	C9-1 through C9-35

		C9A-1 through C9A-15
Town of Smithtown	C10	C10-1 through C10-10
Long Island Rail Road	C11	C11-1 through C11-28
New York State Department of Transportation	C12	C12-1 through C12-29
New York State Office of Mental Health	C13	C13-1 through C13-34
Intergenerational Strategies	C14	C14-1 through C14-4
Gregory Florentino	C15	C15-1 through C15-2
Action Long Island	C16	C16-1 through C16-3
Deer Park Community Council, Inc.	C17	C17-1 through C17-3
Pilgrim Task Force	C18	C18-1 through C18-21
Long Island Pine Barrens Society	C19	C19-1 through C19-5
Michael A. Milazzo	C20	C20-1 through C20-2
The Community	C21	C21-1 through C21-19
Edna deBeer Gruvman	C22	C22-1 through C22-6
Frank Maldari	C23	C23-1 through C23-22
Carmen Merlino	C24	C24-1
Robert Roedig	C25	C25-1 through C25-4
Association of Community Organizations for Reform Now	C26	C26-1 through C26-3
Carolina T. Schaefer	C27	C27-1 through C27-10
Vision Long Island	C28	C28-1 through C28-31
James F. Gaughran	C29	C29-1 through C29-39
V&C Holding Corp.	C30	C30-1 through C30-3
Elsa Ford	C31	C31-1 through C31-8
Denis Byrne	C32	C32-1 through C32-16
Donald Tucker	C33	C33-1

Ryan Lynch, Tri-State Transportation Campaign	C34	C34-1 through C34-15
Anne Minicozzi	C35	C35-1 through C35-8
Citizens Campaign for the Environment	C36	C36-1 through C36-59
Sustainable Long Island	C37	C37-1 through C37-13
Donald J. Epp	C38	C38-1 through C38-21
Friends of the Edgewood Preserve	C39	C39-1 through C39-30
Mary Jane Coughlin	C40	C40-1 through C40-2

In addition, all comments made at the public hearing that occurred on May 28, 2009 were assigned a code that begins with "H." Each commentator at the public hearing was assigned a number (e.g., H1). Then, each comment from each commentator was assigned a number (e.g., H1-1 for comment 1 by commentator 1). The hearing transcript with comment designations is included in Appendix IN-2 of this FGEIS. The following table identifies each commentator and their associated comments as well as their code.

<u>Commentator</u>	<u>Code</u>	<u>Comments</u>
Eugene Murphy, Islip Planning Commissioner	H1	H1-1 through H1-15
Jeanmarie Brennan, Islip Asst. Planning Comm.	H2	H2-1 through H2-10
David Genaway, Islip Dep. Comm. of Planning	H3	H3-1 through H3-18
Assemblyman Phil Ramos	H4	H4-1 through H4-8
Suffolk County Legislator Ricardo Montano	H5	H5-1 through H5-6
Suffolk County Legislator Steven Stern	H6	H6-1 through H6-3
Huntington Supervisor Frank Petrone	H7	H7-1 through H7-9
Eric Alexander, Vision Long	H8	H8-1 through

Island		H8-15
Michael White, LI Regional Planning Council	H9	H9-1 through H9-8
Margaret Toal, Pres. Brentwood Civic Assn.	H10	H10-1
Tom Isles, Director of Planning, Suffolk County	H11	H11-1 through H11-10
David Calone, Chairman of Suffolk Planning Commission	H12	H12-1 through H12-2
Gil Anderson, Suffolk County Sewer Agency	H13	H13-1 through H13-13
Matthew Ferdon, Legislative Aide to Andrew Raia	H14	H14-1 through H14-5
Jim Morgo, Chief Deputy County Executive and Administrator of Economic Development and Work Force Housing	H15	H15-1 through H15-9
Laura Mansi, Four Towns Civic Assoc.	H16	H16-1 through H16-10
Richard Amper, Executive Director, LI Pine Barrens	H17	H17-1 through H17-8
Adrienne Esposito	H18	H18-1 through H18-6
Lisa Tyson, Director of Long Island Progressive Coal.	H19	H19-1 through H19-5
Michael Milazzo, Brentwood Resident	H20	H20-1 through H20-4
Nancy Cochrane, Keep Islip Clean	H21	H21-1 through H21-4
Paul Arfin, Pres, Intergenerations Strategies	H22	H22-1 through H22-4
Jim Castellane, President of Building Trades	H23	H23-1 through

Council		23-3
Joaquin Sanchez, John Paul, Inc. Contractors	H24	H24-1
Tom O'Hara, Brentwood Resident	H25	H25-1 through H25-3
Violet Smith, Brentwood Soccer Club	H26	H26-1
Peter Quinn	H27	H27-1 through H27-8
Felicia Paragaris, Town Resident	H28	H28-1
Reverend Pearson	H29	H29-1 through H29-2
Craig Acuri, Brentwood Resident	H30	H30-1
Joe Fritz,	H31	H31-1 through H31-9
Rick Ostroe, Brentwood Resident	H32	H32-1 through H32-7
Maritza Silva Farrell, Long Island Progressive Coal.	H33	H33-1 through H33-3
Neelofer Chandry, Long Island Resident	H34	H34-1
Jim Fertucci, Four Towns Civic Association	H35	H35-1 through H35-5
Phillip Shwom, Long Island Resident	H36	H36-1
Caroline Schaefer	H37	H37-1 through H37-10
Louis Ramos, Minority President of the Hispanic Community	H38	H38-1

Marcos Molinaro	H39	H39-1 through H39-2
Joseph Daly, Steamfitters Union Local 638	H40	H40-1
Georgette Grier-Key	H41	H41-1 through H41-2
Stanley Greg, Town Resident	H42	H42-1
Josue Fernandez	H43	H43-1 through H43-2
Mr. Perkins	H44	H44-1 through H44-3
Bruce Fabrizio, Brentwood Chamber of Commerce	H45	H45-1
Jim Alkis, Town Resident	H46	H46-1

This FGEIS includes five sections -- Section 1.0, of which this is a part, is the introduction to the document, which describes the purpose of the FGEIS as well as what is included in the document.

Section 2.0 includes a discussion of the revised Conceptual Master Plan and proposed phasing for Heartland Town Square (see Appendix RP-1). This revised Conceptual Master Plan, along with Proposed Development Tabulation by Phase, the Building Stories Plan and the Phasing Diagrams, were prepared to address comments received during the public comment period regarding the DGEIS. As part of the FGEIS, the PSPRD has been modified from the originally-proposed zoning included in the DGEIS, and Design Guidelines have been created and incorporated into the proposed PSPRD zoning district to regulate development within the PSPRD and to guide future site-specific development within Heartland Town Square, along with the revised Conceptual Master Plan.

Section 3.0 contains the Town's conditions and criteria for under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance.

Section 4.0 includes a response to all comments made at the public hearing and the written correspondence received during the comment period. Section 4.0 is arranged by topic, in Sections 4.1 through 4.28, in general correspondence to the order of the topics contained within the DGEIS. Many of the responses in Section 4.0 refer to the

revised Conceptual Master Plan, Building Stories Plan and Phasing Diagrams, as presented in Section 2.0 of this FGEIS.

Section 5.0 provides a glossary of abbreviations for terms used within this FGEIS.

# 2.0

## Revised Conceptual Master Plan

---

### 2.1 Introduction

Based upon comments that were received during the public comment period for the DGEIS, the proposed Conceptual Master Plan was revised by the applicants' design consultants, RTKL and Elkus Manfredi. The revised Conceptual Master Plan, like the previously proposed Conceptual Master Plan presented in the DGEIS (DGEIS Plan), maintains the smart-growth principles, but addresses various salient comments regarding design. The similarities and differences are explained in Section 2.2. The revised Conceptual Master Plan (see Appendix RP-1) is supported by various plans, diagrams and summary tables, as follows:

- Proposed Development Tabulation, by Phase
- Building Stories Plan
- Overall Phasing Diagram
- Phase I Diagram
- Phase II Diagram
- Phase III Diagram

The Heartland Town Square property is comprised of the 452± acres owned by the applicants. As explained above, the 23.59±-acre Gateway Area is being evaluated as part of this SEQRA process, as the Town Board is also considering the rezoning of same to PSPRD. Thus, the future development of the Gateway Area under the PSPRD zoning has been evaluated in order to ensure that a comprehensive environmental review has been performed.

---

## 2.2 Revised Conceptual Master Plan

---

### 2.2.1 Introduction

As indicated above, the proposed revised Conceptual Master Plan and supporting materials were created to address the comments raised at both the public hearing held on May 28, 2009 and the written comments that were received during the public comment period on the DGEIS, which ended on August 27, 2009 (see the revised Conceptual Master Plan in Appendix RP-1). It is important to understand that, given that the build-out of the property would extend for 15+ years, it is not feasible to predict how every square foot of property would ultimately be developed, the specific location of every building, the specific number of stories of every building, etc. Accordingly, the revised Conceptual Master Plan, along with the Proposed Development Tabulation, by Phase, is a conceptual master plan that illustrates a feasible development potential, should the Town Board adopt the PSPRD and apply that zoning to the Heartland Town Square property and/or the Gateway property.

The proposed PSPRD zoning and the associated Design Guidelines set forth the parameters (i.e., the zoning regulations) under which the Heartland Town Square property and/or the Gateway Area could be developed. The revised Conceptual Master Plan complies with the requirements of the PSPRD (see Appendix RP-2 of this FGEIS) and the associated Design Guidelines (Appendix RP-3), and development in accordance with the revised Conceptual Master Plan and supporting materials is being evaluated in this SEQRA process to ensure that potential significant adverse environmental impacts are identified, evaluated and, to the extent practicable, avoided or mitigated. The Proposed Development Tabulation, by Phase, included in Appendix RP-1, provides a summary of the parcel information (by Development Unit [DU]), building footprints, total square footages, building story ranges (and number of stories assumed in each building for the purposes of the Conceptual Master Plan) and land use distribution, based upon the revised Conceptual Master Plan and the Building Stories Plan. If the Town Board decides to approve the proposed action, the revised Conceptual Master Plan, along with the various plans, diagrams and summary tables, as described above, would serve as a regulating plan that would guide development, along with the PSPRD and the Design Guidelines incorporated therein.

As shown on the Phasing Diagrams (see Appendix RP-1), the revised Conceptual Master Plan, including both Heartland Town Square and the development scenario which was assumed for the Gateway Area under PSPRD zoning, is proposed to be developed in three phases, as follows:

Phase I:

Office: 626,000 square feet  
Retail: 560,000 square feet  
Civic: 105,500 square feet  
Residential Units: 3,504 units

Phase II:

Office: 2,002,322 square feet  
Retail: 421,930 square feet  
Civic: 5,000 square feet  
Residential Units: 3,602 units

Phase III:

Office: 1,411,178 square feet  
Retail: 48,070 square feet  
Civic: 105,000 square feet  
Residential Units: 2,024 units

As has been documented by the Long Island Index, Long Island Housing Partnership, Inc., the Long Island Association, the Suffolk County Department of Economic Development and many other sources, Long Island has been and continues to lose its young, educated workforce to other areas of the United States for a variety of reasons including, but not limited to, the lack of sufficient affordable housing, the lack of “exciting” places to live and work, and the lack of job growth. The vision of Heartland Town Square is to help address this “brain drain” by stimulating job growth, providing housing for various income levels, and creating an exciting location where young and old alike can live, work and play. In addition, Heartland Town Square will address the needs of empty-nesters and retirees, who want to down-size and sell their homes, and who are seeking a different type of lifestyle without having to leave Long Island. The applicants envision that Heartland Town Square will become an economic engine for the Town of Islip and Suffolk County, and an activity center as well as a destination that is less dependent on the automobile. Based upon this vision and the comments received by the Town, the revised Conceptual Master Plan better advances the goals of a smart-growth community within a suburban setting.

Heartland Town Square does not conform to a conventional zoning approach in which different uses are separated from one another. Instead, this is a mixed-use, smart-growth community, where various uses can be found in, for example, the same buildings. Moreover, as noted above, a lifestyle is being created, with varying uses, number of stories, open space types, etc., over a fairly-extensive build-out period. Accordingly, use of a form-based approach to zoning is warranted for this situation.

In keeping with the form-based approach, the revised Conceptual Master Plan (and Proposed Development Tabulation, by Phase), together with the Phasing Diagrams and Building Stories Plan (see Appendix RP-1), are proposed to serve as a “regulating plan” for development throughout the community. This plan defines the ranges of heights (in stories and feet) and densities and general types of uses preferred for each of the development units. It allows for mixed-use, vertically-integrated buildings as well as neighborhoods, which are not typically permitted under conventional zoning. The Design Guidelines (see Appendix RP-3) define the characteristics of each development unit. The Design Guidelines lay out a street system with five types of streets/roadways within the development and discuss various types of open spaces within each development unit. They also identify interconnections between the development units and between Heartland Town

Square and the surrounding area. Together, the revised Conceptual Master Plan, supporting plans and documents described above, and PSPRD zoning district (which incorporates the Design Guidelines) define the character of each of the development units and the sense of the overall community. Building form standards and specific permitted uses are addressed in the text of the PSPRD, and the Design Guidelines are incorporated into that zoning district (see Appendix RP-2). The PSPRD also details the application and review processes.

As indicated in Sections 1.1 and 1.2 of the Design Guidelines, the document allows for the implementation of the development pursuant to the overall vision. The Design Guidelines play a role in creating a high quality development that aims to provide its residents, employees and visitors with an outstanding lifestyle. The goals include provision of a sustainable development, offering people places to live, work and enjoy recreation and leisure activities without necessarily relying on automobile transportation. While the PSPRD zoning district and the Design Guidelines commit toward implementing the total build-out plan, as expressed in the document, they also provide flexibility for amendment of specific building plans and land uses to adjust to changing market conditions over time.

As of the time of the completion of this FGEIS, the applicants had not yet decided whether the on-site roadways will be dedicated to the Town of Islip as public roadways or will be retained in private ownership. The applicants have indicated that all project roadways will be constructed in accordance with Town of Islip standards, so as to facilitate dedication to the Town.

The overall vision and design concept for Heartland Town Square is described below.

---

### 2.2.2 Master Planning Team

The revised Conceptual Master Plan and supporting plans and documentation for Heartland Town Square were completed by RTKL Associates, Inc. who has extensive experience in mixed-use community development. Some of RTKL's notable mixed-use new communities that have been completed throughout the United States include Reston Town Center, Addison Circle, and Legacy Town Center.

The applicants have further developed the design concept for the Town Center in response to comments made during the DGEIS comment period. The applicants retained Elkus Manfredi, a well-known design firm, to focus in on this critical area of the overall plan. Elkus Manfredi has significant expertise in the planning of vibrant retail environments, and has completed several notable projects throughout the United States, including City Place in West Palm Beach, Florida and The Shops at Columbus Circle in New York. Additional information on the Town Center is included in Appendix RP-4 of this FGEIS.

---

### 2.2.3 Heartland Town Square Vision

Heartland Town Square is envisioned as a new mixed-use community, built upon “Smart Growth” development principles that will provide for long-term and sustainable success for the project. At the core of this plan is the belief that it is better to provide a range of uses and services in a community, rather than separating uses in ways that force people to drive more than necessary. As such, Heartland Town Square, by providing a mix of residential, office, retail and civic uses, truly aims to become a place where people can live, work, and play.

---

### 2.2.4 Overall Design Concept

Heartland Town Square is organized around four distinct but interconnected neighborhoods. These neighborhoods, or Development Units, are as follows:

- DU1- Mixed-Use Town Center Neighborhood
- DU2- Mixed-Use Office Center Neighborhood
- DU3- Arts Center Residential Neighborhood
- DU4- Residential Neighborhood

The neighborhoods of Heartland Town Square are linked by a pedestrian-friendly street grid. In addition, DUs 1, 2, and 3 are linked with a “Ring Road,” located along the periphery of the site. The Ring Road allows for the distribution of traffic around the edges of the site and provides for potential future access to the south through Heartland Business Center to the Deer Park train station. In addition, the plan for Heartland Town Square builds upon the existing grid of streets established by Pilgrim State Psychiatric Center. Some of these streets have been abandoned, but retain established street trees. The plan for Heartland Town Square incorporates existing street trees into two new green space areas that will become a feature of the Town Center.

Each of the four neighborhoods of Heartland Town Square is organized around its own unique open spaces. These open spaces give each neighborhood a special identifying feature and unique character. In addition, the open spaces help support the creation of varying environments and different scales of residential development.

#### **Development Unit 1 (DU1) – Mixed Use Town Center Neighborhood**

DU1 is conceived as a mixed-use district that can accommodate a range of compatible land uses, mixing employment opportunities with housing, retail, entertainment, and cultural uses. The objective is to create a pedestrian-friendly infrastructure that encourages street life, business activity, and a self-policing environment, which incorporates distinctive “people places” that function as the focus for community life, special events, celebrations, and festivals.

The retail space in the Town Center is organized along an “L”-shaped main street, which provides a wide variety of shops, restaurants, and stores. The main street is a pedestrian friendly environment that will feature two significant open spaces, the northern and southern open spaces. The southern open space is located at the corner

of the “L” shaped main street, and will feature a retail pavilion overlooking this open space. The northern open space is the centerpiece of the retail environment, and is focused around the existing water tower. The existing tower will be retained and will become an iconic marker for the retail district as well as the entire Heartland Town Square community. In addition to the main street streetscapes and plazas, DU1 has other open spaces that help to give identity to this neighborhood. Two other open spaces are proposed around trees from the existing east-west streets that will tie into the Town Center. These two green streets will become significant community open spaces. In addition, DU1 provides significant buffer areas adjacent to the existing Pilgrim campus, south of DU1 as well as to the existing residential areas to the west and northwest of the Town Center.

### **Development Unit 2 (DU2) - Mixed Use Office District Neighborhood**

DU2 is conceived as a mixed-use office district that will contain predominately office use in the north, transitioning to more residential uses on the south side near “G” Road. In this way, DU2 acts as a transition from mixed-use commercial activities on the north, to more residential uses on the south. DU2 is more linear than the Town Center, with a signature office tower as its centerpiece. In addition, DU2 borders the Sagtikos Parkway, and a 200-foot buffer has been provided from the existing Sagtikos Parkway right-of-way. DU2 also has provided a buffer along a portion of the west side, adjacent to Pilgrim campus. In addition to commercial office and residential uses, DU2 has some provision for retail uses. On the northern portion of DU2, a site for a larger retail anchor has been located adjacent to an entry off Crooked Hill Road. This site could accommodate a grocery store or another retail anchor use. Additional neighborhood retail nodes are located in the center of DU2, around the signature office tower complex, and on the southern portion of DU2 within the residential portion of the district.

DU2 is characterized by several unique open spaces. On axis with the existing entry to the property from the Sagtikos Parkway, a significant plaza space has been located. This plaza will form the foreground of a signature high-rise office tower that will act as an iconic entry into Heartland Town Square. This entry plaza will be flanked by lower scale office buildings, which may have ground level retail that front onto this plaza space, similar in some respects to the arrangement that is used around Rockefeller Center. On the south side of DU2 are two additional open space areas that are located amongst the residential buildings in that portion of the site. In addition, on the eastern portion of DU2, a significant buffer has been provided adjacent to the easternmost edge of the property (along the Sagtikos Parkway right-of-way).

### **Development Unit 3 (DU3) - Arts Center Residential Neighborhood**

DU3 is located in the southwestern quadrant of the site, and is primarily residential in nature. The plan is oriented around the large open space that is located in front of the existing power plant building. This building is proposed to be retained and redeveloped as a community arts center. The large open space in the foreground of the arts center may become a type of “Arts Park,” a flexible space that may be used with special events associated with the arts center. This space will become the centerpiece of DU3 and may become a community gathering place. In addition, a civic/community facilities area is provided on the western edge of DU3. This community site is flexible and could accommodate a variety of future

civic/community needs, while also providing a separation between the residential components of DU3 and the potential future Intermodal Facility that may be developed off-site to the west of DU3. DU3 also maintains a 200-foot buffer on the east side next to the Sagtikos Parkway.

#### **Development Unit 4 (DU4) - Residential Neighborhood**

DU4 is located on the east side of the Sagtikos Parkway and is planned as a predominately residential neighborhood, with a small amount of neighborhood retail space located at the northeast corner of the site. This residential neighborhood relates to the residential areas located to the south and east of the site. The centerpiece of DU4 is the large community open space that will be located in the center of this district. This open space will incorporate some of the existing established trees in that area into this community open space. DU4 also proposes a significant buffer from the Sagtikos Parkway on the west side of the district, as well as a consistent buffer along the eastern and southern sides of the district.

#### **Residential Units**

The residential units planned throughout Heartland Town Square include apartments, townhouses and patio homes, which will cover many price points that are designed to attract households in different income classes and at different stages in their lives.

The rents and sales prices for the market-rate units will be based upon the prevailing market at the time the units are rented/sold. The anticipated rents and sales prices of the market-rate units as presented in the DGEIS (2009) were as follows:

	Market-Rate Sales Price	Market-Rate Monthly Rental	Workforce Monthly Rental
Studio/Loft	\$200,000	\$990	\$821
One Bedroom	\$240,000	\$1,210	\$938
Two Bedroom	\$400,000	\$1,980	\$1,056
Two Bedroom + Den	\$480,000	\$2,530	\$1,144

The workforce rental units would be marketed to those earning between 100 percent and 120 percent of the AML, as determined annually by the United States Department of Housing and Urban Development (HUD). Housing is defined as affordable by the HUD if an occupant spends no more than 30 percent of the household income on such housing. Thus, the rental costs for the workforce housing would be based on that limitation.

Of the overall units constructed, it is anticipated that approximately five percent will be studios/lofts, 25± percent will be one-bedroom units, 65± percent will be two-bedroom units, and approximately five percent will be two-bedroom units plus a den. This mix will apply in all three phases of the proposed development, and to the workforce units, as well.

### 2.2.5 Differences Between DGEIS and FGEIS Conceptual Master Plans

One of the fundamental differences between the previously-proposed Conceptual Master Plan (presented in the DGEIS [DGEIS Plan]) and the revised Conceptual Master Plan (presented in this FGEIS [FGEIS Plan]) is that, in response to various comments made on the DGEIS, the revised Conceptual Master Plan adjusts the development density within the site, while retaining the same composite density as the DGEIS Plan over the entire site. The greatest mix of land uses (including residential, office, retail, entertainment, lodging) and higher densities are now located within the Town Center in DU1, rather than in the other DUs. Development transitions to lower density moving away from the center. The revised Conceptual Master Plan (see Appendix RP-1) indicates the development density is generally more concentrated in the Town Center and less concentrated to the outer edges of the site in DU1. The same is true for DU2 (a mixed-use office district), where the density is concentrated near the entrance from the Sagtikos Parkway, which constitutes the approximate center of this more linear development unit. The intensity of development is far lower in DU3 and DU4, which are more traditional, multi-family residential neighborhoods.

Adjusting the density in the FGEIS Plan allows for greater vegetated setbacks along the Sagtikos Parkway and adjacent to the residential neighborhoods to the northwest and southeast of the subject property, buffering these areas from the proposed development. As a result, the overall open/green space of the site has increased from approximately 30 percent (under the DGEIS Plan) to approximately 35 percent (under the FGEIS Plan).

The following table presents the differences in setback-buffer areas from the DGEIS to the FGEIS:

	Previous Minimum Setback (DGEIS)	Proposed Minimum Setback (FGEIS)
Sagtikos Parkway (West Side - DU2 and DU-3)	75 feet	200 feet
Sagtikos Parkway (East Side - DU-4)	45 feet	115 feet
Northwest Corner (near Commack Road (DU1-B))	130 feet	130 feet
Southeastern Corner (DU-4)	16 feet	40 feet

The revised Conceptual Master Plan also incorporates existing vegetation to a greater degree than in the previous plan. There are locations in the revised Conceptual Master Plan that include retention of rows and stands of existing trees for incorporation into key green spaces (see Appendix RP-1). It is the intention of the revised Conceptual Master Plan to incorporate some of the existing tree stands from Road "K" as the centerpiece of two new green spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, tree groupings located in the existing central green will be preserved and become a focal point for a new community space in that area.

Another difference in the plans is that the range in number of stories and the locations of taller buildings have been modified. Within the proposed revised Conceptual Master Plan and the Building Stories Plan, the majority of the buildings are low-rise. However, at selective strategic locations within DU1 and DU2, taller mid-rise towers have been proposed, as described in more detail in the Design Guidelines and shown on the Building Stories Plan (see Appendix RP-1). In DU1, the tallest building proposed is a mid-rise tower (7 to 13 stories, up to 165 feet in height). In DU2, the tallest building proposed is the high-rise signature tower (14 to 20 stories, up to 260 feet in height), which is located at the main entry to the site from the Sagtikos Parkway. All other proposed buildings within DU2 are low-rise. In DU3 and DU4, the buildings proposed are low-rise residential buildings (1 to 6 stories, up to 80 feet in height). Overall, the buildings around the periphery of the site are lower than those located toward the center of each development unit. Therefore, the density and height have been shifted more toward DU1 (within the Town Center) and DU2.

Another change in the revised Conceptual Master Plan is that approximately 8.9 acres within DU3 have been specifically set aside for civic uses. This area can be developed, as needed, with a fire and/or ambulance substation, police substation, post office, library or other community facilities.

As described in the DGEIS, Heartland Town Square provides the opportunity for alternate modes of transportation and strives to reduce vehicle miles traveled. The Addendum to the DEIS, dated May 2008 (hereinafter 2008 Addendum), described specific measures to be undertaken with respect to the reduction of vehicle trips, and the revised Conceptual Master Plan enhances these measures by, for example, making development more compact (thus more walkable), by providing in-street bicycle paths and bike racks, and by ensuring that a private shuttle bus to the Deer Park train station will be developed and operated beginning in Phase I of the development. These measures have been clarified within the FGEIS and include the following:

- ▶ Private Shuttle Bus -- Heartland Town Square will operate a shuttle bus that will circulate through Heartland Town Square and will serve as a direct shuttle to the Deer Park Long Island Rail Road (LIRR) Station. Based on the proximity of the Deer Park Station and the proposed roadway connection between Heartland Town Square and the LIRR, the shuttle service will afford residents a safe, reliable and convenient transportation alternative to access the LIRR in a matter of minutes without the need to worry about parking. By providing residents, workers and visitors with the ability to travel to a key destination point, this private shuttle bus service will result in reduced automobile dependency and fewer vehicle trips.
- ▶ Biking -- Heartland Town Square will be designed to accommodate bicycles, and security racks will be provided throughout the community, thereby minimizing internal vehicular trips.
- ▶ Public Transportation -- Heartland Town Square is ideally situated in terms of public transportation. In addition to being proximate to the Deer Park LIRR Station, two bus routes run through the subject property, and other proximate routes can be extended into the property if the demand warrants.

Also, in addition to Heartland Town Square, which is expected to employ almost 26,000 persons within its boundaries, many other employment centers and destinations are proximate and accessible by public transportation (e.g., Heartland Business Center, Hauppauge Industrial Park, County and State Facilities, Suffolk County Community College, Tanger Outlets). Also, as evidenced by recent news reports, public transportation systems nationwide have been experiencing gains in daily ridership due to the escalating cost of gasoline. This trend is expected to continue into the future, thereby contributing to a reduction in vehicular trip activity associated with developments such as Heartland Town Square, which are well-served by both rail and bus transit.

- Ride Sharing -- The New York State Department of Transportation (NYSDOT) counsels major employers on Travel Demand Management (hereinafter TDM), specifically, means to reduce automobile use. One of TDM recommendations is for businesses to coordinate efficient travel (such as encouragement of carpooling through incentives) and to provide parking disincentives (such as the parking policies [discussed below]).

Heartland Town Square will offer concierge services, and the concierge office will include a transportation manager who will be trained in TDM and will provide advice with respect to public transportation, the private bus within Heartland Town Square, bicycle options, "zip cars," and will arrange car pools for residents and employees within Heartland Town Square.

- Walking -- Because of the mixed-use nature of the development and because the streetscape will be enhanced with street markets, outdoor cafes, art performances, sidewalk commerce, attractive landscaping and street furniture, walking within the Heartland Town Square will be naturally encouraged, thereby reducing the number of both internal and external vehicular trips.
- Parking Policies -- The applicants are contemplating adopting specific policies to discourage automobile ownership by residents. Most residents would be provided with one convenient parking space per unit. Those residents seeking additional parking spaces would be assigned them in a more remote, satellite location, and would be required to pay a fee for this additional space.

In addition, changes to access have been made between the previously-proposed plan and the revised Conceptual Master Plan. The revised Conceptual Master Plan includes access to Commack Road through DU1. Furthermore, there is now access through DU3 within Heartland Town Square to the Heartland Business Center to the south. Furthermore, the internal Ring Road has been extended from DU1 completely through DU2 into DU3, whereas previously, this roadway did not extend through DU3. This allows the potential connection to Heartland Business Center, as noted above and provides for a more integrated development overall. Finally, from a parking perspective, many more of the parking garages are proposed to be wrapped with either residential or retail uses in the revised Conceptual Master Plan, as compared to the DGEIS Plan. There is also a better distribution of parking areas throughout the site, particularly within the Town Center.

With respect to workforce housing, based upon discussions with the Town of Islip, the revised Conceptual Master Plan includes 913 units of new workforce housing within Heartland Town Square, which represents ten percent of the housing units proposed (the DGEIS Plan included 1,890 workforce housing units). In addition to providing 913 workforce housing units on the Heartland Town Square property, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization. The applicants have begun to fulfill this commitment to the purchase and renovation of blighted properties within the Gateway Area, which was the subject of the *Finding of Blight for the Islip Gateway Community Improvement Area* discussed in Section 3.1.1 of the DGEIS. The applicants are negotiating a contract to purchase a 1.25-acre vacant lot (SCTM No. 500-71-1-6) for \$750,000. Upon closing, this purchase would go towards fulfilling the applicants' commitment of \$2,000,000 for the purchase of blighted and renovation properties in the area. See Appendix RP-5 for the location of this property relative to Heartland Town Square.

---

## 2.2.6 Phasing and Additional Mitigation

Among other issues that are addressed in Section 4.0 of this FGEIS, the Town Board received various comments regarding the scope and magnitude of the proposed Heartland Town Square development and its impacts on various infrastructure. In order to address these comments, ensure that the analyses conducted as part of this GEIS process are accurate, and that the mitigation is sufficient, the Town Board is requiring that the development be phased and that studies be conducted after development commences.

The Town Board has determined that phasing is one of the keys to the success of Heartland Town Square (see the Phasing Diagrams in Appendix RP-1). As discussed above, Heartland Town Square will consist of three phases. One of the main concerns expressed related to traffic impacts and the level of internal capture that would result in this mixed-use development. Based upon its studies, and considering the synergies that are expected to result for a mixed-use development of this magnitude and the corresponding reduction in external trips, the applicants believe that the standard traffic modeling and evaluation techniques are not suitable, and further believe that the internal capture rate (i.e., the percentage of project-generated trips that never leave the site) during the Weekday PM peak hour should be 45 percent. However, the Town Board and its traffic consultants disagree with this conclusion and have required that the analyses be performed using an *average* internal capture rate of 20 percent across all time periods so as to ensure a conservative and complete evaluation of impacts, as presented in Appendix TR-1 of this FGEIS. Specifically, internal capture rates of approximately 12.5 percent in the Weekday AM peak hour, almost 21 percent in the Weekday PM peak hour and almost 22 percent in the Saturday Midday peak hour were used in Phase I of the proposed development. In the Full-Build, internal capture rates are expected to change to approximately 14.7 percent, 18.2 percent, and 24.4 percent, in the respective peak hours. All information in the Supplemental Traffic Analysis and the associated identified mitigation reflect this conservative internal capture rate (see Appendix TR-1 of this FGEIS).

Based upon discussions with Town officials regarding the potential impacts on the surrounding roadway network which might result from the entire Heartland Town Square project, the applicants are proposing a phased-implementation process, which includes traffic counts of vehicles entering and exiting the Heartland Town Square at the point when 70 percent of the space associated with Phase I is occupied. If the volume of traffic entering and exiting Heartland Town Square is equal to or less than that projected (using the internal capture rate in the Supplemental Traffic Analysis), this will confirm that the internal capture rate methodology utilized for both Phase I and Full-Build is appropriate.

If said traffic counts indicate that the internal capture rates applied in this FGEIS are not accurate (i.e., the actual number of external trips exceeds that projected in this FGEIS), the Town Board can then modify the density of the office development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate. This comparison of realized to projected volumes will be based on the Weekday PM peak hour of traffic. The Town Board's traffic consultant has agreed that this period represents the highest levels of site traffic and is the critical period in the identification of project impacts. The adjustment to the density of office development would ensure that the external traffic due to Heartland Town Square at Full-Build will not exceed levels evaluated in the Supplemental Traffic Analysis, upon which the roadway improvements are based. A reduction in the density of office space was chosen as the most appropriate, as that will have the most direct effect on external trips to and from Heartland Town Square. That is, a higher percentage of office-related trips are external trips, as opposed to retail and residential uses, which have a higher rate of trips that occur internally between them.

The DGEIS traffic analyses included use of a modal split that assumed 25 percent of the trips to and from Heartland Town Square would use some form of public transportation (rail or bus). The Town Board's traffic consultant indicated that this level of public transportation use is unrealistic. Based on discussions with the Town Board's traffic consultant regarding this issue, and to ensure a conservative and complete evaluation of impacts, the applicants have eliminated the reduction in vehicle trips attributed to the use of public transportation in the Supplemental Traffic Analysis included in this FGEIS.

NYS DOT has acknowledged that there is a capacity problem on the Sagtikos Parkway and has allocated \$3,410,000.00 in the current fiscal year of the five year Nassau Suffolk Transportation Improvement Program (TIP) to commence a preliminary engineering study of the Sagtikos Parkway and an additional \$10,952,000.00 in the out-years of the five-year plan (post-2015) for design of a parkway improvement project. The applicants have received correspondence from the Commissioner of the NYSDOT, dated November 19, 2012, indicating a commitment to advance the Sagtikos Parkway study expeditiously. Furthermore, the NYSDOT has also recognized deficiencies in other portions of the roadway network surrounding the project site. The NYSDOT has indicated its intention to work with the Regional Economic Development Council, the local (Nassau/Suffolk) Transportation Coordinating Committee, Suffolk County and the Town of Islip to prioritize programming needs that promote economic growth in the region.

The applicants have received a \$2.5 million grant from the Regional Economic Development Council for the design and implementation of improvements to

Crooked Hill Road. With respect to the Suffolk County Department of Public Works (SCDPW), the County has provided matching funds with respect to the aforementioned Crooked Hill Road roadway improvement grant from the Regional Council.

Another phasing concept involves sewage generation. The applicants have proposed that, as permits are sought for each building within the development, sewage flow would be calculated using the Suffolk County Department of Health Services (SCDHS) flow factors and a running total of this flow would be kept by the applicants, SCDHS and SCDPW. In addition, the applicants will monitor flow at the existing pump station to see how the theoretical flow compares to the actual flow.

When a 1.0 million gallons per day (mgd) flow is reached, based upon SCDHS flow factors (approximately equal to the Phase I flow), the applicants will compare this calculated flow to the actual flow. This will continue until Heartland's calculated flow reaches 1.6 mgd, at which point the project will be able to continue (if actual flow is less) or more flow will be required to be purchased from the Suffolk County Sewer Agency (SCSA).

During the public comment period on the DGEIS, several concerns were raised regarding the economic benefits projected by the applicants, and how they may not be realized if the applicants chose not to develop the commercial and/or retail uses as they develop the residential uses (i.e., there would be residential demand for services without projected revenues from the commercial/retail development). To address this issue, the applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I. This commitment will help to ensure the achievement of smart-growth principles through mixed use, and will also ensure commercial ratables for the various taxing districts at the first stage of development.

# 3.0

## Conditions and Criteria Under Which Future Actions Will Be Undertaken or Approved, Including Requirements for any Subsequent SEQRA Compliance

6 NYCRR §617.10(c) and (d) state, in pertinent part:

*“(c) Generic EISs...should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance...”*

*(d) When a final generic EIS has been filed under this part:*

*(1) No further SEQRA 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.”*

Based on the analyses contained in the DGEIS and this FGEIS, the following represents the conditions and thresholds, which, if met, would eliminate the need for further SEQRA compliance or further approval from the Town Board.

- The total development of Heartland Town Square will not exceed the following (and each phase of development will not exceed the square footages in the specific phases set forth below, except that any development not conducted in an earlier phase may be conducted in a subsequent phase, and this restriction does not preclude the division of any phase of development into subphases):

<u>Total Development:</u>	<u>Heartland Town Square</u>	<u>Gateway Area</u>
Office:	3,239,500 square feet	800,000 square feet
Retail:	1,000,000 square feet	30,000 square feet
Civic:	215,500 square feet	0 square feet
Residential Units:	9,000 units	130 units

<u>Phase I:</u>	<u>Heartland Town Square</u>	<u>Gateway Area</u>
Office:	626,000 square feet	N/A
Retail:	560,000 square feet	N/A
Civic:	105,500 square feet	N/A
Residential Units:	3,504 units	N/A

<u>Phase II:</u>	<u>Heartland Town Square</u>	<u>Gateway Area</u>
Office:	1,602,322 square feet	400,000 square feet
Retail:	391,930 square feet	30,000 square feet
Civic:	5,000 square feet	0 square feet
Residential Units:	3,472 units	130 units

<u>Phase III:</u>	<u>Heartland Town Square</u>	<u>Gateway Area</u>
Office:	1,011,178 square feet	400,000 square feet
Retail:	48,070 square feet	0 square feet
Civic:	105,000 square feet	0 square feet
Residential Units:	2,024 units	0 units

- The applicants shall develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I, in order to ensure commercial ratables for the various taxing districts at the first stage of development.
- When 70 percent of the space associated with Phase I is occupied, traffic counts at each of the access points to the Heartland Town Square development will be collected, at the applicants' expense. If said traffic counts conclude that the internal capture rates applied in the GEIS are not accurate (i.e., the number of external trips are greater than that projected in

the GEIS), the Town Board can then modify the density of the office development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate.

- Thirty-five percent of the total land area shall be open space.
- A vegetated buffer of 200 feet in width shall be maintained along the existing right-of-way of the west side of the Sagtikos Parkway, as shown on the revised Conceptual Master Plan.
- A vegetated buffer of 130 feet in width shall be maintained at the northwestern portion of the property (where the property abuts residential properties within the Town of Huntington).
- A vegetated buffer of 40 feet in width shall be maintained at the southern and eastern portions of DU4 in the Town of Islip, where it abuts residential properties and properties along Crooked Hill Road, respectively.
- A minimum of 10 percent of the residential units shall be for-sale units.
- Ten percent of the residential units within the Heartland Town Square development shall be workforce units.
- The applicants shall commit \$2,000,000 to purchasing and renovating blighted properties proximate to the Heartland Town Square development.
- As permits are sought for each building within the development, sewage flow would be calculated using the Suffolk County Department of Health Services flow factors, and a running total of this flow would be kept by the applicants, SCDHS and Suffolk County Department of Public Works. In addition, the applicants will monitor flow at the existing pump station to see how the calculated flow compares to the actual flow. When a 1.0 million gallons per day (mgd) calculated flow is reached (approximately equal to the Phase I flow), the applicants will compare the calculated flow to the actual flow. This will continue until Heartland's calculated flow reaches 1.6 mgd, at which point the project will be able to continue if actual flow is less than 1.6 mgd, or more flow will be required to be purchased from the Suffolk County Sewer Agency.
- Heartland Town Square will operate a shuttle bus to the Deer Park Long Island Rail Road Station, which will be coordinated with the LIRR schedule.
- Specific policies will be employed to discourage automobile ownership by residents. Residents will be provided with one convenient parking space per unit. Those residents seeking additional parking spaces will be assigned them in a more remote, satellite location (no closer than three blocks from said residence).

- Additional measures to discourage automobile ownership will include having a concierge office that will include a transportation manager who will (a) provide information to residents with respect to availability of public transportation, the private shuttle bus within Heartland Town Square, bicycle options (including on-site bicycle lanes and bicycle storage facilities), and availability of “zip cars,” and (b) arrange car pools for residents and employees within Heartland Town Square.
- The applicants will provide \$25,000,000.00 toward required off-site roadway improvements at Phase III. The specific improvements on which these monies will be expended are not defined at this time and will be decided through discussions among the involved agencies.
- The applicants will comply with the requirements of the Purchase and Sale Agreement executed between New York State and the applicants, dated May 16, 2001, as amended January 2002.<sup>1</sup>

In the event that any of the above conditions are contravened, additional SEQRA compliance may be necessary in accordance with 6NYCRR §617.10(d)(2),(3) or (4), given the actual development plan proposed and the associated potential environmental impacts associated therewith.

With respect to future development approvals if the proposed action proceeds (i.e., after the Town Board adopts the PSPRD zoning, applies the zoning to the Heartland Town Square property, and approves the revised Conceptual Master Plan and supporting plans and documentation, as described above), the applicants will be required to obtain site plan approval from the Commissioner of the Department of Planning and Development for each phase or sub-phase of development proposed. A sub-phase or phase may consist of one building, multiple buildings, one block, multiple blocks or any level of development up to an entire phase as shown on the Overall Phasing Diagram ultimately approved by the Town Board (see proposed PSPRD zoning district in Appendix RP-2).



<sup>1</sup> See Section 4.9 for discussion of specific agreements.

# 4.0

## Comments and Responses

The following section includes the comments made either at the public hearing or during the public comment period and the responses thereto. The comments are arranged by topic, similar to the arrangement within the DGEIS.

---

## 4.1 SEQRA PROCESS (SQ)

### Comment SQ-1

All of the deficiencies of the DGEIS (with respect to traffic, Special Groundwater Protection Area, building heights, noise, habitats, parks, light pollution, water resources, economics and alternatives) that are cited in the Town of Huntington comment letter dated August 26, 2009, cannot be cured by simply responding to comments in the FEIS, because even if additional information is supplied in the FEIS, the public is denied its opportunity to comment on that information. Consequently, the preparation of a Supplemental DEIS that incorporates the missing information is requested (C8A-28)

### Response SQ-1

With respect to when a Supplemental DGEIS is required, 6 NYCRR §617.9(a)(7) of the State Environmental Quality Review (SEQRA) regulations state:

*(i) The lead agency may require a supplemental EIS, limited to the specific significant adverse environmental impacts not addressed or inadequately addressed in the EIS that arise from:*

- (a) changes proposed for the project; or*
- (b) newly discovered information; or*
- (c) a change in circumstances related to the project.*

*(ii) The decision to require preparation of a supplemental EIS, in the case of newly discovered information, must be based upon the following criteria:*

- (a) the importance and relevance of the information; and*
- (b) the present state of the information in the EIS.*

*(iii) If a supplement is required, it will be subject to the full procedures of this Part.*

Accordingly, if the Town Board, as lead agency, determined that there were changes proposed for the project, newly discovered information or a change in circumstances related to the project, the Town Board could have required a Supplemental Draft Generic Environmental Impact Statement ("Supplemental DGEIS").

In this case, the proposed action has not been changed since it was evaluated in the DGEIS; there has been no newly-discovered information; and there is no change of circumstances related to the project. Thus, the SEQRA regulations do not require the preparation of a Supplemental DGEIS.

The SEQRA regulations, at 6 NYCRR §617.9(b)(8) require that an F[G]EIS present and respond to all substantive comments on the DGEIS. As indicated throughout this FGEIS and as presented in Appendices A and B, all of the substantive comments received during the comment period have been identified and responded to in accordance with the requirements of SEQRA and its implementing regulations.

Upon completion of the FGEIS and its filing by the Town Board, the FGEIS will be circulated to the involved agencies and interested parties, who will then have the opportunity to consider the FGEIS, in accordance with 6 NYCRR §617.11(a) (during a time period to be established by the Town Board, which cannot be fewer than

ten days). The Town Board will then evaluate and consider any comments that it may receive on the FGEIS when it prepares its SEQRA Findings Statement.

#### **Comment SQ-2**

We are perplexed as to why the Lead Agency would accept the document as complete for public review, if it is not satisfied with the Traffic analysis prepared by the applicant's consultant. The accuracy of the Traffic analysis is not the decision of the applicant. This is in effect delegating this authority to the entity that has greatest interest in receiving approval for the project. This is the Town Board of the Town of Islip's document, not the applicant's. The Town Board should not be swayed by the applicant's interest in downplaying the environmental impacts of the project. The Islip Town Board accepted the document despite technical differences between Islip and the applicant with regard to traffic, sewage... It is the applicant's position that pursuant to SEQRA, technical issues and differences of opinion regarding technical analysis do not have to be resolved in determining whether the EIS is complete and adequate for public review. The differences in opinion between the applicant and Islip are characterized as technical differences within the document. The differences in opinion are numerous; however the largest disagreement focuses on the manner of estimating vehicle trips from Heartland. (C9-2)

Incredibly, the Islip Town Board has accepted as complete the developer's draft generic environmental impact statement, despite having concluded that there are 20 points on which the Town and the developer still disagree. Usually, the "lead agency" reviewing a development at the Town level resolves the matters at issue before declaring the environmental impact statement complete, and only then invites public comment. Alas, the Islip Town Board has set this public hearing for tonight when few have had adequate time to consider this massive proposal. (C19-3)

The current version of the SEQRA Handbook provides that a draft impact statement should describe the action, alternatives to the action, and various means of mitigating the impact of the action, and if there is a fundamental disagreement between lead agency and preparer of the Draft Generic Environmental Impact Statement about acceptability, it is possible to simply disclose that disagreement and explain how the parties vary in their opinions and the public will then be able to comment on this as well.

Based on the principles, the DGEIS adopted by the Town Board included 21 areas of fundamental disagreement between the applicant and the Town Board, and 15 of those 21 issues related to the function of the use of the traffic and transportation site including issues related to methods used in the intersection ramp analysis, traffic generation calculations, and internal traffic capture analysis, among other issues. (H2-2)

The public comment period has been allowed to begin with a long list of unresolved problems about which you heard tonight. Incredibly, the Islip Town Board has accepted as complete the developer's Draft Generic Environmental Impact Statement, despite having concluded that there are 21 points over which the Town and developer still disagree. Usually, the lead agency reviewing the development at the Town level resolves the matters before determining the Environmental Impact Statement is complete and only then invites public comment. The Islip Town Board set this public hearing tonight without having addressed the Town's own concerns. (H17-5)

On the very first page, on 1-1, I quote, "*Town of Islip Department of Planning and Development continues to raise tactical objections with respect to the accuracy of the traffic generation presented*", close quote. That is a scary proposition. Apparently, there were 21 objections that were listed, and not just for traffic, but with sewage effluence and discharge, et cetera. For it to reach this point, I'm a little puzzled how that happened. (H35-1)

#### **Response SQ-2**

First, it should be recognized that the project sponsor has the express option of preparing a Draft Environmental Impact Statement under the SEQRA regulations, §617.9(a)(1), which is the usual practice and occurred in this particular case. The lead agency has the authority to review and comment on a DEIS or

DGEIS submission received from an applicant within the context of determining if the document is adequate for the purposes of public review, but does not otherwise control the preparation of a DEIS/DGEIS which an applicant chooses to undertake. It further is important to note that the Town Board of the Town of Islip is the lead agency. The Town of Islip Department of Planning and Development provides commentary and advice to the lead agency, but cannot substitute its positions or opinions for that of the lead agency.

For several years, staff of the Town of Islip Department of Planning and Development generated comments on the DGEIS versions submitted by the applicants, which the applicants argued were improper and did not conform to the requirements of the SEQRA regulations. The applicants expressed their position to the Town Board in correspondence dated January 22, 2009 (see Appendix SQ-1 of this FGEIS). Based upon the Town Board's review of this correspondence and the SEQRA regulations, the lead agency determined that the DGEIS should be accepted as complete and adequate for the purpose of public review, in accordance with 6 NYCRR §617.9(a)(2).

At the request of the lead agency, and in an attempt to address the comments raised by the staff of the Town of Islip Department of Planning and Development, the applicants explained in Section 2.1 of the DGEIS why the technical "differences" expressed by the Town staff were believed not to be appropriate cause to delay acceptance of the DGEIS as complete and adequate for public review. Section 2.1 of the DGEIS states, in pertinent part:

"The applicants support the aforesaid position [i.e., the position that the DGEIS is complete and adequate for public review] through review of 6NYCRR 617.9(a)(2) and at pages 69 through 71 of *The SEQR Handbook* NYSDEC, November 1992), which states, in pertinent part,

***2. Is there a particular basis for determining the adequacy of a draft EIS?***

*Yes. The lead agency should rely on the written scope of issues, if one was prepared, and the standards in 617.14<sup>2</sup> which cover the content of EIS's. The lead agency should ensure that all relevant information has been presented and analyzed, but should not require an unreasonably exhaustive or "perfect" document. The degree of detail should reflect the complexity of the action and the magnitude and importance of likely impacts.*

*A draft impact statement should describe the action, alternatives to the action and various means of mitigating impacts of the action. It should discuss all significant environmental issues related to the action, but it is not the document in which all such issues must be resolved. Resolution of issues before acceptance of a draft EIS, in fact, defeats one of the major purposes of a draft EIS; that is, to give the public an opportunity to comment on the various alternatives regarding the action, so that such comments may be part of the final decision making considerations.*

***7. Is there a limit on the number of times a lead agency may reject a submitted draft EIS?***

*The SEQR regulations place no limit on rejection of a draft EIS, except that the lead agency must identify the deficiencies in writing to the project sponsor. If a lead agency's request for the inclusion of necessary information is ignored or refused, the agency may continue to reject the document.*

*However, the lead agency should remember that a draft EIS does not need to be perfect. It should contain a discussion of information, including significant impacts, alternatives and mitigation measures requested by the lead agency in a reasonable level of detail. The purpose of the public comment period is to allow all*

▼  
<sup>2</sup> The numbering of the sections in 6 NYCRR Part 617 was modified, based on revisions to the regulations that occurred subsequent to the preparation of *The SEQR Handbook*. The referenced standards are now found in 6 NYCRR §617.9 and not §617.14.

involved agencies and the public to review the draft EIS and comment on its inadequacies. These can usually be corrected in a final EIS.

**If there is a fundamental disagreement between the lead agency and the preparer of the draft EIS about its acceptability, it is possible to simply disclose that disagreement in the document itself and explain how the parties vary in their opinions. The public will then be able to comment on this as well.**

**9. Must differences in interpretation between the project sponsor and lead agency experts regarding a technical issue be resolved before determining a draft EIS as complete?**

No. It is not necessary to resolve these types of disputes before accepting the draft EIS as complete. In cases where there are valid differences in the interpretation of a technical issue, the lead agency should include both interpretations in the draft EIS. Providing both positions allows a reviewer to reach an independent determination regarding the impact.” (emphases added)“

Moreover, 6 NYCRR §617.9(a)(2) states:

*“The lead agency will use the final written scope, if any, and the standards contained in this section to determine whether to accept the draft EIS as adequate with respect to its scope and content for the purpose of commencing public review. This determination must be made in accordance with the standards in this section within 45 days of receipt of the draft EIS.”*

The DGEIS was accepted as complete for the purpose of commencing public review on April 14, 2009 and the entire document was posted on the Town website as of April 22, 2009, and distribution to the involved agencies and interested parties occurred on April 22 and 23, 2009. A public hearing was held on May 28, 2009 and the comment period ended on August 27, 2009. Therefore, the DGEIS was available for public review and comment for 37 days before the public hearing and an additional 91 days after the public hearing, for a total of 128 days (approximately four months). It is noteworthy that the SEQRA regulations, at 6 NYCRR §617.9(a)(3), establish 30 days as the minimum public comment period. Thus, the lead agency provided a generous timeframe for the solicitation of comments on the DGEIS.

Based on the foregoing, the DGEIS accepted by the Town Board was complete and adequate for public review, and the Town Board is now filing this FGEIS to respond to all of the substantive comments received, including those from the staff of the Town of Islip Department of Planning and Development.

Each of the “21 areas of fundamental disagreement” has been addressed in this FGEIS in the appropriate Section, as follows:

**Table SQ-1 - Responses to Areas of Disagreement within FGEIS**

Area of Disagreement	Location of Response in FGEIS/Brief Resolution
1 - Method used to analyze regional roadway network beyond area in DGEIS (LIE, Northern State Parkway, Sagtikos, Southern State Parkway)	<b>TR-8</b> (Additional segments of the Sagtikos Parkway, Southern State Parkway, Northern State Parkway and LIE have been added to the study network evaluated in the STA* based on discussions with the Town’s traffic consultant.)
2 - Modeling of LIE/Sagtikos Interchange	<b>TR-8</b> (The LIE system between Commack Road and Wicks Road, and

	the Sagtikos Parkway north to the Northern State Parkway have been added to the study network evaluated in the STA, including the interchange of the two facilities, based on discussions with the Town's traffic consultant.)
3 – Method of Analysis for traffic volume flow maps and trip distribution flow diagrams	<b>TR-5</b> (Based on discussion with the town's traffic consultant the volume and trip distribution figures in the STA have been revised. The analysis presents an evaluation of Phase I and an analysis of Full Build [Phases I, II, and III].)
4 – Method of analysis of parking facilities	<b>TR-243</b> (It is proposed that parking requirements be determined as site plans within the development are presented to the town for approval, based upon methodology in the PSPRD.)
5 – Property requirement for roadway improvements	<b>TR-316</b> (The recommendations for the majority of locations do not require right-of-way. The revised analysis results in the elimination of some locations where right-of-way was previously required. There are some isolated locations where right-of-way may be necessary.)
6 – Analysis of roadway intersections	<b>TR-1</b> (The STA contains additional detail and discussion as per input from the Town's traffic consultant.
7 – No Build and Build intersection and ramp queuing results	<b>TR-2</b> (The STA addresses these results, as per the Town's traffic consultant)
8 – Effects of development on transportation system	<b>TR-1</b> (Additional analysis and discussion, as per the direction of the Town's traffic consultant are included in the STA)
9 – Trip generation characteristics of commercial uses	<b>TR-57</b> (The land use categories in the revised Conceptual Master Plan have been used as the basis for the trip generation in the STA, as per the Town's traffic consultant.)
10 – Capture rates and transit utilization	<b>TR-9</b> The STA contains lower internal capture rates and assumes not credit for transit use, as per input from the town's traffic consultant)
11 – Intersection and limited ramp analysis narrative and discussion of unmitigated impacts	<b>TR-119</b> (The STA contains revised analyses and additional discussion, as per input from the Tn's traffic consultant.)
12 – Degree and locations of unmitigated impacts	<b>TR-276</b> (The STA contains revised analyses and additional discussion, as

	per input from the Town's traffic consultant.)
13 - Sagtikos Parkway LOS, other MOEs for segments, ramps and weaves	<b>TR-124</b> (The analysis method, Vissim,, and the measures of effectiveness (MOEs) reported are as per discussions with the Town's traffic consultant)
14 - Discussion of incremental site traffic volume	<b>TR-120 and Appendix TR-1</b> (The analysis method, Vissim, and procedures are as per the direction of the town's traffic consultant.)
15 - Roadway mitigation by others	<b>TR-274</b> (Improvements to be provided by other developments were reviewed and those that were applicable were included in the no-build network.)
16 - Analysis of weaving sections	<b>TR-283</b> (Additional analysis of freeway elements, as per the direction of the Town's traffic consultant, are included in the STA.)
17 - Hydraulic load rates for sewage and reduction for water-saving devices	<b>WR-21</b> (Developer will submit Phase I buildings for approval using SCDHS required flows and will monitor sewage flows at pumping station. Actual flow v. theoretical flow will be compared, and future decisions with regard to total project flows will be made prior to Phase II.)
18 - Recreational facilities	<b>OS-5 and OS-18</b> (Recreational facilities described and baseball/soccer fields eliminated)
19 - Outdated market study, no discussion of Tanger Outlet Center	<b>SO-8</b> ( <i>Marketability Study</i> was updated in 2010 and includes Tanger. Results of 2010 <i>Marketability Study</i> confirmed as still valid by Metropolitan Valuation Services, Inc. - market consultant.)
20 - Employment and whether it is all new to Islip and Suffolk County	<b>SO-16</b> (There is nothing to prevent existing companies from relocating from outside the Town of Islip to the Town of Islip, with or without the development of Heartland Town Square, in any case, the creation of employment opportunities within the Town results in benefits to the Town, the County, the region and New York State as a whole)

The 21<sup>st</sup> point is a general comment that the Town disagrees with the entirety of Section 11.0, *Conditions and Criteria for Determining Future SEQRA Requirements*, and an updated list of conditions and criteria have been included in this FGEIS (see Section 3.0, *Conditions and Criteria under Which Future Actions Will Be Undertaken or Approved, Including Requirements for any Subsequent SEQRA Compliance*).

#### Comment SQ-3

The sections from the SEQRA handbook quoted to support the sponsor's position that the document is acceptable for public review appear to refer to smaller disagreements. We do not believe it appropriate to accept this document where the differences in opinion between the lead agency and applicant are monumental. The ultimate request for the Town of Islip is the rezoning of the subject site to the PSPRD zoning category. Should the lead agency firmly believe the estimates made by the applicant are fundamentally unsound, the Town Board has the option of simply not entertaining the zoning request. With the decision made to circulate the document, it is imperative that all analysis in the DGEIS be performed to reflect the sponsor's and Town's opinion. (C9-6)

**Response SQ-3**

See Response SQ-2.

**Comment SQ-4**

In the example presented above, analysis would be performed using ITE results and the output from the sponsor's computer model. For the Tanger project, Babylon hired an outside consultant to assist our Planning Board in completing additional analysis, in addition to our own Traffic Safety Division. The document should be set aside and the applicant should be directed to do additional traffic analysis to the satisfaction of the Islip Town Board. (C9-7)

**Response SQ-4**

The SEQRA process does not permit the setting aside of an accepted DEIS or DGEIS. Moreover, the Town Board has retained Dunn Engineering Associates as its outside traffic consultant, who has had significant input into the traffic analyses contained in this FGEIS. See Section 4.21 (Transportation) for the responses to the traffic comments and Appendices TR-1 through TR-4 for the complete updated traffic analysis overseen by Dunn Engineering on behalf of the Islip Town Board.

**Comment SQ-5**

Conditions and thresholds have been established which, if met, would eliminate the need for further SEQRA compliance. Who would perform the work and determine if the conditions and thresholds have been met. Would the process be open to public review? Pursuant to Section 280-1 of New York State Town Law, the PSRPD is declared an "open development area." Such a declaration must be made via a Resolution. A copy of the Town Board Resolution should be included in the document. (C9-30)

**Response SQ-5**

The determination of whether future development would meet the conditions and thresholds established in the GEIS would be determined by the Town of Islip Town Board. A resolution determining the Pilgrim State Planned Redevelopment District (PSRPD) an "open development area" can only be adopted after the environmental review process has been completed. Therefore, such resolution could not be included in this FGEIS. Finally, all hearings, deliberations and decisions related to this matter will be open to the public.

**Comment SQ-6**

The State Environmental Quality Review Act (SEQRA). Section 617.9 Preparation and content of environmental impact statements, paragraphs (b) (1) states that "An EIS must assemble relevant and material facts upon which an agency's decision is to be made. It must analyze the significant adverse impacts and evaluate all reasonable alternatives. EISs must be analytical and not encyclopedic." Paragraph b (2) states the "EISs must be clearly and concisely written in plain language that can be read and understood by the public. Within the framework presented in paragraph 617.9(b)(5) of this subdivision, EISs should address only those potential significant adverse environmental impacts that can be reasonably anticipated and/or have been identified in the scoping process."

In general, we find the draft HTS DEIS did not meet the intent of these two paragraphs. Specifically our review of the transportation sections revealed that many of the impacts were obfuscated. (C12-1)

**Response SQ-6**

The lead agency for the proposed action has accepted the DGEIS as complete and adequate for public review. Additional traffic analyses have been performed for the revised Conceptual Master Plan, included in this FGEIS (see Section 4.2.1 and Appendices TR-1 through TR-4 of this FGEIS). The potential impacts have been identified and mitigation measures have been proposed. See Response SQ-2.

**Comment SQ-7**

The planned phases of development proposed for this project also appeared to constitute segmentation under the State Environmental Quality Review Act that is not reviewing the total effects of the project before it is commenced. That is illegal under State Environmental Law. (C-19-4, H17-6)

**Response SQ-7**

This comment is not correct. 6 NYCRR §617.2(ag) defines segmentation as:

*“Segmentation means the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance.”*

The whole action being considered was fully addressed in the DGEIS. In fact, as explained in Section 2.1 thereof (and discussed in detail in Section 2.3):

*“This Draft Generic Environmental Impact Statement (‘DGEIS’) has been prepared for the proposed action, which consists of the adoption of amendments to the zoning chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), including the Building Zone Map, to establish a Pilgrim State Planned Redevelopment District (‘PSPRD’); changes in the zoning classifications of certain parcels, designated as Suffolk County Tax Map (‘SCTM’) parcels 500-71-1-10.2 and 10.8, and 500-71-1-13.6,<sup>3</sup> and now classified in the ‘Residence AAA’ zoning district, so as to include such parcels (to be known as Heartland Town Square) in the newly-established PSPRD; future changes in the zoning classifications of certain parcels, designated as SCTM parcels 500-71-1-1, 500-71-1-2, 500-71-1-3, 500-71-1-4 and 15, 500-71-1-5, 500-71-1-6, 500-71-1-7, 500-71-1-8.1, 8.2, 9.1, 500-71-1-9.2 and 500-71-1-14 (see Appendix D) and now classified in the ‘Industrial 1,’ ‘Industrial 2,’ ‘Residence AAA,’ and ‘General Service E’ zoning districts, so as to include such parcels (known currently as the Islip Gateway Community Improvement Area) in the newly-established PSPRD; and redevelopment of the aforesaid parcels in accordance with a Conceptual Master Plan for Heartland Town Square pursuant to the requirements set forth in the PSPRD. The Town of Islip application identification number for the proposed project is CZ2003-014.”*

Thus, the “whole action” has clearly been identified and evaluated in the DGEIS. Due to the scope of the development, the applicants intend to develop in phases. However, all of these phases have been analyzed within the DGEIS. 6 NYCRR §617.10(e) of the SEQRA regulations indicates that:

*“In connection with projects that are to be developed in phases or stages, agencies should address not only the site specific impacts of the individual project under consideration, but also, in more general or conceptual terms, the cumulative impacts on the environment and the existing natural resource base of subsequent phases of a larger project or series of projects that may be developed in the future. In these cases, this part of the generic EIS must discuss the important elements and constraints present in the natural and cultural environment that may bear on the conditions of an agency decision on the immediate project.”*

▼  
<sup>3</sup> Two very small tax parcels were acquired by one of the applicants to provide access from Heartland Town Square's eastern parcel to Crooked Hill Road -- 500-71-1-13.15 and 13.16. These parcels are also proposed to be rezoned to PSPRD.

SEQRA recognizes that certain projects may be completed in phases over a period of time, but the entire project must be analyzed at one time. Regarding a specific action, 6 NYCRR §617.3(g) states:

*“(1) Considering only a part or segment of an action is contrary to the intent of SEQR...  
(2) If it is determined that an EIS is necessary for an action consisting of a set of activities or steps, only one draft and one final EIS need be prepared on the action provided that the statement addresses each part of the action at a level of detail sufficient for an adequate analysis of the significant adverse environmental impacts. Except for a supplement to a generic environmental impact statement (see subdivision 617.10(d) of this Part), a supplement to a draft or final EIS will only be required in the circumstances prescribed in paragraph 617.9(a)(7) of this Part.”*

Since all of the phases of the proposed development were analyzed during the extant environmental review process and one determination of significance has been issued, this does not constitute segmentation.

#### **Comment SQ-8**

As a Brentwood High School grad (Sonderling Bldg), I read your article with interest. There are lots of issues to be raised during the current too brief comment period. (C35-1)

To be brief, let's focus on that aspect. Is the comment period too late or too soon? (C35-2)

Obviously, there are many issues to raise. The current comment period is too brief, given the tantalizing few bits of info the legislators have required Wolkoff to reveal. Legislators need to be more demanding, more careful and more responsible with respect to those constituents whom they serve. (C35-8)

#### **Response SQ-8**

Near the beginning of the environmental review of the subject application, a formal scoping process was conducted by the lead agency, wherein the involved agencies, interested parties and the public were invited to participate and comment on issues to be studied in the DGEIS. The scoping session was held on March 4, 2004. The duration for submitting comments on the draft scoping document was 28 days after the scoping session (comment period ended April 2, 2004), and the Final Scope was issued on May 18, 2004.

Furthermore, as noted in Response SQ-2, the DGEIS was accepted as complete on April 14, 2009 and the entire document was posted on the Town website as of April 22, 2009, and distribution to the involved agencies and interested parties occurred on April 22 and 23, 2009. A public hearing was held on May 28, 2009 and the comment period ended on August 27, 2009. Therefore, the DGEIS was available for public review and comment for 37 days before the public hearing and an additional 91 days after the public hearing, for a total of 128 days (approximately four months), where the minimum public comment period for an FGEIS, pursuant to the SEQRA regulations, is 30 days. Accordingly, recognizing the complexity of the proposed action, the lead agency selected a public comment period well in excess of the minimum to allow ample opportunity for review and public comment.

#### **Comment SQ-9**

Perhaps the comment period is too soon. The project as presented in your article provides little detail in reality, simply the developer's notion. If this is simply a comment period to sink a project which had no chance anyway, then fine. But it is not being put forth that way, even with the misleading first three words in the article, the writing implies there is such a place as "Heartland Town Square" and the meeting occurred in that place. However the meeting occurred at the High School. (C35-4)

**Response SQ-9**

See Response SQ-8. The public hearing advertisement indicated that the public hearing was to occur in the Brentwood High School Sonderling Building on May 28, 2009 at 6:30 PM. A copy of the advertisement is included in Appendix SQ-2 of this FGEIS.

**Comment SQ-10**

The DGEIS does not: ...accurately depict potential impacts of the development project. (C38-1)

**Response SQ-10**

As explained in Response SQ-8, the Town Board conducted a formal scoping process and issued a Final Scope, which set forth the analyses to be conducted in the DGEIS. The DGEIS evaluated all of the impacts identified by the Town Board in its Final Scope, and the Town Board deemed the DGEIS complete and adequate for public review (see Response SQ-2).

Also, where the Town staff disagreed with the applicants' information, these technical points were disclosed in Section 12.0 of the DGEIS (see Appendix SQ-3 of this FGEIS). The areas of disagreement with their resolutions are discussed throughout the document. Areas of disagreement numbers 1 through 16 are discussed within the transportation section of the FGEIS. See the chart in Response SQ-2 which defines the areas of disagreement.

**Comment SQ-11**

The DGEIS does not...explore reasonable development alternatives in detail. (C38-2)

**Response SQ-11**

The alternatives identified and evaluated in the DGEIS are those that were set forth in the Final Scope issued by the lead agency on May 18, 2004 (see Appendix A of the DGEIS). Thus, they are appropriate and conform to the requirements of SEQRA, as set forth in 6 NYCRR §617.9.

**Comment SQ-12**

The DGEIS does not...provide adequate mitigation to remedy impacts generated by the development. (C38-3)

**Response SQ-12**

Section 5.0 presents mitigation measures for all significant adverse impacts identified in the DGEIS.

The lead agency will consider all information included in the DGEIS and FGEIS and make a determination as to the adequacy of the proposed mitigation. A Findings Statement will be adopted by the lead agency subsequent to the filing of the FGEIS. The Findings Statement will, among other things, "*certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable*" (6 NYCRR §617.11[d][5]). In the event that the Town Board determines that the mitigation measures are not sufficient, the Town Board's Findings Statement would indicate that the action is not one that avoids or minimizes adverse environmental impacts to the maximum extent practicable.

**Comment SQ-13**

The DGEIS does not...explore alternative mitigation measures for remedying project impacts. (C38-4)

**Response SQ-13**

See Responses SQ-11 and SQ-12.

**Comment SQ-14**

The DGEIS does not...commit resources and funding for providing the mitigation required. (C38-5)

**Response SQ-14**

This statement is not accurate. For example, the DGEIS, in Section 5.0, indicates that the applicants will be funding, implementing or providing the following mitigation measures, related to the impacts caused by the proposed action, which have been incorporated into the proposed action:

- Implementation of a detailed erosion and sedimentation control plan in accordance with practices established in the *New York Guideline for Urban Erosion and Sediment Control* manual;
- Provision of water-conservation measures that will be implemented throughout commercial and retail buildings;
- The applicants have consulted with the Long Island Power Authority (LIPA), and LIPA has indicated in correspondence of March 2, 2007 that it requires land for the construction of a substation in order to meet the requirements of the proposed development. The applicants have been advised that LIPA is seeking property from New York State for the construction of the required substation. The provision of land for an electric substation is governed by the Public Service Law and the rules and regulations promulgated under NYCRR 16 Parts 98 et. seq. If LIPA requires land on the applicants' site, the applicants are willing to negotiate with LIPA to provide same;
- Provision of private security personnel on-site, which is expected to reduce potential impacts to the Suffolk County Police Department;
- Provision of land for civic uses;
- Creation of a shuttle bus system to reduce the number of internal automobile trips as well as offer a convenient and reliable alternative for residents, employees and visitors. The shuttle would also reduce the number of external automobile trips by providing a direct connection between the proposed community and the Deer Park Long Island Railroad (LIRR) station;
- Contribution to off-site traffic mitigation in the amount of \$25 million in Phase III; and
- The applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the Heartland Town Square development, which will aid in community revitalization.

Since the time of preparation of the DGEIS, Suffolk County and NYSDOT have acknowledged their responsibilities for performing required roadway improvements to the roadways under their respective jurisdictions (see Section 4 of Appendix TR-1 of this FGEIS).

**Comment SQ-15**

With a project this complex and large, the Town Board determined this was a more legally appropriate way to review this project in order to best serve the public interest. This change to a generic impact statement is

significant in that it allows the Town Board as lead agency the flexibility to look at the project in a more general way and to consider each phase of the project. (H2-1)

**Response SQ-15**

The comment is noted. The lead agency indicated in its revised Positive Declaration, adopted March 10, 2009, that:

*“...the Town Board finds that a GEIS is more appropriate for the Proposed Amended Action because the development it contemplates will be accomplished in separate phases over 15 years and only conceptual information is available for various components of the proposed development at this time.”*

**Comment SQ-16**

For my colleagues in Town Hall, we understand this plan is being moved forward with many unresolved issues which I just detailed, and I applaud and ask that intrinsic in this process we have those baby steps and that we make sure that the door is open to resolve these issues before final authorization is given. (H4-8)

**Response SQ-16**

The comment is noted.

**Comment SQ-17**

I want to make some brief comments on the DGEIS. The fact is, as you already heard, it is woefully deficient and extremely incomplete. (H18-1)

**Response SQ-17**

The lead agency determined that, based upon the Final Scope, and in accordance with the SEQRA regulations, the DGEIS was complete and adequate for public review. See Response SQ-2.

---

## 4.2 Public Participation (PP)

### Comment PP-1

Perhaps there ought to have been a comment period in 2001-2002 prior to the land being permitted to be purchased by developer Gerald Wolkoff. Was this public land? If not technically, given its size and the impact of any development or project planning, a full and complete public discussion ought to have been fostered by legislators, who have the responsibility to safeguard taxpayers as well as the land, and ensure the best decisions are being made. (C35-3)

### Response PP-1

As the land sale is not part of this proposed action (i.e., the applicants purchased the property at auction through a competitive bid process that was held by the New York Empire State Development Corporation), any public process relating to that sale is not part of this SEQRA process, and was not under the control of the Town of Islip.

### Comment PP-2

At Sustainable Long Island we believe that solutions to creating a more sustainable region must come from the bottom-up. Residents of all ages and backgrounds must be engaged in the decisions being made in their backyards, from the beginning. We strongly encourage that as this project moves forward, the Town of Islip and developer work together proactively to keep citizens engaged and informed. It is not enough to simply make information readily available; interested citizens should be actively engaged and informed. It is not enough to simply make information readily available; interested citizens should be actively engaged throughout all phases of this project so that there is a continuous feedback loop among the developer, community and municipality.

The impacts of a development of this scale, although the number of anticipated residents is similar to that of the Pilgrim State facility at peak capacity, are not limited to the Town of Islip alone, but will be felt by residents and employees of a broader area. Engagement efforts should encompass community members from a variety of surrounding towns and hamlets and should make special efforts to include youth and young adults. (C37-2)

### Response PP-2

The Town of Islip is engaged in a SEQRA process that is dictated by the implementing regulations of SEQRA, set forth in 6 NYCRR Part 617. The Town Board of the Town of Islip is committed to maximizing participation by the public. In fact, even though a formal scoping process is optional, pursuant to 6 NYCRR §617.8, the Town Board conducted formal scoping. As part of this process, even though not required by the SEQRA regulations, the Town Board conducted a public scoping meeting on March 4, 2004. Furthermore, in accordance with the SEQRA regulations, at 6 NYCRR §617.9(a)(4), although optional, the Town Board held a public hearing on the DGEIS. Furthermore, although 6 NYCRR §617.9(a)(4)(iii) indicates that the minimum public comment period on a DGEIS is 30 days, the DGEIS was available for public review and comment for 37 days before the public hearing and an additional 91 days after the public hearing, for a total of 128 days (approximately four months) to ensure adequate opportunity for the public to comment. The FGEIS also has a public consideration period. Upon completion of the SEQRA process, the public will also be able to participate at public hearings associated with the change of zone.

In addition, the applicants have actively and continuously been engaged in outreach to community groups and the citizens of Brentwood, the Town of Islip, and any other interested citizens and groups as to the details of the development. Some of the groups that the applicants have met with include the Brentwood Civic Association, the Brentwood Chamber of Commerce, the Bay Shore Chamber of Commerce, Four Towns Civic Association, Adelante, Friends of the Edgewood Preserve, Vision Long Island, the Regional Planning Association, and the Brentwood School District. The applicants will continue to reach out to, and meet with, all interested parties to keep them informed of the status of the Heartland Town Square development.

**Comment PP-3**

Simply put, this project should not and will not go through without the consent of this community. I urge my good friends in the Town to consider forming a citizens' task force... so, in the end, anything that comes out of this is something that was constructed by our community and not what was done in the past, where things just get dumped here without much conversation. (H4-1)

**Response PP-3**

See Response PP-2.

**Comment PP-4**

Those in the decision-making process on this project must be mindful of consulting with every stakeholder. (H4-4)

**Response PP-4**

The lead agency, which is the first of many decision-makers in the overall process, has and will continue to consult with all involved agencies and interested parties in the review of this application. Also, see Response PP-2. A list of involved agencies and interested parties that have been consulted, thus far through the SEQRA process, is attached to the Notice of Completion of the DGEIS, which is included in Appendix SQ-3 of this FGEIS.

**Comment PP-5**

I certainly agree with Assemblymen Ramos that the community has to be an integral part of these negotiations. (H15-9)

**Response PP-5**

The comment is noted. See Response PP-2.

**Comment PP-6**

*SCPC Policy on Cooperation: Policy- The sustainability of the County is inextricably tied to its broader regional, national, and global context. The county recognizes the importance and need for cooperation and coordination among and between County agencies, local municipalities and neighboring jurisdictions including New York City...Promote Regionalization...Encourage the use of inter-municipal agreements and inter-agency and inter-governmental cooperation:* The Suffolk County Department of Planning has hosted several inter-municipal meetings with the Towns of Babylon, Huntington, Islip and Smithtown. Moreover, the Department has hosted inter-agency meetings with SCDPW and SCDHS. The various County Agencies have met with the project sponsor numerous times prior to and subsequent to the submission of the change of

zone application to the Town of Islip. Various issues still remain with the proposed application and the County is amenable to hosting future working meetings between neighboring municipalities.

The Suffolk County Administration Code section A14-15 requires notification by the Suffolk County Planning Commission of the pending development project to the neighboring municipalities within 500 feet of the subject site boundaries. Moreover, the Suffolk County Planning Commission is required to cause a notification to “owners as shown on the current tax roll and the occupant of all adjoining properties located within one-thousand-foot radius of the exterior limits of such proposed development...” The Suffolk County Planning Commission will utilize this inter-municipal and public commentary and coordination provision once the proposed action is referred to the Commission. The applicant should be made aware of the Suffolk County Administration Code provision. (C7-31)

#### **Response PP-6**

While the above-stated SCPC policy is no longer listed as a separate policy by the Suffolk County Planning Commission,<sup>4</sup> the County still recognizes the importance of inter-municipal cooperation and is focusing its resources on projects that are likely to have inter-community or county-wide impacts (i.e., “regionally significant” projects), such as Heartland Town Square.

The applicants are aware of the Suffolk County Administrative Code provision regarding notification of neighboring communities within 500 feet of the site boundaries and property owners within 1,000 feet of the proposed development. All notification procedures will be complied with.



<sup>4</sup> Suffolk County Planning Commission Guidebook – Policies and Guidelines for the Referral of Proposed Municipal Subdivision and Zoning Actions to the Suffolk County Planning Commission (dated July 2012), transmitted to the applicants by Sarah Lansdale, AICP, Director of the Suffolk County Planning Department, August 2012.

---

### 4.3 Construction/Demolition (CD)

#### **Comment CD-1**

Materials excavated from tunnels (page 1-17), large piles of existing demolition materials, and new demolition materials should all be reused for foundations, parking, streets or other elements of the project. This helps to avoid transportation costs, the use of new materials, reduces energy costs, etc. The Tanger Arches project apparently reused 50 percent of construction waste and is pursuing LEED certification.<sup>5</sup> (C1-47)

#### **Response CD-1**

As indicated in Section 2.5 of the DGEIS, as part of site development, the project sponsor has evaluated options for addressing project-related recycling and reuse of construction and demolition (C&D) debris that has not already been removed from the site (e.g., demolition debris from the underground utility tunnels, where removal is required for geotechnical purposes, debris from internal roadways and infrastructure that requires removal). Such options evaluated included:

- ▶ Setting up a centralized facility to process (e.g., sort and crush) the C&D debris. Suitable processed materials (e.g., recycled concrete aggregate [RCA]) could be utilized as road base, excavation backfill material, etc., while non-suitable materials (e.g., adulterated wood, non-ferrous metals, etc.) would be sorted, containerized and transported to an appropriate disposal facility.
- ▶ On-site sorting of all materials with various waste streams transported to appropriate processing and/or disposal facilities.
- ▶ A combination of the above based upon the characteristics of the C&D materials, and the schedule-specific project requirements for processed materials.

The applicants have explored the possibility of using C&D materials, specifically brick, concrete and asphalt, as road base. However, based upon preliminary analysis by the applicants, the materials are too soft for re-use for this purpose. However, the applicants will use these materials to fill voids (such as those in the tunnels).

With respect to energy efficiency, the development will conform to prevailing New York State requirements. The applicants will join the United States Green Building Council (USGBC) and will continue to investigate potential Leadership in Energy and Environmental Design® (LEED) certification.

#### **Comment CD-2**

In addition, there needs to be more comprehensive analysis of environmental effects during construction. Noise, dust and traffic flow will all affect the operation of our hospital. (C13-7)



<sup>5</sup> Press Released from Blumenfeld Development Group., "Tanger Outlet opens The Arches in Deer Park," by Keiko Morris, October 20, 2008. Accessed at <http://bdg.net/properties/57/>.

**Response CD-2**

As noted in Section 5.1.2 of the DGEIS, potential environmental concerns (PECs) and recognized environmental conditions (RECs) on the subject site will be outlined as part of a Facility Closure Plan (a.k.a. environmental due diligence), as necessary, that would include health and safety measures, methodologies and summarize appropriate facility closure in accordance with existing regulatory agencies (i.e., Suffolk County Department of Health Services [SCDHS] and New York State Department of Environmental Conservation [NYSDEC]), if required. These protocols will be reviewed by the appropriate agencies to ensure minimal impact to onsite workers and offsite residents and business.

With respect to noise during the construction phase, page 5-46 of the DGEIS indicates that the proposed Heartland Town Square development would adhere to the Town of Islip Noise Ordinance (Chapter 35 of the Town of Islip Code) that regulates noise generated during construction (7:00 AM to 8:00 PM, weekdays) and operation of projects. Construction and occupancy of the site will occur in phases, thereby lessening the level of noise during construction and resulting in sound levels on site increasing gradually as individual uses come on line.

With regard to dust, page 5-13 of the DGEIS indicates that the construction of the proposed project will occur in phases. Relative to air quality, each phase will include the same mitigation measures during the construction process. The applicants are proposing to mitigate construction impacts by reducing the amount of exposed land at one time, preventing the tracking of dirt and debris onto roadways by installing construction pads at construction entrances, and providing street sweeping, if required, and utilizing construction equipment with emissions meeting applicable standards. Other mitigation for construction activity will be undertaken to reduce fugitive dust emissions and mobile source emissions. A water truck will be provided, as necessary, in order to wet down exposed soils, minimizing carryout of materials (as noted above) and seeding or stabilizing disturbed soils as soon as possible subsequent to their exposure. These measures will, at a minimum, be employed to address construction-related impacts with respect to air quality.

The applicants will coordinate with Pilgrim staff to ensure that potential traffic conflicts associated with construction vehicles are minimized.

It is noted that the mitigation measures used during construction of the proposed project will largely correspond to the measures that were used when the buildings on the site were demolished by the applicants. The applicants are not aware that this demolition work resulted in any significant impacts to the surrounding community.

**Comment CD-3**

OMH has extensive experience with construction in or near our hospitals. Protecting the physical assets of Pilgrim and the therapeutic environment of our hospital requires careful consideration. This can best be accomplished through two means. First, there needs to be a well developed plan outlining how the construction will take place. This plan should describe hours of operations, protection of our infrastructure and procedures to minimize noise, dust, vibration, etc. (C13-30)

**Response CD-3**

See Response CD-2, above, and Section 5.1.2 of the DGEIS for proposed mitigation measures to be undertaken during the demolition and construction processes. As all internal construction is proposed to occur within the Town of Islip, the proposed development would adhere to the construction hours and the construction

noise standards as set forth in the Town of Islip Town Code, Chapter 35, which indicates that “the following is declared to constitute a violation of this section,

§35-3 (G) the operation of any pile driver, pneumatic hammer, derrick, electric hoist, bulldozer, grinder or other appliance or heavy equipment, the use of which creates a noise disturbance, except between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and except in cases of urgent necessity or in the interest of public safety” and

§35-3(I) “any construction, excavation, demolition, alteration or repair which creates a noise disturbance, except between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and except in cases of urgent necessity or in the interest of public safety.”

With respect to vibration, the same precautions and methods will be undertaken as when the buildings on the site were demolished by the applicants. To the applicants’ knowledge, this prior demolition work did not result in any significant vibration impacts to the neighboring OMH facilities.

#### **Comment CD-4**

There should be a procedure established for regular meetings between the construction management team for the developer and Pilgrim staff. The process would provide for regular communication as to concerns of Pilgrim with the construction activity and the opportunity to resolve problems quickly. (C13-31)

#### **Response CD-4**

The applicants will establish a procedure for consultations with representatives of the New York State Office of Mental Health (i.e., Pilgrim staff) regarding the construction process. The applicants are committed to amicably resolve issues brought to their attention by the Pilgrim staff. The first meeting will take place prior to the initiation of any construction activities.

#### **Comment CD-5**

The Pilgrim Campus continues to contain a Psychiatric Hospital and construction activity needs to take into consideration that fact. Maximum noise, dust, vibration levels and hours during which construction can take place needs to be established in order to maintain a therapeutic environment. (C13-32)

#### **Response CD-5**

See Response CD-2 for proposed mitigation measures to be undertaken during the demolition and construction phases. Also, as explained in Response CD-4, the applicants will establish a procedure for consultations with Pilgrim staff regarding construction activities.

#### **Comment CD-6**

Adequate means of ingress and egress needs to be maintained during construction. The Pilgrim Campus contains not only a hospital but a number of other state and not-for-profit administered programs. Employees, vendors and visitors need to have access to the site. Fire and ambulance access must also be maintained. (C13-33)

#### **Response CD-6**

Specific construction entrances have not yet been established because it is premature at this time to do so, as the project is still in the environmental review process. The applicants will coordinate with Pilgrim staff to ensure that potential traffic conflicts are minimized.

Furthermore, the existing entrance to the Pilgrim Campus along Commack Road would remain intact during the demolition and construction phases.

**Comment CD-7**

Protection of utilities and infrastructure during construction. Our utilities run throughout the Heartland property. A construction plan needs to be in place identifying how they will be protected during construction. (C13-34)

**Response CD-7**

As explained in the Response CD-4, the applicants will establish a procedure for consultations with Pilgrim staff during the construction process. The first meeting will take place prior to commencement of construction, and the protection of utilities will be discussed at that meeting.

Moreover, in accordance with Occupational Safety and Health Administration (OSHA) requirements, worker safety and protection of underground utilities are top priorities. These items are typically addressed in a Health and Safety Plan (HASP) that is prepared by the developer or its consultants in order to provide a safe working environment for on-site construction workers. Typically, a HASP outlines utility hazards that exist within the working environment during construction and demolition phases. The HASP also serves as a document that includes preventative measures to protect the worksite infrastructure including utilities through safety meetings and safety practices. In addition, protection of existing utility infrastructure will be outlined in a construction plan that will be addressed when the exact configuration of the Heartland Town Square development is determined. Specifically, prior to the commencement of construction, the applicants will locate and fully map all on-site utilities.

**Comment CD-8**

We would also like to see a better assessment of the potential for re-use of demolition material used in construction (H2-6)

**Response CD-8**

See Response CD-1 with regard to potential re-use of demolition materials to be used in construction of the proposed project.

**Comment CD-9**

I would appreciate a project labor agreement so we move along very smoothly, because we can build your project. I don't know if you think maybe somebody else can, but I know that we can. If we can build New York City and the towers, the Freedom Towers, we can build what I consider your little Heartland project. (H23-1)

**Response CD-9**

The applicants will continue to negotiate with the unions. It should be noted that the applicants have undertaken substantial successful construction projects in Suffolk County (Heartland Business Center and Hauppauge Industrial Park), and the applicants have used and continue to use various union contractors.

## 4.4 Phasing (PH)

### Comment PH-1

In order to help ensure that the project has a good mix of uses within each phase and at full build-out, the project should have “micro-phasing” within each of the three development phases. (C1-10)

### Response PH-1

While the commentator suggests that to help ensure the project has a “good mix of uses” (quotations added) and the project should have “micro-phasing,” the commentator does not provide a definition of what a “good mix of uses” is or a precise definition of “micro-phasing.” The project will not be developed all at one time, even within each phase. It is applicants’ belief that the number of residential units and office and retail square footages proposed provides the right mix of uses to produce a vibrant community. If market conditions demand otherwise, changes can be made to meet such demands.

Since the time the DGEIS was prepared, the applicants retained a construction manager to develop a more-refined construction and occupancy schedule. A copy of the schedule is included in Appendix PH-1.

### Comment PH-2

Will commensurate mitigation be provided as each phase of the development occurs? The DGEIS fails to adequately detail the nexus between the proposed phases of the project and the planned mitigation. The mitigation plan should detail the extent to which proposed improvements will mitigate impacts associated with each phase of the development. (C7-15)

### Response PH-2

Commensurate mitigation will be provided at each phase of the development. For example, design of the stormwater management systems will require approval from the Town of Islip as well as NYSDEC in compliance with the required Stormwater Pollution Prevention Plan for each phase of development.

In addition, with respect to traffic, as indicated in Section 2.2 of this FGEIS, the applicants are proposing a phased-implementation process whereby traffic counts will commence when 70 percent of the space associated with Phase I is occupied. The review of the internal capture rate upon 70 percent occupancy involves a comparison to the weekday p.m. peak hour volumes, as this is the most critical period (i.e., period with the highest volume of site generated traffic and the highest background volumes on area roadways).<sup>6</sup> Should the counted number of external trips (combined entering and exiting) at 70 percent occupancy of Phase I exceed those projected, the level of office space approved for future phases could be reduced by the Town Board to ensure that the ultimate levels of external traffic under Full Build do not exceed those studied. This approach has been agreed to by the Town’s traffic consultant.

To illustrate the effect of changes in the rate of internal capture on the level of office space permitted, two theoretical examples were prepared. The required reduction in office space has been calculated for internal capture rates of 10 percent and 15 percent. The Supplemental Traffic Analysis (STA) performed for this FGEIS (Appendix TR-1), using the internal capture rates presented therein, forecasts a total weekday p.m. peak hour external trip volume of 7,439 trips (combined entering and exiting). Were the actual internal



<sup>6</sup> The Town’s traffic consultant concurs with the use of the weekday p.m. period, as it is the most critical period.

capture rate found to be only 10 percent at 70 percent occupancy of Phase I, the resulting weekday p.m. peak hour volume would be 8,327 trips. If the internal capture rate at 70 percent occupancy of Phase I was 15 percent, this would result in a weekday p.m. peak hour volume of 7,864 trips. In each case, the peak volumes entering and exiting Heartland Town Square would exceed those evaluated in the STA. If such a scenario were to occur, a reduction of office space could be used to reduce the number of trips back to the level studied in the STA. In the case of a 10 percent internal capture, the amount of office space would need to be reduced to eliminate 888 external trips in the weekday p.m. peak hour, while a 15 percent internal capture rate would require the reduction of office space to eliminate 425 external trips.

Utilizing the data in ITE's *Trip Generation*, the square footages of office space that could be modified to accomplish these reductions are as follows:

Internal Capture Rate	Required External Trip Reduction	Potential Reduction in Office Space
10 percent	888	880,000 SF
15 percent	425	446,000 SF

In addition, as indicated in Section 2.2.6 of this FGEIS, the applicants have proposed that, as permits are sought for each building within the development, sewage flow would be calculated using the SCDHS flow factors and a running total of this flow would be kept by the applicants, SCDHS and SCDPW.

The applicants will monitor flow at the existing pump station to see how the theoretical flow compares to the actual flow. When a 1.0 mgd flow is reached, based upon SCDHS flow factors (approximately equal to the Phase I flow), the applicants will compare this calculated flow to the actual flow. This will continue until Heartland's calculated flow reaches 1.6 mgd, at which point the project will be able to continue (if actual flow is less) or the applicants will be required to purchase more capacity from the SCSA.

During the public comment period on the DGEIS, several concerns were raised regarding the economic benefits projected by the applicants, and how they may not be realized, if the applicants chose not to develop the commercial and/or retail uses as they develop the residential uses (i.e., there would be residential demand for services without projected revenues from the commercial/retail development). To address this issue, the applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I. This commitment will help to ensure the achievement of smart-growth principles through mixed use, and will also ensure commercial ratables for the various taxing districts at the first stage of development.

All specific mitigation requirements will be set forth, pursuant to 6 NYCRR §617.11(d)(5), in the Findings Statement.

### **Comment PH-3**

On behalf of the Action Long Island (ALI) Board of Directors, our many member companies and their hundreds of thousands of employees, we applaud the Town of Islip for its approval of a phased approach to the Heartland Project. (C16-1)

### **Response PH-3**

The comment is noted. A phased approach is appropriate as the project has an extended build-out period (15 years) and market conditions and demographic characteristics can change over such time.

### **Comment PH-4**

This project, if approved would be built in three phases so that the impacts can be assessed before proceeding with the next. However, Mr. Wolkoff has indicated to our association many times, that he needs the large scale to be successful. It is the “economies of scale” argument. He claims smaller versions have not been successful. If, after the first phase is built and creates the problems all anticipate and the Town says “proceed no further,” what becomes of this unsuccessful venture? (C18-16)

#### **Response PH-4**

First, it is important to note that the impacts of the entire project have been identified, evaluated, and mitigated, to the extent practicable, as part of this environmental review process. As indicated in Response SQ-7, in order to ensure compliance with SEQRA and its implementing regulations, the whole action being considered was fully addressed in the DGEIS. In fact, as explained in Section 2.1 thereof (and discussed in detail in Section 2.3):

*“This Draft Generic Environmental Impact Statement (‘DGEIS’) has been prepared for the proposed action, which consists of the adoption of amendments to the zoning chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), including the Building Zone Map, to establish a Pilgrim State Planned Redevelopment District (‘PSPRD’); changes in the zoning classifications of certain parcels, designated as Suffolk County Tax Map (‘SCTM’) parcels 500-71-1-10.2 and 10.8, and 500-71-1-13.6,<sup>7</sup> and now classified in the ‘Residence AAA’ zoning district, so as to include such parcels (to be known as Heartland Town Square) in the newly-established PSPRD; future changes in the zoning classifications of certain parcels, designated as SCTM parcels 500-71-1-1, 500-71-1-2, 500-71-1-3, 500-71-1-4 and 15, 500-71-1-5, 500-71-1-6, 500-71-1-7, 500-71-1-8.1, 8.2, 9.1, 500-71-1-9.2 and 500-71-1-14 (see Appendix D) and now classified in the ‘Industrial 1,’ ‘Industrial 2,’ ‘Residence AAA,’ and ‘General Service E’ zoning districts, so as to include such parcels (known currently as the Islip Gateway Community Improvement Area) in the newly-established PSPRD; and redevelopment of the aforesaid parcels in accordance with a Conceptual Master Plan for Heartland Town Square pursuant to the requirements set forth in the PSPRD. The Town of Islip application identification number for the proposed project is CZ2003-014.”*

Thus, the “whole action” has clearly been identified and evaluated in the DGEIS. Due to the magnitude of the development, the applicants are proposing to develop in phases. However, all of these phases have been analyzed within the DGEIS. 6 NYCRR §617.10(e) of the SEQRA regulations indicates that:

*“In connection with projects that are to be developed in phases or stages, agencies should address not only the site specific impacts of the individual project under consideration, but also, in more general or conceptual terms, the cumulative impacts on the environment and the existing natural resource base of subsequent phases of a larger project or series of projects that may be developed in the future. In these cases, this part of the generic EIS must discuss the important elements and constraints present in the natural and cultural environment that may bear on the conditions of an agency decision on the immediate project.”*

SEQRA recognizes that certain projects may be completed in phases over a period of time, but the entire project must be analyzed at one time. Regarding a specific action, 6 NYCRR §617.3(g) states:

*“(1) Considering only a part or segment of an action is contrary to the intent of SEQR...  
(2) If it is determined that an EIS is necessary for an action consisting of a set of activities or steps, only one draft and one final EIS need be prepared on the action provided that the statement addresses each part of the action at a level of detail sufficient for an adequate analysis of the significant adverse environmental impacts. Except for a supplement to a generic environmental impact statement (see subdivision 617.10(d) of this Part), a*

▼  
<sup>7</sup> Two very small tax parcels were acquired by one of the applicants to provide access from Heartland Town Square's eastern parcel to Crooked Hill Road -- 500-71-1-13.15 and 13.16. These parcels are also proposed to be rezoned to PSPRD.

*supplement to a draft or final EIS will only be required in the circumstances prescribed in paragraph 617.9(a)(7) of this Part."*

Since all of the phases of the proposed development were analyzed during the extant environmental review process and one determination of significance was issued, this does not constitute segmentation.

One of the main concerns expressed related to traffic impacts and the level of internal capture that would result in this mixed-use development. To ensure the most conservative and complete evaluation of impacts, the Town Board retained its own traffic consultant who has worked with the applicants to modify the traffic impact study using an average internal capture rate of 20 percent over all time periods (see Section 4.21 and Appendix TR-1 of this FGEIS). All information in the traffic impact analysis and the associated identified mitigation reflect the conservative internal capture rate identified by the Town (see Appendix TR-1 of this FGEIS).

As noted in Response PH-2, based upon discussions with Town officials regarding the potential impacts on the surrounding roadway network which might result from the entire Heartland Town Square project, the applicants are proposing a phased-implementation process whereby an evaluation of actual traffic conditions will commence when 70 percent of the space associated with Phase I is occupied. If said traffic analysis concludes that the conservative internal capture rates applied in the GEIS are not accurate (i.e., the number of external trips are greater than that projected in the GEIS), the Town Board can modify the office density of future phases. Thus, the project would not be abandoned; however, the office density in future phases could be modified based upon actual traffic conditions resulting from implementation of the first phase of development.

As noted in Response SC-1, according to *Retrofitting Suburbia*, a 2009 publication by Ellen Dunham-Jones and June Williamson, "the larger, denser and more urban the redevelopment, the more ability its designers have to change the existing development pattern and

- Reduce vehicles miles traveled and improve public health by creating a transit-served or transit-ready mix of uses in a walkable street pattern connected to adjacent uses
- Reduce land consumption and per capita costs of public investment by absorbing growth that without alternatives would otherwise expand in sprawl and edgeless cities
- Increase the feasibility and efficiency of transit
- Increase local connectivity
- Increase...green space
- Increase...civic space
- Increase choice in housing type...
- Increase diversification of the tax base
- Establish an urban node within a polycentric region"<sup>8</sup>

Furthermore, as noted in Response LU-11, Heartland Town Square has been designed to be a mixed-use, smart-growth community whose size will have inherent benefits. Density is the key to allowing the project to be successful from the standpoint of walkability, reduction in vehicle trips, creation of a vibrant community and sustainability. The lifestyle that the applicants are proposing to create relies on density.

The commentator asserts that everyone is anticipating problems with the development. This statement is misleading, particularly given the positive comments made both at the public hearing and during the comment period. The first phase is key to the success of the overall Heartland Town Square project as it



<sup>8</sup> Dunham-Jones, Ellen and June Williamson, *Retrofitting Suburbia*, John Wiley & Sons, Inc., Hoboken, NJ (2009)

concentrates the development within the Town Center portion of the property. As noted in Response LU-1, the Town Center provides a high density core with a mix of uses within a walkable community, and follows some of the main tenets of “new urbanism,” which include walkability (everything within a 10-minute walk of home and work), connectivity (interconnected street grid, hierarchy of streets and high quality pedestrian network), mixed use and diversity (mix of uses within neighborhoods, blocks and buildings, diversity of population – income, age, culture) and increased density (more buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live). The proposed development, including the Town Center, also supports the concepts of “smart growth” as set forth by the United States Environmental Protection Agency (USEPA) through its Smart Growth Network. Most of USEPA’s smart growth principles coincide with those of new urbanism, including walkability, mix of land uses, compact building design, and foster distinct and attractive communities with a strong sense of place.

#### **Comment PH-5**

The Builder suggests a staggered development plan to demonstrate that the Builder’s smart growth and “live, work and play” ideals resulting in reduced sewage, water, electric and parking usage. What happens if his ideals are not proven? Who will clean up the mess that is left behind? This staggered development should not be allowed, unless there is money put in trust by the Builder to return the property to its original state if the ideals are not realized. (C23-17)

#### **Response PH-5**

See Responses PH-1 and PH-4.

#### **Comment PH-6**

The DGEIS states that “Much of the Gateway Area would be developed in Phase II.” (DGEIS Page 1-15). Phase II describes some of the development occurring within 5 years. Then it details that the next phase would be as long as 15 years away. Further, the DGEIS is unclear as to whether or not the Gateway areas would be developed at all. It is unreasonable and a violation of the property rights of my client and the other Gateway Area property owners for the Town to approve this aspect of the DGEIS. This alienates my client’s uses of his property by taking away his right to improve, develop or otherwise use his property not knowing what action the Town may seek to take between 5 and 15 years from the time the development begins. (C29-35)

#### **Response PH-6**

As explained in Section 1.0 of this FGEIS, the Gateway Area is one in which the proposed PSPRD may be appropriate, as it would allow redevelopment of an area that it not coherently developed. Given that the Town Board is considering the rezoning of the Gateway Area to PSPRD, the Town Board was required to evaluate the potential rezoning to PSPRD and the potential redevelopment of the area in accordance with the PSPRD, pursuant to SEQRA and its implementing regulations. Accordingly, a potential development scenario was considered for the Gateway Area, which is consistent with redevelopment pursuant to the PSPRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD and development in accordance with that zoning district.

#### **Comment PH-7**

The applicant has agreed to a phased project, and this is a significant measure, a keystone to hopefully having the project go forward. At this point in time, the traffic impacts of Phase One have not been identified, and for Phase One to be finally approved, that would need to be done. (H1-12)

**Response PH-7**

As explained in Response PH-4, the DGEIS and FGEIS evaluate the whole development, which includes all phases. The Phase I traffic impacts have been identified and analyzed, and mitigation has been determined (see Section 4.21 and Appendix TR-1 of this FGEIS). The traffic impacts associated with the full build-out have also been identified, analyzed, and mitigation has been determined (see Section 4.21 and Appendix TR-1 of this FGEIS).

**Comment PH-8**

The year of completion is listed at 2021, with a 15-year build out period. Construction will most likely not begin before 2011, and, therefore, the completion date should be revised to 2026. (H13-5)

**Response PH-8**

The build-out year for Phase III is 2027. This build year has been incorporated into the Supplemental Traffic Analysis included within this FGEIS (see Appendix TR-1).

**Comment PH-9**

If, as has been suggested, the project is phased, development should not proceed from one phase to the next unless and until the mitigations are implemented and demonstrable in their effectiveness, and, certainly, the first phase should not proceed without the mitigation in place. If the negative impacts cannot be mitigated or if the developer refuses to implement necessary mitigation, the project should be stopped. (H15-1)

**Response PH-9**

See Response PH-4.

## 4.5 Land Use/Intensity (LU)

### Comment LU-1

Comparable town center projects tend to be smaller in acreage than the proposed project with the greatest intensities and mix of land uses within short walking distance of a high-density core. Areas located outside of that core gradually decrease in density as they meet surrounding land uses. The current plan offers a relatively uniform intensity across the entire 475-acre site. (C1-1)

### Response LU-1

Heartland Town Square is not just a “town center” project. It is a 452±-acre mixed-use, smart-growth community containing a town center as one of its components. The “Town Center” (DU1-A and DU1-B)<sup>9</sup> comprises approximately 172 acres or 38 percent of the overall 452± acres owned by the applicants. Pursuant to the revised Conceptual Master Plan (see Appendix RP-1), of these 172 acres, 49.6 acres are comprised of open space (i.e., parks and buffers, courtyards and yard areas). The greatest intensity of development and mix of uses is found in DU1-A, the core of the Town Center (this area does not include the cemetery or the townhouses adjacent to the northwest buffer area). With the exception of the one high-rise tower within DU2, this area also contains the greatest concentration of taller buildings as well as the iconic water tower.

The Town Center provides a high-density core, as suggested by the commentator. It provides a mix of uses within a walkable community, and follows some of the main tenets of “new urbanism,” which include walkability (everything within a 10-minute walk of home and work), connectivity (interconnected street grid, hierarchy of streets and high quality pedestrian network), mixed use and diversity (mix of uses within neighborhoods, blocks and buildings, diversity of population – income, age, culture) and increased density (more buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live). The proposed development, including the Town Center, also supports the concepts of “smart growth” as set forth by the USEPA through its Smart Growth Network. Most of USEPA’s smart growth principles coincide with those of new urbanism, including walkability, mix of land uses, compact building design, and foster distinct and attractive communities with a strong sense of place.

The applicants have developed the revised Conceptual Master Plan with the goal of walkability in mind. Many factors influence the degree to which people walk rather than drive—the primary factor being increased density and mixed uses. An important benefit of a higher density, mixed-use development is the synergistic effect that is occurs by having different uses in close proximity to one another. As indicated in *Retrofitting Suburbia*, “one can identify a cycle of supporting uses: residential attracts retail, retail supports office, office supplies restaurants, and coming, full circle, restaurants attract residential use. These synergies are most effective when the uses are close together and it is convenient to easily move from one to the other. This is especially true of ‘vertical mixed use,’ where different activities are stacked within the same building and integrated into urban streets with ground level retail and office and residential above.” (Pages 109-110) Heartland Town Square, especially within the Town Center, incorporates a number of vertically-integrated buildings. The tabulation chart in Appendix RP-1 indicates that there are 17 mixed-use buildings proposed within DU1A - the Town Center and five mixed-use buildings proposed within DU-2 (including the Signature Tower). The tabulation chart indicates the anticipated breakdown of the mix of uses within each of the proposed mixed-use buildings (including square footage of non-residential uses and number of residential units). However, at this time, the plan cannot specify on what floors each use would be located. It



<sup>9</sup> DU1-C contains the cemetery, which is not included in the open space calculations.

can be generally assumed that non-residential uses would occupy the lower floors, while residential uses (if proposed) would occupy the upper floors of such buildings. The locations of the proposed mixed-use buildings are shown on the revised Conceptual Master Plan (see Appendix RP-1).

With respect to the overall density of this development, Heartland Town Square is comparable to other mixed-use, smart-growth developments. Examples of high residential density developments presented in *Retrofitting Suburbia* are summarized as follows:

- MetroWest – a 60-acre site in Vienna, Fairfax County, VA, which originally encompassed a 69-unit single-family residential subdivision. This area was turned into 2,250 residential units, 400,000 square feet of office and retail and a 30,000-square-foot community center. This transit-oriented development replaced 69 homes with 30-times the residential density in an area with high traffic congestion. Prior to gaining zoning approval, the developers agreed to providing convenience retail in the first phase of development, provides the 30,000-square-foot community center and agreed to strict requirements for monitoring traffic generation.
- Santana Row – a 43-acre strip retail center in San Jose CA. This former retail area was revitalized into 1,200 residences, a hotel, ten spas and salons, 30 restaurants, high-end fashion establishment, local shops and large chain stores. The thought was that the impact on local community was going to be controversial due to a concern that the site was located less than three miles from downtown San Jose. The worry was that it was going to “compete with the downtown retailers and drain an already a struggling market.” However Santana Row has been credited with demonstrating the market for urban residential living and boosting reinvestment in downtown development projects.
- Mashpee Commons – a 75,000-square-foot shopping center was remade into a 140-acre walkable village with a new mixed-use downtown in Cape Cod, MA. The area is known for its no-growth sentiment, but Mashpee Commons transformed the area into a “lively commercial town center” with 460,000 square feet of commercial space and 482 residential units. The strategy was “evolutionary demolition and rebuilding of a neighborhood strip center into a new mixed-use town center to comprise an ‘attachable fragment of urbanism.’” In addition, the development involved “parallel planning of compact residential neighborhood in adjacent areas that will plug into commercial core to create a highly connected, walkable village center.”
- Addison Circle in Addison, TX -- an edge city infill development located approximately 15 miles north of Dallas. The area was highly congested with workers and shoppers, but Addison Circle is now getting residents, walkable routes and public spaces. Addison Circle mitigates traffic congestion by providing residents and workers in nearby office complexes with a variety of pedestrian-oriented spaces, restaurants and convenience shopping, negating their need to drive. The final plan for Addison Circle contained five specific elements: a development framework with high quality infrastructure, pedestrian-friendly streets, etc.; a land use plan with two subareas -- one with 4,000 mid-rise rental and owner-occupied units with small-scale commercial development and the other a mixed-use district permitting up to four million square feet of commercial and residential space; an urban form designed to encourage street life and a self-policing environment.
- Atlantic Station in Atlanta, GA - comprises 138 acres and consists of the redevelopment and reclamation of the former Atlantic Steel Mill in midtown Atlanta, Georgia. The vision for this redevelopment was to create a “live, work and play” community where everything was within walking distance. According to the Atlantic Station website, “Atlantic Station is a national model for smart growth and sustainable development... with middle income housing, up-scale housing, restaurants, theaters, businesses and retail.” The community was divided into three major areas of development – “Town Center,” “Tech Village” and “The Commons.” The project consists of three-

to-four million square feet of residential development, two to 2.5 million square feet of retail space, five-to-six million square feet of offices, 1.5-to-two million square feet of high tech labs, one-to-1.5 million square feet of hotel space. Atlantic Station will house 10,000 people and provide employment for 30,000. This project is similar in size to Heartland Town Square, but at 138 acres, it is much denser than the proposed development.

- ▶ Westwood Station in Westwood MA - located approximately 11 miles outside of Boston, MA was a former 141-acre industrial park that was turned into a live-work-shop-play and ride development with approximately 1,000 condominiums and apartments, restaurants and nightlife. This development is an example of the economy's post industrial shift, which provides opportunities for retrofits of office/industrial parks to more integrated communities.
- ▶ Downtown Kendall/Dadeland - Miami-Dade County FL, located approximately nine miles outside of Miami, FL was formerly automobile dealerships, parking lots and low-rise apartments around the Dadeland Mall. This development is an edge city development located on approximately 324-acres. The development consists of more than 3,000 residential units, 350,000 SF of retail/commercial and 110,000 SF of office space and a hotel. Downtown Kendall demonstrates how an edge city can be infilled to improve walkability and interconnectivity between and through multiple parcels.

Also, see Response SC-1.

#### **Comment LU-2**

Using the comparables as a guide, a target intensity for Heartland Town Square's town center might be increased by adding more residential units to reach an FAR of between 0.7 and 1.1. Outside the core, the project should step down in height and intensity, to be more in line with Reston Town Center District's overall 0.5 FAR. (C1-2)

#### **Response LU-2**

Comparing the FAR of Heartland Town Square to the FAR of the Reston Town Center District is not an appropriate comparison. Reston Town Center contains approximately 10,000 acres, while the total acreage included in Heartland Town Square is 452 acres. Reston Town Center has been adapting over the last thirty years into a development much more akin to the type of development that is proposed for Heartland Town Square. Moreover, the master planning firm for Reston Town Center was RTKL, which is one of the master planning firms employed by the sponsors of Heartland Town Square.

#### **Comment LU-3**

Reducing Heartland's overall development intensity would also help mitigate other concerns raised by the plan - traffic impacts, poor transit service, the need to preserve more forested areas, and the overly optimistic forecast of the amount of office development that can be absorbed. (C1-3)

#### **Response LU-3**

As noted in Response LU-1, the density of the development has been shifted more toward the Town Center in the northern portion of the site, and within each of the development units, more toward the center of the site and away from the periphery. This has allowed the retention of greater wooded/vegetated setbacks along the Sagtikos Parkway, the northwestern portion of the site (near Commack Road) and the southeastern portion of the site adjacent to the residential neighborhood in that area (see the revised Conceptual Master Plan in Appendix RP-1). Specifically, the previous and current minimum setbacks are as follows:

	Previous Minimum Setback (DGEIS)	Proposed Minimum Setback (FGEIS)
Sagtikos Parkway (West Side - DU2 and DU-3)	75 feet	200 feet
Sagtikos Parkway (East Side - DU-4)	45 feet	115 feet
Northwest Corner (near Commack Road (DU1-B))	130 feet	130 feet
Southeastern Corner (DU-4)	16 feet	40 feet

With respect to transit service, the Heartland Town Square development is proposing several alternate means of transportation. The site is situated near the Deer Park LIRR station and is serviced by two existing Suffolk County Transit bus routes. Heartland Town Square includes the development and operation of a shuttle bus that would transport residents, workers and visitors to and from the train station. The applicants will also work with Suffolk County Transit in coordinating bus routes and bus stops on the site and in the area.

In addition, NYSDOT counsels major employers on Travel Demand Management (TDM), specifically, on means to reduce automobile use. One of TDM recommendations is for businesses to coordinate efficient travel (such as encouragement of carpooling through incentives) and to provide parking disincentives (such as the parking policies). Heartland Town Square will offer concierge services, and the concierge office will include a transportation manager who will be trained in TDM and will provide advice with respect to public transportation, the private bus within Heartland Town Square, bicycle options, "zip cars," and will arrange car pools for residents and employees within Heartland Town Square.

Metropolitan Valuation Services (MVS) performed an updated market feasibility study, entitled *Consulting and Marketability Study of Heartland Town Square*, dated March 18, 2010 (hereinafter "*Marketability Study*"), a copy of which is included in Appendix LU-1. MVS indicated that the office market is inextricably linked to job creation and the employment pattern on Long Island since 2000 was of moderate increases through 2007. According to Gary Huth, former local labor market analyst for the Long Island region for the New York State Department of Labor, Long Island entered the recession later than the nation as a whole. Job losses reached approximately 40,400 per month in June 2009. However, he also noted that the economic base of the area with health care, biosciences, information technology advanced manufacturing and energy will help to accelerate the recovery. He concluded in the August 2009 report entitled *Employment in New York State*, that "Long Island has a strong foundation for economic growth in 2010 and beyond." Based upon the analysis presented in the *Marketability Study*, the Long Island market was forecast to begin its recovery phase in 2011, with expansion thereafter. Heartland Town Square's office space, should the project be approved and the site developed, would not be ready for occupancy for several years, when the market should be rebounding in terms of need for space. Furthermore, the 24/7 aspect of the site makes it very different than the typical office park such as in Melville or Hauppauge. It is MVS's opinion that with the anticipated rents and the available amenities of Heartland Town Square, the office space proposed in Phase I will be absorbed within three years from the start of pre-leasing. Nevertheless, due to the extended build-out period, all development within Heartland Town Square is subject to market demands, and the actual amount and timing of development will be adjusted accordingly.

With respect to traffic, impacts are expected to be inherently mitigated, to a certain degree, by the extensive mix of uses that is proposed within the development. Furthermore, the applicants believe there would be adequate public transit services, both internally and externally. Both the mix of uses and the addition of internal transit services as well as connections to external transit services are reflected in the projected internal

capture rates of approximately 12.5 percent in the Weekday AM peak hour, almost 21 percent in the Weekday PM peak hour and almost 22 percent in the Saturday Midday peak hour in Phase I of the proposed development. By full build-out, internal capture rates are expected to change to approximately 14.7 percent, 18.2 percent, and 24.4 percent, in the respective peak hours (see Appendix TR-1 of this FGEIS).

More specifically, the impacts that Heartland Town Square may have on the transportation system are directly related to behavioral changes that occur when mixed uses, which complement and support one another, are developed proximate to each other. Heartland Town Square is that type of development, which has its roots in the traditional communities across the country and all over the world. Communities are founded on close connectivity among home, work and shopping areas that minimize vehicle trips and promote walking, transit and bike trips because the automobile is no longer the travel mode of choice. This is the vision for Heartland Town Square, and the vision of the developer. How the vision translates into reality is subject to testing of the concept, which has been well documented in mature cities, developed over several generations, but under-reported in the technical reports that transportation engineers use to evaluate proposed developments of the Heartland Town Square scale.

In the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with Town representatives, the applicants have proposed that analysis be undertaken during Phase I (when 70 percent of the Phase I space is occupied) to evaluate the actual behavioral changes that occur as homes, work places and retail options are all operating proximate to one another, in quantities that allow for trips to be made internal to the project and lessen the impacts outside of the development. These empirical data will then be used to confirm the projections made by the standard modeling techniques. If the results are as expected by the applicants, it may be that the internal capture rate is higher than that used in the model (see internal capture rates above). In the event that the capture rate is less than is predicted in the traffic analyses, the applicants would modify the proposed amount of office space in future phases to reduce overall trip generation.

#### **Comment LU-4**

Land uses should have the greatest mix and development intensity within the designated Town Center area. Retail space should occupy the ground floor of mixed-use retail/residential buildings. Vertically mixed-use buildings will create a more vibrant neighborhood with daytime and evening activity. A specialty food store could work well in the Town Center area. Farther south at Heartland, areas that are largely residential in use should have more service retail (for daily needs) located within a short walk. (C1-4)

#### **Response LU-4**

The greatest mix and development intensity of Heartland Town Square is located within the Town Center, the northernmost portion of the site (see Appendix RP-1). A grocery store is being contemplated for development in the Town Center, and is shown in DU1A-9. A number of mixed-use, vertically-integrated buildings have been incorporated into the Town Center. Retail space will occupy the ground floor of mixed-use buildings along primary streets and vertically mixed-use buildings will be encouraged to generate activity throughout the day and evening.

Largely residential areas are planned to be served by service retail. DU3 includes over 5,300 square feet of retail, but will share adjacent retail spaces that are located in DU2. DU4 contains over 15,000 square feet of retail space within a mixed-use building. However, the DUs are not self-contained, isolated communities. They will be integrated into the overall Heartland Town Square development by interconnected roadways, bike paths and greenways. Also, see Responses LU-1 with respect to the mix of uses.

#### **Comment LU-5**

Some industrial uses at the southern end of DU3 could be considered. Truck traffic coming from industrial area to the south would negatively impact proposed housing. Also, this area is geographically removed from the true "Town Center" portion of the project. (C1-7)

#### **Response LU-5**

The applicants are not considering the introduction of industrial development into Heartland Town Square, as the applicants do not believe that this use would integrate well into this smart growth community. Moreover, Heartland Business Center, with approximately 3.4 million square feet of industrial/business space, borders the property to the south.

Although some industrial development (particularly research and development) has been incorporated into smart growth communities, research suggests that it is more likely that former industrial sites, including brownfield sites, be redeveloped into smart growth or new urbanist communities. *Retrofitting Suburbia* suggests that the private sector is interested "in accommodating growth in underused suburban industrial properties that no longer contain hazardous uses" as vacancy rates in these industrial parks have increased over the years (Page 217).

The DGEIS examines an alternative that includes industrial development (see Section 7.5 of the DGEIS). This alternative involves the substitution of approximately 1,100,000 square feet of multi-tenant office and industrial uses (configured in an office/industrial park setting) for those uses currently planned for DU3 (located in the southwestern portion of the subject property). The difference between this alternative and the revised Conceptual Master Plan is the focus on the development of industrial/office space rather than residential development in the area south of Campus (College) Road and west of the Sagtikos State Parkway. Therefore, the potential for industrial development on the subject property has been evaluated.

With respect to truck traffic coming from the south, it is assumed that the commentator is referring to the proposed Intermodal Facility. According to the DGEIS for the Intermodal Facility (p. S-15):

*"Visual effects would range from minor (motorists' views on LIE and Crooked Hill Road) to moderate (motorists' views on Sagtikos State Parkway). Noise and visual effects from the increased truck traffic and the operation of the facility would be minimal. Predicted noise levels are below those that would require abatement."*

In order to help minimize the impacts the proposed Intermodal Facility would have on the proposed land uses within DU3, if such Intermodal Facility is build the revised Conceptual Master Plan would include a 75-foot-wide vegetated buffer along the edge of the property adjacent to the Intermodal Facility (see Appendix RP-1 of this FGEIS).

With respect to the area being "geographically isolated" from the Town Center, the revised Conceptual Master Plan also proposes civic and neighborhood support retail within DU3 to meet the immediate needs of residents in this area while also proposing walking and bike paths, and a network of streets to connect this area to the Town Center.

#### **Comment LU-6**

The mix and amount of retail proposed at Heartland (905,000 square feet in the lifestyle center alone, and an additional 100,000 square feet elsewhere) is unlikely to be absorbed by the market. (C1-18)

#### **Response LU-6**

An updated *Marketability Study* was prepared by MVS (see Appendix LU-1 of this FGEIS). The following are the conclusions regarding retail development.

*“Phase I of Heartland Town Square is proposed to contain 560,000 square feet of retail development. It will be an open air retail property that in format will be a lifestyle center. The retail in Phases II and III will only be developed if the office and residential components of those phases move forward. Phase I retail will be the first aspect of the development and will help stimulate the demand for residential unit and office space.*

*Due to the position of Suffolk County as a growing center of business with a generally favorable demographic profile, retailers regard it as an important retailing market in Long Island. Population growth in the subject’s trade area remains fairly strong. The primary trade area is classified as a middle- to upper-middle income community. The subject property benefits from its proximity to the Long Island Expressway and Sagtikos Parkway.*

*The major competition will come from the existing super regional malls located within a 10-mile radius which includes Smith Haven Mall, Walt Whitman Mall, and Westfield Shoppingtown South Shore. There will be some competition from Tanger Outlets at The Arches in Deer Park if that project changes from its pure outlet format.*

*According to REIS, a provider of real estate performance information, net negative absorption is forecast to continue until 2012 when strong positive absorption is to resume with 504,000 square feet anticipated to be absorbed by 2014 in both neighborhood and community shopping centers on Long Island. By that year rents should be increasing at an annual rate of 1.8% with an annual average of \$26.03 per square foot. The vacancy factor is to decline to 6.6% in 2014, down from a high of 7.7% in 2011. Part of the underlying support for this growth is rising employment in 2011-2014. By 2013 average household incomes are forecast to strongly increase by 4.0% over year previous.*

*Based on consumer expenditure surveys the total trade area far exceeds typical consumption patterns. The average annual household expenditure is \$65,477 in 2009, substantially greater than the USA average of \$48,163. Consumer expenditures that are retail sales are forecast to increase robustly over the next 5 years to \$86,774 per household, which is a 6.41% annual increase.*

*Heartland Town Square Phase I will have a core market coming from the residents of its apartments and townhomes and the daily office workers. In addition, it will be the only property of its type in Suffolk County. With a core demographic within 10 miles of solid middle income households the retail portion of Heartland Town Square should attain a market share alongside other retail formats such as the regional malls, power centers, and the new outlet center. Our residual demand analysis supports the development of a 560,000 square foot lifestyle center based on the supporting demographics.”*

Since the *Marketability Study* was prepared in 2010, consultations were undertaken with MVS to confirm whether the conclusions of the aforesaid study remain valid. As indicated in correspondence prepared by MVS, dated May 24, 2013, “based upon our review of current relevant indicators, it is our conclusion that the market fundamentals upon which the April 2010 Study was based have improved and the conclusions presented in the April 2010 Study are still valid and can be relied upon” (see Appendix LU-1).

#### **Comment LU-7**

The Gateway area should not have any residential units because it would be difficult for residents to cross the Ring Road, which is planned for higher traffic speeds and through traffic. (C1-42)

#### **Response LU-7**

While the ring road is planned for more through-traffic, it will be important to link development outside of the ring road with that development inside the ring road to create the interconnected walkable community that Heartland Town Square is envisioned to be. Linkages for pedestrians would be provided across the ring road, most likely at locations where roads intersect and traffic must stop. At these places, high visibility crosswalks and other pedestrian safety features would allow safe pedestrian crossing. Moreover, the Gateway Area is proposed to include a minimal number of residential units (130) as compared to the remainder of the development.

#### **Comment LU-8**

Is there any vertically mixed-use retail in the outlying areas, or is it stand-alone retail? (C1-80)

#### **Response LU-8**

Vertically mixed-use retail is proposed throughout all of the development units, but particularly within the Town Center. Vertically-mixed buildings proposed within the Town Center include retail/hotel, retail/residential and retail/office uses. Outside of the Town Center, and the office buildings at the entrance to the site in DU2 (as well as in the Gateway Area), the revised Conceptual Master Plan shows vertically mixed-use retail or commercial uses in parts of DU2, DU3, and DU4. In the southern portion of DU2, the revised Conceptual Master Plan depicts retail on the ground floor of the residential buildings in parcels DU2-14 and DU2-15. In DU3, the rehabilitated, adaptively-reused buildings around the central green are proposed to become mixed-use buildings, if economically feasible. Finally, at the northern entrance to DU4, the revised Conceptual Master Plan shows ground floor retail in the residential building in parcel DU4-2.

#### **Comment LU-9**

Suffolk County Growth Centers Study - In 2006, the County Executive issued an Executive Order directing the County Planning Department to study five "hot spots" of development in the County. The order was generated in large part by the extensive development proposals that were occurring within the Sagtikos Corridor. The study noted that the area was at the intersection of four towns and at the crossroads of the regional highway system. As such, the area needed to be planned in a comprehensive manner with coordination and communication among the towns, the County and the State the study looked at all of the pending land use applications, including HTS, and noted the following proposed increases in development:

- Retail - 272%
- Office - 4,478%
- Industrial - 461 %
- Hotel - 118%
- Residential - 15,000%

The levels of growth are obviously substantial. Accommodating the impacts of this development will either require massive mitigation (especially of traffic) or a significant scaling back of the amount of development. The Heartland Town Square application constitutes the largest of all the pending projects and project planning should fully address these cumulative impacts. (C7-2)

#### **Response LU-9**

The commentator is correct in indicating that Heartland Town Square constitutes the largest of all the projects in the area. Section 4.8.1 of the Heartland Town Square DGEIS examined cumulative impacts of the following projects in the traffic evaluation, as directed by the Town of Islip:

- Tanger Outlet Center
- PJ Ventures II
- Heartland II Industrial Park Expansion
- NYSDOT Intermodal Facility

In addition, as part of the preparation of the FGEIS, the applicants re-evaluated these four developments and adjusted the numbers and associated traffic impacts, as warranted. If mitigation is proposed under any of these proposed projects, that mitigation will be included in the no-build network, and will not be part of the applicants' responsibility to mitigate. However, the mitigation being proposed as part of the proposed action would go above and beyond addressing the impacts associated solely with the Heartland Town Square development, as discussed in Appendix TR-1 of this FGEIS.

With respect to sewage capacity, representatives of Heartland Town Square have met with the SCDPW and the SCSA. At that time, these agencies were aware of the aforementioned projects. Upon these agencies review of the project, the SCSA granted a conceptual letter of availability for connection to the Southwest Sewer District. Moreover, the Suffolk SCWA was also aware of these projects, and did not indicate that there would be a concern in serving the Heartland Town Square development.

The proposed Heartland Town Square development is the only one of the aforementioned projects that contains a residential component and, thus, permanent population including school-aged children. Therefore, the analysis of the impacts on the school district would not have had to consider these other projects.

It must also be understood that an updated marketability study was prepared (see Appendix LU-1). The *Marketability Study* ascertained the demand and typical range of market pricing for the various components of the development based upon the recent market activity for these uses within the surrounding and influencing communities. Based on the analysis of the demographic material researched, a forecast of potential target markets for the proposed types of uses is estimated. A survey of the influencing Nassau and Suffolk County markets was performed to ascertain the existing competitive inventory and proposed supply of new product anticipated to be delivered to the area for residential, retail and office components. A demand model was then developed. The existing competitive properties serve as the basis for determining a typical unit mix for the subject property's residential component and for forecasting pricing levels and absorption rate. Absorption rates for retail and office development have also been projected. See Responses SO-1 and SO-26 with respect to office development, Response SO-2 for retail development and Response SO-3 for residential development.

Moreover, the applicants could not and would not construct based on mere speculation, as there is no benefit, economic or otherwise, to constructing buildings that are not occupied. Thus, actual construction would be based upon demand for particular uses.

#### **Comment LU-10**

The DGEIS does not adequately address the issue of density shifting from areas that should be preserved to areas that should be developed. As such, it runs counter to the Suffolk County Smart Growth Plan since it will likely result a concentration of high density development without limiting suburban sprawl. (C7-3)

#### **Response LU-10**

Overall, the proposed Heartland Town Square development is proposed to occur on a property that has previously been intensely developed.

Furthermore, at the site-specific level, as explained in Section 2.2 of this FGEIS, a revised Conceptual Master Plan has been prepared (see Appendix RP-1). This plan shifts the density of the development to the northernmost portion of the site, within the Town Center. Density decreases as one travels south within the project site. The lowest densities are found in DU4, adjacent to the existing single-family neighborhoods to the south and east of the project site. The density of DU3 has also been reduced. The overall FAR of the Town Center, which is comprised of DU1-A and DU1-B, is approximately 0.99, which discounts the cemetery (FAR of 0.0); the overall FAR of DU1 (including the cemetery) is 0.89. The FAR of DU2 is 0.86. The FARs of DU3 and DU4 are 0.61 and 0.72, respectively. Therefore, as one travels south, the density decreases.

#### **Comment LU-11**

At about 15 million square feet, the project would be the largest private development in the history of the county. The density of residential units would be 37/acre at a .50 Floor Area Ratio (FAR) and 89/acre at a .35 FAR. By comparison, the average density in Brentwood is 3.6/acre. On the basis of population, the density would be:

- 800% more dense than Islip town
- 55% more dense than Long Beach
- 24% more dense than Queens

The DGEIS fails to adequately address impacts associated with the proposed increase in density associated with the project. The project density will be dramatically higher than the density of development within the Town, within adjoining towns and with the region. The DGEIS should better analyze potential impact associated with the urban scale density planned for the project. The analysis should include alternatives at a reduced density and scale and consistent with surrounding densities. (C7-11)

#### **Response LU-11**

The applicants understand and acknowledge that Heartland Town Square is the largest project on Long Island; however, the potential significant adverse impacts of the proposed action, as required by 6 NYCRR Part 617 and the Final Scope promulgated by the Town Board, have been comprehensively evaluated in the DGEIS and the FGEIS.

Furthermore, Heartland Town Square has been designed to be a mixed-use, smart-growth community whose size will have inherent benefits. Density is the key to allowing the project to be successful from the standpoint of walkability, reduction in vehicle trips, creation of a vibrant community and sustainability. The lifestyle that the applicants are proposing to create relies on density. The DGEIS specifically addresses the impacts of the proposed square footages and associated densities, and acknowledges that the overall density is higher than the surrounding density. However, the concept of this development - a smart growth community - is vastly different than the predominantly single-use development based upon the prevailing Euclidian zoning.<sup>10</sup> With the density associated with the proposed smart-growth community comes many benefits including provision of a connected, safe, pedestrian-friendly environment; an environment that fosters community and interaction; the ability to provide a range of housing choices; the ability to walk to



<sup>10</sup> According to [http://planningwiki.cyburia.org/Euclidean\\_zoning](http://planningwiki.cyburia.org/Euclidean_zoning), Euclidean zoning is characterized by the segregation of land uses into specified geographic districts and dimensional standards stipulating limitations on the magnitude of development activity that is allowed to take place on lots within each type of district. Typical types of land-use districts in Euclidean zoning are: residential (single-family), residential (multi-family), commercial, and industrial. Uses within each district are usually heavily prescribed to exclude other types of uses (residential districts typically disallow commercial or industrial uses). Some "accessory" or "conditional" uses may be allowed in order to accommodate the needs of the primary uses. Dimensional standards apply to any structures built on lots within each zoning district, and typically take the form of setbacks, height limits, minimum lot sizes, lot coverage limits, and other limitations on the building envelope.

destinations or use transit rather than drive everywhere; and the ability to live with a smaller impact on the environment through the efficient use of resources and land.

Moreover, as has been documented by the Long Island Index, Long Island Housing Partnership, Inc., the Long Island Association, and many other sources,<sup>11</sup> Long Island has been losing and continues to lose its young, educated workforce to other areas of the United States for a variety of reasons including, but not limited to, the lack of sufficient affordable and workforce housing, the lack of “exciting” places to live and work, and the lack of job growth. The vision of Heartland Town Square is to help address this “brain drain” by stimulating job growth, providing housing for various income levels, and creating an exciting location where young and old alike can live, work and play. Density is vital in allowing this type of development to occur. The applicants envision that Heartland Town Square will become an economic engine for the Town of Islip and an activity center as well as a destination that is less dependent on the automobile.

To underscore this idea, in a presentation given November 2005 entitled “The Benefits of High Density Development,” Amy Liu, Deputy Director of the Metropolitan Policy Program of the Brookings Institution stated that “today’s demographic and market changes favor more housing choices and quality, dense development.” In addition, “academic research demonstrates that dense, compact development yields both economic and fiscal benefits.” To that end “concentration of employment contributes to productivity” and “enhances innovation.” The paper goes on to indicate that “educated workers are drawn to places with vibrant and distinctive downtowns, plentiful amenities, a ‘thick’ job market and a positive, tolerant culture.” In the alternative, low-density development increases the cost of infrastructure (including utilities, roads and streets) as well as increases the cost of providing community services (including police fire and emergency medical services).

Other benefits of density and mixed-use communities include reduction in vehicle miles traveled, reduction in greenhouse gases, increase in energy efficiency, increase in health benefits (due to more walking/biking), less stressful commutes, greater sense of community, the opportunity for more affordable housing units, etc., according to *Tyson's West: Benefits of High Density*.<sup>12</sup>

Furthermore, the Urban Land Institute (ULI), in cooperation with the National Multi-Housing Council (NMHC) and the American Institute of Architects (AIA), convened a ULI/ NMHC/AIA Joint Forum on Housing Density to help dispel some myths and change perspectives about high-density development. “Forum members agreed compact residential development can help:

- *Reduce automobile trips, encourage biking and walking, and support public transit.*
- *Bring the health benefits of walking and biking.*
- *Add support for local retail and further reduce the need for car-driven errands.*
- *Foster a sense of community the old-fashioned it-takes-a-village way. Higher density living can create more secure neighborhoods because people living at higher densities are more likely to walk, shop locally, and get to know their neighbors.*
- *Leave more open space open for parks, trails, woods and other pedestrian-friendly avenues.*
- *Provide greater opportunity for mixed-income housing affordable to households at more income levels.”*



<sup>11</sup> Sources include the *Long Island Index 2012 – Profile Report*, [www.longislandindex.com/issues](http://www.longislandindex.com/issues), Real Estate Panel Discussion at Stony Brook University held on April 30, 2012 (Kevin Law, President and CEO – Long Island Association), *Multifamily Housing on Long Island: Impact on Numbers of School-Age Children and School District Finances* prepared by Pearl Kamer, Ph.D., Chief Economist of the Long Island Association (sponsored by the Long Island Housing Partnership), Long Island Housing Partnership’s Annual Report 2011 - *Building Long Island’s Future*, Forbes Magazine - *LIA: Turning Words into Economic Action*, dated June 15, 2012 ([http://www.longislandassociation.org/assets/downloads/ForbesLIA\\_TurningWordsIntoEconomicAction.pdf](http://www.longislandassociation.org/assets/downloads/ForbesLIA_TurningWordsIntoEconomicAction.pdf))

<sup>12</sup> Source: [http://www.fairfaxcounty.gov/dpz/tysonscorner/density\\_dc\\_01282008.pdf](http://www.fairfaxcounty.gov/dpz/tysonscorner/density_dc_01282008.pdf)

The aforementioned items can best be seen in the developments discussed in *Retrofitting Suburbia*, where the implementation of higher residential density has been proven to help reduce the need for automobiles and encourage walkability and public transit use. See Response LU-1 for examples of higher density developments.

With respect to the alternatives, the alternatives examined by the applicants in the DGEIS were specified in the Final Scope that was promulgated by the Town of Islip. One of the alternatives considers development under prevailing zoning, which is similar to the surrounding residential development patterns in the area. In addition, all of the other alternatives examined in the DGEIS were reduced scale and density as compared to the proposed action.

**Comment LU-12**

SCPC policy on Land use: Policy-Promote sustainable land use and development through the County by encouraging density, transit, and mixed uses in downtown, hamlet centers, and areas with adequate infrastructure: The proposed action is not in a downtown, hamlet center or it could be argued, not in an area with adequate infrastructure. It is indicated in the DGEIS that significant roadway improvements - in the range of hundreds of millions of dollars - are needed. The applicant has indicated a willingness to provide \$25 million for the improvements but this is clearly inadequate. The applicant has indicated that public agencies should complete most of the required transportation mitigation but there is no information to indicate that the agencies will do anything. Moreover, LIPA will need to expand electrical transformer facilities and does not currently have the necessary land area for the expansion. The Authority is in negotiation with the State of New York for additional land for the expansion but it is not certain that the land will be available. (C7-16)

**Response LU-12**

Contrary to the comment, the subject property is located within an urban renewal area that contains adequate infrastructure. The site was previously developed with a portion of the Pilgrim State Psychiatric Center. At its peak use, Pilgrim State Psychiatric Center housed between 12,000 and 15,000 patients with an unknown number of staff (estimated at hundreds, if not thousands), as noted in Section 2.2.3 of the DGEIS. The property would continue to be served by the Southwest Sewer District and SCWA. It is surrounded by major roadways and contains electric, natural gas and other utilities and services. The property is located in the Brentwood School District, the Brentwood Fire District, the Brentwood Legion Ambulance and Suffolk County Police Precinct # 3. Therefore, the subject property contains the infrastructure (or the potential to enhance existing infrastructure) needed to allow the development of the Heartland Town Square community. Furthermore, the applicants are providing a parcel within DU3 for the development of civic/community-related service uses.

With respect to traffic improvements, the analysis of existing traffic conditions revealed that the existing roadway network surrounding the Heartland site is deficient in many areas and that these deficiencies would be exacerbated in the future by the continued private development in this area and the increase of normal background traffic volume, without any development on the Heartland Town Square site (see Section 3.8.2 of the DGEIS). The traffic analysis performed has determined that roadway improvements would be necessary to mitigate the existing roadway deficiencies that are not attributed to the development of Heartland.

Also, as outlined in Section 5 of the DGEIS, roadway mitigation specific to Heartland Town Square was identified. The mitigation measures were based on total build-out of the project and addressed traffic deficiencies attributed specifically to the development of the Heartland property. These mitigation measures would be implemented by the Heartland Town Square developer. The applicants have committed to contributing \$25 million for traffic mitigation at Phase III of the development. Since the time of preparation of the DGEIS, Suffolk County and the NYSDOT have acknowledged their responsibilities for performing required roadway improvements to the roadways under their respective jurisdictions (see Section 4 of Appendix TR-1).

In addition, it must be understood that the applicants are proposing redevelopment in an urban renewal area which will significantly increase the tax base of the Town and create thousands of construction jobs and almost 26,000 full time jobs at full development. These jobs will help keep young people on Long Island (after high school or college) rather than having them leave to find employment and a more affordable and exciting place to live.

With respect to electric transformer facilities, pursuant to the New York Public Service Law, the Department of Public Service of the Public Service Commission has a broad mandate to ensure that all New Yorkers have

access to reliable and low-cost utility services. The provision of land for an electric substation is governed by the Public Service Law and the rules and regulations promulgated under NYCRR 16 Parts 98 et. seq. If LIPA requires land on the applicants' site, the applicants are willing to negotiate with LIPA to provide same.

#### **Comment LU-13**

Promote redevelopment and infill development as an alternative to continued sprawl: The proposed development is an adaptive reuse of parts of the former psychiatric center. The proposal at its current density, however, may be beyond the capacity of the infrastructure, as noted above. (C7-17)

#### **Response LU-13**

As indicated in the comment, the proposed Heartland Town Square is a redevelopment of a formerly intensively developed site. Heartland Town Square is not proposed to be developed on pristine land, but in an urban renewal area. The DGEIS and FGEIS demonstrate that the infrastructure, including, but not limited to, roadways, sewer, water, electricity and community services would either be sufficient, or impacts to such facilities would be mitigated by the applicants, as indicated specifically in Sections 4.2, 4.8, 4.9 and 4.11.3, respectively, of the DGEIS. Also, see Responses LU-10, LU-12 and GN-25 of this FGEIS.

#### **Comment LU-14**

By the way, it is clear that the DEIS envisions the "lifestyle" retail center as being a magnet attracting people who do not live in the area. Only two percent of the retail described in the DEIS is for local neighborhood services. (C8-16)

#### **Response LU-14**

While Phase I of Heartland Town Square (which includes the lifestyle center) will derive its core market from on-site residents and daily office workers, the primary retail trade area for Heartland Town Square encompasses a five-mile radius, with a total trade area radius of 10 miles. Therefore the lifestyle retail center, while attracting on-site residents and workers, will also attract people who live outside the development.

Furthermore, while less than 10 percent of the retail described in the DGEIS is specifically designated as neighborhood retail, the retail within the Town Center will also serve the neighborhood. A grocery is being contemplated for development in the Town Center. Moreover, it is the intent of the revised Conceptual Master Plan and the applicants that all of the retail within Heartland Town Square will, in effect, support the residential neighborhoods, providing them with access to a wide range of goods and services. As indicated in *Retrofitting Suburbia*, a key aspect of configuring a successful mix in a new downtown is to identify dynamic synergies between uses. One can identify a cycle of supporting uses: residential attracts retail, retail supports office, office supplies restaurants, and restaurants attract residential use. These synergies are most effective when the uses are close together and it is convenient to easily move from one to the other. This is especially true of "vertical mixed use" across a development, where different activities are stacked within the same building and integrated into urban streets with ground-level retail and office and residential above. The closely knit development will also be structured to support walkability. *Retrofitting Suburbia* asserts that many factors influence the degree to which people walk or drive. Density and mixed use increase walking while reducing driving. Narrow streets with medians, buildings with windows and tree-lined sidewalks also stimulate walkability. Attractive environments attract more people and more opportunities for building social capital. The applicants will incorporate these elements in order in order to sustain a live-work-play community.

#### **Comment LU-15**

Require the transfer of development rights to satisfy at least a portion of the residential and/or commercial density and intensity on the project site. This will ensure that the proposed density is offset or balanced by the preservation of land elsewhere. This is a tried and true formula for success all over the country. This is how to make the project acceptable and workable for the Town and all Long Islanders. The Town and developer will want people from hamlets and Towns to use the amenities of the proposed development. Likewise, the future residents of this community will at some point have a need to recreate off site and enjoy the natural areas on Long Island and areas that have been preserved in exchange for density elsewhere. (C21-1)

#### **Response LU-15**

The proposed PSPRD zoning does not contemplate the use of transfer of development rights, and there are no land use regulations that require same. As noted in Section 4.6 of the DGEIS and Response OS-18, the Heartland Town Square development provides over six acres of open space per each 1,000 residents, which is consistent with National Recreation and Parks Association standards. Furthermore, as also noted in Response OS-18, directly adjacent to the western portion of the larger segment of the subject property is the Edgewood-Oak Brush Plains Preserve, which comprises over 800 acres. This area has been preserved from development in perpetuity. Edgewood-Oak Brush Plains Preserve permits hiking, biking, dog training and bird watching with a free NYSDEC permit. A June 7, 2010 letter from the Friends of the Edgewood-Oak Brush Plains Preserve (see Appendix LU-2), indicated the following:

*“There is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square, situated in the Town of Islip. If and when this project moves forward, we envision Heartland Town Square residents utilizing the preserve for hiking, biking, jogging bird watching, nature photography, and other passive recreational activities. We are hopeful that Heartland Town Square residents and workers alike will appreciate how special the Edgewood Preserve is and that they will be encouraged to help us protect and improve this rare wildlife habitat.*

Thus, the Friends of the Edgewood-Oak Brush Plains Preserve look forward to a positive interaction between Heartland Town Square and the Preserve.

It should be noted that Suffolk County Community College, across from the subject property, was once part of the Pilgrim property. In addition, Brentwood State Park, which was also once part of the Pilgrim State Psychiatric Center is located across Crooked Hill Road from the larger segment of the subject property. The 52-acre Brentwood State Park opened in 2003 after the land was transferred from the Dormitory Authority of the State of New York to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The official opening of the first phase the Brentwood State Park Athletic Field Complex (including improvements such as numerous soccer and baseball fields, among other facilities) took place in 2009. OPRHP is in the process of constructing a playground, funded by Governor Cuomo's New York Works Initiative, which is scheduled for completion in 2013.

#### **Comment LU-16**

Provide an area for a community garden. Obviously, everyone who lives in this development will not have a yard area for a garden of their own, however, people often voice their opinions that in new developments, such as condominium development, they lament not having space for a garden. This type of community amenity also promotes sustainability and social opportunities in the community. (C21-8)

#### **Response LU-16**

As specific site plans have not yet been developed, no specific community gardens have been identified. However, there is the ability to include a community garden within areas of the site. The applicants agree

that such an amenity would promote sustainability and social opportunities within the community. The revised Conceptual Master Plan (see Appendix RP-1) proposes a flexible overall landscape framework, so that within the overall development community gardens and smaller scale landscape spaces may be incorporated in future detailed design phases.

Aside from the installation of a community garden, residents (as well as employees and visitors) can enjoy the many trees that line the Town Center and that will remain. In addition, the applicants will extensively landscape the development, including providing street trees and other plant materials. Landscaped pocket parks shall be located within the development. Therefore, even without individual yard areas, residents will not be without gardens and green spaces.

#### **Comment LU-17**

It may also be useful for any restaurants that are proposed to have their own garden to grow vegetables during the growing season. This has been done with many restaurant chefs who choose to grow some of their own vegetables or herbs at least. Temporary greenhouses or hoopouses could also be erected on some of the outdoor space in the winter to continue the growing season. (C21-9)

#### **Response LU-17**

The comment is noted. Such gardens or temporary greenhouses are not precluded from development should the restaurants desire to have their own gardens.

#### **Comment LU-18**

The EIS states that the existing patient cemetery would be preserved. This is written as if someone actually considered that the cemetery would be "demolished," as if the dead in the existing cemetery would be exhumed. That is not a public benefit for which the applicant should be commended. It is a "given," a human, moral and legal obligation to retain the cemetery, even if a developer is acquiring land that contains a cemetery. (C21-15)

#### **Response LU-18**

The cemetery is not proposed to be disturbed.

#### **Comment LU-19**

The Town may want to consider alternatives that make this project site the site for a large manufacturing facility or similar industry that will bring very high paying jobs to Long Island. Bringing more housing and shopping opportunities is not going to help the job market on Long Island. This site could be a hub for the true economic vitality for a large company or several large companies with true long term potential as an employment center. There is a glut of condominiums and other types of housing on Long Island. The issue is not whether there is enough housing; it is first about having enough jobs to support people to live on Long Island. (C21-19)

#### **Response LU-19**

The subject property is not zoned for industrial development or manufacturing; it is zoned for single-family homes. The applicants are in favor of bringing high-paying jobs to Long Island and hope to do so through the large amount of office development that will be brought to the site (over four million square feet in three phases). With future job growth expected to be concentrated in businesses that require office space and with two industrial parks located a few miles away capturing industrial demand, the applicants believe that the

most sustainable jobs will be provided by traditional office development. Additionally, traditional office-style development allows for a higher concentration of jobs for the amount of land that is used, and is generally more conducive to smart-growth development principles.

An alternative that included an industrial component was evaluated in Section 7.5 of the DGEIS (see Response LU-5).

Furthermore, as documented by the US Census and the Long Island Index, there is a dearth of rental housing (including affordable rental housing) both within Suffolk County and Long Island as a whole. The majority of the Heartland Town Square development (71.4 percent of the total floor area) would be devoted to providing housing. Retail development (including hotel space) would comprise 6.4 percent of the total floor area, while office space (which could also bring in high-paying jobs) comprises 20.8 percent of the total floor area. Finally, 1.4 percent of the total floor area would be devoted to civic space. Such composition of housing, office, hotel and retail development could also provide a hub for economic and social vitality for the region.

#### **Comment LU-20**

If this property is not going to be used for its intended purpose it should be for the public good, not the good of the Developer. He bought the property zoned for residences of a certain size and it should remain that way, unless it will be for the use by all as a public park. The increased demands on the environment and the infrastructure are staggering and not justified. Some examples of the increased burden proposed by the Builder over the current zoning area as follows: vehicle trips jump from 1,757 peak to 14,966 peak; total population jumps from 1,824 to 19,892 people. And that is with a flawed vehicle trips calculation as it is based on the Builder's live, work and play concept which is unproven. (C23-14)

#### **Response LU-20**

An alternative that evaluates development under prevailing zoning is included in Section 7.2 of the DGEIS. The 452± property is currently zoned "AAA" by the Town of Islip. This zoning permits the development of 381 single-family homes across the property. The applicants, who own the property, have a right to develop it and also have the right to request a change of zone, which has been done. The Town of Islip has the right not to consider such change of zone application, but has chosen to entertain such application. Through the scoping process, several alternatives to the proposed action were identified and same were examined in the DGEIS, including development under prevailing zoning.

The zoning of a site does not make the development private or public. The streets within the proposed development, though built by the applicants, are proposed to be open to the community.

Through the environmental review process, it is the obligation of the lead agency (the Town of Islip Town Board, in this case) to consider the relevant environmental impacts, facts and conclusions disclosed in the GEIS and to weigh and balance relevant environmental impacts with social, economic and other considerations. Furthermore, according to §68-1 of the Town of Islip Zoning Code, the zoning must promote the health, safety, morals and the general welfare of the community of the Town of Islip. Therefore, the lead agency will consider all of this information before making its decision regarding the ultimate zoning, use and development of the subject property.

The vehicle trip count as well as the internal capture rates have been updated in the Supplemental Traffic Analysis upon consultation with the Town's traffic consultant (see Response LU-3 and Appendix TR-1 of this FGEIS). An evaluation of the number of vehicle trips anticipated with development under prevailing zoning was evaluated in Section 7.2 of the DGEIS. The DGEIS acknowledges that there would be a significant increase in the number of vehicle trips generated by the proposed action as compared to development under

prevailing zoning. However, the applicants are proposing mitigation measures to address the impacts associated with this increase in traffic (see Section 4.21 and Appendix TR-1 of this FGEIS). Moreover, Suffolk County and the NYSDOT have acknowledged their responsibilities for performing required roadway improvements to the roadways under their respective jurisdictions (see Section 4.21 and Section 4 of Appendix TR-1 of this FGEIS).

Also, see Responses ZO-2 and GN-7.

#### **Comment LU-21**

The DEIS for the current proposal indicated that though there are many uses within the property, those uses don't seem to be "mixed" to any great extent.

#### **Response LU-21**

According to *Retrofitting Suburbia*,

*"the benefits of mixing uses are many, from increasing social diversity, safety and a sense of community to reducing VMT [vehicle miles traveled] and improving financial bottom lines. By providing retail and office employees with housing, dining, and retail choices within walking distance of their jobs, mixed use can reduce automobile trips and parking space, spread peak traffic flow hours, improve the cost-effectiveness of mass transit, and in some cases facilitate carpooling commute trips. In a good mix, each use benefits from proximity to the other and they collectively generate a lively space."* (Page 109)

Furthermore, "a key aspect of configuring a successful mix in a new downtown is to identify dynamic synergies between uses." These synergies are most effective when the uses are close together and it is convenient to easily move from one to the other," as explained in Response LU-1.

The revised Conceptual Master Plan in Appendix RP-1 illustrates that a mix of uses is proposed in multiple locations throughout the site including the Town Center (which includes the greatest mix of uses and the largest number of vertically-integrated buildings), the mixed-use office development in DU2, and the neighborhood retail uses that will be mixed with residential development in several of the DUs as well as the Gateway Area. As noted, the mix of uses not only occurs within single, vertically-mixed buildings, but within neighborhoods. DU1 and DU2 contain the greatest mix of uses, while DU3 and DU4, which are more residentially-focused, contain less diverse uses (see Response LU-1 and LU-4).

#### **Comment LU-22**

Residential development seems to be fairly separated from the retail by large amounts of structured parking which doesn't encourage the vibrant street life of a true smart growth community. These parking garages should have linear retail or other uses at the street level to provide interest for pedestrians and to encourage street activity. Without that, streets could become desolate and create a feeling of insecurity. Vision Long Island would recommend a greater mixing of uses than has been indicated by the DGEIS. Some office and/or residential units above the lifestyle center will help make the area more of a "Main Street" and less of an outdoor shopping mall. Both residential and office uses above street level retail are highly marketable. Locations above the shops in Phillips Place, Charlotte, North Carolina drew the highest rents in the development. Having residences above the stores will also help to provide "eyes on the street" and streets, activity, even after stores have closed. In addition, support retail in the "Gateway" area and others should not be housed separately in one story buildings, but rather at the street level of buildings containing other uses. (C28-4)

#### **Response LU-22**

Whenever economically feasible and marketable, liner retail and other uses (such as laminating garages with residential development) are proposed to be employed to activate the street-level and encourage pedestrian activity. However, it is not possible to avoid having some garages at street level, in which cases street-level parking garage frontage will be reduced when possible. Such street-level garages would be required to conform to the Design Guidelines with respect to architectural features and design, where economically feasible (see Appendix RP-3).

The revised Conceptual Master Plan proposes a large portion of development above the street-level retail within the Town Center. The proposed development above the street-level retail would be either residential or office, providing populations to activate and “watch over” the streets during the day and in the evenings and on weekends.

While support retail is expected to be integrated into the street level of some of the buildings containing other uses in the Gateway Area, should this area be rezoned, some support retail will also probably be located within one-story buildings due to numerous factors including the market.

Also see Responses LU-1, LU-4, LU-8 and LU-21 regarding the proposed mix of uses within buildings and within neighborhoods.

#### **Comment LU-23**

In order for many of the trips to be captured within the development, basic daily needs in addition to places of employment need to be close to residences. A grocery store would be needed for the residents of this development as would dry cleaners, banks, pharmacy, deli, post office, etc. Twenty thousand square feet of neighborhood retail would not be enough to satisfy the needs of residents within the site. 9130 units of housing could potentially sustain between 75,000 and 300,000 square feet of grocery anchored neighborhood shopping according to the Urban Land Institute. Without this trips would need to be taken to outside of the community to meet these needs. Other than the restaurants, the lifestyle center portion of the site would not be helpful to residents of the site in their day to day activities. (C28-7)

#### **Response LU-23**

The revised Conceptual Master Plan for Heartland Town Square (see Appendix RP-1) would support the provision of a grocery store(s) and is designed to provide a framework from which a more detailed retail leasing strategy will be developed at a later time. The proposed revised Conceptual Master Plan (see Appendix RP-1) envisions a smaller scale grocery store that could be located within the Town Center. In addition, the proposed revised Conceptual Master Plan has provided for a larger retail parcel in DU-2, which could accommodate a larger-scale grocery store. It is envisioned that all of the retail within Heartland Town Square will, in effect, support the residential neighborhoods, providing them with access to a wide range of goods and services.

The revised Conceptual Master Plan proposes civic space and neighborhood support retail within DU3 and retail space within DU-4 to meet the immediate needs of residences in this portion of Heartland Town Square while also proposing walking and bike paths, a shuttle bus service, and a network of streets to connect these areas to the Town Center.

Also see Response LU-4.

#### **Comment LU-24**

Any proposed fuel facilities, including gasoline stations should be limited to Crooked Hill Road area or the LIE service road if they are to be built at all. An existing service station on the north side of the LIE service roads could be expanded and modernized if needed. (C32-9)

**Response LU-24**

The applicants are not proposing any fueling facilities within the proposed development, and no such facilities are permitted by the proposed PSPRD zoning district.

**Comment LU-25**

Where are the churches, synagogues and other religious worship facilities in the plan? And to close, how will residents make ingress and egress from the project? Have any traffic studies been completed? (C35-6)

**Response LU-25**

The applicants are not specifically proposing a site (or sites) for religious facilities within the proposed revised Conceptual Master Plan. However, the proposed PSPRD zoning district permits houses of worship and other religious facilities with each of the subdistricts.

The revised Conceptual Master Plan illustrates the ingress and egress points for the Heartland Town Square development (see Appendix RP-1). Also, see Responses TR-105 and TR-106, which specifically discuss site access.

A comprehensive traffic impact analysis was prepared as part of the DGEIS (see Sections 3.8, 4.8 and 5.8 and Appendix N of the DGEIS). Based upon the revised Conceptual Master Plan and discussions with the Town of Islip and its traffic consultant, a Supplemental Traffic Analysis was prepared and is included in Appendix TR-1 of this FGEIS. Appendices TR-2 through TR-4 provide additional traffic-related analyses (including shared parking and alternative modes of transportation). Also See Section 4.21 of this FGEIS for responses to the traffic comments that were made during the public comment period for the DGEIS.

**Comment LU-26**

Much could occur on this land, including farming for instance. Historically there were farms in this very area. (C35-7)

**Response LU-26**

The proposed PSPRD zoning district does not permit commercial farming on the subject property. However, as previously indicated (see Responses LU-16 and LU-17), the development of community gardens associated with restaurants could occur.

**Comment LU-27**

With regard to the land use, we have concerns with the impacts relating to the mix of the retail proposed, specifically, the presence of neighborhoods to support the retail merchant's lifestyle center retail. Also, the housing proposed and location and relative amount of specific land uses, such as housing included in the Gateway Area. (H2-3)

**Response LU-27**

The commentator does not identify the specific concerns. However, Responses LU-4, LU-6, LU-8 and LU-21 address the mix of retail uses.

See Response LU-7 regarding the location of housing within the Gateway Area.

**Comment LU-28**

The analysis sheds light on the mix of land uses proposed. However, the viability and the marketability of these ratios of land uses should be scrutinized. (H3-12)

**Response LU-28**

An updated *Marketability Study* was prepared by MVS in March 2010 (see Appendix LU-1). As the project in size, timing and scope is extensive, the *Marketability Study* focuses on the current market conditions and forecasts for marketability of Phase I of the project over the next five-to-seven years. This time horizon includes the anticipated approval of the project, the construction of Phase I and forecast absorption of the first phase.

Based upon the analysis contained within the *Marketability Study*, the subject site is considered to be capable of supporting the proposed mixed-use improvements and it is large enough to incorporate both residential and commercial uses along with supporting retail and recreational amenities. Each component of the project (retail, residential, office, etc.) is evaluated within the *Marketability Study*. The complete *Marketability Study* is contained in Appendix LU-1 of this FGEIS.

**Comment LU-29**

Additional analysis should be conducted regarding the proposed mix of retail use and if a critical threshold of neighborhood support retail uses has been met; for example, grocery stores, pharmacies, dry cleaners, etc. (H3-14)

**Response LU-29**

While less than 10 percent of the retail described in the DGEIS is specifically designated as “neighborhood retail,” much of the retail within the Town Center as well as some of the retail within other commercial buildings will also serve the residential neighborhoods on the site. Moreover, it is the intent of the overall plan and the applicants that all of the retail within Heartland Town Square will, in effect, support the residential neighborhoods, providing them with access to a wide range of goods and services. With respect to grocery stores within Heartland Town Square, see Responses LU-4 and LU-23.

**Comment LU-30**

Number one, place making; there are substantive issues with the place-making of this project. We don't feel that the lifestyle center or the internal mall or even big box stores, as possibly developed by the Simon Malls, is appropriate. We would like to see a Main Street retail concept. (H8-1)

**Response LU-30**

The revised Conceptual Master Plan and the Design Guidelines (see Appendices RP-1 and RP-3, respectively) provide further clarification of how the proposed project will create great places within Heartland Town Square. The retail component contains many characteristics of a “Main Street” retail concept, such as sidewalks in front of stores, (containing sidewalk infrastructure [furniture, landscaping, etc.]), visual continuity of the stores along the street frontage, forming a “street-wall,” buildings located close to the street, small-scale storefronts, mixed-use buildings with retail on the ground floor, an residences/office above, on-street parking adjacent to the stores, etc. The revised Conceptual Master Plan and Design Guidelines propose a retail strategy that is essentially focused on a series of open-air main streets, and does not propose a big-box center or an enclosed shopping mall.

**Comment LU-31**

We see a lack of neighborhood retail in the plan. We are looking at 120,000 square feet of neighborhood retail. Our estimates sat between 75,000 and 300,000 square feet of retail is needed for 9,100 housing units. (H8-2)

**Response LU-31**

See Responses LU-4, LU-23 and LU-29.

**Comment LU-32**

The development of other retail in Suffolk County is important to consider in terms of overdevelopment, and your role as County and State law is that you control the rational allocation of land uses; where this goes, where that goes for the greater good. And you take that obviously quite responsibly. And it is just one thing for you to consider in terms of certainly no one wants to take one action that will consequence [sic] the other. (H11-7)

**Response LU-32**

As indicated in Response SO-2, based upon the updated *Marketability Study* prepared by MVS (see Appendix LU-1), due to the position of Suffolk County as a growing center of business with a generally favorable demographic profile, retailers regard it as an important retailing market in Long Island. Population growth in the subject's trade area remains fairly strong. The primary trade area is classified as a middle- to upper-middle income community. The subject property benefits from its proximity to the Long Island Expressway and Sagtikos Parkway.

The major competition will come from super-regional malls located within a 10-mile radius, which include Smith Haven Mall, Walt Whitman Mall, and Westfield Shoppingtown South Shore. There would be some competition from Tanger Outlets at The Arches in Deer Park if that project changes from its pure outlet format. According to REIS, a provider of real estate performance information, net negative absorption is forecast to continue until 2012 when strong positive absorption is to resume with 504,000 square feet anticipated to be absorbed by 2014 in both neighborhood and community shopping centers on Long Island. By that year, rents should be increasing at an annual rate of 1.8 percent with an annual average of \$26.03 per square foot. The vacancy factor is to decline to 6.6 percent in 2014, down from a high of 7.7 percent in 2011. Part of the underlying support for this growth is rising employment in 2011-2014. By 2013, average household incomes are forecast to strongly increase by 4.0 percent over year previous. Based on consumer expenditure surveys the total trade area far exceeds typical consumption patterns. The average annual household expenditure is \$65,477 in 2009, substantially greater than the USA average of \$48,163. Consumer expenditures that are retail sales are forecast to increase robustly over the next 5 years to \$86,774 per household, which is a 6.41 percent annual increase. Heartland Town Square Phase I will have a core market coming from the residents of its apartments and townhomes and the daily office workers. In addition, it will be the only property of its type in Suffolk County. With a core demographic within 10 miles of solid middle-income households, the retail portion of Heartland Town Square should attain a market share alongside other retail formats such as the regional malls, power centers, and the new outlet center. The overall analysis indicates current potential demand for an additional 873,755 square feet of retail space within the five-mile primary trade area; however, that demand may slightly decrease by 2014 because of unknown future leasing at Tanger at the Arches. Therefore, MVS's residual demand analysis supports the development of a 560,000 square foot lifestyle center based on the supporting demographics and the competitive supply. The *Marketability Study* also notes that additional proposed retail in Phases II and III may or may not be constructed, or may be more service in nature. However, the model indicates that there is additional potential beyond the 560,000-square-foot lifestyle center in this market.

Furthermore, as discussed in Response LU-20, through the environmental review process, it is the obligation of the lead agency (the Town of Islip Town Board, in this case) to consider the relevant environmental impacts, facts and conclusions disclosed in the FGEIS and to weigh and balance relevant environmental impacts with social, economic and other considerations. Furthermore, according to §68-1 of the Town of Islip Zoning Code, the zoning must promote the health, safety, morals and the general welfare of the community of the Town of Islip. Therefore, the lead agency will consider all of this information before making its decision regarding the ultimate zoning, use and development of the subject property.

## 4.6 Smart Growth Concept (SG)

### Comment SG-1

This plan is supposed to be “Smart Growth,” but does not specify how the project Sponsor plans on keeping its residents from leaving the Heartland Town Square for employment or vehicle trips elsewhere. The “green” practices to reduce energy and water consumption need to be discussed more fully. (C9-15)

### Response SG-1

Smart Growth does not mean that every vehicle trip is eliminated. The premise is to reduce the dependence on automobiles, potentially for employment, certain entertainment needs, basic shopping needs, recreational needs, housing, etc. The design of the development will inherently allow people to reduce trips outside the site as it will provide a variety of uses that can be accessed by walking, bicycling and/or using an on-site shuttle bus. People can live on-site, work on-site, shop on-site, dine on-site, be entertained on-site and address recreational needs on site. By providing the right mix of uses in a setting that is conducive to the use of alternate means of transportation, Heartland Town Square will be a community that minimizes dependence on the automobile. Where residents work off-site, Heartland Town Square is proposing to incorporate a private shuttle bus that will transport residents to and from the Deer Park train station, removing even more cars from area roadways.

Furthermore, as explained on pages 4-125 through 4-126 of the DGEIS:

*“Heartland Town Square is envisioned to operate analogous to traffic dynamics found in a dense urban environment, where large percentages of residents reside close to work, and where shops, other businesses and civic uses all come together in an integrated neighborhood environment, minimizing the need for single occupancy vehicles.*

*The proposed project relies on a mix of retail, commercial, recreational and residential uses to create a community environment with land use densities similar to and approaching those found in urban downtown areas, with the aim of placing more people within walking distance to destinations and transit service.”*

Based upon the mix of uses and the design of the proposed community, it is expected that a high percentage of the residents and workers will “commute” within the boundaries of Heartland Town Square. More young people (18-34 year olds) and empty-nesters want to live in the type of pedestrian-friendly, walkable community that is envisioned in Heartland. Like other such smart-growth and new urbanist communities, it is anticipated that people will walk to work and transact their business in Heartland’s stores and eat in Heartland’s restaurants on their way home.

The applicants will continue to investigate potential LEED certification.

The applicants will comply with applicable regulations with respect to energy consumption and conservation, such as compliance with EnergyStar requirements. The applicants are proposing to install energy-saving appliances (refrigerator, washer/dryer, dishwasher) and lighting fixtures in the residential units. The applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be economically feasible at that time. The applicants will also continue to work with LIPA regarding reduction of energy demands and incorporation of relevant LIPA programs into the Heartland Town Square development, as outlined in Section 4.9 of the DGEIS.

With respect to water use, reduced water consumption will be achieved through, among other measures, the use of low-flow fixtures in both residential and non-residential spaces (conforming to the minimum requirements of the New York State Building Code), and the use of drip irrigation and native plant species (which require less irrigation) in landscaped areas; the extent to which the latter two measures will be employed on the developed site has not yet been quantified.

#### **Comment SG-2**

Other similar “smart growth” communities are presented in the document. Atlantic Station, GA located in midtown Atlanta, Addison circle north of downtown Dallas and Legacy Town Center in North Dallas, which is a corporate campus. The location and specifics of these communities appear highly dissimilar to the proposed Heartland community. The description of each of these communities locates them near the downtown of a major city. The downtown area of a major city would possess a mass transit system that is a way of life for those populating such an area. The location of such a community near a city’s downtown adds credibility to assumptions for mass transit usage and the resulting reduction in expected auto trips. Such behavior would already be part of the culture, whereas at Heartland one would be attempting to alter the auto oriented culture, a much more difficult endeavor. Further, the Legacy Town Center is characterized as a corporate campus. Such a setting provides a major employment center for residents of the planned community, again adding credence to the assumption of reduced auto usage and vehicle trips exiting the site. Heartland assumes a substantial proportion of its residents will be employed within the development. Without a major employment center proposed for Heartland, such an assumption may prove to be fictitious. (C9-16)

#### **Response SG-2**

While the smart-growth communities presented in Comment SG-2 are closer to a downtown of a major city, that does not mean that mass transit is a way of life for those populating such an area; in fact transit on Long Island (specifically the LIRR) has been a part of life on Long Island far longer than any transit in Atlanta or Dallas. More noteworthy is that not all of the examples above even have transit – Legacy Town Center is on a major highway, and no transit currently serves the development. In Atlantic Station, Georgia, despite being proximate to downtown, a circulator shuttle is the primary means of getting to the transit station near the project, similar to that proposed at Heartland Town Square.

Heartland Town Square would not be characterized as a corporate campus, like Legacy Town Center, but it will offer over three million square feet of office development and, as such, will be a major employment center for the residents of the planned community as well as the residents of the surrounding area.

See Response SU-7 regarding examples of other smart-growth communities. Also as noted therein, retrofits and development of mixed-use, smart-growth communities can happen in small areas or large areas. However, 15 acres is the minimum threshold that the USEPA deems necessary to implement smart-growth principles. In addition, reinvestment in such areas as retail strip centers, outdated industrial parks, older shopping centers, single-family subdivisions, (areas that are not necessarily located in downtowns) can be successful and provide linkages to the broader areas in which these new smart-growth communities are located.

Finally, see Section 2, “Design Principles & Key Elements of the Plan” of the Design Guidelines (see Appendix RP-3), in which smart growth design principles are discussed. Also see Response SG-1.

#### **Comment SG-3**

...we continue to support properly situated, high density, multi-story residential projects. We also recommend and support, where possible, close proximity to mass transit. We also encourage, on behalf of

our young adults, housing alternatives which will provide housing for our sons, daughters and grandchildren. (C16-2)

### **Response SG-3**

The site is situated near the Deer Park train station and is served by two existing Suffolk County Transit bus routes. Heartland Town Square includes the development and operation of a shuttle bus that would transport residents, workers and visitors to and from the train station, thus creating a vital transportation link. The applicants will also work with Suffolk County Transit in coordinating bus routes and bus stops on the site and in the area. In addition, a variety of housing alternatives will be available within Heartland Town Square (including residences within low-rise buildings and mid-rise towers; condos and rentals; affordable, mixed-income, and luxury residences) within the vibrant Town Center or in a more purely residential neighborhood. See the Design Guidelines in which mobility options and connections are discussed (see Appendix RP-3).

### **Comment SG-4**

In plain language, how many people at one time could be at Heartland Town Square including the 26,000 employees, the 22,000 residents, the total amount of potential guests at the two hotels and visitors to the site, including those visiting residents and those encouraged to come to enjoy the restaurants, movies, shopping, parks, special entertainment events etc. etc.? Does the number of employees include the office workers, retail and hotel workers, security force, grounds keepers etc? What percentage of residents and employees are one and the same? We are sure that information can be obtained from existing models of other smaller but similar projects mentioned in the DGEIS. (C18-13)

### **Response SG-4**

The total number of people on the site at one time cannot be precisely determined as it would depend on the type of businesses included in the development, the occupancy rate of the hotel (only one is proposed at this time), the occupancy of the residences, and any number of other factors.

According to the website Reston Real Estate: The New Urban is Suburban,<sup>13</sup> “about one third of Reston’s residents live and work in the community.” Reston is a mature planned development that was begun in the early 1960s. Construction on the Reston Town Center began in 1988. Therefore, the residences and businesses within the Town Center have been established for about 25 years.

The percentage of resident workers is likely to change gradually over time as the development matures. The number of permanent employees (26,000) includes all of the projected employees on the site and within the Gateway Area.

### **Comment SG-5**

...I would like to point out that this is more than a major decision for this Town Board to make. If you approve of this project, some 15,000,000 square feet of mixed development, you will unalterably change the existing pattern of development on Long Island. Even if you find the general concept intriguing, you cannot fit a square peg in a round hole. Without the infrastructure and road network, without the ability to mitigate the enormous impacts, it would be the height of irresponsibility to approve this project. (C18-14)



<sup>13</sup> <http://allrestonrealestate.com/reston-neighborhoods-guide/buying-in-reston-va/>,

**Response SG-5**

As noted in Response LU-12, contrary to the comment, the subject property is located in an area with adequate infrastructure. The property would be served by the Southwest Sewer District and SCWA. It is surrounded by major roadways and contains electric, natural gas and other utilities and services. The property is located in the Brentwood School District, the Brentwood Fire District, the Brentwood Legion Ambulance and Suffolk County Police Precinct #3. Therefore, the subject property contains the infrastructure (or the potential to enhance existing infrastructure) needed to allow the development of the Heartland Town Square community. Furthermore, the applicants are providing a parcel within DU3 for the development of civic/community-related uses.

With respect to traffic improvements, the analysis of existing traffic conditions revealed that the existing roadway network surrounding the Heartland site is deficient in many areas and that these deficiencies would be exacerbated in the future by the continued private development in this area and the increase of normal background traffic volume, without the development of Heartland Town Square. The traffic analysis performed has determined that roadway improvements would be necessary to mitigate the existing roadway deficiencies that are not attributed to the development of Heartland.

With respect to traffic mitigation, Suffolk County and the NYSDOT have acknowledged their responsibilities for performing required roadway improvements to the roadways under their respective jurisdictions (see Section 4 of Appendix TR-1). Furthermore, the developer of Heartland Town Square has committed \$25 million in Phase III for roadway improvements.

Through the environmental review process, it is the obligation of the lead agency (the Town of Islip Town Board, in this case) to consider the relevant environmental impacts, facts and conclusions disclosed in the FGEIS and to weigh and balance relevant environmental impacts with social, economic and other considerations. Furthermore, according to §68-1 of the Town of Islip Zoning Code, the zoning must promote the health, safety, morals and the general welfare of the community of the Town of Islip. Therefore, the lead agency will consider all of this information before making its decision regarding the ultimate zoning, use and development of the subject property, which is situated in an Urban Renewal Area.

**Comment SG-6**

The Developer notes that the development will be a self-sufficient city and all community needs will be on the property, consequently there will be no need for trips to and from the site. This is a self-servicing fantasy created by the Builder to justify the building density with no infrastructure to support it. The Builder claims that the people can eat, work, sleep and shop in this area, "live, work and play" as they call it. How will he make sure that the businesses in the office buildings, hire people who live in the complex? What happens when you need to go to a doctor, or to therapy, or to college? These needs are all ignored in the DGEIS and must be addressed. The Builder's proposed mini-city is not all necessity for Long Island. (C23-4)

**Response SG-6**

Heartland Town Square has been designed to be a walkable community. The idea behind smart-growth plans is to encourage residents to walk to their destinations. Heartland is creating a live, work, play community (residential, office, retail). The applicants believe it is necessary to get the requested density because such density is needed to support the diverse mix of uses. Moreover, it is the density and the mix that increases the internal capture (e.g., persons who live and work within Heartland, persons who attend entertainment venues and dine within Heartland), and reduces ultimate dependency on the automobile. The DGEIS

specifically discusses the walkability and pedestrian-friendly nature of the proposed development. For example, on pages 2-28 to 2-29, the DGEIS states:

*“At the core of the Smart Growth development strategy for Heartland Town Square is the recognition that sharing resources is often smarter than duplicating resources. The evolution of a more integrated and efficient community-based planning strategy opens up significant opportunities for maximizing the resources of the community as a whole. The efficiency that is created when all of a community’s assets are integrated has an impact on the community’s physical, cultural, social, economic and organizational resources.*

*The Smart Growth development format yields a connected, safe, pedestrian-friendly environment designed for walking instead of driving, facilitating community interaction and neighborliness. The goal is not total elimination of car use, but rather, the elimination of the use of the car for every daily trip. As a result, a connected community development of this type has lower levels of automobile utilization, can employ shared parking arrangements and traffic management programs such as shuttle buses for short local trips to work or connections to commuter rail stations.*

*The guidelines are designed to foster the development of the Heartland Town Square as a viable mixed-use community with a range of land uses including office, housing and retail. The key to sustaining a mix of uses of this type is to employ design control over the scale and urban form of each building regardless of use, and provide a flexible, gridded development framework that can accommodate a range of building types. Unlike the typical suburban development pattern where a separate “stand-alone” building form is the norm, in the Heartland Town Square, the objective is to create an environment with visual continuity and a user-friendly public realm.*

*This approach to community development encourages owners and occupants to continually reinvest economically and emotionally in their community. It is this reinvestment that will make Heartland Town Square a sustainable development, harmonious with its neighbors and compatible with Smart Growth policy goals of the county.”*

In addition, pages 4-16 to 4-17 of the DGEIS indicate:

*“By providing a live-work-play environment, the proposed Heartland Town Square would de-emphasize the need for the automobile. The integration of various land uses within a concentrated area provides opportunities for people to live where they work, shop where they live, and play near both work and home.*

*The proposed Heartland Town Square would be developed in a pedestrian-friendly manner, limiting the size and magnitude of internal roadways and providing opportunities for mass transit (e.g., local jitneys and shuttles). Specifically, a local shuttle bus system will be provided in order to reduce the number of internal automobile trips by offering a convenient and reliable alternative for residents, employees and visitors traveling between destination points within the proposed community. Furthermore, provision of this shuttle would reduce the number of external automobile trips by providing a direct connection between the proposed community and nearby external destination points such as the Deer Park LIRR Station, the Heartland Industrial Park, the Hauppauge Industrial Park, and SCCC. In addition, the applicants also intend to petition Suffolk County Transit to review the current County bus service in the immediate area and to modify or extend the existing bus routes and schedules to better serve Heartland Town Square.”*

While the applicants envision that the project will support people who will both live and work or work and dine within Heartland Town Square, thus taking advantage of more than one use of the project in one vehicle trip, the applicants cannot require that people both live and work or combine multiple tasks within one trip within the subject property. However, the applicants believe that the convenience of multiple uses within walking distance and a high quality pedestrian environment will encourage people to make use of multiple services (eat, work, sleep, shop, play) in one trip, just as they do in other downtowns. It is expected that Heartland Town Square will provide a number of service businesses and professional services as well as

retail businesses. Therefore, one could expect to find doctors, dentists, lawyers, architects, etc. on-site. The Brentwood campus of Suffolk County Community College (SCCC) is located adjacent to the subject property. Therefore, there would be opportunities for residents to attend college nearby. Also, see Response SG-1.

#### **Comment SG-7**

The Builder notes that this development is like a mini-city in scope. Based on this concept, it is like a piece of Manhattan dropped into Suffolk County. The major difference, that is not addressed in the DGEIS, is that Manhattan, and all of NYC for that matter, has infrastructure, has mass transit, to provide the necessary mobility. This proposed mini-city does not. (C23-6)

#### **Response SG-7**

As indicated in Response SG-3, the site is situated near the Deer Park LIRR station and is served by two existing Suffolk County Transit bus routes. Heartland Town Square includes the development and operation of a shuttle bus that would transport residents, workers and visitors to and from the train station, thus creating a vital transportation link. The applicants will also work with Suffolk County Transit in coordinating bus routes and bus stops on the site and in the area. See Section 2.2.5 and Appendix TR-4 of this FGEIS for a summary of the various transportation/mobility options included within Heartland Town Square.

The applicants are proposing to provide infrastructure within the site and have received preliminary approvals from the necessary agencies handling various elements of the public infrastructure (sewer, water, energy, etc.). The applicants are also proposing to connect the project to the existing infrastructure as well as proposing mitigation measures to limit the impact of the project on the surrounding area. The DGEIS demonstrates that the infrastructure, including, but not limited to, roadways, sewer, water, electricity and community services would either be sufficient, or impacts to such facilities would be mitigated by the applicants, as indicated specifically in Sections 4.2, 4.8, 4.9 and 4.11.3, respectively, of the DGEIS. Section 5.2, 5.8, 5.9 and 5.11 of the DGEIS discusses the specific mitigation measures associated with water resources (including sewage treatment and water supply), transportation, energy and community services, respectively.

Response SU-7 indicates that the location of Heartland Town Square will take advantage of adjacent existing infrastructure (intersection of LIE and Sagtikos Parkway and adjacency to Deer Park LIRR Station) and connection to public sewer and water facilities, amenities (SCCC site, the Brentwood State Park, and the Edgewood-Oak Brush Plains Preserve), and adjacent employment (Pilgrim State Hospital, Heartland Business Center, SCCC). Furthermore, the applicants are providing a parcel within DU3 for the development of civic/community-related infrastructure.

Other "infrastructure" will be built by the applicants to support the future population and employees of the Heartland Town Square community. All internal roadways, bicycle paths, parks and open spaces will be constructed by the applicants. The proposed on-site retail establishments will support the future residents and employees by providing for basic needs as well as entertainment and other types of shopping. The proposed on-site offices and other businesses will provide employment opportunities for both residents and non-residents alike. Therefore, the Heartland Town Square community will, aside from connecting to and assisting in upgrading existing infrastructure, provide its own infrastructure to support the new residents, employees and visitors. Also, see Response SC-6.

#### **Comment SG-8**

So-called "smart growth" and the density associated with it is supposed to be compensated for by open space preservation and/or the purchase of transferable development rights as a public benefit. This project offers neither. It represents a development density giveaway of the highest order of magnitude. A major objection

to this development plan is in its very foundation: the idea of creating a city where none exists. Typically, an area becomes more developed over time as people move closer to where there is work, factory or office, and new businesses spring up to service this population. There is a *reason* why towns and cities sprout up and grow. In turn, towns create master plans to govern this growth. Essentially, what is proposed here is the reverse of this process; to construct an empty city and then quickly populate it with businesses and workers. What industry is going to draw people here? Where are the businesses and people that are waiting to occupy the approximately 4 million square feet of proposed office space? (C25-3)

#### **Response SG-8**

With little developable land left in the area surrounding the Town of Islip, Heartland Town Square will provide the opportunity for residential and job growth for 15+ years without putting pressure on the rest of the suburban fabric of Suffolk County to redevelop. Developing within a large planned community within the parameters of an approved Conceptual Master Plan is a proactive approach to growth – one that looks forward and plans to accommodate the growth in the best way possible. Further, the phasing of the proposed development over an extended period of time would allow for “mid-course adjustments” to the development plan through the build-out period, which would provide the opportunity to address changing market needs and optimize the synergy amongst the various proposed uses.

With future job growth concentration expected in industries that require office space (such as finance, real estate, business, legal and accounting firms, and medical practices – all of which increasingly need prestigious Class A office space) and given that the Long Island office market is one of the strongest suburban office markets in the country, the *Marketability Study* for Heartland Town Square suggests that the office development proposed will be absorbed within a reasonable period of time.

With respect to transfer of development rights (TDRs) or open space preservation, the PSPRD does not contemplate TDRs or similar density shifting methods from areas outside of the site, nor is same required by any other regulations applicable to this property. Also, see Response LU-15.

#### **Comment SG-9**

In reviewing the Heartland Town Square development proposal DGEIS, Vision LI's has determined that although there are elements of smart growth within this project, the many pieces and parts of the project are not yet integrated enough to be fully considered a smart growth development. (C28-1)

#### **Response SG-9**

As explained Sections 2.2.3 and 4.4.1 of the DGEIS and Section 2.2 of this FGEIS, the revised Conceptual Master Plan for Heartland Town Square (see Appendix RP-1) is founded on smart-growth principles, and these principles will be integrated throughout the project. The PSPRD and Design Guidelines set forth the requirements and intent of how the landscapes, land uses, building program, streetscapes, circulation and parking, and open spaces should be designed to support smart-growth strategies and create a quality development (see Appendices RP-1 and RP-3). Thus, the PSPRD and the Design Guidelines are the tools for the implementation to ensure that Heartland Town Square is a true smart-growth development.

#### **Comment SG-10**

Lifestyle centers are more pedestrian and neighborhood friendly than conventional enclosed malls. However, they share more characteristics with those malls than they do with a traditional “Main Street,” being comprised on mostly national chains for destination shopping and not containing other uses in the floors above. Any sort of mall whether outdoor or enclosed does not fit within the definition of Smart Growth and

cannot be called such. The central retail district for the site should have a mix of retail types, both destination and neighborhood retail, as well as some office and residential uses. (C28-5)

#### **Response SG-10**

The revised Conceptual Master Plan in the FGEIS (see Appendix RP-1) shows a number of other uses on the floors above the retail within the Town Center. Additional vertically-integrated buildings have been incorporated throughout the subject property. With both office and residential uses above the street level retail, the Town Center will share some of the characteristics of a traditional “Main Street.” The retail within the Town Center will not only contain destination retail, but will also provide neighborhood-serving retail for those that live within the subject site. Only a portion of the retail development proposed for the site (specifically within the Town Center) is considered to be a “life-style” center, serving broader retail needs.

#### **Comment SG-11**

Big box stores, such as Target and Kohls also tend to make a shopping area more of a mall and less of a “Main Street,” and would not usually be considered to fit in a true smart growth community. They typically have massive bland facades that discourage pedestrian activity and encourage destination shopping trips by automobile. Grocery stores are usually an exception to this since they provide a need for residents of the community. In order to avoid the negative aspects of big box stores, any grocery stores within the development should be designed with active facades on any street frontage to continue the walkability throughout the site. Liner shops should be used to mask the large blank walls that typically make up three quarters of the facades. In order for this development to function as a smart growth community, which the DGEIS indicates is the intent, it has to be a real place and not simply a shopping center with housing and offices nearby. (C28-6)

#### **Response SG-11**

The exact retail mix has not been determined at this time, and until the SEQRA process is completed and the zoning is established, the applicants cannot secure retail users. However, the revised Conceptual Master Plan envisions a smaller-scale grocery store that could be located within the Town Center. In addition, the revised Conceptual Master Plan depicts a larger retail parcel in DU2 that could accommodate a larger-scale grocery store. Furthermore, the majority of development at Heartland Town Square is comprised of residences, not office or retail establishments.

Whenever economically feasible and marketable, liner retail and other uses (such as laminating garages with residential development) are proposed to be employed to activate the street-level and encourage pedestrian activity. When liner shops are not possible to incorporate on what would be otherwise blank facades, the Design Guidelines encourage design features and detailing that will help to activate facades and encourage pedestrian traffic (see Appendix RP-3 for the Design Guidelines).

The mix of land uses within the Town Center, particularly other uses such as residential above the street level, will create activity throughout the day making the Town Center a place to see people and been seen. In addition to this activity, a quality environment with unified streetscape elements and small pocket parks and plazas that can be programmed for community based activities and special events will help to create a real sense of place within the Town Center.

#### **Comment SG-12**

In City Place, Florida, a mixed use development with close to 700,000 square feet of retail, apartment leasing had been slow due to a lack of neighborhood retail. Many stores that were initially high end clothing retailers are turning over to home furnishing stores, art galleries, restaurants and nightclubs. People just weren't

coming to do apparel shopping.<sup>14</sup> Vision Long Island would recommend the inclusion of at least one grocery store, and one niche food store in addition to other daily needs within the site to serve the needs of the residents. Neighborhood retail should compromise a larger percentage of the overall retail on the site. Also, since 20% of units within the site are designated as affordable units, there should be an appropriate amount of affordable retail provided as well. Those seeking affordable units will likely not be able to afford higher end stores such as Abercrombie & Fitch and should be provided with shopping in a more moderate price range in order to serve their needs within the site. (C28-8) I looked at the City Place project that was completed there (Florida). Quite frankly, it was a very attractive proposal and project. Sure, Florida has its economic problems in terms of housing, but I would like to know more about this project vis-à-vis that project... (H5-6)

We would like to analyze the City Place project and other comparable projects around the country in context. (H8-4)

### **Response SG-12**

The revised Conceptual Master Plan for Heartland Town Square would support the provision of a grocery store or stores and is designed to provide a framework from which a more detailed retail leasing strategy will be developed at a later time. The revised Conceptual Master Plan envisions a smaller-scale grocery store that could be located within the Town Center. In addition, the revised Conceptual Master Plan depicts a larger retail parcel in DU2 that could accommodate a larger-scale grocery store, which would serve all the residents within Heartland Town Square. Less than 10 percent of the retail described in the DGEIS is specifically designated as neighborhood retail; much of the retail within the Town Center will also be neighborhood serving as well as some of the retail within other commercial buildings on the site in order to meet demand. More specifically, outside the Town Center, within DU2, the two proposed mixed-use residential buildings would each contain over 19,000 SF of retail space. Based upon their location, the retail uses within these buildings could be shared with residences located in DU3. DU3 is also proposed to contain over 5,000 SF of retail space in the vicinity of the artist lofts. Finally, DU4 is proposed to contain over 15,000 SF of retail space to serve the residents of DU4. It is the intent of the Conceptual Master Plan and the applicants that all of the retail within Heartland Town Square will, in effect, support all of the residential neighborhoods, providing them with access to a wide range of goods and services at various price points.

As noted in Response SG-8, the phasing of the proposed development over an extended period of time would allow for “mid-course adjustments” to the development plan through the build-out period. In other words, the amount, specific location and type (e.g., neighborhood) of retail space included within the proposed development could be redistributed to meet demand within the site, as necessary.

According to the City Place website,<sup>15</sup> “CityPlace is comprised of 600,000 square feet of retail businesses, including ten restaurants, a 20-screen theater, open-air plaza, cultural arts theater and 570 private residences.” It contains old-world architecture, beautiful fountains, and sidewalk cafes, which create an atmosphere strikingly reminiscent of a European town center. Moreover, a simple comparison of City Place to Heartland Town Square would reveal that they share common planning principles with respect to their retail strategy and rehabilitation of some existing buildings as key community or cultural places. For example, the power plant is proposed to be rehabilitated for use as gallery space/work space for artists, and, as indicated in Section 4.5.8 of the DGEIS, the water tower is proposed to be preserved as a focal point within the retail “main street” area within the Town Center. Retail uses are anticipated to be incorporated into or adjacent to the base of this structure. However, there are several differences between the two projects, including the greater mix of uses (residential, office, retail) and substantially more residential development which are



<sup>14</sup> Mixed Use Development Handbook: Lessons Learned/ Experience Gained

<sup>15</sup> <http://www.westpalmbeach.com/cityplace/>

found within Heartland Town Square as compared to City Place, as well as the larger overall size of Heartland Town Square (City Place in general is more comparable in size to just the Town Center or a portion of DU1, rather than the entire Heartland Town Square development). Comparable projects are discussed in Responses SU-7 and LU-1.

#### **Comment SG-13**

Considering the Heartland Town Square is to be built in an area without existing infrastructure, like sewers and within walking distance to transit, we have a difficult time labeling this project as true smart growth development. However, the increased density, planned walk-ability and proposals to link the development site to Suffolk County Transit and Long Island Rail Road service is a step in the right direction for development patterns on Long Island. In order to serve as a model, however, the development will have to address myriad transportation issues, not only within the development site, but in its environs. (C34-1)

#### **Response SG-13**

See Responses SC-6 and SG-7, with respect to infrastructure. The proposed Heartland Town Square development has received conceptual approval from the SCSA (see Appendix WR-2). Furthermore, the SCWA has provided a letter of water availability (See Appendix WR-1). With respect to transportation, Sections 2.2.5 and 4.21 and Appendix TR-4 of this FGEIS discuss the various transit/mobility options included in the Heartland Town Square development. Also see Response LU-3 with respect to transit service and alternate means of transportation.

#### **Comment SG-14**

Sustainable Long Island supports the inclusion of pedestrian-focused Town Center areas with raised crosswalks, raised intersections, wide sidewalks and curb bump outs, and encourages the Town Board to also consider timed walk signs, medians or refuge islands and other safety elements that will promote pedestrian activities. The inclusion of shared parking and institution of a car-sharing program as ways to reduce negative environmental impacts are important steps and the Town of Islip should ensure that the developer carry out these proposed ideas. Sustainable Long Island also recognizes the inclusion of bike lanes and visible sidewalks, both of which are essential concepts in sustainable development. We hope that with these provisions, Heartland Town Square can serve as a model for future Long Island developments. (C37-3)

#### **Response SG-14**

The applicants have designed Heartland Town Square to serve as a model for future development on Long Island and in the region. See Responses SG-6, LU-1 and SC-4 with respect to the walkability of the proposed development.

Design features that promote pedestrian safety and encourage walking will be implemented on the site, particularly in the Town Center (see the Design Guidelines in Appendix RP-3).

Shared parking is proposed, especially within the Town Center area (see Response SG-6). Also, the establishment of a car-sharing program will be encouraged within Heartland Town Square. In-street bike lanes will be incorporated, as appropriate (see Response to SU-1 with respect to bike paths).

#### **Comment SG-15**

At the heart of the Heartland Town Square development is the concept of a Town Center. Sustainable Long Island supports the development of this concept and promotes development of public amenities and outdoor spaces and a mix of uses. Sustainable Long Island supports the inclusion of streetscape amenities and encourages designs that create consistent street walls – both elements that enhance the pedestrian experience – particularly along commercial corridors and in the Town Center district. (C37-6)

#### **Response SG-15**

The Town Center is the core of the Heartland Town Square development. The Town Center (DU1-A and DU1-B) comprises approximately 172 acres or 38 percent of the overall 452± acres owned by the applicants. Of these 172 acres, there are 49.6 acres of open space within the Town Center. The greatest mix of land uses (including residential, office, retail, entertainment and lodging) is within the Town Center within DU1. Greater density has been concentrated in the northern portion of the site, with a transitioning to lower density moving away from the center. See Response LU-1 for more details regarding the Town Center.

Outdoor spaces and a mix of uses will be important elements within the overall Heartland Town Square development (not only the Town Center); streetscape amenities and consistent street walls are also important elements of a pedestrian-friendly environment. The Design Guidelines (see Appendix RP-3) provide examples of streetscape elements that are to be included in the Heartland Town Square development. See Response AV-19 for a discussion of facades and street walls.

#### **Comment SG-16**

There are no clearly defined provisions or boundaries as to what constitutes “smart growth.” When the concept was initially discussed as an aspect of community planning, it was based on the notion that clustered development and higher densities would be permitted for the purpose of preserving large tracts of open space. The open space percentages required by the underlying zoning of the area would remain the same or be increased, but would be concentrated into large open spaces instead of being parceled out into small individual spaces, as one would find in a community of single-family homes. Small apartment buildings and parking garages, that would provide similar or greater gross floor areas and parking areas within small building footprints, would be developed as an alternative to single-family homes with front yards and back yards. In view of this, the Heartland Town Square development should reasonably mimic these concepts. (C38-10)

#### **Response SG-16**

General concepts of smart-growth have been defined by different organizations (e.g., USEPA, Urban Land Institute, Congress for New Urbanism). However, several concepts appear consistently throughout most of the smart-growth descriptions, including: walkability, mix of land uses, connectivity, compact building design, density, housing choices, transportation options and fostering distinct and attractive communities with a strong sense of place (see Response LU-1). The applicants believe that Heartland Town Square achieves these basic tenets of smart-growth, as expressed by myriad sources.

Based upon the revised Conceptual Master Plan (see Appendix RP-1), approximately 35 percent of the Heartland Town Square site is devoted to open space, including parks, buffers, yards, and courtyards. This figure does not include the cemetery.

#### **Comment SG-17**

This project has many positive possibilities: housing, employment, and lifestyle changes, including the encouragement of walking, biking (and hiking at the nearby Edgewood Preserve) and the gradual decrease in automobile dependency. (C39-1)

#### **Response SG-17**

Heartland Town Square will provide various housing types at several price points, including workforce housing units. The proposed development is expected to generate thousands of construction jobs over a 15-year period, as well as almost 26,000 permanent jobs. With respect to walkability, as noted in Response LU-1, the revised Conceptual Master Plan (Appendix RP-1) was designed with the goal of walkability in mind. Heartland Town Square has been designed to be a walkable community. According to Response SG-6, the idea behind a smart-growth plan is to encourage residents to walk to their destinations. Heartland is creating a live, work, play community (residential, office, retail) and the applicants believe it is necessary to get the requested density because in order to make an impact strong enough to start a paradigm shift in Long Island's dependency on a car to walkable communities a certain density is needed that will support the diverse mixture of usages that are proposed.

With respect to biking and hiking, Response SU-1 indicates that the applicants are committed to encouraging bicycle use which is evident by the bicycle network that is illustrated in the proposed Design Guidelines (see Appendix RP-3). Where possible, Heartland Town Square will incorporate in-street bicycle lanes. These would not only traverse the internal street system, but would also allow connections from the Heartland Town Square bike paths to the neighboring Edgewood Preserve and its bike paths. In-street bike paths would be incorporated into major roadways and also within minor roadways to allow for easy non-motorized transportation around the site.

#### **Comment SG-18**

Attention must be shown to the existing communities and thoughtful consideration given to all concerns as this project moves forward. The footprint of this project is tremendous and measures must be taken to balance that footprint with open space preservation, with as many green building designs as possible (green rooftops, solar panels, permeable surfaces), with water conservation measures, with a commitment to chemical-free and native landscaping, with consideration to the proper lighting to avoid glare and trespass, and a commitment to "good-neighbor" education, so that integration with the existing communities of Brentwood, Bayshore, Dix Hills and Deer Park, including the 850-acre Edgewood Preserve, will not only happen, but happen in an organic fashion. (C39-3)

#### **Response SG-18**

As indicated in the Design Guidelines (see Appendix RP-3), the intent of the proposed development is to use sustainable design techniques, promoting integrated design practices that sustain the project economically, environmentally and culturally. Sustainability is a condition wherein the demands placed upon the environment by people and commerce can be met without reducing the capacity of the environment, so as to allow for future generations. Sustainable design provides the benefits of quality architectural and site design with potential added value. The object is to promote the fundamental concepts associated with sustainable design by encouraging design solutions for minimal environmental impacts, resource conservation, energy conservation, waste reduction and recycling.

With respect to energy, see response SG-1. The applicants will comply with applicable energy regulations, including EnergyStar requirements. The applicants are proposing to install energy-saving appliances (refrigerator, washer/dryer, dishwasher) and lighting fixtures in the residential units. At this time, it is not financially feasible to pursue the use of alternative energy sources. As the project progresses and energy technology advances, the applicants will re-evaluate the feasibility of using alternative energy sources. Such

alternative energy sources would be incorporated in the future where they are deemed economically feasible by the applicants.

Furthermore, the applicants are committed to constructing buildings that are energy-efficient and will continue to work with LIPA and National Grid to identify and implement appropriate energy-conservation measures, where economically feasible.

See Response LG-2 with respect to lighting and SU-1 with respect to incorporating bicycle paths into the surrounding community.

Also, with respect to the integration of Heartland Town Square with the Edgewood Preserve, as indicated in OS-18, a June 7, 2010 support letter from the Friends of the Edgewood-Oak Brush Plains Preserve (see Appendix LU-2), indicated that “there is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square...If and when this project moves forward, we envision Heartland Town Square residents utilizing the preserve for hiking, biking, jogging bird watching, nature photography, and other passive recreational activities. We are hopeful that Heartland Town Square residents and workers alike will appreciate how special the Edgewood Preserve is and that they will be encouraged to help us protect and improve this rare wildlife habitat.”

#### **Comment SG-19**

Very tall offices are scattered throughout site. These are too tall for the context; instead, they should respect the height of Pilgrim State buildings as a reference point. Furthermore, the very tall signature buildings are awkward next to one-story retail. Contrary to the DGEIS’s assertions, a real downtown would have the tallest building clustered together, not scattered individually through town. (However, if the scattering of tall office buildings allows them to better share structured parking with other uses, this may be acceptable). (C1-81)

#### **Response SG-19**

See the revised Conceptual Master Plan and Building Stories Plan in Appendix RP-1 and the Design Guidelines in Appendix RP-3 of this FGEIS, which include modifications to the concentration of height and density, especially within the Town Center. The majority of buildings across the site are low-rise. However, at selective locations within DU1 and DU2, taller mid-rise and high-rise towers have been proposed, as described in more detail in the Design Guidelines and shown on the revised Conceptual Master Plan (see Appendix RP-1). As noted on the revised Conceptual Master Plan and the Building Stories Plan, in DU1-A, the tallest building shown is 13 stories (which falls within the mid-rise tower category). In DU2, the tallest building depicted is the 20-story signature tower, which is aligned with the main entry drive into the site from the Sagtikos Parkway. Therefore, the taller buildings are located in limited areas.

The majority of the office and residential buildings respect the height of the Pilgrim buildings that are to remain. Very few will be higher, and these are proposed as icons that help to establish the identity for Heartland Town Square. The Building Stories Plan in Appendix RP-1 illustrates the relationship between the Pilgrim buildings to remain and the proposed buildings within Heartland Town Square. Also, see Response AV-2, which indicates there are clusters of mid-rise towers within the Town Center (interior to the subject property) and some taller buildings along the interior, closer to the existing Pilgrim facility. Response AV-6 also states that with the exception of the only high-rise signature tower and one mid-rise mixed-use office tower, the tallest structures (mid-rise towers) would be clustered around the existing water tower (Water Tower Plaza), which has been designed to be the focal point of the Town Center. These buildings are located at the central portion of the Town Center, significantly set back from all the surrounding roadways. In all, the revised Conceptual Master Plan and Building Stories Plan show that the majority of the proposed buildings would be no taller than the existing buildings within the remaining Pilgrim campus.

**Comment SG-20**

I would like to point out that Suffolk County Smart Growth reports say simply directing development towards areas you have currently developed will not single-handedly save precious natural resources. The County report shows that Smart Growth should be trumped by such techniques as transfer of development rights, clustering, conservation easements, with the idea that there is a density shifting. (H11-3)

**Response SG-20**

See Response SG-26. With respect TDRs, see Response SG-8.

**Comment SG-21**

The developers of Heartland Town Square would like us to believe that their residents will not want to leave: the amenities will be so great that they will rarely venture beyond the community's borders. This strains any level of creditability. And the developers also fail to consider that if the amenities are so alluring, outsiders will venture into the community, adding further strains. (C8-2, H7-4)

**Response SG-21**

As indicated in Response SG-1, the goal of the Heartland Town Square smart-growth development is not the total elimination of automobile use, but rather, the reduction of automobile dependence. It is recognized that residents leave the development and persons who are not residents will visit the community, but there is also the intention that multiple activities can take place within the project on one car trip, the project will allow people to use other modes of transportation besides the car, and residents and employees within the community would not have to rely on their car as much for every activity outside of the house or office.

Heartland Town Square is not a closed or gated community, as noted in Section 4.11.1 of the DGEIS. Therefore, contrary to the commentator, the DGEIS, especially within the traffic analysis (see Section 4.8), and the FGEIS (Section 4.21 and Appendices TR-1 and TR-3), consider that visitors will be coming to the site to use the facilities and amenities provided by Heartland Town Square.

**Comment SG-22**

...on this issue of place-making, a shopping center with housing and offices nearby is not necessarily Smart Growth. We want to see the integration, see a true place, a true downtown, and that needs work, but it can get done. (H8-6)

**Response SG-22**

The proposed development is not a shopping center with housing and offices. In addition to being supported by the integration of multiple uses in the Town Center, the downtown of Heartland Town Square will also become a true place with the implementation of the PSPRD and the Design Guidelines. The PSPRD and the Design Guidelines, by creating the opportunity to develop great places throughout, will help to establish a quality pedestrian-friendly environment where people will want to spend time, where businesses will want to locate and where the community will want to plan events.

The greatest mix and development intensity of Heartland Town Square is located within the Town Center, the northernmost portion of the site. A main grocery store is being contemplated for development in the Town Center, as noted in Response SG-12. A number of mixed-use, vertically-integrated buildings have been incorporated into the Town Center as well as within DU2. Retail space is proposed to occupy the ground floor of mixed-use buildings along primary streets and vertically mixed-use buildings will be encouraged to generate activity throughout the day and evening.

Moreover, the proposed development units are not self-contained, isolated communities. Although, for example, DU3 and DU4 are designed to be more traditional neighborhoods, they will be integrated into the overall Heartland Town Square development through the continuous roadway and bikeway systems. In addition, the retail located at the southern end of DU2 will also serve DU3, and the civic area within DU3 will serve the entire Heartland Town Square site. Furthermore, the revised Conceptual Master Plan (see Appendix RP-1) and PSPRD have been created such that they allow for flexibility in the location of uses within the Heartland Town Square development based upon resident/employer needs and preferences and market demand that develop over the course of time (see Response SG-8).

#### **Comment SG-23**

This is a redevelopment opportunity. It is not consuming pristine open space. It is indeed, as mentioned earlier, a brown field. That's where our redevelopment should be focused. (H9-2)

#### **Response SG-23**

The redevelopment of this previously developed property helps to achieve the planning goal of targeting development on impacted sites as opposed to pristine, formerly undeveloped "greenfields." Most of the former abandoned hospital buildings on-site have been demolished, thus eliminating the eyesore they had created. A new exciting and vibrant community is planned to rise in their place. Additionally, the power plant that remains is intended to be rehabilitated for use as gallery/work space for artists and the water tower is proposed to be preserved as a focal point within the retail "main street" within the Town Center.

#### **Comment SG-24**

It is smarter growth than we have ever seen on Long Island. This is an opportunity to halt the sprawl, to put density where density can be accommodated. (H9-3)

#### **Response SG-24**

See Response SG-23 and SG-5 and SG-7 with regard to existing infrastructure.

#### **Comment SG-25**

We are at a point where we are concerned about the excessive pollution, traffic and the rest of the stuff, but with the proper planning and development for a project like this, I believe it would cut down on the traffic flow; people would have some other means of employment and stay in the area. (H44-1)

#### **Response SG-25**

See Section 4.21 and Appendices TR-1 and TR-4 of this FGEIS for a discussion of overall traffic and alternative transportation modes, respectively.

#### **Comment SG-26**

Smart growth, mixed use, place of destination; it is modeled after projects in other parts of the country, and can serve as a model for other projects in Suffolk if done properly. It is the belief of the county that it is always preferable to encourage growth in areas such as this that have already been previously developed. This will alleviate pressure on open spaces. (H13-2)

#### **Response SG-26**

The applicants agree with the concept of redevelopment. The applicants have visited many of the smart-growth communities within the country and have tried to incorporate the most successful concepts into Heartland Town Square. See Response LU-1 for a discussion of other smart-growth communities. In addition, SG-12 discusses City Place in West Palm Beach, Florida, which is also a model community that the applicants drew upon for the design of Heartland Town Square.

Furthermore, as noted in Responses SG-5 and SG-7, the subject site is located in an area with well-established infrastructure.

#### **Comment SG-27**

Also good is having a centralized location where Long Islanders can live, work and play. Anything that reduces relying on personal cars is good for our Town. Having a centralized location that provides entertainment for our young, while young and elderly can still live affordably is positive. (H15-2)

#### **Response SG-27**

See Response SG-1.

#### **Comment SG-28**

The enormity of what Mr. Wolkoff endeavors to create collides with the post World War II model of suburbia that we have been accustomed to, and the Twenty-First Century dynamics of Smart Growth and the greater population building density that comprises development of Smart Growth. (H20-1)

#### **Response SG-28**

The applicants believe that the proposed Heartland Town Square will be different than post-World War II suburbia, and those differences (more walkable, dense mixed-use neighborhoods – in general smart-growth development) will provide a wider range of housing, shopping, work and leisure environments that will appeal to not only those who are looking for a more community-centered and sustainable way of life, but also to young skilled professionals and older populations who have trouble finding rental housing within their means.

#### **Comment SG-29**

We ignore the natural human conditions where old depend on young and young depend on old through the life cycle. Heartland Town Square, through its physical design and planned recreational activities, encourages these relationships. (H22-3)

#### **Response SG-29**

As noted in Response HO-9, many of the residents at Heartland Town Square are projected to be renters-by-choice – people who do not have the intention of buying a home or who may be empty-nesters who have down-sized and sold their homes. Such renters-by-choice include not only empty-nesters, but young

professionals (prior to starting families), career professionals (some with no children), and retired persons. With the addition of ownership units, a wider population will be served. Therefore, Heartland Town Square is proposed to be a community that will serve a wide-ranging and diverse population. See Response SG-28.

**Comment SG-30**

We need a development where people would be able to live and work in the same community. This will relieve the road conditions. (H33-1)

**Response SG-30**

See Response LU-11 with regard to the concept of live-work-play. Response TR-1 discusses the implications of the live-work-play concept from a traffic perspective and Response TR-78 provides a discussion of the magnitude of internal capture rate produced by smart-growth communities.

**Comment SG-31**

We realize that there are a great number of details yet to be worked out with this proposal, but with valuable community input and careful planning and solutions, the Heartland development is just the type of Smart Growth, mixed-use, mixed-income project that is going to offer a badly needed range of housing options and jobs. (H34-1)

**Response SG-31**

Heartland Town Square provides a range of housing types for a number of income levels (including both market rate and workforce units). Moreover, the development would provide for thousands of construction jobs over a 15+-year build-out and almost 26,000 permanent jobs.

**Comment SG-32**

This is a place that when my kids grow up and I become an empty-nester, they are not leaving for the City or Florida or other places. They can have places where they can go as young people where there is a vibrancy of lifestyle, and they can live and be near their family. (H36-1)

**Response SG-32**

See Responses SG-28, SG-29, HO-5, HO-6, HO-9 and HO-15, which all indicate that Heartland Town Square is proposed to serve various segments of the population, both young and old by providing a range of housing types at various price points.

**Comment SG-33**

We are talking about the transformation of our community from a small force within the Town to a force to be reckoned with through the region. With new attractive construction, coupled with the potential to have higher paying jobs, we will have more people who will want to live in the community, and more important, take an active role in what goes on in the community. (H39-2)

**Response SG-33**

The comment is noted.

**Comment SG-34**

I would like to live where there is a cybercenter. I would like to live where there is a martini lounge. I would like to live where there is a fitness center downstairs. You know, when you go to other places, you wonder why they leave. It is not that it's any less expensive than it is here. The amount of rent my sister pays in Georgia is what I pay for my mortgage. (H41-2)

**Response SG-34**

The applicants envision that the type of uses mentioned by the commentator would be provided, and would create a lifestyle that would be attractive to young adults.

## 4.7 Scale/Size of Development (SC)

### Comment SC-1

This project is way too dense. It will increase the population of the area by at least 20,000 people by the construction of 9,130 housing units. This will significantly increase consumptive demands for energy, natural resources, cause traffic congestion, air pollution, and significant solid waste generation. It's unfair to burden Islip's residents and the surrounding Long Island Towns with such a huge project. As stated, 9,130 residential units in Brentwood (estimate 2005-2007). This is nearly a 70 percent increase in housing stock. The document should convey the magnitude of the project when compared to the community as it currently exists and not simply state the number of housing units proposed. A PSPRD zoning district is proposed to facilitate this development. (C9-8)

### Response SC-1

According to *Retrofitting Suburbia*, a 2009 publication by Ellen Dunham-Jones and June Williamson, "the larger, denser and more urban the redevelopment, the more ability its designers have to change the existing development pattern and

- Reduce vehicles miles traveled and improve public health by creating a transit-served or transit-ready mix of uses in a walkable street pattern connected to adjacent uses
- Reduce land consumption and per capita costs of public investment by absorbing growth that without alternatives would otherwise expand in sprawl and edgeless cities
- Increase the feasibility and efficiency of transit
- Increase local connectivity
- Increase...green space
- Increase...civic space
- Increase choice in housing type...
- Increase diversification of the tax base
- Establish an urban node within a polycentric region."<sup>16</sup>

Also, see Responses LU-1, LU-2, and LU-11, which discuss the need for mixed uses and density to achieve the benefits of smart growth.

The existing population and number of housing units within the Town and County are discussed in Section 3.11 of the DGEIS. The overall impacts of the proposed development are evaluated and discussed in the comprehensive, nine-volume DGEIS that was prepared for the proposed action. It is expected that Heartland Town Square will bring new economic vitality to the community of Brentwood, the Town of Islip and Suffolk County as a whole. The juxtaposition of apartments, restaurants, offices and recreational activities will create a vibrant activity center whose economic benefits would reach beyond just Heartland Town Square. The applicants believe that the DGEIS conveys the magnitude of the project -- it is the largest redevelopment project on Long Island, and impacts not only the site, but the surrounding area and the region. Being, by far,



<sup>16</sup> Dunham-Jones, Ellen and June Williamson, *Retrofitting Suburbia*, John Wiley & Sons, Inc., Hoboken, NJ (2009). Ellen Dunham-Jones is on the Board of Directors of the Congress of the New Urbanism. The book was featured in the Urban Land Institutes' June 2009 issue of Urban Land magazine. Ms. Dunham-Jones has been the featured speaker on *Retrofitting Suburbia* at the NashvilleNext Initiative, Nashville, Tennessee's county-wide planning initiative (April 2013), at the Annual Alliance Program sponsored by the International Council of Shopping Centers in Portland, Oregon (April 2012), and at a TED (Technology, Entertainment, Design) Talk in Atlanta in January 2010 and in a TED-Ed series "Lessons Worth Sharing." June Williamson was an expert contributor to the Rauch Foundation's Long Island Index Build a Better Burb competition in 2011.

the largest proposed development in the region, Heartland Town Square can change the paradigm of development on Long Island. Heartland Town Square has been designed to serve as a model for redevelopment of currently underutilized downtown areas into exciting new centers of activity, lessening the dependence on the automobile, as well as containing suburban sprawl. The applicants believe that Heartland Town Square will create an exciting new lifestyle on Long Island. With its vibrant Town Center serving as a meeting place to people-watch, and enjoy new dining and shopping experiences, Heartland Town Square will be a destination point, attracting people from all over Long Island and the metropolitan region, whose spending will stimulate the regional economy.

As the Town of Islip Town Code does not contain a zoning district that allows such mixed-use, smart-growth development, the applicants have proposed the PSPRD (including the Design Guidelines), which would allow a mix of uses on a single site, with increased density and height than what is currently permitted in the Town. The Town of Islip, prior to approving the Heartland Town Square Conceptual Master Plan, would be required to adopt the PSPRD or a modified PSPRD, to create the zoning to permit such development. See Appendix RP-2 of this FGEIS for the proposed PSPRD and Appendix RP-3 for the proposed Design Guidelines.

### **Comment SC-2**

It is interesting to note that the primary development proposed far exceeds the density and impacts of all alternatives. This demonstrates the need to greatly reduce the scale and density of the proposed development. (C9A-15)

### **Response SC-2**

The SEQRA regulations do not indicate that the proposed development must be a certain intensity when compared to the alternatives. With respect to alternatives, when a DEIS is prepared for a proposed action, it must, among other things provide a “description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor.” (Section 617.9(b)(5)(v)). Moreover, 6 NYCRR §617.8(f)(5) indicates that, among other things, the Final Scope must identify the reasonable alternatives to be evaluated. The alternatives identified in the Final Scope issued by the Town Board (see Appendix A of the DGEIS) were all properly addressed in the DGEIS. Also, see Responses AL-9, AL-7 and SQ-12.

Pursuant to 6 NYCRR §617.11(d), the lead agency must adopt a Findings Statement that addresses its consideration of the proposed action and alternatives, as follows:

*“(d) Findings must:*

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;*
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;*
- (3) provide a rationale for the agency's decision;*
- (4) certify that the requirements of this Part have been met;*
- (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.”*

The Findings Statement ultimately adopted by the Town Board will, as required by the SEQRA regulations, clearly consider all of the information before it, including the environmental impacts, and weigh and balance those impacts with social and economic considerations.

Also, see Responses LU-1 and LU-2, which explain that density is one of the key factors in the success of smart-growth communities.

#### **Comment SC-3**

My comments, however, are not aimed at the approach; I am concerned with the scale of the project and the impacts related to the size of the proposal. In effect, the developer is proposing a *hamlet* size development, creating 9,000 housing units along with 1,000,000 square feet of retail space and 3,000,000 square feet of office space, all on 400 acres. This is a significant change in density for Long Island and will certainly have impacts on the surrounding communities and the region. (C10-1)

#### **Response SC-3**

The Town, in promulgating the Final Scope (see Appendix A of the DGEIS), recognized the magnitude of the proposed development, and, as such, outlined an extensive range of impacts that the applicants were required to analyze. In response to the items within the Final Scope, the applicants compiled a comprehensive nine-volume DGEIS.

The density of the proposed development will have impacts on the surrounding community, as the DGEIS illustrates. However, concentrating the density of the project will also bring the most advantages that this amount of development can bring because the density, the mix of uses, and the connectivity to the surrounding community and infrastructure will allow multiple modes of transit, combined trips, community amenities, and creation of a place that brings the community together. Also, see Responses SC-1, LU-1, LU-2 and LU-11.

In addition, Response SU-5 discusses the analyses that the DGEIS undertook which extend beyond the boundaries of the subject site to the immediate neighborhood surrounding the site to the more regional aspects of the development. Response SU-5 indicates that various sections of the DGEIS, including water, sanitary disposal, aesthetics, socioeconomics, land use and zoning and traffic examined the existing conditions and potential impacts beyond the site borders. Furthermore, many of the agencies examining the GEIS, including the Town, County and State, take a regional approach in their reviews.

#### **Comment SC-4**

The Heartland Center is an urban design placed in a suburban environment. Its site elements include multi-story building, as high as 20 stories, in a block style development that is intended to mimic a city in appearance and function. While the choice of how the environment may be designed is principally a local concern, a radical changing of the environment in terms of scale, density, layout, and so forth, will impact the environment of the surrounding communities. (C10-8)

#### **Response SC-4**

In *Retrofitting Suburbia*, the authors “seek to promote ways of understanding suburban retrofits as examples of urbanism whose success is measured in synergistic economic, social, and environmental impacts...” The authors note that many of the urbanizing projects are large scale and that there are myriad types of areas that can benefit from smart-growth development - not just the exurbs or downtown areas. Candidates for retrofitting (with smart-growth, mixed-use concepts) include inner ring suburbs (first suburbs developed close to major downtowns), edge cities (concentrations of business, shopping, and entertainment outside traditional urban areas in what had recently been a residential suburb), old malls or strip retail centers, industrial or office parks, and older residential subdivisions. See Response GN-12A, which discusses the changes associated with the reinvestment in and redevelopment of areas, such as those described in *Retrofitting Suburbia*, or similarly situated uses/areas that either are in decline, no longer relevant to their

original purpose or are starting to emerge near or become extensions of central cities.<sup>17</sup> GN-12A presents examples of various smart-growth communities that have emerged from other, older forms of development.

The design of Heartland Town Square would allow the applicants to create a certain lifestyle that depends on density and walkability. A Wall Street Journal article, dated July 2, 2010, entitled "A Walker's Guide to Home Buying," stated that "today's home buyers aren't just looking for good schools and low crime rates...they're paying much more attention to what they can walk to." The article goes on to note that "baby boomers are coming of empty-nest retirement age, and at the same time their children are buying their first home, and neither group wants large lots in remote places where little is going on." The density and scale of Heartland Town Square would permit the creation of a vibrant smart-growth community that can accommodate various populations and help keep them from moving off-Island. See Responses LU-1, LU-2 and LU-11 with respect to the need for density to achieve the benefits of smart-growth.

Also, see Responses SC-3 with regard to impacts to surrounding areas.

#### **Comment SC-5**

Since the project exceeds the density of the highest density hamlet on Long Island, Brentwood, the Town may want to consider a reduction in density and intensity of uses on the project site, and have some rationale for the number of units being approved. (C21-10)

#### **Response SC-5**

While the density of portions of Heartland Town Square will be higher than those of surrounding communities, it is such density that enables the development to achieve many of its goals as a smart-growth community: to create a range of housing opportunities and choices, to create a walkable environment, to encourage community, to support a mix of land uses, to provide a variety of transportation choices, and to foster distinctive and attractive communities with a strong sense of place. See Response SC-1.

#### **Comment SC-6**

This project would essentially destroy Western Suffolk by changing the community from a suburb to a city. The scale of this project is without any regard to the nature and quality of the surrounding communities and completely out of proportion to the area in which it is planned on being built. (C22-1)

#### **Response SC-6**

The scale of the project is of a different character and density than the surrounding communities because it is a different type of development, and it is situated at a strategic location - at the intersection of major east-west (Long Island Expressway) and north-south (Sagtikos Parkway) highways, near the LIRR, along two Suffolk County Transit bus lines, on previously developed land and in an area containing well-developed infrastructure. To help preserve the character and design within existing hamlets and villages nearby, Heartland Town Square provides a concentration of housing, particularly those housing types which are underrepresented in the area. The different character and density of the proposed development also offers additional benefits to the surrounding communities including new jobs, substantial property taxes and additional retail and entertainment options.



<sup>17</sup> While not listed among the "typical" candidates for retrofitting, the former Pilgrim State Psychiatric Center was a surplus property that was no longer relevant to its original purpose, and, therefore, an ideal property for reinvestment and redevelopment.

Furthermore, the impact of the proposed development will be mitigated with numerous measures including vegetated buffers (which have been increased since the original plan), infrastructure improvements, the development of Design Guidelines (Appendix RP-3), and the incorporation of traffic demand management (TDM) solutions, including the use of a private shuttle bus for transportation to the Deer Park LIRR station and the coordination of their schedules, use of shared cars (e.g., “zip cars”), transportation concierge who will provide information regarding alternative transportation and arrange car- van-pooling, parking policies that discourage automobile ownership, the installation of bicycle lanes and bicycle storage facilities, etc. (see Section 2.2.5, Section 3.0 and Appendix TR-4 of this FGEIS).

#### **Comment SC-7**

But, it is not smart growth to create such a city in an area that today is already oversaturated with traffic and other developments. Unless the project’s scope is reduced and significant changes to the plans are made that mitigate the many issues already specified by the Town and others brought up tonight, this project cannot move forward. (C27-10)

Unless the project scope is reduced, and significant changes to plans are made, and the town further specifies issues, the project cannot move forward. (H37-10)

#### **Response SC-7**

See Responses SG-1 and LU-11 with respect to the benefits of mixed-use, smart-growth communities and the mitigation inherent in such development (e.g., reduced external vehicle trips). As noted in Response SC-5, the size of the proposed project enables the development to achieve many of its goals as a smart-growth community: to create a range of housing opportunities and choices (including workforce housing), to create a walkable environment, to encourage community, to support a mix of land uses, to provide a variety of transportation choices, and to foster distinctive and attractive communities with a strong sense of place.

The conceptual master plan presented in the DGEIS has been modified to respond to the comments made during the comment period (see Appendix RP-1). The changes between the original plan and the revised Conceptual Master Plan are outlined in Section 2.2 of this FGEIS. Some of the significant changes include the shifting of density to the interior portions of the site, the increase in the width of buffers along the Sagtikos Parkway and the northwestern and southeastern portion of the site, modification of phasing and evaluations of certain impacts (including traffic and sewage) during Phase I, enhancement of alternate transit (including provision of a private shuttle bus and the set-aside of a parcel within DU3 for civic/community uses.

Mitigation measures, especially with respect to traffic impacts, are specifically discussed in Section 4.21 and Appendix TR-1 of this FGEIS. The applicants’ traffic consultants have been working with the Town’s traffic consultants to develop mitigation measures to address the specific impacts created by the Heartland Town Square development.

#### **Comment SC-8**

A project of this scale and density will help fulfill housing needs in the Town of Islip and the surrounding area. The concentration of housing presents a unique opportunity to preserve the character and design within existing hamlets and villages nearby. (C37-8)

#### **Response SC-8**

The scale and density of the proposed action could indeed help fulfill housing needs in the area as well as present an opportunity to preserve the character and design within existing nearby hamlets and villages. Moreover, the scale and density of the proposed private development will help stimulate economic growth

and promote a transit-oriented, walkable community that will serve as a model for the rest of Long Island. The density of the proposed development will assist in creating a significant number of workforce housing units (913) in a community where a definite need for such units exists. In addition, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

#### **Comment SC-9**

It is important to recognize that as a result of the Community Reinvestment Act of 1993, the state formed a local facility task force organized by the Empire State Development Corporation in 1994 to come up with a reutilization master plan for this property. The task force was composed of Islip Town planners, prominent members from the business sector, representatives from the State Offices of Mental Health and General Services. The two pastors of St. Ann's in Brentwood and myself were the only members from the surrounding communities. Planning consultants were hired and by 1996, a plan was approved. The recommendation was for a state-of-the-art sportsplex with limited supportive retail. The redevelopment included offices and 500 clustered housing units. If you read the reports and minutes of the meeting held you will readily see that there was a great deal of emphasis on lessening the impacts to the neighboring communities in terms of traffic, noise, air pollution, etc. In all, the plan called for just over 2.1 million square feet of development. At 15,000,000 square feet of development, Heartland Town Square would be more than seven times the size of the recommendations of the task force. (C18-3)

#### **Response SC-9**

The task force commenced review of this site in 1996, and the applicants did not purchase the subject property until 2002. The task force's development scenario was a recommendation, based upon its opinions, and New York State did not place any development restrictions on the property when it was sold to the applicants. None of the members of the task force are members of the Town Board, which has the authority over the zoning and land use for this property. Moreover, given that the proposed plan will promote local and regional economic development and create jobs, it conforms to the results that New York State intended when selling this property. Also, the economic benefits of the proposed plan are far greater than the plan recommended by the task force. It is projected that Heartland Town Square will create almost 26,000 permanent jobs compared to the projected 4,575 associated with the task force plan. The applicants' direct investment is over \$4 billion in construction costs (instead of \$363 million according to the task force plan), generating over \$51 million in property taxes (instead of \$5.7 million according to the task force plan). Additionally, Heartland Town Square will add 9,130 housing units, 10 percent (913) of which will be workforce units, as opposed to 500 units in the task force's plan. In addition, at the Town's request, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

The task force's 1996 plan was evaluated as an alternative to the proposed action in Section 7.4 of the DGEIS. As required by SEQRA and its implementing regulations, the Town Board will evaluate that plan as an alternative to the proposed action.

#### **Comment SC-10**

Project TOO BIG! (C15-1)

#### **Response SC-10**

See Responses SC-1, LU-1, LU-2 and LU-11.

Through the environmental review process, the Town of Islip Town Board will consider the relevant environmental impacts, facts and conclusions disclosed in the FGEIS and weigh and balance relevant environmental impacts with social, economic and other considerations. Furthermore, according to §68-1 of the Town of Islip Zoning Code, the zoning must promote the health, safety, morals and the general welfare of the community of the Town of Islip.

**Comment SC-11**

The development density is too great for the area. There is no infrastructure to support the number of people that will be contained in this relatively small area. (C23-1)

**Response SC-11**

See Responses LU-12, LU-13, SG-5 and SG-7.

**Comment SC-12**

On a conceptual basis, we do not oppose the Heartland Town Square project and its laudatory goal of providing housing targeted at an underserved segment. But we do challenge the methodology and the assumptions used in the Draft Environmental Impact Statement to reach conclusions pertaining to key factors of transportation, infrastructure, environment and the affect on our economy. We have serious questions about the project's scale. (H7-1)

**Response SC-12**

As the commentator is not specific with respect to methodology, no specific response to the comment can be made. However, the methodology and assumptions used to reach conclusions in the DGEIS have been reviewed by the Town of Islip, and were subject to extensive public comment. This FGEIS responds to all substantive comments received by the Town Board on the DGEIS. With respect to scale and density, see Responses SC-1, SC-3 and SC-4.

See Response SG-7 with regard to infrastructure, Section 4.21 of this FGEIS with respect to traffic and Section 4.25 with respect to socioeconomics.

**Comment SC-13**

Overall for population density, to get a sense of scale, the idea is a great idea and I believe it can work, but I think the density that is 24 percent greater than Queens is a concern. (H11-9)

There are 12-story buildings being considered, when you take into account the largest, the understanding that the 24 percent density higher than Queens, this project is the biggest project that this town will ever see. (H25-1)

**Response SC-13**

See Responses SC-1, SC-3 and SC-4 and Response LU-1, LU-2 and LU-11 with respect to scale and density. The commentators' assertion that the proposed population density is 24 percent higher than Queens is quite misleading, as Queens is a much larger geographic area. Heartland Town Square is approximately 0.7 square miles in size, and Queens County is approximately 109 square miles in size. However, the population density of Lefrak City in Queens is almost 800 percent higher than Heartland Town Square and the population density of Co-op City in the Bronx is over 350 percent higher than Heartland Town Square.

**Comment SC-14**

It is of paramount importance that the quality of life of thousands of local residents be protected should this project go forward. And I feel in its current state, this project is too large to undertake without compromising the quality of life of surrounding residents. (H14-5)

#### **Response SC-14**

See Responses SU-8 and GN-30 with respect to quality of life in the surrounding community. Furthermore, as noted in Response SC-6, the different character and density of the proposed development offers benefits to the surrounding communities including new jobs, substantial property taxes and additional retail and entertainment options.

#### **Comment SC-15**

Everyone knows the most realistic way to mitigate the traffic impact and other negative impacts is to reduce the project scale in size. I don't know if anybody has said that directly. They certainly implied it. Reducing the scale of the project is not unknown to the developer. It happens all the time. It's a compromise. When I worked on South Wind Village in Downtown Bay Shore, we originally had it all along Union Boulevard. We reduced the size. (H15-7)

#### **Response SC-15**

See Response to SC-7.

#### **Comment SC-16**

The Long Island Pine Barrens Society concluded that the Heartland Town Square project is an excessive and environmentally detrimental project without demonstrating public benefit to the community, the town, or, especially, the region as a whole. (H17-7)

#### **Response SC-16**

The commentator provides no analysis or data to support the comment. Also, the subject property is not located within the Central Pine Barrens, but it is adjacent to the Edgewood-Oak Brush Plains Preserve. As also explained in Response LU-15 and Appendix LU-2, a June 7, 2010 letter from the Friends of the Edgewood-Oak Brush Plains Preserve (see Appendix LU-2), indicates the following:

*“There is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square, situated in the Town of Islip. If and when this project moves forward, we envision Heartland Town Square residents utilizing the preserve for hiking, biking, jogging bird watching, nature photography, and other passive recreational activities. We are hopeful that Heartland Town Square residents and workers alike will appreciate how special the Edgewood Preserve is and that they will be encouraged to help us protect and improve this rare wildlife habitat.*”

Furthermore, the applicants, who own the property, have the right to develop it and also have the right to request a change of zone. As explained in Response LU-20, the Town Board is conducting a comprehensive environmental review of the proposed action in accordance with SEQRA and its implementing regulations. As part of this comprehensive environmental review, the Town Board will consider all the relevant information (environmental impacts; social, economic, and other considerations; and the health, safety, morals, and general welfare of the community of the Town of Islip) before making its decision regarding the ultimate zoning, use, and development of the subject property.

Heartland Town Square would provide substantial public benefit to the community, the Town, and the region as a whole by providing almost 26,000 permanent jobs, a range of housing options including a significant number of affordable housing units (913), investment of \$2,000,000 to purchase and renovate blighted properties within the surrounding community that will aid in community revitalization, significant property taxes (over and above the cost of services), additional retail and entertainment opportunities, adaptive reuse of buildings, parks and open space, and a pedestrian-friendly, sustainable community.

**Comment SC-17**

The Heartland project density is unprecedented in size and scope. It can be either a curse or a blessing to Brentwood depending on the combined cooperation of the Town, County and State governments. Without their help to make major changes in housing, schools, and infrastructure and proper code enforcement, I'm certain the Heartland development will be the former, not the latter. This prospect raises the question whether or not, in this economy and with huge deficits we are mounting at every level of government, will the government have the capacity to spend the combined hundreds or millions of dollars needed to accommodate a project of such magnitude. (H20-2)

**Response SC-17**

In addition to the governmental cooperation and governmental participation in funding the proposed mitigation measures, including traffic mitigation (see Section 4.21 and Appendix TR-1 of this FGEIS), the applicants would be investing approximately \$4.0 billion in private funds to redevelop the former Pilgrim State Psychiatric Center. In addition, the applicants have committed to provide \$25 million toward roadway improvements in Phase III. Furthermore, at full build-out, the Heartland Town Square community would be generating over \$51 million in annual property taxes to the County, Town and local governmental jurisdictions, and substantial sales tax revenues. The economic impacts of the proposed development are presented in Section 4.11.2 of the DGEIS and Section 4.25 of this FGEIS.

**Comment SC-18**

I think it is high time, considering the size of this project, to scale it down. I wouldn't be disappointed if they cut. Once a project gets underway it is almost impossible to stop. So I'm not advocating that, but cutting it in half, let's cut them off at the knees before this out-of-the-world project destroys us in terms of transportation, sewerage, energy costs. (H27-4)

**Response SC-18**

See Responses LU-1, LU-2, LU-11 and SC-1 and SC-10.

**Comment SC-19**

We're here to scale down the project, perhaps a 1,000 apartments and use the rest for an industrial park to attract companies such as Forest Laboratories, Pfizer and other high-tech corporations, it would be very, very worthwhile. It would resemble the Hauppauge Industrial Park. (H31-7)

**Response SC-19**

See Responses LU-1, LU-2, LU-11 and SC-1 and SC-10.

The applicants are not proposing industrial development on this site (see Response LU-5). As the commentator mentions, there are other industrial parks in the area including the Heartland Business Center,

just to the south of the subject site, as well as the Hauppauge Industrial Park, which could attract the companies, or similar companies mentioned in the comment.

The applicants have examined an alternative which includes industrial development, as well as the rest of the mixed uses that are proposed (see Section 7.5 of the DGEIS). See Responses LU-5 and LU-19.

---

## 4.8 Housing (HO)

---

### 4.8.1 Workforce Housing

#### Comment HO-1

*SCPC Policy on Housing: Policy-The local municipality shall consider Suffolk County Planning Commission Guidelines in the establishment, maintenance and monitoring of affordable housing units...Encourage a diversity of housing type, equitably distributed across all communities, including the development of low and moderate income housing units...housing policies should address special needs populations and include as a goal the establishment of policies to end homelessness...A minimum of twenty percent (20%) of all units shall be set aside for households earning less than fifty percent (50%) of median income for the Nassau-Suffolk Metropolitan Area as established by the U.S. department of Housing and Urban Development and half of the units shall be set aside for households earning less than eighty percent (80%) of median income for the Nassau-Suffolk Metropolitan Area as established by the U.S. department of Housing and Urban Development...For rental units, each of the designated affordable units shall be maintained as an affordable unit in perpetuity...The initial monthly gross rent (contract rent plus utilities) of an affordable unit shall not exceed thirty percent (30%) of the targeted monthly income level of an eligible household (adjusted for household size), or the Fair Market Rent (FMR)), for the area as established by the U.S. Department of Housing and Urban Development, whichever is less...Affordable units shall be dispersed throughout the proposed development:* The proposed development plan includes 10.4 million square feet of residential land use divided into 9,130 residential housing units. Of these, 8,271 will be rental apartments and 913 are to be market rate single family townhouses. Of the 8,217 rental apartments, twenty percent (20%) or 1,643 units are to be affordable units and eighty percent (80%) or 6,574 units will be market rate units. The Suffolk County Planning Commission has established guidelines for the development of affordable units in multi-unit development proposals. The proposed development is contrary to the established guidelines on a number of points. The proposal provided 18% affordable housing in contrast to the minimum requirement of 20% of all residential units. (Twenty percent of 9,130 units is 1,826 units and more than the proposed 1,643 affordable units by 183 units). A project of this magnitude (especially considering the present one acre zoning) should strive to provide more than the absolute minimum of affordable units. (C7-20)

#### Response HO-1

Since the time the comment was issued, the SCPC has slightly modified its guidelines<sup>18</sup> relating to housing, including affordable housing. Some of the goals and policies regarding housing are similar and include creation of energy-efficient, well-designed housing that meets diverse needs of current and future residents of the County. Furthermore, as noted in the comment, the County is looking to encourage a diversity of housing types equitably distributed across all communities, including the development of multi-family and/or rental housing. It should be noted that the SCPC guidelines do not bind any municipality.

Based upon requests from the Town, the applicants have committed to providing 10 percent of the total units as rental, multi-family, workforce housing as part of the Heartland Town Square development. This equates



<sup>18</sup> Suffolk County Planning Commission Guidebook – Policies and Guidelines for the Referral of Proposed Municipal Subdivision and Zoning Actions to the Suffolk County Planning Commission (dated July 2012), transmitted to the applicant by Sarah Lansdale, AICP, Director of the Suffolk County Planning Department, August 2012.

to 913 units (including those in the Gateway Area, if the Town Board ultimately decides to rezone the Gateway area to the PSPRD). The workforce units would be dispersed throughout the Heartland Town Square community and would not be able to be distinguished from the market-rate units.

Housing is defined as affordable by the United States Department of Housing and Urban Development (HUD) if an occupant spends no more than 30 percent of the household income<sup>19</sup> on such housing. The applicants are proposing to target the workforce housing to those earning between 100 percent and 120 percent of the Area Median Income (AMI).

In addition, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

#### **Comment HO-2**

All of the proposed affordable units are to be rental apartment units. No townhouse owner occupied single family units are proposed to be designated as affordable. A number of single family townhouse units should be set aside for affordable housing purposes to provide for a diversity of housing options equitably distributed among varying economic groups. (C7-21)

#### **Response HO-2**

The applicants have chosen to designate all the workforce units as rental units. The rental workforce units are proposed to be divided amongst studios, one-bedrooms, and two-bedrooms.

As indicated in Section 4.11.2 of the DGEIS, based upon then-prevailing HUD data (which is adjusted annually), the anticipated monthly rents for the workforce housing, at the time of submission of the DGEIS, ranged from \$821 for the studio loft apartments to \$1,144 for the two bedroom units with den. These rents were well below the relevant fiscal year fair-market rents for Suffolk County, as designated by HUD, which were \$1,159 for studio apartments, \$1,339 for one-bedroom apartments and \$1,581 for two-bedroom apartments.

If and when the Heartland Town Square project is approved and units are ultimately available for rent, the workforce units will be leased at rates that will conform to the prevailing HUD guidelines.

As indicated in Section 2.2.4 of this FGEIS and Section 4.11.2 of the DGEIS, the rents and sales prices for the market-rate units will be based upon the prevailing market at the time the units are rented/sold. The anticipated rents and sales prices of the market-rate units as presented in the DGEIS (2009) were as follows:

	Market-Rate Sales Price	Market-Rate Monthly Rental	Workforce Monthly Rental
Studio/Loft	\$200,000	\$990	\$821
One Bedroom	\$240,000	\$1,210	\$938
Two Bedroom	\$400,000	\$1,980	\$1,056
Two Bedroom + Den	\$480,000	\$2,530	\$1,144

The workforce rental units would be marketed to those earning between 100 percent and 120 percent of the AMI, as determined annually by the United States Department of Housing and Urban Development (HUD).

▼  
<sup>19</sup> <http://www.hud.gov/offices/cpd/affordablehousing/>

Housing is defined as affordable by the HUD if an occupant spends no more than 30 percent of the household income on such housing. Thus, the rental costs for the workforce housing would be based on that limitation.

**Comment HO-3**

It is not apparent that the affordable units are dispersed through the proposed development. It has not been made clear that proposed affordable units are located in Development Unit #4 and in the Gateway area. It should be made apparent as the application moves forward that affordable units have been dispersed throughout the entire residential component of the proposed development. (C7-22)

**Response HO-3**

The workforce units are proposed to be distributed throughout the property and within buildings. Each of the development units, as well as the Gateway Area, would contain a mix of market-rate and workforce units. One would not be able to distinguish the workforce units from the market-rate units.

**Comment HO-4**

The Suffolk County Planning Commission in coordination with the Suffolk County Department of Economic Development and Workforce Housing has established guidelines for the pricing and duration of proposed affordable units in housing developments. The proposed action should be conditioned on specific County or Town affordable housing program parameters at the change of zone phase of development. While phased site plan approvals are proposed, the affordable housing component should be established and resolved at the earliest possible moment in an effort to prevent delays in the proposed action later in the approval process. (C7-23)

**Response HO-4**

The Town of Islip has no specific standards for the administration of privately-developed workforce housing units, except in certain established zoning districts. The applicants are contemplating using the services of the Long Island Housing Partnership (LIHP, or similar not-for-profit housing organization acceptable to the Town of Islip), to assist in the development of the workforce housing program. In consultation with and to the satisfaction of the Town, LIHP would assist with the initial and on-going income-qualification of renters and any other parameters that the Town may wish LIHP to evaluate and/or monitor. LIHP has previously worked with the Town of Islip Community Development Agency and Town of Islip Housing Authority, and has actually developed affordable and workforce housing, evaluated income-qualifications of applicants for housing developments/programs, and monitored compliance with regulations imposed by funding sources and/or local government for various developments within the Town of Islip. If and when the Heartland Town Square project is approved and units are ultimately available for rent, the workforce units will be leased at rates that will conform to the prevailing HUD guidelines.

Also, see Response to Comment HO-1.

**Comment HO-5**

From our intergenerational point of view, the project represents exactly the type of intergenerational housing development that is desperately needed on Long Island. It promises to be a model for future developments on Long Island. (C14-1)

When we establish housing policies, that isolate generations from one another, we ignore the natural human condition in which the young depend on the old and the old depend on the young throughout the life cycle. Heartland Square through its physical design and planned recreational activities encourages these relationships. (C14-2)

**Response HO-5**

The Heartland Town Square development is proposed to be open to people of all ages. The land uses and activities proposed for development at Heartland Town Square would appeal to various age groups. As indicated in Response GN-30, the DGEIS notes that proposed Heartland Town Square project aspires to re-create the densities that allow the vitality of traditional downtowns to flourish in newly-created environments. It is the density and the presence of community support facilities that permit the development of a wide range of housing types including luxury, and workforce housing that are geared toward a wide range of populations (e.g., young professionals, empty-nesters, retirees, artists), and that would be integrated into the fabric of the new community.

The applicants agree that promoting intergenerational ties is an important component of a sustainable and healthy community and envisions that Heartland Town Square would be a community where these intergenerational ties and interactions will be possible.

**Comment HO-6**

The affordable housing claims for this proposed project are unresponsive to the needs of the Brentwood community, Suffolk and Long Island as a whole. Housing that is affordable to people young and old who are earning 80-120 percent of mean income is market-priced housing, not affordable or workforce housing. (C19-2)

**Response HO-6**

HUD programs and formulas determine the range of incomes that qualify for affordable housing. The Suffolk County Workforce Housing program is based upon these HUD figures. Since the housing will be located in the Nassau-Suffolk, NY HUD Metro Fair Market Rent (FMR) Area, the programs and formulas will be based upon the income limits and fair market rentals calculated by HUD for this specific geographic location. The limits for these programs are adjusted annually. Therefore, the range of eligible incomes will ultimately be determined if and when the housing is constructed and in accordance with the program under which it is constructed. The applicants are contemplating using the services of the LIHP, or other similar organization acceptable to the Town of Islip, to assist in the development of the workforce housing program (see Response HO-4).

Also, in addition to providing workforce housing on the Heartland Town Square site, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

**Comment HO-7**

And it is clear that a project of such enormous size and scope will require a sizable work force to service and maintain its needs. But we must remember that, even though the potential for jobs is very attractive, the potential work force that chooses to live in Brentwood will require legal housing to bring-up their families, schools to educate their children, services, and automobiles for travel. (C20-2)

**Response HO-7**

The Brentwood community currently has legal housing, schools, and services for the people who reside there. The proposed Heartland Town Square development would provide new housing opportunities as well as

services and civic facilities to support the new residential development. While landlords are initially responsible for ensuring legal residency, enforcement of the housing code with respect to dwelling unit legality is ultimately the responsibility of the Town.

**Comment HO-8**

He [Mr. Wolkoff] noted that it had affordable housing. That is nice, but it does not have to be in a mini-city that he is proposing. The Developer noted that it would provide needed housing for "Empty Nesters." That again is nice and there are many affordable housing developments for seniors on LI and none of them have the density that this development has. In conclusion, the few benefits that the Builder is proposing can be achieved with a much reduced development project, which would not over-burden the infrastructure to the extent that this development will and would consistent with a suburban area. (C23-2)

**Response HO-8**

It is much easier to achieve the amount of workforce housing proposed (913 units) with the increased density. There is no other place on Long Island where 913 units of workforce housing are proposed in one development, such that it would take multiple individual developments to achieve construction of 913 units of workforce housing. Phase I of Heartland Town Square alone would create approximately 350 units of workforce housing (10 percent of the 3,504 residential units proposed in Phase I).

The workforce units provided within Heartland Town Square would be integrated into the rest of the development and the people living within the workforce units in the community would be able to take advantage of the employment, shopping, entertainment and recreational opportunities included within the overall development.

Moreover, the proposed development would provide new or contribute to upgrading of existing infrastructure in order to serve the future tenants, residents and visitors to Heartland Town Square.

See Responses SG-17 and LU-11 regarding the overall benefits of the proposed action, and Responses LU-12, LU-13 and SC-11, Section 4.14 *Water Resources*, Section 4.21 *Transportation* and Section 4.26 *Community Facilities*, of this FGEIS regarding infrastructure impacts.

**Comment HO-9**

The Developer notes that this development will keep young Long Islanders here on Long Island, and create a stepping stone for home buyers. Based on the rent that will be charged, (approximately \$1,000/month for a 1 BR apartment) this development will provide nothing more enticing than what already exists. Additionally the high rent levels will ensure that the renter will never be able to save any money to buy a home. This development appears to be "Potterville," from the movie "It's a Wonderful Life," with the Developer playing the role of Mr. Potter. (C23-3)

**Response HO-9**

See Response HO-2.

The workforce rental units and the various market-rate ownership units would be affordable, in that those earning between 100 and 120 percent of the HUD Nassau-Suffolk median income would not spend more than 30 percent of their income for housing cost (whether rental or ownership units).

For illustrative purposes, according to the HUD Fiscal Year 2013 income guidelines, a family of two earning 100 percent of median could earn up to \$84,720 annually, and could afford \$25,416.00, annually (\$2,118.00 per month in housing costs, based upon spending no more than 30 percent of gross income on housing expenses). The 2013 HUD Fair Market Rent for a two-bedroom unit is \$1,583.00, which is well below the \$2,118.00 in monthly housing cost that a two-person family at 100 percent of median income could afford. Accordingly, these rental units would provide affordable workforce housing.

In addition, the commenter indicates that the rent levels will not allow the renter ever to save enough money to purchase a home. This comment is unsubstantiated. Nevertheless, many of the residents at Heartland Town Square are projected to be renters-by-choice – i.e., people who do not have the intention of buying a home or who may be empty-nesters who have down-sized and sold their homes. According to the National Multi Housing Council “data support the notion that an increasing number of households now prefer apartment living, even though they could afford to buy a home.” Further, according to *Practical Apartment Management* by Edward N. Kelley “empty-nesters, career professionals and retired people are renters by choice. For some, the situation is one in which the extra space available in purchased housing is no longer needed. Others want the freedom provided by renting (sometimes referred to as the ‘lock and leave’ set); these people are making a conscious decision in their choice to be a renter.”

#### **Comment HO-10**

Fifty percent (50%) of the new housing must be Affordable Housing. The Affordable Housing units must be built at the same time as the rest of the housing, must mixed into each building and must not be segregated. (C26-1)

#### **Response HO-10**

See Response HO-1 with respect to the percentage of workforce housing. The applicants have indicated that workforce housing would be built at the same time as the rest of the housing and is proposed to be distributed throughout the property and within buildings. One would not be able to distinguish the workforce units from the market-rate units, thus avoiding housing segregation amongst tenants and owners.

#### **Comment HO-11**

The required income for the Affordable Housing must be tiered so as to be available to low, moderate and middle income individuals, promoting a diverse community of seniors, young people and families. (C26-2)

#### **Response HO-11**

See the Response HO-6.

#### **Comment HO-12**

I strongly support the Heartland Town Square development inclusion of 23% affordable housing. (C31-1)

We want to applaud the developer for between 23 and 20 percent, I’m not sure of the numbers, of affordable housing. We think that is excellent. That’s exactly what we want and what we need. (H8-12)

The reason the Long Island Progressive Coalition supports this project is because it’s over 25 percent affordable housing. This project had high scores, 90 percent, because there is affordable housing over 20 percent. It is on-site affordable housing. So many developers are trying to put affordable housing in other areas. This developer was very accommodating. It’s on the site of the development. That’s important because we find that all across Long Island, housing will be the same, the market-rate housing, you can’t tell it’s affordable housing. (H19-3)

#### **Response HO-12**

With respect to workforce housing, based upon discussions with the Town of Islip, the applicants are proposing 10 percent of the units in Heartland Town Square as workforce units. Moreover, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

Also see Responses HO-1, HO-2 and HO-10.

#### **Comment HO-13**

Brentwood, the most densely populated community is an ideal place to locate truly affordable housing. Since prices may change, it is important to tie the rent of these apartments to a standard such as fair market value. (C31-2)

#### **Response HO-13**

See Response HO-2.

#### **Comment HO-14**

The proposed housing does not vary greatly in density or type across the 475-acre project site. Instead, the housing types should be varied (more townhouses, attached or even detached single family homes) and densities should decrease as the project extends out from the core out to the edges of the project, which abuts single-family residential neighborhoods. (C1-5)

#### **Response HO-14**

As indicated in Section 2.3 of the DGEIS, the smart-growth approach to community development facilitates community interaction, interdependence and neighborhood spirit and encourages owners and occupants in the community to continually reinvest socially and materially in the community, thereby promoting the economic viability of the community. The mixed-use layout of Heartland Town Square, as depicted in the revised Conceptual Master Plan, is designed to result in a community of interconnected streets, which allows for continuing flexibility in adapting to changing market conditions during the anticipated long-term implementation of the development plan. The community has been designed to be socially and economically interconnected and to be pedestrian-friendly. Moreover, the layout of the roadways, open spaces and uses in the community, as well as the intended development of shared parking facilities, and the use of traffic management programs, including shuttle bus to the nearby commuter rail station, are intended to reduce the community's dependence on automobiles and will, therefore, minimize potential traffic impacts from the new community. Incorporating density changes, specifically utilizing single-family residences along the outer edges of the development would be inconsistent with the goal of the development to create a pedestrian-friendly interconnected community to reduce dependence on automobile transportation. However, DU3 and DU4 are both proposed to contain townhouses, as shown in the revised Conceptual Master Plan (see Appendix RP-1). Townhouses are also proposed along the northwest edge of the Town Center in DU1-B, adjacent to the residential community along Commack Road.

Moreover, the applicants specifically have chosen not to include single-family detached housing as it is already the overwhelming type of housing currently existing within Brentwood (83 percent), the Town of Islip (73 percent), and Suffolk County as a whole (80 percent). The applicants desire to offer a different type of residential product within a different type of overall setting. They do not wish to replicate the suburban development pattern and lifestyle that is prevalent in most of Long Island.

#### **Comment HO-15**

Other housing types should be considered to help the project have more resiliency in the face of changing economic times, including senior housing in the northern part of Development Unit (DU) #3, or in DU#4 in the former hospital dormitory buildings. (C1-6)

**Response HO-15**

The housing units planned for Heartland Town Square include apartments, townhouses and patio homes, which will cover many price points that are designed to attract households in different income classes and at different stages in their lives. Those likely to be attracted to Heartland Town Square range from young professionals to senior empty-nesters. There are no covenants prohibiting occupancy by seniors or any other demographic group. In fact, the range of price points will virtually guarantee a varied community.

Since the time of the DGEIS, the hospital dormitory buildings on the area designated as DU-4 have been demolished. However, there was no previous plan for the re-use of these buildings in DU4, as they were beyond rehabilitation.

**Comment HO-16**

The project is overly optimistic about the amount of housing, and rental housing in particular, that can be absorbed in one location. As an example, the market study estimates that Heartland along will absorb 10 percent of the annual growth in wealthy households in the market area. It is not clear if this project provides sufficient amenities and locational advantages to attract 1 in 10 renters out of this very specific market segment. (C1-22)

**Response HO-16**

See the Responses SO-2 through SO-4. The *Marketability Study* prepared by MVS (see Appendix LU-1), which is discussed in greater detail in Section 4.25 of this FGEIS, indicates that the residential condominiums and townhouses of the scale and quality proposed for the subject property are very limited within the subject property's primary market area. Given the lack of undeveloped land found throughout the primary market area, little competing product exists. Although there is diminished demand at present due to the recession and credit conditions, the long-term is expected to become more positive. The subject property would be a new product offering within a self-contained environment. Its location provides easy access to other parts of Long Island and New York City.

With respect to the rental units, vacancy rates within recently-development and existing multifamily residential rental communities are very low, suggesting that the demand for quality multifamily housing is strong. This conclusion is based upon an analysis of multifamily units conducted as part of the *Marketability Study* performed by MVS. This study looked at multifamily developments within 10 miles (the primary market area) of the Heartland Town Square site. Vacancy rates ranged from zero percent up to three percent. These data were obtained through interviews with development managers of 12 multifamily communities within the primary market area. According to the *Marketability Study*, based upon a total rental unit count of approximately 3,150 in Phase I and assuming an annual delivery rate of 630 units per year over five years, the absorption rate for the rental units is expected to be approximately 20 percent per year. This is consistent with absorption rates demonstrated by past upscale rental units throughout the Nassau/Suffolk MSA. MVS, in its letter of May 24, 2013, indicates that "the multifamily apartment market in Long Island remains strong, with barriers to additional inventory high. The Class 'A' apartment vacancy rate of 5.3% in Western Suffolk, indicates a strong demand" (see Appendix LU-1).

Given the proposed smart-growth design, where housing is concentrated proximate to retail services, offices, and recreational opportunities, a mix of low-rise to mid-rise townhouses, multi-family units and garden-style apartments is appropriate. The higher housing density afforded by such unit types enables those units to be positioned in closer proximity to retail and community services.

One of the “amenities” of the proposed development is to have retail service and employment opportunities within walking distance of home. This provides the potential for reduction of automobile use, something that many people are currently looking for when choosing homes (see Response SC-4). Another amenity is the proposed shuttle bus, which will provide service to the Deer Park LIRR station.

According to the *Marketability Study* (see Appendix LU-1), the subject property benefits from its open exposures, view elevations and the opportunities for the provision of amenities and features not found at other proposed and/or recently completed developments.

**Comment HO-17**

The DGEIS does not adequately define what is meant by the term “affordable housing.”

**Response HO-17**

See Responses HO-1 and HO-2.

**Comment HO-18**

The proposed project should use the most recent Suffolk County Planning Commission Guidelines as a model for affordability. Specifically, a minimum of 20% of the overall units should be set aside as affordable. Heartland should also provide a range of affordable housing unit sizes, not just 1- and 2-bedroom units. (C1-23)

**Response HO-18**

See Responses HO-2 and HO-11.

**Comment HO-19**

Will residents of the Brentwood community receive any guarantees regarding affordable housing and job opportunities? (C1-141)

**Response HO-19**

The applicants are currently negotiating with various parties regarding job opportunities. With respect to housing, the applicants are required to comply with fair housing laws.

**Comment HO-20**

Consider the true potential for someone earning an average salary of \$60,000 per year, generally a good paying job, and how that person would possibly afford any of the units in this development. It is not feasible for a person earning this salary to afford a \$450,000 unit or even a \$300,000 unit. This is precisely the thinking that got this country and world into the current economic crisis. Home prices are completely out of reason with salaries. Salaries do not increase commensurate with housing prices. It is unreasonable and unlikely to expect that these units would be occupied. And if they were, it may not be feasible for people to afford them over the long run without significant credit needs looming over their heads. We need to be realistic. There are good jobs, but not an excess of jobs in the >\$100,000 range, and even with that salary it may be difficult to afford such a mortgage. (C21-18)

**Response HO-20**

As explained in Response HO-2, the applicants are not proposing for-sale workforce housing units. All of the proposed workforce units would be rental, and all of the for-sale units would be market rate. As indicated in Responses HO-1 and HO-2, the proposed rental units would be affordable to the target population of those earning between 100 and 120 percent of median income for the Nassau/Suffolk MSA.

For illustrative purposes, according to the HUD Fiscal Year 2013 income guidelines, a family of two earning 100 percent of median could earn up to \$84,720, annually, and could afford \$25,416.00, annually in monthly housing costs (\$2,118 per month in housing costs, based upon spending no more than 30 percent of gross income on housing expenses). Assuming a unit sales price of \$300,000, a ten percent down payment (mortgage amount of \$270,000), a mortgage rate of four percent, a mortgage term of 30 years, taxes of \$4,000.00 per year and insurance of \$500 per year, the monthly housing cost would be \$1,664.02, and the annual housing cost would be \$19,968.24. This is less than what HUD specifies a family of two earning 100 percent of median income could afford. Accordingly, even though the applicants are not specifically setting aside ownership units as workforce units, these ownership units would be affordable, based upon HUD guidelines.

Furthermore, the 2013 HUD median family income for a family of two (100 percent of median) is \$84,720.00. A two-person family earning \$60,000.00 represents, based on 2013 HUD median family income, only 70.8 percent of the median income for a two-person family. Thus, it is not anticipated that a family earning \$60,000.00 per year could afford to purchase a unit in Heartland Town Square, and the applicants are not targeting this population.

#### **Comment HO-21**

There needs to be a guarantee that the people who work on this project are able to live in this project. Affordable housing is a must. Affordable workforce housing of all levels is a must. (H4-5)

#### **Response HO-21**

See Responses HO-1, HO-2 and HO-19.

#### **Comment HO-22**

Report after report states that the lack of affordable housing and apartments contribute greatly to the brain drain on Long Island. That is something we need to address as a community. I think that is something this project is looking to address. (H5-2)

#### **Response HO-22**

As explained in Response LU-11, the proposed development is designed to address this need.

#### **Comment HO-23**

The affordable housing claims for this proposed project are unresponsive to the needs of the Brentwood community, Suffolk and Long Island as a whole. Housing that is affordable to people, young and old, who are earning 80 to 120 percent of the mean income is market-priced housing; it's not affordable, it is not workforce housing. Housing that rents for 15, 17 and 19 thousand dollars is not affordable to this community. You are being promised affordable housing, but you are not getting it. (H17-3)

#### **Response HO-23**

See Responses HO-2 and HO-6.

**Comment HO-24**

I see this project of the Heartland Corporation as one that would bring an abundance of prosperity to the people of Islip. And that would bring prosperity to a lot of people who right now are suffering without work, who are not able to find housing, who are not able to do a lot of the things that this economic stimulus would promote in an economy which help all the people...(H29-1)

**Response HO-24**

The comment is noted.

**Comment HO-25**

We need a community where younger and older people can find affordable rental apartments. (H33-3)

**Response HO-25**

See Responses HO-9, HO-15 and LU-11.

**Comment HO-26**

Many people are forced at this time to go to other places because we can't afford the economic struggles that we are going through because of the economics of our financial situations. (H38-1)

**Response HO-26**

See Response HO-2.

---

**4.8.2 Housing Mix****Comment HO-27**

The proposed housing provides an overabundance of the same moderate and high density rental apartment buildings. The housing stock at Heartland should be diversified by type, tenure, size and bedroom number to appeal to a broad market segment as to provide for a diverse, stable, residential community. (C1-24)

**Response HO-27**

As indicated in Section 2.3 of the DGEIS, of the 9,130 units planned for Heartland Town Square and Gateway Area, and based upon a request by the Town that the proposed action include owner-occupied units, 8,217 (90 percent) would be rental units and 913 (10 percent) would be owner-occupied units. The housing units planned for Heartland Town Square include apartments, townhouses and patio homes, which will cover many price points that are designed to attract households in different income classes and at different stages in their lives. Of the overall units, it is anticipated that approximately five percent will be studios/lofts, 25± percent will be one-bedroom units, 65± percent will be two-bedroom units, and approximately five percent will be two-bedroom units plus a den. This mix will apply in all three phases of the proposed development. The applicants are proposing a mix of low-rise and mid-rise dwellings spread throughout the

proposed development in order to provide a diverse residential community in Heartland Town Square. In addition, 10 percent of the overall units within Heartland Town Square will be workforce units.

#### **Comment HO-28**

The project should include more ownership housing (e.g., condominiums, co-operatives) to help bring in residents who have a long-term investment and interest in the community. (C1-25)

#### **Response HO-28**

The purpose of the development, as indicated in Section 2.3.3 of the DGEIS, is to target a mixture of demographics ranging from young urban professionals to empty nesters and retirees who are seeking a different type of lifestyle without having to leave Long Island. Ten percent of the units on the Heartland Town Square site would provide home ownership opportunities. Also see Responses HO-8 and HO-14 with respect to the lack of rental units in the area and the overwhelming number of ownership units within the region.

#### **Comment HO-29**

The proposed ratio of 90% rental units and 10% owner occupied units does not appear to be an appropriate balance for a healthy community. Though market demand for Long Island as a whole may be for many more rental units than for sale units, the placement of so many within one project is not recommended. For developments that are an extension of an existing neighborhood or community, it may be appropriate to have 90-100% rental units in order to balance the ratio of the overall community. This project however seeks to create an entire community within itself and must therefore provide balance within its boundaries. New York City has a high ratio of rental units as compared to owner occupied units, probably the highest ratio in the region. It has a ratio of 2:1 rather than 9:1 as is proposed here. We would recommend this ratio 2:1 as an upper limit of rental units to owned units within a community. (C28-10)

#### **Response HO-29**

The fact that 90 percent of the proposed residential units at Heartland Town Square would be rental units would help improve the balance between owner and rental housing in the Brentwood, the Town of Islip and Suffolk County. The local housing stock is heavily skewed toward single-family, owner-occupied units. The 2010 Census shows that Brentwood had one of the lowest proportions of rental housing as compared to similar communities on Long Island and in nearby Westchester County. The following table illustrates this. By increasing the supply of rental homes in the community, a better balance of housing types will be achieved.

**Table HO-2: The Percentage of Renter-Occupied Units in Brentwood and Similar Suburban Communities, 2010**

Community	Owner-Occupied Units	Renter-Occupied Units	% Renter Occupied
Brentwood	9,508	4,146	30.4
Riverhead	2,876	1,951	40.4
Central Islip	6,451	2,914	31.1
Wyandanch	1,718	1,208	41.3
Farmingdale	1,376	626	31.3
Carle Place	1,335	528	28.3
Glen Cove City	5,478	4,286	43.9
Long Beach City	8,250	6,559	44.3
Mineola	4,760	2,636	35.6
Hempstead Village	6,414	8,820	57.9
Mount Vernon	10,014	16,246	61.9
Port Chester	3,990	5,250	56.8
White Plains City	12,326	10,584	46.2
New Rochelle City	14,317	13,636	48.8
Yonkers City	34,400	40,150	53.9

Source: 2010 Census

Updated Census data for 2010 continues to show a gap between the proportion of rental units on Long Island and the proportion of rental units in other nearby suburban counties. Therefore, the proposed rental housing at Heartland Town Square will meet a clearly defined need on Long Island.

**Table HO-3: Proportion of Rental Housing on Long Island vs. Selected Suburban Counties in the New York Metropolitan Region, 2010**

County/Town	Rental Units	Owner Units	Total Units	Percent Rental
Suffolk	106,415	393,507	499,922	21.3
Babylon	18,265	52,629	70,894	25.8
Brookhaven	34,611	128,273	162,884	21.2
Huntington	11,172	58,139	69,311	16.1
Islip	24,451	79,180	103,631	23.6
Brentwood	4,146	9,508	13,654	30.4
Smithtown	5,064	34,991	40,055	12.6
Nassau	90,228	358,300	448,528	20.1
Westchester	133,344	213,888	347,232	38.4
Rockland	30,436	68,806	99,242	30.7
Bergen, NJ	113,764	221,966	335,730	33.9

Note: Includes occupied and vacant units. Source: U.S. Census Bureau, Census 2010

### **Comment HO-30**

The Heartland Town Square proposal will help to fill a void of needed rental housing in the area, and while this is beneficial, Sustainable Long Island supports the development of a mix of housing types. Even though Long Island pales in comparison to regional neighbors in the availability of rental housing, it is important that the Town of Islip encourage the inclusion of some ownership units, distributed throughout the development (rather than clustered together) in order to promote sustainability and equity. Sustainable Long Island recommends that the Town of Islip require the development of for-sale/ ownership units, including some of each available size. Ideally a percentage of the ownership units would be priced at an affordable level, so as not to make ownership options more equitable and available to people of all income ranges. (C37-11)

**Response HO-30**

See Responses HO-2, HO-8 and HO-29.

**Comment HO-31**

We also want to applaud the developer for laying out a range of physical housing types, which are different from suburban fare. That is excellent. The ratio of rental to ownership at nine-to-one is high. We would like to see two-to-one. New York City, the five boroughs and New York City is two-to-one- ratio. We think that two-to-one can happen on the site. Two rentals for one ownership. (H8-13)

**Response HO-31**

The comment is noted. See Responses HO-2 and HO-29.

---

**4.8.3 Senior Housing****Comment HO-32**

On Long Island, there is continued unmet need for senior housing. Even accounting for the current slowdown in the senior housing market, housing for seniors is a stronger long-term market than office development. (C1-26)

**Response HO-32**

The proposed housing in Heartland Town Square is being designed to be suitable for seniors, and to provide this population the opportunities for an active lifestyle. See Responses HO-9 and HO-15.

**Comment HO-33**

Senior housing in the form of age-restricted housing or lifecare type housing (e.g., congregate care and assisted living) could be an excellent addition to the mix of uses proposed for Heartland, particularly for the southern areas (DU #3 or DU#4). (C1-26)

**Response HO-33**

The applicants are not proposing congregate care or assisted living facilities within the Heartland Town Square development. However, the housing is being designed to be suitable for seniors, and to provide them with opportunities for an active lifestyle. As noted in Response GN-4, it is the vision of this project to promote an accessible environment for all residents, visitors, and workers of the Heartland Town Square community. As such, the development will be in full compliance with all state, local, and federal laws relating to building and site accessibility requirements. Universal design principles will be incorporated into site specific design at the time of site plan review.

Also, see Response HO-15.

**Comment HO-34**

Other speakers have spoken to the importance of Heartland Square because it enables younger people to remain on Long Island with its competitively-priced rental apartments. We certainly agree with this position. We feel, however, that we need to pay equal attention to the housing needs of older people and that's what Heartland Square does. (C14-3)

**Response HO-34**

See Responses HO-9, HO-15 and HO-32.

**Comment HO-35**

The project enables both empty nesters and younger working people to live in close proximity to one another, share common commercial and recreational facilities, and benefit for the relationships that are developed. Long Island doesn't need further polarization of the generations. (C14-4)

**Response HO-35**

See Responses HO-9 and HO-15.

**Comment HO-36**

In addition, such development would allow senior citizens such as myself and wife, remain on Long Island near our children and grandchildren, rather than being required to move off Long Island due to high property taxes and other expenses. (C17-2)

**Response HO-36**

See Response HO-15.

**Comment HO-37**

We cannot sustain ourselves if our young and elderly leave because they cannot afford to live here or if they leave because they would want to live where there are good jobs and vibrant lifestyle. (H15-3)

**Response HO-37**

See Responses HO-2 and HO-15.

---

**4.8.4 General**

**Comment HO-38**

In terms of housing, just to get a sense of the scale of this, the housing in this would facilitate an increase in housing of about 70 percent in Brentwood. It would be the equivalent of more housing than the entire community of Bay Shore and the entire community of North Babylon. (H11-8)

**Response HO-38**

The Heartland property alone consists of 452± acres. As explained in Responses LU-1 and LU-11, the density and mix of uses proposed are not dissimilar from other smart-growth communities around the country.



---

## 4.9 Easements (EA)

### Comment EA-1

OMH is specifically requesting the following be added to Section 11 Conditions and Criteria under which Future Actions will be approved. An agreement has been signed between the applicants and OMH providing for modification of existing easements and holding OMH harmless for the cost of such modifications. (C13-9)

### Response EA-1

The *Conditions and Criteria under Which Future Actions Will Be Undertaken or Approved, Including Requirements for any Subsequent SEQRA Compliance*, set forth in Section 3.0 of this FGEIS, include a condition that the applicants will comply with agreements executed between the Office of Mental Health (OMH) and the applicants. It should be noted that the terms of the Purchase and Sale Agreement, pursuant to which the applicants acquired the property, specifically allow the applicants to provide alternate roads for ingress and egress, subject to prior approval from the State. The applicants have acknowledged the State's approval rights, acting by and through OMH, as provided by the Purchase and Sale Agreement between the applicants and New York State Urban Development Corporation d/b/a Empire State Development Corporation.

In addition, pursuant to the Purchase and Sale Agreement the "Purchaser shall defend, protect, indemnify, and hold harmless ESD, the State and all agencies, departments and public authorities of the State, and their respective officers, members, directors, employees and agents, from and against any and all claims, actions, suits, judgments, causes of action, demands, losses, damages, liabilities, costs, charges and expenses (including without limiting the foregoing, bodily harm, personal injury, death and property damage), whenever asserted and by whomever, resulting from, arising out of, or in any way connected with any site visits, inspections, use or occupancy of the Property by Purchaser or its employees, officers, contractors, subcontractors, invitees and agents, howsoever the same way be caused or occasioned"

### Comment EA-2

The developer has reconfigured the road system within the former Pilgrim property. The Deed dated 1/25/02, transferring the property to the New York State Urban Development Corporation contained the following language:

"in order to obtain access to and egress from the retained property, reserves a non-exclusive easement and right of way upon, over, and across through roads currently referred to as "G" Road, "C" and "F" Roads to the south of "H" and "J" Roads including the extensions leading to the Sagtikos State Parkway an Crooked Hill Road."

These rights were preserved in the Deed transferring the property to the Town of Islip Industrial Development Agency (IDA). The Quitclaim Deed transferring the property from the IDA to the developer noted that it was subject to "municipal, public utility and party wall easements." Continued safe and efficient access to Crooked Hill Road and the Sagtikos is essential to Pilgrim. (C13-12)

### Response EA-2

Pursuant to the Purchase and Sale Agreement, the State will "reserve easements for ingress and egress to the adjacent State property from the Sagtikos Parkway and Crooked Hill Road over institutional roads located on

the Property as indicated on the map attached as Schedule 2 to this Exhibit B. Subject to prior approval from the State, acting by and through OMH, of plans for such road, and the State's consent to transfer of such easement to such roads, Purchaser may provide alternate roads for ingress and egress to the said adjacent State property from the east in such as way as to ensure access to and from the Sagtikos State Parkway on Crooked Hill Road to the State's adjacent property." See Figure EA-1, which illustrates the modified roadway easements, based upon the revised Conceptual Master Plan. The access provided will be safe and efficient.

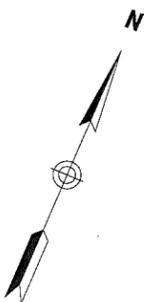
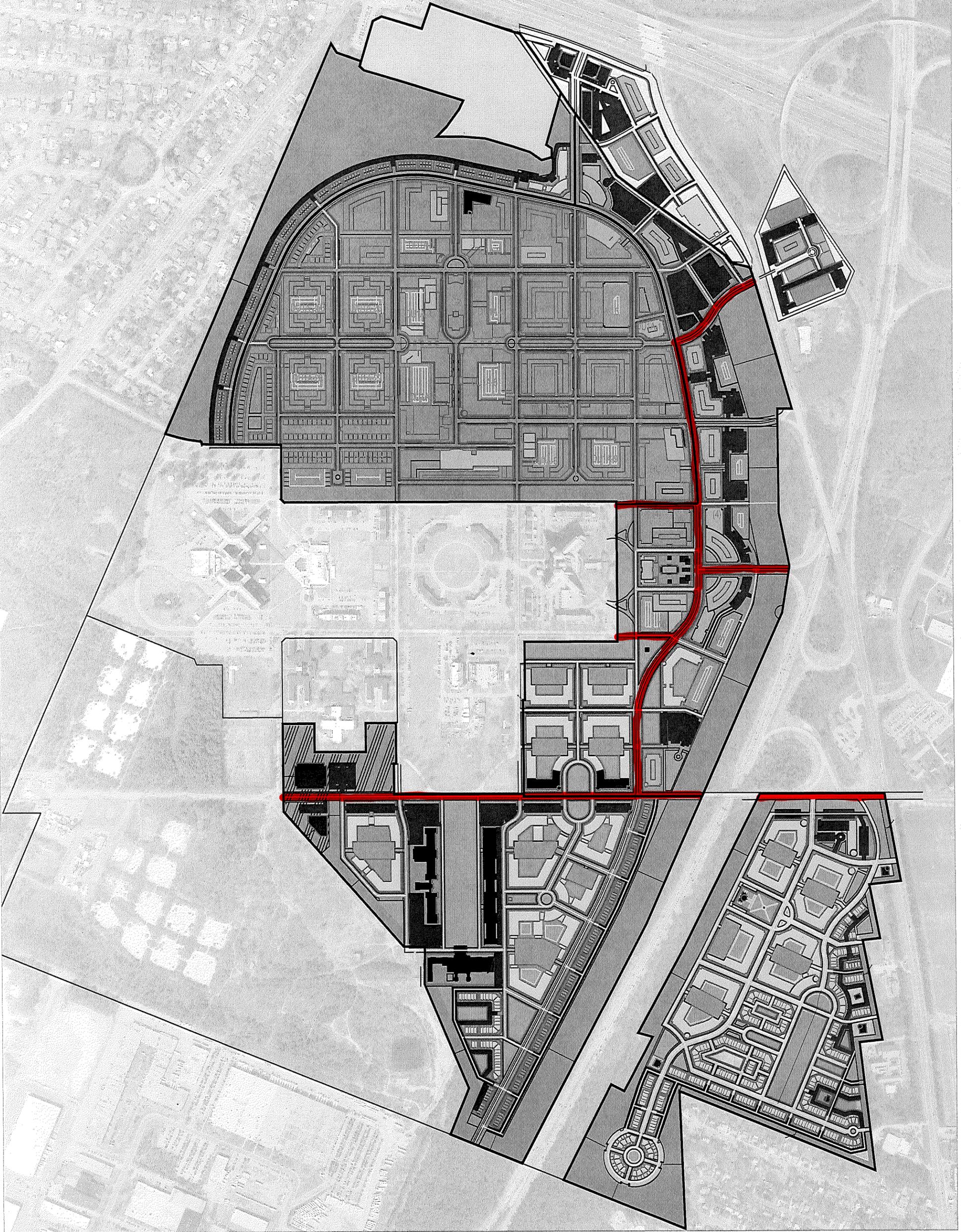
### **Comment EA-3**

A primary concern that is the document does not address the easements which we retained when the property was transferred. When the 452 acres were transferred first to the NYS Urban Development Corporation, then to the Town of Islip Industrial Development Agency (IDA) and subsequently to the developer, the State retained easements for infrastructure. For your convenience, we are attaching a map which we prepared of those easements. The State also retained guaranteed access to the Sagtikos and Crooked Hill Road over existing roadways. The proposed development plan does not appear to consider the existence of these easements and their effect on the proposed development. (C13-1)

OMH has had informal discussions with the developer who acknowledges the existence of these easements, and indicates a willingness to address our needs. However, it is important that our concerns be formally acknowledged in the DGEIS. (C13-2)

### **Response EA-3**

OMH's concern regarding the easements is acknowledged in this FGEIS, and the Town Board is aware that the State has approval rights for the relocation of easements. Based on the proposed development layout, it is anticipated that some easements will require relocation. Any such easement relocations will be coordinated with OMH. See Response EA-1.



 Proposed Roadway Easements to be Granted to New York State/OMH

VHB Engineering, Surveying & Landscape Architecture, P.C.

Heartland Town Square  
Brentwood, New York

Figure EA-1  
May 24, 2013

**Comment EA-4**

Our easements are clearly delineated as is the procedure for modifying them. In the Purchase and Sale Agreement dated 5/11/01, The State reserved "easements for ingress and egress to the adjacent State property from the Sagtikos State Parkway and Crooked Hill Road." That document also provided that "Subject to prior approval from the State, acting by and through OMH, ...Purchaser may provide alternate roads for ingress and egress to the said adjacent State property from the east in such a way as to ensure access to and from the Sagtikos State Parkway on Crooked Hill Road to the State's adjacent property." (C13-3)

**Response EA-4**

The applicants are required to comply with the terms of the Purchase and Sale Agreement.

**Comment EA-5**

Similarly that same document also provides that "Subject to prior written approval from the State, acting by and through OMH, Purchaser, at its own cost and expense, may re-route or replace any utility infrastructure or easement or road, for which the State, acting by and through OMH, holds a short-term permanent easement." Any proposed modification to those easements requires the explicit approval of OMH. The identification of proposed modifications needs to be identified as early as possible in the process. (C13-4)

**Response EA-5**

The applicants are required to comply with the terms of the Purchase and Sale Agreement.

**Comment EA-6**

Therefore, we are asking that to the extent possible, a table be developed identifying each easement or segment of an easement. It should then specify whether any modification is proposed and establish the nature of the proposed modification. In addition, given that in a phased project the specific modification may be altered in later phases, the process of negotiating future modifications should be established at this point. (C13-5)

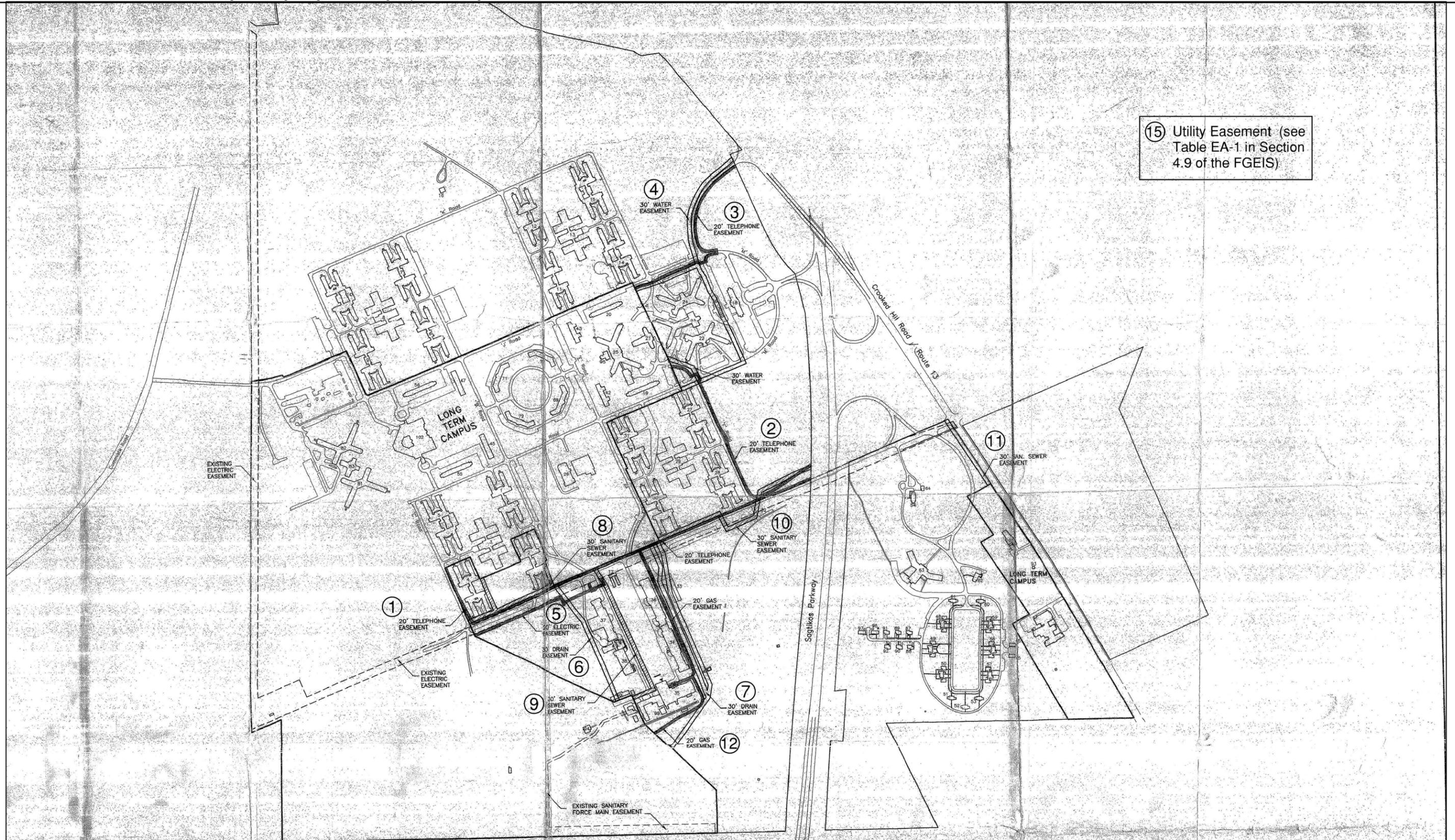
**Response EA-6**

As no detailed engineering plans have yet been developed for the project, it is not possible to determine at this time exactly how each utility easement or easement segment may need to be modified. The following table tentatively addresses each of the utility easements identified on the "Map Showing Permanent Easements to be retained at Pilgrim Psychiatric Center," prepared by Carman-Dunne, PC, dated February 14, 2000. The existing utility easements are shown on Figure EA-2. The anticipated modifications listed in the table are based on the revised Conceptual Master Plan (see Appendix RP-1 of the FGEIS); as detailed site engineering plans are developed and input from the utility providers becomes available, the specifics of any modifications of these easements will be assessed. Any utility easements requiring modification will be coordinated with OMH pursuant to the terms of the Purchase and Sale Agreement. The proposed roadway easements are discussed in Response EA-2 and shown on Figure EA-1.

**Table EA-1 - Proposed Modifications of Existing Utility Easements**

Existing Easement (see Figure EA-2)		Location	Comments
1	20' Telephone	w/s building 4	It is anticipated that an entirely new underground telephone network will be installed in the new roadway system. The telephone provider will be given an easement, as necessary, over the development to install and maintain the equipment, easements to OMH for connection to the new equipment will likely not be necessary.
2	20' Telephone	e/s buildings 27,28	
3	20' Telephone	M Road/Crooked Hill Rd	
4	30' Water	Crooked Hill Rd entrance	A new water distribution system will be constructed throughout the new roadway network, interconnected with existing SCWA mains. Connections to the OMH property will be made, as necessary.
5	20' Electric	n/s building 37	It is anticipated that an entirely new underground electric network will be installed in the new roadway system. The electric provider will be given an easement over the development, as necessary, to install and maintain the equipment, easements to OMH for connection to the new equipment will likely not be necessary.
6	30' Drain	w/s buildings 37,38	The proposed easements connect existing storm drainage facilities to a recharge basin to the south of the development site. If the decision is made to retain the connection between the OMH parcel and the existing recharge basin, the drainage easements may need to be relocated where they conflict with proposed development.
7	30' Drain	C Road to building 35	
8	30' Sanitary Sewer	s/s buildings 2,4	The current plan appears to allow connection to the existing OMH sewers at the property line, which would eliminate the need for easements granted to OMH over the development property. Where multiple owners contribute to a sewer, SCDPW typically requires that the sewer in question be dedicated to the County for operation and maintenance.
9	30' Sanitary Sewer	e/s buildings 37,38	

			Therefore, a new easement to SCDPW would take the place of easements granted to OMH.
10	30' Sanitary Sewer	s/s buildings 28,30	This easement may need to be re-routed due to potential conflicts with the proposed development, as it appears to be an extension of no. 11 below.
11	30' Sanitary Sewer	w/s Crooked Hill Rd	This easement does not appear to conflict with the proposed development and could remain in place.
12	20' Gas	C Road to building 35	It is anticipated that an entirely new underground gas network will be installed in the new roadway system. The gas provider will be given an easement over the development, as necessary, to install and maintain the equipment, easements to OMH for connection to the new system will likely not be necessary.



15 Utility Easement (see Table EA-1 in Section 4.9 of the FGEIS)

**Comment EA-7**

OMH is specifically requesting the following be added to Section 11. Conditions and Criteria under which Future Actions will be approved:

*An agreement has been signed between the applicant and OMH providing for modification of existing easements and holding OMH harmless for the cost of such modifications (C13-9).*

**Response EA-7**

See Response to Comment EA-1.

## 4.10 Zoning (ZO)

### Comment ZO-1

A PSPRD zoning district is proposed to facilitate this development. If enacted, this zoning district has the potential to impact not just the Brentwood community but the entire area surrounding the development. Property owners of neighboring communities may seek to increase the value of the land they own. Landowners in adjacent communities may attempt to obtain increased population density and building dimensions permitted under this code. This endeavor will be abetted by the stark contrast between the proposed zoning category on the subject site and existing zoning categories surrounding the subject site. Denial of such requests without substantial findings may be viewed as arbitrary and capricious. This will result in secondary impacts to areas the communities in and around Heartland. (C9-9)

### Response ZO-1

The proposed PSPRD is directly related to the subject property and its redevelopment. The PSPRD specifically indicates that “the intent of this district is to encourage a mixed-use, ‘smart growth’ redevelopment of approximately 452 acres, which were formerly part of the Pilgrim State Psychiatric Center...” In addition, as explained in Response CO-1, the Town Board is considering the potential to rezone property within the Gateway Area to PSPRD, which is why this area is being evaluated in this GEIS.

Other properties and property owners can apply for changes of zone (but not to the PSPRD) and the Islip Town Board has the right to consider such zone changes. Change of zone requests are generally made and considered on a case-by-case basis.

### Comment ZO-2

As a nearby resident I am vehemently opposed to changing the zoning of this property. This development is not for the public good, it is not a park for use by everyone. This development is for the long-term financial benefits of the Builder. (C23-13)

Consequently, this does not justify changing the zoning of the property. If this property is not going to be used for its intended purpose it should be for the public good, not the good of the Developer. (C23-14)

### Response ZO-2

As indicated in Response GN-7, one of the main purposes of the project is to redevelop an underutilized and surplus property that was sold by the State of New York. After the consolidation of many of the Long Island psychiatric hospitals and the de-institutionalization of patients from these hospitals, patient populations continued to decline. The State of New York determined certain properties to be “surplus,” and has sold many of these former psychiatric hospitals or portions thereof to private parties. In the case of the subject property, New York State determined that approximately two-thirds of the overall Pilgrim State Psychiatric Center property was surplus and it was sold to the applicants in 2002. Also, see Response LU-20.

Heartland Town Square is intended for the betterment of all of Long Island, and Suffolk County in particular. The idea behind Heartland Town Square is to create an exciting new community and lifestyle for our young people and empty-nesters, different from any community that exists on Long Island. Long Island currently has a lack of rental housing. The over 8,000 rental units proposed at Heartland Town Square will help ease this problem by providing an affordable place where young people and empty-nesters will want to live, thus helping to stem the brain-drain we are currently experiencing by our young moving off Long Island, and

allowing aging baby boomers who no longer need their three and four bedroom houses but would prefer to stay on Long Island, the place they grew up and where their families still live, to remain on Long Island. Moreover, Heartland Town Square will be built using “smart growth” principles where walking to a variety of on-site entertainment and work choices will be available and encouraged, and use of private automobiles will be discouraged, thus helping to reduce congestion on local roadways.

#### **Comment ZO-3**

Vision Long Island would recommend the use of a Form Based Code, to ensure a high level of architectural quality throughout the site. Form Based Codes are a method of ensuring that you get what you expect with buildings within a given area. Rather than conventional zoning codes which simply prohibit things that aren't wanted, Form Based Codes prescribe what is wanted in a community. Form Based Codes can provide predictable results by setting strict design standards for: building walls, garden walls, fences and hedges, columns, arches, piers, railings and balustrades, opacity and facades, roofs and gutters, signs, windows, skylights and doors. Kendall, Florida is a community that used a Form Based Code when redeveloping an existing mall in a suburban setting into a walkable neighborhood. (C28-12)  
We would like to see the design guidelines codified in the basic code. (H8-14)

#### **Response ZO-3**

A form-based approach to the zoning has been taken, and design guidelines have been developed and are proposed to be incorporated into the PSPRD zoning district being considered by the Town of Islip (see Section 2.2 and Appendices RP-2 and RP-3 of this FGEIS). Also, see Response ZO-5, below.

#### **Comment ZO-4**

Kendall is in a suburb of Miami, with conditions similar to those here on Long Island. After a community charrette, the FBC [form-based code] was adopted and the resulting development of the property is remarkably like the initial plan. What was initially a purely commercially zoned area with no residential component is now an attractive walkable community with a mix of housing, retail and offices. Other methods that would also be acceptable in maintaining a high level of architectural design, but can be more subjective in their enforcement, would be creation of design guidelines or the hiring of a Town Architect to oversee design proposals as they come develop. (C28-13)

#### **Response ZO-4**

Heartland Town Square will use the PSPRD zoning code, into which the design guidelines are being incorporated, to oversee the design proposals for the development in order to maintain a high level of architectural design and quality. The Design Guidelines are proposed to be implemented through a review process described in the PSPRD (see Appendix RP-2). While Kendall, Florida is a precedent for a vibrant mixed-use community, there are other communities that include quality architectural treatments (see Appendix RP-3). See Response LU-1 for a brief synopsis of the Kendall/Dadelands community as well as several other smart-growth communities. Also, see Response ZO-3.

#### **Comment ZO-5**

The proposed zoning/use district regulations lack sufficient bulk and design standards. The only setbacks mentioned are with respect to the large streets bordering the site. The zoning needs to specify minimum and maximum setbacks for buildings within the site, with respect to new local streets. Other criteria regarding breaking down building mass and varying rooflines on large bulky buildings is also important. (C1-43)

#### **Response ZO-5**

Heartland Town Square does not follow a Euclidian or conventional zoning approach. This is a mixed-use, smart-growth community, where various uses can be found in, for example, the same buildings. Moreover, as noted above, a lifestyle is being created, with varying uses, number of stories, open space types, etc., over a fairly-extensive build-out period. Accordingly, use of a form-based approach to zoning is warranted for this situation.

In keeping with the form-based approach, the revised Conceptual Master Plan (and Proposed Development Tabulation, by Phase), together with the Phasing Diagrams and Building Stories Plan (see Appendix RP-1), are proposed to serve as a “regulating plan” for development throughout the community. This plan defines the ranges of heights (in stories and feet) and densities and general types of uses preferred for each of the development units. It allows for mixed-use, vertically-integrated buildings and neighborhoods, which are not typically permitted under conventional zoning. The Design Guidelines (see Appendix RP-3) define the characteristics of each development unit. The Design Guidelines lay out a street system with five types of streets/roadways within the development and discuss various types of open spaces within each development unit. They also identify interconnections between the development units and between Heartland Town Square and the surrounding area. Together, the revised Conceptual Master Plan, supporting plans and documents described above, and PSPRD (which incorporates the Design Guidelines) define the character of each of the development units and the sense of the overall community. Building form standards and specific permitted uses are addressed in the text of the PSPRD, and the Design Guidelines are incorporated into that zoning district (see Appendix RP-2). The PSPRD also details the application and review processes.

Based upon the foregoing, use of a form-based approach rather than strictly conventional zoning is appropriate for Heartland Town Square, as it will help to achieve the desired goal of the applicants, namely developing a smart-growth, vibrant community that will create a lifestyle attractive to both young and old who want to remain on Long Island, but desire a different way of life than the traditional suburban model.

#### **Comment ZO-6**

With regard to zoning, we have concerns with impacts related to the proposed zoning regulations, which we believe should be more specific regarding setback requirements. (H2-4)

#### **Response ZO-6**

See Response ZO-5.

## 4.11 Condemnation (CO)

### Comment CO-1

The proposed condemnation scheme presented by the applicant in the DGEIS violates both state and federal law for a variety of reasons. (C29-30)

### Response CO-1

The Gateway Area, as described in Section 2.1 of the DGEIS, is one in which the proposed PSPRD may be appropriate, as it would allow redevelopment of an area that is not coherently developed. There is the possibility that the Town of Islip could use condemnation powers to facilitate redevelopment. Given that the Town Board is considering the rezoning of the Gateway Area to PSPRD, the Town Board was required to evaluate the potential rezoning to PSPRD and the potential development of the area in accordance with the PSPRD pursuant to SEQRA and its implementing regulations. Accordingly, a potential development scenario was considered for the Gateway Area, which is consistent with redevelopment pursuant to the PSPRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD and development in accordance with that zoning district.

### Comment CO-2

It should also be made clear that the Town Board does not have any jurisdiction at this point in the process to any of the parcels in the Gateway area since legal land use application have not been filed. Separate change of zone applications, by the other property owners, need to be filed. This would also include notifications to surrounding property owners near the Gateway parcels, whom would not be entitled to receive legal notices by the Heartland property owner. (C29-34)

### Response CO-2

The Town Board has the authority, on its own motion, to change the zone of parcels within the Town. Notwithstanding this, the Town is not considering changing the zoning on Gateway area parcels at this time. In addition, the applicants have amended their rezoning petition to remove the request to rezone any parcels not owned by the applicants. See Response CO-1.

### Comment CO-3

My client urges the Town Board to open up the process, allow all of the owners of the Gateway parcels to fully participate. Clearly the numerous violations of SEQRA and the application process pursuant to the Code of the Town of Islip which have occurred so far would doom any project in a court of law after any final approval is rendered. Again, it is not my client's desire to stop the Town and the applicant from improving the Brentwood community. We just want to participate. Therefore it is important that all of the legal issues, including substantive due process violations be cured now, during the DGEIS phase, rather than later. My client is ready to meet with the Town to develop his property in conformance with sound planning principles and subsequently file his own land use application. (C29-37)

### Response CO-3

As explained in Section 4.1 of this FGEIS, there have been no violations of the SEQRA process, and such statement is without any basis in fact. There have also been no violations of the application process. Also, it is evident that by providing a comment letter (C29) during the DGEIS comment period and by the Town

Board addressing the comment letter in this FGEIS, the commentator has participated in the environmental review process. See also Response CO-1.

**Comment CO-4**

A taking of our property would create an extreme financial hardship, now and in regard to its future family value as an estate asset. I do appreciate that there is a broad range of studies and project evaluations yet to be engaged in prior to the commencement of formal proceedings, but I wish to take this early opportunity to raise my objections and to submit my comments, in an attempt to show that the property located at 140 Expressway Drive South does not fall within the criteria used for the findings of blight. This letter is to be filed as our "Public Comment" pursuant to SEQRA. (C30-1)

**Response CO-4**

See Response CO-1.

**Comment CO-5**

In this regard, we question the propriety of what has thus far been determined in that, to the best of my knowledge, we never received any statutory notices for hearings, nor any notifications or documents which, given the severity of the potential impact upon us, due process would require be given to use. On information and belief, it would appear that the entities involved in the Change of Zone Application, in promoting their interests alone, have managed to preliminarily circumvent the legitimate interest of the other property owners by creating an artificial basis for the finding of blight, to which Islip Township has thus far responded. My understanding is that my property is referenced throughout the DGEIS and the Change of Zone application as a "subject property." We have never consented to be a part of such plan or application. As a property owner, it is our opinion that we have been denied due process of law in having had no direct opportunity, until this late date, to participate in any way in the SEQRA process. (C30-2)

**Response CO-5**

See Responses CO-1, CO-2 and CO-3. Also, no condemnation proceedings have commenced. Thus, no notifications related to same have occurred.

**Comment CO-6**

We are confident that we can be a contributing asset for, and directly participate in, the measures to be undertaken for the Islip Gateway Community Redevelopment without the township having to consider potential proceedings which would deprive us of our ownership interest in the land and our proprietary interest in the business, which has so long served our community. (C30-3)

**Response CO-6**

See Response CO-1.

**Comment CO-7**

It should also be noted that the "Finding of Blight" study is a rather thin document which consists mostly of pictures and an interpretation of the law. There is no real analysis and certainly no documentation or data or any other factual information to justify a finding of blight. The applicant embellishes the study way beyond what it actually is. Ironically the area that might be considered a blight are parts of the Pilgrim State Property where illegal medical wastes, asbestos and other environmental damage exist based on reports within

Volume 7 of the DGEIS and elsewhere in the document. Further the subject property is filled with dilapidated and physically deteriorated buildings. (C29-29)

**Response CO-7**

The Town Board is reviewing the "Finding of Blight" for the Gateway Area, and will ensure that, if the Town Board determines that it is necessary to undertake condemnation proceedings, all legal requirements are properly followed. The conditions of the properties owned by the applicants are well documented in Sections 3.1.1 (Land Use and Zoning), 3.1.2 (Subsurface Conditions and Hazardous Materials), and 3.5.2 (Historic and Archaeological Resources) of the DGEIS.

**Comment CO-8**

[With regard to the Violations of the Code of the Town of Islip] Again the applicants failed to amend their Application and Petition to include the consent of my client and other Gateway Property owners. Pursuant to the Code of the Town of Islip this Application and Petition as Amended should not have been accepted for filing and processing without said consents. I filed a Freedom of Information Law ("FOIL") request dated August 7, 2009 requesting various documents, including consents from property owners. Other than the two named applicants in this proceeding I was advised by the Town that no additional consents exist. My client has assured me that he never signed nor filed any such consent. (C29-3)

**Response CO-8**

See Responses CO-1 and CO-2.

**Comment CO-9**

Said FOIL request also included a request for any and all ethical disclosure documents filed by the applicants. As you know the Town of Islip requires all applicants for a change of zone to file a Disclosure Affidavit. Said affidavit must disclose all with an interest in the subject property, including obviously all property owners. I was advised on August 21, 2009 by the Town, pursuant to my FOIL request that no such documents are in the file. The application should not have been accepted, nor processed without this affidavit. Had the proper disclosure been filed the Town would have been notified that the subject property includes properties owned by many owners in addition to the applicant. (C29-4)

**Response CO-9**

All required application documents have been filed prior to filing of this FGEIS.

**Comment CO-10**

The DGEIS process so far has excluded my client and the other property owners within the approximate 23 acre Gateway Area. The applicant has every right to submit anything he wants for the property he owns. However, this DGEIS, along with the Application and Petitions as amended include all Gateway properties. The DGEIS includes proposals, data, plans, application documents, maps, exhibits, plans, SEQRA documents and other instruments and information impacting properties the applicant does not own. The applicant's attempt in the "Further Amended Petition" in paragraph 3 of the "relief" section to clarify the petition and application as not technically including the Gateway Parcels fails. This is simply a self serving statement by the applicants that does not negate the fact that when the document is taken as a whole, the underlying actions include an application and petition to rezone a planned development district to Pilgrim State Property as well as all of the Gateway Parcels. This includes the fact that the relief requested in the petition is to rezone the properties as shown in "Exhibit C" of the petition to the PSPRD. Said "Exhibit C" includes my client's property as well as all other Gateway properties. Also, page 3-4 of the DGEIS which contains the "Land use chart" includes my client's property as "subject property". Throughout the various documents filed there are many other similar references to the Gateway parcels being part of the subject property. (C29-5)

**Response CO-10**

See Responses CO-1 and CO-2. Also, all parties have had and will continue to have significant opportunity to participate in the public review of this application, as explained in Responses PP-2 and SQ-8.

**Comment CO-11**

Again, the applicant does not own these properties, nor does the Town of Islip. A future reference to a possible condemnation of the Gateway properties sometime within the next 15 years, does not give anyone jurisdiction to deny my client and the other Gateway property owners basic rights they have as property owners and taxpayers. Any reliance by the Town Board in actions they may take concerning SEQRA and subsequent land use decisions based on this DGEIS and all documents filed by the applicant thus far, concerning any properties within the Gateway area, would deny my client and other Gateway owners due process afforded them under the law. (C29-6)

**Response CO-11**

See Responses CO-1 and CO-2.

**Comment CO-12**

Therefore before the Town Board takes any further actions pursuant to SEQRA the process must be extended to afford my client and other Gateway area owners the same opportunity to submit their own proposals for the development of their individual portions of the Gateway area. The final Conceptual Master Plan must consider the proposals of all owners of the lands within said plan, not just the proposal of one property owner. The current Petition and Application for a change of zone must be amended to exclude the Gateway Parcels not owned by the applicants. (C29-7)

**Response CO-12**

See Responses CO-1 and CO-2.

**Comment CO-13**

Further the DGEIS must be amended so as to remove all references which state or infer that the applicant has any rights to the development of the Gateway area parcels. Then the Conceptual Master Plan process needs to be modified to allow the property owners in the Gateway area to participate. (C29-8)

**Response CO-13**

See Responses CO-1 and CO-2.

**Comment CO-14**

Another alternative to this would be for the Town Board to reduce the scope of the Conceptual Master Plan to the parcels actually owned by the applicants. While my client understands the benefits to the Town of having the Conceptual Master Plan include the Gateway areas, this cannot work if the Gateway area owners are not given the same rights to participate in the process as has been given to the applicant. Again, owning a larger parcel does not give the applicant any more rights under the Code of the Town of Islip and other applicable federal and state laws than my client and the other Gateway owners have. Thus if the Town does not want to

fully open up the process to the other property owners at this point in time, the only alternative is to reduce the scope of the action(s) to the Heartland property alone. (C29-9)

#### **Response CO-14**

See Responses CO-1 and CO-2. Also, the Town Board has the right to consider the rezoning of any property within its jurisdictional boundaries, and to evaluate the potential environmental impacts and social and economic benefits associated therewith.

#### **Comment CO-15**

Further the applicants must amend their application and petition to delete my client's property and if they fail to do so the Town must void the portion of the petition and application which includes my client's property. Otherwise my client would be denied his right to file a Change of Zone application, since the Town Code does not permit an application to be filed if there is another one pending for the same parcel. (C29-10)

#### **Response CO-15**

See Responses CO-1 and CO-2.

#### **Comment CO-16**

While my client is obviously a smaller property owner, he is entitled to the same rights, regardless of the size or value of his property. Therefore, my client is requesting the opportunity to hold preliminary meetings with the appropriate Town official prior to the filing of any application to develop the property. Against it is my client's goal to cooperate with the Town, to develop both a Conceptual Master Plan as well as appropriate development applications to meet the mutual goals of improving the Brentwood community. (C29-11)

#### **Response CO-16**

See Responses CO-1 and CO-5.

#### **Comment CO-17**

Further it would make sense to locate a transportation facility within Gateway area, next to the Long Island Expressway, rather than internally within the Heartland complex. (C29-15)

#### **Response CO-17**

The comment is noted.

#### **Comment CO-18**

Throughout the DGEIS reference is made to the Gateway area being blighted. It is unclear in the narrative whether or not my client's property is considered to be blighted, since the DGEIS seems to broadly describe the entire Gateway area, without much specific reference to any one particular property with the exception to the reference to the Wingate Hotel. Further there does not appear to be any specific reference to any specific factor which would define my client's property as blighted. Neither is there any specific reference to a finding of blight for my client's property within the "Finding of Blight" report referenced in the DGEIS. However, to the extent that the DGEIS may consider my client's property to be a blight, my client disputes this for a variety of reasons. (C29-17)

**Response CO-18**

See Response CO-7.

**Comment CO-19**

First this property has been industrially zoned for decades. It is a valuable industrial property because of its access to the Long Island Expressway and its' location at the corner of four major towns. Property cannot be considered blighted simply because it is zoned industrial. Further this property has a unique value to my client who operates business providing sanitary and recycling services. He and his family have operated this business at the site for over 45 years. Since my client has license to operate his business in various towns on Long Island, the site is perfect for his operation because of the proximity to the Long Island Expressway and other major roads. (C29-18)

**Response CO-19**

See Responses CO-1 and CO-7.

**Comment CO-20**

The DGEIS seeks to incorporate the "Findings of Blight" study dated January 2004. Said study lists six purported "factors" which it states is considered a "Finding of Blight." Again the study itself, just like the DGEIS, does not clarify which specific parcels within the Gateway Area contain any characteristics which would find for such blight. Therefore to the extent any of these may be considered in the DGEIS and Finding of Blight study to be a blighting condition on my client's property we offer the following comments. (C29-19)

**Response CO-20**

See Responses CO-1 and CO-7.

---

## 4.12 Hazardous Materials (HZ)

### Comment HZ-1

The tunnels and their interior contents (page 1-19) should be inspected for hazardous materials and wastes before closure or abandonment. (C6-9)

### Response HZ-1

The applicants are cognizant of the need to inspect tunnels and other interior areas for hazardous materials, asbestos, etc. prior to closure or abandonment. As indicated in Section 3.1 of the DGEIS, Professional Service Industries, Inc. (PSI) conducted an extensive asbestos-containing material (ACM) sampling program as part of its Phase I/II Environmental Site Assessment (ESA) efforts. In addition, asbestos abatements were conducted as applicable prior to the demolition of the buildings on the Heartland Town Square property (supporting documentation is available in Appendix G of the DGEIS).

As indicated in Section 5.1.1 of the DGEIS, based upon the geotechnical requirements of the proposed project, the concrete tunnels and their interior contents (e.g., pipes, electrical wiring, ACM) will be:

- Removed in areas beneath the footprints of buildings or other load-bearing structures: All of the excavated materials will be handled and disposed in accordance with prevailing regulations; or
- Sealed-in in areas where load-bearing capacity is not an issue (e.g. landscaped areas, parking lots, etc.). Any liquid-type wastes (e.g., transformer fluids) will be disposed in accordance with prevailing regulations prior to sealing of the tunnels. Any ACM present in the portions of the tunnels scheduled to be sealed-off will be left in-place thereby encapsulating same.

If disturbance of the lead-based paints (LBP) occurs during demolition activities, the following items will be addressed: worker health and safety (personal protection, monitoring, etc.), and handling and disposal of generated paint waste. Prevailing regulations require that workers involved with the disturbance of lead-based paint be OSHA-certified in lead and construction training, and that lead-safe work practices be implemented. No notifications to County, State or Federal regulatory agencies are required for LBP disturbances.

All other hazardous materials/wastes identified within the tunnels (if any) will be addressed in accordance with prevailing regulations.

### Comment HZ-2

If the buildings on site are heating using oil (page 1-51), the oil would be stored in either above-ground or underground tanks installed and operated in accordance with Article 12 of the Suffolk County Sanitary Code to ensure protection of groundwater. The indication is that Article 12 compliance is anticipated. (C6-10)

### Response HZ-2

The applicants are proposing to use natural gas within the development. Should aboveground or underground fuel oil tanks be utilized by any onsite buildings, same will be installed in accordance with Article 12 of the Suffolk County Sanitary Code, and the requirements of the Town of Islip.

**Comment HZ-3**

During site development activities (e.g., soil scraping, excavation for footings, etc.), there is the potential that underground storage tanks, stained soils, and buried anthropogenic debris may be encountered (page 1-63). To mitigate this issue, a Facility Closure Plan will be developed and implemented. The SCDHS should be involved in the review of any investigations and closure plans. Any tanks discovered on the site require registration prior to removal. (C6-11)

**Response HZ-3**

Section 4.1.2 of the DGEIS indicates that the documented impacts to soil and groundwater on the site will be addressed under appropriate NYSDEC supervision. Should a tank be discovered during demolition, soil scraping (removal of surface soils), and excavation activities prior to and/or during construction, the SCDHS will be notified and the tank will be registered, if warranted. Tank removal activities will be conducted under the supervision of the SCDHS; and should contaminants associated with leaks and/or spills be observed, the SCDHS or applicants will notify NYSDEC, who will ultimately determine the necessary remedial actions associated with any spill incidents. Should any sizable propane tanks be discovered, the Town of Islip Fire Marshal would be notified and maintains jurisdiction in these instances. These items will be outlined in a Facility Closure Plan, as necessary, as a contingency for undocumented tanks that may exist on the site.

**Comment HZ-4**

Regarding the various spills (pages 64 to 66) recorded on-site, each of those itemized address issues that require SCDHS oversight. Most issues mentioned require further investigation to determine the extent of any contamination, and the disposition of any tanks should be verified and reported to the SCDHS. (C6-12)

**Response HZ-4**

As indicated in Response HZ-3, NYSDEC maintains jurisdiction with regard to hazardous material spills or releases to the soil and groundwater. As explained in Section 3.1.2 of the DGEIS, several petroleum-related issues are currently being remediated, and/or were remediated with oversight provided by NYSDEC (as discussed within the reports included in Appendix G of the DGEIS). The applicants' consultants have been in communication with NYSDEC with respect to on-going soil and groundwater investigation/remediation activities. These activities will be conducted to the satisfaction of NYSDEC, and thence terminated. Moreover, spills and releases on the site that require further investigation will also be addressed under an environmental due-diligence and the Facility Closure Plan (as required) that will be prepared, and will outline the activities and contingency methods that will be implemented by the applicants prior to demolition activities. Any tanks discovered during construction and/or demolition will be reported to the SCDHS and registered, if warranted, prior to any removal and/or closure activities. Should any sizable propane tanks be discovered, the Town of Islip Fire Marshal would be notified, as it is the Fire Marshal that has jurisdiction in these instances.

**Comment HZ-5**

***Policy- Promote environmental remediation and enhancement in addition to mitigation associated with development:*** The subject property has a long history of environmental contamination and remediation including involving several federal and state remediation programs and agencies. It is reported in the EIS that there is still contaminants on the subject property at the time of its writing and may still be present at the time of construction. This includes, but may not be limited to, high concentrations of gasoline-related contaminants detected in soil and groundwater samples, a three acre refuse pile consisting of miscellaneous trash, germicide containers, bedding, papers, mechanical and automotive parts and abandoned vehicles, a

capped hospital medical waste refuse pile with methane vents, pesticide contaminated soils, PCB containing transformers, non friable and friable asbestos containing materials identified in nearly every building and within the underground passageways on the Heartland Town Square property, lead based paint, etc. These materials pose a potential significant hazard to construction workers or to new residents through direct contact or via inhalation of fugitive dust. Prior to any approval of the proposed project, all environmental remediation should be completed to the satisfaction of the appropriate regulatory agency to protect the health, safety and welfare of construction workers and future residents and visitors to the Heartland Town Square project. (C7-28)

#### **Response HZ-5**

As explained in Section 5.1.2 of the DGEIS, the items set forth in the comment are properly addressed as part of the overall environmental due-diligence and Facility Closure Plan, as required, which will outline the exact procedures with regard to existing environmental conditions, appropriate removal and disposal of items such as lead-based paint, asbestos abatement, remediation to existing onsite NYSDEC spills and contingency plans with regard to potential undiscovered contaminants and/or tanks. A Health and Safety Plan (HASP), in accordance with OSHA, would also be prepared as part of environmental due diligence in order to protect the health, safety and welfare of all on-site workers.

In sum, prior to occupancy, the subject property would be fully remediated to accommodate the proposed uses, in accordance with the applicable regulatory requirements.

#### **Comment HZ-6**

The DGEIS indicated that a feasibility study would be conducted to examine the reuse of non-hazardous materials on site. We strongly encourage the Town to require this practice at Heartland. This concept is commonly referred to as deconstruction. According to Wikipedia:

“Deconstruction has strong ties to sustainability. In addition to giving materials a new life cycle, deconstructing buildings helps to lower the need for virgin resources. This in turn leads to energy and emissions reduction from the refining and manufacture of new materials. As deconstruction is often done on a local level, many times on-site, energy and emissions are also saved in the transportation of materials. Deconstruction can potentially support communities by providing local jobs and renovated structures. Deconstruction work typically employs 3-6 workers for every one employed in a comparable demolition job. In addition, solid waste from conventional demolition is diverted from landfills. This is a major benefit because construction and demolition (C&D) waste accounts for approximately 20% of the solid waste stream.”(C37-9)

#### **Response HZ-6**

As indicated in Section 2.5 of the DGEIS, the project sponsor has evaluated options for addressing project-related C&D including: These include:

- Setting up a centralized facility to process (e.g., sort and crush) the C&D. Suitable processed materials (e.g., RCA) would be utilized as road base, excavation backfill material, etc., while non-suitable materials (e.g., adulterated wood, non-ferrous metals, etc.) would be sorted, containerized and transported to an appropriate disposal facility.
- On-site sorting of all materials with various waste streams transported to appropriate processing and/or disposal facilities.

- A combination of the above based upon the characteristics of the C&D materials, and the schedule-specific project requirements for processed materials.

The applicants have explored the possibility of using C&D materials, specifically brick, concrete and asphalt, as road base. However, based upon preliminary analysis by the applicants, the materials are too soft for re-use for this purpose. However, the applicants will use these materials to fill voids (such as those in the tunnels).

#### **Comment HZ-7**

Organic landscaping is important, as is the use of non-toxic cleaning products for public area maintenance. (C31-6)

#### **Response HZ-7**

As indicated in Section 5.4 of the DGEIS, it is the applicants' intention that safe and environmentally sensitive practices will be used in applying chemicals, both to fertilize lawns and plantings and to protect these plants from pests.

With regard to non-toxic cleaning products, the applicants assert that maintenance products will be stored and handled in accordance with applicable regulations.

#### **Comment HZ-8**

Onsite Contamination:

- Need an update on a site in the Gateway area listed on CERCLIS registry.
- Need an update on the NYSDEC Spills Database of spills.
- Need an update on the status of underground storage tanks, particularly impacts on groundwater. (C1-48)

#### **Response HZ-8**

With regard to the site in the Gateway area listed on the CERCLIS registry, a Freedom of Information Law (FOIL) request was submitted to NYSDEC requesting information regarding "Expressway Aggregates," as the site was also listed on the Inactive Hazardous Waste Disposal Facility (IHWDF) registry and was also under jurisdiction of NYSDEC. Upon further investigation, and after a review of available records provided by NYSDEC, it was determined that the site was not located within the Gateway area, but north of the Long Island Expressway. NYSDEC records indicate that no further remedial action is planned for this facility, as the areas of suspected contaminants have been removed in accordance with State criteria. As such, environmental concerns relating to the site in the Gateway area listed on the CERCLIS registry is no longer pertinent to the subject site. Copies of the investigatory and remedial action documents are included in Appendix HZ-1 of this FGEIS.

Environmental Data Resources, Inc. (EDR) provided an updated computerized database search of the project area (see Appendix HZ-2 of this FGEIS). The search radius for each database was set at the ASTM-standard radius plus one-half mile, consistent with the prior Phase I ESA. The database output was reviewed specific to the NYSDEC Leaking Tanks (LTANKS), Spills (NYSPILLS) and Petroleum Bulk Storage (PBS) Databases.

Three LTANKS and nine NYSPILLS incidents were identified for Pilgrim State Psychiatric Center, Pilgrim State Hospital, Pilgrim Mental Health, etc. In some cases, the database report provides sufficient location

(i.e., Building number or facility name) information to determine if the spill is located on the subject property or the portions of the psychiatric center still owned/operated by New York State.

Eleven of the 12 LTANKS and NYSPILLS sites listed in the database were issued letters of no-further-action by the NYSDEC, and there is no reported evidence in the database search which suggests that these sites are a significant environmental concern to the subject property. The one remaining active spill incident is summarized as follows:

- Spill No. 03-25370 – Pilgrim Psych, 998 Crooked Hill Road. The spill, which occurred on November 17, 2003, is related to the discovery of impacted (semi-volatile organics and metals) soils at the basin of a recharge basin during an environmental audit. Additional information provided in the database report attributes the spill to the New York State Office of General Services. No information regarding investigation and/or remediation of the spill is provided.

The database report also includes a summary of “Orphan” sites. Orphan sites are those sites where due to poor or inadequate address information the location of the property cannot be determined sufficiently for it to be included on the radius map. However, sites with similar street names or zip codes are summarized in the database report as these sites may present environmental risks to the subject property. The LTANKS/NYSPILLS sites were identified in the Orphan summary as being associated with the Pilgrim State Psychiatric Center. Each of the three identified spill incidents listed on the Orphan site summary were issued letters of no-further-action by NYSDEC, and there is no reported evidence in the database search which suggests that these sites are a significant environmental concern to the subject property.

Twelve additional LTANKS/NYSPILLS sites were identified within the one-mile search radius. Eleven of these sites were issued letters of no-further-action by NYSDEC, and there is no reported evidence in the database search which suggests that these sites are a significant environmental concern to the subject property. The remaining active spill incident is summarized as follows:

- Spill No. 08-04802 – PPL Generator Plant, West End of Campus Road. This spill, which occurred on July 27, 2008, is related to the release of approximately 100 gallons of lubricating oil due to a broken line. The majority of the spill was reportedly contained and remediated by a third-party contractor; however, the incident remains open with the NYSDEC.

Pilgrim State Psychiatric Center is listed on both the PBS Underground and Aboveground Storage Tank (UST/AST) databases as having 46 registered tanks/drum storage areas. These tanks/storage areas are summarized as follows:

- One 35,000-gallon steel AST containing No. 2 fuel oil, removed in 2001;
- One 35,000-gallon steel AST containing No. 2 fuel oil, removed in 2000;
- One 35,000-gallon steel AST containing No. 2 fuel oil, installed in 1977 and removed in 1986;
- One 4,000-gallon steel UST containing No. 2 fuel oil, installed in 1956 and removed in 1989;
- One 3,000-gallon steel UST containing gasoline, installed in 1968 and removed in 1986;
- One 3,000-gallon steel UST containing gasoline, installed in 1977 and removed in 1986;
- One 550-gallon steel UST containing gasoline, installed in 1968 and removed in 1986;
- One 4,000-gallon fiberglass reinforced plastic (FRP) UST containing diesel fuel, installed in 1986 and removed in 2000;
- One 10,000-gallon FRP UST containing gasoline, removed in 2000;
- One 600-gallon FRP UST containing diesel fuel;
- One 4,000-gallon FRP UST containing No. 2 fuel oil;
- One 1,000-gallon FRP UST containing No. 2 fuel oil;
- One 2,500-gallon FRP UST containing No. 2 fuel oil;
- Two 4,000-gallon FRP USTs containing diesel fuel;

- One 550-gallon FRP UST containing No. 2 fuel oil, removed in 1998;
- One 550-gallon steel AST containing diesel fuel;
- One 275-gallon drum storage area;
- One 500-gallon drum storage area;
- One 900-gallon drum storage area;
- One 1,000-gallon drum storage area;
- One 501-gallon steel AST containing an unknown material;
- One 150-gallon steel AST containing No. 2 fuel oil;
- One 250-gallon steel AST containing No. 2 fuel oil;
- One 120-gallon polyethylene AST containing molybdate;
- One 120-gallon polyethylene AST containing biocide;
- One 120-gallon polyethylene AST containing algaecide;
- One 300-gallon drum storage area;
- One 30,000-gallon steel containing No. 2 fuel oil, reportedly never installed;
- One 300-gallon AST containing No. 2 fuel oil;
- One 400-gallon AST containing diesel fuel;
- One 50-gallon steel AST containing diesel fuel;
- Two 120-gallon steel ASTs containing diesel fuel;
- One 1,000-gallon steel UST containing gasoline, removed in 2001;
- One 1,000-gallon steel UST containing sodium chloride, removed in 2002;
- Three 30,000-gallon steel ASTs containing No. 2 fuel oil, permitted through 2011;<sup>20</sup>
- One 15,000-gallon transfer facility, permitted through 2011;
- One 12,000-gallon steel UST containing oily water;
- One 600-gallon steel AST containing diesel fuel;
- One 251-gallon steel AST containing diesel fuel;
- One 501-gallon drum storage area; and
- One 160-gallon AST containing boiler chemicals.

As indicated in the EDR report, all registered USTs have been removed from the site, as well as currently active areas of the Pilgrim State Hospital facilities. In addition, no active NYSDEC petroleum spills are attributed to the subject site. NYSDEC Spill No. 99-02514, associated with Building No. 40, and which had documented groundwater impacts, was remediated to the satisfaction of NYSDEC and was closed on February 24, 2010. Existing ASTs are likely associated with active portions of the Pilgrim State Hospital and not associated with the subject site; however, as tank location information is not provided in the database, this cannot be confirmed.

During site development activities (e.g., soil scraping, excavation for footings, etc.), there is the potential that undocumented USTs and/or stained soils may be encountered (page 1-63). To mitigate this issue, a Facility Closure Plan will be developed and implemented. The SCDHS should be involved in the review of any investigations and closure plans. Any tanks discovered during construction and/or demolition will be reported to the SCDHS and registered, if warranted, prior to any removal and/or closure activities. Should any sizable propane tanks be discovered, the Town of Islip Fire Marshal would be notified, as it is the Fire Marshal that has jurisdiction in these instances.

#### **Comment HZ-9**

If a CNG refueling station (page 1-69) is provided on – site, would it be considered a hazardous use? Would it require large setbacks and buffers? Where would it be located? (C1-104)



<sup>20</sup> The three 30,000-gallon fuel oil ASTs are reportedly owned by the New York State Office of Mental Health.

**Response HZ-9**

A CNG refueling station is not proposed to be located on the subject site.

**Comment HZ-10**

In addition, OMH would note that it is currently working with the DEC to close Spill Number 03-25370. Contaminated soils will be removed from the surface of the overflow basin and disposed of properly. (C13-18)

**Response HZ-10**

As indicated in Section 2.5 of the DGEIS, any contaminants remaining on the site would be addressed as part of a Facility Closure Plan, as necessary, and environmental due-diligence that will be performed concurrently and/or prior to demolition activities. See Response HZ-4.

**Comment HZ-11**

According to the DGEIS, we note that there is still no decision on fuel to be used for heating. Since the area is a Special Groundwater Protection Area (SGPA), I would strongly discourage fuel oil and especially I am concerned about the potential for leaking storage tanks, connecting piping and pump hardware and possible spills also associated with oil delivery. Natural gas and geothermal options are preferred. (C32-2)

**Response HZ-11**

As indicated in Section 4.9.2 of the DGEIS, KeySpan/National Grid natural gas mains are located beneath the Pilgrim site that are adequate for use by Heartland Town Square. The applicants intend to use natural gas, unless a specific situation arises where a building occupant requires oil. In the unlikely event that a building occupant requires oil, the oil would be stored in either above-ground or underground tanks installed and operated in accordance with Article 12 of the Suffolk County Sanitary Code to ensure protection of groundwater.

The applicants have evaluated the geothermal option, and have determined that it is not financially feasible at this time. However, this option will be re-evaluated throughout the multi-year build-out period. If the geothermal option becomes financially viable, the applicants would implement same.

**Comment HZ-12**

Any on-site dry cleaners must not be allowed to use perchlorethylene or other hazardous solvents Green alternatives are becoming commonplace and are safe not only for the groundwater, but for employees and owners of such establishments as well. (C32-8)

**Response HZ-12**

No specific dry cleaning use has been proposed. However, as the property develops, there is a potential for such use to be located at this site. However, any dry cleaning establishment that may locate on the site would be required to comply with prevailing regulations regarding chemical use, handling and disposal.

**Comment HZ-13**

Most importantly, which has not been brought up tonight as of yet, is the placement of this facility right next to Edgewood Preserve. This raises a number of environmental concerns. What types of hazardous materials will be transported to and from the site during construction? Any hazardous material, especially oil and gasoline, if spilled, could threaten the environment, sensitive land, wildlife and, most importantly, our drinking water. (H14-4)

#### **Response HZ-13**

At this time, it is not anticipated that significant quantities of hazardous materials will be generated on-site during the construction phases. However, it is likely that working quantities of building and maintenance products, (i.e., paints, thinners, lacquers, adhesives, etc.) as well as fuel sources (i.e., gasoline and diesel fuel associated with construction equipment.) that could be classified as hazardous materials will be utilized during the demolition and construction phases of the project. These items will be stored and transported appropriately in accordance with applicable NYSDOT and SCDHS/Town of Islip protocols.

Typically, any spills or releases which occur during construction are reported to NYSDEC or SCDHS and are remediated with regulatory supervision to ensure protection of human health and the environment.

It is also noteworthy that Friends of the Edgewood-Oak Brush Plains Preserve have submitted correspondence supporting the development of Heartland Town Square (Appendix LU-2 of this FGEIS).

#### **Comment HZ-14**

If any industrial uses to be permitted as part of phase 3, any facilities that generate hazardous wastes, especially liquids should be banned or heavily restricted. Hardware stores need to be monitored due to chemical storage issues. (C32-10)

#### **Response HZ-14**

Under the revised Conceptual Master Plan (See Appendix RP-1 of this FGEIS), no industrial-use development is proposed during Phase III or any phase of development. The Phase III Diagram indicates that 48,000 SF of retail space will be included in Phase III of the development. No specific retail tenants have been identified at this time. Notwithstanding this, any use situated on the site that handles any type of hazardous materials or generates any type of hazardous waste would be required to comply with prevailing regulations.

---

## 4.13 Topography/Grading (TO)

### Comment TO-1

The site is relatively level. About 95 percent of the site has slopes between 0 and 10 percent, yet the entire site is proposed for regrading. Is it truly necessary to regrade the entire site? A green project that minimizes environmental impacts would strive to work with existing topography, minimize disturbance of natural grades and vegetation, and minimize construction dust and disturbances. (C1-45)

### Response TO-1

The DGEIS does not indicate that the entire Heartland Town Square site would be re-graded. Certain areas, including those vegetated areas that are proposed to be maintained, would not be re-graded. However, re-grading is necessary in the areas proposed for development in order to establish proper road grades, surface drainage and building pads. Every effort will be made to minimize the impact to areas that are not being developed in order to retain as much of the existing vegetation as possible within these areas.

### Comment TO-2

...the entire site is proposed for re-grading as part of the proposed action. We would like to see a more in-depth analysis of the impact associated with that. (H2-5)

### Response TO-2

See Response TO-1. Every effort will be made during the final design of each section to balance the site, such as designing the grading of the those portions of the site that require re-grading in order to balance excavated materials with areas requiring fill so that the need to import or export material will be minimized.

---

## 4.14 Water Resources/SGPA (WR)

---

### 4.14.1 Groundwater

#### **Comment WR-1**

Factoring in proposed projects in the immediate vicinity of the Heartland Village site, is there potential for the cumulative water use to reach or exceed 2.5 mgd?<sup>21</sup> Long-term groundwater impacts – 2007 CDM Letter Report estimates groundwater level reductions of 0.9 to 1.5 feet for simulated water scenario based on 2.5 mgd (Volume 2, Appendix W). (C1-55)

The diversion of sewage to the Southwest Sewer District Bergen Point STP that would otherwise recharge the aquifer would result in a significant water table decline. There is a discrepancy between the two estimates presented, with references to an estimate 0.5 ft. drop in elevation of the water table and a computer modeled decline of 0.9 to 1.5 ft. in elevation. The potential long-term effects upon the groundwater elevation and associated impacts to the aquifer within the vicinity of this project should be addressed. For example, there may be greater potential for salt water intrusion into the Magothy aquifer which ultimately may affect public water supply wells screened in the upper glacial aquifer. (C6-3)

#### **Response WR-1**

Regarding the water supply to the area, the SCWA has the overall responsibility with respect to water supply and has assured the applicants that it has the capacity to provide 2.5 millions of gallons per day (mgd) to the project (see below). The applicants do not believe water use will exceed the projected 1.6 mgd, but outside the site, other developments (not associated with Heartland Town Square) could cause the usage to reach 2.5 mgd. Figure 2-4 of the DGEIS shows an aerial view of the site surroundings and the existing development, and Figure 3-11 of the DGEIS depicts SCWA well sites surrounding the project.

In order to respond to the concern of changes in groundwater levels, several items relating to modeling should be explained:

- the reliance on model results in general
- model results and assumptions for Heartland
- actual water supply to the site
- historical water level changes

Modeling is a predictive tool that uses the best available data at the present time to predict what may happen in the future. The results are only predictions and may or may not actually occur. A past example of this was the modeling done for the federally funded study of environmental impacts of Southwest Sewer District #3 (a/k/a FANS). The model was constructed and run with data obtained in the late 1970s and predictions to about 2000. It predicted stream shortening and reduced flow due to water table declines from the sewer installation. Since these were only predictions, the SCDPW and SCDHS decided to monitor the groundwater table, stream flow, stream length and stream ecology from 1989 to 2001 (12 years). As indicated in the *Suffolk County Flow Augmentation Study – final 2001 Monitoring Report – 2002*, the SCDPW found that no appreciable



<sup>21</sup> 2.5 MGD is the water consumption rate used by the engineers in the DGEIS to calculate groundwater impacts. The flow represents a safety factor of over 50 percent above the 1.6 MGD rate which was granted conceptual SCSA approval.

changes had occurred to the aforementioned conditions. As a result, no mitigation of stream flow was needed. This is a prime example of a model being only a predictive tool.

#### Model Results

The groundwater model for the project made two conservative assumptions. It used a groundwater withdrawal of 2.5 mgd and withdrew it from one well site close to the project (Bob Dassler well site). Results showed 0.9-to-1.5-foot lowering of the groundwater table at the project site. This amount is small when compared to long-term water level fluctuations (30 years plus) of 5 to 10 feet depending on the rainfall amounts (see Response WR-13).

The DGEIS also contains a second empirical calculation which looked at the SCWA water supply wells that surround the site and which would actually provide water (see Figure 3-1). This much larger area (approximately 6.5 square miles) when divided into the 2.5 mgd produces a 0.5-foot change. This groundwater model used for the calculation of possible water table changes includes long-term average rates of recharge. This includes average rainfall and average runoff. The general equation is  $\text{Recharge} = \text{Rainfall} - \text{Runoff} - \text{Evapotranspiration}$ . Thus the change in water table includes rainfall and runoff.

Both methods are predictions and small compared again to normal water table risings and fallings. To provide further assistance to answer the question, Heartland will install a monitoring well on site for SCDHS or United States Geological Survey (USGS) to use in mapping the water table. Such monitoring well will be installed when the proposed development receives initial site plan approval from the Town of Islip.

The question was raised about impacts to the saltwater interface (SWI). The SWI lies several miles south of the barrier beach. It remains there due to the elevation of the water table (hydraulically). Past long-term fluctuations of the water table have impacted the location of the SWI much more than the proposed Heartland Town Square project would.

#### Comment WR-2

The *SGPA Plan* recommends high-density residential development in the northern portion of the site; presumably the Heartland Town Square project proposes housing at much higher densities than envisioned by the *SGPA Plan* (see "Redevelopment in Accordance with Prevailing Residence AAA Zoning Development Scenario Under the Special Groundwater Protection Area Plan for the Oak Brush Plains"). (C1-96)

The DGEIS should fully discuss potential inconsistencies with the Long Island Comprehensive Special Groundwater Protection Area Plan (LIRPB 1992), as the site lies within the Oak Brush plains Special Groundwater Protection Area (SPGA). The SGPA Plan was designed to protect high quality groundwater and natural resources within critical recharge areas. On an initial review, it doesn't appear that the proposed development density conforms to the spirit or the letter of the SGPA plan. However, the SCDHS defers to the Long Island Regional Planning Board and the Suffolk County Planning Department to interpret and apply SGPA recommendations in the context of the proposed project. (C6-8)

The project falls within the Oak Brush Plains Special Groundwater Protection Area, an area that provides an important source of high quality recharge for Long Island's deep flow aquifer. A plan adopted in 1992 calls for limited development over these areas to protect the region's groundwater. How development this dense - much denser than envisions in the 1992 plan - will affect replenishment of Long Island's only supply of fresh water must be part of any environmental impact statement. (C8-19)

This document states, "There is an urgent need to maintain them [SGPAs] as sources of high quality recharge. They represent a unique, final opportunity for comprehensive, preventive management to preclude or minimize land use activities that can have a deleterious impact on groundwater. Therefore, the protection of

groundwater in these areas is a first-order priority.” The DGEIS for the Heartland Proposal states, “except for the cemetery at the north end and the existing buffer areas along the perimeter portions of the subject property, the site will be entirely re-developed”, (pg 1-32). Although, the developer promises 114 acres of vegetated areas, there is still, according to the developer, 246 acres that will be developed and paved over. This is land forever lost for the purpose of recharging our critical drinking water supply. (C36-2)

The project falls within the Oak Brush Plains Special Groundwater Protection Area (SGPA). The SGPA plan states, “The shrubby heath-oak brush thickets constitute the largest single area of its kind on Long Island”. The plan designates a limited portion of the Heartland property as suitable for high density residential. However, the definition of high density in the SGPA Plan is based on the prevailing zoning in the town of Islip. The Heartland plan proposed high-density development as defined in Queens County, not Islip Town. The DEIS needs to be revised to acknowledge that the density of proposed project is inconsistent with the SGPA plan. The recommendation in the SGPA “Land Use Plan” to develop the northerly portion of the former Pilgrim State Psychiatric Center property to high density is outdated. Although the removal of potential sources of contamination is appropriate, its replacement with high density development is not in keeping with the importance of protecting these designated areas. The entire SGPA area should be examined when formulating a density proposal, including existing open space patterns and scenic resources. The proposed development does not reflect the appropriate density for the area. (C8A-4)

Regrettably this project, the largest development proposal in the history of NYS, is located within the *Oak Brush Plains Special Groundwater Protection Area (SGPA)* and a state designated area of “critical environmental concern”, as designated by Article 55 of the New York State Environmental Conservation Law. Special Groundwater Protection Areas (SGPAs) are critically important hydrologic areas that allow for deep flow recharge of rain water to our underground aquifer system. Long Island contains nine such areas and western Suffolk County contains only two SGPAs, making the Oak Brush Plains (SGPA) of vital importance to the quality and quantity of groundwater recharge for this region. The proposed 9,130 housing units and the 5.3 million square feet of non residential development are dramatically contradictory to the protection recommendations outlined in the Long Island Comprehensive Special Groundwater Area Protection Plan, published by the LI Regional Planning Board in 1992. (C36-1)

#### **Response WR-2**

First, it must be understood that the *SGPA Plan* (LIRPB, 1992) is not binding on any municipality. As indicated on page 2-9 of the *SGPA Plan*, SGPAs have been designated as Critical Environmental Areas (CEAs). As also noted on this page “the CEA process is unique in that it insures more public involvement and environmental review of proposed activities in such areas, even though it does not place additional controls or land use restrictions on areas covered by the designation.”

Notwithstanding this, the protection of the aquifer and the Oak Brush Plains SGPA is of prime concern to the Town Board. As explained in Section 4.7 of the DGEIS, Heartland Town Square complies with many of the recommendations of the SGPA and also includes substantial mitigation measures to minimize potential impacts to groundwater and the SGPA.

One can review the SGPA from two perspectives: the land use (both present and for the proposed Heartland Town Square development) and from the perspective of specific groundwater impacts. For land use, one needs to carefully examine the *SGPA Plan*, the existing and proposed tables, and the existing and proposed land use maps. Heartland Town Square’s 452± acres represent less than 15 percent of the total SGPA area, and much of the remaining area within the Oak Brush Plains is also developed. The proposed project involves the redevelopment of land that was already developed when the SGPA was adopted. The *SGPA Plan* indicates that there are no public water supply wells located within the Oak Brush Plains SGPA. In keeping with the major recommendations of the SGPA, the proposed development will be connected to the municipal sewer district, which would allow for intensification of development of the (former) Pilgrim State

property, and while the majority of the property will be redeveloped, the applicants have proposed that approximately 35 percent of the development to be open space in keeping with the recommendations of the *SGPA Plan*.

The second perspective deals with groundwater impact (quality and quantity). With respect to groundwater quality protection, as previously indicated, the development will be connected to the municipal sewer system, and as a result, no sanitary wastewaters generated from the proposed development will infiltrate into the ground. Furthermore, as noted in Response HZ-5, prior to occupancy, the subject property would be fully remediated to accommodate the proposed uses, in accordance with the applicable regulatory requirements. Such remediation would remove residual on-site environmental contamination, and, thus, would benefit groundwater quality. Stormwater runoff is scheduled to be discharged into the ground in a stormwater drywell and recharge basin network that will be constructed under prevailing regulations in accordance with the Suffolk County Sanitary Code. It is anticipated that a properly designed system will trap sediment in catch basins, making maintenance of the system more efficient and localized, and thereby prevent sediment (and associated contaminants) from infiltrating into the ground. Section 4.2.4 of the DGEIS indicates that the Town will review each section or phase for compliance with local drainage requirements, ensuring that the storage criteria are met. Recharge basins will be constructed to Town standards, which require excavation and a construction of fencing around the perimeter for security purposes. Plantings for screening and erosion control may be incorporated into the design, as well as the use of native sands at the base of the recharge basin in order to provide adequate filtration for stormwater into the ground. With respect to groundwater quantity, the stormwater system will be constructed in accordance with prevailing regulations. Additionally, it has been demonstrated that, although the model predicts a slightly lower groundwater level, more runoff will be recharged after development of Heartland Town Square than under the existing conditions. This is due to the use of general, rather than specific runoff calculations that were applied in the model. The additional runoff projected to occur from the proposed development would be a positive factor in groundwater recharge. Furthermore, it should be noted that the model does consider the consumptive water use in its calculations. For a discussion of groundwater levels, see Response WR-1.

### **Comment WR-3**

The site is completely within the Oak Brush Plains SGPA and within Hydrogeologic Zone 1. According to the SGPA Plan, "There is an urgent need to maintain them (SGPAs) as sources of high quality recharge. They represent a unique, final opportunity for comprehensive, preventative management to preclude or minimize land use activities that can have a deleterious impact on groundwater. Therefore, protection of these groundwater areas is a first order priority." The plan recommended the connection of the site to the Southwest Sewer District, which has occurred, and that the State, County and Town maximize the preservation of existing open space within their holdings so as to protect the remaining undisturbed recharge areas. Given the importance of the protection of the public drinking water supply in Suffolk County, the DGEIS does not adequately address impacts, alternatives and mitigation necessary to protect this important regional resource. (C7-1)

### **Response WR-3**

The proposed action generally complies with the recommendations for the Oak Brush Plains SGPA, which, as noted above, include allowing increased development on the "Hospital" property when the connection to the Southwest Sewer District has been finalized, thereby minimizing the potential for contamination within the SGPA and preserving existing open space. Although a portion of the site is designated as high-density residential development (which is the use that comprises the largest percentage of the proposed development), the SGPA land use plan also designates portions of the subject property as institutional and industrial. No industrial uses are proposed for the site, and institutional uses will comprise a portion of the development. Impacts with respect to groundwater elevations as a result of the consumptive use and increase in stormwater recharge of the proposed action have been modeled and are evaluated in Section 4.2 of

the DGEIS. The results indicate a 0.9-to-1.5 feet lowering of the groundwater table at the subject site. This amount is small when compared to long-term water level fluctuations (30 years plus) of 5 to 10 feet depending on the rainfall amounts. Section 4.2 of the DGEIS also contains a second empirical calculation which looked at the water supply wells that surround the site and which would actually provide water. This much larger area (approximately 6.5 square miles) when divided into the 2.5 mgd produces a 0.5-foot change, which is believed to more accurately reflect the actual change that would result from the proposed development. Both methods are predictions and are small compared to normal water table fluctuations. To provide further assistance in answering this question, the applicants will install a monitoring well on the site for SCDHS or the United States Geological Survey to use in mapping the water table.

Mitigation strategies for the proposed action will include the use of native species, minimizing maintenance requirements (irrigation and fertilizing), and drip irrigation methods, although the extent to which these measures will be employed on the redeveloped site has not yet been quantified. Additionally, more than 86 acres of woodland/natural buffer will be preserved and water conserving fixtures (complying with the minimum requirements of the New York State Building Code) will be used in both residential and non-residential spaces. These mitigation strategies are discussed in Section 5.0 of the DGEIS.

#### **Comment WR-4**

The DEIS does not adequately address the significant impacts the proposal may have on the natural environment, specifically the region's precious groundwater resources and on local wildlife. (C8-18)

#### **Response WR-4**

Groundwater is discussed in detail in Sections 3.2.1 and 4.2.1 of the DGEIS. Sewage from the Heartland Town Square development is proposed to be disposed of via connection to the Southwest Sewer District, which has given the project conceptual approval. In addition, post-development recharge is higher than pre-development recharge. Potential impacts to wildlife are discussed in Section 4.4 of the DGEIS. The 800+-acre Edgewood-Oak Brush Plains Preserve is located adjacent to the subject property. This natural feature will not be disturbed by the proposed development. In addition, approximately 151 acres of open space will be provided on the site, including over 48 acres of existing Pitch Pine Oak Forest and close to seven acres of existing Successional Old Field, which would be maintained upon redevelopment of the site. These features, along with the proposed landscaping will assist in providing habitat for area wildlife.

#### **Comment WR-5**

This project site is located completely within the Oak Brush Plains Special Groundwater Protection Area (SGPA), also a Critical Environmental Area, designated by Suffolk County. (Please see attached map of the Oak Brush Plains CEA). There will be significant impacts to the groundwater recharge volume of the aquifer in the SGPA. The study found that there will be a net loss of 443± millions of gallons per year of recharge to the aquifer if the development proceeds as planned. Groundwater impacts from the project due to connecting to the sewer district were calculated to be less than .5 ft after 15 years. Normal water table fluctuations in the area are 5 to 10 feet. A similar analogy can be made for the streams. This impact is 5 to 10 percent of normal water table fluctuations and may become relevant during dry years. It is unclear when such an impact would be viewed as substantial. In any case there should not be any development within any designated Critical Environmental Areas, especially one that is a SGPA within Long Island's sole source aquifer. Developing this land will also have major impacts on the quality of water that is recharged into groundwater resources from contaminate runoff. This runoff may be impacted from automobile fluids, industrial chemicals, organic material, pesticides, fertilizers, and other human activities. (C9-13)

#### **Response WR-5**

The *SGPA Plan* does not preclude development, but rather, provides “a chance to guide and to manage future development and activities to prevent or minimize groundwater degradation in SGPAs” (page 2-2). The site was previously developed with a portion of the Pilgrim State Psychiatric Center; it was not a pristine site at the time the applicants purchased the property. Furthermore, the property is zoned for the development of close to 400 single-family homes, as analyzed in Section 7.2 of the DGEIS. Also, the land was owned by the State, and, as such, the State was aware of the SGPA designation before selling the property with no development restrictions placed upon it.

As far as protecting the groundwater quality, sewerage and filtering runoff through the use of recharge basins, drainage reserve areas and drywells will provide protection for groundwater quality. No industrial uses are proposed for development within Heartland Town Square.

#### **Comment WR-6**

Nitrates, found in fertilizers, are extremely difficult and expensive to remove from our drinking water. It is estimated by the Suffolk County Water Authority that it costs \$2.59 per 1,000 gallons of water to remove nitrate contamination. The safest, most cost effective way to ensure that we have nitrate-free drinking water is to reduce the use of fast release fertilizers. (C36-9)

CCE urges Islip to require organic landscape practices be implemented to reduce nitrate and pesticide contamination to the drinking and surface waters particularly since it is located in the Oak Brush Plains Special Groundwater Protection Area (SGPA). (C36-7)

The DGEIS states that all disturbed areas that are not planned to be part of buildings, roadways or other paved surfaces will be landscaped in an appropriate manner. The DGEIS states that parks, yards and other soft-scape areas will be landscaped with native plants, and lawns areas will be irrigated to ensure that they thrive. Long Island has a well documented history of contamination within the aquifer system of various pesticides and constituents of fertilizer application, including nitrates. CCI strongly recommends that these are be maintained organically, substantially reducing harmful contaminants that would enter into the deep flow reached of our groundwater and the surrounding surface water tributaries. (C36-8)

Every effort must be made to protect the groundwater protection area that is the Edgewood Preserve and nearby surrounding land areas by making Heartland Town Center pesticide- and fertilizer-free. These chemicals are lethal to all living things, including humans. It runs off grass into sewers, into rivers and streams, killing fish and other life and makes its way into our groundwater supply. This is an opportunity for Mr. Wolkoff and the Town of Islip to lead the way by building a Long Island community that does not use pesticides or fertilizers. (C39-5)

#### **Response WR-6**

As discussed in Sections 4.2.1 and 4.4 of the DGEIS, the project will make use of native plant materials which will reduce the need for fertilizer and pesticides (although the extent to which such plantings will be employed has not yet been quantified). In addition, the separation between the bottom of drywells and recharge basins and groundwater levels required during design, as well as the stormwater pollution prevention measures required under current NYSDEC and Town regulations, provide sufficient filtration and protection of groundwater. With respect to surface waters, it is noted in Section 4.2 of the DGEIS that the project site is more than two miles from the nearest surface waters, and the separation of the site by industrial and residential areas, as well as stormwater pollution prevention measures employed during construction, make it highly unlikely that any surface runoff from the site would directly reach surface waters.

#### **Comment WR-7**

Specific recommendations in the Long Island Comprehensive Special Groundwater Area Protection Plan, for the Oak Brush Plains SGPA state: “New York State, Suffolk County, and the Town of Islip should maximize the preservation of existing open space within their respective holdings so as to protect the remaining undisturbed recharge areas.” (C36-3)

In Section 4.7 of the DGEIS the document wrongly justifies the projects consistency with the Long Island Comprehensive Special Groundwater Protection Area Plan and clearly ignores key overarching recommendations found in the plan. The SGPA Plan states, “The most effective, the most complete, and often the most costly strategy for maintenance of aquifer quality in the SGPAs is to protect the overlying watershed land surfaces placing the undeveloped lands in the public domain. (Page 2-6)” Yet, Heartland proposed to leave only 30% of the property as open space. (C36-5)

#### **Response WR-7**

As noted in Section 4.7 of the DGEIS, the connection of the area to the Southwest Sewer District is key to meeting the goals of the SGPA. In addition, adherence to current stormwater pollution prevention measures and the use of more comprehensive stormwater management facilities than were part of the original Pilgrim development will contribute to protection against contamination. The site was substantially developed prior to this application, and the preservation of approximately 35 percent of the property as open space, based upon the revised Conceptual Master Plan, is consistent with an economically feasible smart growth development. Also see Response WR-5.

#### **Comment WR-8**

The Heartland Proposal represents an excessive and intensive land use in one of the most critical groundwater recharge areas on Long Island. (C36-4)

The Plan goes on to state, “the second best approach is to limit the density of future development within the larger undeveloped tracts that cannot be preserved through purchase (page 2-6). Yet, the Heartland development is 14 times higher than the Town of Islip’s recommended housing and 8 times higher than the Town of Islip’s recommended retail space. This is clearly contradictory to the Plan’s recommendations. (C36-6)

#### **Response WR-8**

The proposed development on this site is supported by the connection of the area to the Southwest Sewer District, which conforms to one of the specific recommendations of the *SGPA Plan*, as indicated in Section 4.7 of the DGEIS. In addition, as noted above, approximately 35 percent of the property will be open space. Stormwater runoff would be contained on-site and recharged to the groundwater. Furthermore, as indicated in Response WR-2, prior to occupancy, the subject property would be fully remediated to accommodate the proposed uses, in accordance with the applicable regulatory requirements. Such remediation would remove residual on-site environmental contamination, and, thus, would benefit groundwater quality. Finally, no industrial uses are permitted by the PSPRD zoning district, and no industrial uses are proposed. Based upon the foregoing, the proposed action would be protective of groundwater resources, which is the goal of the SGPA.

#### **Comment WR-9**

The project should contain a plan for the installation of Green Infrastructure to manage wet weather flows and enhance water quality recharge into the Special Groundwater Protection Area as well as for the protection of the South Shore Estuary Reserve (SSER).

**Response WR-9**

According to the NYSDEC website,<sup>22</sup>

*“owner/operators with projects covered under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (the Construction Permit) are required to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) that meets criteria set forth by New York State Department of Environmental Conservation (Department). All SWPPPs must include practices consistent with the New York Standards and Specifications for Erosion and Sediment Control. Many construction sites must also comply with the New York State Stormwater Management Design Manual to address post-construction stormwater discharges.”*

Low-impact development (LID) is defined by the USEPA as an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible.<sup>23</sup> The applicants will incorporate bioswales into the Town Center portion of the development along two north-south streets, running from the northernmost portion of the ring road south to the area just north of the proposed 100-foot-wide open space areas, adjacent to the Pilgrim campus. The proposed bioswales will be incorporated into the overall landscape design and stormwater drainage system. Use of bioswales will be considered as part of the drainage concepts for other areas of the property at the time of site plan review. Also, see Response EN-7.

**Comment WR-10**

I am concerned about development over portions of the Oak Brush Plains Special Groundwater Protection Area. (C27-2)

**Response WR-10**

As noted in Section 4.7 of the DGEIS, the connection of the area to the Southwest Sewer District, which is proposed as part of this development, is key to meeting the goals of the SGPA. In addition, adherence to current stormwater pollution prevention measures and the use of more comprehensive stormwater management facilities than were part of the original development will contribute to protection against contamination. It should also be noted that the site was substantially developed prior to this application, and the preservation of approximately 35 percent of the property as open space is consistent with an economically feasible smart growth development.

**Comment WR-11**

Measures must be taken to protect the recharge areas. I have great concerns about the storage of oil – whether above or below ground – in such close proximity to a groundwater protection area and so close to a rare natural/wildlife habitat. (C39-7)



<sup>22</sup><http://www.dec.ny.gov/chemical/8694.html>

<sup>23</sup> <http://www.epa.gov/nps/lid/>

**Response WR-11**

Groundwater recharge within the SGPA, which is close to the Edgewood Preserve, is being protected through connection of the area to the Southwest Sewer District and through enhanced stormwater pollution prevention measures. There are no plans to store significant quantities of oil on this site, as the standard energy source for cooling and heating is proposed to be natural gas (see Response HZ-11). In addition, the applicants are exploring the use of renewable energy sources.

**Comment WR-12**

This is especially worrisome when one considers that this project is being built close to if not on one of the last aquifers in Suffolk County. Where are we supposed to get our water from if our aquifers are covered by concrete? (C22-5)

**Response WR-12**

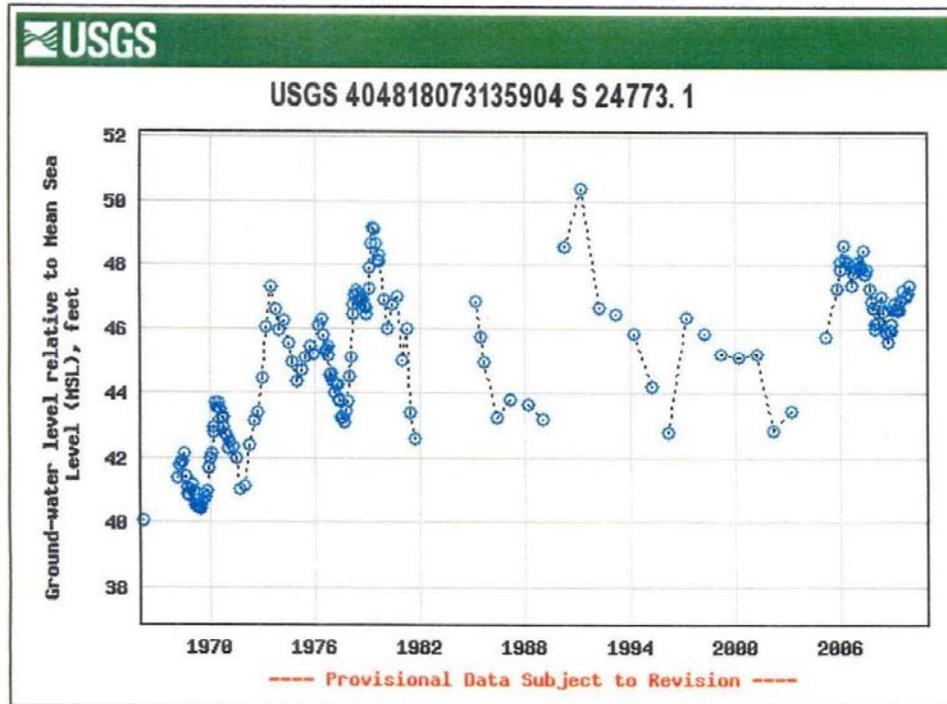
All of Long Island is located above groundwater aquifers. These aquifers stretch across Long Island from Queens County to Suffolk County. Groundwater recharge within the SGPA is being protected through connection of the proposed development to the Southwest Sewer District and through enhanced stormwater pollution prevention measures. Furthermore, no industrial uses are proposed in this project, reducing the potential for contamination.

**Comment WR-13**

Even though the normal groundwater level fluctuates yearly (page 1-23, Executive Summary), the 0.5-foot drawdown projected over 15 years will still cause a net decrease in the water table. The normal fluctuation should not be used to disguise this fact. (C1-54)

**Response WR-13**

The groundwater table (GWT) fluctuates as stated in Section 3.2 of the DGEIS. To illustrate this, the graphic below is a long-term GWT monitoring well in Brentwood for the period 1960 to 2010. During those 50 years, the lowest groundwater level was recorded under drought conditions in 1960, at 40 feet above mean sea level (MSL), while the highest groundwater level was recorded in 1990, at 52 feet. The calculated project-induced 0.5-foot decrease in groundwater level due to the effect of the proposed project would represent only four percent of that range. Thus, the GWT is much more responsive to fluctuations between wet and dry years than would occur to redevelopment of the subject property.



#### Comment WR-14

A consumptive water use of 1.6 mgd (584 mgy) was used to determine the project's impacts on groundwater levels (a loss of 0.5 feet to groundwater level). The consumptive water use of 1.6 mgd does not appear to include water needed for irrigation (a total of 1.96 mgy). As a result, the impact to groundwater levels may be more substantial. (C1-56)

#### Response WR-14

A conservative consumptive water use of 2.5 mgd was used to determine the change in the GWT, not 1.6 mgd indicated by the commentator. Total anticipated consumptive water use (including irrigation) is 1.96 millions of gallons per year (mgy), as indicated in Section 4.2.3 of the DGEIS.

#### Comment WR-15

Removal of groundwater resulting from Heartland Village project could adversely impact water levels in Deer Lake (projected water use for Heartland Village is 1.96 mgd, including irrigation, vs. simulated water use of 2.5 mgd). This issue was not adequately addressed in the DGEIS. As per 2007 CDM Letter Report, "Under long-term average rates of recharge and water supply the model simulation indicates that the groundwater level is below the lake bottom elevation (i.e., no discharge to the lake is expected)." Groundwater levels could decline from between .024 feet (northern lake) to 0.17 feet (southern lake). (C1-57)

#### Response WR-15

The DGEIS (pg. 4-30 and 31) addresses the lake and refers to several reports (SCDHS, 1995; and SCDPW, 2001) about the lake levels. The referenced reports indicate seasonal rainfall, primarily from drought years, has a greater impact on the lake than any development. The lake is south of the site (approximately two miles) and based on that location and the model's groundwater table changes, the Heartland Town Square development will not impact the lake.

**Comment WR-16**

Pilgrim State, along with nearby institutional uses, comprise 60 percent of the Oak Brush Plains Special Groundwater Protection Area. This aquifer has become contaminated with point and non-point source contamination from residential and institutional uses (page 3-134). The *SGPA Plan* recommended development with multi-family and institutional uses in the northern portion of the site, and continued industrial use in the southern portion. Even though the currently proposed uses are “cleaner” than industrial uses, they still run risk of contaminating the groundwater due to non-point runoff from such things as oil and gasoline from motor vehicles and fertilizers and pesticides from lawn and landscaping care. Thus, the proposed development will still have the potential to negatively affect the groundwater. This is one reason that preservation of more of the existing forested areas is recommended. (C1-60)

**Response WR-16**

As discussed in Response WR-6, the proposed project will make use of native plant materials which will reduce the need for fertilizer and pesticides; although the extent of such plantings has not been determined at this time. Stormwater retention measures (recharge basins, drywells, etc.) will conform to current regulations pertaining to separation distance to groundwater. The site is also proposed to be connected to the Southwest Sewer District, eliminating point source discharge of sanitary waste within the SGPA.

**Comment WR-17**

Protection of groundwater quality and quantity – the need to protect open space and undisturbed recharge areas is not adequately addressed. Further discussion states that 30% of property (138 acres) will be open space, but impervious surfaces within designated open space (e.g., recreation complex, pool, paved walkways) will not provide for groundwater recharge (page 4-117). (C1-97)

**Response WR-17**

Preservation of 35 percent of the property as open space (based upon the revised Conceptual Master Plan in Appendix RP-1 of this FGEIS) is consistent with an economically feasible smart growth development. In addition, it should be noted that all runoff from the development (including impervious areas) will be collected and recharged on site. The subject property currently contains 85 acres of impervious surface and recharges approximately 324 mgd to the aquifer. Upon implementation of the proposed action, impervious surface area, as well as groundwater recharge, would increase.

**Comment WR-18**

Landscaping should consist of native plantings that require minimal to no fertilizer and irrigation for survival. Local native landscape nurseries exist from which the plantings can be purchased and installed. This will reduce fertilizer input into the aquifer and minimize irrigation needs, reduce wasteful use of high quality drinking water for irrigation, and reduce runoff in the development. (C21-7)

**Response WR-18**

As discussed in Response WR-6, the proposed project will make use of native plant materials, which would assist in reducing the need for fertilizer and pesticides as well as reduce irrigation needs.

**Comment WR-19**

Overdevelopment of this type does not conform with the special groundwater protection area, which is one of only two left in western Suffolk. (H18-6)

#### **Response WR-19**

The subject property is not a pristine, undeveloped property. The subject property was developed as part of the Pilgrim State Psychiatric Center. SGPAs were formally designated in 1992 within the *SGPA Plan*, as prepared by the Long Island Regional Planning Board. None of the SGPAs designated in this plan have been removed from such designation due to development or any other reason, including contamination. The 800+-acre Edgewood-Oak Brush Plains Preserve is included within the SGPA as is the Suffolk County Community College and an adjacent school within the Brentwood School District. The SGPA also encompasses areas north of both the Long Island Expressway and the Northern State Parkway. Land uses within the SGPA area include (or included) sand mining, golf course and other recreational facilities, institutional uses, industrial development, vacant land and scattered commercial development. Both point and non-point sources of contamination have affected the Oak Brush Plains SGPA over the years, as is detailed on Pages 3-46 and 3-47 of the *SGPA Plan*.

As noted in Section 4.7 of the DGEIS, the connection of the proposed development to the Southwest Sewer District, which is proposed as part of this development, is important in meeting the goals of the *SGPA Plan*. Specifically, page 3-52 of the *SGPA Plan* states "...interconnection with Southwest follows the general recommendations for maximizing groundwater protection through the discharge of STP effluent outside the SGPA whenever possible." Therefore, connection to the sewer district is vital. In addition, adherence to current and evolving stormwater pollution prevention measures and the use of more comprehensive and protective stormwater management facilities than were part of the original development will contribute to protection of groundwater against contamination.

#### **Comment WR-20**

There are a couple of other points I wanted to bring up. Pristine water; we now have for the most part polluted water on Long Island. How is that? Well, the Suffolk County Water Authority will tell you how pristine it is, and so will Babylon Town Supervisor Bellone. (H27-6)

#### **Response WR-20**

See Response WR-19. The subject site is not pristine, undeveloped land. Previous development on the site was subject to minimal stormwater controls. Although the proposed development would be denser than previous development, stormwater controls and prevailing regulations with respect to stormwater runoff are much more stringent now than in previous years. Regulations involving restrictions on stormwater discharges continue to evolve in the direction of providing more protection of groundwater resources.

---

### 4.14.2 Sewage Disposal

#### **Comment WR-21**

Once the SEQRA process is completed, the project would be placed on the Sewer Agency's upcoming agenda and considered for Formal Approval. The approval would be based on the available excess capacity at the Bergen Point Wastewater Treatment Facility. As with the November 2004 application and Concept Certification, the Bergen Point Wastewater Treatment Facility does have 1.6 mgd of capacity that was requested in the application.

There is, however, the need to once again clarify and discuss the capacity requirements of the Heartland Town Square over the 3 phases that are being proposed. The capacity that is available, as indicated in Suffolk County Code Chapter 424-38, must be based on both hydraulic and mass loadings. If water conserving fixtures are to be utilized in the residential areas, it is recognized by all regulatory agencies that the strength of the sewage will increase and the mass loadings will be equivalent to those of a conventional sanitary waste. Those mass loadings must be considered as part of the capacity evaluation. Regardless of the DGEIS indicating a 50% reduction in flows, there would be a two times factor applied to the strength and, therefore, an equivalent amount of capacity consumed. Therefore, rather than the 1.39 mgd of capacity required for the complete project, the capacity required based on mass loadings would be equivalent to 2.6 mgd. (C5-24)

The SCDHS Sanitary Code sewage design flow standards are based upon mass loading in terms of pounds per day of nitrogen and not hydraulics (i.e., not simply water use); therefore water savings devices proposed in the DGEIS are not grounds for a 50% residential flow reduction. The department does not concur with several assumptions that are utilized in this document regarding the sewage design flow calculations. Considering that a complete breakdown of the proposed uses are not provided, a precise design flow cannot be determined. However, a more realistic estimate of sewage design flow can be calculated at 2.6 million gallons per day (mgd) using reasonable assumptions (see Attachment A). This figure is over 1 mgd more than the capacity that is conceptually approved for this project. (C6-1)

Wastewater flow resulting from residential uses in the DGEIS is reduced by a factor of 50 percent based on "actual data, including water saving devices" (page 4-34). According to a phone conversation with a representative of the Wastewater Division of the SCDHS their multipliers take into account water savings devices. Thus, it is unclear if the 50 percent reduction is warranted. (C1-49)

The mass loadings must be considered as part of the past - the county will not - both the Department of Public Works and the Department of Health Services sewage design standards are based on mass loading and not on hydraulic. Therefore, water-saving devices such as proposed in the DGEIS are not grounds for the 50 percent residential flow reduction that is being requested. Further comments will be addressed in our written statement. (H13-13)

We think a more realistic characterization of water use [sic]. We know that 1.16 [million] gallons per day have been reserved in the Bergen Point Sewage Treatment Plant. That is a minimum amount. We should plan for a more realistic scenario. We do not believe this is a realistic scenario. (H18-4)

#### **Response WR-21**

The agencies that have jurisdiction over wastewater generation, collection and treatment are the SCDHS and the SCDPW. Information included herein is based upon data contained within publications issued by these agencies and specific meetings that were held with both agencies regarding the Heartland Town Square development.

While sewage strength and flow are two separate issues, they are related. SCDHS design sewage flow, as defined in the "Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences" (2008), is the "sum of hydraulic load(s) from all uses of a building(s) on a parcel and utilized to determine the size of the sewage disposal system."

Using SCDHS design flow requirements, the three phases could generate as much as 2.5 mgd of sewage when all proposed buildings are occupied at build-out (15+ years). Despite the implication in the comment, the SCDHS standards do not take into consideration the widespread use of water conserving fixtures by homes and businesses. The DGEIS estimate was based on actual flows from existing facilities, similar to those proposed, and was 1.6 mgd. The SCDPW and SCSA accept SCDHS flow calculations for proposed projects

and, pursuant to consultations with Dvirka & Bartilucci Consulting Engineers (D&B), the applicants' water resources consultant, did accept the 1.6 mgd for conceptual approval.

The question of sewage strength then arises. If the water use is approximately half of the design use, then the strength of the sewage – measured by biological oxygen demand (“BOD”), suspended solids, and total nitrogen – could double. Increased strength causes sewage treatment plants (“STPs”) to work harder to remove these substances and could cause the plant effluent to exceed discharge requirements (quality), even though design flow (quantity) has not been reached. Both SCDPW and SCDHS have concluded that the equivalent flow of the high-strength sewage is around 2.5 mgd. This number is theoretical and may or may not actually occur. What is known is that raw sewage quality data at Bergen Point is showing a slow but steady increase in BOD, suspended solids, and total nitrogen, due to the widespread use of water saving devices. Even without the flow for Heartland, sewage strength is increasing. To SCDPW's credit, it is currently constructing the expansion of the Bergen Point Plant for mass loading and flow. Therefore, due to the increase in capacity at the Bergen Point Plant, Heartland Town Square will utilize a smaller percentage of the overall mass loading and flow available.

At the time of the initial investigation of total project wastewater flow, concern was expressed by the SCDHS and SCDPW that the flow proposed was not using SCDHS design requirements. Because of the size and duration of the proposed development, the project is proposed in three phases. Ben Wright, P.E., Chief Engineer at SCDPW and Vito Minei, P.E., Director of Environmental Quality at SCDHS, met with the applicants' representative and agreed that Heartland Town Square will submit Phase I buildings for approval using SCDHS required flows. Furthermore, Heartland will monitor sewage flows at the pumping station. When Phase II begins, the actual versus theoretical flow will be compared, and future decisions with regard to total project flow will be made on the basis of these data.

When a 1.0 mgd theoretical flow is reached (approximately equal to the Phase I flow), the applicants will compare the theoretical flow to the actual flow. This will continue until Heartland's theoretical flow reaches 1.6 mgd, at which point the project will be able to continue (if actual flow is less) or more flow will be requested from the SCSA. The aforementioned individuals from the SCDHS and SCDPW met prior to the meeting with the applicants to discuss the proposed development and specifically the proposed procedure. Both agencies are in agreement with the procedure proposed by Heartland Town Square.

#### **Comment WR-22**

The issue has been discussed with NYSDEC and they concur with the position that Suffolk County is taking. A review of 6 NYCRR Part 750 along with the Recommended Standards for Wastewater Facilities, aka the 10 State Standards, indicates that loadings are an issue to be addressed as part of a design of the facility. Once the mass loadings have reached the limitation, then steps would be taken to expand the facility or to impose a moratorium. There is an expansion process underway for SD3 and the appropriate mass loading and hydraulic loading is to be considered in that expansion. (C5-25)

#### **Response WR-22**

The applicants believe that the SCDPW is taking the proper steps to address mass loading through the sewer infrastructure and STP expansion.

#### **Comment WR-23**

Phase I of the project should be designed based on Health Services flow standards. Phase I would, therefore, generate a mass loading equivalent to a capacity requiring 902,250 gallons per day. Documentation of the actual flows and concentrations generated during Phase I over a number of years could be the basis for adjusting the waste characteristics used for Phase II and III. (C25-26)

**Response WR-23**

See Response WR-21.

**Comment WR-24**

The second major issue is the connection fee to purchase treatment capacity. With the receipt of Conceptual Certification from the Sewer Agency in 2004, the Heartland Town Square was grandfathered with respect to the connection fee of \$15.00 per gallon per day. The flow of the application considered for Conceptual Certification was 1.6 million gallons per day and, therefore, any flow above this or equivalent capacity required based on mass loading, would be at the then current connection fee at the time of application. (C5-27)

**Response WR-24**

The applicants will handle the cost of the additional flow, if necessary.

**Comment WR-25**

Page 3-80 – A reference is made to the Wingate Inn with respect to being a building in the Gateway area served by septic tanks and cesspools. The Wingate Inn is connected to Sewer District No. 3 from the pumping station on the Pilgrim Psychiatric Center site. (C5-28)

**Response WR-25**

The DGEIS incorrectly identified the Wingate Inn as served by septic tank and leaching pools. The hotel is part of the allotted flow for the Pilgrim complex and surrounding areas.

**Comment WR-26**

Please note that Conceptual Certification is a non-binding action by the Sewer Agency and once SEQRA is completed, the project will be again discussed at the Agency meeting. (C5-29)

**Response WR-26**

The comment is noted. Upon completion of the SEQRA process, the applicants will enter into discussions with the SCSA regarding formal application.

**Comment WR-27**

Pages 4-32 – 4-34- Discuss the sewage flow rates and refer to Section 5.2 of the DGEIS which indicates that 50% of the normal flow rates are associated with the residential units. As indicated above and will be discussed further below, this 50% reduction is based on water conservation which increases the strength of the wastewater resulting in the equivalent mass loading of pollutants to be received at the facility, and therefore, consumption of capacity. The strength of the sewage for all three phases is, therefore, not 1.39 mgd but 2.4 mgd. This loading is what should be considered with respect to capacity at Bergen Point. The reference in the DPW comments is NYCRR Part 750, which indicated loadings to facilities must be within the design parameters and, also, the 10 State Standards which indicate the various loadings allowable to treatment processes. (C5-30)

**Response WR-27**

All projects applying to SCSA are required to increase their flow requests to mass loadings or, if they use SCDHS flow requirements, their flow is accepted. See Response WR-21.

**Comment WR-28**

Page 4-34 – The pumping station and force main system connecting the Pilgrim site to Bergen Point has been evaluated and has a capacity of 2.52 mgd. (C5-31)

**Response WR-28**

The pumping station and force main capacities will again be reviewed during the site plan design portion of the Heartland Town Square project.

**Comment WR-28A**

DPW strongly opposes the statements with respect to diluting the waste from the Pilgrim site with other sewage generated at the adjacent sites as well as the service area for Bergen Point. As indicated above and below, the loadings based on a mass concept are also the criteria to be used in evaluating capacity consumption. Diluting is not acceptable. (C5-32)

**Response WR-28A**

The water quality data used in the DGEIS were supplied by SCDPW and were assumed to be raw sewage influent. There will be a calculated (theoretical) increase in mass loading due to the total Heartland Town Square project, which was calculated to be five percent. While this value is small, it nevertheless may cause a theoretical quality increase. Dilution of the effluent is not proposed. Effluent from the proposed property will combine with other effluent from, for example, Suffolk County Community College and the existing Pilgrim facility. Further combining of effluent will occur as it flows toward the Bergen Point STP. See Response WR-29 regarding the effects of effluent combining on total suspended solids (TSS), BOD and total nitrogen.

**Comment WR-29**

The sanitary loading numbers based on the Sewer District No. 3 influent include return flows and, therefore, should be much lower and must be corrected. It is incorrect to state that no effect will be seen at the treatment system as the increase in mass loading would occur gradually over 15 years. Although the treatment system has capacity, it will be consumed and impacted by whatever loadings are added to the system. (C5-33)

**Response WR-29**

The table below contains the corrected values for Table 4-3 of the DGEIS.

**Table WR-4: Sanitary Loading**

Parameter	CONCENTRATION (mg/L)				
	Current SWSD* #3 Plant Influent	Heartland Town Square Effluent	Pilgrim State Pump Station Effluent	Resultant Combined SWSD #3 Plant Influent	Percent Change
TSS	667	1,334	1,073	701	5.1

BOD5	307	614	494	322	4.9
Total Nitrogen	38.5	7	62	40	3.9

\* 2000–2004 data from SCDPW

As indicated above, the quality data used in the DGEIS were supplied by SCDPW as raw sewage influent. There will be a calculated (theoretical) increase in mass loading due to the total Heartland Town Square project of approximately five percent. While this value is small, it nevertheless may cause a theoretical quality increase.

#### **Comment WR-30**

An option that has been explored within the preliminary engineering work for Heartland Town Square includes the construction of a wastewater treatment facility for the Pilgrim site. The theories presented in the documents indicate that the original Pilgrim Psychiatric Center Wastewater Treatment Facility was abandoned due to its location in the deep recharge areas of Suffolk County's aquifer. A concept that could be explored is the construction of a wastewater treatment facility and discharge of the treated effluent at a different location whether that location would be recharge beds, reuse, or disposal to the Bergen Point Wastewater Treatment Facility Outfall. It is possible that the pumping station that conveys sewage from the site today can be utilized for either alternative, i.e., discharging raw influent sewage to a wastewater treatment facility or utilizing the force main which discharges at the northern boundaries of SD#3 to be extended to the Bergen Point Wastewater Treatment Facility and discharging treated wastewater to the Ocean Outfall. (C5-34)

#### **Response WR-30**

While the comments present an alternative, that alternative is neither practical nor economical.

The reference report was written in 2004, and concluded that at least seven acres of land would be needed to recharge the wastewater. The land would need to be outside the SGPA area. In viewing the aerial map of the SGPA and surrounding areas, no vacant parcels of that size appear to be available.

The comment also suggests using the pump station to dispose of treated waste. This still brings the volume of wastewater to the Bergen Point plant.

#### **Comment WR-31**

The SCDHS has met several times with the developer on this project with respect to sewage design flow figures. The Department agreed to the phasing approach for the project, but cannot agree to the reduction in design flow. The SCDHS requires that the developer design each phase utilizing Department standards. Once a completed project phase is in operation and fully occupied, the developer may conduct a study of actual wastewater strength and hydraulic flows to determine the actual mass loading to the STP. This evaluation can be submitted to the Department for technical review. If warranted by scientific data, and based upon the Department's findings, sewage design flows may potentially be adjusted for future project phases. (C6-2)

#### **Response WR-31**

See the Response WR-21.

#### **Comment WR-32**

The SCDHS sewage design flow standards are based upon mass loading of pounds/day of nitrogen and not hydraulic (water use); therefore water saving devices are not grounds for a 50% residential flow reduction. The department does not concur with several assumptions that are utilized in this document regarding the sewage design flow calculations and the lack of specificity of others:

1. Sewage design flows for residential units are calculated based upon actual square footage of the units and cannot be averaged over the project.
  - a. Units less than 600 sf are 150 gpd/unit
  - b. Units between 600 sf and 1200 sf are 225 gpd/unit
  - c. Units greater than 1200 sf are 300 gpd/unit

Therefore, a complete square footage breakdown of the residential portion of this project is necessary in order to calculate the required sewage design flow. (C6-13)

#### **Response WR-32**

The plan as presented is conceptual. Actual building sizes, occupancy, and use will be determined as the project moves into the design and site plan approval phase. Information on all buildings will be presented to SCDHS with the appropriate flows using SCDHS design sewage flows. A running total of approved flows will be kept and compared to actual flow as Phase I nears completion. The applicants and their representatives will continue to meet with the SCDHS with regard to this matter.

#### **Comment WR-33**

Sewage flow for "Wet" retail use should be calculated at 0.03 gpd/sf plus up to an additional 0.12 gpd for grey water use depending upon the actual use. The square footage from the restaurants, theatres, and hotels must be calculated separately and eliminated from the total retail square footage calculations. (C6-14)

#### **Response WR-33**

See Response WR-21. SCDHS sewage design flows will be used in the sewage calculations for all buildings, including restaurants, theaters, hotels, etc. The actual flows will be monitored and compared to the projected flows based upon the Conceptual Master Plan presented in the DGEIS (see estimated flows reproduced in Comment WR-36). Also see Response WR-32.

#### **Comment WR-34**

The assumptions state that there will be 10% medical office which would translate to 415,000 sf, yet 300,000 sf is utilized in the design calculations. (C6-15)

#### **Response WR-34**

The actual percentage of medical use has not yet been determined, as no tenants have yet been identified. However, the numbers have been evolving since commencement of the project. As actual tenants are secured, a re-evaluation of sewage flow numbers will be conducted. See Response WR-21.

#### **Comment WR-35**

There are many more flow values that are contained within the current design standards of the department which must be utilized as part of the design process. (C6-16)

**Response WR-35**

See Responses WR-32 through WR-34. As the process moves forward and specific uses are determined for the project, through the site plan approval process, sewage flow estimates will be recalculated and a running total of actual sewage effluent will be kept and compared to approved flows. The applicants and their representatives will continue to meet with the SCDHS with respect to this matter.

**Comment WR-36**

Considering that a complete breakdown of the proposed uses is not provided, an accurate design sewage flow cannot be determined. However, a more realistic estimate of sewage design flow can be calculated, if the assumptions are refined in the following manner.

Assumptions:

**Residential**

9,130 total units	
15% units less than 600 sf	150 gpd/unit
50% units between 600 sf and 1200 sf	225 gpd/unit
35% units greater than 1200 sf	300 gpd/unit

**Retail**

Total square footage	1,030,000
20% reduction in retail area for each phase with restaurants, theaters, hotels	(-179,000 sf)
Remaining Retail Square Footage	850,880 sf
10% of remaining retail area "wet" uses	85,088 sf "wet" Retail

**Office**

4,150,000 sf total
3,735,000 sf of non-medical office
415,000 sf medical office

**Civic Space**

105,000 sf total (only 25,000 in original calculations)

**Phase 1**

3500 total units	
525 units less than 600 sf (150) gpd	78,750
1750 units between 600 sf and 1200 sf (225 gpd)	393,750
1225 units greater than 1200 sf (300 gpd)	367,500
448,000 sf retail (0.03 gpd/sf)	13,440
44,800 sf wet retail (0.12 gpd/sf additional)	5,376
2000 restaurant seat (30 gpd/seat)	60,000
2000 seat theaters (3 gpd/seat)	6,000
600,000 non-medical office (0.06 gpd/sf)	36,000
105,000 civic space (0.03 gpd/sf)	3,150
<b>Total Phase I</b>	<b>963,966 gpd</b>

**Phase 2**

3380 total units	
507 units less than 600 sf (150) gpd	76,050
1690 units between 600 sf and 1200 sf (225 gpd)	380,250
1183 units greater than 1200 sf (300 gpd)	354,900
268,480 sf retail (0.03 gpd/sf)	8,055
26,848 wet retail (0.12 gpd/sf additional)	3,222
250 room hotel (150 gpd/seat)	37,500
200 seat restaurant in hotel (30 gpd/seat)	6,000
1000 seat catering hall (7.5 gpd/scat)	7,500
1,542,500 non-medical office (0.06 gpd/sf)	92,550
415,000 medical office (0.01 gpd/sf)	41,500
<b>Total Phase 2</b>	<b>1,007,527 gpd</b>

Phase 3

2250 total units	
338 units less than 600 sf (150) gpd	50,700
1125 units between 600 sf and 1200 sf (225 gpd)	253,125
787 units greater than 1200 sf (300 gpd)	236,100
134,400 sf retail (0.03 gpd/sf)	13,440
13,440 sf wet retail (0.12 gpd/sf additional)	5,376
1,292,500 non-medical office (0.06 gpd/sf)	77,550
<b>Total Phase 3</b>	<b>636,291 gpd</b>
<b>Total</b>	<b>2,607,784 gpd</b>

This flow figure is over 1,000,000 gpd more than the capacity that is conceptually approved for this project. However, this sewage flow is subject to change based on the applicants providing an actual breakdown of uses at the site (C6-16, C6-17).

We are concerned about the flow calculation used in the DGEIS and will be relying on the County requirements on this issue. (H2-7)

**Response WR-36**

The flow figures presented in this comment for all project phases were similar to those presented in Section 4.2.2 of the DGEIS *without* conservation fixtures and equipment. As indicated in Response WR-21 of this FGEIS, based upon a meeting amongst Ben Wright, P. E. of the SCDHS, Vito Minei of the SCDPW, and the applicants' representative, conceptual (theoretical) sewage flow figures presented in the DGEIS will be verified against actual flow, based upon monitoring of the pumping station conducted by Heartland Town Square, as the project moves to completion of Phase I. Based upon this comparison, future decisions with regard to total project flow will be made. Based upon this meeting, the SCDHS and SCDPW have agreed to this procedure. In addition, SCDPW relies upon the SCDHS flow requirements to establish treatment plant flows.

**Comment WR-37**

Sewage treatment plants are designed based upon mass loading which is the combination of sewage strength in terms of nitrogen concentration times hydraulic flow (mgd). If we assume for this exercise that all design flows are correct, the addition of the Heartland Town center raised the entire concentration of the Bergen Point STP by 6%. That translates to an additional loss of real treatment capacity at Bergen Point 1.6 million gallons per day. In addition, why does it appear that we are adding an additional 0.4 MGD flow for the "Gateway Area" which should be included in the flow from Heartland Town center? (C6-18)

**Response WR-37**

The Town of Islip requested that the Gateway Area be included in the DGEIS in order to satisfy the SEQRA requirements, and to avoid potential segmentation. Therefore, given that the Town Board is considering the potential rezoning of the Gateway area to PSPRD, the Town Board was required to evaluate the potential rezoning to PSPRD and the potential redevelopment of the area in accordance with the PSPRD, pursuant to SEQRA and its implementing regulations. Accordingly, a potential development scenario was considered for the Gateway area, which is consistent with redevelopment pursuant to the PSPRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD and development in accordance with that zoning district.

Contrary to the assertion of the commentator, the flow from the Gateway Area was included in the sewage flow analysis contained in Section 4.2.2 of the DGEIS. Aside from being included in the DGEIS, this is also reflected in the comment letter from the SCDHS, which sets forth all of the assumptions and phasing considered in the sewage flow analysis. The Phase II and III analyses incorporate the potential development from the Gateway Area (including 130 residential units, 400,000 SF of office space and 30,000 SF of retail area in Phase II and 400,000 SF of office space in Phase III) into the calculations of sewage flow. Section 4.2.1 does indicate that the figures cited in the sewage effluent analysis do not include the estimated 16,650± gpd generated by the existing 111-room Wingate Inn hotel, which is located within the Gateway Area. This section of the DGEIS also indicates that: (1) the site already has an existing connection agreement with the SCSA and has a permitted flow of 471,000 gpd; and (2) the 1.39 mgd projected flow from Heartland Town Square will mix with 0.8 mgd of sanitary flow with “average” concentrations from the Pilgrim State Psychiatric Center, Suffolk County Community College and the Wingate Inn (which is included in the Gateway Area, as noted above). An additional 0.4 mgd flow from the Gateway Area was not in the calculations, nor should it be included, as it was already part of the original sewage flow analysis.

**Comment WR-38**

While water saving devices may limit the hydraulic demand on the sewage treatment plant, they will do little to affect the overall mass loading. If the actual flow reduction from Department standards will be utilized, a corresponding increase in sewage strength must be utilized. (C6-19)

**Response WR-38**

See Response WR-21 regarding mass loading and input to the Bergen Point STP.

**Comment WR-39**

This development does not only propose an outside connect to the Southwest Sewer District 3, but will overburden the Bergen Point Sewage Treatment Plant and create a need to expand. This will provide no benefit to our local residents, but will create potential negative environmental impacts to this area. We would like to provide more detailed comments below. (C9-1)

I am bothered by the Sewer District’s reservation of 1.6 million gallons of water when we haven’t hooked up half of Islip Town and ...Babylon Town, as was initially proposed. (H27-2)

And so, what we have is a kind of hierarchy. We are willing to give and preserve amounts of water for sewerage to a developer, but not make the same kind of commitment to all of those people who live in Islip and Babylon Towns, who haven’t yet been hooked up to the sewer district. (H27-3)

**Response WR-39**

Heartland Town Square was conceptually approved by the SCSA for 1.13 mgd of existing Southwest Sewer District capacity plus 0.47 mgd of “as of right.” This 0.47 mgd flow was part of the existing 30 mgd. The project did, in part, trigger SCDPW to look at increasing the treatment plant size (the expansion of which is now underway).

Capacity is still available for vacant parcels or unconnected buildings that are part of the Southwest Sewer District. The treatment plant expansion, which is currently underway, will allow areas outside the Southwest Sewer District boundaries to connect in the future (e.g., Wyandanch).

#### **Comment WR-40**

This project will generate a significant amount of wastewater flow, 1.39 million gallons of sewage per day, far more than any single project should burden an existing Suffolk County sewer plant. Many municipalities including Babylon have plans for downtown revitalization. Why should all this capacity be provided to a single private developer for an overly dense project? In addition, Babylon is the host community for the Bergen Point Sewage Treatment Plant. (C9-10)

#### **Response WR-40**

See Response WR-39.

#### **Comment WR-41**

Babylon will be the recipient of odors and additional truck traffic associated with sludge generation for the plant. There is no benefit from this project to the Town of Babylon, especially on this aspect. (C9-11)

#### **Response WR-41**

The statement appears to address the Bergen Point STP expansion, which is not part of the Heartland Town Square development. However, it should be noted that sewage flow from Heartland Town Square represents approximately five percent of the overall daily flow to the STP. Furthermore, the SCSA has given conceptual certification to the proposed development.

#### **Comment WR-42**

An alternative for sewage disposal is to convey sewage from Heartland to the Cedar Creek Sewage Treatment Plant (STP). Due to the many governmental (and possibly political) issues associated with this option, the sponsor does not believe that this is a feasible option. As stated in the document, this option would not over burden Bergen Point Sewage Plant. If capacity exists at the Cedar Creek STP, an expansion of the Bergen Point Sewage Treatment Plant could be avoided, thereby reducing impacts to its host community, the Town of Babylon. Not pursuing this option simply due to the effort is unacceptable. (C9-12)

#### **Response WR-42**

The applicants have discussed connection to the Southwest Sewer District with the SCSA and have conceptual approval to connect to such district, as indicated in Section 4.7 of the DGEIS. The applicants for Heartland Town Square do not control where sewage is disposed of once it is transported from the site.

#### **Comment WR-43**

The developer proposes to redesign the sewer system serving both the Heartland property and the Pilgrim Campus in such a way that the campus is connected to the system at two points. The feasibility of these connections needs to be established and the cost of these changes need to be borne by the developer. (C13-23)

**Response WR-43**

The Heartland Town Square development is proposed to have its own separate sewage collection system. How that ties into the pump station, and where, has yet to be determined. Such connection and associated costs will be the developers' responsibility.

**Comment WR-44**

The western connection (near Building 25) appears to be at such an elevation as to require a lift station. Currently, the system is a gravity system. OMH does not currently maintain lift stations. Lift stations have a maintenance cost which ought not be borne by OMH. (C13-24)

**Response WR-44**

If lift stations are required, they will be built and maintained as part of the collection system by the developers. The existing flow from Pilgrim State facility to remain would not be affected.

**Comment WR-45**

The southern connection conflicts with the location of the retention pond (as described above). This apparent conflict needs to be resolved. (C13-25)

The proposed relocated sewer line in Figure 4-1 crosses through the Retention Pond shown in Figure 4-3. (C13-22)

**Response WR-45**

The lines shown on the plan mentioned by the commentator are conceptual and will be reviewed, in detail, during sewer design to ensure that there are no conflicts with existing facilities.

**Comment WR-46**

There is a sewer line serving four buildings (Brentwood Community Residence, Crooked Hill Community Residence, Long Island Industries and the Outreach House) on Crooked Hill Road which is not identified on Figure 3-12 nor provided for on Figure 4-1. The developer needs to identify how they will remain connected to the sewer line and the adequacy of the line. (C13-26)

**Response WR-46**

The line will remain as it serves existing occupied buildings and, as such, cannot be disturbed. Should development associated with Heartland Town Square be required in this area, the applicants will ensure that such line is not disturbed by construction. Evaluating the adequacy of this line is not the responsibility of the applicants as it not part of the Heartland Town Square development.

**Comment WR-47**

Effect of the Heartland Development on the Pump Station located on OMH property. The ability of the pump station to handle sewage from Pilgrim P.C., which is guaranteed in an agreement with Suffolk County is essential to the operation of our facility. OMH is aware of the controversy described at the May 28<sup>th</sup> Public Hearing surrounding the amount of waste water that the Heartland project will generate. OMH believes that more analysis of the ability of the developer to create a project with such lesser waste generation is required. (C13-27)

#### **Response WR-47**

The project will not impact OMH waste disposal and its dedicated capacity. The applicants further believe that the proposed development will generate less waste (by volume) than current standards project (see Response WR-21). As the specific tenancies have not yet been determined, the specific reduction in sewage generation cannot be quantified.

#### **Comment WR-48**

The DGEIS predicts a generation of 1.6 mgd of sewage from the Heartland project. Given the size and scope of Heartland, CCE believes this number has been underestimated. Upgrading sewage treatment infrastructures is rapidly becoming a considerable burden to Long Island taxpayers and given the fact that state and federal financial assistance has been woefully inadequate for the last decade, it is imperative that waste water treatment planning is accurate. (C36-57)

#### **Response WR-48**

See Response WR-21, which discusses sewage flow and how the SCDHS and SCDPW have agreed to monitor such flow.

#### **Comment WR-49**

Currently, the estimate of 1.6 mgd of sewage is arrived at using “best case scenarios”. This is not, however, conducive to the best planning practices. A more realistic estimate of sewage generation should be assessed. (C36-58)

#### **Response WR-49**

See Responses WR-21 and WR-36.

#### **Comment WR-50**

Heartland is depending on using Bergen Point Sewage Treatment Plan (STP), which discharges into the Atlantic Ocean. According to Suffolk County Budget Review Office, upgrading the Bergen Point Sewage Treatment Plant will cost approximately \$65 million - \$68 million dollars for the facility to adequately accommodate 10 million gallons per day of additional effluent. It seems unclear if this funding will be secured in the Suffolk County capital budget for 2010-2011. In addition, it has been widely reported that the ocean outfall pipe which extends from land, through the Great South Bay, under Fire Island and discharges into the Atlantic is in need of repairs and upgrades. Cost estimates for these critical repairs range from \$150 - \$200 million. Implementation of the Heartland project should be contingent on securing funds for the necessary upgrades to the Bergen Point STP. (C36-59)

#### **Response WR-50**

The plant expansion and outfall are separate projects that are not part of Heartland Town Square, but rather are under the jurisdiction of the SCDPW. However, the Heartland Town Square development would benefit from the current expansion of the Bergen Point STP. The development of Heartland Town Square was one of the triggers for consideration of the expansion of the sewer district; and the ability of the Bergen Point STP to accommodate sewage flow from this project will be one of many agency decisions determining whether the project ultimately is approved. The applicants, within the parameters of the DGEIS, examined options for sewage disposal (see Section 4.2.2 of the DGEIS). Dvirka & Bartilucci, the applicants' sewage consultant, reviewed possible alternatives including expansion of the Bergen Point STP by 5.0 mgd (which far exceeds the anticipated flow from Heartland Town Square), construction of an on-site STP, and conveyance of Wastewater to Cedar Creek STP in Nassau County. In reviewing this information, the SCDPW decided that expanding the Bergen Point STP to handle flow from Heartland Town Square as well as other existing and proposed developments was the most prudent option. While not directly funding the current expansion of the Bergen Point STP, connection fees from Heartland Town Square will indirectly subsidize a portion of the expansion cost.

#### **Comment WR-51**

The development is dependent upon the Southwest Sewer District expanding its Bergen Point facility to accept a greater quantity of effluent, but this plant improvement has not been constructed and may not be constructed by the time the Heartland Town Square project is ready to produce effluents. Placing the burden on taxpayers to construct these improvements is also inappropriate. The applicant should be required to commit funds for producing a fair share of these improvements. (C38-13)

We need to look at the infrastructure and sewage discharging pattern. We need to see how this relates. I'm sure you will hear later from the County with respect to the relationship to the Southwest Sewer District. (H5-4)

The property has the ability to be sewerred through the Suffolk County Southwest Sewer District. (H9-4)

#### **Response WR-51**

The projected flow from the Heartland Town Square development was approved by SCSA from existing Southwest Sewer District plant capacity. The proposed development would be contributing a connection fee to the District. See Response WR-50.

#### **Comment WR-52**

This development proposal does currently have conditional approval for wastewater outflow for the site, Vision Long island recommends that the sewer credits for the site be revisited. The outflow numbers are based on 50% reduction in wastewater generation in residential units due to water efficient upgrades. Water efficiency is certainly encouraged for this development, but measures should be taken to ensure that actual water use matches the anticipated water use. Many of these efficiency upgrades can easily be undone by a tenant who isn't satisfied with the quality of performance. (C28-26)

#### **Response WR-52**

See the Response WR-21, which discusses the assurance of oversight regarding wastewater flow from the proposed development. It should be noted that while some of the water conservation measures can be undone (e.g., faucets, showerheads), others such as those associated with toilets, washing machines and dishwashers, which provide the most water savings, could not be undone, unless the specific appliance was replaced with a different, less efficient model. However, all currently manufactured toilets are low-flow and water conserving.

**Comment WR-53**

Provisions for on-site treatment of wastewater, if possible, and/or additional money towards an outflow pipe would be recommended. The Bergen Point Sewage Treatment Plant currently needs a \$150 million upgrade. Since this development will be creating a large volume of wastewater for this plant, it should contribute adequately towards its upgrade. (C28-28)

**Response WR-53**

See Responses WR-50 and WR-51 with respect to costs and contribution of funding. With regard to on-site treatment, see Response WR-30.

**Comment WR-54**

Also, the issue of sewers for so many residents and businesses is also a major concern. (C22-4)

**Response WR-54**

The entire development will be connected to the municipal sewer system, as indicated in Section 4.7 of the DGEIS, and reiterated within this FGEIS. Such connection has received conceptual approval from the SCSA.

**Comment WR-55**

On page 4-35 of the DGEIS, it states that the concentrations of Total Suspended Solids, Biological Oxygen Demand, and Total Nitrogen will be greater than the Bergen Point Treatment Plant currently receives due to the water-saving devices. If the total wastewater flow is 1 MGD greater than projected in the DGEIS will the plant be able to handle this increased load? (C1-50)

**Response WR-55**

See Response WR-21, which indicates that the SCDPW and SCSA accept SCDHS flow calculations for proposed projects and, pursuant to consultations with Dvirka & Bartilucci, the applicants' water resources consultant, did accept the 1.6-mgd for conceptual approval (see Appendix WR-2 of this FGEIS).

**Comment WR-56**

It is unclear from the DGEIS (page 4-36) whether the on-site pumping station could handle the projected additional flow caused by the proposed development, particularly if the 50 percent reduction of residential wastewater consumption is factored in. (C1-51)

**Response WR-56**

The capacity of the existing pumping station will be reviewed during sewer design. The engineering design will evaluate the existing pumps and their capacity, their ultimate capacity (improved), the present flow data, capacity of the existing force main etc. The engineering calculations would ultimately be performed subsequent to the approval of the Heartland Town Square development. The applicants will be responsible for providing any needed upgrades or improvements, at their expense, after conducting a detailed engineering study and in collaboration with the SCDPW, the agency responsible for operating this station.

**Comment WR-57**

The assessment should completely and adequately examine the potential adverse environmental impacts of the additional sewage flow to Bergen Point from all of the proposed land uses. The Bergen Point STP may need to be significantly upgraded to accommodate the additional flow (e.g., additional biological/tertiary treatment) while still avoiding adverse impacts on aquatic natural resources that will be impacted by treated effluent. (C21-16)

#### **Response WR-57**

The design for the Bergen Point STP expansion is proceeding under the direction of the SCDPW and does not involve the Heartland Town Square development.

---

### **4.14.3 Water Supply**

#### **Comment WR-58**

The 1.38 MGD calculation does not factor in water used for irrigation (~450,000 GPD for six months). (C1-52)

We are also concerned about the ability for existing water development and irrigation where it's not included in the water function calculation. We will be relying on the Water Authority's comments on this issue. (H2-8)

#### **Response WR-58**

The SCWA would be supplying water to the proposed development as they supply the existing Pilgrim buildings and areas to the east, west and south of the subject property. Section 3.2.3 of the DGEIS discusses the well fields surrounding the project and the capacity of each well. Figure 3-11 locates the wells. Further, SCWA continues to contemplate developing a well site immediately south of the subject property (known as the Bob Dassler site), and the SCWA has also requested land from the applicants for another site on the northwestern portion of the subject property. Water requirements for the project, including fire flow, which potentially has a greater demand on well resources, were presented to the SCWA and they were confident that they could meet all demands (including irrigation and fire flow).

As stated on page 4-41 of the DGEIS, the daily maximum build-out water requirement for public supply (consumptive use) and irrigation will be 1.96 mgd. In addition, the water budget calculations page 4-55, used a yearly consumptive use of 584 mgy, which included approximately 500 mgy for consumptive use and 80 mgy for irrigation use. Therefore, irrigation water use was factored into the water use analysis provided in the DGEIS.

**Comment WR-59**

Are the existing 12-inch and 16-inch water mains on the site sufficient for new demand, even for fire-fighting capacity? (C1-53)

**Response WR-59**

The 12-inch and 16-inch mains are sufficient to meet the projected water demands. However, during the design phase, some additional connections may be proposed. On-site connections will be the responsibility of the applicants, working in close consultation with the SCWA.

**Comment WR-60**

Recycling of graywater as a non-potable water source (e.g., flushing toilets, irrigation) has not been fully explored. (C1-65)

Recommend further consideration of graywater recycling in individual condos and apartments. (C1-66)

The DGEIS also mentions that capture and storage of stormwater for irrigation purposes is not feasible due to our short irrigations season. Portions of the stormwater can be reused for this purpose even if only during the summer. Recycled stormwater can be used for other non-potable uses, such as toilet flushing, that should be explored further with guidance from the Suffolk County Department of Health Services. (C28-31)

We have concerns with the advocacy [sic] of the stormwater quality treatment proposed, and we would like to see a more sensitive analysis of water conservation measures, including gray water, use of stormwater for irrigation and compliance [sic] and stormwater management. (H2-10)

**Response WR-60**

The applicants' consultants have been actively studying the use of water conservation techniques. Use or reuse of gray water for return flushing and/or irrigation will continue to be investigated on a building by building design. Economic considerations will govern the decision, but for some buildings (e.g., commercial buildings) it may be feasible.

Capturing and reusing stormwater would require treatment (at least filtration). Stormwater calculations show that the project without reuse would provide a net increase in recharge which benefits the groundwater.

All stormwater management techniques will comply with the NYSDEC Rules and Regulations and other regulations promulgated thereunder.

**Comment WR-61**

The use of recycled water for irrigation purposes has not been fully explored, including the possibility of using stormwater for irrigation. There is potential to reduce water consumption by 90 mgd or thirteen percent (over a six month period) through the use of recycled water for irrigation. (C1-67)

**Response WR-61**

See Response WR-60.

**Comment WR-62**

In Section 3.2.3, *Water Supply (Infrastructure)*, the DGEIS states that existing water mains in the vicinity of the project will be owned and maintained by the Suffolk County Water Authority (SCWA). It is unclear whether the SCWA or the developer will own and maintain all new and existing water mains within the boundaries of the entire project, and which entity will be responsible for fire hydrants and other fire suppression components. Historically, undersized water mains coupled with the lack of adequate maintenance of fire hydrants and other associated water supply system components of privately owned systems have resulted in severe property damage and injury and can potentially result in loss of life. The Department strongly recommends that all water mains within the boundaries of the project be constructed, owned and maintained by the SCWA. (C6-5)

**Response WR-62**

The water mains on the subject property will be constructed, owned and maintained by the SCWA, as recommended in the comment and as is the standard practice of the SCWA.

**Comment WR-63**

In Section 5.2, *Water Resources*, the consultant discusses the potential to utilize recycled or gray water for irrigation or other non-potable use. It is acknowledged that some other jurisdictions provide separate systems for irrigation purposes and, for this project, doing so would reduce the estimated decline in the elevation of the groundwater table. These systems must be carefully designed and constructed to prevent cross-connections between the potable and non-potable water supply systems. The prevention of cross connections between potable water and fire supply mains must be ensured if the applicant wishes to construct a separate and dedicated fire suppression system. A separate irrigation system fed by on-site wells may also be considered. In addition, all horizontal and vertical separation distances between potable and non-potable water supply systems must meet the applicable requirements of ten New York State Sanitary Code, the "Ten State Standards," and American Water Works Association (AWWA) standards. (C6-6)

**Response WR-63**

The water system design will include separate fire flow connection. All mains and connections will be designed to meet American Water Works Association (AWWA) and Ten State Standards.

The possible use of on-site wells for irrigation, as well as gray water use, will be examined as each building is designed. See Response WR-60.

**Comment WR-64**

The DGEIS states that as part of this project, a new public water supply well will be constructed "somewhere within the northeastern corner of the subject property" (Section 4.2.1, page 4-41 and Figure 3-11). Section 5-D.2 of Appendix 5-D of the NYSDOH standards for "Special Requirements for Wells Serving Public Water Systems" stipulates that wells serving public water systems must be located in areas where the owner of the water system possess legal title to lands within 100 feet of the well and legally controls all land use activities within 200 feet of the well. The standards also require a minimum horizontal separation distance of 200 feet between the well and any storm drainage structure, cemetery, or other sources of contamination. (C6-7)

**Response WR-64**

Any public well site constructed on the subject property would be owned and operated by the SCWA and would provide the required buffering distances to maintain control of potential pollution sources. No new actual well locations have been determined at this time.

**Comment WR-65**

The DEIS mentions that an existing emergency connection to the Dix Hills Water District will be maintained for the Heartland development. Considering that the property will undergo a major transformation and change of use, doesn't the water district need to sign off on maintain this connection? Assuming that it does, then they should have been identified as an involved agency. Even if their approval is not necessary, it is clear that they should have been consulted with as an interested agency. (C8A-23)

This brings up several related questions. First, under what circumstance will the connection be used, i.e., what constitutes an emergency? Is it just for firefighting purposes? What is the history of past use of this connection, if any? What will be the required draw for potential emergencies, and what impacts will that have on the water district's system? (C8A-24)

**Response WR-65**

The SCWA maintains an interconnection with the Dix Hills Water District on Commack Road, northwest of its service connection to Pilgrim State Hospital. The proposed development will rely on SCWA to provide water for all uses (including emergencies) and if the SCWA or Dix Hills need to use the interconnection, that would be an issue for the two water suppliers and does not involve the Heartland Town Square development.

**Comment WR-66**

Adequate water supply to Pilgrim needs to be maintained. This comment is closely related to the comment to Sanitary Sewer Issue 4. It is our understanding that the developer anticipates a much lower volume of water will be required per residence than conventional standards. OMH believes that more analysis of the ability of the developer to create a project with such lesser water demands is required. The Pilgrim Campus continues to contain a Hospital and adequate and reliable access to potable water is critical. (C13-28)

**Response WR-66**

This proposed development would not interfere with the Pilgrim water supply. The development's use of water-saving devices, native species and drip irrigation, among other measures described in Section 5.2 of the DGEIS, will assist in reducing the project's water demand. The fact there will be reduced water demand was determined based on actual water use data from similarly constructed projects (residential communities, retail and commercial, etc.).

**Comment WR-67**

The connections to the water system on the northern boundary with Pilgrim are not shown on Figure 4-2. These lines need to be maintained and should be identified on Figure 4-2. (C13-29)

**Response WR-67**

The existing connection to the water system on the northern boundary with Pilgrim State Hospital will be maintained. The plans included within the DGEIS are small-scale and not appropriate for determining specific connections. During site plan review, specific plans that identify existing utilities, including water lines, and how they would be maintained will be required.

**Comment WR-68**

Care should be taken to test water efficient appliances and fixtures to ensure that they perform to an adequate standard to prevent their replacement with less efficient fixtures. (C28-27)

**Response WR-68**

Today's appliances are designed to be energy-efficient and water-efficient and, as time passes, even more efficiency can be expected. It is not anticipated that such appliances would be replaced with less efficient fixtures, as although some initial costs, may be higher, over the long-term, such energy-efficient and water-efficient appliances save money.

**Comment WR-69**

The proposed development will have a significant impact on the availability of water resources for the existing Brentwood community and for the development of other future projects throughout Long Island. The DGEIS only addresses the impacts on water quantity, but does not adequately address the impact the proposed draw-down will have on future water quality. Since most of Long Island draws its water from the same aquifer, the impact of a single dense development overdrawing from this resource will have potential consequences that will reach far beyond the Town of Islip. For this reason, the DGEIS must evaluate not only the quantity of water that will be used, but the ability to replenish this quantity with water of the same quality. (C38-12)

**Response WR-69**

As described in detail in Section 4.2 of the DGEIS, the following addresses the water quality and quantity issues noted in the comment:

- SCWA will supply all water and has the resources to do so
- Water quality will be protected through the use of sanitary sewers and stormwater management controls
- There will be a net increase in recharge at the project site as a result of the project
- A groundwater model predicted minimum impact to the site and areas south of the site (Deer Lake)

As indicated in the DGEIS, groundwater modeling was conducted to determine draw-down or fluctuation in the water table as a result of the Heartland Town Square project. Section 4.2.3 of the DGEIS provides the details and results of this modeling. Section 4.2.3 of the DGEIS summarizes the results, which are reiterated herein, "the simulated groundwater decline at the Heartland Village site ranges from 0.9 to 1.5 feet. The simulated decline in the groundwater level at Deer Lake range from 0.24 feet (northern lake) to 0.17 (southern lake)." According to Dvirka & Bartilucci, there are several items that need to be highlighted from this result. The first is the fact that the changes will gradually occur over 15 years. The model is run as steady state (not time dependent) and just depicts the final result using average annual rainfall. The second item is the use of 2.5 mgd as the withdrawal rate rather than 1.6 mgd (conceptual SCSA approved). This flow would represent a safety factor of over 50 percent. Finally using a glacial well at the Bob Dassler site is the cause for the greatest change in water table. Should only a Magothy well be used or portions of water be delivered from other surrounding wellfields (as should actually occur) a much smaller change in water table will result. The model results mentioned above are a conservative worst-case situation and show a minimum impact, one that is less than regional long-term and short-term groundwater variations.

**Comment WR-70**

The DGEIS states that irrigation is estimated to be 25 gallons per capita per day for the site (page 1-27), which is based on the type of housing projected for an average population of approximately 20,000 people. Due to

the intense amount of in-ground sprinklers on Long Island water companies experience a peak water flow between 3:00 a.m. – 5:00 a.m. CCE strongly recommends that the Heartland development install in-ground sprinklers with rain sensors to conserve water and ensure the grounds are not being watered during rain events. Such common sense and inexpensive water conservation measures will not only conserve water but will also reduce injurious impacts associated with storm water runoff. (C36-12)

**Response WR-70**

Rain sensors are planned for irrigation control, and sprinkling hours will be adjusted to accommodate comments that may be issued by the SCWA.

**Comment WR-71**

Heartland is reliant upon residences and businesses to utilize water conservation and efficiency products. While this is a laudable goal, and CCE commends Heartland for recommending such devices, it may not be a realistic scenario for the long term. For instance, if residents change shower heads or other apartment or residential features, how is this accounted for? Will there be an ongoing public education component for water conservation? Will there be a yearly review process to assess water use/consumption and the effectiveness of water conservation efforts? (C36-58A)

**Response WR-71**

Conservation is a widespread technique for reducing water usage, and once people begin using efficient water and energy-saving appliances, it is unlikely they will change to less efficient ones. See Response WR-68.

Due to questions raised by regulators, actual versus theoretical wastewater flows will be monitored and reviewed for the effectiveness of water conservation.

**Comment WR-72**

We have some concerns related to irrigation's effect on surface water and water pressure in the existing forest areas due to water falling related to groundwater impacts. (H2-9)

**Response WR-72**

Irrigation is only a six-month-per-year use. Operational water use is much greater than irrigation, and modeling has shown minimal impact, if any, to Deer Lake (several miles south of the site), the only surface water body near the site. In addition, modeling indicated that "the simulated groundwater decline at the Heartland Village site ranges from 0.9 to 1.5 feet," as noted in Section 4.2.3 of the DGEIS. See Responses WR-13 and WR-69 for additional information regarding groundwater levels.

Water pressure will not suffer as the SCWA is required to maintain a minimum pressure of 20 psi

---

#### 4.14.4 Stormwater

**Comment WR-73**

Consider implementing LEED stormwater management standards (such as LEED for Neighborhood Development, LEED for Multiple Buildings, etc). (C1-68)

**Response WR-73**

The intent of the LEED-ND stormwater management standards is “to reduce pollution and hydrologic instability from stormwater, reduce flooding, promote aquifer recharge, and improve water quality by emulating natural hydrological conditions.” The project, as proposed, meets the intent of LEED-ND with respect to the stormwater management provisions by infiltrating all runoff from impervious areas on-site. See Response WR-9 for a discussion of low-impact development and the use of various techniques for stormwater management.

**Comment WR-74**

*Policy- It is the objective of the Commission to encourage the proper design and installation of Best Management Practices (BMP's) [for storm water runoff treatment] during the construction and post-construction phases of a project. Furthermore it is the objective of the Commission to ensure that applicable construction activities, generally those which disturb an acre of land or more, comply with State and Federal regulations:* Pursuant to section 402 of the Clean Water Act, storm water discharges from certain construction activities are unlawful unless they are authorized by a National Pollution Discharge Elimination System (NPDES) or by a state permit program. New York's State Pollution Discharge Elimination system (SPDES) is a NPDES-approved program with permits issued in accordance with the Environmental Conservation Law. A discharger, owner, or operator can obtain coverage under this general permit by submitting a Notice of Intent (NOI) to the New York State Department of Environmental Conservation (NYSDEC). No zoning approval should be granted until a NOI and DEC review is complete. (C7-29)

**Response WR-74**

While the general aspects of the County's policy on stormwater remain in effect, a specific policy has been added to the latest *Suffolk County Planning Commission Guidebook*<sup>24</sup> with respect to stormwater. The policy supports “the usage of green methodologies such as rain garden and bioswales to control stormwater runoff.”

In the operational phases of the project, Heartland Town Square will incorporate the use of BMPs, which include the use of green infrastructure and low impact development for stormwater management. The applicants are considering a number of concepts associated with green infrastructure and low impact development including the use of bioswales, as described in Response WR-9. Another concept that the applicants are exploring is the use of porous concrete pavers, should they be determined to be feasible and economical.

The stormwater management system for this project, as detailed in the final design, will be required to meet all local regulations as well as the applicable provisions of the NYSDEC General Permit in effect at the time. Particular attention will be given to incorporating BMPs related to sediment and erosion control and conformance with the applicable provisions of the Town's “Stormwater Management and Erosion and Sediment Control Ordinance.” However, it should be noted that the project will not be designed to discharge runoff to surface waters, and as such, may not require coverage under the NYSDEC General Permit. Furthermore, as the Notice of Intent (NOI) and SWPPP are related to construction activities and, as such, are based on the final detailed design of the storm drainage system, it would not be feasible or appropriate to require the NOI or related applications to be submitted in advance of a zoning decision.

**Comment WR-75**

<sup>24</sup> *Suffolk County Planning Commission Guidebook – Policies and Guidelines for the Referral of Proposed Municipal Subdivision and Zoning Actions to the Suffolk County Planning Commission* (dated July 2012), transmitted to the applicants by Sarah Lansdale, AICP, Director of the Suffolk County Planning Department, August 2012.

In general, OMH is concerned that the criteria contained in *Section 11. Conditions and Criteria under which Future Actions will be approved* is too general and the conclusions are not supported by the DGEIS. For example, the proposed standard “Impervious areas shall not comprise more than 75.98% of the subject property” is not supported by any evidence of an adequate storm water plan demonstrating that storm water could be contained on the site if 75.98% coverage were permitted. (C13-8)

#### **Response WR-75**

See Section 3.0 of this FGEIS for an updated version of Section 11.0 of the DGEIS, which does not include a coverage threshold. This new section indicates that a minimum of 35 percent of the total land area shall be open space.

As individual site plans are prepared and submitted to the Commissioner of the Department of Planning and Development for development on the site, these site plans will be required to demonstrate that the runoff from the developed area will be contained on-site in accordance with the criteria outlined in the DGEIS. Storage and recharge of the runoff will be accomplished using either one or a combination of methods including drywells, ponds, drainage reserve areas and recharge basins, depending on the details of the site design. Design of the stormwater management systems will require approval from the Town of Islip as well as the NYSDEC in compliance with the required SWPPP, which would be prepared at the time of site plan approval.

#### **Comment WR-76**

The developer proposes to replace the existing stormwater system with a series of retention ponds. The existing system, which serves both the Heartland site and the remaining Pilgrim site collects stormwater and discharges it into a pond on lands owned by New York State. Where stormwater passes from state land onto Heartland property, OMH retained easements. (C13-15)

#### **Response WR-76**

As indicated in Response WR-75, storage and recharge of the runoff will be accomplished using either one or a combination of methods including drywells, ponds, drainage reserve areas and recharge basins, depending on the details of the final site design. Design of the stormwater management systems will require approval from the Town of Islip as well as the NYSDEC in compliance with the required Stormwater Pollution Prevention Plan prepared at the time of site plan approval.

Any easements necessary to address stormwater storage or conveyance from the remaining Pilgrim site will be addressed at the time of site plan approval.

#### **Comment WR-77**

The pond into which the water flows is described as a recharge area that currently is holding water and overflowing into an adjacent area. The analysis in Section 3.2.4 appears to imply that system is not operating as designed. If it were a recharge pond, it would be designed to discharge water into the pond basin. (C13-16)

...the pond, which was built in the 1930's, was designed as a stormwater settling basin and functions as such. The overflow area was designed as an overflow discharge and functions as such. (C13-17)

#### **Response WR-77**

The project, as proposed, will be required to store and recharge all runoff from the site in accordance with prevailing regulations. As a result, the majority of the runoff currently being directed to, and overflowing from, the existing basin will be collected separately and recharged into the ground.

#### **Comment WR-78**

Figure 4-3 shows a Proposed Drainage Plan that directs all Heartland stormwater into retention ponds on Heartland property. There would need to be additional analysis that demonstrates that proposed retention ponds are adequate for the volume of stormwater anticipated. Additional topographical analysis is also required to demonstrate that the new system can be designed so as not to cause overflows onto OMH property. (C13-19)

#### **Response WR-78**

Final development plans will be required to include detailed design of all stormwater conveyance and retention systems in accordance with local regulations. The storm drainage system for the Heartland development will be required to store and recharge the runoff in accordance with prevailing regulations. Furthermore, design of the stormwater management systems will require approval from the Town of Islip as well as the NYSDEC in compliance with the required SWPPP for each individual development.

#### **Comment WR-79**

Figure 4-3 also shows a proposed new Retention Pond for Pilgrim property. This would require OMH consent which has not been requested. In order to obtain that consent, analysis would need to be provided to show that the size and location are adequate. In addition, the cost of any alterations to the stormwater system affecting Pilgrim should be borne by Heartland. There would also need to be a grading plan to demonstrate that the retention pond on state land serves to collect only stormwater from state property. (C13-20)

#### **Response WR-79**

Once a final design concept is developed, OMH would be consulted on the proposed details of a retention area to serve the remaining Pilgrim property. The details of the basin, including grading plans, calculations, details and other information would be developed in consultation with OMH, with the costs of the improvements borne by the developers.

#### **Comment WR-80**

The DGEIS should also specifically address who is responsible for maintenance of the proposed retention pond - mowing/weed control, bug control and sediment removal, as needed. (C13-21)

#### **Response WR-80**

Any drainage facilities constructed for the remaining OMH property would be turned over to OMH for maintenance, as they would be constructed on OMH property. All drainage facilities constructed on the Heartland property would be operated and maintained by the applicants.

#### **Comment WR-81**

The proposed project should avoid excessive impervious surfaces and consider grass pavers where feasible to minimize polluted stormwater runoff. Consider natural/vegetated drainage swales as opposed to recharge basins that collect garbage, are fenced off, and forgotten over time. (C21-17)

Pervious pavement systems are a unique way of handling and treating stormwater on site. Generally they consist of a pervious pavement layer capable of supporting vehicular or pedestrian traffic and a detention or storage layer consisting of gravel or crushed stone with sufficient voids to allow stormwater to collect and infiltrate into the soil below. These systems minimize stormwater runoff and recharge local groundwater supplies. They are an effective method for minimizing environmental impact of land development. (C36-45)

When impervious pavements are used for parking areas, streets, plazas and walkways they minimize stormwater runoff to surrounding streams and lakes and allow for natural infiltration to recharge local groundwater supplies. Its use supports national initiatives such as Low Impact Development and Cool Communities and provides a credit in the LEED® green building rating system. (C36-46)

#### **Response WR-81**

As part of the final design, due consideration will be given to Green Infrastructure measures that are designed to reduce runoff from impervious areas. Measures, such as pervious pavers, green roofs, etc., will be evaluated with respect to cost, feasibility, long-term effectiveness and maintenance needs. These measures will be considered at the site plan approval stage of the process.

#### **Comment WR-82**

It would be ideal to be able to keep receiving clean storm water runoff in the retention sump located on the NYS property we hope to add to the preserve. If the water source dries up or is reduced, there will be a huge decline in the ecosystem that has developed since the old powerhouse was converted from coal to oil. We are not sure if this is even legally possible but the drainage conduits also serve Pilgrim's existing operations and the existing roads on Heartland property, such as G road and utility road East and West. Leaving them intake and perhaps adding filters as needed would be the preferred option. (C32-16)

#### **Response WR-82**

If requested by the Town or County, and if economically feasible, the final design of the storm drainage system can incorporate controlled overflow of the Heartland Town Square drainage system (and possibly the Pilgrim system) to the existing retention area south of the site. Overflow through the proposed Heartland Town Square system could provide the settling and filtration necessary to maintain a flow of "clean" stormwater to the basin, if desired.

#### **Comment WR-83**

The DGEIS states "A preliminary analysis of stormwater management needs conducted by BBVPC, and the configuration of the proposed development, suggest a number or recharge locations would be appropriate. It is anticipated that infiltration of stormwater runoff will be accomplished using a combination of small recharge basins dedicated specifically to recharge, and a number of drainage reserve area designed to serve as open space/park areas when not needed for stormwater recharge." (C36-42)

This proposal woefully fails to capitalize on the benefit of creative stormwater management. Stormwater runoff has been traditionally treated as a by-product of development to be disposed of as quickly and efficiently as possible. The result has often been increased flooding, degradation of surface and subsurface water quality, and degradation of water quality in Long Island rivers, streams, tributaries and bays. In addition, stormwater runoff causes soil erosion and sedimentation. New Planning tools and techniques, referred to as "Green Infrastructure" are emerging across the nation to better manage stormwater. These include Best Management Practices (BMPs) which are structural, vegetative, and managerial practices designed to treat, prevent, or reduce degradation of water quality due to stormwater runoff. (C36-43)

It is contaminated stormwater runoff that pollutes our groundwater and beaches and our bays, and yet, the DGEIS contains almost no plan for stormwater runoff, but rather, it contains the plan for using drywells and recharge basins, which the same old archaic and old technology that has polluted our groundwater and beaches for the last several decades. (H18-2)

We are looking for more innovative technology, such as recapturing of rain water and re-use, stormwater swell designs that allow greater filtration before the stormwater ended in our groundwater. We are looking for organic methodology to prevent pesticides from entering into the groundwater and going into our drinking water wells, or perhaps landscaping use. Such treatment is the wave of the future. We don't want to keep using the same old practices of the past. (H18-3)

**Response WR-83**

Stormwater will be collected and recharged into groundwater in accordance with prevailing regulations. Studies, including the *Soil Survey of Suffolk County, New York*, the *Long Island Segment of the Nationwide Urban Runoff Program*, and the *Long Island Sound Study*, have validated the effectiveness of the sandy soils on Long Island in filtering recharged stormwater. Appropriate Green Infrastructure measures, which have been incorporated into the updated *New York State Stormwater Design Manual*, will be considered as part of the final design. Incorporation of measures that reduce runoff is in the best interest of the project in minimizing the area needed for stormwater recharge. However, it must be noted that the runoff from this property is not being directed to surface waters (the nearest of which are over two miles away), and measures designed to reduce and filter peak flows from the site are not applicable to this project.

**Comment WR-84**

According to the USEPA “The natural infiltration capabilities of green infrastructure technologies can improve the rate at which groundwater aquifers are ‘recharged’ or replenished.” The EPA has recently endorsed source controls or “green infrastructure” as a way that municipalities can control stormwater. The agency actively encourages regulated municipalities to reduce runoff volumes and sewer overflow event through the wide-spread use of best management practices that capture and treat stormwater runoff before it is delivered to ambient waters. The EPS has provided guidance for constructing source controls, including an *Urban Stormwater Retrofit Practices Manual* and an *Urban Best Management Practices Performance Tool Kit* with studies covering a variety of traditional and low-impact source control types. (C36-44)

**Response WR-84**

Appropriate Green Infrastructure measures that have been incorporated into the updated *New York State Stormwater Design Manual*, will be considered as part of the final design. Incorporation of measures, which reduce runoff is in the best interest of the project in minimizing the area needed for stormwater recharge.

**Comment WR-85**

Traditional bioretention cells, also referred to as rain gardens, are small landscaped, graded areas constructed with a special soil mix and lined with a porous medium that can aid in reducing stormwater runoff, replenishing the aquifer, and filtering nonpoint source pollution. Low maintenance, water-tolerant plants are often used in bioretention cells. Bioretention cells also can be designed using waterproof liners with underdrains, which can collect stormwater for reuse and help avoid potential soil contamination and leaks into building foundations. (C36-47)

Bioretention or biofiltration vegetated source control techniques work through the filtration of water to the soil and the transpiration of water by plants. The combination of these two mechanisms most closely mimics pre-development hydrology and therefore, filter out pollutants through physical properties or eliminate pollutants altogether through microbial process and therefore can act as a network of distributed pre-treatment plants. (C36-48)

Bioswales are landscaped elements designed to remove silt and pollution from surface runoff water. They consist of a swaled drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost and/or riprap. The water’s flow path, along with the wide and shallow ditch, is designed to maximize the time water spends in the swale, which aids the trapping of pollutants and silt. Biological factors also contribute to the breakdown of certain pollutants. (C36-49)

Bioswales are stormwater runoff conveyance systems and therefore, bioswales improve water quality by infiltrating the first flush of stormwater runoff and filtering the large storm flows they convey. The majority

of annual precipitation comes from frequent small rain events. Much of the value of bioswales comes from infiltrating and filtering nearly all of this water. (C36-50)

A common application is around parking lots, where substantial [sic] is collected by the paving and then flushed by rain. The bioswale wraps around the parking lot and treats the runoff before releasing it to the groundwater. (C36-51)

#### **Response WR-85**

As part of the final design, the applicants will evaluate the economic and technical feasibility of green roof and other technology. Use of bioswales is proposed within the Town Center and will be considered for other areas of the development (see Response WR-9). In addition, other appropriate Green Infrastructure measures, which have been incorporated into the updated *New York State Stormwater Design Manual* will be considered as part of the final drainage design (see Response WR-9). Incorporation of measures which reduce runoff is in the best interest of the project in minimizing the area needed for stormwater recharge. However, it must be noted that the runoff from this property is not being directed to surface waters (the nearest of which are over two miles away), and measures designed to reduce and filter peak flows from the site are not applicable to this project.

#### **Comment WR-86**

Blue roofs, or rooftop detention systems, are a detention technique where a flow restriction device around drains holds back water until the storm surge passes. If the ponded water depth exceeds the established threshold amount, the water flows over the collar into the roof drain. (C36-52)

#### **Response WR-86**

Rooftop detention systems designed to provide storage to temporarily hold back storm surges are not applicable to this project, as the drainage system is not designed for the discharge of runoff off-site or to surface waters.

#### **Comment WR-87**

Green roofs treat stormwater through retention or bioretention. Green roofs are comprised of a structurally sound roof, a waterproofing and root barrier, a drainage layer, a permeable fabric, a growing medium, and vegetation. Extensive green roofs are lightweight, typically featuring hardy succulent plants. Intensive green roofs are heavier and feature a thicker growing medium to support deep-rooted vegetation. According to Plan NYC 2030, Sustainable Stormwater Management Plan, page 42, green roofs can reduce runoff 29% to 90% of the total rainfall volume; most studies of extensive green roofs report runoff reductions between 50% and 70%. (C36-53)

#### **Response WR-87**

See Response WR-85.

#### **Comment WR-88**

Rain barrels harvest rainwater from building downspouts into a small above-ground barrel. A first flush pipe diverts the initial pulse of runoff from the roof, and an overflow pipe diverts runoff in excess of barrel capacity to the sewer. A typical rain barrel holds approximately 50 gallons. Rain barrels are appropriate for parcels with landscaped areas. (C36-54)

Rain barrels should be used where feasible as a way to collect water and recycle it. (C39-6)

**Response WR-88**

Appropriate Green Infrastructure measures, which have been incorporated into the updated *New York State Stormwater Design Manual* will be considered as part of the final drainage design. Incorporation of measures which reduce runoff is in the best interest of the project in minimizing the area needed for stormwater recharge. However, rain barrels seem more suitable to individual residences than large commercial, retail or residential buildings with a large roof area.

**Comment WR-89**

In addition, CCE is concerned about increased incidents of localized flooding caused by the channeling of vast amounts of stormwater through recharge basins and dry wells during large scale storm events. CCE has met with local communities members living in southern portions of the town (directly south of Heartland) who have experienced local flooding. It is not out of the question that increased runoff within existing stormwater channeling structures contributes to flooding in the outflow area along the shore. Adding to the out flow of waters within lakes and ponds may be detrimental to homes and communities south of Heartland. Reducing stormwater would mitigate potential impacts. (C36-55)

**Response WR-89**

Final development plans will be required to include detailed design of all stormwater conveyance and retention systems in accordance with prevailing regulations. The storm drainage system for the Heartland development will be required to store and recharge the runoff in accordance with prevailing regulations, which is expected to exceed what is being stored and recharged by the existing storm drainage system.

**Comment WR-90**

The Great South Bay is a sub-region of the South Shore Estuary Reserve (SSER). Water quality is a key factor in the overall health of the Reserve's complex ecosystem. Non-point water pollution, resulting primarily from polluted stormwater runoff is identified as a primary water quality concern in the Reserve. Elevated levels of bacteria in stormwater runoff are responsible for a variety of estuary water quality impairments including the permanent and seasonal closure of shellfish beds and public bathing beaches. In 2007, the SSER Council entered into a formal partnership with the NY Ocean and Great Lakes Ecosystem Conservation Council to advance and implement the principals of ecosystem based management in the Great South Bay portion of the Reserve. One goal is to promote the restoration of the hard shell clam population. As a result, all Reserve partners, including the Town of Islip should be engaging in co-ordination of activities to address stormwater management within the watershed of the Great South Bay demonstration area. The objective is to implement new and effective technologies and methodologies to reduce and filter stormwater before it reaches the Great South Bay. The Heartland stormwater plan does not conform to this critically important new state, regional and town initiative. (C36-56)

**Response WR-90**

Stormwater will be collected and recharged into groundwater in accordance with prevailing regulations. In addition, appropriate Green Infrastructure measures, which have been incorporated into the updated *New York State Stormwater Design Manual*, will be considered as part of the final design. Incorporation of measures that reduce runoff is in the best interest of the project in minimizing the area needed for stormwater recharge. However, it must be noted that the runoff from this property is not being directed to surface waters (the nearest of which are over two miles away); therefore, measures designed to reduce and filter peak flows from the site are not applicable to this project.

**Comment WR-91**

The DGEIS states that stormwater runoff from the site will be filtered through drywells and retention basins before entering the groundwater. Drywells do not typically filter stormwater at all, they simply store it underground temporarily until it can be absorbed into the earth. They usually bypass any sort of vegetative matter that has the potential for filtration. Retention basins also do not allow for any significant amount of filtration of the stormwater. Water is typically piped directly into the retention basin which is usually too deep and contains too large a volume of water to allow for any great amount of filtration. (C28-29)

**Response WR-91**

Stormwater will be collected and recharged into groundwater in accordance with prevailing regulations. Numerous studies have validated the effectiveness of the sandy soils on Long Island in filtering recharged stormwater.

**Comment WR-92**

Vision Long Island would recommend the use of “Light Imprint” stormwater infrastructure such as planting strip trenches and water features designed to absorb runoff, where appropriate through the site to minimize untreated, unfiltered runoff.<sup>25</sup> Light Imprint stormwater infrastructure can reduce costs by up to 30%. (C28-30)

**Response WR-92**

As part of the final design, due consideration will be given to Green Infrastructure measures that are designed to reduce runoff from impervious areas. Any such measures, such as pervious pavers, green roofs, etc., will be evaluated with respect to cost, feasibility, long-term effectiveness and maintenance needs.

**Comment WR-93**

Retaining more of the existing forested areas than planned (see comments on Vegetation) will help with stormwater retention and infiltration. Forests have “rough” texture and porous ground that slow down stormwater runoff and allow for great infiltration. This will help lessen the need to create drainage reserve areas (page 1-26, Executive Summary), which require “extensive grading.” In turn, less disturbance to the groundwater and less dust will result. (C1-59)

**Response WR-93**

Preservation of approximately 35 percent of the property as open space is consistent with an economically feasible smart growth development. Although re-grading over a large part of the property is required, no significant steep slopes, which are conducive to erosion, will be created.

**Comment WR-94**

The DGEIS cites the use of recharge basins, drainage reserve areas, and drywells to capture and store stormwater. In Figure 4.3 the distinction between drainage reserve areas and recharge basins is unclear. (C1-61)



<sup>25</sup> DPZ-Charlotte, Light Imprint Handbook.

**Response WR-94**

Detailed design of the recharge basins, retention areas and other stormwater management elements will be provided in the final design phase based on actual impervious areas and other characteristics of the development.

A Drainage Reserve Area (DRA) is a small-scale drainage retention basin for the infiltration of stormwater, typically shallow (three feet to five feet deep) with gently-graded side slopes (1:6), created within the natural contours of a site and often planted to look like part of the natural landscape. Depending on soil conditions and the particulars of the drainage collection system, a DRA may or may not include a diffusion well within the basin to enhance infiltration rate. DRAs are typically intended to be dry except during rain events, typically used for relatively small tributary areas. A recharge basin is a large-scale drainage retention basin for the infiltration of stormwater, typically deep (12 feet to 15 feet) with steeper side slopes to maximize efficiency (1:3), to which the runoff collected from large tributary areas such as an entire residential development or neighborhood is directed. Side slopes may or may not be planted for stability, the bottom of the basin typically remains as bare soil to enhance infiltration, and it may or may not include a diffusion well.

The figure in the DGEIS is intended to illustrate the areas available for such facilities.

**Comment WR-95**

Discussion of methods to settle out sediment in stormwater prior to reaching recharge basins, drainage reserve areas, and drywells is very limited and discounts these methods as being too costly. The proposed project would greatly increase runoff and will serve as a primary source of groundwater recharge from the site (390 mg). (C1-62)

**Response WR-95**

Section 4.2.4 of the DGEIS explains that appropriate structural measures for the trapping and filtration of sediment will be considered. The exact nature of these measures will need to be determined during final detailed engineering design of the drainage system, as they are dependent on the types and locations of structures used.

**Comment WR-96**

Discussion of methods to reduce chemicals in stormwater runoff is very limited. The use of recharge basins is cited as a primary method of removing pollutants from runoff. The Long Island *NURP* Study is referred to demonstrate that recharge basins provide adequate pollutant removal: "Long Island groundwater is sufficiently contaminated with these chemicals [nitrogen and salts] from sources other than urban runoff such that urban runoff from recharge basins is actually diluting groundwater and improving its quality." (C1-63)

**Response WR-96**

As stated in Section 4.2.4 of the DGEIS, NYSDEC publications note that recharge basins provide effective pollutant removal in conjunction with replenishment of groundwater. The statement from the Long Island National Urban Runoff Program (NURP) Study serves to highlight the fact that the quantity of nitrogen and salts contributed by urban runoff infiltrated through recharge basins is minimal in comparison to other sources to the extent that it provides a net benefit in diluting contamination from other sources. Regardless, Section 4.2.4 of the DGEIS notes that additional measures, such as upstream sediment trapping, will be employed where feasible to enhance the quality of the discharge to the recharge basins.

**Comment WR-97**

The DGEIS contains very little discussion regarding the potential for increased lead concentrations in stormwater runoff, which may ultimately have an impact on groundwater quality. Lead concentrations in runoff appear directly related to the extent and characteristics of the road network and type and volume of traffic in the drainage area served by the basin (page 3-91). Traffic generated from the Heartland Village project and the potential for increased truck traffic from an expanded intermodal facility may have an impact on lead concentrations in runoff. (C1-64)

**Response WR-97**

In reviewing the potential for increased lead contamination caused by stormwater runoff in urbanized areas, available literature (Federal Highway Administration and related studies) suggests that a substantial fraction of the lead content in stormwater runoff in prior studies came from the rainfall rather than being picked up as surface runoff. Observations included the fact that a substantial decrease in lead content was seen after lead was removed from gasoline. The reduced concern over lead as a major contaminant in stormwater runoff is also reflected in the Nassau County Department of Public Works discussion of "Six Pollutants of Concern" which does not mention lead as a major concern in describing the goals of its Stormwater Management program.

In general, a review of available literature on the subject of heavy metal contamination (including lead) as it relates to increased stormwater runoff from development indicates that the major concern is the increased runoff carrying these pollutants to surface waters. As this project will retain the runoff in accordance with prevailing regulations, the project will conform to BMPs for the removal of heavy metals and similar contaminants through infiltration. Where additional measures to contain contaminants are desired (although these concerns generally pertain to discharge to surface waters, which is not the case for this project), sediment traps incorporated into the design (which have been mentioned as a component of the catch basins) are considered to be an effective measure. If further mitigation is warranted, regular street-sweeping (with proper disposal of the sediment) is also an option.

---

**4.14.5 Surface Water/Wetlands****Comment WR-98**

How might removal of groundwater from the Heartland Village project impact State-regulated Freshwater Wetlands approximately 2 miles from the project site (Sampawams Creek and Wetlands), north of Deer Creek? (C1-58)

Mitigation of the impacts to the Deer Lakes on Sampawams Creek should be fully discussed. (C6-4)

**Response WR-98**

In order to respond to the concern of changes to groundwater levels, several items relating to modeling are explained herein:

- the reliance on model results in general
- model results and assumptions for Heartland
- actual water supply to the site
- historical water level changes

Modeling is a predictive tool that uses the best available data at present time to predict what may happen in the future. The results are only predictions and may or may not actually occur. A past example of this was the modeling done for the federally-funded study of environmental impacts of the Southwest Sewer District #3 (a/k/a FANS). The model was constructed and run with data obtained in the late 1970s with predictions to about the year 2000. It predicted stream shortening and reduced flow due to water table declines from the sewer installation. Since these were only predictions, the SCDPW and SCDHS decided to monitor the groundwater table, stream flow, stream length and stream ecology from 1989 to 2001 (12 years). These agencies found no appreciable changes had occurred. As a result, no mitigation of stream flow was needed. This is a prime example of a model being only a predictive tool.

#### Model Results for Heartland Town Square

The groundwater model for the project made two conservative assumptions. It used a groundwater withdrawal of 2.5 mgd and withdrew it from one well site close to the project (Bob Dassler well site). Results showed 0.9-to-1.5 feet, lowering of the groundwater table at the project site. This amount is small when compared to long-term water level fluctuations (30 years plus) of 5-to-10 feet depending on the rainfall amounts.

The DGEIS also has a second empirical calculation which looked at the water supply wells that surround the site and which would actually provide water. This much larger area (approximately 6.5 square miles) when divided into the 2.5 mgd to produce a 0.5-foot change, which is believed to more accurately reflect the actual change that would result from the proposed development.

Both methods are predictions and the results are small as compared to normal water table fluctuations. To provide further assistance to answer the question, the applicants will install a monitoring well on the site for SCDHS or the USGS to use in mapping the water table over time.

#### Deer Lake

A question was also raised regarding impacts to Deer Lake and environs. Pages 4-30 and 4-31 of the DGEIS address the lake and refer to several reports (SCDHS - 1995 and SCDPW - 2001) about the lake levels. The lake is south of the site (approximately two miles), and based on that location and model's groundwater table changes, the Heartland development will not significantly impact the lake. Specifically, according to page 4-57 of the DGEIS "the simulated decline in the groundwater level at Deer Lake range from 0.24 feet (northern lake) to 0.17 (southern lake)." The referenced reports indicate seasonal rainfall, primarily from drought years, has the greatest impact on the lake.

## 4.15 Air Quality (AQ)

### Comment AQ-1

New York State Department of Transportation analytical protocols were used to evaluate year 2021 air quality levels including traffic from the proposed project. It appears the analysis was performed using the applicant's computer model for estimated vehicle trips from Heartland. ITE trip generation data was not considered in this analysis. Considering the monumental difference in traffic estimates between the sponsor and lead agency, it is necessary to also provide analysis for air quality impacts assuming the ITE data is accepted. As per the applicant's argument supporting their position to have the document accepted for circulation, the document must provide analysis of both positions to allow a reviewer to reach an independent determination regarding the impact. (C9-20)

### Response AQ-1

A revised traffic analysis was prepared for the Heartland Town Square development, and, based on the revised traffic data, a revised air quality analysis has been prepared. The revised air quality analysis is provided in Appendix AQ-1 of this FGEIS. Traffic-related air quality impacts have been reevaluated to reflect the revised traffic study. Development-induced traffic is expected to generate emissions of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOCs) and fine particulates (PM<sub>10</sub> and PM<sub>2.5</sub>), which are associated with vehicle exhaust. Thus, an air quality analysis is commonly performed to determine traffic related impacts at various traffic intersections surrounding the proposed traffic site. Air quality impacts are typically greatest at signalized intersections due to the stop-and-go nature of vehicle emissions, as well as the large grouping of vehicles located at intersections.

Evaluation of air quality impacts included existing conditions (2010) and 2027 True No Build and Build traffic conditions. Although the development is expected to be constructed in phases, the worst-case 2027 final completion Build scenario was evaluated. The 2027 Build scenario creates the maximum worst-case air quality impacts based on maximized development-generated traffic. Peak hour traffic data from AM, PM and Saturday were analyzed to determine which peak hour period included the maximum vehicle volume per intersection. The air quality analysis is based on the peak hour periods that generate maximum traffic volume since data for other traffic periods provide lower traffic volumes, and therefore, lesser air quality impacts.

There are two types of traffic related air quality analyses that can be required for a proposed development of this type; microscale analysis and mesoscale analysis. The NYSDOT Environmental Procedures Manual (EPM), Chapter 1.1 details the criteria for determining if a project requires either air quality analysis. A microscale analysis focuses on CO, PM<sub>10</sub> and PM<sub>2.5</sub> impacts, whereas a mesoscale analysis focuses on VOC and NO<sub>x</sub> as well as PM and CO impacts. Each type of analysis was performed, as warranted.

The air quality analysis of the proposed development focused on CO and PM associated with traffic generated by the development, which, based on experience and NYSDOT assessment guidance, are the critical impacts from an air quality perspective. Development-related air quality impacts were compared to baseline air quality conditions (2010) and air quality conditions expected in 2027 without the development (True No Build case). Overall, based upon the analyses performed (see Appendix AQ-1), the results indicate that air quality levels of CO, PM<sub>10</sub> and PM<sub>2.5</sub> will not be significantly impacted by the increased traffic expected by the Heartland Town Square development, and there will be no violations of prevailing regulations. Vehicles utilizing the proposed development would also emit NO<sub>x</sub> and VOCs. NO<sub>x</sub> and VOCs are precursors of low-level ozone (O<sub>3</sub>) formation, which contributes to smog levels. As in the case with fine particulates, the emissions from the vehicles utilizing the proposed development are not expected to have a

significant impact on ambient concentrations of NO<sub>x</sub> or VOCs in the general area. As such, the O<sub>3</sub> contribution from development-related traffic would not be significant.

Therefore, no air quality mitigation measures would be required beyond those anticipated in the traffic analysis. As part of the traffic analysis, mitigation measures are proposed to improve traffic congestion. These traffic related mitigation measures will also mitigate air quality impacts.

#### **Comment AQ-2**

Apart from the issues of traffic, there are serious concerns regarding increased air pollution to an area that already had a D-rating for air quality. (C-22-3)

#### **Response AQ-2**

The comment refers to the area as having a “D-rating” for air quality. NYSDEC and the USEPA air quality standards and data collected by the NYSDEC and qualified networks were used to show the area is in attainment of most applicable air quality rules and regulations. For non-attainment pollutants such as ozone and particulate matter less than 2.5 microns, the NYSDEC has developed State Implementation Plans (SIPs) to address these regional problems. The SIPs are designed to bring the area into attainment. The ambient levels for both of these pollutants are, in significant part, associated with the long-range transport of pollutants into the area. Thus, correcting the problem will potentially involve regional sources as well as sources of air contaminants at the site and vehicular traffic. NYSDEC PM<sub>2.5</sub> monitoring data since 2010 indicates that Suffolk County is now in attainment with the PM<sub>2.5</sub> NAAQS. In 2011, the NYSDEC filed a Clean Data petition with the USEPA for all New York counties to be re-designated as in attainment with PM<sub>2.5</sub> standards. USEPA has yet to respond to NYSDEC's petition.

It is also important to note that the air quality analysis contained in Appendix AQ-1 shows there will be a decrease in traffic-related air pollution as compared to current levels. This is based on the fact that vehicle air pollution controls have and will continue to improve over time for the foreseeable future.

#### **Comment AQ-3**

My client is proposing to cure this problem [of not having an environmentally-friendly fuel facility] and provide for a clean energy facility right in the Gateway area. This would no longer just be an option for this development, but a reality. This would dramatically improve the air emissions for the overall site, by using clean natural gas vehicles for shuttle and other services, as well as encouraging residential auto users and others to use clean natural gas vehicles. (C29-14)

#### **Response AQ-3**

The Town is not considering a fueling facility of any kind within either Heartland Town Square or the Gateway Area.

#### **Comment AQ-4**

The question of air quality and traffic must be considered together. It is not just a question of wait times, but the additional motor vehicle discharges that are of concern. Even though Heartland's air pollution contribution would be lessened because of green practices, it would not be “insignificant” but in addition to current pollution rates, these must be addressed in the plan with strategies that can be used with Town, County State and Federal governments to address the transportation issues. (C31-7)

#### **Response AQ-4**

This comment suggests a link between air quality and transportation issues. There is a link between the two, although it continues to weaken as federal emission control programs have been and will continue to be implemented that have reduced and continue to reduce the amount of air pollution caused by the entire transportation sector. Ambient air quality measurements over the past 40 years have shown substantially reduced ambient concentrations of most pollutants, even though the average vehicle miles traveled has increased dramatically. This strongly suggests that the federal programs designed to reduce mobile source emissions are working and their effects result in improved air quality. The design of the development (including its walkability, emphasis on biking and the provision of a 24/7 shuttle bus) will allow these trends to continue and further reduce the impact of transportation systems and associated sources on air quality. See Responses AQ-1 and NO-16.

#### **Comment AQ-5**

According to the New York State Department of Health (SPARCS) data, our Asthma Hospital Discharges of children 0-4 years old is double the Suffolk County rate. The combination of surrounding traffic, which is now a problem, and Heartland traffic must be addressed. (C31-8)

Western Suffolk County is already a non-attainment area with regard to air quality (a D-minus) and this area in particular already has poor air quality. Brentwood has the highest rate of childhood asthma on Long Island; Dix Hills the highest rate of breast cancer. Although this project aims to decrease dependency on cars, that will not happen right away. (C39-8)

#### **Response AQ-5**

The comment suggests a connection between child asthma hospital discharges and traffic. Based on NYSDOH data, areas to the north of the Long Island Expressway, near Sagtikos Parkway, have a one to two percent visit rate for asthma emergencies, while areas south of the Long Island Expressway, near Sagtikos Parkway, range from six to nine percent. These areas should be nearly identical relative to the ambient air concentration of air pollutants resulting from vehicular activity, and thus, the traffic-related air quality impacts would not be markedly different. Therefore, a link between asthma and traffic is not supported by the data.

Improvements in general living conditions, building and construction materials, use of new modern infrastructure with green technology, more efficient and shielded electronics, reductions in automobile use, and reduction in automobile emissions as a result of federally-mandated programs, among other measures, should improve overall health and quality of life over time in the area.

The comment also states the area is “already a non-attainment area with regard to air quality and... has poor air quality.” As stated in Response AQ-2, the non-attainment issues are being addressed by the USEPA and the NYSDEC, and as such, the air quality in area has improved over the past several years. If, in the future, air quality regulations are modified due to SIP requirements, the Heartland Town Square development will have to conform to whatever requirements are imposed by these agencies to resolve these issues.

The decrease in dependency on automobiles will take time; however, the build-out period for the development is 15+ years. Nevertheless, Heartland Town Square has been designed to be a walkable community. One of the main ideas behind a smart growth plan is to encourage residents to walk to their destinations. Heartland is creating a live, work, play community (residential, office, retail). The applicant believes it is necessary to get the density requested because in order to make an impact strong enough to start a paradigm shift in Long Island’s dependency on the car to walkable communities such density is needed to support the diverse mixture of proposed uses. Also, see Response AQ-1.

**Comment AQ-6**

How will the construction of this project over many years and the likely influx of workers, visitors and others to this project affect an area that already has poor air quality? What measures will be taken to ensure that the existing communities will not be adversely affected by the construction of this project? (C-39-9)

**Response AQ-6**

An air quality analysis addressing these and other concerns was prepared and presented in Section 4.3 and Appendix J of the DGEIS. That analysis indicated that under the worst-case year of construction, 162 tons of particulate matter less than 10 microns in size would be released. For particles less than 2.5 microns the value would be less than approximately 50 tons over the worst-case year. These specific construction air quality impacts were derived based on EPA recommended procedures. The influx of workers, visitors and others to the subject site during construction will be less than the full build year impact analysis of a fully operational project as presented in Appendix J of the DGEIS. Since the full build year impacts on air quality are well within regulatory standards, the impacts associated with workers, visitors and others would likewise be within applicable regulatory standards.

In addition, as discussed in Section 5.3 of the DGEIS, certain construction-related air quality mitigation will be undertaken. Specifically,

- The construction of the proposed project will occur in phases. The Town has asked for specific mitigation measures per phase of construction. Relative to air quality, each phase will have the same mitigation measures concerning construction. The applicants are required to mitigate construction impacts by reducing the amount of disturbed land to a minimum, preventing the tracking of dirt and debris onto roadways and utilizing construction equipment with emissions meeting applicable standards; and
- Typical mitigation practices for construction activity will be taken to reduce fugitive dust emissions and mobile source emissions. Normally, wetting of disturbed soils, minimizing carryout of materials and seeding or stabilizing disturbed soils are the typical mitigative measures to avoid nuisance issues.

**Comment AQ-7**

The DGEIS states that there are no expected increases in CO levels from project-generated traffic based on the assumption that pollution control technology will be in place by project completion (page 1-28). What would the air quality forecast look like if existing air quality [vehicle emission] standards were used in the analysis? (C1-72)

**Response AQ-7**

The applicant believes that the comment is asking what the air quality forecast would look like if existing motor vehicle emission standards were used in the analysis. In other words, what if the pollution control technology in place today did not improve, as provided for in federal regulations?

The basis for the statement that there will be no expected increase in CO levels has its foundation in the Federal Clean Air Act. There is a direct correlation between mobile vehicle emissions and ambient air quality. EPA studies show that today's cars emit 75 to 90 percent less pollution (for each mile driven) than their 1970 counterparts. The analysis takes into account that automotive manufacturers must meet federal and state vehicle emission standards to allow their vehicles to be sold in this country.

An analysis has been prepared to estimate future air quality levels using Build Year (2027) motor vehicle emission rates generated by vehicle emissions software that does consider a decreasing trend in emissions over time, but does not reflect emission standards that have been implemented since the release date of the emission factor generator software. Since 2010, there have been several CAA rulemaking actions related to emission standards and vehicle economy that are not reflected in the air quality analysis. These new regulations began with 2012 model year vehicles and become more stringent for 2017 model year vehicles and again for 2025 model year vehicles.

If no emission standards were implemented, a quick estimate for CO levels attributable to the project shows that the increases would be slightly higher than the former estimated project CO impact concentrations. This is accomplished by using baseline (2010) emission rates for the 2027 Build year traffic conditions. For the one-hour case, this would increase the predicted 2027 maximum concentration with background from 2.5 parts per million (ppm) to 3.0 ppm, as compared to the 35.0 ppm standard. For the eight-hour standard, the maximum value would increase from 1.8 ppm to 2.1 ppm as compared to the standard 9.0 ppm.

#### **Comment AQ-8**

What are the implications of the project site being located in a designated USEPA non-attainment area of inhalable particulates (PM<sub>2.5</sub>), requiring New York State to more closely regulate PM<sub>2.5</sub> sources? (C1-73)

#### **Response AQ-8**

The NYSDEC filed a Clean Data petition with the USEPA in 2011 to be reclassified as attainment based on NYSDEC PM<sub>2.5</sub> ambient air monitoring data collected over the past several years. As such, it appears the area is now in attainment with PM<sub>2.5</sub> ambient air standards.

#### **Comment AQ-9**

The DGEIS contains very little discussion about ozone even though the proposed project is in a severe ozone non-attainment zone. Data supporting the conclusion that vehicle-related NO<sub>x</sub> (nitrogen oxides), VOCs (volatile organic compounds) will not have impact on ambient concentrations in the general areas is not apparent - thereby leading to the conclusion that the project will not have a significant impact on O<sub>3</sub> (ozone) levels (page 36-37, Volume 2 Appendix J). (C1-74)

#### **Response AQ-9**

Any discussions regarding ozone in the vicinity of the development need to be frequently updated since the matters of ozone attainment status, revisions of the Federal Ozone Ambient Air Quality Standards, the State's response to the original SIP's inadequacy to achieving compliance, the retention of the state standards while the USEPA revoked the one-hour standard, the penalties to be levied for not achieving compliance with the standards, etc., all continue to evolve. Since project conception, there have been changes to the ozone ambient air quality standards and subsequent attainment status designations. A brief history is as follows:

On March 12, 2008, the EPA lowered the primary 8-hour ozone NAAQS that was established in 1997. However, the rule was reconsidered in September 2009. On September 22, 2011, the EPA restarted the implementation process of a new 8-hour standard and asked States to revise attainment area designation recommendations. New York State submitted revised attainment designation recommendations to EPA on October 6, 2011 and EPA accepted the State's recommendations on December 8, 2011.

Although New York State has completed its attainment designations based on air monitoring data collected from 2008 through 2010 and has determined that Suffolk County is in non-attainment with the proposed 2008

ozone standard, the exact course on defining which standards should apply, and when, has not yet been established and will require further attention from regulatory agencies, before any applicant can be expected to precisely evaluate their development's impacts and proposed mitigation measures. According to EPA's Ozone NAAQS Review Schedule dated September 22, 2011, a proposed rule is not expected to be issued until October 2013 and a final rule is expected to be promulgated by July 2014.

Ozone is a regional problem that can only be solved by evaluating the impacts of all regional sources and the effects of long-range transport, determining which controls and mitigation measures will be effective and then implementing a plan to bring the area into compliance. As previous efforts have shown over the past 20 years, progress has been made but challenges still persist.

Nonetheless, the air quality analysis presented in the Appendix AQ-1 indicates that NO<sub>x</sub> and VOCs are precursors of low-level ozone (O<sub>3</sub>) formation, which contributes to smog levels. The emissions from the vehicles utilizing the proposed development are expected to have an insignificant impact on ambient concentrations of NO<sub>x</sub> or VOCs in the general area. As such, the O<sub>3</sub> contribution from development-related traffic would not be significant.

---

## 4.16 Ecology (EC)

### Comment EC-1

So, too, should greater consideration of what will happen to the animals displaced by the development. The DEIS simply concludes that animals on the site will migrate to the Edgewood Preserve to the south. Our concern is that this displacement of various animal species from their extensive wildlife habitat areas will become a nuisance or hazard to Huntington residents in adjacent neighborhoods. The DEIS does not explore this issue. (C8-20)

As stated above, the SGPA Plan stresses the importance of the unique habitat on the property. The DEIS claims that the site's fauna will simply relocate to nearby open space, such as the Edgewood Preserve to the south. This naively assumes that these nearby areas have "habitat vacancies," which is a preposterous ecological argument. The DEIS should simply admit that the animals living on the property will most likely not survive. (C8A-14)

The document states that there would likely be increased populations of animals to the surrounding area however, they would soon be "downwardly adjusted through further dispersal, through mortality unrelated to density, and through actual adjustment in reproductive output." It cannot be assumed that the nearby preserve has the capacity to take on an increased animal population even on a temporary basis. Density is a serious issue for existing and introduced species, food and resources become scarce when abundant species are introduced into an established community. It also defies well-established science that increased populations will be downwardly adjusted by mortality "unrelated to density." Increased density in an area with clear limits on food and land resources will surely reduce populations, to state otherwise is excessively misguided. (C36-22)

### Response EC-1

As detailed in Section 4.4 of the DGEIS, two of the ecological communities currently supported on and comprising a large portion of the subject property (Mowed Lawn and Vacant Lot) do not contribute significant quantities of animal immigrants to the Edgewood Preserve. Moreover, only a small portion of the Edgewood Preserve is contiguous with the subject property, whereas nearly half of the Pitch Pine-Oak Forest examples on-site, as well as some of the Successional Old Field examples, have directly contiguous off-site counterparts to which animals would be expected to emigrate instead.

Nonetheless, it is acknowledged that the proposed action will lead to a decrease in population densities for some of the wildlife species currently inhabiting/utilizing the site. However, the assumption that resource availability is the only limiting factor controlling carrying capacity (density), both on the subject property and on the Edgewood Preserve, is an oversimplification, as many other factors influence wildlife population densities (i.e. disease, parasites, predation, weather, human disturbances etc.).

Therefore, it is possible that wildlife species populations may already be below the theoretical carrying capacities of the site and surrounding properties, due to one or more of these limiting factors. Nevertheless, under the assumption that resource availability is the only limiting factor affecting population density, in the short-term, it is anticipated that the habitats surrounding the site, including the Edgewood Preserve, will experience a temporary increase in wildlife species during the construction phase of the proposed action, due to emigration of individuals from the subject property. Subsequently, it is anticipated that inter- and intra-specific competition for available resources within these surrounding habitats will result in a small net decrease in local population size for most species, until equilibrium between wildlife populations and

available resources is achieved. Following completion of the proposed action, it is expected that individuals of most wildlife species currently existing on site will return to the post-construction habitats, as indicated on the Pre- and Post-Construction Vegetation Table in Section 4.4 of the DGEIS. Ultimately, no significant adverse impact to the overall diversity of local and regional wildlife populations is anticipated.

#### **Comment EC-2**

To its credit, the DEIS acknowledges that the Pine Oak Woodland and the Heartlands property will be destroyed. However the actual acreage of displaced native habitat is not disclosed. This must be included, and as an obvious adverse impact, its mitigation must be explored. In this regard, it is important to differentiate between open space and native habitat. The FEIS must explore an alternative project layout that preserves the native Pine-Oak Woodland as the project's open space set-aside. (C8A-15)

#### **Response EC-2**

A table summarizing the acreage of existing natural habitats, as well as the acreage of each to be lost and preserved as a result of the proposed action, is included in Section 4.4 of the DGEIS (Table 4-11- Pre- and Post-Construction Vegetation). This table differentiates between cultural habitats (i.e., Mowed Land) and native habitats (i.e., Pitch Pine-Oak Forest).

With respect to Pitch Pine-Oak Forest, as indicated on the aforementioned table, 48.57± acres of this community would remain following completion of the proposed action. This ecological community is ranked by the New York Natural Heritage Program (NYNHP) as "apparently secure in New York State" and "demonstrably to apparently secure globally, although it may be quite rare in parts of its range, especially at the periphery."

#### **Comment EC-3**

The DEIS indicates the loss of Pitch Pine-Oak forest community type to the overall ecology of the site would be minimal. We disagree. This loss will diminish the overall essential character of the existing Pine Barrens environment. This statement is supported in the SGPA in the section on Problems and Concerns, where it states that, "The gradual loss of the remaining open spaces and the need to devise strategies and techniques for slowing or offsetting that loss is a continuing concern, especially in an area that has already suffered some impairment of water quality." The Town of Huntington believes the proposal of incorporating native vegetation into site landscaping is insufficient mitigation. Development should be redirected away from the Pitch Pine-Oak forest habitat to preserve this special ecology from individual and cumulative adverse impacts. (C8A-16)

#### **Response EC-3**

See Response EC-2, with respect to the Pitch Pine-Oak forest. It is also noteworthy that the Long Island Pine Barrens Protection Act, which covers over 100,000 acres of property within the Central Pine Barrens, was designed to protect pine barrens resources, including Pitch Pine-Oak forest habitat. The subject property is not within the designated Pine Barrens area covered by that Act. Furthermore, the Town Board is aware of the proposed removal of vegetation and the associated impacts, and will weigh this and all other impacts, against the benefits associated with this proposed action. The Town Board will set forth this analysis in its Findings Statement, in accordance with 6 NYCRR §617.11(d).

#### **Comment EC-4**

The loss of habitat by the removal of most plant species (3 of which are rare) will displace a majority of animals (mammals, birds, herpetofauna, insects, including a rare one). Most adult animals could easily

migrate to the Edgewood Preserve for new habitat, but that will also lead to competition between species and within them competing for food resources and shelter. Ultimately competition will lead to a decrease in population of animals at that location because some will survive and others will not due to the limitations in resources. (C9-18)

#### **Response EC-4**

See Response EC-1.

#### **Comment EC-5**

I am quite happy with the open space set asides, but would hope that the bulk of these areas, especially buffer zones, could be cleared of invasive species and restored to native species where possible and also restored wherever they are temporarily disturbed by construction. Leaving as many native species (various pitch pine, various oak trees, and scrub oak) intact on the periphery and further clustering of structures to allow less disturbance of a key section of phase 2 would be a good modification to the existing plans. Using as much native oaks, pitch pines and other species could further reduce watering needs as well as eliminate the need for fertilizers and pesticides in those areas. Many such plants and seedlings are available at low cost from the NYDEC's Saratoga nursery. Furthermore, many of the native species are slow growth and would not require frequent pruning. (C32-3)

#### **Response EC-5**

As indicated on Figure 3-17 of the DGEIS (Vegetation Map), much of the existing perimeter vegetation on the site is comprised of Pitch Pine-Oak Forest, particularly along the eastern and northwestern boundaries of the subject property. As further indicated on Figure 4-21 of the DGEIS (Open Space Typologies), much of this habitat will be preserved as perimeter buffer zones. Thus, many native plant species, including pitch pines and oaks, will be left intact on the periphery of the site. Furthermore, the buffer areas, especially along the Sagtikos Parkway right-of-way and the southern portion of DU4, have been expanded in width under the revised Conceptual Master Plan, as compared to the plan presented in the DGEIS, thus preserving additional natural vegetation. The following table shows the increases in buffer areas along the Sagtikos Parkway and the nearest residences.

	Previous Minimum Setback (DGEIS)	Proposed Minimum Setback (FGEIS)
Sagtikos Parkway (West Side - DU2 and DU-3)	75 feet	200 feet
Sagtikos Parkway (East Side - DU-4)	45 feet	115 feet
Northwest Corner (near Commack Road (DU1-B))	130 feet	130 feet
Southeastern Corner (DU-4)	16 feet	40 feet

As indicated in Section 5.4 of the DGEIS, native species, as opposed to non-native invasive species, would be used to the maximum extent practicable, in the proposed revegetation of Heartland Town Square; however, the extent to which native plantings will be employed on the developed site has not yet been quantified.

#### **Comment EC-6**

Any rare plants, including the ones noted in the DGEIS, need to be well protected during construction activities and afterwards as well. Specimen trees from the Pilgrim facility should also be preserved where possible, as should a few post oaks noted growing along the site's southwest boundary. (C32-5)

**Response EC-6**

As indicated in Section 4.4 of the DGEIS, two of the three rare plant species observed on the site, Showy Aster and Slender Pinweed, were observed to be growing in several locations close to the boundaries of the subject property. Since much of the existing perimeter vegetation will be preserved as part of the proposed action, it is anticipated that the occurrences of these two species will be preserved as well.

The third rare plant species, Little-leafed Tick-Trefoil, is found most often in dry woods habitat (and was observed on the site in clearings within Pitch Pine Oak Forest). Therefore, it is also likely that occurrences of this plant will be preserved within the 48.57± acres of Pitch Pine Oak forest to be preserved on the site. Furthermore, as indicated in Section 4.4 of the DGEIS, Little-leafed Tick-Trefoil has also been reported on, and will be retained at, the Edgewood Preserve.

Several locations in the revised Conceptual Master Plan include retention of rows and stands of existing trees for incorporation into green spaces/parks (see Appendix RP-1). It is the intention of the revised Conceptual Master Plan to incorporate some of the existing tree stands from Road "K" as the centerpiece of two new park spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, stands of trees located in the existing central green area will be preserved and become a focal point for a new community space in that area. In addition to these key central areas, a large number of trees will be preserved around the perimeter of the site to act as buffers (see Response AV-1 for more detail on these buffers).

**Comment EC-7**

Chemicals from fertilizers can pose detrimental hazards to wildlife, especially birds who often mistake granule fertilizers for feed or seed. The proximity of this proposal to the Oak Brush Plains Nature Preserve heightens our concern for adverse impacts to wildlife. (C36-10)

**Response EC-7**

As noted in Section 5.4 of the DGEIS, it is the applicants' intention that safe and environmentally-sensitive practices will be used in applying chemicals to fertilize lawns and other plantings. It is anticipated that approximately 77.6 acres of the site would contain landscape vegetation. The applicants intend to use native vegetation, which would not require extensive fertilization, in its landscape plans. However, at this time, it is not possible to determine the specific amounts of native vegetation that would be planted. Such information would be submitted at the time of site plan review.

**Comment EC-8**

CCE recommends the use of organic management practices to reduce the harmful impacts caused by traditional fertilizers, pesticides, and insecticides on the environment. Specifically, CCE recommends an organic landscaping program coupled with a comprehensive composting program. This partnership would both save on waste and would provide free and organic fertilizer for use throughout Heartland. It would also provide a new cutting edge program that could be used as a model for other development proposals. (C36-11)

Total native plant landscaping is needed. Organic landscaping is important. (C31-5)

**Response EC-8**

See Response EC-7 with respect to use and application of chemicals.

Native species are proposed to be used, to the maximum extent practicable, in the revegetation of Heartland Town Square; however, the extent to which such plantings will be employed on the developed site has not yet been quantified. To the degree that native species are used in the landscaping that is installed for the proposed project, this would minimize impacts to groundwater resources and would not introduce invasive species to the subject property. Moreover, it would help to lessen potential impacts associated with the clearing of the subject site. A list of native species proposed to be used in the ultimate landscaping of the site is included in Appendix C of the DGEIS. The amount of proposed native vegetation is summarized in Table 4-11 (Pre- and Post-Construction Vegetation) and Figure 4-21 (Open Space Typologies) of the DGEIS.

#### **Comment EC-9**

The DGEIS states that the Heartland development project would pave over 246 acres. The massive addition of buildings, roads, and concrete structures will result in an enormous loss of habitat for both plant and animal species.

#### **Response EC-9**

Due to former institutional use of the subject property, much of the area that would be cleared and redeveloped as a result of the proposed action consists of buildings, paved roadways and cultural habitats (i.e., Mowed Lawn). A table summarizing the acreage of existing natural habitats, as well as the acreage of each to be lost and preserved as a result of the proposed action, is included in Table 4-11 of Section 4.4 of the DGEIS. As indicated in that table, significant acreage of natural habitat would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In total, approximately 90 acres of existing vegetation would be preserved. As compared to existing conditions, the preserved habitats are expected to continue to support a similar assemblage of plant and animal species, though individual population densities of resident species would be reduced. However, the development and implementation of a landscaping plan, which will include native species, would help to mitigate these impacts. Moreover, it is important to note that much of the acreage of Pitch Pine-Oak forest that would be preserved has directly contiguous off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve) to which wildlife would be expected to emigrate.

#### **Comment EC-10**

The intense development of the Heartland project would be detrimental to the natural open space in this parcel. The area would change from forested lands and open fields with undisturbed plant and animal life, to a high density, intensely developed area. CCE is concerned that the proposed "open spaces," where the DGEIS claims wildlife will inhabit, would be segmented by the surrounding housing and retail structures. In addition, the proposal seems to include playing fields as open space. This type of "open space" is unsuitable for wildlife. Roads and vehicles would also act as anthropogenic borders prohibiting free migration of wildlife. (C36-13)

#### **Response EC-10**

Table 4-11 of the DGEIS summarizes the acreage of existing natural habitats, as well as the acreage of each to be lost and preserved as a result of the proposed action. As indicated on this table, significant acreage of forested lands and open fields would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In total, approximately 90 acres of existing vegetation would be preserved.

With respect to pocket parks, these features are included under the Mowed Lawn ecological community of the aforementioned table. It is important to note that, under existing conditions, 42.95± acres of this community type are currently supported on the subject property. Further, it is not suggested within the DGEIS that this anthropogenic ecological community would support the same wildlife species assemblage as the natural communities to be preserved (i.e., Pitch Pine-Oak Forest); however, the contention within the comment that this community is “unsuitable for wildlife” is inaccurate. As detailed in Section 3.3 of the DGEIS, various bird and mammal species (i.e. American robin, house wren, gray squirrel, eastern cottontail etc.) were observed within this ecological community during the ecological inspections. It is anticipated that many of these species will continue to utilize this habitat type upon completion of the proposed action.

The majority of Pitch Pine-Oak Forest that would be preserved would be in perimeter buffer areas that are located beyond the proposed project roadways and have directly contiguous off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve) thus enabling the migration of wildlife between the site and these areas.

#### **Comment EC-11**

The DGEIS underestimates the amount of wildlife present in the designated area and the sensitivity of these species. Precautions must be taken to ensure the safety of the rare species present in the area of the proposed development.

#### **Response EC-11**

As indicated in Section 4.4 of the DGEIS, the subject property was inspected on five separate occasions by the project ecologist, Orland J. Blanchard, Jr., Ph.D., for the purpose of conducting an ecological evaluation (resume included in Appendix K of the DGEIS). Dr. Blanchard is a recognized field biologist on Long Island and is a past president of the Long Island Botanical Society. In his academic capacities, Dr. Blanchard has taught graduate courses in Ecology, Entomology and Vascular Plants of Long Island, and as Director of the Graduate Environmental Studies Program at Long Island University, C.W. Post, he has established numerous contacts in the environmental community on Long Island. As a matter of professional opinion, the applicants assert that the opinions of Dr. Blanchard regarding the observed and expected wildlife populations on the subject property are valid.

See Response EC-6 regarding rare plant species.

The preferred habitat of the single rare animal species observed on the site, the Red-banded Hairstreak butterfly, is forest edge. It is anticipated that suitable habitat for this species will remain on the site along the perimeter areas and within the interior openings of the 48.57± acres of Pitch Pine Oak to be preserved. Further, as reported by the project ecologist in Section 4.4 of the DGEIS, based upon data from previous butterfly studies, this species is found in large numbers in the adjacent Edgewood Preserve during certain years.

#### **Comment EC-12**

The DGEIS recognizes that there would be disturbances to most of the wildlife that currently reside in the area. According to the DGEIS, there will be loss of habitat from substantial alterations on the three existing sites of Pitch, Pine-Oak Forest, Successional Old Field and the second cultural community. This loss of habitat will lead to the local removal of most of the plant species. The DGEIS also states that most adult animals are highly mobile and therefore able and expected to leave and then return to the site post-development. CCE questions the practicality of this and request the DGEIS identify specific case studies where this reasoning is documented. (C36-17)

**Response EC-12**

Table 4-11 of the DGEIS summarizes the acreage of existing natural habitats, as well as the acreage of each to be lost and preserved as a result of the proposed action. As indicated on the table, significant acreage of forested lands and open fields would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In addition, over 33 acres of existing lawn and lawn with trees habitat would be preserved. In total, almost 90 acres of existing vegetation would be preserved. Given that all existing natural and cultural habitats will continue to exist on the site following the completion of the proposed action, it is anticipated that most existing plant species will continue to be supported within these communities.

With respect to recolonization of the site by wildlife, it is important to note the 90 acres of existing vegetation to be preserved will continue to support many resident wildlife species during and after construction. Moreover, the majority of Pitch Pine-Oak Forest proposed for preservation would be in perimeter buffer areas that are located beyond the proposed project roadways and have directly contiguous off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve), thus serving as wildlife corridors that would allow recolonization of wildlife between the site and these areas.

**Comment EC-13**

CCE is concerned with the animal surveys used in the DGEIS. The DGEIS concluded that only two mammals were found on the site during the time of the most recent survey. The DGEIS also cites a 1960's study that found the nearby area of Flanders was inhabited by 13 mammals. This data is out of date and therefore irrelevant to the current Heartland wildlife population. In addition to the two mammals, it was concluded that only one herptofaunal species was found—the Folwers Toad. Three other including the Smooth Green Snake “may or may not occur.” It is essential that a more precise and rigorous survey of the proposed heartland area be analyzed and wildlife recounted. If it is unknown if these species are present, analyzing the survival and return rates after project completion will be impossible. (C36-18)

**Response EC-13**

With respect to the project ecologist's credentials, see Response EC-11.

With respect to mammals, the project ecologist reported that two mammal species were *observed* on the site, while up to 15 mammal species are expected on the site. A list of these species is provided in Section 3.4 of the DGEIS.

As detailed in Section 3.4 of the DGEIS, the project ecologist's conclusions regarding expected herptofaunal species on the subject property were based upon data from the NYSDEC's New York State Amphibian and Reptile Atlas Project (the most recent data for reptiles and amphibian population distribution within New York State and the area within which the subject property is located), and observations from five separate field inspections of the site, including the observation that no permanent surface water exists on the site (thus precluding the chance that aquatic amphibian species listed in the atlas for the general area of the site would occur on the subject property).

**Comment EC-14**

CCE staff members have been engaged in this work for decades and find it highly improbable that only two mammals known to have previously inhabited the area currently reside on the property. Perhaps a pair of binoculars and hiking boots for the survey team may be warranted. (C36-19)

**Response EC-14**

The subject property was inspected on five separate occasions by the project ecologist, Orland J. Blanchard, Jr., Ph.D., as noted in Response EC-11. As indicated in Section 3.4 of the DGEIS, Dr. Blanchard reported that two mammal species were *observed* on the site, while up to 15 mammal species are expected on the site. A list of these species is provided in Section 3.4 of the DGEIS.

#### **Comment EC-15**

The survey also found 18 butterfly species living in the area but the DGEIS admits that “none of the visits took place at the peak season of diversity for these insects.” Such a survey can only be credible if it conducted during peak seasons of diversity to ensure all species are realistically identified. A survey conducted just over a decade ago found over 40 butterfly species in the area that is a discrepancy close to fifty percent. (C36-20)

#### **Response EC-15**

As detailed in Section 3.4 of the DGEIS, the project ecologist, Orland J. Blanchard, Jr., Ph.D., was the leader of the survey team for the butterfly count referenced in the comment (the “Western Suffolk Count”). Dr. Blanchard’s description specifies that portions of the subject property were included in the Western Suffolk Count, and further indicate that some of the 40 species observed during the Western Suffolk Count, and not observed during the DGEIS field inspection of the subject property, are apt to be present on the site. Further details of both surveys are provided in Section 3.4 of the DGEIS.

#### **Comment EC-16**

According to the survey, there are three rare plant species and one animal species existing on the site – including the Slender Pinweed, Showy Aster, and Little-Leafed Tick Trefoil, and a rare butterfly, the Red-Banded Hairstreak butterfly. Five plant species found to be on the site that are categorized by the NYSDEC as exploitably vulnerable are the spotted wintergreen, the flowering dogwood, the pink lady slipper, the American holly and the bayberry. Exploitably vulnerable species are those that are potentially subject to harvesting. These species are unlikely to survive relocating and replacement.

Though “an effort will be made to protect” these plants, it is highly improbable that these rare species will be able to find suitable niches elsewhere due to their displacement. Attempting to re-introduce suitable habitat for these species years after they had been removed from the area is woefully inadequate. There needs to be a complete and comprehensive plan to protect these species. (C36-21)

#### **Response EC-16**

As detailed in Section 4.4 of the DGEIS, as well as in the response to comment EC-6, the preservation of 48.57± acres of Pitch Pine-Oak Forest is expected to preserve occurrences of the three rare plant species and continue to provide habitat for the Red-Banded Hairstreak butterfly. The preservation of Pitch Pine-Oak Forest and the associated interior clearings and edge areas of this community will also preserve suitable habitat for spotted wintergreen, flowering dogwood, American holly, bayberry and pink lady slipper. As further indicated in Section 4.4 of the DGEIS, the former four species are all commonly found on Long Island.

#### **Comment EC-17**

The DGEIS claims that “manmade open spaces such as parks and water features would be created. These features would encourage some wildlife to return to the site upon completion of construction.” It is with

skepticism that we find fountains and water features to be acceptable substitutes for natural habitat. The DGEIS should provide some peer reviewed studies to substantiate this claim. (C36-23)

#### **Response EC-17**

It is not stated within the DGEIS that open spaces and water features would be created as substitutes for natural habitat; therefore, it is unnecessary to provide peer-reviewed studies supporting this contention. Rather, as indicated in Section 5.4 of the DGEIS, it is intended that newly-created open/green spaces and potential water features would encourage some wildlife to return to the site upon completion of construction. Moreover, as the site is currently devoid of permanent surface waters, the addition of water features would establish habitat that currently does not exist on the subject property. As such, it is anticipated that these features would attract some wildlife species that do not currently inhabit the site, due to lack of suitable habitat. Furthermore, as indicated in Section 4.4 of the DGEIS, significant acreage of natural habitat would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field.

#### **Comment EC-18**

The DGEIS does not consider the impacts to surrounding natural areas caused by Heartland. Planning must be implemented for the Edgewood Preserve which will have to support an increase in both wildlife and human use after project development. The DGEIS concludes the Edgewood Preserve will provide a safe haven for displaced wildlife during construction periods. However, the Edgewood Preserve is 813 acres and cannot accommodate an increased population of 450 acres of land currently home to over 50 species. Not only will the wildlife currently living on the Heartland property be adversely impacted, but also wildlife that currently utilizes niches and habitat in the Edgewood Preserve will also be negatively impacted. Wildlife in the Edgewood Preserve will be displaced by incoming species competition. The DGEIS fails to address this impact. (C36-24)

Impacts of the Heartland Village project on the NYSDEC Edgewood Preserve not adequately addressed. (C1-95)

#### **Response EC-18**

As detailed in Section 4.4 of the DGEIS, two of the ecological communities currently supported on the subject property (Mowed Lawn and Vacant Lot) are not expected to contribute significant quantities of animal immigrants to the Edgewood Preserve. Moreover, only a small portion of the Edgewood Preserve is contiguous with the subject property, whereas nearly half of the Pitch Pine-Oak Forest examples on-site, as well as some of the Successional Old Field examples, have directly contiguous off-site counterparts to which animals would be expected to emigrate instead.

Nevertheless, as detailed in Response EC-1, it is anticipated that the habitats surrounding the site, including the Edgewood Preserve, will experience a temporary increase in wildlife species during the construction phase of the proposed action, due to emigration of individuals from the subject property. Subsequently, it is anticipated that inter- and intra-specific competition for available resources within these surrounding habitats will result in a small net decrease in local population size for most species, until equilibrium between wildlife populations and available resources is achieved. Following completion of the proposed action, it is expected that individuals of most wildlife species currently existing on site will return to the post-construction habitats, as indicated on Table 4-11 of the DGEIS. Ultimately, no significant adverse impact to the overall diversity of local and regional wildlife populations is anticipated.

Furthermore the Friends of the Edgewood-Oak Brush Plains Preserve have submitted correspondence supporting the proposed development (see Response OS-18 and Appendix LU-2).

**Comment EC-19**

Increased use of the neighboring Edgewood Preserve by Heartland residents can be expected with the new population explosion. Development of hiking trails and picnic areas that are seldom used now will be used more frequently in the future with the increased population. This area, which is proposed to be a refuge for displaced wildlife, will be diminishing in environmental quality and therefore may be unable to sufficiently support an increase in both human and wildlife occupants. The DGEIS also fails to address this issue. (C36-25)

**Response EC-19**

It is acknowledged that an increase in human presence within the Edgewood Preserve can be anticipated as a result of the proposed action. However, there is no specific evidence to support the contention that this will lead to a decrease in the environmental quality of the Edgewood Preserve. Also, as detailed in the responses to Comments EC-1 and EC-13, no significant adverse impacts to wildlife populations within the Edgewood Preserve are expected as a result of the proposed action. Furthermore, as indicated in Response OS-18 in a June 7, 2010 letter from the Friends of the Edgewood-Oak Brush Plains Preserve (see Appendix LU-2), indicated the following:

*“There is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square, situated in the Town of Islip. If and when this project moves forward, we envision Heartland Town Square residents utilizing the preserve for hiking, biking, jogging bird watching, nature photography, and other passive recreational activities. We are hopeful that Heartland Town Square residents and workers alike will appreciate how special the Edgewood Preserve is and that they will be encouraged to help us protect and improve this rare wildlife habitat.”*

**Comment EC-20**

It is necessary that property notices and markings clearly label trails and picnic areas within the preserve as to not enable residents to bushwhack or establish clearing that would damage wildlife habitat. (C36-26)

**Response EC-20**

The applicants support the posting of property notices, and trail/picnic area labels within the Edgewood Preserve. However, these actions would be at the discretion and are the responsibility of the property owner (the State of New York) and/or Friends of the Edgewood-Oak Brush Plains Preserve.

**Comment EC-21**

Measures must be taken to preserve the existing mature pitch pine scrub oak forest. Tree buffers and native landscaping is commendable and certainly welcomed, but mature native forest habitats should never be destroyed (especially those that once duly belonged to the people of New York State).

We kindly request that at least a 100-acre area parcel of the 160.18 acres of pitch pine oak forest be saved for groundwater purposes. As stated in the DGEIS, by 1980 oak brush plains on Long Island had already been reduced to less than 5% of its original extent. The Town of Islip has been honored for its environmental accomplishments and Mr. Wolkoff has been a friend to the Edgewood Preserve. Leaving as many acres of this rear natural community intact would show a good-faith gesture to us, as well as the nearby communities of Dix Hills, Deer Park and Brentwood. In light of how massive a project this is, we believe that saving this acreage is crucial to protecting not just the wildlife that thrive in this type of forest, but also helping to sustain

our groundwater supply and cleaning the air in an area of Long Island that is already in non-attainment. *All measures should be taken to preserve this pitch pine forest.* (C39-4)

#### **Response EC-21**

As detailed in Section 4.4 of the DGEIS, 48.57± acres of the existing 160.18± acres of Pitch Pine-Oak Forest would be preserved under the proposed development plan. It is important to note that, much of this acreage has directly contiguous off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve), which would continue to protect groundwater supplies and to which wildlife would be expected to emigrate. Also, see Appendix LU-2 for the support letter from Friends of the Edgewood-Oak Brush Plains Preserve.

#### **Comment EC-22**

Adult animals might be mobile, but there is no discussion in the DGEIS about offspring, nests, juveniles, etc. What will happen to these creatures during and after construction? How many will be lost? Also, herpetiles/herpetifauna do not migrate well, if at all. In fact, when their habitat is destroyed due to construction, most starve to death because they do not migrate quickly enough to find new food sources or die at the hand of predators because their shelters have been destroyed. (C39-10)

#### **Response EC-22**

It is acknowledged that nests and juveniles of some less-mobile species may be impacted during construction. However, it is important to note that approximately 90 acres of existing vegetated habitat would be preserved, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. The preserved communities are expected to continue to provide habitat for most of the wildlife species currently found on the subject property, including the five amphibian and reptile species observed or potentially expected on the site.

#### **Comment EC-23**

Although the Edgewood Preserve is nearby, not all wildlife will find their way to it. Most significantly, the herpetile population will be lost forever. Measures must be taken to preserve at least 100 acres of the existing 160+ pitch-pine forest so that as much wildlife as possible will be saved. We also request that the buffer be planted with pitch pine, scrub oak and other native, drought tolerant plants and trees to protect the existing Pilgrim forest and the nearby Edgewood Preserve from invasive species. (C39-11)

#### **Response EC-23**

As indicated in the Response EC-22, it is expected that the preservation of over 86 acres of existing vegetated habitat, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field, will continue to provide habitat for wildlife, including those herpetile species observed or expected on the site. As such, it is not anticipated that these species will be "lost forever."

As indicated on Figure 3-17 of the DGEIS (Vegetation Map), much of the existing perimeter vegetation on the site is comprised of Pitch Pine-Oak Forest, particularly along the eastern and northwestern boundaries of the subject property. As further indicated on Figure 4-21 (Open Space Typologies), much of this habitat will be preserved as perimeter buffer zones. As such, the buffer areas will continue to support various native plant species, including pitch pine and scrub oak. It should also be noted that the buffer areas along the Sagtikos Parkway and along Crooked Hill Road have been increased in the revised Conceptual Master Plan (see Response EC-5, which provides a comparison of buffer setbacks between the DGEIS Plan and the FGEIS Plan).

As indicated in Section 5.4 of the DGEIS, native species, as opposed to non-native invasive species, would be used to the maximum extent practicable in the proposed revegetation of Heartland Town Square; however, the extent to which native plantings will be employed on the developed site has not yet been quantified.

**Comment EC-24**

Measures must be taken to plant native species WITHIN this development as a way to protect the nearby Edgewood Preserve from invasive species AND as a grand opportunity to teach residents, employees and visitors the importance and benefits of planting and landscaping with native plan species on Long Island. Native species are drought tolerant and therefore help conserve our water supply, as well as attracting birds, bees and other wildlife. (C39-12)

**Response EC-24**

The value of native plant species over non-native species is acknowledged. As indicated in Section 5.4 of the DGEIS, native species would be used to the maximum extent practicable in the proposed revegetation of Heartland Town Square.

**Comment EC-25**

I am concerned with the removal of woodlands and the ecological impact of same. (C27-3)

**Response EC-25**

The preservation of, 48.57± acres of Pitch Pine-Oak Forest would ensure that significant acreage of woodland habitat would remain on the subject property following completion of the proposed action. As such, it is anticipated that associated wildlife populations would continue to utilize this remaining habitat. Furthermore, it is important to note that, much of this acreage has directly contiguous off-site counterparts of this same community type, including the protected 800+-acre Edgewood Preserve. Therefore, no significant adverse ecological impacts are expected from the removal of portions of the existing woodland habitat on the site.

**Comment EC-26**

The site design should be amended to preserve as many of the existing tree-lined streets (allees) from the former Pilgrim State campus, as possible. (C1-32)

**Response EC-26**

See Response EC-6.

**Comment EC-27**

The argument that it is acceptable to destroy the habitat of “common suburban birds” (p.3-117) is a weak one. If everyone on Long Island used this argument, it would eventually and cumulatively destroy all their habitat. (C1-75)

**Response EC-27**

It is not stated within the DGEIS that it is acceptable to destroy the habitat of common suburban birds. Rather, as detailed in Section 3.3 of the DGEIS, it is noted that 17 of the 34 birds observed on the subject

property have been characterized locally as “common suburban birds” (Wade *et. al.*, 1990. Town of Brookhaven, New York 1990 Natural Resources Inventory, Department of Planning, Environment and Development, Brookhaven). Birds within this group are those species that are well-adapted and commonly found within developed, anthropogenic habitats (i.e., suburban and urban developed areas containing structures, pavement, lawns and landscaped areas) and human activity. As further detailed in Section 4.4 of the DGEIS, the proposed action would result in the construction of structures, lawns and landscaped areas, as well as the preservation of 42.95± acres of Mowed Lawn ecological community on the subject property. As such, habitat for common suburban bird species, including those noted during the field inspection, would continue to exist on-site following implementation of the proposed action.

#### **Comment EC-28**

Other birds (p. 3-117) seen on-site are dismissed as insignificant because they were only “en-route south.” This doesn’t remove the significance of the habitat to them. Birds need stopover places on their migration. Breeding grounds are not the only important places for birds. (C1-76)

#### **Response EC-28**

As detailed in Section 4.4 of the DGEIS and on Table 4-11 of the DGEIS, all four existing natural and cultural ecological communities will continue to be supported on the subject property following completion of the proposed action, although the acreage of each will be reduced. Nevertheless, these communities will continue to be available to bird species currently utilizing the site as breeding or migratory “stopover” habitat.

#### **Comment EC-29**

The Critical Environmental Area designation on the subject property is part of the larger Edgewood Oak Brush Plains, a unique Pine Barrens habitat found in Suffolk County. The CEA designation is recognition of the unique biota, in addition to the hydro-geologic conditions of the area. The unusual biological habitat contains several rare and endangered species. The argument in the DGEIS is that the habitat is so fragmented (on the subject property) as to not provide for viable Pine Barrens habitat and is not worth protecting. Therefore, the proposal is to completely redevelop the entire site and remove all of the remaining Pitch Pine-Oak forest and Successional Old Field vegetation and eradicate three rare plant species and one rare insect species. The DGEIS does not adequately address potential impacts associated with the above referenced loss of habitat and related impacts to water quality and endangered species. The DGEIS should better analyze alternatives such as limiting development to previously disturbed areas together with the preservation of remaining wooded and undisturbed areas. (C7-7)

Development over portions of the Fresh Plains [sic] Preserve, special groundwater protection area and the removal of woodlands will be impacted. (H37-2)

#### **Response EC-29**

Potential impacts to the Oak Brush Plains SGPA (which is designated as a Critical Environmental Area [“CEA”]) are discussed in Section 4.7 of the DGEIS, and potential impacts to water quality are discussed Section 4.2 of the DGEIS and Section 4.14 of this FGEIS.

The assertion that Pitch Pine-Oak Forest and Successional Old Field communities will be completely removed from the site is inaccurate. As detailed Section 4.4 of the DGEIS (Table 4-11- Pre- and Post-Construction Vegetation, pg. 4-70), significant acreage of forested lands and open fields would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In total, over 86 acres of existing vegetation would be preserved.

With respect to rare plant species, see Response EC-6. With respect to rare animal species, see Response EC-1 and EC-15.

Regarding potential impacts related to loss of wildlife habitat, it is anticipated that the habitats surrounding the site, including the Edgewood Preserve, will experience a temporary increase in wildlife species during the construction phase of the proposed action, due to emigration of individuals from the subject property. Subsequently, it is anticipated that inter- and intra-specific competition for available resources within these surrounding habitats will result in a small net decrease in local population size for most species, until equilibrium between wildlife populations and available resources is achieved. Following completion of the proposed action, it is expected that individuals of most wildlife species currently existing on site will return to the post-construction habitats, as indicated on Table 4-11 of the DGEIS. Ultimately, no significant adverse impact to the overall diversity of local and regional wildlife populations is anticipated.

## 4.17 Aesthetic/Visual Impacts (AV)

### Comment AV-1

Put simply, the DEIS fails to take into account the aesthetic effects 20-story office buildings and 10-story apartment buildings will have on the neighboring communities. Of particular concern is the mere 75-foot buffer that will bring this massive project uncomfortably close to adjacent Huntington residents and make the Sagtikos State Parkway take on the ambiance of the Cross Bronx Expressway. (C8-11)

The DEIS calls for a 75-foot buffer from the neighboring communities. Certainly not enough, not nearly enough for the facilities that will be built. (H7-9)

A 75-foot setback from Commack Road seems insufficient. However, it is acceptable on Crooked Hill Road since the entire area is being redeveloped as part of the project. (C32-11)

Also we look at 20-story office building and ten-story residential units, and our Sagtikos Parkway, which truly if we permitted this to happen this way will now become the Cross Bronx Expressway. (H7-10)

### Response AV-1

Section 4.5 of the DGEIS addresses the anticipated visual impacts of the proposed development, including renderings of the project from a number of viewing locations. The revised Conceptual Master Plan seeks to further mitigate the impact of the project to surrounding viewsheds, as compared to the Conceptual Master Plan that was presented in the DGEIS. This is accomplished in the revised Conceptual Master plan through the provision of increased on-site buffers and setbacks adjacent to the surrounding properties. The revised Conceptual Master Plan increases the continual and consistent buffer areas provided on both the east and west side of the Sagtikos Parkway, adds a buffer area on the southern edge of DU4, maintains a 130-foot minimum setback along the west side of DU1B, near Commack Road, but increases the open space along the northwest border of DU1B, adjacent to the southern portion of the existing cemetery, and provides additional buffer areas along the southern and western borders of DU3. In addition, the revised Conceptual Master Plan minimizes the visual impact of the development through the consistent and predominant use of low-rise buildings throughout the property. Low-rise development will be located adjacent to the surrounding residential areas. The taller buildings (mid-rise towers) would be located in the more central portion of the Town Center around the existing water tower (shown on the revised Conceptual Master Plan as "Water Tower Plaza") that is proposed to remain and become a focal point for the community. See the Building Stories Plan in Appendix RP-1 of this FGEIS.

A minimum 200-foot-wide vegetated buffer would be maintained along the western side of the existing right-of-way of the Sagtikos Parkway. The buildings beyond the buffer would range in height up to six stories. As previously noted, the exception is the 20-story signature building; however, this would be set back over 600 feet from the Parkway. Therefore, there would not be a concentration of tall buildings along the Parkway, and the existing vegetated buffer will assist in screening the development from that roadway.

The proposed signature building in DU-2 has been relocated to an interior area, adjacent to the existing Pilgrim facility to remain. It will be set back over 600 feet from the existing right-of-way of the Sagtikos Parkway, and is located over 3,800 feet from the nearest point of Commack Road.

### Comment AV-2

High-rise residential buildings are out of scale with the two and one-half story single-family residences in this portion of the County. In fact, the proposed plan even concedes that it implements an "urban design

strategy". In a County where we should be fostering preservation and enhancement of our existing character, a style that is not incompatible with appropriately planned smart growth development. (C8A-5)

### **Response AV-2**

The revised Conceptual Master Plan improves upon the massing of the Conceptual Master Plan presented in the DGEIS in several areas. In DU4, the revised Conceptual Master Plan removes the high-rise residential buildings which were previously shown adjacent to Crooked Hill Road and along the western border of DU4 adjacent to the east side of Sagtikos Parkway. In DU3, the revised Conceptual Master Plan removes the mid-rise commercial buildings which were shown in the Conceptual Master Plan presented in the DGEIS along the northern border of DU3 fronting Campus Road. In DU2, the revised Conceptual Master Plan eliminates the mid-rise commercial buildings which were shown in the DGEIS Plan along the southern border of DU2 fronting Campus Road. In addition, the revised Conceptual Master Plan eliminates the high-rise mixed-use towers that were previously shown in DU2. The revised Conceptual Master Plan also eliminates all mid-rise commercial buildings that were previously shown within DU2, and eliminates two of the three high-rise commercial towers that were previously shown in the Conceptual Master Plan in the DGEIS. In DU1, the revised Conceptual Master Plan, eliminates the high-rise commercial building that was previously shown in the DGEIS Conceptual Master Plan, and consolidates the mid-rise towers within DU1 towards the center of the development unit, and away from the bordering residential areas on the west side of the subject property.

Overall, the majority of the single-use residential buildings within Heartland Town Square are low-rise (between one and six stories; a maximum of 80 feet). All of the buildings within DU-3 (on the west side of the Sagtikos Parkway) and DU4 (on the eastern side of the Sagtikos Parkway, close to the residential neighborhood) are low-rise. As noted in Response AV-1, the residential buildings along the perimeter of the site are low-rise. However, there is a cluster of mid-rise towers (between seven and 13 stories; a maximum of 165 feet) within the Town Center (interior to the subject property) and some taller buildings along the interior, closer to the existing Pilgrim facility (see the Building Stories Plan in Appendix RP-1 of this FGEIS).

As indicated in Response AV-1, above, the revised Conceptual Master Plan provides for increased buffers and setbacks from the surrounding properties. In comparison to the Conceptual Master Plan presented in the DGEIS, the revised Conceptual Master Plan increases the continual and consistent buffer areas provided on both the east and west side of the Sagtikos Parkway, adds a buffer area on the southern edge of DU4, maintains a 130-foot minimum setback along the west side of DU1B, increases the buffer and provides significant additional open space areas along the northwest border of DU1B, adjacent to the southern portion of the existing cemetery, and provides additional buffer areas along the southern and western borders of DU3. In addition, the revised Conceptual Master Plan minimizes the visual impact of the development through the consistent and predominant use of low-rise buildings throughout the property. Low-rise development will be located adjacent to any surrounding residential areas. Taller buildings (either mid-rise or high-rise towers) are concentrated in the interior of the property. In addition, in many areas the buffers are proposed to contain significant and dense existing vegetation, which would contribute to the screening characteristics of the buffer. This is the condition along both sides of the Sagtikos Parkway, and is also the condition along the majority of the western boundary of DU1.

The applicants have deliberately requested increased heights in order to achieve what the applicants have indicated is the density of people needed to make the mixed-use, smart-growth community successful, without creating sprawl. Height is a key factor in smart-growth planning. Vertically-integrated buildings, such as those with retail on the ground floor with either residences or offices above, are an integral part of smart-growth development, which looks to place uses proximate to each other in order to reduce vehicle trips.

**Comment AV-3**

The proposed high-rise buildings would have a highly detrimental impact on the suburban communities to the north and west. Rather than acknowledge this as an adverse impact, the DEIS hides behind the term “substantial change”. The failure to acknowledge this adverse impact seems to be because it is an adverse impact that cannot be mitigated, but can only be reduced or eliminated by reducing the unreasonable height of the structures. (C8A-6)

**Response AV-3**

See the Responses to AV-1, AV-2 and AV-4. The revised Conceptual Master Plan and Building Stories Plan (see Appendix RP-1) include a range of building heights, many of which will be lower in the areas immediately adjacent to the northern and western communities. The DGEIS includes photo-simulations (see Section 4.5.3 of the DGEIS) and sight sections (see Section 4.5.4 of the DGEIS), which depicted views and sight lines of Heartland Town Square from various vantage points. While it is clear that the proposed development will change the visual character of the subject property in a manner that is different from the surrounding area, this does not necessarily mean that the result would be a significant adverse impact. Furthermore, SEQRA does not mandate that a proposed action cannot result in any adverse impacts or that all adverse impacts must be avoided or completely mitigated for a development to proceed. Specifically, the SEQRA regulations, at 6 NYCRR §617.11(d)(5) state:

*(d) Findings must...certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impact will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.*

Therefore, potential *significant adverse impacts* must be identified, evaluated and mitigated to the extent practicable. The lead agency must then weigh and balance the potential significant adverse impacts with social and economic benefits and ensure that mitigation has been identified, to the maximum extent practicable, before making a decision. It is not the purpose of SEQRA to avoid every conceivable impact or completely mitigate every conceivable impact.

Notwithstanding the above, the revised Conceptual Master Plan included in this FGEIS locates some taller buildings toward the central portion of the site, the Town Center core, away from the perimeters that are closest to existing residences (see Appendix RP-1 of this FGEIS). The Town Board will consider the information submitted by the applicants as well as all comments submitted on the DGEIS when formulating its Findings Statement and ultimate decisions on this matter.

**Comment AV-4**

Along these lines, the DEIS conveniently omits a table listing all of the heights of each proposed building. This is a critical omission that needs to be provided in the FGEIS. Further, it is generally customary to include building elevation views. Considering the importance of this issue, it is critical that these be provided. (C8A-7)

**Response AV-4**

As it is not possible to design each building that will be constructed on the site, as the anticipated build-out is over 15 years, it is not possible to provide a table of specific heights or numbers of stories. However, the Design Guidelines and the Building Stories Plan illustrate the ranges of number of stories and heights

expected in each DU (see Appendices RP-1 and RP-3). As indicated in Response AV-3, the Town Board will consider all information submitted (both by the applicants and by those who submitted comments on the DGEIS) when making its determinations on this matter (including what heights would be acceptable). The Design Guidelines and the zoning which are ultimately adopted will dictate how high buildings in certain areas can be developed. Thereafter, at the time of site plan review, the applicants would be required to submit specific building designs and locations, including the number of stories and heights for individual buildings. For more information on the architectural character and intent of the proposed buildings within Heartland Town Square, see the Design Guidelines (see Appendix RP-3).

The revised Conceptual Master Plan changes the massing of the proposed project. In DU4, the revised Conceptual Master Plan removes the high-rise residential buildings that were previously shown adjacent to Crooked Hill Road and along the western border of DU4 adjacent to the east side of the Sagtikos Parkway. In DU3, the revised Conceptual Master Plan removes the mid-rise commercial buildings that were shown in the DGEIS Plan along the northern border of DU3, fronting Campus Road. In DU2, the revised Conceptual Master Plan eliminates the mid-rise commercial buildings that were shown in the DGEIS Plan along the southern border of DU3, fronting Campus Road. In addition, the revised Conceptual Master Plan eliminates the high-rise mixed-use towers that were previously shown in DU2. The revised Conceptual Master Plan also eliminates all mid-rise commercial buildings that were previously shown within DU2, and eliminates two of the three high-rise commercial towers that were previously shown in the DGEIS Plan. In DU1, the revised Conceptual Master Plan, eliminates the high-rise commercial building that was previously shown in the DGEIS Plan, and consolidates the mid-rise buildings within DU1 towards the center of the development unit, and away from the bordering residential areas on the west side.

As such, the majority of buildings across the site are proposed to be in the low-rise range (one to six stories; maximum 80 feet). However, as noted, at selective locations within DU1 and DU2, taller mid-rise (seven to 13 stories; maximum 165 feet) and high-rise towers (14 to 20 stories; maximum 260 feet) have been proposed, as described in more detail in the Design Guidelines and shown on the revised Conceptual Master Plan (see Appendix RP-1). As noted on the revised Conceptual Master Plan, in DU1, the tallest building shown is 13 stories (which falls within the mid-rise tower category). In DU2, the tallest building depicted is a 20-story signature tower, which is aligned with the main entry drive into the site from the Sagtikos Parkway. All other proposed buildings within DU2 are low-rises. In DU3 and DU4, the tallest buildings shown are low-rises (see the Building Stories Plan in Appendix RP-1). Also, see the Design Guidelines in Appendix RP-3 regarding building heights.

The modification of building heights in the revised Conceptual Master Plan, in conjunction with the enhancement of buffer areas as provided in this plan, reduce the visual impact of the project from off-site vantage points as compared to the Conceptual Master Plan that was presented in the DGEIS. It will be important at the time of site plan review, when specific building heights/locations are identified and proposed for approval, to ensure that visual impacts are minimized to the degree practicable. In particular, the Conceptual Master Plan contemplates a range of heights in areas designated for "low-rise" buildings (i.e., one to six stories, and up to 80 feet); visual impacts would be moderated if shorter "low-rise" buildings were placed in areas adjacent to public roadways and surrounding residential neighborhoods and if taller "low-rise" buildings were concentrated toward the interior portions of the site.

#### **Comment AV-5**

The visual impact of proposed project would be uncharacteristic of the existing Long Island community. This project will result in a gigantic urban city within a suburban environment which will be subjected to 24/7 activities, associated with such dense city-like population center. It could have an unpleasing and unmitigable impact to the suburban environment and may result in the degradation of the quality of life for the surrounding communities. It will have a tendency to function as another co-op city but located in the Long Island's suburban environment, where there is not need to have high-rise buildings or a huge clustered

mixed-use development of this magnitude and size. Among several 2 to 10 story buildings, this project will include buildings that would range up to 20 stories high for commercial uses and residential building up to ten stories high. These buildings would be visible from the LIE Expressway and the Sagtikos Parkway and will change the esthetics of the suburban area and may reduce the adjacent property values. (C8C-13)

#### **Response AV-5**

The proposed Heartland Town Square development has been designed to create a new aesthetic and a new way of living for Long Islanders, especially young people, who have been leaving for more affordable and exciting places that are more in sync with their lifestyle. An active, 24/7 community will bring amenities to the surrounding communities and rather than degrading the quality of life of surrounding communities, the applicants believe the development will instead enhance it by providing additional jobs, shopping and dining opportunities, and cultural activities within a true new town center.

Heartland Town Square has less than half the residential density of Co-op City. Moreover, according to an article in the New York Times,<sup>26</sup> Co-op City contains “15,372 residential units, in 35 high rise buildings and seven clusters of townhouses... The apartment buildings...range from 24 floors to as high as 33.” In comparison, Heartland Town Square is proposed to contain one signature building, at 20 stories, located over 600 feet from the Sagtikos Parkway, toward the interior of the site. The taller buildings within the proposed development are located in the Town Center, which is also situated toward the interior of the site. The buildings in this portion of the development range from low-rises to mid-rise towers, with the majority being low-rise buildings. The tallest structure containing residences is a mixed use mid-rise tower. The perimeter buildings along the Sagtikos Parkway are proposed to be low-rises. Also see Responses AV-4 and AV-6 regarding building heights and their distribution, and the Design Guidelines in Appendix RP-3 for additional information regarding building heights.

Overall, the applicants believe that the Heartland Town Square development would have a positive impact on the quality of the life for the surrounding communities.

#### **Comment AV-6**

Two aspects of Heartland are of concern to the Town of Smithtown including the visual impact on our residential communities and the virtual elimination of the scenic buffer along the Sagtikos Parkway. It would appear, based upon our research, that the Heartland proposal would be visible from several locations within the Town of Smithtown. It is common to view the stacks from the Northport LIPA plant or the stack from the Huntington/Smithtown resource recovery plant from several miles away. However, these are minor visual intrusion compared to visual composition of several multistory buildings. We would request a visual analysis from several locations south of Veterans Memorial Highway in order to quantify the possible impact. (C10-9)

#### **Response AV-6**

It appears that few, if any, residences within the Town of Smithtown would have significant views of the proposed development.

The vegetated buffer along the Sagtikos Parkway, which is located within the subject property, will be maintained at a minimum width of 200 feet on the western side and 115 feet on the eastern side. This, buffer together with the existing off-site vegetated buffer within the Parkway right-of-way, will provide significant



<sup>26</sup> Brenner, Elsa, “Everything You Need, in One Giant Package” in the New York Times, published April 6, 2008, at <http://www.nytimes.com/2008/04/06/realestate/06live.html>

screening for the proposed development. With the exception of the one signature tower and one mixed-use, mid-rise office tower, the tallest structures would generally be clustered around the existing water tower (Water Tower Plaza), which has been designed to be the focal point of the Town Center. These buildings are located at the central portion of the Town Center, significantly set back from all the surrounding roadways. In all, the development proposes only a few buildings that may be taller than the existing buildings within the remaining Pilgrim campus, all of which are situated at strategic locations to create important landmarks and nodes for the remainder of the proposed development. See the revised Conceptual Master Plan in Appendix RP-1 for the revised layout of the buffer areas.

Although potentially visible from the surrounding towns, the buildings within Heartland Town Square (most being at or less than 80 feet in height) would be much more aesthetically pleasing than the Northport LIPA Plant stacks (600 feet in height), the stacks from the resource recovery facility in East Northport, or the 12-story H. Lee Dennison building located along Veterans Memorial Highway in Hauppauge, Town of Smithtown.

The Town Board, in its deliberations on the ultimate Findings Statement and decisions on this matter, will consider the submissions of the applicants as well as all comments made when determining design parameters for this property (e.g., minimum buffers, maximum building heights, etc.).

#### **Comment AV-7**

More importantly, we did review both the visual analysis and the site plan regarding the visual impact on the Sagtikos Parkway. Based on the site plan in the DEIS, more than 80% of woodland adjacent to the Parkway would be removed and most of Heartland buildings will be visible from the roadway. New York Parkways are designed to screen development and this visual intrusion of urban development onto the Parkway system is not justifiable and is contrary to any public benefit. It is a dramatic change in the visual character of the Parkway and should not be permitted. (C10-10)

#### **Response AV-7**

None of the proposed development would occur within the existing Sagtikos Parkway right-of-way, but only within privately-owned property. In DU3-A, a minimum 200-foot-wide buffer is proposed along the eastern side of the Sagtikos Parkway and a minimum 115-foot-wide buffer is proposed along the southern edge of DU3. In DU4, a 115-foot-wide buffer is proposed along the majority of the western edge of the site near the Sagtikos Parkway, expanding to 160 ft at the southwest corner of DU4. At the southernmost "leg" of DU4, buffers of 120 feet and 140 feet are proposed along the southern and eastern portion, and a 40-foot-wide buffer is proposed along the remainder of the southern and eastern edges of DU4. Therefore, in addition to the existing vegetated right-of-way, wide vegetated buffers along the privately-owned Heartland Town Square property will remain.

#### **Comment AV-8**

However, the mention of this facility [intermodal facility] as a neighbor begs the question: *Who would want to spend \$2,350 per month on a rental apartment or pay \$480,000 on a condominium unit for the great pleasure of living next to a noisy, polluting 'round the clock' heavy freight intermodal facility? Is this really where Mr. Wolkoff, the Town of Islip, and the county of Suffolk wants young Long Islanders or families from Brentwood to live? Is this going to encourage that "pride of place" or identify that is mentioned as one of the goals of this project? Why would anyone want to live next to an intermodal facility?* (C39-14)

#### **Response AV-8**

In addition to a vegetated buffer on the potential future Intermodal Facility's property (on the boundary with the site), a 75-foot-wide proposed buffer will help to mitigate impacts that the potential future Intermodal Facility, should it be built, would have on adjacent Heartland Town Square development. The quality of the built environment adjacent to the facility and sound construction of the architecture can also mitigate negative attributes associated with the potential future Intermodal Facility, while creating an attractive place for people to live. Additional design features to help mitigate other adverse impacts of being proximate to the potential future Intermodal Facility can also be considered when development of that area begins, such as specific buffers, landscaping, and possibly the use of solid barriers.

Benefits to the residences proposed to be situated in the southwest portion of DU3 (near the potential future Intermodal Facility) include their proximity to the proposed civic site and to the adaptively re-used buildings (power plant and warehouses) near the proposed community park on the western side of DU3.

#### **Comment AV-9**

Though it is understood that derelict former mental hospital buildings are not usually considered a selling point in real estate, the hospital is a community landmark. Views of the buildings have been a part of the community for many years and should not be completely obscured by new buildings of less architectural interest. The buildings of the hospital were designed in a time where architectural quality was used even for utilitarian buildings such as these. They should not be discarded simply because they are old and need upgrades. (C28-22)

#### **Response AV-9**

Many of the buildings associated with the Pilgrim Psychiatric Center that have become a "community landmark" will remain, as noted in the comment, since they are not included within the subject property. The existing Pilgrim buildings, which are approximately nine-to-ten stories, will still be visible from various locations around the overall site. Furthermore, the range of proposed building heights and locations will not obscure views of the remaining hospital buildings from areas around the site (such as the views from the Sagtikos/LIE overpass and views from internal site locations).

In addition, contrary to the comment, some of the remaining Pilgrim buildings within the subject property will not be "discarded" but will be adaptively re-used.

Moreover, the commentator describes the new buildings as being of "less architectural interest." As the buildings have not yet been designed, this statement cannot be verified.

#### **Comment AV-10**

The proposed development will change the aesthetics of the area from suburban residential to city like. This is unacceptable. Most suburbanites move out of the City, travel further to work to enjoy the suburban lifestyle. That is why I live here. If I wanted to live in the city, I would move closer and cut down on my daily commute. We were here before the Developer, and we should have a right to keep our residential community a residential community, and not allow a Developer to turn it into a city. As stated in Section 3.5, the current property is barely noticeable from the vicinity of the property. The only prominent features are the water tower and the main building (10 stories high) which are visible from the LIE, but not from Commack Road. The radical changes are clearly evident in the pictures provided in the DGEIS, in section 4.5. For example, the pictures, View 2 and View 4 on pages 4-82 and 4-84 respectively show that what was once trees will be giant buildings. The development of 16-20 story buildings is not typical for a residential neighborhood, as it detract from the atmosphere expected in this area. Consequently this is not the typical landscape for most of Suffolk County. This tall building will scar the neighborhood aesthetics and should not be allowed in this area. No building on the property should be taller than the current buildings. (C23-19)

**Response AV-10**

The development density that supports the taller buildings has been carefully considered and located. Its concentration allows the opportunity to help preserve the character and design within existing hamlets and villages nearby by helping to fulfill housing needs and by supporting the economy of the Town (from the creation of jobs and generation of taxes from commercial development).

In terms of heights, the majority of the buildings proposed within the revised Conceptual Master Plan are “low-rise”. At several locations within DU1 and DU2, taller mid-rise towers have been proposed, as described in the Design Guidelines, and as shown on the Building Stories Plan (see Appendices RP-3 and RP-1, respectively).

While buildings exceeding 10 stories are not typical within Suffolk County, the location of the project adjacent to existing nine and 10-story buildings on the Pilgrim grounds means that these taller buildings are in fact in context with their surroundings. The revised Conceptual Master Plan and Building Stories Plan (see Appendix RP-1) depict a limited the number of buildings taller than 10 stories (the height of the tallest Pilgrim building) that have been located so as to create landmarks and nodes just as the Pilgrim buildings did at the time they were built. Also, see the Responses to AV-1 and AV-2.

**Comment AV-11**

There are no renderings looking down one of the streets where buildings would frame both sides of the street closely, and none showing the backs of parking garages. There are no renderings showing a view with existing Pilgrim State facilities (with deep setbacks) across the street from the new development. They also do not give an idea of whether the extensive network of existing trees will be preserved. (C1-77)

**Response AV-11**

Renderings and street sections of the proposed development have been included in the Design Guidelines and in the Town Center booklet (see Appendices RP-3 and RP-4, respectively). Other illustrations and graphics associated with the proposed development can also be found on Heartland Town Square’s YouTube video.<sup>27</sup> Also, examples of the styles of parking garages, along with discussion of the guidelines for the design of such structures are included in the Design Guidelines. Furthermore, the Design Guidelines contain references, image examples and text on additional streetscape and building façade principles that the project is envisioned to achieve (see Appendix RP-3).

Several locations in the revised Conceptual Master Plan include retention of rows and stands of existing trees for incorporation into key parks (see Appendix RP-1). It is the intention of the revised Conceptual Plan to incorporate some of the existing tree stands from Road “K” as the centerpiece of two new park spaces that will tie residential neighborhoods into the core of the Town Center in DU1-A. In DU4, significant tree areas located in the existing central park space will be preserved and become a focal point for a new community space in that area. In addition to these key central areas, a large number of trees will be preserved around the edges of the site to act as buffers (please see Response AV-1 for more detail on these buffers). See the Design Guidelines for additional information on landscape design principles and strategies for the proposed project (see Appendix RP-3).

**Comment AV-12**

<sup>27</sup> <http://www.youtube.com/watch?v=payoQLD-lw>

While we support the concept of street malls as a critical component of the Smart Growth development, some building setbacks are proposed in sharp contrast to the remaining Pilgrim State Hospital Buildings, as shown on the plan. Additional renderings showing mock-up or pictures of the proposed development beyond the two-dimensional site plan would provide a better understanding of the visual impact of this project. (H3-1)

#### **Response AV-12**

Building setbacks around the remaining Pilgrim site have been altered in the revised Conceptual Master Plan in Appendix RP-1 and include a proposed 100-foot-wide buffer on the south side of DU1-A along the border with the Pilgrim State Hospital and a proposed 100-foot-wide buffer in the central western portion of DU2 near the Pilgrim State Hospital. These setbacks along the main axis and symmetric portions of the Pilgrim campus help transition between the compact, smart-growth character of the proposed development and the older, campus-like character of the hospital grounds. See Section 5 of the Design Guidelines for renderings of Heartland Town Square.

#### **Comment AV-13**

In terms of retail design, we believe the general pattern of single-story retail buildings proposed in the Town Square area should be compared with other vertically-mixed retail and residential uses found in other lifestyle centers. (H3-2)

#### **Response AV-13**

The revised Conceptual Master Plan removes most of the one-story retail buildings within the Town Center and replaces them with taller mixed-used, vertically integrated residential/retail, office/retail and hotel/retail structures (see Appendix RP-1 of this FGEIS). The majority of these buildings are low-rise, similar to buildings in other lifestyle centers such as Bethesda Row (Bethesda, MD), Pentagon City (Arlington, VA), Addison Circle (near Dallas, TX), and Santana Row (San Jose, CA). The Design Guidelines incorporate information on retail layout and strategy and include precedent studies. Example photographs of the type of retail development contemplated for the Town Center are included within the Design Guidelines (see Appendix RP-3).

#### **Comment AV-14**

In terms of office design, it's clear that a 16-story, 20-story building and several 10-story offices are proposed throughout the site. The height of these buildings relative to the existing Pilgrim State Hospital buildings along with the proposed single-story retail building and iconic brick water tower should be further studied through additional renderings or visual analysis. (H3-3)

#### **Response AV-14**

Overall, the revised Conceptual Master Plan has modified the number of stories that gradually transition from a lower number of stories around the edges of the subject site to a higher number of stories within each development unit (typically the taller buildings gradually increase towards the Town Center or towards the Pilgrim grounds with its existing nine and 10 story buildings). See Responses AV-1 and AV-2 and the Building Stories Plan in Appendix RP-1 of this FGEIS.

#### **Comment AV-15**

Although primarily addressed in the impacts on water section, the discussion regarding building design or standards is also relevant to point out here under aesthetics because elements such as green roofs and compact, walkable design would clearly affect the appearance of the overall site and individual buildings. (H3-6)

#### **Response AV-15**

The commentator is correct in indicating that elements such as green roofs and the walkable design would affect the appearance of the overall site as well as the individual buildings. The overall design principles, outlined in Section 2.1 of the Design Guidelines, will give shape to the overall appearance and aesthetic character of the community. They are as follows:

- Create mixed uses.
- Be environmentally responsible.
- Create continuous building frontages.
- Demonstrate a high level of architectural quality.
- Create roads, routes and open space.
- Create a varied open space network.
- Make the connections.

#### **Comment AV-16**

The suitability of the proposed buffers across the site and the buffer adjacent to the Sagtikos Parkway, in particular, should be studied. This is especially true when 10-story residential buildings are proposed immediately adjacent to the Parkway. (H3-7)

#### **Response AV-16**

The revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS) includes increased buffers along the Sagtikos Parkway and along the area adjacent to Commack Road. The width of the buffer along Commack Road has been expanded from approximately 75 feet to 130 feet, an increase of over 73 percent. In addition, the proposed residences in this area have been modified to be low-rise structures. A 100-foot-wide buffer is proposed on the south side of Town Center and the west side of DU2 along their borders with the Pilgrim campus.

A minimum 200-foot-wide buffer is proposed along the Sagtikos Parkway right-of-way on the eastern side of DU3, where proposed residential building closest to the Sagtikos Parkway are low-rise. A 75-foot-wide buffer is proposed along the western edge of DU3, and a 115-foot-wide buffer is proposed along the southern edge of DU3.

The buffer along the west side of the Sagtikos Parkway right-of-way (within DU2) are a minimum of 200 feet in width, expanding to 300 feet near the Gateway Area; and the buffer along the east side (within DU4) is a minimum of 115 feet in width, widening to 160 feet at the southern end of the property. The heights of the proposed buildings in DU4 along the western edge of the site near the Sagtikos Parkway range from one-to-six stories. At the southernmost "leg" of DU4, 120-foot-wide and 140-foot-wide buffers are proposed along the southern and eastern portion of this "leg"; a 40-foot-wide buffer is proposed along the rest of the southern and eastern edges of DU4.

#### **Comment AV-17**

The visual and aesthetic benefits of maintaining existing rows of trees which lay in scattered locations across the property should be considered. (H3-8)

**Response AV-17**

The benefits of maintaining existing rows of trees on the site have been considered, as several locations in the revised Conceptual Master Plan include the retention of these trees as part of key parks within the Town Center (see Appendix RP-1). It is the intention of the applicants to incorporate some of the existing tree stands from Road "K" as the centerpiece of two new park spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, significant tree areas located in the existing central park space will be preserved and become a focal point for a new community space in that area.

**Comment AV-18**

As far as other place-making elements – things like block size... make walkability work. Two-hundred (200)- to 300-foot blocks [should be used] as opposed to 400-foot block in the plan. (H8-5)

**Response AV-18**

Block sizes are designed with the pedestrian in mind and have been balanced with the need to accommodate today's building and development standards. Urban design features and guidelines, as discussed in the Design Guidelines, will also help to create a sense of place and make walkability work. The revised Conceptual Master Plan changes the original street grid, which was composed of "super-blocks" of approximately 800 feet in width. The proposed plan introduces new streets to break down the scale of the super block, by dividing that super grid into smaller blocks (approximately 380 feet in width). In addition, the plan envisions that the blocks will be treated as a composition of building forms, with multiple breaks to allow access to internal green spaces, rather than as a monolithic building mass. See the Design Guidelines in Appendix RP-3 for additional information regarding architectural design guidelines.

**Comment AV-19**

There are numerous parking structures within the site and there has been no mention about their exterior appearance from the street. Long, blank facades along a street discourage street activity and walkability. Where ever parking garages abut sidewalks, the use of liner shops or other architectural devices should be used to ensure that the street does not suffer from a lack of interest for pedestrians. Maintaining activity on the sidewalks helps to provide a sense of security within the neighborhood. (C28-11)

**Response AV-19**

The Design Guidelines provide examples of facades that will help to maintain activity on the adjacent sidewalks and create pleasant places in which to walk. The likelihood that these design features will encourage more people to use these streets and the incorporation of additional design features such as adequate lighting will also improve the security of the street (see Appendix RP-3).

**Comment AV-20**

The proposed project has greatly varying heights within each district. For example, Development Unit 1 has 1-story retail next to 4-story hotel and 16-story commercial. Downtowns typically have a more consistent height among buildings with only a few buildings being much taller or shorter. The consistent building height pattern helps to establish a consistent urban pattern that encourages walking. Similarly, heights in Development Unit 4 range from 2 to 10 stories. It would be better to have a more uniform range in each neighborhood. (C1-44)

**Response AV-20**

Overall, the revised Conceptual Master Plan has modified the number of stories that gradually transition from a lower number of stories around the edges of the subject site to a higher number of stories within each development unit (typically the taller buildings gradually increase towards the Town Center or towards the Pilgrim grounds with its existing nine and 10 story buildings). See Responses AV-1 and AV-2 and the revised Conceptual Master Plan and Building Stories Plan in Appendix RP-1 of this FGEIS.

The larger buildings within the Town Center (DU1) have been concentrated around "Water Tower Plaza." The heights of the buildings decrease from that area (which is the central portion of the site) outward. More specifically, the buildings in DU1-A consist primarily of low-rises along the edge of the development unit on the west and north, to mid-rises and mid-rise towers in the Town Center. As previously noted, taller mid-rise towers are depicted in key locations around focal points such as the water tower.

The number of stories in DU2, which is much more linear than DU1, also decreases from the center (which is proposed to contain the signature tower) to the north and the south, where buildings are generally mid-rise in height.

The number of stories of the buildings in DU3 is more uniform in nature. This mostly-residential neighborhood contains low-rise and mid-range dwellings. The existing buildings that are proposed to be adaptively re-used for artist lofts are two stories in height.

Finally, DU4 neighborhood is almost exclusively comprised of low-rise residential structures, although there are several mid-rise apartment structures that also contain parking garages or retail facilities.

Overall, the revised Conceptual Master Plan generally proposes a gradual increase in number of stories from the edge of the site, where building heights and stories are compatible with adjacent development. Slightly taller buildings are depicted in key locations, such as along main axis (North/South and East/West axis in DU1-A), adjacent to open spaces or plazas, and at prime view corridors to create landmarks and nodes within the individual districts (the mid-rise towers in DU1-A and one high-rise building in DU2).

## 4.18 Light Pollution/Lighting (LG)

### Comment LG-1

How will the project eliminate an adverse impact from light pollution? Currently, the site as viewed from existing residential neighborhoods in the area is pitch-dark at night. This darkness will be replaced with night-long light glare from an entire town. There will be vehicle headlights, site lighting, and, importantly, light from residential interiors shining well above the landscape with no available mitigation. These concerns are not addressed to any sufficient degree, in the barely two pages of the DEIS devoted to the impacts of light from the project. (C8A-18)

### Response LG-1

The subject property is currently vacant; therefore it contains no light sources, and is "pitch dark," as noted by the commentator. However, the property was once developed with buildings associated with the psychiatric center, including structures similar in height to those remaining, which generated light.

While appropriate lighting will be important to support a vibrant mixed-use community, the Design Guidelines provide concepts to minimize glare and light trespass and also encourage energy conservation (see Appendix RP-3). The proposed zoning includes lighting regulations, which prohibit the direct illumination of off-site residential properties. The Town Board is reviewing the applicants' proposed zoning code (as it relates to lighting and all other elements) and the Design Guidelines, as well as comments made thereon. Any zoning code that the Town Board ultimately adopts for the proposed development will include lighting regulations. Thereafter, any applications made for site plan review would be required to comply with such lighting regulations.

The applicants have redesigned the proposed plan, subsequent to submission of the DGEIS, so that the most intensive uses are located in the core of the Town Center with the lower intensity uses (and associated lower lighting demands) situated closer to the property boundaries. More specifically, DU-1A being mixed-use and the energetic hub of the community, is surrounded by low-rise residential and a vegetated buffer along its northern and western edges (minimum 130 feet in width, which was increased from 75 feet). Along its southern edge is the existing Pilgrim campus with large building setbacks and existing buildings. And along its eastern edge are office and mixed-use buildings, with one mid-rise tower. However, the eastern edge of DU1-A, is adjacent to DU2, which separates this area from Crooked Hill Road, which is non-residential in this area. Moreover, the mid-rise towers are situated towards the center of the site, or along the southern edge of DU1-A, near the existing Pilgrim buildings. Thus, the most active and higher portions of the Town Center are well buffered from surrounding communities by vegetation or existing buildings.

DU-2, which is primarily comprised of office buildings and has one 20-story tower, is well buffered by a 200-to-300-foot-wide vegetated buffer on its eastern edge, adjacent to the high-traffic Sagtikos State Parkway. Along its western edge, DU-2 is, in part, surrounded by the vibrant Town Center. All buildings in this development unit, except for the aforementioned high-rise tower, are low-rise buildings. Hence any interior lighting emitting at night-time will be muted by the time it reaches other surrounding communities beyond the development.

DU-3 and DU-4 are primarily residential, and such buildings are expected to range up to six stories. Moreover, residential communities on the subject property can be assumed to turn off interior lighting overnight, just as other surrounding communities would. Therefore, these two development units are not expected to cause any lighting-related nuisance.

Overall, the internal location of the most intense uses and the increased vegetated buffers along the property lines, especially in the northwestern and southeastern portions of the site, would assist in mitigating impacts generated by on-site lighting.

#### **Comment LG-2**

The DEIS states that the site lighting will meet all relevant code and jurisdictional requirements. What are these, and more specifically, what provisions contained within these areas designed to avoid, minimize or mitigate the impacts of lighting on nearby properties? These requirements must be specified. (C8A-19)

#### **Response LG-2**

According to the proposed PSPRD zoning code, "exterior lighting in the PSPRD shall not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction does not preclude lighting from being visible from outside the PSPRD.

As explained in Response LG-1, the applicants' proposed zoning includes lighting regulations. The Town Board is reviewing the applicants' proposed zoning code (as it relates to lighting and all other elements) and the design guidelines, as well as comments made thereon. Any zoning code that the Town Board ultimately adopts for the proposed development will include lighting regulations. Thereafter, any applications made for site plan review would be required to comply with such lighting regulations.

#### **Comment LG-3**

There is one passing reference to dark sky initiatives. The applicant should commit to have this project conform to International Dark-Sky Association Standards. (C8A-20)

All street-lighting and building-mounted lighting should be dark-sky compliant. This standard reduces glare into building windows and leakage of light up to nighttime skies, where it could obscure visibility of stars. (C1-93)

Impacts of the overall street lighting proposal should include discussions of dark sky lighting design. (H3-5)

#### **Response LG-3**

The applicants are not proposing to comply with dark sky initiatives. The applicants are committed to controlling irresponsible lighting techniques and light trespass beyond property boundaries. Specific lighting will be reviewed during the site plan review process. See Responses LG-1 and LG-2 with respect to lighting concepts.

#### **Comment LG-4**

The little information on light impacts provided deals exclusively with exterior lighting. Yet, it is obvious that, if every exterior light were to be turned off at night, there would still be a significant glow from interior lights shining through the windows of the high-rise commercial and residential structures. The only way to mitigate this adverse impact is to implement an alternative that severely limits building heights to a maximum of four stories. (C8A-21)

#### **Response LG-4**

Response LG-1 discusses the configuration of the buildings within the DUs and indicates that the more intensive uses have been concentrated toward the interior of the site, while the less intensive uses have been

situated toward the periphery of the site. The relocation of the density and the intensive uses, as well as the tallest buildings, toward the interior of the site, in addition to the increase in buffers along the periphery of the site, will help to minimize the impact of on-site lighting. As explained earlier in this section, specific lighting will be evaluated during the site plan review process.

#### **Comment LG-5**

The FEIS must provide information on the height of the parking lot light poles. (C8A-22)

In addition to utilizing downlighting concepts, no lighting poles should be higher than 25 feet, even in parking areas unless it is impossible to do so. No accent lighting or other lighting should be aimed skyward, and overall reflection of light to the sky needs to be considered (such a light impact on the nearby Edgewood preserve). (C32-12)

#### **Response LG-5**

See Response to Comment LG-2.

It is premature to set specific light pole heights in specific locations on the site. As part of the site plan review, light pole specifications will be provided. The approval process for development within Heartland Town Square is set forth in the PSPRD (see Appendix RP-2).

#### **Comment LG-6**

Additionally, an enhanced buffer consisting of a physical boundary to control access to the Edgewood Preserve and/or Intermodal site should be considered. If the preserve is enlarged to include the proposed Intermodal site, this would hopefully include some access control for residents and visitors. Utilizing energy efficient "downlighting" throughout the project site is paramount. Pole heights should be kept low and any landscape lighting should also be aimed down, not at the sky. After a certain hour, lighting could be further reduced in empty parking lots, closed offices and around quiet areas, but not to the point of causing security issues. (C32-6)

#### **Response LG-6**

The applicants do not control the Intermodal site or the Edgewood Preserve. Access to these facilities from the proposed development would be controlled through the use of fencing. See Responses LG-1 and LG-5.

#### **Comment LG-7**

Furthermore, the most efficient lighting fixtures, as well as aesthetically pleasing, need to be taken into account (high pressure or low pressure sodium should not even be considered due to poor color rendition) (C32-13)

#### **Response LG-7**

As explained in Response LG-1, the Design Guidelines (see Appendix RP-3) provide concepts for lighting in the development, and detailed lighting specifications will be determined during site plan review.

#### **Comment LG-8**

The Town of Islip should insist upon creating a safe environment. Enhanced public safety can be accomplished through the inclusion elements such as appropriate street lighting (that meets Dark Sky standards), fencing and landscaping to define public spaces. (C37-7)

**Response LG-8**

Safety will be encouraged through a number of design elements such as lighting, design and building use. It is widely accepted that natural surveillance limits the opportunity for crime (or at least increases the threat of apprehension). Well-designed and placed street lighting, building lighting, and landscape lighting will contribute to a safe environment by improving visibility for pedestrians. The careful design and maintenance of such spaces (including fences, signs, landscaping, and lighting, as needed) promote the use and collective ownership of a place, thereby creating additional stewards of the space. Additionally, the location of buildings close to the streets with windows overlooking the sidewalks and the mix of uses including residential development above street-level retail in the Town Center will promote natural surveillance (self-policing) and encourage a high level of pedestrian use on the sidewalks (creating more opportunities for social interaction and self-policing). Also, see Response LG-2 herein, Section 4.5.6 and Appendix S of the DGEIS and the Design Guidelines in Appendix RP-3 of this FGEIS.

**Comment LG-9**

An area of great concern is the amount of light that this development will bring to this area of Long Island and especially close to the Edgewood Preserve, a critical environmental area. The impact that nighttime lighting will have on the nearby communities of Dix Hills and Brentwood, and the Edgewood Preserve, will be somewhat significant due to glare and trespass. (C39-17)

**Response LG-9**

See Responses LG-1, LG-2 and LG-11.

**Comment LG-10**

Measures must be taken to install only approved down lighting throughout this development:

- Spots must have shields so light points down,
- No Lighting on trees and landscaping,
- No ground lights pointing up,
- Unnecessary lights should be turned off after a certain time of night. (C39-18)

We must do all we can to protect our night skies so that we and our children can still enjoy one of the many pleasures of being human, our ability to look up and enjoy a star-filled evening. (C39-19)

**Response LG-10**

See Responses LG-2 and LG-5. However, the area in which the subject property is located, with the exception of the Edgewood Preserve, is completely developed with a psychiatric center, college campus, ballfields, single-family homes and commercial establishments. Therefore, the area does not currently “protect” the night sky such that significant star-gazing could occur. Lighting design will be reviewed during the site plan review process.

**Comment LG-11**

Wildlife needs darkness to hunt, forage and mate. Studies show that glare and trespass from nighttime lighting affects not just the patterns of animals and plants, but humans as well. Infiltration of light into homes has been linked to breast cancer and more. (C39-20)

**Response LG-11**

With the exception of a portion of the Edgewood Preserve located to the west of the site, most of the adjacent land use consists of major highways and their corridors or extensive, already-developed commercial and residential areas. The existing plant and animal resources in these areas are expected to be species adapted to these habitats and the existing ambient light conditions. Therefore, no significant adverse impacts are expected for wildlife in these areas.

With respect to wildlife within the Edgewood Preserve, any potential impacts to wildlife from lighting are expected to be similar to impacts associated with past institutional uses of the subject property. It is important to note that the subject property abuts only the extreme northeastern corner of the over 800-acre Preserve, such that any potential significant impacts of nighttime lighting from Heartland Town Square would only be anticipated along edge areas of this small portion of that site. The wildlife species most sensitive to light (i.e. amphibians and some birds and mammals) are predominantly species of forested interior areas and, therefore, are expected to be absent or scarce within the edge habitats that may experience some increase in ambient light conditions.

No significant adverse impacts are expected for interior areas or the vast majority of the Edgewood Preserve. Moreover, compliance with all relevant code and jurisdictional requirements, as well as additional light pollution mitigation measures as discussed within the GEIS will ensure that lighting levels within Heartland Town Square will provide a balance between human safety in developed areas and wildlife requirements in natural and open space areas, on and adjacent to the subject property. Also see Responses LG-1 and LG-2 with respect to light and glare trespass.

**Comment LG-12**

The Town of Islip lags far behind other Long Island towns when it comes to outdoor nighttime lighting regulations. The Town needs to take swift steps in joining the Town of Brookhaven, East Hampton, Babylon and Huntington by adopting stringent nighttime lighting regulation. (C39-21)

**Response LG-12**

The comment is noted.

**Comment LG-13**

In Volume 2, Part 1 of the DGEIS, there are numerous views of the surrounding community showing the existing view and than a superimposed image of what it will look like with the new development. However, none of these view show nighttime images, which is important because of the lighting from the development "up and out" over rooflines. We would like to see a nighttime view of the project near where the intermodal is proposed, (since this parcel will be incorporated into the Edgewood Preserve), near Kilmer Avenue and by Crooked Hill and G Road, and by Commack and the LIE. These nighttime view will give a true indication of the light footprint that this project will have on the surrounding communities, including the Pilgrim State Hospital. (C39-22)

**Response LG-13**

It is not possible at this stage of the review process to provide particular specifications for light fixtures on buildings and/or light poles. Lighting will be determined during the site plan review process, as set forth in the PSPRD (see Appendix RP-2).

**Comment LG-14**

The only mitigation noted is “Light Pollution – Light fixtures shall use cut-off lenses or “frill” hoods to prevent glare and light spillover off the site and onto adjacent properties and/or buildings.” This is just a mitigation without any defined benefits over the current lighting in the area which is none. There will surely be visible lighting in an otherwise dark area. Darkness is conducive to sleep, the “true color” light for nighttime as is called in the report is not a true color for night time. True color for nighttime is darkness, no lights. This is unacceptable. (C23-20)

**Response LG-14**

See Responses LG-1, LG-5, LG-7 and LG-10.

## 4.19 Historic Resources (HR)

### Comment HR-1

One large building slated for demolition still stands as of this writing: a tall multi-wing building just to the east of what will be the remaining Pilgrim State campus. This building can also be an intriguing link to the old Pilgrim State Hospital and adaptive reuse should be encouraged. (C1-33)

### Response HR-1

The building referenced in this comment is no longer standing. The applicants and their architects did not believe that the adaptive reuse of this building would conform to the vision of Heartland Town Square. Also, given the cost associated with adaptive reuse of the aforementioned building and the other development costs of the project, in addition to the current economic conditions, the applicants did not propose the adaptive reuse of this building. However, as explained in Response HR-2, other buildings are being proposed for adaptive reuse.

### Comment HR-2

The demolition of historic resources is a major environmental impact that is completely overlooked in the DGEIS. The correspondence from 2001 between the State Historic Preservation Office and ESDC regarding the appropriateness of the disposition of the property is insufficient. The DGEIS indicates that the entire Pilgrim State site has been determined eligible for listing on the National Register of Historic Places. At the very least, all known and potential historic and archaeological resources in the study area should be identified in the DGEIS, including a descriptive list of each resource (i.e., date of construction, architect and style). It should also include a discussion regarding the impact of the project on each resource. Mitigation for the demolition of historic resources should be discussed in detail. Preservation and adaptive reuse strategies for the former hospital building at the entrance to the site should be specifically discussed. If any federal funding or federal permitting is involved in the proposed project, this action should require a review under Section 106 of the National Historic Preservation Act. (C1-143)

### Response HR-2

The DGEIS did not overlook that buildings eligible for listing on the National Register of Historic Places were proposed for demolition. This was addressed in Section 3.5.2 of the DGEIS. While the Pilgrim State property has been determined as eligible for listing on the National Register of Historic Places, there is nothing that requires a private property owner to retain and reuse the buildings on the site. Moreover, as explained in Section 4.5.8 of the DGEIS, it is the intention of the applicants to maintain the water tower, restore it, and make it a focal point of the proposed Town center. The applicants also intend to maintain and restore the existing power plant, which is planned for use as a community center and gallery spaces, while the adjacent warehouse buildings may be converted into artist loft-style residential units.

A letter dated January 2, 2003 from The Society for the Preservation of Long Island Antiquities regarding the status of buildings at the Pilgrim State site is included as Appendix HR-1. The conclusion reached in this letter is that buildings 18, 22, 23 and 24 at the Sagtikos Parkway entrance to the Pilgrim State Psychiatric Center site should not be characterized as landmarks worthy of preservation and no public purpose is served by the retention of these buildings. The architecture of these buildings is similar to and consistent with the architecture of the main Pilgrim Psychiatric campus, which still exists and operates today, and which is not part of the proposed action. Additionally, a museum exists at building 45 of the Pilgrim Psychiatric facility that documents the history and architecture of this institution. Moreover, if deemed appropriate by the Town Board, prior to demolition, each building can be recorded with measured drawings, photographs and written

data in accordance with guidelines established by the United States Secretary of the Interior and the Historic American Buildings survey.

### **Comment HR-3**

Finally, it is noted that the proposed project contemplates the adaptive reuse of several historic buildings. However, all of these buildings are currently unsecured and completely open to the elements. As a result, these buildings are undergoing demolition by neglect. The study should discuss how the buildings proposed for adaptive reuse will be protected in the interim. (C1-144)

### **Response HR-3**

As indicated in Section 4.5.8 of the DGEIS:

*“...as each of the extant buildings will at a minimum be gut renovated, any water/mold damage to the building interiors would be removed and new construction materials would be installed.”*

The applicants have indicated they would initiate inspections of the extant structures on the property to evaluate the condition of the penetration closures. Any such failures will be repaired to minimize the potential for unlawful entry into the structures and vandalism of same.

### **Comment HR-4**

SPLIA determined that the subject parcel and existing structures were historically significant both in terms of its unique architecture and its history as formerly the largest psychiatric institution in the world. The DGEIS does not adequately address the potential impacts associated with the proposed demolition of virtually all of the remaining structures situated on the applicant's portion of the former State facility. The DGEIS should better analyze preservation opportunities and the adaptive reuse of existing structures as an alternative to demolition. Preservation and adaptive reuse of historically significant structures is consistent with both historic preservation principles and Smart Growth policies. (C7-12)

### **Response HR-4**

The water tower and the power plant will be preserved and adaptively reused to retain important pieces of the former site (see discussion in Response HR-2 and in Sections 4.5.7 and 4.5.8 of the DGEIS). The water tower in the Town Center and the power plant in DU3 are envisioned to be preserved and adaptively reused to become centerpieces of their development units (see Appendix RP-1), as well as the two linear east-west parks with trees leading to the Town Center in DU1 and the trees within the open space in DU4. The applicants believe that additional preservation and/or adaptive reuse is not feasible due to the internal building configuration, the cost of rehabilitating the remaining structures, the overall development costs of the project, and the overall development impacts of increased buffers, open space, and lower average density in some locations of the revised Conceptual Master Plan. Also, as previously indicated, the reuse of these buildings does not conform to the vision for Heartland Town Square. Therefore, in accordance with demolition permits granted by the Town of Islip, all of the buildings on the applicants' property have been demolished, with the exception of the water tower, the power plant and the associated warehouses (see Appendix HR-2).

Moreover, as explained in Response HR-2, according to a letter dated January 2, 2003 from SPLIA regarding the status of buildings at the Pilgrim State site, buildings 18, 22, 23 and 24 at the Sagtikos Parkway entrance to the Pilgrim State Psychiatric Center site should not be characterized as landmarks worthy of preservation and no public purpose is served by the retention of these buildings (see Appendix HR-1).

**Comment HR-5**

It is good that the power plant and water tower buildings will be preserved and reused, however, any additional buildings remaining, particularly those that can be seen from the surrounding community and can be reused for offices or other uses should be reused as well. (C28-23)

**Response HR-5**

See Responses HR-2 and HR-4.

**Comment HR-6**

The DGEIS in pages 3-1 and 3-2, as well as elsewhere, ignores pertinent historical factors in the development of the Gateway area. It virtually ignores significant references to the entire decade of the 1960's. In fact, the only mention of the decade of the 1960's is the completion of the Long Island Expressway in 1963 and 1964. This omits significant development in the area, including the development of my client's property as a sanitation and recycling business in the 1960's. It has operated continuously at this site for over 45 years. (C29-36)

**Response HR-6**

Based upon research conducted using the New York State Office of Parks, Recreation and Historic Preservation on-line program (SPHINX), there are no state- or national-register-listed buildings located within the Gateway Area. In addition, the Town of Islip Historic Landmarks list was consulted as to the presence of historic structures in the Gateway Area. Based upon this research, there are no historic landmarks present in the immediate vicinity of the subject property.

## 4.20 Open Space/Recreation (OS)

### Comment OS-1

The DGEIS does not adequately address the manner in which natural resources will be protected and open space preserved in accordance with Smart Growth principles. (C7-4)

### Response OS-1

It is important to understand that over 60 percent of the proposed Heartland Town Square site has been previously developed as part of the Pilgrim Psychiatric Facility (see Table 2-1 in Section 2.2 of the DGEIS). Overall, as shown on the open space plan and the open space summary within the Design Guidelines (see Appendix RP-3), 151 acres are proposed as open space, as follows (individual acreages have been rounded to nearest whole number):

Parks and Buffers:	125 acres
Plazas and Courtyards:	8 acres
Yard Areas:	19 acres

**Parks and Buffers:** Neighborhood parks would be designed to have areas that accommodate adult gatherings and provide both active and passive short-term activities serving a neighborhood walking distance within a half-mile radius. They also typically contain distinct play areas for children visiting grandparents, shelter structures, open space, multiple use paved for court games, lighting. In addition to land specifically used for active recreation, there are other areas of open spaces which are used for more informal recreation such as dog walking, picnicking and light exercise. These include natural landscape areas, landscaped buffer zones, and boulevard medians. They may accommodate hiking and nature trails. These accessible spaces add to the character of the community by softening the appearance of the built environment and by adding screening to reduce intrusive views and traffic noise.

**Plazas and Courtyards:** Throughout the mixed-use and commercial areas of Heartland Town Square there will be many opportunities to introduce small scale spaces, plazas, pocket parks, etc. to create “people places” and to create a means for energizing and securing the development. Such areas provide useful open space for the office tenant population (lunch breaks, mid-day concerts, etc.), as well as spaces for programming special events and community-based activities (art fairs, farmers markets, festivals, etc.). They would be heavily landscaped, with attention paid to detailing and maintenance.

**Yard Areas:** Privately owned yard areas contribute to the overall open space network and feeling of the plan. The plan proposes several different residential typologies and these will contribute to yards of different orientation and size.

The Town Board is reviewing the applicants’ open space concept as well as the comments made thereon. The Findings Statement and the zoning code that is ultimately adopted by the Town Board will include a definition of open space and specific open space requirements.

In addition, as noted in Section 2.2 of this FGEIS, the shifting of density in the revised Conceptual Master Plan allows for the maintenance of greater vegetated buffers along the Sagtikos Parkway and adjacent to the residential areas in the northwestern and southeastern portions of the site in order to provide greater setbacks and to protect and preserve existing natural resources. See Responses AV-7 and AV-16 for a description of the buffers.

Furthermore, several locations in the revised Conceptual Master Plan include retention of rows and stands of existing trees (see Appendix RP-1). It is the intention of the revised Conceptual Master Plan to incorporate some of the existing tree stands from Road "K" as the centerpiece of two new green spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, stands of trees located in the existing central green area will be preserved and become a focal point for a new community space in that area. Moreover, approximately 35 percent<sup>28</sup> of the site will contain open/green spaces, including parks, buffers, yards, courtyards, and sidewalk planting areas, not including the cemetery. Also, see Response OS-18 and the Design Guidelines in Appendix RP-3 for an explanation of the open space strategy. See Response EC-5 with regard to the retention of the existing pitch pine oaks on the periphery of the site. Also, see Response EC-8 for a discussion of the incorporation of native species in order to reduce impacts associated with the clearing of the subject site.

### **Comment OS-2**

The DGEIS does not adequately identify the percentage of open space and undeveloped land associated with the property that will be lost to development and how this might be better mitigated. (C7-5)

### **Response OS-2**

A table summarizing the existing site/land coverage, that associated with the plan included in the DGEIS, and that associated with the current plan, is presented below:

**Table OS-1 – Site Coverage Data**

Site Coverage	Existing		DGEIS Plan*		Proposed FGEIS Plan	
	Acres	Percent	Acres	Percent	Acres	Percent
Woodland/Buffer	179.89± ac	37.8±%	70.38± ac	14.8±%	86.38± ac	18.2±%
Cemetery	18.02± ac	3.8±%	18.02± ac	3.8±%	18.02± ac	3.8±%
Other Vegetation (including yards, green space and sidewalk plantings)	162.52± ac	34.2±%	87.95± ac	18.5±%	77.61± ac	16.3±%
Cleared Land	30.16± ac	6.4±%	0.00 ac	0.00%	0.00 ac	0.0 ac
Buildings	26.82± ac	5.7±%	151.64± ac	31.9±%	147.81± ac	31.1±%
Sidewalk	2.89± ac	0.1±%	24.6± ac	5.2±%	21.1± ac	4.4±%
Pavement	55.32± ac	11.7±%	104.01± ac	21.9±%	106.0± ac	22.3±%
Plazas and Courtyards**			19.00± ac	4.0±%	18.68± ac	3.9±%
Total	475.60± ac	100.00%	475.60± ac	100.00%	475.60± ac	100.00%

\*The site coverage data for the DGEIS were modified based upon a more refined method of measuring the coverages. The site coverages included herein for the DGEIS Plan and the FGEIS Plan were calculated using the same methodology.



<sup>28</sup> The cemetery is not included in this tabulation, therefore, the 151 acres would not be divided by the total of 452 acres (which would include the cemetery acreage), but it would be divided by 434 acres, which would exclude the cemetery acreage, and yield a figure of 35± percent.

\*\*It is assumed that 50 percent of the plazas and courtyards would be pervious.

\*\*\*Includes Heartland Town Square and the Gateway Area.

Overall, as shown on the open space plan and the open space summary within the Design Guidelines (see Appendix RP-3), 151 acres are proposed to be provided as open space. These 151 acres, indicated in the Design Guidelines do not include the cemetery, sidewalk plantings and open space within the Gateway Area. Native species will be used, to the maximum extent practicable, in the proposed landscaped areas, in order to mitigate potential impacts associated with the clearing of portions of the subject site; however, the extent to which such plantings will be employed on the developed site has not yet been quantified.

### **Comment OS-3**

*Policy- Increases in density should be tied to the purchase and/or transfer of development rights or to a one-for-one density offset through up-zoning of vacant privately owned land. This policy should also be balanced with the provision of other community benefits which address other county-wide land use priorities such as needed rental and/or multifamily housing, affordable housing above the state or local requirements, transit-oriented development, wastewater treatment facilities, etc. Emphasis should be placed on density offsets occurring in the same groundwater recharge zone as a proposed development.:* The proposed development is substantially in excess of what would be permitted based on the current zoning on the subject property. Any contemplated increase in density/intensity should only be effectuated through enacted amendments to the zoning ordinance with standards for substantial public benefits to the community, such as the creation of community open space areas. The applicant should review with the towns of Islip, Huntington, Babylon and Smithtown their respective open space plans or development right inventories and make provisions to transfer potential density to the subject site. (C7-19)

### **Response OS-3**

Since the time of the initial comments from the Suffolk County Planning Commission, as noted above, the County's policy has been expanded to indicate that the "policy should also be balanced with the provision of other community benefits which address other county-wide land use priorities such as needed rental and/or multifamily housing, affordable housing above the site or local requirements, transit-oriented development, wastewater treatment facilities, etc. Emphasis should be placed on density off-sets occurring in the same groundwater recharge zone as the proposed development."

While the Heartland Town Square development is not proposing the use of transfer of development rights, it will be providing many of the community benefits discussed above. The proposed Heartland Town Square development will provide workforce housing on-site and will also contribute \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization. Both rental and ownership housing will be provided. In addition, development will be connected to an existing wastewater treatment facility. In addition, Heartland Town Square is transit-oriented as it will include shuttle bus service to the Deer Park LIRR Station (located near the site).

With respect to open space, the open space and recreation needs of the future residents and employees in the Heartland Town Square community would be met on site by the facilities described in Section 4.6.1 of the DGEIS and in Response OS-18 of this document. Approximately 35 percent of the site would be comprised of open/green space, not including the cemetery.

In addition, public open space that is already existing in the immediate and greater surrounding area, including the 800+-acre Edgewood Preserve could also be used by the Heartland Town Square community, as is it would be used by any other citizen.

### **Comment OS-4**

The Town of Huntington boasts a beautiful and varied park system, which will undoubtedly attract users from the proposed development. This must be addressed in the DEIS, and a plan to mitigate this increased park use burden must be presented. (C8A-17)

**Response OS-4**

There is the potential that some residents at Heartland Town Square could visit Town of Huntington facilities (as could any other person outside the Town of Huntington). Also, as over one-third of the subject property would consist of open space (which would be within walking distance of residences), it is anticipated that the majority of Heartland Town Square residents would utilize on-site open spaces and recreational facilities. In fact, Response OS-5 explains that the Heartland Town Square development provides parkland/open space in excess of the ratio recommended by the National Recreation and Parks Association (NRPA). In addition, as noted in Response OS-3, residents would be expected to use the adjacent 800±-acre Edgewood Preserve (also see Response OS-18). As such, implementation of the proposed action is not anticipated to create a significant adverse impact on Town of Huntington facilities.

**Comment OS-5**

This project does not put aside a large park or recreational area to maintain an aesthetically pleasing natural environment. For a population of 20,000 people there will only be 124.46 acres of open space. (C9-17)

**Response OS-5**

As explained in Section 4.6 of the DGEIS, the NRPA is an organization that has prepared a nationally-recognized program identifying needed parks and recreational facilities. The recommended levels of service standards by NRPA are as follows:

- Neighborhood Parks: 1.0 to 2.0 acres/1,000 population
- Community Parks: 5.0 to 8.0 acres/1,000 population
- Trails: 0.5 mile/1,000 population

Employing standards developed by NRPA, the total open space needs of the proposed 20,000±-person community translates into approximately 125 acres (or 6.25 acres per 1,000 people). The overall development provides a total of 151± acres of parks and buffers, plazas and courtyards and yard areas (see descriptions below), not including the cemetery or sidewalk planting areas. Therefore, the open space ratio to be provided for the proposed development is approximately 7.5 acres per 1,000 people, which exceeds the parks/recreational space ratio recommended by the NRPA.

The open space program in Heartland Town Square is hierarchical to encourage a range of activities. The program includes various categories of Open Space Typologies, which were depicted on Figure 4-21 of the DGEIS. The Design Guidelines (see Appendix RP-3) discuss the various types of open spaces, including Parks and Buffers (125 acres), Plazas and Courtyards (8 acres) and Yard Areas (19 acres). These open space typologies are defined in Response OS-1, above.

In addition, bicycling will be encouraged throughout Heartland Town Square. The Design Guidelines indicate that the development is designed to incorporate a network to accommodate bicycle riders.

As noted in the Design Guidelines (See Appendix RP-3), open spaces are designed not only for the residents of Heartland Town Square, but for employees and visitors. All open spaces are provided within walking distance of the people they serve and are programmed to encourage a range of activities.

**Comment OS-6**

The open space calculation includes surface parking lots. Surface parking lots comprise approximately 10% of the open space within Heartland. Open space calculations were performed for a population of 20,000. Twenty-thousand residents in a development of over 9,000 dwelling units yields 2.2 residents per unit. This

assumption is questionable. In addition to a questionable population estimate, the open space requirement for Heartland was reduced to be 66% of that required by a conventional suburban community. The assumptions made for population and Heartland's open space requirements greatly reduce the acreage of open space within Heartland. (C9-31)

Even with this reduced open space requirement, surface parking lots were included in the summation of open space acreage. Parking lots do not create or possess the positive impact(s) associated with open space within a development. The assumptions used to calculate open space and the inclusion of surface parking lots as open space is disingenuous and must be addressed. (C9-32)

The DGEIS includes large asphalt parking areas as part of its open space, but it is doubtful that these types of facilities conform to the intents of open space provisions. Typically, only "green" space - wilderness areas remaining in their natural states or landscaped areas - are permitted to be calculated as open space. The asphalt parking areas will also create heat-sinks, which are detrimental to the environmental and diminish the quality-of-life for residents. (C38-11)

#### **Response OS-6**

See Response OS-5. Surface parking areas are not included in the open space calculations, as shown on revised Conceptual Master Plan and in the open space plan within the Design Guidelines (see Appendices RP-1 and RP-3, respectively). In addition, as noted in the Design Guidelines (see Appendix RP-3), surface parking lots, while unavoidable in the initial stages of development, are planned as "placeholders" for future building sites. Ultimately, surface parking lots will be minimized. However, where they do occur, larger parking lots shall be divided into smaller, visually contained areas through the use of perimeter landscaping and landscape hedgerows or screening. This would reduce the heat-island effect from larger, paved areas.

#### **Comment OS-7**

As noted previously, the applicant is proposing a "hamlet size" proposal. The demands and needs of this project for community facilities, such as fire protection, education, parks, and so forth, should be evaluated on this level. Park facilities are one of the key components of a community, which is why N.Y.S. Town Law authorizes a "park fee" for new subdivision. In the DEIS, there is a discussion of community facilities for this project that appears to imply that there is sufficient "park and open space" for the community. Our assessment concludes that there are not sufficient developed park facilities and we are concerned that this will impact our park facilities that are close to the site. (C10-5)

#### **Response OS-7**

See Response OS-5. The open space ratio provided by Heartland Town Square is approximately 7.5 acres per 1,000 people, which exceeds the open space ratio recommended by the NRPA. Furthermore, the DGEIS indicates most of the open space and recreation needs of the future residents and employees in the Heartland Town Square community and the Gateway Area would be met on site by the proposed facilities. Furthermore, public open space that already exists in the immediate and greater surrounding area could also be used by the Heartland Town Square community as is it would be used by any other citizen.

#### **Comment OS-8**

The proposed park facilities for Heartland Center do not appear to meet national standards in terms of size and based upon the projected population of this Center, significant additions to existing park facilities in the vicinity would be required to meet demand.

The National Recreation and Park Association recommends that a park system include 6.5 to 10.5 acres of *developed* parkland per 1000 population. The developed park facilities do not include regional State and county parks. It appears that the total population of Heartland Center will exceed 20,000 and would require between 130 to 210 acres of developed parkland using NRPA standards. (Note: In the Town of Smithtown, for a project of this size, we would require about 180 acres of parkland pursuant to our code). The DEIS for Heartland describes 124 acres of “open space” within the project area; however, an examination of the site plan shows that much of this “parkland” includes buffers and other landscaped areas, and not developed parks or other lands which may be used for active recreation. I am concerned that there will be undue stress on Smithtown’s nearby park facilities and, in particular, Hoyt Farm in Commack which is a bucolic 140 acre site. (C10-6)

#### **Response OS-8**

See Response OS-5. Also, as indicated in Response OS-1, the Town Board is reviewing the applicants’ open space concept as well as the comments made thereon. The Findings Statement and the zoning code that is ultimately adopted by the Town Board will include a definition of open space and specific open space requirements. The Town of Islip is not bound by Town of Smithtown requirements relating to open space or parkland.

#### **Comment OS-9**

The Town of Smithtown Comprehensive Plan Update has concluded that we need additional park facilities to meet current demand. Unless there are sufficient park facilities near the Heartland Center, we believe that the Heartland residents will contribute to the overuse of these other facilities. While it may be argued that Town Parks are limited to Town residents, because of fiscal constraints, most Towns only enforce this provision during the peak summer months, and this restriction should not be considered as a response to this shortage. (C10-7)

#### **Response OS-9**

See Response OS-5.

#### **Comment OS-10**

Creating trails within natural areas and buffers for hiking, bicycling and mountain bicycling also should be considered to encourage more physical activity without requiring people to leave the area. It is our hope that a regional recreational trail system will be created allowing people not to only get out safely on foot or bicycles, but to actually commute to off-site work locations such as Melville or Hauppauge. Recreational trails following the parkways that could lead to our beaches and need to be considered as part of any Sagtikos Parkway reconstruction project. (C32-4)

#### **Response OS-10**

Upon implementation of the proposed action, over one-third of the subject property would consist of open space. All proposed open space areas would be within walking distance of the proposed residences so that residents would not have to venture off of the subject property to find parks and recreational facilities (see Response OS-5). Further, Heartland Town Square incorporates a network to accommodate bicycle riders into the development.

On major roadways within Heartland Town Square development, as appropriate, in-street bicycle lanes will be incorporated. In-street bicycle lanes are desirable to commuter bicyclists seeking to find the fastest route to a destination when commuting. In addition, studies have shown in urban-type areas where there are

numerous crossing driveways and streets, in-street bicycle lanes are significantly safer than sidewalks. However, in-street bicycle lanes are not generally appropriate on low-speed downtown streets or neighborhood streets. The low speeds of neighborhood-scaled streets allow them to accommodate bicyclists without providing a dedicated in-street lane. The plan for Heartland Town Square envisions a bicyclist-friendly environment.

With respect to a regional bike trail system along the parkways, it would be the decision of the NYSDOT and/or New York State Office of Parks, Recreation and Historic Preservation to incorporate such trails/pathways, as these agencies have jurisdiction over the Sagtikos Parkway.

#### **Comment OS-11**

Landbanking of wooded open space areas for future parking needs also could protect more of the native forests. (C32-7)

#### **Response OS-11**

As indicated on the revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS), the majority of the proposed parking areas are within locations that were previously developed with the Pilgrim Psychiatric Facility. As indicated in Section 5.8 of the DGEIS, the parking requirements, as set forth in the proposed PSPRD ordinance, are based on the concept of shared parking. Shared parking recognizes that the overall parking demands in a mixed use development are less than the demand which would result from combining the individual demands for the various land use components. Research has shown that the parking characteristics of different types of land use vary by time of day and day of week, as well as seasonally. Since the peak parking demands for the different land uses do not occur simultaneously, the same parking spaces in a mixed use development can effectively serve more than one use, thereby resulting in the need for fewer parking spaces overall.

It is also important to note that the proposed action includes the preservation of 48.57± acres of Pitch Pine-Oak Forest. Much of the preserved forest habitat would be in perimeter buffer areas that are located beyond the proposed project roadways and have directly contiguous off-site counterparts of additional native forest (including the protected 800+-acre Edgewood Preserve), thus preserving non-fragmented forest habitat to a certain degree.

#### **Comment OS-12**

The DGEIS states approximately 30% of the land would remain as open space and screening areas would provide vegetation. CCE's position is due to the size of the development portion of this proposal, 30% will be inadequate to provide necessary habitat for displaced wildlife. Although the open space planned for the project is in compliance with Pilgrim State Planned Redevelopment District (PSPRD) standard of 30%, the four areas are just meeting or barely exceeding this minimum standard at units 1, 2, 3, 4 and the gateway area, respectively preserving 33%, 31%, 30% and 35% of their open space. By just barely meeting the minimum amount of open space, the project is not properly considering a balance between development and preservation. (C36-14)

#### **Response OS-12**

When considering open space, it is important to note that approximately 60 percent of the site was formerly either developed or disturbed (see Table 2-1 in Section 2.2 of the DGEIS). Approximately 35 percent of the Heartland Town Square development is proposed to include open/green space. This 35 percent does not include sidewalk plantings and street trees. It is also important to note that significant areas of open space are directly contiguous with the subject property, including the 800+-acre Edgewood Preserve.

With respect to displaced wildlife, see Responses EC-9, EC-18 and EC-23 of this FGEIS, which indicate that the proposed development preserves areas of non-fragmented forest habitat, which will facilitate the movement of wildlife between the site and other forested areas (including the Edgewood Preserve). The on-site woodland/buffer areas (over 86 acres) will continue to support various native plant species, including pitch pine and scrub oak, which provide habitat for wildlife. It should also be noted that the buffer areas along the Sagtikos Parkway and along Crooked Hill Road have been increased in the revised Conceptual Master Plan, and will provide additional non-fragmented open space. See Responses AV-7 and AV-16 for additional description of the proposed buffers.

#### **Comment OS-13**

The DGEIS mentions small pocket parks and plazas and courtyards to be considered part of the 30% of open space. Although pocket parks, plazas and courtyards are important in communities, they do not provide meaningful habitats for wildlife. (C36-15)

#### **Response OS-13**

The opinion of the commentator is noted. See Responses OS-1, OS-12, EC-9, EC-18 and EC-23.

#### **Comment OS-14**

Through our analysis of the Heartland Development, CCE finds that the open spaces are disjointed and thinly spread out over the entire site. Few parcels of open space are connected and contiguous. CCE recommends that open space areas be connected to each other and larger in size, as to support wildlife and substantive habitat. (C36-16)

#### **Response OS-14**

See Responses OS-1, OS-12, EC-9, EC-18 and EC-23.

#### **Comment OS-15**

We need to protect our last remaining open spaces for the health and well being of the community and future generations. (C22-6)

#### **Response OS-15**

It is important to note the subject property is not a pristine, undeveloped site. In fact, 60 percent of the site is already developed or disturbed. See Responses OS-1, OS-12, OS-13, EC-9, EC-18 and EC-23 with regard to open space.

#### **Comment OS-16**

There will be an increase in noise, light and air pollutants released into the surrounding communities from currently uninhabited open space. (C27-5)

#### **Response OS-16**

In-depth analyses were conducted in the DGEIS, which analyzed the noise, light and air quality impacts of the proposed project on the subject property and surrounding areas. A detailed discussion of the potential noise impacts of the subject property is presented in Section 4.10.1 of the DGEIS, with proposed mitigating

measures discussed in Section 5.10 of the DGEIS. Potential lighting impacts are discussed in Section 4.5.6 of the DGEIS. As no significant adverse impacts are anticipated to result regarding lighting, no mitigation was proposed. Impacts to air quality are presented in Section 4.3 of the DGEIS, with mitigating measures presented in Section 5.3 of the DGEIS. This FGEIS also responds to specific noise, lighting and air quality comments in Sections 4.23, 4.18 and 4.15, respectively.

**Comment OS-17**

The 30 percent of open space cited in the DGEIS includes many features that do not truly count as usable, fully-public dedicated park space, such as building courtyards, planting strips in parking lots, and stormwater retention areas.

It would be better to have one requirement for open, at-grade, and fully publicly accessible open space, and another requirement for private open space for apartments (eight as shared courtyards/plazas or as individual balconies/terraces, etc.). (C1-28)

**Response OS-17**

See Response OS-5.

**Comment OS-18**

The DGEIS has not provided sufficient detail of the need for outdoor active recreational facilities generated by the project – especially for the 2,100 school-aged population – or the provision of such facilities within the project. The number and types of facilities, and their size and location within the project, needs to be specified. The idea that such facilities as baseball/softball fields and soccer fields can double as stormwater detention/retention facilities is not acceptable to the Town Board. (C1-29)

**Response OS-18**

Section 4.6 of the DGEIS provides a thorough discussion of the impacts of the proposed action on recreational resources, and demonstrates, using established factors, how the proposed development will provide sufficient open space and recreational opportunities. Updated information regarding sufficiency of open space is included in Response OS-5. Furthermore, while specific facilities have not been designed at this time, the PSPRD and Design Guidelines provide the framework and parameters for the open space and recreation system. As noted in Response OS-5, the Heartland Town Square development is consistent with the guidelines for total on-site open space recommended by the NRPA.

In addition to the open space and recreational facilities that would be provided on site under the proposed development plan, the subject property is directly adjacent to the 800+-acre Edgewood Preserve. Edgewood Preserve permits hiking, biking, dog training and bird watching with a free NYSDEC permit. A June 7, 2010 letter from the Friends of the Edgewood-Oak Brush Plains Preserve (see Appendix LU-2), indicated the following:

*“There is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square, situated in the Town of Islip. If and when this project moves forward, we envision Heartland Town Square residents utilizing the preserve for hiking, biking, jogging bird watching, nature photography, and other passive recreational activities. We are hopeful that Heartland Town Square residents and workers alike will appreciate how special the Edgewood Preserve is and that they will be encouraged to help us protect and improve this rare wildlife habitat.”*

See OS-5 for a description of the types of open spaces proposed within Heartland Town Square. Based on the information provided in Response OS-5, it is evident that the Heartland Town Square development will

provide sufficient areas for outdoor recreation. It must be understood, however, that the subject property is over 450 acres in size, and is projected to be built out over 15 years. Accordingly, it is unrealistic to expect that specific plans for each individual site, whether it be an office site, a residential site, a retail site, or a recreational site, would be designed to indicate the particular use that would be developed (e.g., an accountant's office, a CVS). In fact, in recognition of the size of the property, duration of the build-out and potential changes in market trends over the build-out period, the Town Board decided to request that a GEIS be prepared, as it is understood that specific uses at specific locations cannot be identified at this time.

It should be noted that no soccer or baseball fields are proposed to be located within the Heartland Town Square development. These types of facilities are located in Brentwood State Park, situated across from the property, east of Crooked Hill Road. The 52-acre Brentwood State Park opened in 2003 after the land was transferred from the Pilgrim Psychiatric Center.

#### **Comment OS-19**

Indoor recreation facilities for all residents – the elderly population included – should be indicated, along with specific plans for accommodating such needs within the community. (C1-30)

#### **Response OS-19**

While specific facilities have not yet been designed, the applicants will provide indoor recreational facilities (e.g., clubhouses within residential developments) within Heartland Town Square. Furthermore, the PSPRD and Design Guidelines provide the framework and parameters for the open space and recreation system (see Appendices RP-2 and RP-3). In addition, the revised Conceptual Master Plan (see RP-1) depicts the conceptual layout of the open space system.

#### **Comment OS-20**

The proposed project should preserve more forested area, especially outside the proposed "Ring Road" and along the Sagtikos and LIE. Beyond the significant and visual impact, the removal of forested areas would also destroy plant and animal habitat, reduce air quality and be detrimental to the surface water runoff quality and groundwater recharge capacity. (C1-31)

#### **Response OS-20**

The master plan has been revised to provide more natural area, including the retention of buffers of native vegetation. The revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS) includes increased buffers along the Sagtikos Parkway and along the area adjacent to Commack Road. The buffer along Commack Road has been expanded from approximately 75 feet to 130 feet, an increase of over 73 percent. In addition, the proposed residences in this area have been modified to be low-rise structures. A 100-foot-wide buffer is proposed on the south side of Town Center along the border with the Pilgrim campus.

In DU3-A, a 200-foot-wide buffer is proposed adjacent to the Sagtikos Parkway right-of-way along the eastern side of DU3, where proposed residential buildings closest to the Sagtikos Parkway are low-rise. A 75-foot-wide buffer is proposed along the western edge of DU3, and a 115-foot-wide buffer is proposed along the southern edge of DU3.

The buffer along the west side of the Sagtikos Parkway right-of-way (within DU2) is a minimum of 200 feet in width, expanding to 300 feet near the Gateway Area; and the buffer along the east side (within DU4) is a minimum of 115 feet in width, widening to 160 feet at the southern end of the property. The heights of the proposed buildings in DU4 along the western edge of the site near the Sagtikos Parkway range from one to six stories. At the southernmost "leg" of DU4, 120-foot-wide and 140-foot-wide buffers are proposed along

the southern and eastern portion of this “leg;” a 40-foot-wide buffer is proposed along the rest of the southern and eastern edges of DU4. Also, see Responses OS-1 and OS-2.

#### **Comment OS-21**

Appendix B, Summary of Open Space Distribution (page 13) defines courtyards as “softscape” with 50 percent permeability or as “hardscape” with 25 percent permeability. Any degree of permeability is unlikely, especially since courtyards will probably be built over parking garages, unless courtyards are built as green roofs to hold rainwater. Plazas should not be defined as “softscape” with 50 percent permeability unless it is absolutely certain that they will be constructed with porous pavement and carefully maintained to avoid siltation gradually reducing the porosity. (C1-94)

#### **Response OS-21**

Until the actual courtyards and plazas are designed, it is not possible to determine how much hardscape or softscape would be used in each courtyard or plaza. Also, it is not anticipated that each courtyard and/or plaza would have the same mix of hardscape or softscape. Thus, each plaza and courtyard would be reviewed and determinations of detailed design features would be made during site plan review.

#### **Comment OS-22**

The open space strategy relies on the Suffolk Community College playing fields and the Oak Brush Plains Preserve for hiking and picnicking. While these destinations are close to the site, people may be likely to drive there due to the intervening unfriendly street connections. This increases the need to own a car. (C1-112)

#### **Response OS-22**

Upon implementation of the proposed action, over one-third of the subject property would consist of open space. All proposed open space areas would be within the Heartland Town Square property and within walking distance of the proposed residences so that residents could find parks and recreational facilities on-site for such uses such as walking and jogging (see Response OS-5).

As discussed in Response SU-1, bike lanes would connect to the surrounding community, including the Edgewood Preserve and across the Sagtikos Parkway onto Crooked Hill Road (toward Suffolk Community College), as illustrated in the proposed Design Guidelines (see Appendix RP-3). Furthermore, walking is a hallmark of smart-growth communities. The design of the Heartland Town Square development fosters the concept of walking to various destinations, including adjacent off-site facilities. The street network and development of the pedestrian realm should enhance the walking experience.

In addition, the location of these open space/recreation uses would not directly increase the need to own a car. The internal walkability of the development, from the proposed Town Square to the various components of the community, and externally, to places of interest outside the project boundaries is shown on Figure 5-2 of the DGEIS. This figure is reproduced as Appendix OS-1 of this FGEIS.

Furthermore, the Edgewood Preserve is within walking distance of the majority of the residences. Interconnected streets and bike lanes would enhance flow between the residences located throughout Heartland Town Square and the Edgewood Preserve.

**Comment OS-23**

The preservation of open space through the transfer of development rights is a tested success in many areas of the country, including right on Long Island. This development will bring thousands of residents that will need to recreate through the use of active and passive parkland, and if it weren't for the people before us who preserved land and open spaces for us all to enjoy now, we would not be able tolerate traffic, density, and intensity of land uses that we all encounter. We wouldn't have a respite from the noise and other hassles that accompany us through our daily lives, if the woodlands and beaches weren't preserved through the foresight and will of the leaders who made hard decisions in the past. (C21-2)

**Response OS-23**

See Responses OS-5 and OS-3.

**Comment OS-24**

The definition of open space, however, and courtyards and other recreation areas and impervious areas, such as sidewalks, should be included in that definition should be clarified. (H3-9)

**Response OS-24**

See Response OS-5. The Design Guidelines provide definitions of the types of proposed open space within Heartland Town Square (see Appendix RP-3).

**Comment OS-25**

The plan also indicates multiple areas of natural forest that would need to be cleared as part of the project. The aggregate impacts of the loss of groundwater functions, passive recreational opportunities and visual screening should be further studied. (H3-10)

**Response OS-25**

Groundwater impacts are addressed in Section 4.2 of the DGEIS, and in Section 4.14, Responses WR-1 through WR-20 of this FGEIS. Also, the revised Conceptual Master Plan (see Appendix RP-1) and the Design Guidelines (see Appendix RP-3) set forth the conceptual framework for the open space system. Finally, with respect to screening, buffers along the perimeter of the site have been increased from the previous plan (see Appendix RP-1 and Responses AV-1 and AV-7 for a description of the buffers). As explained in Responses OS-5 and OS-18, many of the proposed open space areas, including the buffers, would be utilized for passive recreational activities. Thus, the proposed project would result in a substantial increase in passive recreational opportunities on the subject property.

**Comment OS-26**

More detailed analysis of the demand for recreational facilities by the new population, along with size and location of each facility, will provide a better indication of impact on open space and recreation. (H3-11)

**Response OS-26**

See Responses OS-5 and OS-19.

**Comment OS-27**

The idea is that we have a shifting density through the creative efforts that we have heard tonight...An important point is that it was recognition of support for high-density development, but there was also strong recognition for preservation of open space and tying the two together. (H11-4)

#### **Response OS-27**

See Responses OS-2, EC-5 and E-12 with respect to preservation of various ecological communities. In addition, Responses OS-1 and EC-6 discuss the retention of rows and stands of existing trees.

#### **Comment OS-28**

The externalities of the project are our water supply, the preservation of the Oak Brush Plains completely, even though it is under state law. I'm not so sure about projects like this keeping those 86 to 88 acres preserved. (H27-1 - H27-3)

#### **Response OS-28**

With respect to water supply and the Oak Brush Plains SGPA, see Responses WR-2 and WR-3. See Responses OS-2, EC-5 and E-12 with respect to preservation of various ecological communities. In addition, Responses OS-1 and EC-6 discuss the retention of rows and stands of existing trees within Heartland Town Square.

#### **Comment OS-29**

It's an amazing project. I would go to that place, and I would skate it, but you guys don't like that...As professional skaters, we can't do anything about it. (H43-2)

#### **Response OS-29**

The comment is noted.

#### **Comment OS-30**

The density being south appears to have little compensatory open space preservation component, and the conceptual site plan appears to preserve none of the existing vegetation. The site is adjacent to the New York State Oak Brush Plains Pine Barrens Preserve at Brentwood, which has been permanently preserved because of its location in an ecologically sensitive, drinking water recharge area. Additionally, the project has not been required to transfer the development rights from the targeted open space in return for any increases in density. In fact, all existing open space should be targeted for preservation, with development limited to previously cleared portions of the property. The project is billed as "smart growth." However, it does not conform to widely accepted definitions of that term. (C19-1)

#### **Response OS-30**

As detailed in Section 4.4 of the DGEIS, approximately 90 acres of existing vegetated habitat would be preserved under the proposed action, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. With respect to the Edgewood Preserve, only a small portion of this property is contiguous with the subject property. As detailed in Section 4.2 of the DGEIS, no significant adverse impacts are anticipated to water resources in general, or for the Oak Brush Plains SGPA. Furthermore the Friends of the Edgewood-Oak Brush Plains Preserve have submitted correspondence supporting the proposed development (see Response EC-18 and Appendix LU-2).

Due to past institutional use of the subject property, much of the existing vegetated open space on the site is comprised of cultural ecological communities, including Mowed Lawn (76.42± acres) and Urban Vacant Lot (6.77± acres). As indicated in the Pre- and Post-Construction Vegetation Table in Section 4.4 of the DGEIS, much of the land to be redeveloped consists of these previously cleared communities. As described above, significant acreage of natural communities would be preserved, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field.

Finally, see Responses LU-1, LU-11 and SG-6 with respect to smart-growth concepts and transfer of development rights. Also, see Responses OS-3, SG-8 and LU-15 with respect to transfer of development rights.

---

## 4.21 Transportation (TR)

---

### 4.21.1 General

#### Comment TR-1

The traffic sections of the report are lacking in discussion of presented data and conclusions. Much of the intersection and parkway analysis results and data tables are presented without any explanation of what it means. For example, there is very limited discussion of the existing condition analysis results as far as the general operations or which peak is worse, etc. The discussion is limited to improvements necessary without Heartland that are unsubstantiated. A significant amount of accident data is presented without so much as a sentence as to what it means. (C2-1)

There were no conclusions in this report as to whether the project would have traffic impact or not, and that is a deficiency we definitely need to be remedied. (H1-11)

The DGEIS does not present conclusions regarding the effects of the development on the transportation system. (C2-44)

A review of the Transportation portions of the DGEIS showed that the analyses performed are aberrant and do not accurately depict the traffic conditions that will exist upon completion of the Heartland Town Square project. The findings on the traffic conditions projected to exist are not supported by the analyses presented within the report or by independent analysis of the data by the Town of Babylon. The methodologies employed also deviate from standard traffic analysis methodologies and produce unexpected results that appear to contain significant errors. The overall report also appears to become mired in its own analytical methods. (C9A-1)

#### Response TR-1

Additional transportation analyses have been performed, and are included in Appendix TR-1 (Supplemental Traffic Analysis) through TR-4 of the FGEIS. Those analyses were developed with the guidance of the Town's Traffic Consultant, Dunn Engineering Associates (DEA). The assumptions that affect the analysis and methodology for the analysis of intersections or roadways were approved by DEA. Roadways (including the Sagtikos, Northern State and Southern State Parkways and the Long Island Expressway [LIE]) were analyzed using a software program called Vissim, which simulates conditions on the roadway and evaluates its ability to process existing as well as future traffic volumes. For analysis of intersections, DEA approved the use of the Synchroprogram for intersections, and the Vissimprogram for parkways and freeways. The analysis

phases agreed to by DEA and VHB were Phase I, and the completion of Phases II and III and the Gateway Area. As agreed to by VHB and DEA, an analysis of Phases II and III and the Gateway Area was performed together, and when added to Phase I results, is referred to as the Full Build condition for the project. Additionally, a discussion of accident data is included in Appendix TR-2 (Accident Data Analysis) of the FGEIS. Discussions related to the impacts of the development of Heartland Town Square on the transportation system are included in Appendix TR-1.

In Volume 1, Section 5.8.2 of the DGEIS, entitled "Roadway Mitigation Specific to Heartland Town Square," mitigation measures were discussed based on total build-out of the project, and addressed traffic deficiencies attributed specifically to the development of the Heartland Town Square property. The FGEIS reevaluated the recommended improvements presented in the DGEIS in light of changes to project phasing.

The impacts that Heartland Town Square may have on the transportation system are directly related to behavioral changes that occur when mixed uses, which complement and support one another, are developed proximate to each other. Heartland Town Square is the type of development that has its roots in the traditional development of cities across the country and all over the world. Cities are founded on close connectivity between home, work and shopping areas that minimizes vehicle trips and promotes walking, transit or bike trips, as the automobile is no longer the travel mode of choice. This is the vision of the applicants for Heartland Town Square. How this vision translates into reality is subject to testing of the concept, which has been well documented in mature cities, but remains under-reported in the technical reports that transportation engineers use to evaluate proposed developments similar to Heartland Town Square.

Therefore, in the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied, in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made using standard modeling techniques. If the results are as expected by the applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer mitigation measures may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

#### **Comment TR-2**

The No-Build and Build intersection and ramp queuing results are not discussed at all. The report does not have a conclusion section at all and simply ends. (C2-2)

#### **Response TR-2**

Additional transportation analyses included in Appendices TR-1 through TR-4 of the FGEIS address the No-Build and Build intersection and ramp queuing results, per the direction of DEA. As previously indicated, DEA has agreed to the analysis of intersections using Synchro and the analysis of the parkways and the LIE using Vissim. Both of these models provide information on queuing impacts, either in number of feet, or as a visual indicator by viewing of the simulation.

#### **Comment TR-3**

There is an October 2008 letter from VHB, which contains much of the information noted in 2. and 3. above. However, this information was not included in the DGEIS and should be included in the FGEIS. (C2-7)

**Response TR-3**

This comment refers to an expansion of the study area originally presented in the DGEIS and additional data on accident statistics. Additional transportation analyses, which are included in Appendices TR-1 through TR-4 of the FGEIS, include a discussion of the No-Build and Build intersection and ramp queuing results, per the direction of DEA. Specifically, Appendix TR-1 includes the analyses of Phase I and Full-Build of Heartland Town Square, respectively. Appendix TR-2 includes the complete accident data analysis.

**Comment TR-4**

The phased project development plan must be analyzed adequately. This includes the development of trip generation, assignment, analysis, and the development of mitigation plans as necessary for each phase. (C2-11)

**Response TR-4**

Appendix TR-1 of the FGEIS, contains the analysis of Phase I of Heartland Town Square) separate from Phases II and III and the Gateway Area, including trip generation, assignment, analysis and recommended improvements. As discussed with DEA, Phases II, III and the Gateway Area were then added, resulting in the Full-Build Analysis. Appendix TR-1 also contains the analysis of this Full-Build of Heartland Town Square, including trip generation, assignment, analysis and recommended improvements.

**Comment TR-5**

A no-build and build condition for each phase must be evaluated to determine impacts. The phasing information given on page 7 of the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square" originally submitted by the applicants in May 2008 and included in the Appendix of the DGEIS only refers to the total number of vehicle trips associated with Phase I of the proposed action, and the document is silent on any projections for Phases II and III. (C2-12)

**Response TR-5**

Additional transportation analyses are included in Appendix TR-1 of the FGEIS. This appendix includes an analysis of Phase I, and Phases II and III and the Gateway Area (combined). The assumptions that affect the analysis and methodology for the analysis of intersections or roadways were approved by DEA. Traffic volume flow maps and trip distribution flow diagrams are provided for Phase I, and Phases I, II and III and the Gateway Area combined. As requested by DEA, the traffic volume maps and trip distribution maps are presented by trip type, including residential, office, and retail trips for the AM and PM weekday peak hour as well as the peak hour for Saturday.

**Comment TR-6**

Traffic volume flow maps and trip distribution flow diagrams must be provided for each proposed phase of build-out. (C2-13)

**Response TR-6**

See Response TR-5.

#### **Comment TR-7**

Given the phased build-out proposed the build years (completion of construction) should be reevaluated and confirmed. (C2-14)

#### **Response TR-7**

Additional transportation analyses are included in Appendix TR-1 of the FGEIS. This appendix includes an analysis for Phase I, and Phases II and III and the Gateway Area (combined) of the proposed development. DEA and VHB agreed that the analysis should include Phase I, and Full-Build for Phases I, II and III and the Gateway Area. DEA did not require a separate analysis of Phase II; therefore, Phases II and III and the Gateway Area were analyzed together, and when added to Phase I results are referred to as the Full-Build for the project.

#### **Comment TR-8**

A generally accepted rule is that an increase in traffic of 5% or more has the potential to cause significant impacts to a facility or intersection. Given the scope of the proposed project, locations at a significant distance could see increases in volume much larger than 5%. After the development of revised trip generation figures and traffic assignment, additional locations will need to be added to the study area based on that information. (C2-17)

#### **Response TR-8**

Based on discussions and input from DEA, nine intersections were added to the 21 intersections included in the DGEIS. Also included in the updated analyses are the Sagtikos Parkway from the Northern State Parkway (Northern State Parkway) to the Southern State Parkway (Southern State Parkway), the LIE between Commack Road and Wicks Road, the Northern State Parkway from Exit 42 to Exit 46 and the Southern State Parkway from Exit 41 to Exit 42.

The following 30 intersections are included in the Supplemental Traffic Analysis as agreed to between DEA and the applicants traffic consultant:

1. Commack Road/LIE North Service Road
2. Commack Road/LIE South Service Road
3. Crooked Hill Road/LIE North Service Road
4. Crooked Hill Road/LIE South Service Road
5. Commack Road/Pilgrim Site Access (unsignalized)
6. Commack Road/Long Island Avenue
7. Commack Road/Grand Boulevard
8. Long Island Avenue/Executive Drive
9. Pine Aire Drive/Executive Drive
10. Pine Aire Drive/SB Sagtikos Ramps
11. Pine Aire Drive/NB Sagtikos Ramps
12. Pine Aire Drive/Fifth Avenue
13. Wicks Road/Suffolk Avenue
14. Wicks Road/Crooked Hill Road
15. Wicks Road/Community College Drive
16. Crooked Hill Road/G Road/Community College Drive
17. Crooked Hill Road/Pilgrim Access (unsignalized)

18. Wicks Road/Express Drive South
19. Wicks Road/Motor Parkway
20. Commack Road/Nicolls Road
21. Commack Road/Crooked Hill Road
22. Commack Road/Bay Shore Road
23. Commack Road/Burlington Drive
24. Route 231/Bay Shore Road
25. Route 231/Grand Boulevard
26. Route 231/Nicolls Road
27. Carll's Path/Nicolls Road
28. Carll's Path/Grand Boulevard
29. Carll's Path/Bay Shore Road; and
30. Carll's Path/Long Island Avenue

#### **Comment TR-9**

Such research should also focus on the question of whether people will move to be near their jobs, or do they choose the housing location based on other factors. Even if the project will be more balanced in the long run, in the short run sufficient parking and road improvements will be necessary to accommodate all the driving. (C2-26)

#### **Response TR-9**

The internal capture rates utilized in the updated analyses contained in Appendix TR-1 of the FGEIS have been revised downward from those used in the DGEIS. DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I, and Phases II and III of the proposed development. DEA's estimates for internal capture rate were based on its understanding of the project components as well as published research on this topic. Appendix TR-1 of this FGEIS provides a description of how DEA determined internal capture rates for the phases of Heartland Town Square. The internal capture rates provided by DEA were, in turn, used to develop external trip generation for Heartland Town Square (see Attachments TRA-2 and TRA-11 of Appendix TR-1 of this FGEIS). The FGEIS acknowledges that several roadway improvements are necessary to address existing capacity deficiencies unrelated to the Heartland Town Square development. The applicants have been working closely with the New York State and Suffolk County agencies responsible for these roadways in an effort to expedite the design and implementation of the recommended improvements. Ideally, the recommended improvements will be implemented concurrently with the development.

#### **Comment TR-10**

Tables 4-27 and 4-28 should be reviewed. *The trends exhibited in the table are not consistent. For example, Table 4-27 indicates only 1 trip to Heartland from Manhattan in the AM and 28 in the PM. However, it indicates that from Brooklyn there are 27 and 22 projected trips to Heartland in the AM and PM respectively. Why is the Manhattan trip pattern so much different than the Brooklyn pattern given the similar remoteness of each?* (C2-34)

#### **Response TR-10**

The trip distribution analysis was revised under the guidance of DEA for the FGEIS and is detailed in Appendix TR-1 for Phase I and for Full-Build of Heartland Town Square. The information contained in the FGEIS appendices was based on more recent census data (2008) and, therefore, supersedes data presented in the DGEIS.

**Comment TR-11**

The DGEIS presents the analysis of internal intersections for the PM peak only. This approach should be evaluated to determine if the directional traffic patterns on the site are sufficiently different in the other peak periods to warrant analysis to assure good operations. (C2-43)

**Response TR-11**

The FGEIS does not evaluate the operation of internal intersections, as the revised Conceptual Master Plan in Appendix RP-1 of this FGEIS is not an engineered site plan. The location of internal roadways, number of lanes, and traffic controls inside the limits of the proposed development will be dictated by the site plan(s) that the applicants will be required to present to the permitting agencies subsequent to approval of the proposed Pilgrim State Planned Redevelopment District (PSPRD), the rezoning of the site to PSPRD and the approval of the revised Conceptual Master Plan.

**Comment TR-12**

The summer peak season traffic in at least one intersection is resulting in two levels of service or more below existing conditions (e.g., more than one intersection reports going from LOS A to D or C in 2021 or C to E). It should not be acceptable to have this type of significant adverse traffic impact. The only way to truly avoid this type of impact is reduce the amount of density/intensity of development (e.g., eliminate some residential units and/or commercial area). (C21-12)

**Response TR-12**

The proposed development has been reanalyzed based on the revised Conceptual Master Plan (see Appendix RP-1). Appendix TR-1 of the FGEIS provides the Levels of Service (LOS) at study area intersections.

It is the Town's responsibility to determine what constitutes a significant impact. Impacts are not based solely on the change in the LOS, but may include factors such as the need for right-of-way, and the nature of the adjacent land uses. An intersection is usually considered to be operating at an acceptable LOS if the level is between A and E. If the Build alternative results in LOS F, then an attempt is made to mitigate the impact so that the Build LOS is no worse than the No Build LOS.

Detailed analyses of impacts are contained in Appendix M, Attachment T-25, of the DGEIS. The FGEIS presents an analysis of potential impacts and recommended improvements. It also indicates where improvements are proposed, and where improvements are not proposed, including the reasons for any unmitigated impact attributable to the project. For example, an unmitigated impact could include a change in an intersection LOS from B to C, which is within an acceptable range and, therefore, would not necessarily require mitigation.

**Comment TR-13**

The traffic volume data provided should include at a minimum, existing data, future no build data, full build data and ETC + 10 data for this development. (C5-3)

**Response TR-13**

It is not typical for development-related impact studies to analyze 10 years beyond completion of the project nor are such analyses required by the Final Scope.

**Comment TR-14**

The DGEIS presents an annual traffic growth rate, per LITP2000 as 1.1%; however, the proper no-build growth rate for the Town of Islip is 1.46 percent annually. (C5-5)

#### **Response TR-14**

The annual growth rate used in the FGEIS is 0.65 percent. This rate was developed in concert with DEA and is discussed in Appendix TR-1 of the FGEIS. This rate is consistent with the most recent projections by the New York Metropolitan Transportation Council (NYMTC) for growth in daily vehicle miles of travel in Suffolk County. NYMTC is responsible for the development of long-range transportation plans for the region, including Long Island. It should be noted that data from the Long Island Transportation Plan 2000 (or LITP2000) are over ten years old, and the utilization of a population growth rate for the Town of Islip only is not appropriate for a regional project such as Heartland Town Square.

#### **Comment TR-15**

The portal demand model utilized to study this development does not rely on a nationalized standard study, has not been tested and makes gross assumptions without backup evidence making its credibility questionable. Provide evidence to support all assumptions and conclusions. In addition, completion of a Phase I would provide means to calibrate the model. (C5-6)

#### **Response TR-15**

The revised analysis does not rely on “the portal model” from the DGEIS; it uses a more traditional four- step approach to transportation demand modeling, as follows:

1. Trip Generation
2. Trip Distribution
3. Modal Split
4. Trip Assignment

Additional transportation analyses are included in Appendices TR-1 through TR-4 of the FGEIS. DEA reviewed and approved the methodology for the travel demand modeling portion of the FGEIS, as further described in Appendix TR-1 of the FGEIS. The traffic appendices provide information to support all assumptions made. As previously indicated, the reduced internal capture rates were provided to VHB by DEA (see Response TR-9).

#### **Comment TR-16**

There exists an ongoing debate regarding the appropriate capture rate to be utilized for this development. There are several points that contradict themselves and/or a particular capture rate. Some of these examples are as follows:

*The Executive Summary states on page 1-12, paragraph 1. “As noted above, it must be understood that, given the long-term build-out and the scope of development of Heartland Town Square, it is not possible to prepare and commit to precise site plans. Precise uses in any particular area would be dependent upon various factors, the most significant of which is market demand.”(C5-15)*

*The Executive Summary states “There is a recognized shortage of “destination hotels”, defined as hotels that will be used primarily by the complexes in which they are located, on Long Island” indicating that while its*

intention is to serve the facilities within Heartland, it will be attractive to surrounding facilities outside of Heartland as well. (C5-16)

The Executive Summary makes the statements *“lifestyle centers are particularly attractive to shoppers who dislike enclosed walls”* and *“The parking spaces within a lifestyle center are usually steps from the retail doors”* indicates these portions of this project are being designed to accommodate vehicular traffic and attract people from outside of the Heartland development as the residents of Heartland, typically would not be driving to these destinations. (C5-17)

#### **Response TR-16**

The paragraphs under Comment TR-16 are three examples regarding the appropriateness of the internal capture rates used in the DGEIS. However, as mentioned above, DEA has provided VHB with its estimate of internal capture rates and modal splits for Phase I, and Phases II and III and the Gateway Area (combined). DEA's estimates for internal capture rates were based on its understanding of the project components as well as published research on this topic. Appendix TR-1 of the FGEIS provides a detailed description of how DEA determined internal capture rates for the phases of Heartland Town Square.

Further, the applicants believe that the development will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of these trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system.

Therefore, in the “Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square,” dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made using standard modeling techniques. If the results are as expected by the applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer improvements may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

#### **Comment TR-17**

What traffic impact criteria was developed and used in determining the traffic and transportation impacts for this massive project? Was it just average intersection Level of Service (LOS)? (C8C-34)

#### **Response TR-17**

*Intersection peak hour LOS is one of the criteria used to determine the project-related impacts. However, overall intersection delay time, as well as LOS and delay times for individual lanes and intersection approaches were also factors that were considered. In terms of the Sagtikos Parkway, LIE Northern State Parkway and Southern State Parkway, the Vissim program yields several Methods of Effectiveness which were used to evaluate the impacts on these controlled access highways.*

#### **Comment TR-18**

Other than presenting average intersection results in the comparison tables there is no explanation or discussion of traffic impacts on the analyzed traffic network, the associated delays, average speed and queuing at critical intersections. It is not clear which traffic movement is impacted or queued at a particular

intersection, what is the anticipated queue or what are the specific delays. A detailed description on the analysis results is needed to be addressed. For example, at four of the Town of Huntington's intersection, the comparisons presented in Tables 4-34 to 4-37 indicated the perception that the Build 2021 condition will not result in traffic impacts due to the proposed project. This is because the average intersection delays are comparatively insignificant. However, a close scrutiny of the capacity analysis and the results (presented in Attachment T-24 of the DGEIS) by GPI shows a different conclusion. (C8C-36)

**Response TR-18**

Appendix TR-1 of this FGEIS presents the anticipated project-related impacts associated with Phase I and with Full-Build of Heartland Town Square. Tables are provided for intersection LOS that present the overall average LOS for the intersection. Attachments TRA-9 and TRA-13 of Appendix TR-1 of the FGEIS include LOS Summary Tables containing more detailed information such as delay and LOS by approach movement for existing Phase I and Full-Build of Heartland Town Square. These tables also present estimated queue lengths for each lane and average delay by approach.

**Comment TR-19**

The question is who is going to accept responsibility - at least jointly - to address these infrastructure operational deficiencies that in view of the project applicants are not attributed to their project but definitely will further deteriorate roadways and traffic operations. It is not clearly defined in the study report that what will the overall mitigation measures be the responsibility of the applicants? At times the traffic study is depicting existing traffic deficiencies that would require major infrastructure improvement effort. (C8C-55)

**Response TR-19**

The applicants acknowledge that physical roadway improvements are required in the area surrounding the Heartland Town Square property, not only due to traffic associated with the development of Heartland Town Square, but due to traffic conditions that already exist, and traffic that may be generated by other developments, independent of Heartland Town Square.

Both NYSDOT and SCDPW have recognized that there are existing deficiencies in the roadway network surrounding the project site, unrelated to the development of Heartland Town Square. Both of these agencies have committed to participating in the improvement of the roadway infrastructure to address these concerns and improve future conditions. Attachment TRA-1 contains correspondence from the NYSDOT and Office of the County Executive indicating their respective commitments. Appendix TR-1 of this FGEIS contains details (in Section 4) regarding the recommended improvements needed to address existing and future deficiencies in the project area and the funding of the improvements implementation.

Tables A and B, below, are reproduced from TR-1 and present the recommended improvements for Phase I and Full-Build, respectively. The Map Key references Figures 1 and 2 in TR-1.

**Table A - Phase I Recommended Improvements**

<b>Map Key (Figure 1)</b>	<b>Location</b>	<b>Description</b>
<b>A</b>	Commack Road at LIE North Service Road	Add southbound right turn lane and westbound through lane
<b>B</b>	Commack Road at LIE South Service Road	Add eastbound through lane and right turn lane and northbound right turn lane
<b>C</b>	Commack Road at Pilgrim site access	Signalize intersection; add northbound and southbound through lane, add second westbound left turn lane
<b>D</b>	Crooked Hill Road at LIE North Service Road	Add one southbound lane; widen/ reconstruct westbound approach (three lanes)
<b>E</b>	Crooked Hill Road underpass at LIE	Provide a second southbound lane under bridge by restriping within existing pavement
<b>F</b>	Crooked Hill Road south of LIE	Widen Crooked Hill Road to four lanes plus turn lanes from LIE to existing Pilgrim entrance
<b>G</b>	LIE eastbound ramps to southbound Sagtikos Parkway	Construct new spur from existing ramp to Crooked Hill Road; align new ramp spur with proposed signalized intersection at Heartland Town Square access point
<b>H</b>	Crooked Hill Road at existing Pilgrim Access	Signalize intersection; reconstruct eastbound approach
<b>I</b>	Crooked Hill Road south of existing Pilgrim Access	Widen Crooked Hill Road -two lanes in each direction plus turn lanes
<b>J</b>	Crooked Hill Road bridge over Sagtikos Parkway	Widen and lengthen Crooked Hill Road bridge to accommodate additional lanes on Sagtikos Parkway and Crooked Hill Road)
<b>K</b>	Crooked Hill Road at Community College Drive/G Road	Widen intersection approaches to provide dual left turn lanes northbound, southbound and eastbound; add northbound and eastbound right turn lanes
<b>L</b>	Sagtikos Parkway from Southern State Parkway to Long Island Avenue	Add third lane in each direction on Sagtikos Parkway
<b>M</b>	Sagtikos Parkway Interchange with Pine Aire Drive and Long Island Avenue	Reconstruct parkway bridges over LIRR and Pine Aire Drive; modify existing Pine Aire Drive ramps; provide eastbound right turn lane and westbound left turn lane on Pine Aire Drive at Sagtikos Parkway ramps; extend Long Island Avenue to Sagtikos parkway and construct new interchange
<b>N</b>	Sagtikos Parkway between Long Island Avenue and Community College Drive/G Road	Add third lane in each direction on Sagtikos Parkway
<b>O</b>	Sagtikos Parkway at Community College Drive/G Road	Widen and lengthen G Road bridge over Sagtikos Parkway; remove existing ramps and construct new diamond interchange
<b>P</b>	Sagtikos Parkway from Community College Drive/G Road to LIE	Add third lane in each direction on Sagtikos Parkway; modify existing northbound Sagtikos on-ramp from Crooked Hill Road to permit truck access to the LIE from Crooked Hill Road
<b>Q</b>	G Road west of Sagtikos Parkway	Widen G Road west of Sagtikos Parkway through Heartland Town Square access points.
<b>R</b>	Intersection of Long Island Avenue and Executive Drive	Add southbound left turn lane
<b>S</b>	Pine Aire Drive at Executive Drive	Add second southbound left turn lane
<b>T</b>	LIE South Service Road between Commack Road and Crooked Hill Road	Construct access driveway from LIE South Service Road to Heartland Town Square

<b>U</b>	Heartland Access Road	Construct access road between Heartland Industrial Park and G Road
----------	-----------------------	--

**Table B- Full-Build Recommended Improvements**

Map Key (Figure 2)	Location	Description
<b>V</b>	Crooked Hill Road at New DU4 Access	Construct new signalized intersection on Crooked Hill Road to access Heartland Town Square DU4
<b>W</b>	G Road/Community College Drive at New DU4 Access	Construct new Heartland Town Square Access on G Road/Community College Drive
<b>X</b>	New CD Road to Sagtikos Parkway Southbound	Construct CD Road parallel to southbound Sagtikos Parkway between existing off-ramp to Heartland Town Square and G Road
<b>Y</b>	Sagtikos Parkway	Extend third through lane (northbound and southbound) on Sagtikos Parkway to Northern State Parkway
<b>Z</b>	LIE westbound Ramp to southbound Sagtikos Parkway	Construct new ramp spur to Crooked Hill Road from existing westbound LIE to southbound Sagtikos Parkway ramp, aligned with Heartland Town Square northerly access (signalized) on Crooked Hill Road

The applicants will continue to work with Suffolk County, New York State and the Federal government to identify means of addressing existing capacity deficiencies. Additionally, the applicants have committed to providing \$25 million toward required improvements in Phase III.

#### **Comment TR-20**

This is a monumental difference. This has been characterized as a difference of opinion. Computer models are never perfect and include assumptions that directly impact a models' output. Depending on the algorithm, certain assumptions will impact a model's output more than others. The best computer models are developed, and then tested in the real world to check the accuracy of its output and ascertain under what conditions the model works well and when it fails.(C9-4)

#### **Response TR-20**

The difference referred to in this comment is based on a comparison of Institute of Transportation Engineers (ITE) trips for the development versus those presented in the DGEIS. This discrepancy has been resolved in the FGEIS by having DEA provide the trip generation and internal capture rates for all phases of the project. These are reported in Sections 2 and 3 of Appendix TR-1 of the FGEIS.

#### **Comment TR-21**

The project sponsor states that this model was developed specifically for this project; therefore its real world functionality is questionable. It would be preferable to utilize a computer model that has been tested in the real world, estimating traffic generated from a similar development with a similar surrounding (auto oriented suburb with virtually no form of mass transit). If the model proves to be inaccurate, many assumptions, estimates and data presented within this document would be erroneous. Upon acceptance, the EIS became the Town of Islip's document. (C9-5)

#### **Response TR-21**

As previously stated, DEA reviewed and approved the methodology for the travel demand modeling portion of the FGEIS, as described in Appendix TR-1 of the FGEIS. This appendix provides information to support all

assumptions made. The internal capture rates were provided to VHB by DEA. As noted, the revised analysis does not rely on “the portal model” from the DGEIS; it uses a more traditional four-step approach to transportation demand modeling, as follows:

1. Trip Generation
2. Trip Distribution
3. Modal Split
4. Trip Assignment

#### **Comment TR-22**

Traffic analysis was performed for three scenarios, no build, build without mitigation and build. Each of these scenarios appears to have utilized the applicant’s computer model to estimate vehicle trips/generation from the proposed development. Considering the monumental difference in traffic estimates between the sponsor and lead agency, it is necessary to provide traffic analysis with the generally accepted ITE data. As per the applicant’s argument supporting their position to have the document accepted for circulation, the document must provide analysis of both positions to allow a reviewer the opportunity to reach an independent determination regarding the impact. Without providing data from each traffic methodology, the reader will not possess the information necessary to comprehend the magnitude of potential impacts should the sponsor’s theory regarding traffic generation be accepted and eventually found to be erroneous. (C9-21)

#### **Response TR-22**

See Response TR-21 regarding the revised analysis methodology.

In addition, as mentioned above, DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I, and Phases II and III and the Gateway Area (combined) for the proposed development. DEA’s estimates for internal capture rate were based on its understanding of the project components, as well as published research on this topic. Attachments TRA-2 and TRA-11 of Appendix TR-1 of this FGEIS provides a description of how DEA determined internal capture rates for the phases of the Heartland Town Square development.

#### **Comment TR-23**

The report states that it presents a conservative analysis of traffic conditions expected to exist upon development of the project, thereby depicting a “worst case” scenario of traffic conditions that could possibly exist. A review shows, however, that the analysis is overwhelmingly skewed in favor of the pursuits of the development. The internal capture rate for trips and the projected use of public transit is overly optimistic and heavily favors the applicants. Traffic dissipation is also unrealistic and, in some instances, traffic volumes disappear to roadway facilities that do not exist and are not projected to exist. (C9A-3)

#### **Response TR-23**

See Response TR-21.

#### **Comment TR-24**

The traffic study provides only a cursory analysis of development alternatives. A more in depth analysis of these alternatives, or a rational combination of these alternatives, is necessary. (C9A-14)

#### **Response TR-24**

See Response AL-8. The applicants examined all of the alternatives identified by the lead agency in the Final Scope within Section 7.0 of the DGEIS.

#### **Comment TR-25**

The report assumes mitigations will be in place to address existing deficiencies, and so the report inappropriately glosses over the impact of the traffic generated by the project. Since both the no-build and build conditions are level-of-service (LOS) of F, it is difficult to discern the true traffic impacts of the project. An analysis of vehicle-hours-of-delay (VHD) under the no-build and the build conditions would provide a clearer picture of the true impacts of this project. (C12-19)

#### **Response TR-25**

Appendix TR-1 and Attachments TRA-9 and TRA-13 of the FGEIS contain analyses results that compare conditions based on minutes of vehicle delay during a peak travel hour in the AM and PM, and the peak hour for Saturday.

#### **Comment TR-26**

Several of the graphics, for example Figure 4-25 illustrate the proposed Heartland Town Square internal roadway network. Two proposed roads, Powerhouse Road and Wilshire Boulevard, are not consistent with the New York State Department of Transportation (“NYSDOT”) proposal for the Long Island Truck-Rail Intermodal (LITRIM) project. A third, Wolkoff Road, connects to the existing Heartland Industrial Park across what appears to be State-owned land. Since the LITRIM project does not yet have a Record-of-Decision, the DEIS should identify the internal access under various scenarios with respect to the disposition of the LITRIM Record-of-Decision. (C12-27)

#### **Response TR-26**

The location of internal roadways, number of lanes, and traffic controls inside the limits of the proposed development will be dictated by the site plan(s) that the applicants will be required to present to the permitting agencies subsequent to approval of the PSPRD, the rezoning of the site to PSPRD and the approval of the revised Conceptual Master Plan.

#### **Comment TR-27**

The NYSDOT concurs with Suffolk County’s review of the Heartland Town Square DEIS transmitted in a letter dated August 3, 2007 from Gilbert Anderson, P.E., Commissioner of Public Works Suffolk County to Eugene Murphy, Commissioner of Planning Town of Islip. The SCDPW comments regarding transportation represent valid concerns that need to be addressed by the applicants. The NYSDOT is in agreement and highly supportive of comments 1 through 4. The NYSDOT supports SCDPW on comment 5, however in the LITRIM Facility DEIS, the NYSDOT used a 1.1% annual growth rate to which were added traffic forecasts from approved developments. The NYSDOT defers to Suffolk County regarding comments 6 and 7 that address the impact to the Suffolk County DPW Sewer Agency. (C12-29)

#### **Response TR-27**

SCDPW Comments 1 through 4 are addressed under Responses TR-137, TR-13 and TR-128; Comment 5 is addressed in Response TR-14.

#### **Comment TR-28**

Too Much Traffic!!(C15-2)

I'm against construction of a mini-city on the grounds of Pilgrim Psychiatric Center because of traffic in Brentwood and Long Island Expressway. (C40-1)

**Response TR-28**

The proposed development is located on a 452±-acre privately-owned parcel that was formerly part of the Pilgrim Psychiatric Center. The State of New York sold the property to the applicants in 2002.

Appendix TR-1 of the FGEIS contains an assessment of the traffic impacts related to Heartland Town Square and describes recommended improvements that are needed to address existing deficiencies in the surrounding roadway network and accommodate additional traffic related to Heartland Town Square traffic.

**Comment TR-29**

The Heartland Square proposal seeks additional lanes on the Sagtikos for cars to service his facility. Where is this money coming from? Mr. Wolkoff asserts that this project will eventually eliminate the need for two cars per household, however, with the 2,100 children that will reside there as predicted, there will be a need for two cars. After all, there are many after school activities that children attend. (H16-7)

**Response TR-29**

Appendix TR-1 of the FGEIS describes recommended roadway and intersection improvements needed to address existing capacity deficiencies and accommodate future projected traffic expected to be generated by Heartland Town Square. The applicants acknowledge that physical roadway improvements are required in the area surrounding the Heartland property, not only due to traffic associated with the development of Heartland Town Square, but due to traffic conditions that already exist, and traffic that may be generated by other developments, independent of Heartland Town Square.

See Response TR-1 with respect to behavioral changes due to the smart growth concept as well as evaluation of predicted project impacts.

See Response TR-19 with respect to funding.

**Comment TR-30**

We shared our basic and apparent concerns with Mr. Wolkoff early on even though we did not have a clear idea at that time of the real size of this city, nor the amount of construction that was going to take place in 2007 and 2008 in this region. As you well know, the increase in traffic in this region without this project is so severe that there is a proposal to study traffic in the Sagtikos Corridor area. (C18-5)

**Response TR-30**

With respect to conditions on the Sagtikos Parkway, the FGEIS acknowledges that there are existing capacity constraints that will only be further increased by other projects that are already underway or are in the planning stages. Thus, conditions on the Sagtikos Parkway will continue to deteriorate, with or without the development of Heartland Town Square. Recognizing this, NYSDOT has programmed \$3.41 million in the current year of the five year Nassau-Suffolk Transportation Improvement Program (TIP) for a preliminary study of the Sagtikos Parkway corridor and an additional \$10.95 million in future years for the detailed design of a parkway improvement project.

Additionally, see Response TR-19 with respect to funding.



**Comment TR-31**

The traffic in this area, at this point in time, is already a serious issue to the surrounding communities. This area cannot support an additional 14,000 cars at peak hours. It is unfair to ask the residents of this area to have to contend with traffic that we experience in the city. (C22-2)

**Response TR-31**

Appendix TR-1 contains an assessment of the traffic impacts related to Heartland Town Square and describes recommended improvements to address existing deficiencies and accommodate traffic associated with Heartland Town Square traffic. The applicants acknowledge that physical roadway improvements are required in the surrounding area, not only due to traffic associated with Heartland Town Square, but due to traffic conditions that already exist, and traffic that may be generated by other developments, independent of Heartland Town Square.

**Comment TR-32**

If the Developers are so concerned about the future of Long Island, why not build roads and mass transit to move the people that we currently have. (C23-5)

**Response TR-32**

See Responses TR-19.

**Comment TR-33**

Speed limits on secondary roads in complex should not exceed 20 or 25 MPH. Traffic calming features should be incorporated everywhere possible throughout the project site so pedestrians and cyclists will have the advantage. (C32-14)

**Response TR-33**

Appendix TR-1 of this FGEIS provides mitigation measures related to impacts associated with Heartland Town Square traffic. Moreover, Heartland Town Square is proposed as a smartgrowth development. One of the main principles of smartgrowth is to provide for pedestrian-friendly, walkable communities. The compact design and mix of uses with Heartland Town Square will help achieve the goal of walkability. Furthermore, the applicants are also committed to making Heartland Town Square a bicycle-friendly community (see Response SC-4 regarding walkability and Response SU-1 regarding bicycling). Traffic calming measures are incorporated into the proposed Design Guidelines in Appendix RP-3.

In addition, measures to reduce vehicular trips to reduce vehicle miles travelled as well as enhance walkability and bikeability, have been incorporated, as follows:

- ▶ **Private Shuttle Bus** -- Heartland Town Square will operate a shuttle bus that will circulate through Heartland Town Square and will serve as a direct shuttle to the Deer Park Long Island Railroad Station. Based on the proximity of the Deer Park Station of the Long Island Railroad (LIRR) and the proposed roadway connection between Heartland Town Square and LIRR, the shuttle service will afford residents a safe, reliable and convenient transportation alternative to access the LIRR in a matter of minutes without the need to worry about parking. By providing residents, workers and visitors with the ability to travel internally, as well as to the LIRR station, this private bus service will result in reduced automobile dependency and fewer vehicle trips.

- Biking -- Heartland Town Square will be designed to accommodate bicycles, and security racks will be provided throughout the community, thereby minimizing internal vehicular trips.
- Public Transportation -- Heartland Town Square is ideally situated in terms of public transportation. In addition to being proximate to the Deer Park Station of the Long Island Railroad, two bus routes run through the subject property, and other proximate routes can be extended into the property if the demand warrants. Also, in addition to Heartland Town Square, which is expected to employ almost 26,000 persons within its boundaries, many other employment centers and destinations are proximate and accessible by public transportation (e.g., Heartland Business Center, Hauppauge Industrial Park, County and State Facilities, Suffolk County Community College, Tanger Outlets). Also, as evidenced by recent news reports, public transportation systems nationwide have been experiencing gains in daily ridership due to the escalating cost of gasoline. This trend is expected to continue into the future, thereby contributing to a reduction in vehicular trip activity associated with developments such as Heartland Town Square, which are well-served by both rail and bus transit.
- Ride Sharing -- The NYSDOT counsels major employers on Travel Demand Management (hereinafter TDM), specifically, as a means to reduce automobile use. Examples of TDM recommendations are for businesses to coordinate efficient travel (such as encouragement of carpooling through incentives) and to provide parking disincentives (such as the parking policies set forth below).

Heartland Town Square will offer concierge services, and the concierge office will include a transportation manager who will be trained in TDM and will provide advice with respect to public transportation, the private bus within Heartland Town Square, bicycle options, and "zip cars," and will arrange car pools for residents and employees within Heartland Town Square.

- Walking -- Because of the mixed-use nature of the development and because the streetscape will be enhanced with street markets, outdoor cafes, art performances, sidewalk commerce, attractive landscaping and street furniture, walking within the Heartland Town Square will be naturally encouraged, thereby reducing the number of both internal and external vehicular trips.
- Parking Policies -- The applicants are contemplating adopting specific policies to discourage automobile ownership by residents. Most residents would be provided with one convenient parking space per unit. Those residents seeking additional parking spaces would be assigned them in a more remote, satellite location, and would be required to pay a fee for this additional space.

#### **Comment TR-34**

Now, the Town of Islip intends to utilize the Pilgrim State areas for affordable housing, which I applaud, however traffic concerns must be addressed. The press is making such a big deal about the Lighthouse project in Nassau County and almost nothing is mentioned about this project. This project is 2-3 times the size of the Lighthouse project! (C33-1)

#### **Response TR-34**

Appendix TR-1 of the FGEIS contains a comprehensive assessment of the traffic impacts related to Heartland Town Square and provides recommended improvements to address existing deficiencies and accommodate traffic associated with Heartland Town Square.

#### **Comment TR-35**

FGEIS Table 4 presents the areas of disagreement and notes where each one is specifically addressed. Other deficiencies throughout the traffic study are numerous. As these deficiencies have already been noted in the

Areas of Disagreement between the Applicants and the Lead Agency section of the Town's *Notice of Acceptance of Draft Generic Environmental Impact Statements and Public Hearing* of April 14, 2009, they will not be recited herein. The need to address these issues is, however, apparent. (C38-18)

#### **Response TR-35**

Additional transportation analyses have been completed since the DGEIS was accepted for public review. These analyses are included in Appendices TR-1 through TR-4 of the FGEIS. For these analyses, the applicants expanded the study area, which was approved by DEA. The expanded area includes the Sagtikos Parkway from the Northern State Parkway to the Southern State Parkway, and the LIE between Commack Road and Wicks Road. The limits of the Northern State Parkway in the analysis are from Exit 42 to Exit 46; and the limits of the Southern State Parkway in the analysis are from Exit 41 to Exit 42. Table 4 in Appendix SQ-1- of this FGEIS contains specific of how each Area of Disagreement was addressed.

#### **Comment TR-36**

When Tanger was proposed the transportation issue was also one of greatest concern. I live directly across from Tanger and I can honestly say that traffic is not an issue, and has not been an issue, since after the initial two weeks of its opening. (That is not a statement about whether I support or like the Tanger Mall, but rather simply that it is a fact that traffic has not dramatically or adversely changed the nearby communities). Will the traffic increase around the holiday months? Most assuredly. But it is a transient occurrence. (C39-24)

#### **Response TR-36**

The comment is noted.

#### **Comment TR-37**

We need to look at the traffic impact a little better. We need to look at the impact on the transportation system. (H5-3)

Tonight what we heard is there are issues over traffic. It's real. There are traffic concerns, and we really call on the Town to figure that out with the developer, how to deal with it. (H19-4)

#### **Response TR-37**

Additional transportation analyses have been completed since the DGEIS was accepted for public review. These analyses are included in Appendices TR-1 through TR-4 of the FGEIS. The analyses include impacts related to the Phase I and the Full-Build scenarios for Heartland Town Square. The analysis methodology utilized in the traffic analyses was approved by DEA.

#### **Comment TR-38**

Utilizing the 2009 traffic lines in adjusting the analysis to 2026 will give a much more accurate estimate of the true traffic volume and will increase the estimated volumes. On such a large project it is customary to determine what the effects are ten years after completion. This analysis will allow us to estimate the full impact on the roadways with normal growth. (H13-6)

#### **Response TR-38**

While it is customary for studies involving major roadway expansion projects, such as the study of Sagtikos Parkway which NYSDOT will be undertaking, to evaluate conditions 10 or more years beyond the estimated

date of project completion, traffic impact studies related to developments do not typically incorporate such analyses, nor is it required by the Final Scope adopted by the Town.

**Comment TR-39**

By the developer's own projection, to which the Town of Islip strongly disagrees, the proposed development will add 14,966 car trips per peak hour for roads on weekday p.m. travel, so that means, at a minimal, adding about 15,000 car trips for peak hour. What the actual numbers are, no one really knows, but they expect it to be much greater. (H35-4)

**Response TR-39**

See Response TR-1 regarding the updated traffic analyses.

DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I; and Phases II and III and the Gateway Area (combined) for the proposed development. These data were utilized in the modeling effort to provide the additional analysis in the FGEIS. Further, the applicants for the Heartland Town Square believe that the development will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system. The applicants have agreed that subsequent traffic counts will be conducted when 70 percent of the Phase I space is occupied. The purpose is to verify that the anticipated internal capture rates and traffic generation of the project follow the projections developed for the analysis.

**Comment TR-40**

However, the increased density, planned walk-ability and proposals to link the development site to Suffolk County Transit and Long Island Rail Road service is a step in the right direction for development patterns on Long Island. In order to serve as a model, however, the development will have to address myriad of transportation issues, not only within the development site, but in its environs. This is why we are disappointed with the failure of the Draft Generic Environmental Impact Statement (DEIS) to adequately address and analyze comprehensive transportation impacts from the project and utilize all possible traffic congestion mitigation tools. (C34-2)

**Response TR-40**

See Response TR-33.

**Comment TR-41**

The state-proposed truck/train intermodal facility is mentioned numerous times in this DGEIS. First, there will be no intermodal facility built anywhere on Pilgrim land or anywhere else in Brentwood. Period. (C39-13)

If the Town of Islip wants support for this project, which has many benefits, it should be fiercely opposing the proposed intermodal facility because of the harmful impacts it will have on all living things, such as the human ones that might live and work in Heartland Town Square. How irresponsible and hypocritical of the Town of Islip. (C39-16)

**Response TR-41**

Although the status of the Long Island Truck-Rail Intermodal Facility (“Intermodal Facility”) is uncertain at this time, in order to comply with the Final Scope, as adopted by the Town, the FGEIS is required to include the potential traffic generated by the Intermodal Facility as part of the “other planned developments” traffic.

**Comment TR-42**

Why would elected officials, town boards and planners (all who supposedly are there to make our lives better) want any child, young adult, pregnant woman or elderly person to live or work next to such a harmful facility? Do the young people that are being told they will have a great place to live or work know that the Town of Islip has supported this facility? Do the people of Brentwood realize the Town of Islip is advocating and encouraging that a noisy, polluting and totally unnecessary truck and train facility be built right outside the windows of these spanking new apartments and condos? Is that the identity that the Town of Islip wants Brentwood to have? Do the young people of Long Island and the families of Brentwood know about this hypocrisy? Will having people living in apartments right next to an intermodal facility install a pride of place? Is this smart growth? (C39-15)

**Response TR-42**

See Response TR-41.

**Comment TR-43**

It is thoroughly irresponsible of town and county officials to point the finger at this developer over their concern about transportation OUTSIDE of the development. The Town of Islip and Suffolk County should be implementing a serious plan right now for a major overhaul of our shameful public transportation system. Whether this or any other development gets built in Suffolk County, it is high time that officials at every level got serious about providing its residents with something better than nothing (which is pretty much what we have). If Suffolk County provided buses, bike lanes, and real sidewalks (as opposed to sidewalks to nowhere), residents might do what they do in the City – walk, bike and ride buses, which is the point of this development. (C39-25)

**Response TR-43**

The comment is noted. See Responses TR-19 and TR-33.

**Comment TR-44**

This should not be thought of as a self-sustained mini-city because it is part of the larger world and it must be integrated into the larger world. Responsibility lies with the Town, County and State to ensure that Suffolk County's dismal transportation system is overhauled so that it might actually begin to heal itself with regard to traffic congestion, carbon emissions, and a population that is generally overweight due to its lack of exercise, and communities that are segregated (Suffolk County is one of the most segregated suburban areas in the U.S.) and isolated from one another because there are no safe, alternative ways to move from one community to the other. (C39-27)

**Response TR-44**

The comment is noted. See Responses TR-19 and TR-33..

**Comment TR-45**

The major difference between Heartland Town Square and Pilgrim Psychiatric – the difference the DEIS fails to consider – is mobility. Pilgrim Psychiatric was self-contained because its residents were not permitted to leave. As a result, the effect on the surrounding community was minimal. (C8-1)

**Response TR-45**

The comparison of Heartland Town Square to the Pilgrim State Psychiatric Center was made with respect to land use intensity purposes, not traffic generation. See Response TR-1.

**Comment TR-46**

The Long Island Railroad Deer Park Station is indeed adjacent to the site. The site also has a well-established roadway system that can accommodate this growth through, as pointed out earlier, very significant infrastructure improvements. (H9-5)

**Response TR-46**

Heartland Town Square is well situated in terms of public transportation. In addition to being proximate to the Deer Park LIRR train station, two existing Suffolk County Transit bus routes serve the subject property, and other proximate routes could potentially be extended into the property, if the demand warrants. Also, Heartland Town Square is proposed as a smartgrowth development and includes several proposed measures to reduce external vehicular trips. These measures are briefly outlined in Response TR-33.

Based on the results of the updated analyses in Appendix TR-1 of the FGEIS, the surrounding roadway network, with the recommended improvements, will be able to accommodate the site-generated traffic.

---

**4.21.2 Accident Data****Comment TR-47**

In Section 3.8.4 many of the tables are missing accident statistics. A note is provided that indicates that the table will be completed upon receipt of data from the DOT. This missing information should be provided in the FGEIS. (C2-5)

**Response TR-47**

Appendix TR-2 in the FGEIS includes further discussion of the accident data from the DGEIS, including accident rates. Additional accident information was obtained from NYSDOT and SCDPW and has been incorporated into the FGEIS.

**Comment TR-48**

Table 3-18 is labeled Accident Rates. However, the data presented are raw data and not rates. (C2-6)

**Response TR-48**

See Response TR-47.

**Comment TR-49**

The FGEIS should include a discussion of the accident history. In the DGEIS the data is simply presented without commentary or analysis. A discussion of each location is needed which may identify existing accident problems which may be mitigated, particularly at higher accident locations. It is noted that several

locations exhibited accident rates far higher than the average rates for similar locations. These should be evaluated and discussed in detail. (C2-8)

**Response TR-49**

Appendix TR-2 in the FGEIS includes further discussion of the accident data from the DGEIS, as well as the additional data obtained from the NYSDOT and SCDPW as part of this FGEIS.

**Comment TR-50**

Roadway segments in the study area for which accident data is unavailable should be specifically identified in the FGEIS. (C2-9)

**Response TR-50**

Appendix TR-2 in the FGEIS includes further discussion on the accident data from the DGEIS, including accident rates. Additional accident data that was not available at the time of publication of the DGEIS are now included. The tables in Appendix TR-2 specifically identify locations for which accident data was not available.

**Comment TR-51**

Accident history presented for the Sagtikos Parkway is presented as a total over its entire length. This is not useful in determining existing problem areas and should be broken up to logical segments. (C2-10)

**Response TR-51**

Appendix TR-2 in the FGEIS includes further discussion on the accident data from the DGEIS related to the Sagtikos Parkway. Additionally, this information has been presented for discrete roadway segments.

**Comment TR-52**

No accident data inventory or analysis was conducted for the Town of Huntington intersections in the DGEIS including at the only two intersections (LIE North and South Service Road at Commack Road) that are located within the Town of Huntington and were considered in the proposed project. Of the 19 intersections (outside the Town of Huntington boundary), 12 intersections had accident rates higher than the NY State wide accident rate (Table 3-19 of the DGEIS). However, other than presenting this data in tables, there was no further discussion on how to mitigate the safety issues that could result from the added project generated traffic. Meaningful assessment of accident data inventory should be conducted on Town of Huntington intersections (as well as other locations) so that overall accident safety impact resulting from the increase in traffic activity due to the proposed project on town's roads could be evaluated. (C8A-14, C8C-14)

A complete accident analysis should be conducted on the Town of Huntington intersections including mitigation measures, when deemed necessary. (C8C-3)

**Response TR-52**

See Responses TR-47 and TR-49.

**Comment TR-53**

The existing accident study should include accident rates for intersections and should also provide a comparison to statewide averages. In addition, the study should provide an assessment of the data not just

present a summary of data. If a safety problem exists, the report should identify the cause and the potential solution. The Heartland Town Square will add a significant volume of traffic to the already congested roadways. Any increase in the potential for accidents resulting from the increase in traffic volume needs to be identified. (C12-25)

#### **Response TR-53**

See Responses TR-47 and TR-49.

---

### 4.21.3 Trip Generation and Assignment

#### **Comment TR-54**

Weekday midday trip generation is shown as generated as  $\frac{1}{2}$  of the average of the Weekday AM and PM peak rates for all land uses. This is not acceptable. The ITE Trip generation does present hourly variations over the course of the day for many land uses, which would allow this estimate to be refined. (C2-19)

#### **Response TR-54**

The FGEIS presents a new analysis of No Build and Build scenarios for Phase I and Full-Build. The DGEIS Traffic Study revealed that the project trip generation was lower during the mid day weekday peak hour. In addition, the traffic volumes during the Midday peak hour were lower than during the AM and PM weekday peak hours. The trip generation numbers in the FGEIS, including reductions for internal capture, were provided to VHB by DEA. DEA requested that the new analyses include only the AM, PM and Saturday traffic conditions. Therefore, there is no Midday analysis in the FGEIS.

#### **Comment TR-55**

Further research is needed to determine if the projects studied are similar to Heartland Town Center in terms of regional location, transit access, regional employment patterns, and other factors. For example, the 2000 Census indicates that only 11% of those employed who reside in the Brentwood CDP also work in the Brentwood CDP, a much larger area than the Heartland site. The rest of these employees leave the CDP to travel elsewhere for work. It is worthy of note that the Brentwood area is *dominated by smaller local businesses which would tend to attract employees from the immediate area. Heartland, on the other hand is likely to attract larger businesses that would attract employees from a greater distance. This would imply that the 11% found for the Brentwood CDP may be higher than what will result at Heartland.* Work trips represent a large percentage of trips during the AM and PM peak periods. Persons residing in Heartland will leave the site to go to work in high percentages, and those arriving at work will do so from outside the site in high percentages. As office trips represent more than half of all the gross trips predicted in the AM peak period (Table T-14) it would seem very difficult to eliminate over 40% of the total trips to and from the site. (C2-23)

#### **Response TR-55**

Since there is no project similar to Heartland Town Square on Long Island, the use of local census data is an appropriate approach to developing travel characteristics for this project. Appendix TR-1 of the FGEIS describes the methodology used to analyze the revised Conceptual Master Plan for Heartland Town Square. In the development of Appendix TR-1, local United States Census data for 2008 was used to determine where people might live if they worked at Heartland Town Square, as well as where people might work if they lived at Heartland Town Square. In both of these cases reductions were made for a percentage of those who would

live and work at Heartland Town Square, thereby reducing external trips. Attachments TRA-3, TRA-4 and TRA-5 in Appendix TR-1 of the FGEIS show the projected distribution of trip origins and trips destinations by location for the three trip purposes included in this study: residential, office, and retail.

With regard to internal capture (trips that start and end within Heartland Town Square), DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I; and Phases II and III (combined) for the proposed development. These data were utilized in the modeling effort to provide the additional analysis in the FGEIS. Further, the applicants for the Heartland Town Square believe that the development will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system.

In the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made using standard modeling techniques. If the results are as expected by the applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer mitigation measures may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

#### **Comment TR-56**

The report states "the reduction in the external trips derived from the Trip Generation Model correlate well with the available published study results." We disagree that this is the case. This statement is incorrect. (C2-30)

#### **Response TR-56**

The FGEIS analysis of trips generated by Heartland Town Square is contained in Appendix TR-1 . This appendix contains trip generation, trip distribution, modal split and trip assignments for residential, office, and retail trips associated with Heartland Town Square. With regard to internal capture rates (trips that start and end within Heartland Town Square), DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I, and Phases II and III (combined). See Attachments TRA-2 and TRA-11 of Appendix TR-1 for a more detailed discussion of internal capture rates.

#### **Comment TR-57**

Base trip generation rates utilized need to be revised to reflect the specifics of the proposed development elements. The Trip Generation Model indicates that the base unadjusted trip generation for all "commercial" uses was performed using the General Office land use in ITE. For example, elsewhere in the DGEIS it refers to specific uses in the proposal, such as Hotel. The Hotel land use trip generation characteristics are very dissimilar from office. The correct land uses proposed should be utilized for the Trip Generation Model or the argument made that the approach used was conservative. However, even the arrival and departure patterns for a hotel are very different than office space, so we are not sure how this argument can be made. (C2-31)

#### **Response TR-57**

The land use categories in the revised Conceptual Master Plan (Phases I, II and III) were used as the basis for trip generation calculations in the FGEIS. The ITE trip generation projections have been reviewed with DEA and the appropriate ITE land use categories for the analyses were identified. DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I, and Phases II and III (and the Gateway Area combined). VHB utilized the DEA-provided data in the modeling effort.

**Comment TR-58**

Zone 3 is noted to contain an 80,000 SF aquarium. The use of Rec. Comm. Center (Land Use Code 495) is not appropriate for the level of activity that would be seen at such a large attraction. It is likely that this use will attract a significantly larger number of trips due to its nature. Although ITE Trip Generation does not contain data on aquarium use, the assumption of a recreational center is clearly not a good approximation. (C2-32)

**Response TR-58**

An aquarium is no longer anticipated as a use in Heartland Town Square.

**Comment TR-59**

With the necessary revisions to the trip generation and assignment noted above, the presentation of the resulting traffic assignment (by phase) should be presented graphically in a manner that allows for ease of review. (C2-33)

**Response TR-59**

Appendix TR-1 of the FGEIS, and its Attachments, discuss the development of the various traffic distributions in the study area and present the resulting trip assignments on figures representing the study area.

**Comment TR-60**

Review of the analysis of build condition and build condition with mitigation results is of limited value given the noted problems with understated trip generation. (C2-35)

**Response TR-60**

See Response TR-15.

**Comment TR-61**

Development Unit #4 is isolated from Heartland by County Road ("CR") 106, Campus Road, CR 13, Crooked Hill Road and the Sagtikos Parkway. With an anticipated 2,400 residential units and only 15,600 sq ft of retail proposed, there will be a significant amount of generated trips from this unit during the peak hour directly affecting two County roads. No capture rate will be accepted for this portion and should be analyzed separately. (C5-18)

**Response TR-61**

See Response TR-9 with respect to determination of internal capture rates.

**Comment TR-62**

During our review it was noted that the most important part of this traffic assessment was the development and forecasting of the project generated new trips and their assignments to the surrounding roadway

network. It is our professional opinion that there are serious flaws in the assumptions made in calculating the project generated vehicular trips that are derived for this '*enormously-sized*' proposed project. It is important to note that if the project generated traffic is unrealistically forecasted, it produces a domino effect which results in incorrect capacity analyses and undermines the overall integrity of the traffic impact determination. This also undermines the air quality and noise impacts assessment and the need of traffic mitigation measures requirements and produces incoherent or inconsistent mitigation measures, if and where they are needed. (C8C-15)

#### **Response TR-62**

See Responses TR-1, TR-2, TR-5, TR-7, TR-8, TR-54 and TR-55. The air quality and noise analyses have been updated based on the Supplemental Traffic Analysis included in Appendix TR-1 (see Appendix AQ-1 and NO-1, respectively).

#### **Comment TR-63**

The procedure used in generating future project generated trips is unusual and will produce inaccurate results. In conducting trip generation estimates, the applicants have broadly used four Land Uses options for generating future trips based on the ITE Trip Generation Handbook (Retail, Office, Residential, and Civic Space). They have lumped restaurants, cinemas and hotels land uses into one retail land use category while generating future trips. Similarly, office building land uses is combined with commercial land use for generating future trips and different categories of residential units (studios, single units, double units, low rise, high rise, etc) were broadly treated under one Residential Condominium/Townhouse land use for generating future trip. Trip generation rates for a majority of the proposed land uses are individually available in the ITE Trip Generation Handbook. It is our professional opinion and of our industry practice that each known proposed land use is individually evaluated for its trip generating potential. The total project generated trips would then be calculated by summing up the trips generated by individual land uses during various peak hours. The internal or external trips would then be calculated by balancing the demand between each land use component (as noted in GPI's internal trip capture rate exercise discussed below). Thus, broadly combining the land uses to four land uses will produce inaccurate results. (C8C-16)

The traditional methods of estimating vehicle trips utilizes the ITE manual. This manual is well accepted and updated over time. The sponsor states that this manual would greatly overestimate vehicle trips resulting from this development. In response, the sponsor created a computer model to calculate vehicle trips generated by the project. When one examines the estimates from the ITE manual and the model developed for the project, the ITE data estimates almost triple the number of vehicle trips as the applicants' model (14,966 for ITE versus 5,387 for the applicants' model). (C9-3)

#### **Response TR-63**

DEA has provided trip generation and internal capture rates for all phases of the project (see Response TR-9). These were used in the Supplemental Traffic Analysis included in this Appendix TR-1 of FGEIS. Also, see Responses TR-1, TR-2, TR-5, TR-7, TR-8, TR-54 and TR-55.

#### **Comment TR-64**

The ITE trip generation rates used for the midday peak hour in the DGEIS is assumed to be half of the average of AM and PM peak hour trip generation rate (see page 4-132). In our opinion, this forecasting method of future trips will under represent the midday peak hour traffic activity and therefore should be corrected and all midday traffic analysis revised (keeping in view the other considerations discussed in this memo). (C8C-29)

**Response TR-64**

See Response TR-54.

**Comment TR-65**

In absence of a published midday peak hour rate or a localized survey rate, it is our professional experience to use average of the ITE AM and PM rate (without reducing by half) for Nassau and Suffolk County roadways. The use of the average AM and PM rate is realistic and presents the midday peaking characteristics resulting in realistic traffic analysis results. (C8C-30)

**Response TR-65**

See Response TR-54.

**Comment TR-66**

Additionally, as seen in the report, the midday baseline volumes are different than AM and PM peak hour volumes, thus, resulting in difference impacts and mitigation measures. Adding the higher average rate as discussed above for the midday peak hour will further result in different analysis results and mitigation requirements. If the applicants' engineers feel differently, then we suggest that more detailed explanations need to be represented and discussed in their documentation that validates their approach. (C8C-31)

**Response TR-66**

See Response TR-54.

**Comment TR-67**

We consider the delay noted above as a significant impact and a direct result of the traffic generated by the proposed Heartland Square project. It is also anticipated that significant queuing will occur at these locations due to the increased delays. Thus, these intersections require mitigation measures by the proposed project. It is important to note that these impacts are only reflective of 35% to 60% of the assigned project generated traffic to the outer roadways due to the high internal capture rate and model split assumptions noted earlier in this memo. If the external trips are calculated to be higher as GPI suggests, these traffic impacts and resulting traffic delays will be significantly high. (C8C-42)

**Response TR-67**

The FGEIS presents a new analysis of No Build and Build scenarios for both Phase I and Full-Build. The external trip generation numbers utilized in the updated analyses, including reductions for internal capture and transit use, were provided to VHB by DEA. DEA requested that the new analyses include only the AM, PM and Saturday traffic conditions. Therefore, there is no Midday analysis in the FGEIS.

The FGEIS analysis of trips generated by Heartland Town Square is contained in Appendix TR-1 of the FGEIS. This appendix contains trip generation, trip distribution, modal split and trip assignments for residential, office and retail trips associated with Heartland Town Square. With regard to internal capture rates (trips that start and end within Heartland Town Square), DEA provided VHB with its estimate of internal capture rates and modal splits for Phase I and Phases II and III and the Gateway Area (combined).

**Comment TR-68**

No traffic has been assigned to the westbound left and right turn movements at Pilgrim Access Road and Commack Road intersection. (C8C-47)

**Response TR-68**

The FGEIS presents a new analysis of No Build and Build scenarios for Phase I and Full-Build (see Appendix TR-1). Site traffic has been assigned to this location and is shown in assignment figures contained in Attachments TRA-7 and TRA-12 to Appendix TR-1.

**Comment TR-69**

No traffic has been assigned to the northbound left and through movements at LIE North Service Road and Commack Road intersection. (C8C-48)

**Response TR-69**

The FGEIS presents a new analysis of No Build and Build scenarios for Phase I and Full-Build (see Appendix TR-1). Site traffic has been assigned to this location and is shown in assignment figures contained in Attachments TRA-7 and TRA-12 to Appendix TR-1.

**Comment TR-70**

Similarly, no traffic has been assigned to the westbound right and northbound through movements at LIE South Service Road and Commack Road intersection. (C8C-49)

**Response TR-70**

The FGEIS presents a new analysis of No Build and Build scenarios for Phase I and Full-Build (see Appendix TR-1). Site traffic has been assigned to this location and is shown in assignment figures contained in Attachments TRA-7 and TRA-12 to Appendix TR-1.

**Comment TR-71**

Many of the difficulties associated with the traffic analysis are attributable to the Trip Allocation Model and Portal Demand Model used to assign trips to various intersections within Heartland Town Square and to intersections outside the bounds of the development area. These models use Census and population data to estimate trip distributions and make assumptions about traffic dissipation based on the distance from the center of the project area. These types of models are somewhat effective at estimating trip distributions on major arterial routes at fixed distances from the project area, but are ineffective at assigning trips to individual intersections, as was done in the traffic study. For this reason, the trip assignments and allocations presented are unacceptable. Trip distributions must reflect current traffic patterns and projected future patterns. Standard trip distribution tables and diagrams showing percentages of trips distributed and assignment of vehicular volumes are required. Aspects of trip distribution, assignment, and allocation are further explored in subcategories that follow. (C9A-4)

**Response TR-71**

As previously noted, the revised analysis does not rely on “the portal model” from the DGEIS; it uses a more traditional four step approach to transportation demand modeling, as follows:

1. Trip Generation
2. Trip Distribution
3. Modal Split
4. Trip Assignment

Since there is no project similar to Heartland Town Square on Long Island, the use of local census data is an appropriate approach to developing travel characteristics for this project. The methodology used to analyze the revised Plan for Heartland Town Square is described in Appendix TR-1 of the FGEIS (see Section 2.2 of this FGEIS for a description of the revised Conceptual Master Plan Heartland Town Square). In the development of Appendix TR-1, local United States Census data for 2008 were used to determine where people might live if they worked at Heartland Town Square, as well as where people might work if they lived at Heartland Town Square. In both of these cases, reductions were made for a percentage of those who live and work at Heartland Town Square, thereby reducing external trips. Figures 15, 16 and 17 in Appendix TR-1 show the projected distribution of trip origins and trips destinations by location for the three trip purposes included in this study: residential, office, and retail.

DEA reviewed and approved the methodology for the travel demand modeling portion of the FGEIS, as further described in Appendix TR-1. This appendix provides information to support all assumptions. The internal capture rates were provided to VHB by DEA.

#### **Comment TR-72**

The manners in which trips are distributed to the various study intersections are not representative of existing traffic flow patterns. There is also no support presented in the traffic study for the distribution, assignment, or allocation of trips that conforms to standard traffic engineering methodologies. As previously stated, the trip allocation model and portal demand model are unacceptable to the Town of Babylon. (C9A-9)

#### **Response TR-72**

See Response TR-71.

#### **Comment TR-73**

As an example of the deficiencies inherent in the study, the trips generated to external destinations during the morning peak traffic period are 2,239. Presumably, most will be "journey to work" trips that will originate at residences and end at a work location. Of these trips, however, only 68, or 3%, access the Long Island Expressway in the westbound direction. Even if one was to accept the external trip generation calculations as accurate, this rate is significantly lower than existing journey to work trips from residences to the Long Island Expressway. Accordingly, the Town of Babylon will only accept trip distribution rates that generally reflect existing trip distributions and traffic flow patterns on area roadways. (C9A-10)

#### **Response TR-73**

See Response TR-71.

#### **Comment TR-74**

The study must also present trip distribution data in a manner that allows vehicle trips to be tracked from one study intersection to the next. It is recognized that some vehicles will be added and subtracted to traffic flows by local and collector roadway facilities that are not included as study intersection. The vast quantities of vehicles lost to the study are not, however, acceptable. Many vehicles are lost to roadway facilities that do not exist. The applicants must, therefore, justify the loss and addition of trips based on relative traffic volumes associated with the non-study intersections. (C9A-11)

#### **Response TR-74**

The FGEIS presents a new analysis of No Build and Build scenarios for Phase I and Full-Build (see Appendix TR-1). Revised trip distribution figures are contained in that appendix. Also, see Response TR-71.

#### **Comment TR-75**

A development of this magnitude has not yet been built on Long Island and many area residents and organizations are concerned about the impact of traffic generated by the development. Sustainable Long Island recommends that in evaluating this proposal, the Town of Islip carefully consider the trip generation estimates, favoring the highest estimates in order to properly evaluate the potential impacts. (C37-5)

#### **Response TR-75**

See Response TR-71.

#### **Comment TR-76**

A development of this magnitude will become a destination. The ITE manual utilized for trip generation will not take this into account. When you provide the various uses in such a dense location, it becomes something more than just the sum of its part.

#### **Response TR-76**

The applicants respectfully disagree with the commentator. Studies have shown that total traffic generated by a mixed-use development will be less than that generated by the sum of the individual uses.

#### **Comment TR-77**

The overall distribution indicates that 67 percent of the trips will travel on the Long Island Expressway, Northern State Parkway, Southern State Parkway and Sagtikos Parkway, yet the developer has not analyzed any of these. Further analysis is needed. (H13-10)

#### **Response TR-77**

Additional transportation analyses are included in Appendices TR-1 through TR-4 of the FGEIS. The information presented therein was developed under the guidance of DEA. The methodology for the analysis of intersections or roadways was approved by DEA. DEA accepted all of the intersections included in the DGEIS, as well as the inclusion of the Sagtikos Parkway from the Northern State Parkway to the Southern State Parkway, and the LIE between Commack Road and Wicks Road, as sufficient to determine impacts of the proposed development. It should be noted that the limits of the Northern State Parkway in the analysis are from Exit 42 to Exit 46; and limits of the Southern State Parkway analysis are from Exit 41 to Exit 42.

---

### 4.21.4 Internal Capture Rate

#### **Comment TR-78**

The DGEIS projects an overly optimistic 30 to 57 percent of trips will be captured internally. Atlantic Station and Legacy Town Center which are much more transit-oriented smart growth communities have internal

capture rates ranging from 20 to 40 percent. A recent EPA-funded nationwide study revealed an average internal capture rate of 17.8% for mixed-use, transit-oriented projects. (C1-9)

Trip generation internal capture rates utilized in the analysis are over-stated and must be modified to reflect more conservative assumptions. The information provided by the applicants to justify the internal capture rates in the DGEIS falls far short of doing so. This results in a significant under representation of traffic volumes external to the site and impacts. The analysis results contained in the DGEIS are therefore not representative of expected conditions and are not reliable. (C2-20)

Where data on a particular aspect of the analysis is not available from published source, a conservative assumption must be made to err on the high side. A series of studies is currently underway to evaluate travel behavior and internal capture rates in mixed-use developments. Comparing a wide variety of mixed-use projects in several metropolitan areas, the studies found internal capture rates varying from 8 to 28 percent (Atlanta 8%; Boston 9.4%; Houston 28.3% Portland 13% Sacramento 15.1% Seattle 11.2%). In addition, a recent EPA-funded nationwide study conducted by the National Center for Smart Growth Research and Education at the University of Maryland revealed an average internal capture rate of 17.8% for mixed-use, transit-oriented projects. Finally, a major soon-to-be-published study funded by the Transportation Research Board involved trip counts and interviews at Atlantic Station in Atlanta, Mockingbird Station in Dallas and Legacy Town Center in Plano, Texas. Preliminary findings, published in *Urban Land*, suggest that such projects internalize "as much as 20 to 40% of their peak period travel." The internal traffic capture rate used in the DGEIS of 30 to 57 percent does not appear to be realistic based on these findings. (C2-22)

Growth principles we discussed earlier, and there will be a certain amount of internal capture, but the fact is that there is no evidence through our review of the plans or other developments to indicate anything remotely that high percentage. (H1-7)

The internal trip generation numbers that are put forward in this document, 50 percent seems off with national studies that run from eight percent to 28 percent on the internal trip capture to 50 percent is a stretch, particularly in the suburban environment like Long Island. (H8-8)

The full build-out for this project estimates it will generate approximately 15,000 trips in the peak hour. This is not the entire day; this is just one hour. The developer has proposed a capture rate credit of approximately 40 percent to 65 percent dependent upon use. This is extremely high and unrealistic. (H13-7)

#### **Response TR-78**

As previously indicated, DEA provided VHB with its estimate of trip generation, internal capture rates and modal splits for Phase I; DEA also provided the same data (trip generation/internal capture rates/modal splits) for Phases II and III and the Gateway Area(combined). The internal capture rate analyses for Phase I and Full-Build are be found in Attachments TRA-2 and TRA-11, respectively, of Appendix TR-1. These data were used in the modeling effort to provide the additional analyses in the FGEIS. Further, the applicants believe that the development of Heartland Town Square will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of these trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system.

As previously indicated, in the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made using standard modeling techniques. If the results are as expected by the

applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer mitigation measures may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

**Comment TR-79**

Data contained within ITE's Trip Generation, including the NCHRP study, cited in the text of the DGEIS does not support internal traffic capture rates to the levels utilized in the DGEIS. (C2-21)

**Response TR-79**

See Response TR-78.

**Comment TR-80**

It should also be noted that just 2% of the total retail will be "neighborhood support"; the rest is destination-type comparison retail, a cinema and restaurants. In fact, the study trumpets the idea that existing Brentwood retailers and service providers will benefit from the spill-over effect from new residents shopping in the local community. This provides further basis to question the proposed capture rate. (C2-24)

**Response TR-80**

See Response TR-78.

**Comment TR-81**

The DGEIS acknowledges that internal capture rates in the early phases of the project will be lower, until a more balanced mix of uses and critical mass is achieved. Phases 1 and 2 focus on construction of housing and retail, while the bulk of office development is built within the 2<sup>nd</sup> and 3<sup>rd</sup> phase, i.e. after the housing. To better evaluate these claims, comparable projects for short-term and long-term internal capture rates should be reviewed, compared and cited. (C2-25)

Internal capture rates developed must account for the proposed phasing of the project. Capture rates will be lower in the initial phases. (C2-28)

The Addendum to the DGEIS proposed a phased approach in order for involved agencies to fully review and approve each phase of development. Phase I, based upon examples cited above, should be studied utilizing little to no capture rate. (C5-22)

**Response TR-81**

See Response TR-78.

**Comment TR-82**

The explanation of the calculation of internal capture rates in the Trip Generation Model is very unclear and confusing. (C2-27)

**Response TR-82**

See Response TR-78.



**Comment TR-83**

The DGEIS indicates a 40% to 65% capture rate while the May 2008 Addendum reduces that amount to 35% while stating on page 6, paragraph 3, *"In the case of Heartland Town Square, Eschbacher VHB has indicated that the proposed floor area of office space and retail space in relation to each other, as well as to the number of residential units, will ultimately result in an internal capture rate of well over 30%"*. (C5-14)

**Response TR-83**

See Response TR-78.

**Comment TR-84**

Through research with the Florida State DOT, in which two developments of this nature exist, they have indicated that Florida permits a maximum capture rate of 25% to 35%. (C5-19)

Several similar projects and developments constructed in Florida use real data and observations that Florida generates using a 25 to 30 percent capture rate. The total trips of approximately 15,000 are reduced by the capture rate and the transridership. Therefore, the developer's report estimates only 5,400 of the 15,000 trips will be made using motor vehicles out of the development. This is completely unrealistic and must be modified. (H13-8)

**Response TR-84**

See Response TR-78.

**Comment TR-85**

Statements c and d of the above section support the fact that while Heartland Town Center is designed as a culmination of uses intended to "capture" its residences to live, work and play within its boundaries, Heartland also creates a destination for the people of the surrounding communities. This "destination effect" must be fully analyzed. (C5-21)

**Response TR-85**

See Response TR-78.

**Comment TR-86**

Upon completion of Phase I the developer should fund an independent study of its impacts so that all involved agencies may make a realistic appraisal of future phases of this project. The May 2008 Addendum indicates on page 6, paragraph 3, *"while it is recognized that a 30 percent trip reduction factor may not be realized initially"*. The developer must clearly define how the impacts of phase one will be mitigated with or without a significant capture rate. (C5-23)

**Response TR-86**

See Response TR-78.

**Comment TR-87**

In an effort to present a study that minimizes the effects of the additional traffic the project will create, the DEIS uses a procedure that we believe produces an inaccurate result: The DEIS lumps uses together in a way that does not accurately reflect the true impact. Most importantly, the DEIS assumes an unrealistic percentage of trips by residents who will remain within the confines of Heartland Town Square. We need accurate numbers to fully assess what measures are necessary to mitigate the impact of the increased traffic. (C8-9)

#### **Response TR-87**

See Response TR-78. The recommended improvements for Full-Build based upon the results of the analysis with the internal capture rates provided by DEA are discussed in Section 4 of Appendix TR-1 of this FGEIS.

#### **Comment TR-88**

The assumptions made in conducting trip generation analysis show an unrealistic credit of internal capture rate and the use of mass transit. These assumptions result in significant reduction in the number of external trips that would otherwise be subject to the surrounding roadway network (including the Town of Huntington) and would create severe traffic constraints than those predicted in the project's DGEIS. These assumptions should be revised. (C8C-2)

#### **Response TR-88**

See Response TR-78.

#### **Comment TR-89**

The ITE trip generation rates are based on a number of studies conducted for a particular land use category. These studies are based on the traffic counts that are conducted at the driveways. These counts represent the vehicle trip ends in a suburban setting where a majority of trips are made by automobiles. Thus, for example; for the Heartland Town Square Project VHB calculated the project generated PM peak hour trips to be 14,966. For a typical development project, these trips would have been considered as vehicle trips and the surrounding roadways would have been subject to these many trips during the PM peak hour. Thus, traffic impacts would have been determined by the assignments of these trips on to the surrounding roadways network. Since, this unusual project has the ability to generate internal trips (due to mixed land use), VHB has reduced these trips by 51.8% and came up with 7,212 external trips and 7,754 internal trips. Thus, according to VHB, now only 7,212 external trips would have been needed to be assigned to the external roadways for determining traffic impacts to the surrounding roadways and 7,754 trips would never leave the project premises during the PM peak hours and thus will not impact the surrounding roadways. This is a significant assumption and trip reduction. VHB then suggested an additional reduction is warranted by suggesting 25% trips from external areas that will use mass transit (Bus and LIRR) instead of automobiles for their daily commute to Heartland Town Square during the PM peak hour. Thus, a farther reduction of 25% mass transit usage results in a total of 5,387 external vehicular trips that were considered as the project generated trips by the Heartland Town Square project to determine traffic impacts on the surrounding roadways. This number is about 36% of the ITE trip generation of 14,966 vehicular trips which are based on driveway count of various studies (It is important to note that while comparing the PM peak trip generation with other alternatives, VHB has depicted 14,966 as vehicular trips). Depending upon site conditions, ITE trip generation handbook does encourage the use of internal capture rate and the modal splits, if reliable data is available. However, the use of inaccurate internal/external vehicular capture creates and overestimated modal split analysis negates the integrity of trip generation process and the outcome of traffic study. For Heartland Town Square project we feel that internal/external vehicular capture rates and modal split analysis are inaccurately applied. Application of 36% (when compared to the intended ITE trip generation) new vehicular trips to determine traffic impacts on external roadways is highly underestimated. Therefore, we

question the logic, assumptions and the evidence behind the use of the higher internal capture rates (40.2% - 64.7%) and 25% mass transit in preparing the DEIS. (C8C-17)

**Response TR-89**

The revised traffic analysis contained in the FGEIS eliminates any credit for mass transit usage. While it is anticipated that some level of transit usage will occur, and in turn reduce personal vehicle trips, no reduction in trips has been taken to account for transit use by residents or visitors to Heartland Town Square. See also Response TR-78.

**Comment TR-90**

The DGEIS review has indicted that applicant's engineer has utilized an internal trip capture rate of 40.2% to 64.7% during various peak traffic hours of the traffic analyses. This means that about 40.2% to 64.7% of the new project generated trips will never go out of the proposed development during the peak traffic hours. The magnitude of the applicant's estimated internal trip capture is significant: For example, in the AM peak hour 4,694 trips are assumed to be made internally, the midday peak hour 4,316 trips, the PM peak hour 7,754 trips while in the Saturday peak hour 6,424 trips are assumed to be made internally. As indicated earlier, these trips will be generated such that they will never leave the Heartland Town Square during the respected peak hours. GPI's professional experience indicates that this assumption seems unrealistically high. Naturally, this assumption results in a significant reduction in the number of external trips that would otherwise be subject to the surrounding roadway network and would create severe traffic constraints than those predicted in the projects DGEIS. (C8C-18)

**Response TR-90**

See Response TR-78.

**Comment TR-91**

The DGEIS fails to justify how and why a higher internal vehicle capture rate was utilized for this project and what was its basis. Does anyone believe in such a homogenous community as Garden City with its residential, commercial, recreational and employment generators that the majority of roadway users actually originate from Garden City? Again, these are the trips that will remain while the project site on a daily basis. How can this internal trip percentage of project generated trips be realistically justified? To our knowledge, ITE trip generation handbooks does not support these assumptions and we concur with to the concerns raised in the Town of Islip letter dated April 22, 2009, regarding the overstated use of internal trips for this project. Therefore, the internal capture rate associated with residential and other land uses requires a close scrutiny and reassessments. This assumption has the tendency to change a number of mitigation measures recommended due to traffic impacts resulting from this project and has the greatest impact on traffic generation, assessment and required mitigation. The DGEIS frequently references the ITE's second edition Trip Generation Handbook in preparing the factors that were incorporated in their trip generation model including internal capture rates. It is important to note that method to calculate internal vehicle capture for mixed land use developments (similar to the propose Heartland Town Square project) is also discussed in this referenced book for preparing a traffic model and forecasting trips. The internal vehicle capture data in this book is limited to the interaction between office, retail and residential Land Uses. Thus, utilizing the unconstrained capture rates presented in Tables 7.1 and 7.2 of this referenced book and the project generated trips forecasted by VHB, GPI has conducted a preliminary assessment of its own which has resulted in an overall internal capture rate of about 8% between these three major land use components (during the PM peak hour). The backup of this assessment is attached with this memo. As the proposed Heartland Town Square project also includes a fourth Land Use component, categorized as Civic Space/Aquarium (for which the internal capture rate is not available in the referenced book), GPI revised the above noted analysis by including the fourth land use. Thus, conservatively assuming an overall internal capture rate of about 75% for entering trips and about 50% for exiting trips for this component (while keeping the other internal capture rates as presented in Tables 7.1 and 7.2 of this referenced book), the new assessment revealed an internal

capture rate of the entire project to be about 9% of the total project generated trips. The backup of this assessment is also attached with this memo. The derived rate is again significantly less than that used in the projects DGEIS for various peak traffic hours. (C8C-19)

#### **Response TR-91**

See Response TR-78.

#### **Comment TR-92**

Attachment T-29 of the DGEIS presents a correspondence between Robert M. Eschbacher of VHB and Eugene C. Murphy, Commission of the Town of Islip (dated August 8, 2007), in justification of using the high internal trip capture rates for this project. In this correspondence VHB has defended the high internal trip capture rates usage by referenced Appendix C of the ITE's second edition Trip Generation Hand Book and its referenced studies as one of the review material and basis for utilizing an internal trips capture rate of at least 40%. It should however be noted that Appendix C of this document indicates that *"This appendix includes material that is strictly for informational purposes. It provides no recommended practices, procedures or guidelines."* Additionally, Chapter 7 of this ITE's second edition Trip Generation Handbook recommends *"if an on-site land use does not match a land use category in Table 7.1, either (1) collect local data to establish an internal capture rate, according to the procedures described in Section 7.7 of this chapter, or (2) assume no internal capture. (Note: although this assumption of no internal capture may be unrealistic, in the absence of any data it is better to overestimate off-site vehicle trips).* Thus, we understand the Town of Islip Commissioner's concern and professionally believe that the use of 40.2%, 64.7%, 51.8% and 57.1% as AM, Midday, PM and Saturday peak hour internal trip capture rates as unjustifiable. One could not simply base a huge traffic study of this magnitude on weak and non-conservative assumptions and non-recommended informational data. One should rather be on a conservative side while forecasting traffic and to its approach in preparing a traffic study of this huge city like development. (C8C-20)

#### **Response TR-92**

See Response TR-78.

#### **Comment TR-93**

It is important to note that GPI is not suggesting that 9% trips should have been used as the internal capture rate for this Heartland Town Square project because according to our professional opinion this internal vehicle capture rate could be higher as it depends upon a variety of factors including the proposed land use mix, nearness to competing markets, size of the project, mass transit connections, etc. We believe that the proposed internal capture rate is significantly higher and could reasonably be in the range of about 30%, keeping in view the Long Island travel characteristics, its suburban nature and review of various ITE research and publications. (C8C-21)

#### **Response TR-93**

See Responses TR-9 and TR-78. The internal capture rates utilized in the revised traffic analysis in this FGEIS are below the 30% noted in the comment for all time periods evaluated.

#### **Comment TR-94**

It is also important to note that there are many large developments and competing external job opportunities located within the close proximity of the proposed Heartland Town Square project (Hauppauge Industrial Park, Route 110 Corridor developments, Sagtikos Regional Development Zone). These external markets

provide various office, retail and shopping opportunities. Additionally, there are new developments which due to the economic downside have not yet fully accomplished in their employment or trip generation potentials, such as Tanger Outlet Malls or the potential Heartland II Industrial Park. These competing job markets will attract employment from Heartland Town Square residents and will be of great influence to its internal trip capture rate due to its close proximity. These factors are further anticipated to reduce the internal capture rate of the Heartland Town Square. (C8C-23)

**Response TR-94**

See Response TR-78.

**Comment TR-95**

Other factors such as income compatible residential rents vs. competing external employment opportunities could also dictate and reduce the internal trip capture rate than the higher rates that are assumed for the Heartland Town Square DGEIS. (C8C-24)

**Response TR-95**

See Response TR-78.

**Comment TR-96**

The VHB's traffic model for the proposed project has resulted in a trip generation of approximately 4,017 new trips during the AM peak hour for its residential component which will be resulting from the construction of 9,130 residential units. The assumption made in the model for the internal trip capture rates has predicted that 4,694 trips during the AM peak hour will remain inside the project campus. How can this assumption be justified that about 100% of the people residing within the project will make trips for work or other reasons, within the project. Thus, they will never use the surrounding external roadways. (C8C-25)

**Response TR-96**

See Response TR-78. The revised traffic analysis in this FGEIS utilizes significantly lower internal capture rates and takes no credit for transit and rail use. As a result, the level of external trips analyzed are significantly higher than those in the DGEIS.

**Comment TR-97**

The assumption made in the model for the internal trip capture rate has predicted that 7,754 new trips during the PM peak hour will remain inside the project. Again, this is about 60% more trips that the residential component is generating for the project during the PM peak hour. In both the AM and the PM cases the internal trip capture rate or reduction significantly exceeds the residential trip making capacity. Thus, GPI strongly feel that the assumptions used for predicting internal capture rate is overestimated and the resulting external trips are underestimated for this massive project. (C8C-26)

**Response TR-97**

See Response TR-78.

**Comment TR-98**

The traffic study estimates that the internal capture rate for trips during the weekday morning peak traffic period at 40.2% and during the weekday evening peak traffic period at 59.8%. While it is acknowledged that a goal of the project is to provide a “live, work, and play” environment within the project area, the estimates are very generous to the pursuits of the project and exceed all known instances of similar projects for which this was attempted. If the project fails to produce internal capture rates at these levels, the roadway network throughout Suffolk County would suffer severe negative impacts and there would be dire consequences for future development on Long Island. The study also does not provide adequate supporting documentation to defend its internal trip capture rate estimates. (C9A-6)

#### **Response TR-98**

See Response TR-78.

#### **Comment TR-99**

For the study to present a truly conservative depiction of traffic conditions, thereby displaying the “worst case” scenario it purports to show, the internal capture rate should be set at no more than fifteen percent (15%) for all traffic periods analyzed. As such, the Town of Babylon will not accept any report that does not contain analyses for this level. If the developer wishes to provide comparative analyses with different analysis rates that start at this level, as would be more in conformance with the SEQRA process, then the analysis would be acceptable to the Town of Babylon. (C9A-7)

#### **Response TR-99**

See Response TR-78. Internal capture rates utilized in the revised traffic analysis in this FGEIS are significantly lower than those used in the DGEIS and were provided by DEA.

#### **Comment TR-100**

The total peak hour traffic volumes estimate that assume a reduction from the Institute of Traffic Engineer’s estimate of 15,000 trips per peak hour to about 5,000 trips due to the smart growth aspects of the design of the proposal appears overly optimistic. Heartland Center is within the New York Metropolitan Region. Mobility is present throughout the region, even in Manhattan. While there may be some trip reduction because of the design and composition of the community, it is still part of the Region and its inhabitants will follow the journey to work patterns and shopping patterns of the Region and Long Island. In other words, we believe that people in Heartland Center will work and shop outside their community similar to other communities. (C10-2)

#### **Response TR-100**

See Response TR-78. The revised analyses contained in Appendix TR-1 of the FGEIS are based on lower internal capture rates than those used in the DGEIS. These revised internal capture rates were developed by DEA based on the latest available ITE data.

#### **Comment TR-101**

A second key concern is the validity of the premise put forth in the DGEIS that the density and size of the proposal is justifiable since the location and many of the land uses will mitigate traffic impacts and create a pedestrian environment. In the proposed plan, most of the housing is beyond walking distance and most of the retail uses are geared to markets beyond the site. It’s a fact that, in urban and suburbs alike, where people choose to live and work is not based on proximity of one to the other. These factors indicate that the amount of traffic reduction as stated in the document is unrealistic. (H1-3)

**Response TR-101**

The statement that the locations where people choose to live and work is not based on proximity of one to the other is unsubstantiated.

See Response TR-78. Internal capture rates utilized in the revised traffic analysis in this FGEIS are significantly lower than those used in the DGEIS and were provided by DEA. In addition, no reduction in trip making was taken to account for transit and rail usage.

**Comment TR-102**

This analysis may also affect the accuracy of the internal capture rate. (H3-15)

**Response TR-102**

See Response TR-78.

**Comment TR-103**

No matter how well-designed, no matter how self-sufficient the place is, Heartland Square cannot sustain thousands of additional cars, and the recapture rate is where they are failing. We can't sustain today's cars. (H15-5)

**Response TR-103**

See Response TR-78.

**Comment TR-104**

The assumption that 60 percent of the residents of Heartland Square will stay on the property is even more ridiculous. The DEIS indicates the project is only 75 feet from Commack Road. (H16-8)

**Response TR-104**

See Response TR-78.

---

**4.21.5 Access****Comment TR-105**

All access to CR 4, Commack Road, should be closed. Access to the existing hospital facility should be via the internal roadway system of Heartland. Revise trip distribution accordingly. (C5-7)

There cannot be access to Heartland Town Square from Commack Road. This was agreed to as early as the scoping session meeting. However, all we see in the DGEIS is a carded entry to Pilgrim from the Commack Road hospital entrance. This is completely unacceptable. There are only two ways to accomplish this effectively. First and foremost would be to completely close the hospital entrance to Pilgrim from Commack Road. The second alternative would be for Heartland Square and Pilgrim Hospital to be physically separated so that there is no entry from one to the other. You would think that would be highly desirable for both entities. The bottom line – there should be no ingress or egress to Commack Road. (C18-6)

There cannot be access to Heartland Town Square from Commack Road. An entrance to Pilgrim from the Commack Road hospital entrance is completely unacceptable. This could be accomplished by either closing the hospital entrance to Pilgrim from Commack Road or by the physical separation of Heartland Square and Pilgrim hospital so there is no entry from one to the other. (H16-3)

Areas of particular concern to me included increased traffic on Commack Road and the surrounding community. I am proposing that the development be closed to Commack Road traffic forever. The Commack Road and LIE Service roads intersections cannot handle its current traffic flow today. (C27-1, H37-1)

#### **Response TR-105**

In Appendix TR-1 of the FGEIS, multiple access locations for Heartland Town Square have been identified; one of which is the existing entrance to the Pilgrim State Hospital at Commack Road. In Appendix TR-1 of this FGEIS, figures are presented that show the estimated use of each access point. Estimated use is further broken down to use by trip type (i.e., residential, retail or office). Having multiple access locations within a development distributes the traffic coming to and departing from Heartland Town Square and, thus, reduces its impacts at surrounding intersections.

#### **Comment TR-106**

Considerations should be given to eliminate the access point proposed at South Service Road. Off-site and on-site mitigation measures are necessary to prevent Heartland traffic from utilizing Commack Road, even for truck delivery operations. These measures should be discussed in detail in the DGEIS. (C8C-5)

Huntington has serious concerns about how the development would overwhelm two of the proposed Heartland access points: from the LIE South Service Road and from Commack Road through the current Pilgrim Psychiatric access. We believe the developer should consider eliminating these access points. (C8-7, H7-7)

The Town of Huntington has serious concerns at the proposed LIE South Service Road access point for the proposed project. This access point will result in a significant increase in traffic activity on its roadways. We would request the applicants to consider eliminating this access point and re-evaluate traffic operations as this would overwhelm the already over utilized Commack Road intersections at the LIE service roads and may create weaving issues on the expressway as well as the service roads (Note: Weaving and Ramp operations were not studied in the DGEIS). (C8C-44)

#### **Response TR-106**

Good planning calls for multiple points of access/egress. Smartgrowth principles recommend that planned developments, like Heartland Town Square, become integrated with the transportation fabric of the neighboring community, not isolated from it. This integration not only provides choices for residents, workers and guests regarding where to enter or leave the community, but it distributes the traffic over multiple locations, thereby reducing impacts.

As shown in Appendix TR-1, there are multiple access locations connecting Heartland Town Square to the public roadway network. The traffic impact at each location is discussed in Appendix TR-1 for both Phase I development traffic and for Full-Build traffic. Recommended improvements are contained in Section 4 of Appendix TR-1.

See Response TR-124

**Comment TR-107**

In conducting the traffic assignment it has been assumed that new traffic generated by the Heartland Square will not be allowed to access the project site via the Pilgrim Access at Commack Road. Thus, as per the report there will be a very insignificant increase in traffic on Commack Road (b/w 30 to 70 vehicles during peak hours) resulting from the proposed project. (C8C-46)

**Response TR-107**

The revised traffic analysis in this FGEIS incorporates traffic assignments based on directional distributions provided by DEA. These assume access to Heartland Town Square via Commack Road. Detail on specific percentages and traffic assignments are presented in Appendix TR-1 and Attachments.

See Responses TR-105 and TR-106.

**Comment TR-108**

I take great exception with mitigation B, which proposed an installation of car-activated access control from Commack Road. It states only workers, delivery vehicles, and visitors to the psychiatric center would be granted access. I think this sets a terrible precedent and sets up potential abuse of the system. No access should be granted from Commack Road, period. Commack Road is already overburdened. (H35-2)

**Response TR-108**

Based on consultation with DEA, access control is no longer proposed at Commack Road. Although the Commack Road access will be unrestricted, it is anticipated that the Sagtikos Parkway and Crooked Hill Road will be the primary access points. The revised traffic analysis in this FGEIS incorporates traffic assignments based on directional distributions provided by DEA. These assume access to Heartland Town Square via Commack Road. Detail on specific percentages and traffic assignments are presented in Appendix TR-1 and Attachments.

See Responses TR-105 and TR-106.

**Comment TR-109**

The narrative on page 1-72 clearly indicates that the Commack Road access would only be available for Pilgrim related vehicles yet the Illustrated Development Plan (Figure 2-7) appears to make that access road available as access to Heartland. This needs to be clarified. This also raises the larger issue of the relation of the Heartland development to Pilgrim campus. Traffic, particularly truck traffic needs to be discouraged from using the Pilgrim campus road system. On the other hand, Pilgrim needs to have access to Heartland roads. This appears to need more clarification and analysis. (C13-10)

**Response TR-109**

See Responses TR-105, TR-106 and TR-108.

**Comment TR-110**

The developer proposes that Commack Road access to the Pilgrim Campus be regulated by the installation of a card-activated access controlled gate at this location (page 1-72). OMH will not install such a gate on the grounds as it would be impractical and expensive to maintain. It appears that this proposal is based on a misunderstanding of the current use and occupancy of the buildings currently comprising the Pilgrim

Campus. While three buildings remain OMH in-patient facilities, the remaining buildings are used for outpatient residential and day program services and offices. Families and friends of residents are encouraged to visit. A gated entrance to these programs would not be in keeping with the intent of these programs. (C13-11)

**Response TR-110**

See Response TR-108.

**Comment TR-111**

Thus, it is imperative from our perspective that at no time should the Pilgrim Access be allowed to be utilized by Heartland Square traffic, even for delivery operations. No connection of so called “ghost roads” or internal roads be made to roadways that would in the future or at project’s completion allow traffic on Commack Road. Additionally, more realistic assumptions be made in assigning project generated trip on Commack Road to determine traffic impacts and mitigation responsibility by this project should be resolved. (C8C-52)

**Response TR-111**

See Responses TR-105, TR-106 and TR-108.

**Comment TR-112**

Without the NYSDOT approval of a direct eastbound LIE ramp to the project site (as suggested in the DGEIS), we could see a significant increase in traffic activity on LIE service roads within the Town of Huntington. Without the approval of this key access point this project will cause significant traffic constraints on surrounding roadways. Direct access into the site seems to be a minimum before any other evaluations can occur. A development of this size would require such consideration. (C8C-45)

**Response TR-112**

NYSDOT would need to approve direct access from the LIE South Service Road to Heartland Town Square. The re-design of the ramps from the LIE to the Sagtikos Parkway are described in Appendix TR-1 of the FGEIS, and is analyzed in the Phase I and Full-Build scenarios of the FGEIS.

**Comment TR-113**

Even if we believe that Pilgrim Access point may not be used for the Heartland Square traffic, Commack Road is anticipated to receive only 70 out of thousands of trips generated by this proposed project (especially from the immediate west and south). It is also important to note that the above noted intersections (3), which are located in the Town of Huntington, are already noted to be congested during various peak traffic hours and are depicted as deficient intersections by the proposed traffic assessment. Additionally, the segment of Commack Road between LIE and the Pilgrim Access intersection is also noted to be significantly congested with practically only one moving lane in each direction and with turn bays at various intersections. (C8C-51)

**Response TR-113**

As previously noted, revised transportation analyses are included in Appendices TR-1 through TR-4 of the FGEIS. Figures 9, 10, and 11 in Appendix TR-1 show the revised projected distribution of Heartland Town Square Phase 1 generated trips at each access location Figures 15, 16 and 17 provide similar information for Phases II and III and the Gateway Area. The information presented therein was developed in concert with DEA.

**Comment TR-114**

It is obvious that those traveling to Heartland Square on the LIE from the west and existing at Exit 52 will add further insult to the intersection of the LIE underpass at Commack Road. It is unbearable now. To discourage traffic from intersecting with Commack Road, there must be no ingress to Heartland Square from the South Service Road of the LIE. In addition, there should also be not exit from Heartland onto the south service road. Those traveling west to the LIE, would travel north on Crooked Hill and then west on the north service road and ultimately they would intersect with Commack Road. This issue was a big bone of contention with the state's intermodal plan to utilize Crooked Hill Road rather than establishing a dedicated truck route. If Heartland insists on egress from the property there then all those who exit onto the South Service Road should be required to turn south (right) at Crooked Hill Road. A turn lane, if possible, would facilitate that. The intersections at the LIE underpass at Commack Road are very dangerous and congested now due to the large amount of tractor trailer trucks traversing this road and the high volume of traffic. (C18-7)

#### **Response TR-114**

See Responses TR-105, TR-106 and TR-113.

---

#### **4.21.6 Off-site Roadway Evaluation**

#### **Comment TR-115**

The Existing Roadway Network discussion should be expanded to include additional roadways and intersections. (C2-4)

Further evaluation of major roads outside the study area must be undertaken, including but not limited to the LIE, Northern State Parkway, Sagtikos Parkway and the Southern State Parkway. (C2-15)

#### **Response TR-115**

See Response TR-8. As previously noted, additional transportation analyses have been completed since the DGEIS was accepted for public review. These analyses are included in Appendices TR-1 through TR-4 of the FGEIS. For these analyses, the applicants expanded the study area. The expanded study area, which was approved by DEA, includes the Sagtikos Parkway from the Northern State Parkway to the Southern State Parkway, the LIE between Commack Road and Wicks Road, the Northern State Parkway from Exit 42 to Exit 46 and the Southern State Parkway from Exit 41 to Exit 42.

#### **Comment TR-116**

Particular concern is the Sagtikos Parkway where it interchanges with the Long Island Expressway and Northern State Parkway and Southern State Parkway, which were not analyzed. The analysis would not only help determine traffic mitigation but promote efforts that we have in the Town of Islip to try to increase improvements to that area. That is a very important piece of information. (H1-9)

#### **Response TR-116**

See Response TR-115.

#### **Comment TR-117**

After the development of realistic trip projections and trip assignments, the inclusion of additional roadways, additional intersections and interchange locations should be determined. Most major roadways in the vicinity of the site are at or near capacity and exhibit congestion during peak periods. (C2-16)

#### **Response TR-117**

See Responses TR-8 and TR-115.

#### **Comment TR-118**

With regard to the LIE interchange, only two ramps appear to be included. The DGEIS states, “expanding the model to include them (other ramps) will not provide additional knowledge useful to the project evaluation process.” The fact that the DGEIS states that the two ramps modeled will handle the largest amount of the site traffic compared to others does not eliminate the possibility of significant impacts on the others. Further, the analysis only examines one end of the ramp and does not address the ramp connections to the LIE. There are existing operational problems in the LIE Sagtikos Pkwy interchange and the addition of the traffic due to this proposed action should not go without evaluation. It also indicates that the southbound exit to the site was not modeled but does not indicate why. The modeling should include the entire LIE/Sagtikos Parkway interchange. (C2-18)

In addition to the above, a peak hour volume, capacity and weave analysis for all proposed/affected ramps should be conducted for the Long Island Expressway and the Sagtikos Parkway. (C5-4)

#### **Response TR-118**

See Response TR-115. It should also be noted that the NYSDOT has programmed \$3.41 million in the current year for the five-year TIP for a study of the entire Sagtikos Parkway corridor and an additional \$10.95 million for design of a parkway improvement project. It is anticipated that the NYSDOT Sagtikos Parkway study will incorporate existing and proposed ramps at the LIE /Sagtikos Parkway interchange, including weaving maneuvers.

#### **Comment TR-119**

The intersection analysis and limited ramp analysis that is provided is presented in tabular form without any discussion of the results. These results need to be discussed with the impacts of the project clearly stated. There are numerous locations where the intersection’s operations are adversely affected by the project traffic and where there was either no mitigation proposed or the mitigation proposed was insufficient. The results of the analysis need to be discussed in the text and any unmitigated impacts made clear. (C2-36)

#### **Response TR-119**

See Response TR-1. The FGEIS presents a revised analysis of potential impacts and recommended improvements. The FGEIS also indicates where improvements are not proposed and the reasons therefore.

#### **Comment TR-120**

Modeling performed for the Sagtikos Parkway indicated that the volumes were “capped” at 2,100 vehicles per lane per hour *although the demand volume was higher*. This restriction masks impacts and the operation of even no-build conditions. If this is a limitation of the model used, alternative techniques should be utilized or mitigation proposed so that the facility operates under non-failure conditions. If this is a limitation of the model used, alternative techniques should be utilized or mitigation proposed so that the facility operates under non-failure conditions. These locations and times where the volume is capped include:

- In 2021 No-Build northbound during the AM and PM Weekday peaks;
- In 2021 No-Build southbound during the AM and PM Weekday peaks;
- In 2021 Build northbound during the AM and PM Weekday peaks;
- In 2021 Build southbound during the AM and PM Weekday peaks;
- In 2021 Build northbound during Saturday peak; and
- In 2021 Build southbound during the Saturday peak. (C2-38)

#### **Response TR-120**

The 2,100 vehicle per lane cap is not a limitation of the Vissim model. Based on the count data, the existing parkway volumes during certain times actually exceed 2100 vehicles per lane per hour. By limiting the lane capacity to 2,100 vehicles in the Vissim program, the results yielded by the analyses reflect a worst-case scenario.

#### **Comment TR-121**

The Sagtikos Parkway should be modeled with a 3<sup>rd</sup> lane in each direction to determine its effectiveness in addressing capacity issues. The addition of this lane, as noted in the report in several areas, may not even address future traffic problems. (C2-39)

#### **Response TR-121**

Attachments TRA-10 and TRA-14 of Appendix TR-1 of the FGEIS contains results of the Vissim analyses, which include a third lane on the Sagtikos Parkway. Also see Responses TR-1, TR-2 and TR-5.

#### **Comment TR-122**

Why is the southbound exit from the Sagtikos Parkway to the Pilgrim Site not modeled as noted in the Table 4-43? (C2-40)

#### **Response TR-122**

See Responses TR-120 and TR-121. The southbound ramp from the Sagtikos Parkway to the Heartland Town Square site is modeled in Appendix TR-1 of the FGEIS.

#### **Comment TR-123**

The analysis results for the LIE exit ramps in Table 4-44 indicate queued vehicles beyond the length of the ramp. This is clearly unacceptable on a facility such as the LIE and must be mitigated. (C2-41)

#### **Response TR-123**

It is important to recognize that the analyses are based on traffic projections several years into the future. If such a condition should develop in the future, the existing ramp pavement is sufficiently wide to allow it to be striped for two lanes, so that the single lane queue length is reduced.

#### **Comment TR-124**

The analysis of the parkway should include and present LOS and other relevant MOE's for the segments, ramps and weaves on the parkway. This includes the existing condition, no-build, build, and build with modifications. (C2-42)

**Response TR-124**

As previously indicated, Vissim was the agreed upon approach by DEA for an analysis of the Sagtikos Parkway and other roadways in the study area. The Vissim model allows the simulation of existing and future traffic operations on Sagtikos Parkway as well as on the LIE, Northern State Parkway, and Southern State Parkway, in order to assess potential operational impacts associated with the project and overall operational benefits after recommended improvements are constructed. Because of its extraordinary functionality, the Vissim model provides a significantly more comprehensive and robust evaluation of corridor operations than traditional capacity analysis tools.

Vissim, unlike a traditional Highway Capacity Manual (HCM) analysis, takes into consideration the combined impacts of operations associated with multiple deficiencies within the corridor studied. Vissim simulates the upstream and downstream effects of adjacent traffic problems, these multiple deficiencies and the inter-relationships of the traffic flow in the corridor studied. For example, in a poorly-operating weaving section, turbulence is experienced as vehicles change lanes and weave among each other to get into their desired lane. This turbulence causes vehicles to slow down, which further impacts vehicles “behind them” or upstream of the weaving section as they, in turn, must slow down. HCM only analyzes the distinct and defined weaving area; it does not evaluate or quantify the adjacent impacts and, therefore, does not represent operating conditions that are affected by this turbulence, both upstream and downstream of the weaving section.

Vissim simulates these multiple deficiencies and the inter-relationships of the traffic flow in the corridor studied and provides Measures of Effectiveness so alternatives can be compared.

The Vissim results are presented in Appendix TR-1 of the FGEIS, and additional information is contained in Attachments TRA-10 and TRA-14 of Appendix TR-1.

**Comment TR-125**

Provide the status of the Regional Traffic Study noted in Section 5.8.6. (C2-67)

**Response TR-125**

The status of the Suffolk County study referenced in this comment is uncertain at this time. However, more recently, the NYSDOT has programmed \$3.41 million in the current fiscal year for a study of the entire Sagtikos Parkway corridor in anticipation of a major parkway improvement project.

**Comment TR-126**

Additionally, as I am sure other civic organizations have expressed a concern, we are also concerned about the potential increase in vehicle traffic in the area. While this area is apparently served by several major roadways, we have already seen some increased traffic on the south end of the project site (the new outlet center in Deer Park). This increased volume has made it difficult to access the western end of our district during high traffic times. (C4-2)

**Response TR-126**

DEA and VHB reviewed the planned projects in the DGEIS (Table 4-14 - Other Planned Developments) and have updated that information in Table 6 of the FGEIS in Appendix TR-1. This includes an evaluation of the additional traffic that may be generated by each project, including full occupancy of the Tanger Outlet (see Table TR-1). In addition, this additional traffic has been added to the No Build and Build scenarios.



**Table TR-1 Other Planned Developments (OPD)**

Project	Location	Facility Size/ Components	Status as of June 2010
Tanger Outlet Center	North side of Grand Boulevard east of Commack Road in Deer Park	800,000 SF, 180-store “smart style” outlet center	75% of Shops Occupied BJ Discount Store not built
PJ Venture III	West side of Crooked Hill Road, north of the LIE	Lowe’s Store to replace Cinema	Planned
Heartland II Industrial Park Expansion	West side of Rodeo Drive, north of Long Island Avenue	635,000 SF of light industrial/warehouse space	Planned
NYSDOT Intermodal Facility	South of and adjoining the Heartland property	Freight Transportation Center; Truck-Rail yard w/storage facilities	Planned

**Comment TR-127**

The existing traffic data presented for a development of this magnitude in both the DGEIS and the Addendum is outdated and should be updated to include actual traffic volumes of functioning developments such as the Tanger Mall and P.J. Ventures I and II. In addition, both of these developments have significant vacancies which should be estimated based upon ITE data for their use or potential use in analyzing traffic data. (C5-1)

**Response TR-127**

In addition to the background growth and development in and around Heartland Town Square, the No Build analyses in the FGEIS recognizes that there are several other major development projects in the vicinity of the study area that are currently proposed, under construction or partially occupied. Table TR-1, above shows the status of four planned projects which have been included in the No-Build analyses. These projects were the basis for the development of “Other Planned Development” trips which are added to existing and background growth trips to develop a 2017 No Build traffic scenario.

**Comment TR-128**

The geographic nature of this project places it between two major Long Island roadways, the Long Island Expressway and the Sagtikos Parkway. This development should be seeking direct, multi-directional/full access to these roadways in lieu of the localized roads. Page 1-14, paragraph 6 refers to this development as “advantageously situated in an area where major east-west and north-south transportation corridors meet.” Furthermore, the potential for the construction of the NYS intermodal facility is becoming a reality with the only drawback being the availability of surrounding roads that are suitable for commercial traffic. Given the uncertainty of the fate for CR 13, Crooked Hill Road, this development should not be placing a significant amount of traffic onto CR 13. (C5-12)

**Response TR-128**

See Responses TR-105 and TR-106 with respect to access. The recommended improvements contained in the FGEIS include new interchanges on the Sagtikos Parkway at G Road and Long Island Avenue to service Heartland Town Square, as well as the existing Heartland Business Center complex. The existing parkway ramps serving the former Pilgrim State Hospital site will also be retained and enhanced. There are also recommended improvements on Crooked Hill Road which, when implemented, will adequately

accommodate future Heartland traffic. The developer has already secured \$2.5 million for improvements to Crooked Hill Road and has been working closely with Suffolk County to secure additional funding to complete the recommended Crooked Hill Road improvements.

#### **Comment TR-129**

The DGEIS and Addendum both recognize that an additional travel lane on both the Long Island Expressway and Sagtikos Parkway is required however they fail to recognize that under any of the proposed scenarios, Heartland Town Square places enough traffic on either roadway to fully utilize these new travel lanes in the peak hours. (C5-13)

#### **Response TR-129**

The analyses provided in Appendix TR-1 of the FGEIS are based on an additional travel lane in both directions on the Sagtikos Parkway. Appendix TR-1 presents a comprehensive summary of the recommended improvements necessary to address existing deficiencies and accommodate future Heartland traffic.

#### **Comment TR-130**

*SCPC Policy on Transportation: Policy-Expand sustainable transportation options for commercial, commuter and recreational travel by providing greater public transit alternatives and creating a diverse, multi-modal transportation system that links jobs, housing, shopping and recreation and reduces dependence on single occupant motor vehicles.* The DGEIS fails to adequately address potential traffic impacts associated with the proposed development. The proposed project is estimated to generate approximately 15,000 vehicle trips in the peak hour alone and approximately 142,000 vehicle trips per day. The DGEIS fails to properly address these potential impacts both within the project area and within the surrounding communities. Detailed comments related to potential traffic impacts will also be provided by Suffolk County Department of Public Works (SCDPW). (C7-27)

#### **Response TR-130**

The impacts that Heartland Town Square may have on the transportation system are directly related to behavioral changes that occur when mixed uses, which complement and support one another, are developed proximate to each other. Heartland Town Square is the type of development that has its roots in the traditional development of cities across the country and all over the world. Cities are founded on close connectivity between home, work and shopping areas that minimize vehicle trips and promote walking, transit or bike trips, as the automobile is no longer the travel mode of choice. This is the applicant's vision for Heartland Town Square. How the vision translates into reality is subject to testing of the concept, which has been well documented in mature cities, but remains under-reported in the technical reports that transportation engineers use to evaluate proposed developments similar to Heartland Town Square.

Therefore, in the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made using standard modeling techniques. If the results are as expected by the applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer mitigation measures may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

**Comment TR-131**

Greenman-Pedersen concludes those two roads will be heavily trafficked by people going to and leaving Heartland, creating an additional burden. Yet the DEIS did not evaluate the effects on those roadways, nor did it study the effect on the existing peak hour choke points at the Long Island Expressway ramps at Exits 51 and 52, at the Northern State Parkway's Commack Road and Sagtikos Parkway exits and at anything north of the LIE. (C8-5)

Similarly, the existing peak hour choke points including LIE on/off ramps at Exit 51 and 52 and Northern State Parkway ramps at Exist 43 should have been included in the study area. Much further evaluation is also needed to encompass Commack Road north of the LIE, and Deer Park Road intersections at LIE Service Roads. (C8C-11)

Commack Road is already heavily traveled, as anybody who drives it knows. And Crooked Hill Road is congested with the opening of the Target-Home Depot-Walmart center and the existing Costco. We are already looking at how to relieve congestion by getting trucks off of those roads. Greenman-Pederson concludes that those two roads will be heavily trafficked by people going to and leaving Heartland, creating an additional burden. Yet, the DEIS did not evaluate the effects of those roadways, nor did it study the effect on the existing peak hour choke points at the Long Island Expressway ramps at Exits 51 and 52, at the Northern State Parkway's Commack Road and Sagtikos Parkway exits, and at anything north of the LIE. (H7-5)

**Response TR-131**

The intersections and roadways analyzed in the FGEIS are based on the Final Scope adopted by the Town of Islip. The LIE between Commack Road and Wicks Road and the Northern State Parkway from Exit 42 to Exit 46 are included in the updated analyses.

See Response TR-155

**Comment TR-132**

As Greenman-Pedersen advised us, "Despite assertions and assumptions to the contrary regarding the Town Square concept, Heartland is not a stand-alone island with little integration with the neighboring communities and region. It needs to fully address how it will integrate with the Long Island regional trafficscape." (C8-8)

**Response TR-132**

Good planning calls for multiple points of access/egress. Smart growth principles recommend that planned communities, like Heartland Town Square, become integrated with the transportation about fabric of the neighboring community, not isolated from it. This integration not only provides choices for residents, workers and guests regarding where to enter or leave the community, but distributes the traffic over multiple locations, thereby, reducing impacts. The internal capture rates utilized in the analyses contained in Appendix TR-1 of the FGEIS were developed by DEA. These new internal capture rates are significantly lower than those which were applied in the DGEIS and the resulting external traffic has increased. The assignment of these external trips to the surrounding roadway network can be found in Attachments TRA-7 and TRA-12 to Appendix TR-1.

**Comment TR-133**

So where will the customers come from? Once again, from outside the areas, further taxing the road network.  
(C8-17)

**Response TR-133**

See Response TR-1.

Appendix TR-1 of the FGEIS contains a discussion of trip generation, distribution, modal split and assignment. In the discussions of trip generation and trip distribution there is information about the assumptions that were made regarding local versus regional retail trips, and the origin of trips that arrive at Heartland Town Square, as well as the destination of trips that have their origin at Heartland Town Square. Census data from 2008 provided the basis for many of these assumptions.

**Comment TR-134**

Traffic comments are provided in the attached study prepared by Greenman-Pederson, Inc., dated July 23, 2009. As the Greenman-Pedersen Study indicates, before it can be approved, the DEIS requires a regional transportation system study and a comprehensive assessment of infrastructure changes necessary to mitigate what otherwise would result in a major traffic operational constraint for the immediately surrounding communities and the region. (C8A-3)

As a general comment, the Heartland Town Square project is no ordinary development. It is in fact, a town within a town. The proposed project area falls under the Sagtikos Regional Development Zone. This area has been subject to significant development activities by several townships, government agencies and applicants without comprehensively evaluating the regional and collective impacts on the infrastructure need outside a very limited and individualized study boundary. The huge size of this proposed Heartland Town Square project adds to the need that requires a regional approach to the study and assessment of the cumulative traffic impacts on the infrastructure of the surrounding areas and roadway network and not just a smaller and localized study area as presented in the report. This assessment has to include a wider area and cannot just be studied by segmenting individual projects and taking portions of the proposed limited mitigation measures by the surrounding projects and without committing to major roadway improvement responsibilities. This undertaking requires a regional transportation system study and a comprehensive assessment of infrastructure changes necessary to improve the overall transportation operation that would otherwise result in a major traffic operational constraint for the region, as well as the immediately surrounding communities. The DGEIS has pointed out several existing deficiencies in the surrounding roadway network that would be required to provide a gateway to this new massive city-like development. Thus, any proposed project within this area (Sagtikos Regional Development Zone) will have a direct impact on Long Island Expressway, its service roads, Northern State Parkway, Sagtikos State Parkway and Southern State Parkway and all arterial local roads connecting to the project area within the Huntington, Babylon, Islip and Smithtown Communities. A majority of these roadways have not been fully assessed for the potential impacts and should be evaluated. It is our contention that impacts on such major roadways in the region even if they are not within the boundaries of Huntington – have major negative implications for all residents in Western Suffolk and will undoubtedly have negative implications on neighboring communities like those in Huntington. (C8C-8)

**Response TR-134**

See Response TR-8.

The FGEIS appendices include an analysis for Phase I, and Phases II and III and the Gateway Area (combined) of the proposed development. DEA did not require a separate analysis of Phase II; therefore, Phases II and III and the Gateway Area were analyzed together, and when added to Phase I, the results are referred to as the Full-Build scenario for the project.

Per DEA's request, the traffic volume maps and trip distribution maps are broken out by trip types. This includes residential, office and retail trips for the AM and PM weekday peak hour, as well as the peak hour for Saturday. DEA provided VHB with its estimate of trip generation, internal capture rates and modal splits for Phase I; DEA also provided the same data (trip generation/internal capture rates/modal splits) for Phases II and III and the Gateway Area (combined). These data were used in the modeling effort to provide the additional analyses in the FGEIS. Further, the applicants for Heartland Town Square believe that the development of Heartland Town Square will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of these trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system.

#### **Comment TR-135**

The traffic evaluations should include Town of Huntington intersections that are located north of the LIE and the peak hour choke points including LIE on/off ramps at exit 51, 52, and Northern State Parkway ramps at Exit 43. Intersections at Deer Park Road and LIE Service Roads should also be assessed for traffic impacts. (C8C-1)

#### **Response TR-135**

See Response TR-8.

#### **Comment TR-136**

Additionally, infrastructure needs assessment for the projects within the Sagtikos Regional Development Zone also has to be inclusive of other major regional developments including but not limited to the Hauppauge Industrial Park and the Route 110 Corridor developments, as traffic generated by those neighboring developments will compound constraints to the major throughways. Only then a meticulous solution to the traffic issues and collective transportation needs could be successfully attained for the region, as well as the surrounding Long Island communities. (C8C-9)

#### **Response TR-136**

All future No-Build and Build analyses contained in Appendix TR-1 of the FGEIS include traffic anticipated from other nearby major developments, as well as general background growth on the area roadways. The general background growth is intended to account for increases due to development beyond the immediate study area, such as the Hauppauge Industrial Park and the Route 110 corridor.

#### **Comment TR-137**

The study area coverage does not include evaluation of some of the main roadways that are anticipated to undertake a major amount of project generation traffic activity. Even in the applicant's traffic projection model prepared for this project (which we have various disagreements). Huntington is anticipated to generate only about 500 vehicles during the AM peak hour and about 550 vehicles during the PM peak hour (as per Attachments T-13L and T-15E), and yet the operational impacts of these new trips were not assessed on the Town's roadways leading to the site. From the Town of Huntington prospective, we envision that Commack Road and Crooked Hill Road would be heavily utilized by the traffic activity generated from a project of this magnitude as Heartland Town Square. It will consist of trips originating within Heartland and traveling to various employments, recreational and commercial uses in the Town and likewise trips originating in Huntington access Heartland for similar reasons. Thus, these roadways and other associated critical intersections (not just the LIE Service Roads intersecting these roadways) should be included in the

study and further assessed, both, at north and south of LIE (Note: Study of traffic impacts north of LIE were totally ignored in the DGEIS). (C8C-10)

**Response TR-137**

See Response TR-8. The locations analyzed in Appendix TR-1 are consistent with the Final Scope adopted by the Town of Islip.

**Comment TR-138**

Thus, further evaluation of traffic operations outside the area presented in the DGEIS is warranted in order to assess and where necessary mitigate impacts on the Town of Huntington roadways from this project. Despite assertions and assumptions to the contrary regarding the Town Square concept, Heartland is not a stand-alone island with little integration with the neighboring communities and region. It needs to fully address how it will integrate with the Long Island regional trafficscape. We feel that the assessment of impacts on Huntington's roadways is incomplete. (C8C-12)

**Response TR-138**

See Responses TR-8, TR-131, and TR-132.

**Comment TR-139**

As we do not see any traffic impact criteria or discussion within the report. Why was queuing not considered in determining traffic impacts, especially under LIE bridges and intersections in the vicinity of LIRR railroad crossing (LIRR crossings at Commack Road and at Executive Drive)? (C8C-35)

**Response TR-139**

Additional transportation analyses are included in Appendices TR-1 through TR-4 of the FGEIS, which include a discussion of the analysis results of the No-Build and Build intersections and ramp queuing results, per the direction of DEA. As previously indicated, DEA agreed to the analysis of intersections using Synchro and the analysis of the parkways and the LIE using Vissim. Both of these models provide information on queuing impacts, either in number of feet, or as a visual indicator by viewing of the simulation. Tables included in Attachments TRA-9 and TRA-10 show queuing information for Phase I while tables included in Attachments TRA-13 and TRA-14 present similar information for the Full-Build scenario of Heartland Town Square.

**Comment TR-140**

Commack Road @ North Service Road: Midday Peak: During No Build 2021 condition the northbound left turn will result in a lane group delay of 488.7 seconds/vehicle. During the Build 2021 condition the northbound left turn will result in a lane group delay of 505.1 seconds/vehicle. This is a significant increase in delay of 16.4 seconds/vehicle. Similarly, the southbound approach will result in a delay of 115.3 seconds/vehicle during the No Build 2021 condition. During the Build 2021 condition these delays will increase to 141.7 seconds/vehicle. Again, this is a significant increase in delay of 26.4 seconds/vehicle. The Level of Service (LOS) remained F in both cases. (C8C-37)

**Response TR-140**

In discussions with DEA, it was determined that the peak period for traffic at Heartland Town Square and on adjacent streets would be during the PM peak hour. As the purpose of a traffic analysis is to determine the worst-case scenario for traffic, and develop reasonable mitigation measures to reduce the impacts thereof, it was decided that the midday scenario, including LOS data, would not be included in the FGEIS. As such,

there are no midday LOS tables in the FGEIS. The LOS and overall intersection delay presented in the FGEIS for the intersection of Commack Road at LIE North Service Road for the peak periods analyzed is as follows:

No Build 2017						Phase I Build					
AM		PM		SAT		AM		PM		SAT	
F	89.4	D	48.7	C	21.5	C	34.5	C	27.1	C	23

The Phase I Build scenario includes the recommended improvements and indicates significantly improved levels of service at the noted intersection. Additional transportation analyses are included in Appendices TR-1 through TR-4 of the FGEIS, which include a discussion of the analysis results of the No-Build and Build intersections.

#### **Comment TR-141**

Commack Road @ North Service Road: PM Peak: During the No Build 2021 condition the northbound left turn will result in a lane group delay of 260.3 seconds/vehicle. During the Build 2021 condition the northbound left turn will result in a lane group delay of 355.5 seconds/vehicle. This is a significant increase in delay of 95.2 seconds/vehicle. Similarly, the southbound approach will result in a delay of 132.9 seconds/vehicle during the No Build 2021 condition. During the Build 2021 condition these delays will increase to 151.4 seconds/vehicle. Again, this is a significant increase in daily of 18.5 seconds/vehicle. The LOS is F in both cases. (C8C-38)

#### **Response TR-141**

See Response TR-140.

#### **Comment TR-142**

Commack Road @ South Service Road PM Peak: During the No Build 2021 condition the eastbound approach will result in a delay of 252.3 seconds/vehicle. During the Build 2021 condition these delays will increase to 378.6 seconds/vehicle. This is a significant increase in delay of 126.30 seconds/vehicle. Similarly, the southbound left turn will result in a delay of 409.6 seconds/vehicle during the No Build 2021 condition. During the Build 2021 condition these delays will increase to 580.2 seconds/vehicle. Again, this is a significant increase in delay of 170.6 seconds/vehicle. The level of Service (LOS) remained F in both cases. (C8C-39)

#### **Response TR-142**

The LOS and overall intersection delay in the FGEIS for the intersection of Commack Road at the LIE South Service Road is as follows:

No Build 2017						Phase I Build					
AM		PM		SAT		AM		PM		SAT	
C	22.9	F	184.5	E	65.6	B	19.3	D	43.5	C	35.4

The Phase I Build scenario includes the recommended improvements and indicates significantly improved levels of service at the noted intersection. See Appendix TR-1 of this FGEIS for details. Also see Response TR-140.

#### **Comment TR-143**

Commack Road @ Pilgrim Site Access: SAT Peak: During the No Build 2021 condition the westbound left turn will result in a delay of 797.4 seconds/vehicle. During the Build 2021 condition these delays will increase to 870.2 seconds/vehicle. This is a significant increase in delay of 72.8 seconds/vehicle. The LOS remained F. (C8C-40)

**Response TR-143**

The LOS in the FGEIS for the intersection of Commack Road at Pilgrim Site Access as a signalized intersection will operate as follows:

Phase I Build		
AM	PM	SAT
A	B	A

The Phase I Build scenario includes the recommended improvements and indicates significantly improved levels of service at the noted intersection. See Appendix TR-1 in this FGEIS for details. Also, see Response TR-140.

**Comment TR-144**

Crooked Hill Road @ North Service Road: PM Peak: During the No Build 2021 condition the westbound left turn will result in a delay of 28.3 seconds/vehicle. During the Build 2021 condition these delays will increase to 62.5 seconds/vehicle. This is a significant increase in delay of 34.2 seconds/vehicle. The LOS also changed from C to E. (C8C-41)

**Response TR-144**

The LOS and overall intersection delay in the FGEIS for the intersection of Crooked Hill Road at the LIE South Service Road is as follows:

No Build 2017						Phase I Build					
AM		PM		SAT		AM		PM		SAT	
B	16.9	A	7.6	A	5.3	B	19.4	B	12.2	A	9.1

The Phase I Build scenario includes the recommended improvements and indicates significantly improved levels of service at the noted intersection when compared to the DGEIS. See Response TR-140.

**Comment TR-145**

Capacity analysis comparison tables presented in the body of the report should not just show the average Level of Service (LOS) for the entire intersection or average intersection delays but should also include individual lane group delays, v/c ratios and LOS for each analyzed intersection and for each scenario during various peak hours. This helps in presenting a clear picture on the severity of impacted intersection approach and understanding the mitigated need and outcome. The average intersection LOS of delays could show better results while an intersection approach could be at LOS F or impacted (as described earlier). Thus, please provide this tabular format in the body of the text for further assessment. (C8C-43)

**Response TR-145**

The appendices in the FGEIS present project-related impacts: Appendix TR-1 shows impacts associated with the Phase I as well as for the Full-Build scenarios of Heartland Town Square. Tables are provided in Appendix TR-1 for intersection LOS. Attachments TRA-9 and TRA-13 include tables showing LOS by each movement at study intersections, as well as the overall average LOS for each intersection. Tables also show estimated queue lengths for each lane and average delay by approach in minutes.

**Comment TR-146**

Why was capacity analysis not conducted at LIE Ramps at Commack Road and their weaving sections? (C8C-53)

**Response TR-146**

As previously stated, the LIE and Sagtikos Parkway were re-analyzed in the FGEIS (see Appendix TR-1), as approved by DEA, using Vissim. Vissim simulates the operation of a freeway/parkway, including their ramps. Vissim provides Measures of Effectiveness for the operation, such as travel times and delays, as well as a visual representation of the operation under differing conditions and scenarios.

**Comment TR-147**

Why was capacity analysis not conducted at LIE freeway segments near Commack Road? (C8C-54)

**Response TR-147**

See Response TR-8. The Supplemental Traffic Analysis in Appendix TR-1 includes an analysis of the LIE between Commack Road and Wicks Road.

**Comment TR-148**

Absent from the traffic study are analyses relating to the future operational conditions on segments of major arterial routes throughout western Suffolk County. A project of the proposed magnitude will generate impacts far beyond the immediate area of the development. Overall arterial analysis is presented, and shown to result in LOS F during the peak traffic periods on most arterials upon completion of the build-out of the project, but analysis of roadway segments along the major routes is necessary to gauge where these impacts are most acute. Analyses should be performed for the Long Island Expressway (I495), Sagtikos State Parkway, Southern State Parkway, Northern State Parkway, Sunrise Highway (NYS Route 27), and Broadhollow Road (NYS Route 110). In these analyses, use of the results derived from portal demand modeling would be acceptable. (C9A-5)

**Response TR-148**

See Response TR-8 concerning the LIE, Sagtikos Parkway, Northern State Parkway and Southern State Parkway. Route 110 is approximately 10 miles from the project site and was not included in the Final Scope adopted by the Town.

**Comment TR-149**

The service levels of "F" and "D" levels of service are not acceptable even if the same level of service will result if the Heartland project was not built. Traffic congestion is one of the most pressing problems on Long Island. When the primary arterials are congested, motorists seek alternative routes through residential neighborhoods, negatively affecting these communities. Our long-term objective should attempt to resolve these problems. In the DEIS, it is apparent that several intersections will experience "F" and "D" levels of service in the future, regardless of whether Heartland is built. It is clear, however, that the Heartland project

will add to the service level problem. Unless there is a significant public benefit to a project, future transportation strategies should concentrate on resolving known problems before major changes in land use policies are considered. (C10-3)

**Response TR-149**

See Responses TR-1, TR-17 and TR-19. The recommended improvements contained in Appendix TR-1 of the FGEIS, when implemented, will result in substantial improvements to operating conditions on the surrounding roadway network. Appendix TR-1 concludes "With the planned recommended improvements, the majority of the study intersections are expected to operate at acceptable levels of service under the Full-Build Conditions. With the extension of a third northbound lane on the Sagtikos Parkway, the Parkway would be able to process the additional volume, with minor increase in travel times."

**Comment TR-150**

In order to fully understand the existing conditions and the impact of the project-generated volumes, the following conditions should be analyzed.

- Existing (C12-12)
- Future No-Build 2021 without roadway improvements. (C12-13)
- Future No-Build 2021 with non-HTS roadway improvements. (C12-14)
- Future No-Build 2021 without roadway improvements. (C12-15)
- Future No-Build 2021 with non-Heartland Town Square roadway improvements. (C12-16)
- Future Build 2021 with both non-Heartland Town Square and Heartland Town Square roadway improvements. (C12-17)

**Response TR-150**

See Response TR-1.

The following scenarios (conditions) were analyzed in the FGEIS, as contained in Appendix TR-1 of the FGEIS:

- Existing (2010).
- No Build (2017) - In addition to the background growth and development in and around Heartland, there are several other major development projects in the vicinity of the study area that are currently under construction or planned for the near future that will add traffic to the roadway network and study intersections. These projects were the basis for the development of Other Planned Development trips, which were added to existing and background growth trips to develop a 2017 No Build traffic scenario.
- Phase I Build, with recommended improvements.
- No Build (2027) - Phase I, with recommended improvements, and ten additional years of growth
- Full Build of Heartland Town Square - Phases I, II and III, plus the adjacent Gateway Area, with the implementation of the Phase I recommended roadway improvements and several additional roadway improvements.

**Comment TR-151**

The Heartland Town Square DEIS needs to clearly and specifically identify and address the traffic impacts generated by the Heartland Town Square project and the effects the project would have on the adjacent roadways. There should be no assumption that the existing deficiencies will be mitigated. The baseline condition should be the existing condition and any approved projects. (C12-18)

**Response TR-151**

See Response TR-1. The Supplemental Traffic Analysis recognizes that there are existing deficiencies on the surrounding roadway network that must be addressed in order to accommodate current and future demand, with or without Heartland Town Square. The analysis methodology employed was reviewed and approved by DEA.

**Comment TR-152**

The Heartland Town Square DEIS does not present data for the Long Island Expressway (LIE) nor does it analyze the impacts on the LIE. Based on Figures T-30 and T-32 it appears that Heartland Town Square will add over 900 vph to the LIE in both the AM and PM peak hours. It is not possible from the figures to determine the distribution of project-generated traffic volumes on the LIE. If the volumes were distributed evenly between the east and west that would mean an additional 450 vph to the already congested LIE. This is a significant volume of new traffic resulting from the project which needs to be identified and addressed. (C12-24)

**Response TR-152**

The distribution of traffic associated with Heartland Town Square can be found in Attachments TRA-7 and TRA-12 to Appendix TR-1. The impact on the LIE between Commack Road and Wicks Road has been analyzed in Appendix TR-1.

**Comment TR-153**

The developer has reconfigured the road system within the former Pilgrim property. The Deed dated 1/25/02, transferring the property to the New York State Urban Development Corporation, contained the following language:

“in order to obtain access to and egress from the retained property, reserves a non-exclusive easement and right of way upon, over, across and through roads currently referred to as “G” Road, “C” and “F” Roads to the south of “H” and “J” Roads including the extension leading to the Sagtikos State Parkway and Crooked Hill Road”

These rights of way were preserved in the Deed transferring the property to the Town of Islip Industrial Development Agency (IDA). The Quitclaim Deed transferring the property from the IDA to the developer noted that it was subject to “municipal, public utility and party wall easements”. Continued safe and efficient access to Crooked Hill Road and the Sagtikos is essential to Pilgrim. (C13-12)

**Response TR-153**

See Response EA-1.

**Comment TR-154**

While this will provide direct access to the Business Center, and the Deer Park Train Station, which is a necessity, it will not provide the necessary volume of access to the site from the major road arteries in the area -- LIE and Sagtikos. (C23-12)

**Response TR-154**

See Response TR-106.

**Comment TR-155**

I agree with the Town that in regards to traffic and parking a more thorough analysis needs to be made, especially with respect to traffic generated on the LIE and Sagtikos Parkway. The PM Peak Hour estimate in the DGEIS for entering and exiting vehicles is in order of 4000-5000 vehicles. 5000 vehicles is roughly equivalent to bumper to bumper traffic the full length of the Sagtikos Parkway between the LIE and the Southern Parkway (4 miles). I travel both the LIE and Sagtikos in this area daily and it is presently overly congested; routinely stop and go. To inject thousands of vehicles *hourly* would bring this area to a standstill. (C25-2)

**Response TR-155**

Additional transportation analyses (including new modeling) are contained in Appendices TR-1 through TR-4 of the FGEIS. DEA reviewed and approved the methodology for the travel demand modeling portion of the FGEIS, as further described in Appendix TR-1. This appendix provides information to support all assumptions made. The internal capture rates were provided to VHB by DEA. The applicants have expanded the study area to comply with this comment. The analysis area was approved by DEA and includes the Sagtikos Parkway from the Northern State Parkway to the Southern State Parkway, and the LIE between Commack Road and Wicks Road. The limits of the Northern State Parkway in the analysis are from Exit 42 to Exit 46; and the limits of the Southern State Parkway for this analysis are from Exit 41 to Exit 42.

The revised analysis does not rely on “the portal model” from the DEIS; it uses a more traditional four step approach to transportation demand modeling, as follows:

1. Trip Generation
2. Trip Distribution
3. Modal Split
4. Trip Assignment

The FGEIS appendices include an analysis for Phase I, and Phases II and III and the Gateway Area (combined) of the proposed development. DEA did not require a separate analysis of Phase II; therefore, Phases II and III and the Gateway Area will be analyzed together, and when added to Phase I, the results are referred to as the Full-Build scenario for the project.

Per DEA’s request, the traffic volume maps and trip distribution maps are broken out by trip types. This includes residential, office and retail trips for the AM and PM weekday peak hour, as well as the peak hour for Saturday. DEA provided VHB with its estimate of trip generation, internal capture rates and modal splits for Phase I; DEA also provided the same data (trip generation/internal capture rates/modal splits) for Phases II and III and the Gateway Area (combined). These data were used in the modeling effort to provide the additional analyses in the FGEIS. Further, the applicants for Heartland Town Square believe that the development of Heartland Town Square will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of these trips made internally than the modeling effort demonstrates, thereby lessening impacts to the external roadway system.

**Comment TR-156**

The DGEIS also does not explore the potential for constructing a cloverleaf interchange along the Sagtikos State Parkway where it intersects with College Drive (G Road). This interchange is presently needed and would be an asset for any development that occurs on the subject property. (C38-17)

**Response TR-156**

A new interchange is proposed on the Sagtikos Parkway at G Road with full access from that interchange to Heartland Town Square. See Appendix TR-1 of this FGEIS, which includes a description and analysis of this new interchange.

**Comment TR-157**

However, the fact is that these peak hour trips exceed that found on the Long Island Expressway and the vicinity of the Sagtikos Parkway and is more than twice that found on the Sagtikos Parkway in this area during the same weekday p.m. peak hours, so we are talking about a very significant increase. (H1-6)

**Response TR-157**

There have been modifications to the traffic volumes since the DGEIS was accepted for public review. Appendix TR-1 of the FGEIS contains new analyses of the Phase I and Full-Build conditions for Heartland Town Square. For each scenario, Phase I and Full-Build, there are recommended improvements needed to address existing traffic deficiencies and future conditions unrelated to Heartland Town Square, including traffic increases due to background growth and other planned development projects, as well as to accommodate traffic associated with Heartland Town Square (Figures 1 and 2 of TR-1 depict such improvements and Section 4 of Appendix TR-1 includes a description of these recommended improvements.

**Comment TR-158**

It seems that the traffic study outlined in the DGEIS spoke of primary residents of the Heartland Town Square, and not on motorists that will be traveling through and around the area. (H14-2)

**Response TR-158**

The DGEIS traffic study (see Sections 3.8 and 4.8 and Appendix M of the DGEIS) and this FGEIS (see Response TR-157) include trips made by Heartland Town Square residents, workers at Heartland Town Square and visitors (i.e., those who may visit Heartland Town Square to shop or dine). These analyses also include trips added to the system by "other planned developments," such as Tanger Outlets.

**Comment TR-159**

Definitely, we are going to have to look into the roadways. The Sagtikos, every day, for those who travel it every day, and I do, it is definitely going to need road work. (H46-1)

**Response TR-159**

As described in Section 4 of Appendix TR-1 of this FGEIS, improvements are recommended for the Sagtikos Parkway, including widening of the Parkway to three through lanes in each direction from the Southern State Parkway to the LIE.

**Comment TR-160**

While the main portion of Heartland Town Square is generally located between the Long Island Expressway and Crooked Hill Road and Sagtikos Parkway, an additional 87-acre portion of the property is located on the east side of Sagtikos Parkway, connected to the main side by Community College Roadway and Sagtikos State Parkway. This area is already mired in an inordinate amount of vehicular traffic, and this development

will clearly have an impact with respect to levels that would decrease the quality of life for the residents of Commack, Brentwood, Deer Park and Dix Hills. (H14-1)

**Response TR-160**

As described in Appendix TR-1, improvements are proposed for the Sagtikos Parkway, including widening of the Parkway to three through lanes in each direction from the Southern State Parkway to the LIE, and additional interchanges at both Community College Drive/G Road and Pine Aire Drive. These improvements are designed to keep trips and associated traffic off local roadways.

---

#### 4.21.7 Alternative Modes

---

##### General

**Comment TR-161**

Related to providing transportation alternatives, the project should commit to specific, more ambitious approaches to reduce reliance on private automobiles for project residents, employees, and visitors. (C1-40)

**Response TR-161**

See Response TR-33.

Appendix TR-4 of the FGEIS, Alternative Modes, contains details regarding efforts to reduce reliance on private automobiles in the development of Heartland Town Square.

**Comment TR-162**

Showers and bicycle storage rooms should be required in office buildings to encourage biking.

**Response TR-162**

The comment is noted. The applicants are committed to encouraging bicycle use, which is evident by the bicycle network that is illustrated in the proposed Design Guidelines (see Appendix RP-3). Also see Responses TR-33 and SU-1.

**Comment TR-163**

A detailed bicycle plan showing which roads within Heartland will be designated cycling routes should be completed. This plan should also show connections to external roads.

The street connection to the Deer Park Long Island Railroad Station could be improved to create a safer route for cyclists commuting to the train to work at points west.

Safety on selected local and regional streets that provide connections from Heartland to greater Brentwood should be improved to permit local residents to bicycle into the project.

Generally, striping to create wide shoulders or generously-proportioned, separate bicycle lanes would help on roads with heavy or fast-moving traffic. Identifying local roads with low traffic volumes and speeds, and signing them to serve as a priority bicycle routes, would be even better. (C1-16)

#### **Response TR-163**

See Response SU-1 and the map and discussion regarding the bicycle network in the proposed Design Guidelines (see Appendix RP-3).

#### **Comment TR-164**

Bike lanes and paths should exist throughout the project site and be separate from sidewalks as much as possible. Alternately, the lanes or paths can be striped into a pedestrian and bike portion and marked accordingly as multi-user recreational routes such as the Bethpage Bikeway, a popular venue in Nassau County. (C32-15)

#### **Response TR-164**

As stated in Response TR-33, Heartland Town Square will be designed to accommodate bicycles, and encourage the use thereof (i.e., by providing bicycle lanes and bike racks throughout the community), thereby minimizing internal motorized vehicular trips. Also, see Response TR-163.

#### **Comment TR-165**

The developer, in collaboration with the relevant governmental entity, should also create a “bike share” program within the development site. A “bike share” program that allows for public use of public bicycles, will promote cycling for short trips within the Heartland Town Square and further reduce the need to use an automobile within the development site. A similar “public-private” collaboration, “Velib” in Paris, has seen great success and may be an ideal model to base a more modest bike-share program for Heartland Town Square. (C34-8)

#### **Response TR-165**

See Responses TR-164.

---

### **Pedestrian**

#### **Comment TR-166**

Figure 5-2, Heartland Walking Map, is of limited use as it is noted as not to scale. (C2-66)

#### **Response TR-166**

The map provided as Figure 5-2 in the DGEIS is meant to be conceptual and illustrates the potential walking routes within the proposed development. Detailed maps will be prepared as Heartland Town Square is developed.

**Comment TR-167**

The DEIS must take a closer look at investments in pedestrian and cycling infrastructure, not only within the development site, but also on the surrounding roads serving the site. The developer should work with the Towns of Islip, Smithtown and Huntington, to create streets that are safe for all users of the infrastructure and for people of all ages and physical abilities. The developer should insist that this policy, known as ‘Complete Streets’, conform to their own roadway model – a model that provides safe access for cyclists and pedestrians – that is being proposed within the development site. This will not only create safer environments for motorists, cyclists and pedestrians, but it will also serve to integrate the proposed development site into existing communities, and vice versa, thereby creating linked neighborhoods as opposed to an isolated development site detached from the surrounding towns, and villages. (C34-7)

**Response TR-167**

See Responses SU-1, TR-33, TR-163 and TR-164.

Heartland Town Square is proposed as a smartgrowth development which, by definition, supports the concept of “complete streets” in its design. It is the responsibility of individual communities, such as within the Towns of Islip, Smithtown and Huntington, to create streets that are safe for all users, regardless of age or physical ability. The applicants believe they are contributing to safe, complete streets with the development of Heartland Town Square, by providing a place to live, work, and have fun that is walkable and safe for motorists, pedestrians and bicyclists. See Section 4.24 of this FGEIS for additional discussion of surrounding community linkages.

**Comment TR-168**

Although an area of greatest concern for some, I do not believe the fear is grounded in reality. Long Islanders will never walk, bike or rethink the way they live if we continue to cater to the obsessive dependence on cars. That being said however, Suffolk County must provide more alternative transportation choices and must make walking and biking easier and safer outside of this project – and soon. (C39-23)

**Response TR-168**

See Response TR-167.

**Comment TR-169**

Will improvements be made to the off-site pedestrian network (sidewalks, streetscapes, bike lanes, etc.) in the vicinity of key destinations (e.g. Deer Park LIRR Station, SCCC, community services, etc.)? (C1-106)

**Response TR-169**

The applicants are not proposing off-site pedestrian improvements as significant adverse impacts to such facilities have not been identified.

**Comment TR-170**

To prevent the development unit 4 from becoming isolated from the other parts of the site, Vision would recommend that the bridge that connects the development on one side of the Sagtikos Parkway to the development on the other side at G road be designed to accommodate bike lanes as well as pedestrian walkways. These walkways should be designed in a way to shelter pedestrians from inclement weather and highway noise in order to encourage pedestrian crossing as much as possible. (C28-19)

**Response TR-170**

The proposed bridge will be designed to accommodate both pedestrian and bicycle access.

**Comment TR-171**

In Volume 2, Part 1, the developer outlines how this project will encourage walking, biking and use of public transportation. However, without a somewhat sophisticated public transportation in place, without safe pedestrian pathways and crosswalks, and without proper bike lanes outside the project, it will not fully succeed in its goals. (C39-26)

There are numerous parking structures within the site and there has been no mention about their exterior appearance from the street. Long, blank facades along a street discourage street activity and walkability. Wherever parking garages abut sidewalks, the use of liner shops or other architectural devices should be used to ensure that the street does not suffer from a lack of interest for pedestrians. Maintaining activity on the sidewalks helps to provide a sense of security within the neighborhood. (C28-11)

There is no mention of design guidelines to discourage blank walls, loading zones, and parking garage facades that would deaden the sidewalks and make walking less inviting. There is also no mention of placing parking decks behind active uses in order to enliven sidewalks. (C1-12)

**Response TR-171**

Proposed Design Guidelines are included in Appendix RP-3 of this FGEIS. The Design Guidelines discuss architectural design and treatments of all types of buildings. Also see Response AV-19. In addition, see Response SU-4 and LU-22 with respect to parking garages and use of liner shops or residences.

Furthermore, see Response TR-33 with respect to alternate transit options.

---

**Shuttle Bus****Comment TR-172**

For the Heartland shuttle to make a significant impact on travel behavior there would have to be many vehicles running at once so that headways and travel times throughout Heartland remain convenient. The operating costs for such a shuttle would be prohibitively expensive and call into question whether such a shuttle would be feasible. (C1-15)

**Response TR-172**

Since Heartland Town Square is designed as a community where automobile use is de-emphasized, the applicants have proposed an on-site transportation system. An important element of the system is a private shuttle bus service, which will be provided to take advantage of the multi-use environment and will become a direct link to the Deer Park LIRR train station. The applicants will be responsible for the implementation and overall operation and cost of the shuttle.

**Comment TR-173**

Does the shuttle stop right at the doors of the destinations? How long would a shuttle trip through the project area take, how many stops would it make, how many shuttle vehicles would be required to accommodate heavy peak ridership? Will people give up cars to be at the mercy of shuttle if they want to do errands on the way home? Will they get on and off the shuttle at multiple destinations? (C1-98)

**Response TR-173**

The design of the shuttle bus system, including pick-up/drop-off locations, will be refined later in the Heartland Town Square development process, when more specific information will be available regarding specific building locations, among other things. However, the shuttle bus will have to maintain reasonable headways (time between buses) in order to encourage its use. The applicants are dedicated to the principles of smart growth and will ensure that the shuttle service is convenient, so that residents and guests of Heartland Town Square will be encouraged to use the shuttle bus system. The shuttle bus will be financed and operated by the applicants, beginning in Phase I of the development, as required by the Town.

**Comment TR-174**

People may be more likely to ride the shuttle for work commuting, but other purposes form a larger share of typical daily trips. Shuttle ridership may only be high (if ever) for the work commute, leading service to be cut back during non-peak periods, causing further drops in ridership. Thus, the ridership may be overstated. (C1-99)

**Response TR-174**

The comment is noted. However, the DGEIS did not provide an estimate of ridership for the shuttle bus system. The shuttle bus system will be operated and paid for by the applicants.

**Comment TR-175**

The DEIS states that an internal circulator is proposed to reduce the number of internal auto trips, and provide direct connection between the proposed community and nearby external destinations. Very little additional information is provided, other than to say that the circulator will be high capacity with less than 10 minutes wait during peak hour, have high quality, quiet and clean vehicles as well as high quality bus stops. (C5-44)

**Response TR-175**

See Response TR-173. Also, the applicants plan to work closely with local transit providers, the County, and the State in developing a project that minimizes trips by single-occupant vehicles and promotes walkability and bikeability.

**Comment TR-176**

What route(s) are proposed? How will the service complement and not compete with Suffolk County Transit when performing off site operations? (C5-45)

**Response TR-176**

See Response TR-173. The shuttle bus will operate as a direct link to the Deer Park LIRR station, as well as a circulator within Heartland Town Square. It will not compete with existing Suffolk Transit bus routes, but may provide links to the existing bus system.

**Comment TR-177**

Will the service be unidirectional or two way? (C5-46)

**Response TR-177**

It is the applicants' intent that the shuttle bus system be two-way. The design of the shuttle bus system, including pick-up/drop-off locations, will be refined later in the Heartland Town Square development process, when more specific information will be available regarding the location of specific buildings and population concentrations.

**Comment TR-178**

The developer should provide a preliminary shuttle bus route, stopping locations, and estimated travel times between locations to better evaluate this central concept. The developer has already provided a development plan with a new roadway network, building locations and use, and developable square feet, a conceptual shuttle system should be completed as well. (C11-19)

**Response TR-178**

See Response TR-173.

**Comment TR-179**

In order to effectively capture commuter trips to the Deer Park LIRR Station, the shuttle will have to be coordinated with the LIRR schedule. The applicants should state in the EIS the need to coordinate shuttle service with the LIRR schedule to be most effective. (C11-23)

Will the internal circulator shuttle buses provide dedicated connections with the LIRR, and guarantee buses will wait for train connection: during peak and off-peak periods, eastbound and westbound?(C5-52)

**Response TR-179**

The applicants intend to coordinate the shuttle bus schedule with the LIRR schedules for Deer Park. The design of the shuttle bus system, including pick-up/drop-off locations, will be refined later in the Heartland Town Square development process, when more specific information will be available regarding the location of specific buildings and population concentrations.

**Comment TR-180**

What is the proposed span (hours) and frequency of service? (C5-47)

**Response TR-180**

See Response TR-173.

**Comment TR-181**

How many shuttles will be anticipated to operate simultaneously to provide "less than 10 minute headways: as described on page 5-30. (C11-21)

**Response TR-181**

See Response TR-173.

**Comment TR-182**

What are the estimated travel times, utilizing the shuttle, between the LIRR Deer Park Station and residential areas from the three phases? How do these compare with driving directly? (C11-24)

**Response TR-182**

See Response TR-173.

**Comment TR-183**

The developer should also detail improvements that need to be made in connection with the shuttle, such as turnouts for the shuttle to load/unload, layover lanes, shelters, and any other street improvements needed for shuttle service. (C11-28)

**Response TR-183**

See Response TR-173.

**Comment TR-184**

To reduce the number of vehicle trips within Heartland, a shuttle bus system is proposed. Who will run this system (public or private)? If the system is proposed to be a public system, does Suffolk Transit possess the equipment necessary to service the site? If expansion is necessary the scope and cost of the increase must be provided. No details on the scope of the bus system necessary to service Heartland have been provided. The question of Suffolk residents subsidizing a system to serve a specific project must be considered. Mass transit appears to be a major assumption of the plan to reduce vehicle trips from Heartland, hence details on the system must be provided so that the reader may be able to quantify the impact and likelihood of such a system being developed. If this will be a private system, the source of funding for the system must be disclosed. (C9-19)

Who will operate? How will this be financed: Capital? Operating? (C5-48)

What guarantee is provided that the service will be sustained over time? (C5-50)

Who will provide and operate this new shuttle service? (C11-20)

**Response TR-184**

See Response TR-173.

**Comment TR-185**

At what stage of project development will circulator service be introduced? (C5-49)

**Response TR-185**

The shuttle bus system, to be provided and paid for by Heartland Town Square, will begin operations prior to the completion of Phase I.

**Comment TR-186**

Will these shuttles have adequate seating capacity for the estimated number of commuters? If, at a minimum, 172 people will want to travel to the Deer Park LIRR Station during the AM peak hour, will the shuttles be able to handle that capacity? What if the demand is higher? (C11-22)

**Response TR-186**

The shuttle bus system will be private, and will be operated and paid for by the applicants for Heartland Town Square. The applicants are dedicated to the principles of smart growth and will ensure that the shuttle service is convenient, so that residents and guests of Heartland Town Square will be encouraged to use the shuttle bus system. It will be incumbent upon the applicants to provide sufficient capacity to meet the demand.

**Comment TR-187**

What is the anticipated fare structure to ride the shuttle? (C11-25)

**Response TR-187**

The fare structure is unknown at this time. However, it will be incumbent on the applicants to provide the service at a fair cost to ensure its use, thereby reducing dependence on the automobile for trips, which is the stated purpose of smart growth.

---

**Car Sharing****Comment TR-188**

Car-sharing is a great concept. However, today Zipcar does not maintain any fleets of its cars on Long Island, even in dense downtown areas with LIRR train service. It seems that the prevailing pattern of land use and sprawl on Long Island make it unlikely that people would give up their cars in favor of car-sharing. (C1-103)

**Response TR-188**

Car-sharing is one of many TDM options that are used to help reduce dependency on the single occupant vehicle. Heartland Town Square will be assessing other TDM measures, such as helping to set up carpools, the shuttle bus to the LIRR, bike racks, and walking paths. No one TDM measure will be as effective as a program that offers multiple TDM options. Appendix TR-4, Alternative Modes, provides additional information on TDM options relative to Heartland Town Square. Also see Response TR-33.

---

**Alternate Fuels****Comment TR-189**

A complete reading of the DGEIS document however shows no clear plan to offer any real environmentally friendly fuel facility for the Heartland complex. It is mostly a generic discussion of future possible changes in automotive use by society in general. There is no specific plan to encourage the use of environmentally friendly vehicles. (C29-13)

**Response TR-189**

Technologies and alternate fuel sources are continually evolving. Therefore, the applicants cannot be specific at this stage of the development process. As concepts turn into plans, and specific uses and their locations are designated within Heartland Town Square, more information will become available and more specific details with regard to alternative fuels and environmentally-friendly vehicles will be incorporated into the overall design.

---

**4.21.8 Public Transportation/Transit**

---

**General****Comment TR-190**

The 25% transit utilization, which was used in the report to further reduce external trips, is far too high. This figure needs to be revised to better reflect the behavior of Long Island commuters based on available transit use data with the potential for some conservative adjustments upward to account for shuttle buses and the nature of the proposed community. The 2000 census indicates that, of the employees who reside in Brentwood only 7.2% use any form of transit to get to work. This includes bus and LIRR and also includes that significant portion of transit users who work in the 5 boroughs of New York City. Were those employees in the city eliminated, the percentage will be much lower. While it is understood that the proposed Heartland development is designed to be transit friendly, it is unreasonable to assume that anything near a 25% bus penetration can be achieved in Suffolk County. A more conservative estimate should be developed based on the bus penetration figures from the census. (C2-29)

**Response TR-190**

The trip generation, internal capture rates, modal split, trip distribution and trip assignments were re-evaluated and revised in the Supplemental Traffic Analysis contained in Appendix TR-1 of this FGEIS. As seen in Section 2 of Appendix TR-1, approximately, six percent of Heartland Town Square residents are now projected to use the LIRR. However, based on input from DEA, no trip credits were taken for the reduction of external trips for transit use (bus or LIRR) in the revised analyses. Therefore, the analysis has taken a conservative approach.

**Comment TR-191**

In order to ensure high quality public transit within the site to make it as attractive as possible to riders, Vision Long Island would recommend the use of dedicated lanes for shuttle buses where necessary to ensure that shuttles are fast enough to be convenient. Care should be taken that additional lanes are only used in areas of higher traffic volume so as not to increase pavement width on smaller, low speed, low volume streets. In addition, Vision would recommend that provisions be made for possible future light rail transit to the site through right of ways or other means of ensuring adequate space for future tracks and stop locations. Light rail has been shown to reduce driving trips in mixed use areas by almost twice as much as busses. Planning for its future use can help to reduce future vehicle trips even further. (C28-18)

**Response TR-191**

The location of internal roadways within the limits of the Heartland Town Square property will be dictated subsequent to the rezoning of the parcels to the proposed PSPRD and approval of the revised Conceptual Master Plan. The applicants have not assumed light rail as a mode, since there have been no studies that suggest light rail is being planned for this area of Suffolk County.

**Comment TR-192**

We need a multi-model approach (with regards to public transportation). (H8-7)

Heartland will incorporate multi-modal travel options. This would include a shuttle to the Deer Park LIRR train station, bus service and car sharing. These services and manner of transportation within Heartland are integral to the trip generation assumption for Heartland and should directly impact vehicle trips within and outside of the project area. Few details have been provided. The document should state if these amenities will be public or privately operated, the estimated MTA cost of these services and identification of funding source(s). As evidenced by the recently enacted MTA tax, mass transit is not a money making endeavor. These travel options are foreign to Long Island. It isn't satisfactory to simply present an idea or buzz phrase without providing details regarding how the sponsor plans on ensuring residents will utilize these options, or why the future residents of this community will embrace mass transit when the remainder of Long Island has not. If the sponsor is unable to entice future residents of Heartland to incorporate the multi-modal transportation model, if many residents do not work and shop within Heartland or if the transportation system is not convenient to use, it is likely the assumptions used by the sponsor's trip generation model will be incorrect resulting in erroneous output data. (C9-23)

**Response TR-192**

The applicants will be responsible for the planning and funding of the shuttle bus system, as presented in the DGEIS. The applicants have agreed to provide and support alternative modes of transportation consistent with the final development plan, as ultimately approved by the Town of Islip. Additional details are contained in Appendix TR-4, Alternative Modes, of this FGEIS.

**Comment TR-193**

In order to minimize the impacts of anticipated traffic generated by Heartland Town Square, Sustainable Long Island strongly encourages the Town of Islip to see that the developer implements the proposed enhancements to and connections with existing public transportation such as Suffolk County Transit bus routes and the shuttle to the Deer Park LIRR station, ensuring that all residents have access to public transit within a quarter-mile of their homes, and that visitors to the site can arrive by means other than car. Sustainable Long Island encourages the developer to work to provide better connections for intra-island travel, particularly to the East End, to accommodate the increasing number of Long Islanders who now live and work on the Island. In particular, Sustainable Long Island sees this as a perfect opportunity for collaboration between area Towns and Suffolk County to establish a transportation system that will meet the needs of what is now the area's largest employment center, the Hauppauge Industrial Park and other surrounding destinations, including Heartland Industrial Park, the Tanger Outlet Center at the Arches, and the Bay Shore Marina during summer. (C37-4)

**Response TR-193**

See Responses TR-176 and TR-192.

**Comment TR-194**

The Dallas Area Rapid Transit system (DART) provides bus services in Addison Circle, a similarly scaled mixed use development, because the town officials had to persuade them. The town had to provide market studies that showed that there would be sufficient residential demand for bus services. DART didn't simply start providing service on their own. Working with SCT to make improvements similar to those done with DART would be recommended to increase ridership. (C28-16)

**Response TR-194**

See Responses TR-176 and TR-192.

**Comment TR-195**

It will provide the density needed so there will be more public transportation available, which we know we need to work on that here. (H33-2)

**Response TR-195**

According to *Retrofitting Suburbia*, at 13 people per acre there is an increase in walking for shopping and a decline in automobile use. In addition, eight dwelling units per acre is considered the minimum to support transit. As the proposed residential density is approximately 20 units per acre, public transit should function effectively and efficiently. The use of public transit and reduction of vehicle miles, along with higher density and compact development are some of the basic principles of smartgrowth development.

**Comment TR-196**

...This is a conversation that we have every single session; about how we have a public transportation system doesn't even serve the needs that we have now? How is it possibly going to be able to serve a tremendous project like this and all of the challenge that it brings? I wish we had that public transportation system in place. I know that the hard-working men and women of the Suffolk County government and public works department wish that we had that kind of public transportation system in place. I know that those that rely on public transportation to get home care in their homes wish that we had that kind of public transportation system in place. But today we certainly do not. And before this type of project can go forward, when we are relying so heavily on this shift in the way of thinking, and this shift is so that people can get out of their cars and rely on public transportation, that public transportation system actually has to exist. It can't just be a dream on paper. (H6-2)

**Response TR-196**

See Response TR-192. The applicants have agreed to provide an alternate transit option within Heartland Town Square. The provision of the shuttle bus will provide a direct transit link to the Deer Park train station. The applicants can request the extension of existing Suffolk Transit bus routes or the addition of new bus routes into the development, but do not have jurisdiction over transit options outside the boundaries of the Heartland Town Square development. It is anticipated that as Heartland Town Square is developed and demand for additional services comes about, that Suffolk Transit will expand bus services in the area to address the demand.

**Comment TR-197**

But this area has already been designated as an area of growth under the regional transportation plan, under the New York Metropolitan Transit Council, and it has been designated by Suffolk County as the Sagtikos

Regional Development Zone. So when we look at the transportation features, it's key to look at not only the roadway, but also the mass transit opportunities to be able to accommodate this growth. (H9-6)

#### **Response TR-197**

Heartland Town Square is considered a smartgrowth development, which, by definition, incorporates plans that minimize the need for automobile use. The applicants are supportive of public transportation and options to improve service to the area and, in the future, to Heartland Town Square.

---

### **Transit Estimates**

#### **Comment TR-198**

Total transit use is estimated at approximately 24%. The split between LI Bus (23%) and LIRR (1%) is unrealistic. This translates to approximately 110 fully loaded buses in the peak hour. Since the bus infrastructure outside of the development cannot support this type of ridership, it is an unrealistic assumption. (C5-20)

#### **Response TR-198**

See Response TR-190.

#### **Comment TR-199**

The traffic study estimates that over thirty percent (30%) of all trips generated to locations external to the project area will be by bus or rail. This is not supported by any known data and is certainly not representative of transit usage on Long Island. If the project fails to produce transit use rates at this level, there will be severe consequences for the roadway network. Accordingly, the Town of Babylon will only accept a report that analyzes a realistic and conservative external transit usage of no more than five percent (5%). (C9A-8)

#### **Response TR-199**

See Response TR-190.

#### **Comment TR-200**

Though increased transit use is certainly something to strive for, people traveling to a high end "lifestyle center" for shopping are not accustomed to traveling by public bus and could not be assumed to do so simply because the bus goes through the site. Continually working with Suffolk County Transit to improve service within the area and make the bus system more attractive to those who don't currently ride it would certainly be recommended. However it cannot be assumed that more than a small percentage of visitors from outside the site will be using it without changes to help remove the stigma of public bus travel. (C28-15)

#### **Response TR-200**

See Response TR-190.

---

## Transit Trip Generation

### Comment TR-201

The analysis uses a modified version of the US Census Transportation Planning Package 2000 or CTPP2000 for trip allocation projections and found that logically most external trips would have a trip end in the 5 western Suffolk towns, Nassau County or Brooklyn, Queens and Manhattan. The allocation model assumed the same travel modal split reported in the census by these communities would apply for travel to and from a transit oriented Heartland Town Square development. This would yield higher use of transit by travelers from NYC Boroughs and parts of Nassau County and may explain why an extraordinarily high 25% of the external trips are assigned to transit (24% bus and 1% LIRR). (C5-35)

### Response TR-201

See Response TR-190. In the Supplemental Traffic Analyses presented in Appendix TR-1 of the FGEIS, no credits for external vehicle trips have been taken for bus or rail use by residents of Heartland Town Square. Therefore, the analysis is conservative.

### Comment TR-202

The applicants' engineer has assumed that 24% of the external trips during various peak traffic hours will be made by buses and 1% by LIRR. The use of this modal split in the trip generation model will result in a forecast of approximately 1820 mass transit trips during the AM peak hour, 591 mass transit trips during the Midday peak hour, 1850 mass transit trips during the PM peak hour and about 1211 mass transit trips during the Saturday peak hour. Thus, under this assumption, from Brooklyn to Brookhaven, this will require a daily new peak hour supply of a maximum of 35 buses to commute to/from the proposed project. These buses will be in addition to the internal trolley bus requirements between various project zones. At this point we are not even questioning that who will provide these daily busses or will it create a bus hub on the project site; we are simply indicating that this is a very unrealistic assumption. We do not think that the proposed project will result in such a drastic modal split change (change in the people's behavior to use bus vs. cars to daily commute to work or home and/or for shopping in Long Island) to their daily commute. We also feel the assumption that 24% of the trips will be made via bus is not reasonable. Such a modal split will significantly under-represent the vehicular usage on the surrounding roadway and will also under-represent the traffic impacts and mitigation requirements that would otherwise result from this huge project. (C8C-22)

### Response TR-202

See Response TR-201.

### Comment TR-203

LIRR has questions about how the number 172 was derived. According to the DGEIS (p. 4-142), for external trips to and from NYC, the modes of travel percentages were used as given in the census data. But, according to the 2000 US Census, approximately 2.5% of Suffolk County's total population commuted by railroad (35,500 of 1.4 million people). If Heartland Town Square is representative of the County, then approximately 500 commuters may use the LIRR (2.5% of the estimated 19,982 Heartland population at full build out). In addition, the applicants estimates that 1% of inter-island trips involving Heartland origins and destinations between Nassau-Suffolk counties would utilize the LIRR. (C11-2)

LIRR would like additional information regarding the methodology used to calculate the estimated number of 172 people during the AM peak Hour. This number may be too low. (C11-3)

**Response TR-203**

See Response TR-201.

**Comment TR-204**

A second issue of concern is the amount of public transportation assumption, that trips would be reduced by 22 percent if public transportation is used. Once again, we do believe the site has excellent potential for public transportation, but the evidence we get tells us that number is probably over estimated. (H1-8)

**Response TR-204**

See Response TR-201.

---

**LIRR Capacity/Ridership**

**Comment TR-205**

LIRR is concerned not only about ridership in the “peak hour,” but across the entire AM and PM peak period. While ridership is approximately 85% capacity along the Ronkonkoma Branch during the 4-hour AM peak period (2008 LIRR Ridership Book), the excess capacity is not evenly spread out across that 4-hour window. For instance, three trains that leave Deer Park between 7:11 – 7:47 AM only have a combined 182 empty seats by the time they arrive at Jamaica (2008 LIRR Ridership Book). As this example shows, LIRR may not necessarily have significant amount of additional capacity from the Deer Park Station. (C11-4)

**Response TR-205**

See Response TR-190. Section 2 in Appendix TR-1 of the FGEIS contains revised information regarding the anticipated usage of the LIRR by residents of Heartland Town Square. Based on the Long Island Journey to Work Report, approximately six percent of workers in the vicinity of Heartland Town Square travel to work by rail. Based on its proximity to the Deer Park LIRR station and the availability of the proposed shuttle bus, it is anticipated that at least six percent of the Heartland Town Square residents will be destined to the LIRR, thereby reducing the number of external vehicle trips. It is anticipated that the majority of these commuters would use the Deer Park Station via the developer-operated shuttle bus. The LIRR has programmed various capacity improvement projects for the Mainline which services the Deer Park station. These projects, some of which are in the planning stages and some of which are underway, are intended to accommodate future growth in ridership.

**Comment TR-206**

However, a 7:30 AM train departing Brentwood, which does not stop at Deer Park, arrives in Jamaica with 230 empty seats. Therefore, some Heartland residents may opt to use Brentwood, due to available parking and available seats on board the train. If the Heartland Town Square project moves forward, LIRR will of course monitor ridership and loading from the station, and will examine opportunities to meet demand. Even in the absence of additional infrastructure improvements over the next 15 years, LIRR may have the ability to stop additional trains at Deer Park, if demand warrants. (C11-5)

**Response TR-206**

The comment is noted

See Response TR-205.

**Comment TR-207**

The applicants should amend Table 4-26 to include an additional column for LIRR ridership for the AM and PM peak periods. For LIRR purposes, the AM peak period is for trains arriving at all western terminals between the hours of 6-10 AM. The PM peak period is for trains leaving western terminals between the hours of 4-8 PM. (C11-6)

**Response TR-207**

Table 4-26 of the DGEIS is no longer applicable, as trip generation and modal split was provided to the applicants by DEA (see Responses TR- 190, TR-205).

**Comment TR-208**

Since this project is being developed in three phases, it would also be helpful to see the projected ridership increase by phase, for the peak hour and peak period. (C11-7)

**Response TR-208**

The modal split as described in Response TR-190 would be the same for Phase I and the Full-Build scenarios.

**Comment TR-209**

LIRR is planning for the future and investing in additional infrastructure to accommodate customer growth. East Side Access (ESA), planned service to a new station under Grand Central Terminal, is under construction. When it opens, LIRR anticipates strong growth in ridership to the new terminal. In preparation for ESA opening day and beyond, LIRR is planning additional fleet purchases and new infrastructure investments to accommodate more passengers. LIRR plans to acquire new trains, run additional service to serve two Manhattan destinations, build new train storage yards, complete the double track project between Farmingdale and Ronkonkoma, and add a third track along the Main Line between Hicksville and Floral Park. These planned investments will help LIRR meet anticipated customer growth over the next twenty years. (C11-8)

**Response TR-209**

The comment is noted. The applicants look forward to working with the LIRR as plans for Heartland Town Square progress and this smartgrowth project becomes a reality.

**Comment TR-210**

Questionnaires distributed to bus/LIRR riders at Farmingdale and Long Beach indicate that customers with access to automobiles will take the bus to the train station because of convenience. However, riders expect a high level of coordination between the shuttle schedule and the train schedule. The majority of trips are for work and school. In addition, bus/shuttle schedules need to vary for holidays and weekends timetables. (C11-18)

**Response TR-210**

See Responses TR-179 and TR-192.

**Comment TR-211**

In order for commuters from western Nassau and the Boroughs to make practical use of public transport to and from Heartland they would need to use express bus or rail to overcome the time/distance issues imposed by congested roadways on local bus services. At 1% travel share the DEIS discounts the use of the LIRR, leaving express bus as an important solution to accessing Heartland via transit. Yet no such network of express bus routes exists or is planned. Suffolk County Transit has indicated their desire to provide additional service where demand warrants it. While some locations may not be serviced today by transit, as Heartland Town Square develops and new demand starts to increase the developers of Heartland Town Square will ask Suffolk County Transit to review their system for places where new service to Heartland Town Square may become warranted.

**Response TR-211**

See Responses TR-196 and TR-197.

---

**Deer Park LIRR Station Parking****Comment TR-212**

Confirm the status of the Phase I and Phase II expansions of the parking facilities at the Deer Park Station noted as the responsibility of Tanger. (C2-64)

The data provided regarding the availability of parking and future build out of the Deer Park train station is inaccurate and must be revised as no further build out of the lot appears to be planned for the future by the MTA, County or private developer. (C5-11)

LIRR does not have any plans to invest in additional parking at Deer Park Station at this time. (C11-13)

The DGEIS should note the time frame, and/or conditions, for building each phase of parking [at the Deer Park Station], and who is responsible to enforce that they build the additional spaces. (C11-16)

**Response TR-212**

The applicants assume that the developers of the Tanger at the Arches will be completing their obligations with respect to the train station, as stated in their approvals. Heartland Town Square has no plans to further increase parking at Deer Park station; however, applicants are proposing to operate a shuttle bus service that would provide convenient service from Heartland Town Square to the Deer Park LIRR station. It is anticipated that the majority of LIRR commuters originating from Heartland Town Square will avail themselves of this shuttle bus service.

**Comment TR-213**

On pg. 5-33 it indicates that the parking at the LIRR Deer Park station exceeds that available by more than 150 vehicles. Comparing the figures on Table 3-14 indicates that available parking is short of demand by more than 250 vehicles. (C2-65)

Parking for the reverse commuters is presumed to be not an issue. They will likely take a shuttle after exiting the train to Heartland; or, even if they have a car waiting for them, they would be freeing up a parking space during regular business hours as they drive to work. Therefore, parking adequacy for the 172 westbound commuters seems to be the primary concern. (C11-10)

**Response TR-213**

See Response TR-212.

**Comment TR-214**

As a transit oriented development, Heartland may provide a stronger trip generator via LIRR than 1%. Given that LIRR parking capacity has already been exceeded, how will Heartland LIRR commuters who choose to drive to the station, arriving before others, impact existing commuters who currently find few available spaces? Will Heartland provide additional parking? (C5-51)

**Response TR-214**

See Response TR-212.

**Comment TR-215**

Similar to our ridership concerns outlined above, LIRR parking concerns are not limited to one peak hour, but the cumulative number of residents who may drive to the Deer Park LIRR Station during the entire AM peak period. The DGEIS indicates that approximately 172 Heartland residents will commute to work via the LIRR during the AM Peak Hour (p.143). Another 68 persons, the DGEIS estimates, will take the train in the reverse commute to work at Heartland. While the Heartland DGEIS proposes a shuttle system to reduce potential parking demand at Deer Park Station, the DGEIS does consider the worst case scenario, if everyone attempted to drive and park at the station. (C11-9)

**Response TR-215**

See Response TR-212. It is unlikely that everyone from Heartland Town Square will opt to drive to the LIRR station if they are given the option of a convenient shuttle bus.

**Comment TR-216**

The DGEIS should identify the potential parking demand for Heartland residents who may use the Deer Park Station during the entire AM peak period (for LIRR purposes, trains that arrive at western terminals between 6 and 10 AM). The DGEIS should also break this number down into the three project phases. (C11-12)

**Response TR-216**

See Response TR-212. The applicant is proposing to mitigate the potential increase in parking demand at the Deer Park LIRR station by operating a shuttle bus between Heartland Town Square and the station.

**Comment TR-217**

It should be pointed out that the additional parking for Tanger was identified to mitigate traffic impacts for the Town of Babylon; it may not be appropriate to count on these same spaces to mitigate commuter traffic from Heartland. (C11-14)

**Response TR-217**

See Response TR-216.

**Comment TR-218**

LIRR visited the Deer Park Station in June and counted the parking spaces that Tanger has built. The original plan was for Tanger to construct additional parking in 2 phases. Phase 1 was supported to include 220 spaces. This was cut down to 130 spaces due to costs associated with the relocation of utility poles. Phase 2 was to create an additional 390 spaces at Deer Park Station. However, due to the above-referenced utility issues, it does not appear at this time that Tanger will create these additional spaces. (C11-15)

**Response TR-218**

See Response TR-216.

**Comment TR-219**

Is this additional parking [at the Deer Park Station] adequate for the potential demand for the entire AM peak period, not just the “peak hour” demand? (C11-17)

**Response TR-219**

See Response TR-216.

---

**Suffolk County Transit Ridership****Comment TR-220**

The DGEIS forecasts that transit ridership of project residents will be approximately 25 percent – most of it on Suffolk County Transit bus lines. This forecasted ridership is too optimistic. (C1-14)

**Response TR-220**

See Response TR-190 .

**Comment TR-221**

Does Suffolk County Transit have the capacity to provide bus service at the levels anticipated in the DGEIS? Suffolk County Transit has said that new service can be added if there is demand (page 2, Volume 2, Addendum to DGEIS). During which phase will expanded bus service be available to residents? If convenient bus service is not available early in the project’s development, residents will choose to use their cars and the critical mass of riders needed to justify expanded bus service will not be achieved (i.e. current bus service is not convenient, very few new residents will use the bus, Suffolk County Transit will see no need to expand services at the site). (C1-100)

**Response TR-221**

Heartland Town Square is considered a smart growth alternative, which, by definition, incorporates plans that minimize automobile use. The applicants are supportive of public transportation and options to improve service to the area and, in the future, to Heartland Town Square. Neither the Town nor the applicants can speak for Suffolk County Transit or what that agency may do in the future. However, as noted in Section 2.2 of this FGEIS, with respect to public transit:



*Public Transportation -- Heartland Town Square is ideally situated in terms of public transportation. In addition to being proximate to the Deer Park Station of the Long Island Railroad, two bus routes run through the subject property, and other proximate routes can be extended into the property if the demand warrants. Also, in addition to Heartland Town Square, which is expected to employ approximately 26,000 persons within its boundaries, many other employment centers and destinations are proximate and accessible by public transportation (e.g., Hauppauge Industrial Park, Heartland Business Center, County and State Facilities, Suffolk County Community College, Tanger Outlets).*

*Private Bus -- Heartland Town Square will operate a shuttle bus that will circulate through Heartland Town Square and will serve as a direct link to the Deer Park Long Island Railroad Station."*

The applicants are committed to providing a shuttle bus service as specified in the DGEIS, and as re-stated in Appendix TR-4, (Alternative Modes, of this FGEIS.

#### **Comment TR-222**

What is the current ridership/capacity of existing bus routes? (page 3-150) (C1-101)

#### **Response TR-222**

There are two buses currently servicing the remaining hospital uses on the site. The following is from the Suffolk County Transit 2007 Boarding Count Study. The data provided contains typical daily ridership, and capacity for weekdays:

##### Line

S33 Sunrise Mall – Northbound – 688 riders at 53% capacity

S33 Sunrise Mall – Southbound – 620 riders at 50% capacity

S41 Bay Shore – Northport VA Medical Center – Northbound 526 riders at 49% capacity

S41 Bay Shore – Northport VA Medical Center – Southbound 468 riders at 49% capacity

#### **Comment TR-223**

The bus system issues, there will be service impacts. (H8-11)

#### **Response TR-223**

See Response to TR-221.

#### **Comment TR-224**

Regardless of whether passengers would use local or express buses, data included in the DEIS indicate that bus passenger arrivals/departures to/from points outside of Heartland would number approximately:

- 1580 passengers in the AM peak hour,
- 1654 passengers in the PM peak hour,
- 560 passengers in the midday peak hour.

This level of ridership would require the operation of 45-50 buses or almost one bus per minute during each of the peak hours and 16 buses during the midday peak hour, with each bus carrying a full seated load. If full seated loads are not achieved, more buses would be needed to serve the same rider levels. Further, at these rider projections, the shoulder hours of each peak will likely also generate high rider demand resulting in

more buses needed to accommodate those passengers. Similar rider demands at lower but still significant levels would be expected for all other hours of the business day and evenings. (C5-37)

**Response TR-224**

At the request of the Town's Consultant, the FGEIS took a much more conservative look at modal split than the DGEIS (see FGEIS Appendix TR-1 and Response TR-190). While there will be increased ridership on Suffolk County Transit as a result of Heartland, the scenario described in the comment exaggerates this affect. It is the policy of Suffolk County Transit to add capacity in the form additional buses or routes as demand develops over time. It is anticipated that Suffolk County Transit would add service to the Heartland site in this manner, accommodating demand as it develops.

**Comment TR-225**

Other than two local hourly bus lines, no network of bus routes currently exist or is planned to support the bus passenger commutation needs as described in the DEIS. All of the above activity would require the development of a network of bus lines that would bring riders to and from points 7, 10 or 20 miles away. (C5-38)

**Response TR-225**

See Responses to TR-196, TR-221.

**Comment TR-226**

How does the project plan to develop local bus services to accommodate nearby community? (C5-39)

**Response TR-226**

See Responses to TR-196 and TR-221.

**Comment TR-227**

Will express buses be developed to reach workers from Queens, Brooklyn, Manhattan, and Nassau? (C5-40)

**Response TR-227**

See Response to TR-221.

**Comment TR-228**

Why would residents prefer buses and not use LIRR for longer commutes? (C5-41)

What financial commitment will be made to startup and operate these services on a continuous basis? (C5-42)

**Response TR-228**

There is nothing in the DGEIS or FGEIS to indicate that a preference was given to assigning any trips to the LIRR or buses. See Response TR- 190 and Appendix TR-4 with respect to the proposed shuttle bus service.

**Comment TR-229**

Who will buy, own and operate the buses and other necessary equipment? (C5-43)

**Response TR-229**

The applicants have committed to providing a private shuttle service. The applicants will be responsible for all aspects, which may include bringing in an operator who already has the equipment.

**Comment TR-230**

Suffolk County Transit bus service indicated that the agency will respond to the public transportation needs of the project as demand occurs. The sponsor estimates 1,600 commuters would use Suffolk County Transit bus service. Utilization of mass transit is a basic premise of the sponsor's thesis of the lifestyle within Heartland and the justification for a substantially reduced number of vehicle trips from the project. If this thesis proves erroneous much of the analysis performed for the DGEIS would become irrelevant. Additional clarity is necessary with respect to bus service to be offered within Heartland. (C9-28)

**Response TR-230**

See Responses TR-190, TR-221 and TR-224.

**Comment TR-231**

As previously commented, mass transit usage on Long Island, especially bus service possesses a negative connotation to most of the population. The sponsor must provide a plan that will encourage mass transit usage within Heartland and a description of how the system will function. If the system is not user friendly, future residents will not use it. Without a solid plan, it is unlikely this thesis will prove achievable. Does Suffolk County transit possess the equipment to handle the sponsor's estimate of 1,600 commuters using Suffolk County Transit's service? Providing poor service when introducing residents to the service will likely lead them to never use the service again. Would the Suffolk County Executive's plan to transfer Suffolk County Transit to the MTA affect these plans? This section should be an important component of the document. Simply stating service will be provided as demand occurs is not adequate, and in fact would represent the procedure to increase service on existing routes that experience high ridership. If service is not provided, future residents will make alternate plans for transportation. Once service is needed how long would it take to meet those needs? (C9-29)

**Response TR-231**

See Responses TR-221 and TR-224.

**Comment TR-232**

However, this [transportation improvement] contribution should not only be utilized for roadway infrastructure. A portion should also be utilized to modernize the existing Suffolk County Transit bus system within and around the development, not only through a pre-paid fare collection system as highlighted in the DEIS, but also through the purchase of state of the art bus shelters, the creation of dedicated bus lanes in appropriate area and expanded service. Currently, Suffolk County Transit does not provide Sunday or holiday service. In order to truly make bus transit a viable option for residents of Heartland Town Square and the surrounding communities, the DEIS should, at the very least, recommend investment in these transit service gaps. (C34-10)

**Response TR-232**

See Response TR-221 and TR-224.



**Comment TR-233**

While the DEIS assumes that transit usage would account for 25 percent of all trips between Nassau and Suffolk Counties – mainly through connecting two existing Suffolk County Transit lines that run to Pilgrim State Psychiatric Center to the Heartland Town Center and through a developer run shuttle service to Deer Park Train Station – a plan that highlights how Suffolk County Transit can be utilized to foster greater connectivity in the transit system’s region was not conducted. This study should be done in collaboration with Suffolk County Transit and the Metropolitan Transportation Authority (MTA) as a way to create a seamless suburban intermodal transportation system that can be a model for future suburban smart growth projects. (C34-11)

**Response TR-233**

See Responses TR-190, TR-221 and TR-224.

---

**Proximity to Public Transportation****Comment TR-234**

*Policy – Encourage a mixture of land uses within communities and individual developments, particularly in hamlet centers and areas near transportation facilities:* The proposed project is not within an existing community or in a hamlet center and it can be argued not a reasonably convenient and accessible distance to a transportation facility. (C7-18)

**Response TR-234**

See Responses TR-221 and SG-2.

**Comment TR-235**

Unlike virtually all of the comparable smart growth communities, the project lacks either a current or planned major regional transit stop within a reasonable walking distance. The Deer Park LIRR station is too far away for all but very devoted walkers. (C1-17)

**Response TR-235**

See Responses to TR-221 and LU-1 and SU-7.

---

#### 4.21.9 Trucks

---

##### General

##### **Comment TR-236**

Commack Road is already heavily traveled, as anybody who drives it knows, and Crooked Hill Road is congested with the opening of the Target-Home Depot-Walmart Center and the existing Costco. We are already looking at how to relieve congestion by getting trucks off those roads. (C8-4)

##### **Response TR-236**

Some of the recommended improvements identified in the FGEIS (see Appendix TR-1), will help reduce truck traffic that currently uses Commack Road and Crooked Hill Road by providing more direct means of access for trucks to and from the LIE to the Heartland Town Square site.

Figures 1 and 2 in Appendix TR-1 of this FGEIS present a number of recommended improvements which will work to reduce truck traffic on Commack Road. These include direct connections from the LIE to Crooked Hill Road and Heartland Town Square, access to Heartland Town Square from the LIE South Service Road and direct access from Crooked Hill Road to the LIE.

##### **Comment TR-237**

The community is seeking the designation of Commack Road as a federal access highway for trucks and dedicated truck routes along the Sagtikos Parkway. While our elected officials support this, we have been told funding, even from federal stimulus money, is not available at this time. (H16-6)

##### **Response TR-237**

The comment is noted.

See Response TR-236.

---

#### Truck Routes and Trips

##### **Comment TR-238**

The impacts of project generated delivery trucks should be assessed. Presently, there is no discussion on the number of new truck trips of their intended travel routes in the project's DGEIS. (C8C-6)

##### **Response TR-238**

The trip generation used in the FGEIS includes all vehicles, including truck deliveries, that would occur during the AM, PM and Saturday Peak hour. Also, see Response TR-236.

**Comment TR-239**

Greenman-Pedersen noted in its preliminary analysis that the DEIS has no information on the impact of trucks delivering to Heartland. How many will there be? How will they get there? Will they be able to make turns at key intersections? (C8-6)

The voluminous DGEIS and its traffic model failed to even discuss or quantify the number to new delivery truck trips that will be generated by the proposed project. No information is available on the travel routes or the roadways which will be subjected to these new heavy duty truck trips on a daily basis. Thus, the impacts associated with the new truck trips are not evaluated and are virtually unknown at this point. We believe that a project of this magnitude that would have more than five million square feet of retail, restaurant and office building component and over 9,000 residential units, would generate more than thousand new truck delivery trips on a daily basis. We also believe that their impacts on the LIE service roads, Commack Road, Crooked Hill Road, Deer Park Avenue and Vanderbilt Motor Parkway should be of great concern and must be evaluated. (C8C-27)

**Response TR-239**

The routes that will be utilized by trucks to and from Heartland Town Square are presently used by commercial vehicles, including large trucks. Any intersections specifically designed for access to Heartland Town Square or modified as a result of recommended improvements will be designed to accommodate these trucks.

See Responses TR-236 and TR-238.

**Comment TR-240**

The intended truck delivery route should also be checked for the ability of these delivery trucks to make turns at the key intersection. Only then we will be able to determine that potential of their traffic impacts on the infrastructure's geometrical and structural needs and noise impacts associated with delivery operations on local as well as major roadways. (Note: We have noticed a significant increase in truck activity on Deer Park Avenue, Commack Road and Long Island Avenue due to the opening of Tanger Outlet and the proposed project could further increase their number, thereby creating operational constraints). (C8C-28)

**Response TR-240**

The routes that will be utilized by trucks to and from Heartland Town Square are presently used by commercial vehicles, including large trucks. Any intersections specifically designed for access to Heartland Town Square or modified as a result of recommended improvements will be designed to accommodate these trucks.

See Responses TR-236 and TR-238.

**Comment TR-241**

The report does not address the vehicular mix for the project-generated traffic. If the development is to be live-work-play development, then there will be a significant number of trucks every day to support the commercial and retail businesses. This needs to be identified in the report. (C12-26)

**Response TR-241**

See Response TR-238. The Final Scope does not require that the site-generated trips be broken down by vehicle classification. However, the analysis performed reflects the percentage of trucks on each facility, which varies by location.

**Comment TR-242**

The DEIS has no information on the impact of trucks delivering to Heartland. How many will there be? How will they get there? Will they be able to make turns at key intersections? (H7-6)

**Response TR-242**

See Responses TR-236, TR-238 and TR-240.

---

**4.21.10 Parking**

---

**Shared Parking****Comment TR-243**

A detailed shared parking analysis should be performed, if that is that method chosen to prove that the parking provided will be adequate. If this analysis is to include credits for LIRR, bus, transit, car sharing, etc, these factors and assumptions need to be reasonable and supported. The size of the development in geographic terms and the fact that it is split by the Sagtikos Parkway may not allow for efficient sharing of spaces. Details of the shared parking analysis and where these stalls are to be located in reference to the site uses must be provided for review. (C2-62)

**Response TR-243**

The mix of land uses within Heartland Town Square makes it an appropriate project to which to apply shared parking principles, which are based on the concept that a combination of uses requires fewer parking spaces than the sum of the parking required for each individual use. This is due to differences in time-of-day, day-of-week, and monthly peaking characteristics of each use. A simple example is that office-related parking demand peaks on weekdays, whereas retail-related parking demand peaks on Saturdays, and what would otherwise be substantially vacant parking spaces used by office tenants during the week can be used by shoppers on the weekend.

Appendix TR-3, Shared Parking, of the FGEIS contains information on the proposed method of calculating the parking to be provided within the various areas of Heartland Town Square. Given the conceptual nature of the plan, it is not realistic, or even plausible, to determine the exact location and number of spaces that should be provided at this point in time. For instance, while the plan indicates that there are a specific number of square feet of retail in DU 1, it is not known, at this point what specific types of retail will be included. The specific types of retail and mixes or other uses in an area of the site will determine the parking necessary in that area based on shared parking. Given that the specifics of the development in terms of exact mixes of uses in specific areas are not known it is proposed that parking requirements be determined as specific site plans within Heartland Town Square are developed and presented to the Town for site plan approval, based upon the methodology contained within the PSPRD (see Appendix RP-2).

**Comment TR-244**

Parking sharing should be determined separately and independently for each of the four subdistricts (not site-wide for all of the proposed project area). (C1-108)

**Response TR-244**

See Response TR-243

**Comment TR-245**

Parking facilities should only be permitted to be shared among different uses if those uses are all located within one-quarter mile (a 5-minute walk) of the parking facility. (C1-107)

**Response TR-245**

See Response TR-243.

**Comment TR-246**

Parking should be self-sufficient cumulatively for each phase of the development. That is, parking in one phase should not rely on parking expected to be built in a subsequent phase; though development in a subsequent phase could rely on surplus parking from an earlier phase provided that the shared parking standards are still applied across the phases. (C1-109)

On the town's side we feel the parking calculations are off, meaning too suburban. We think there is a shared parking ratio that will work in this project. (H8-9)

**Response TR-246**

See Response TR-243. Each phase of the development will provide a sufficient number of spaces for that particular phase, as determined by the Town. As specific site plans within Heartland Town Square are developed and presented to the Town for site plan approval the parking provided will be assessed.

---

**Parking Needs and Requirements****Comment TR-247**

The ITE parking demands noted in Table 5-5 is generated under general retail, office, residential and civic categories. These categories are too broad to reflect the specific uses such as restaurants, hotels and different types of retail and commercial properties that are proposed. The demands should be recalculated using rates specific to the proposed uses as there is a great deal of variation among them. (C2-63)

**Response TR-247**

See Response TR-243.

**Comment TR-248**

Parking requirements for Heartland also appear to suffer from the same slant. Parking requirements for the project assuming ITE trip estimates must also be provided for the same reason detailed above. A much greater need for parking may result in significant changes to the layout of the development. (C9-22)

**Response TR-248**

See Response TR-243.

**Comment TR-249**

The DEIS currently calls for 2.97 spaces per 1000 square feet of residential development and 2.4 spaces per square feet of commercial development. This is a reduction from the Town of Islip's usual requirement of 5.7 spaces per 1000 square feet and 5 spaces per 1000 square feet of residential and commercial development, respectively. For example, if we assume that each of the approximately 9,200 proposed housing units is approximately 1,000 square feet, this allows for fewer than three parking spots per tenant. This level of parking availability is already more parking spaces than most homes have under traditional suburban development patterns. (C34-13)

Though the Town of Islip's requirements for parking for retail and office uses are high, the numbers used by the developer still appear to be lower than what would be appropriate for a development of this size in this area. According to the best practices guide of the New Urbanism, retail in this dense of an environment should be provided with approximately 3.5 parking spaces per 1000 square feet of space. The town typically requires 5.7 spaces per 1000 s.f. (1:175) and the developer is providing 2.97 spaces per 1000 sf. 3.5 spaces per 1000 s.f. is based on a balance of neighborhood and destination retail, a larger amount of destination retail which would draw a larger number of people to the site from outside would require additional parking.

Similarly, while the town requires 5 spaces per 1000 square feet of office space (1:200), the developer has provided 2.4 spaces per 1000 sf. New Urbanism best practices would recommend between 2.75 and 3 parking spaces per 1000 square feet of office space. Achieving parking ratios in this range should not require dramatic changes to the proposal. (C28-14)

**Response TR-249**

It appears that the comment does not take the shared parking concept into account. See Response TR-243.

**Comment TR-250**

The Builder suggests that parking needs can be reduced due to the city live, work and play environment. This conclusion is not adequately supported by the DGEIS, as there is no accounting for visitors to the people who live in the development. There is no accounting for the visitors to the many restaurants that will be on the site. There is no accounting for the visitors to the Heartland Town Square area, which is suggested to be a destination area with nightlife for people of the square. There are destination areas, similar to this all over Long Island and people drive to them and look for parking. Areas like the Freeport Miracle Mile and downtown Huntington, to name a few. Parking is always a problem and it will be in Heartland as well. There should be no waiver to the necessary parking that the Islip building codes require. (C23-8)

**Response TR-250**

See Response TR-249. Visitors are included in any parking demand analysis based on actual demand and are incorporated into the proposed parking requirements for Heartland Town Square, as discussed in Appendix TR-3 of this FGEIS.

**Comment TR-251**

The DEIS also unrealistically assumes families can be limited to one vehicle – a situation that will be attained by limiting parking spaces. Our consultant believes the reverse will actually be the case. There will be too many cars for the spaces created. The projected number of parking spaces should be increased to reflect a greater number of cars. (C8-10)

**Response TR-251**

The intent is to only provide one convenient parking space near the immediate residence; however, additional remote spaces will be available for residents. See Response to TR-243 concerning shared parking.

**Comment TR-252**

A component of the parking ratio for nursing homes seems high (1 space per bed), while parking for assisted living seems low (0.5 spaces per unit). Depending on the definition of “assisted living,” it could include some independent living units, whose residents tend to be quite self-sufficient and own cars. (C1-111)

**Response TR-252**

Response TR-243.

**Comment TR-253**

Development Units 3 and 4 should have higher residential parking ratios (page 1-71) than the Town Center since they include less retail and other types of uses designed to reduce the need to drive. (C1-83)

**Response TR-253**

See Response TR-243. The number of spaces required in each Development Unit will be determined by the Town as specific site plans within Heartland Town Square are developed and presented for site plan approval.

**Comment TR-254**

The existing ratio of 1.5 spaces per unit will work well if the project is indeed built with mostly studios and one-bedrooms, but if larger units are built, more parking will be required. The residential parking ratios should be changed to relate to the number of bedrooms. (C1-110)

**Response TR-254**

See Responses TR-243 and TR-246. The recommended ratio for the residential component of the development takes shared parking into account.

**Comment TR-255**

The need of automobiles in a suburban environment could not be easily dismissed by the proposed project’s smart growth concept. We are not constructing another psychiatric center where the freedom of movement

was restricted and parking supply was not needed for a vast majority of its residents. The notion that residents would be restricted to one vehicle by restricting parking spaces would not be considered favorably by residents, resulting in a higher parking demand and thus, causing parking shortfall and traffic circulation issues.(C8C-32)

**Response TR-255**

See Responses TR-243 and TR-251.

**Comment TR-256**

The gap between the Town of Islip parking code requirements (42,964 spaces) and the proposed parking (27,650 spaces) is about 15,300 vehicle spaces. With a total on site forecasted population of 19,800 people and projected full-time employment of about 26,000 jobs (within the project site), and a significant attraction related to the proposed retail and office use, the proposed parking spaces may not be sufficient to accommodate all users without considerable operational constrains. The parking spaces under the smart growth concept due to shared activities could be reduced but not as much as presented and reflected in the gap between in the DGEIS and the Town's code. Thus, the parking requirement has to be realistically reevaluated. (C8C-33)

**Response TR-256**

See Responses TR-243.

**Comment TR-257**

OMH is particularly concerned that the level of office and parking proposed in the area between Pilgrim and Crooked Hill and the Sagtikos, there could be the potential for extended delays at shift changes. Again, there is not sufficient analysis to evaluate this. (C13-14)

**Response TR-257**

The operational aspects of parking will be addressed during the detailed design phase of the project, when site plans will be submitted and details of garage sizes, operations and number of lanes would be available to address this question. See also Response TR-243. In regard to delays, as depicted on the revised Conceptual Master Plan, the development will include a ring road that will provide for circulation around the office and parking areas noted in the comment. This ring road is designed to handle the expected traffic volumes and should not be subject to extended delays.

**Comment TR-258**

The site plan shows no surface parking in the outlying districts. Is the retail here really all going to have structured or podium parking for such uses? Is this a realistic plan for a Town Center? (C1-79)

**Response TR-258**

There will be surface parking provides in some areas, as depicted on the revised Conceptual Master Plan. The Design Guidelines in Appendix RP-3 take on-street parking into account.

See Responses TR-243 and TR-257.

**Comment TR-259**

The parking supply will have to accommodate more cars than planned here, even if they will not be driven as frequently as typical suburban development. (C1-82)

**Response TR-259**

See Responses TR-243.

**Comment TR-260**

In their two-way configuration with parking on both sides configuration, these roadways have a very narrow right-of-way width, and assume that: (1) not all on-street parking spaces will be used, making for a wider effective driving width; and (2) drivers will pull over to allow oncoming traffic to slow down. This works well in congested, older urban locations, and is a commendable effort here at Heartland. However, if the parking ratios assume that some of the residential parking supply will be provided on-street at all hours, then the streets in effect would not work as two-way streets. There should be a clause that the residential streets must be developed in a logical manner in conjunction with the parking strategy. (C1-84)

**Response TR-260**

The Design Guidelines in Appendix RP-3 take on-street parking into account.

**Comment TR-261**

We applaud the developer for using parking demand management tools, including the charging of residents for more than one parking space, and additional strategies that allow people to leave their cars at home or even shift from owning two cars to one. For example, the inclusion of a car-share service like Zipcar, as outlined in the DEIS, is a laudable effort to reduce the need for parking as well as to reduce the need for private automobile ownership. (C34-12)

**Response TR-261**

This comment is noted. As previously indicated, the applicants are dedicated to the principles of a smart growth development. See Response TR-33 for an outline of alternate transportation options. Appendix TR-4 of this FGEIS, Alternative Modes, presents additional details regarding the TDM practices that will be utilized to reduce conventional automobile travel at Heartland Town Square.

**Comment TR-262**

While these numbers are admirable efforts by the developer to de-emphasize automobile use and should be more than adequate at addressing parking needs, we would prefer if the breakdown for parking was in relation to residential units and not square feet. Tagging parking space availability to units, as opposed to square footage, reduces the need for additional parking spaces for the units that have a larger layout. (C34-14)

**Response TR-262**

The zoning code proposed for the PSPRD contains parking requirements for residential on a per unit basis.

**Comment TR-263**

The proposed parking ratio, if adjusted, may also effect the appearance and function of the proposed road network. The impact of multi-vehicle ownership by residence, in spite of the proposed rules limiting vehicle ownership, should be further studied. In addition, attention should be given to the classification of new roads and how parking and road width effect transportation efficiency and walkability. (H3-4)

**Response TR-263**

The development of parking ratios and analysis of parking needs was done separately from trip generation, which is based on ITE guidelines for mixed-use developments. See Response TR-243. The Design Guidelines in Appendix RP-3 set forth the recommended roadway design criteria for the interior roads based on their functionality.

---

**On-Street Parking****Comment TR-264**

The number of streets that apparently will not have any convenient on-street parking means that people will be heading straight into parking garages rather than getting in and out of their cars and walking along sidewalks. (C1-11)

**Response TR-264**

The revised Conceptual Master Plan for Heartland Town Square (see Appendix RP-1) shows that the majority of streets are proposed to have on-street parking. The only two street types without on-street parking are the Ring Road (Road Type A) and the local street (without parking) (Road Type D). The street design guidelines and street sections included in the Design Guidelines illustrate the location of on-street parking spaces (see Appendix RP-3).

**Comment TR-265**

The DGEIS states that overnight on-street parking will be prohibited in commercial and retail districts in order to avoid unauthorized resident parking. This means that certain streets will be devoid of activity at night, making streets less safe. If, on the other hand, the project's land uses were truly mixed, residential uses would be located in the same areas as the commercial districts and thus would benefit from being able to share the same on-street parking at night that commercial uses occupy during the day. This would be a more efficient use of land devoted to parking, removing the need to provide separate parking areas for some of the residential units. (C1-13)

**Response TR-265**

See Response TR-264. Based upon the revised Conceptual Master Plan, there are more vertically-integrated buildings, especially within the Town Center (see Appendix RP-1). These buildings are anticipated to contain retail on the ground floor with residences or offices above. Therefore, there would be a residential presence on most streets. In terms of managing the on-street parking spaces, a variety of strategies may be used to resolve conflicts between residential and commercial parking needs. This may be achieved through signage, residential parking permits, and metering, or a combination of these measures in order to balance residential and commercial parking demands.

**Comment TR-266**

The Town Center parking appears largely to be in separate structured parking garages. This is not very Town Center-like. The activity of people getting in and out of their cars on streets is part of what makes a true downtown bustle. (C1-78)

**Response TR-266**

See the revised Conceptual Master Plan in Appendix RP-1 for proposed parking locations. The plan for the Town Center envisions that parking will be distributed throughout the Town Center, in multiple parking structures and surface parking lots rather than concentrated in a single large garage or a limited number of garages. This distributed approach will help to minimize traffic congestion that might otherwise occur with a single concentrated parking reservoir. In addition, on-street parking will be available to meet some of the parking demands within the Town Center, as indicated in the Design Guidelines (see Appendix RP-3) of this FGEIS. Most of the north-south streets and several of the east-west streets within the Town Center will contain on-street parking. This on-street parking will help activate the Town Center throughout the day and night.

---

**4.21.11 Street/Roadway Design****Comment TR-267**

Parking should be required for main streets on both sides regardless of whether they are one-way or two-way. The labels on the drawing do not match the text description for the one-way option: is the paving minimum for one-way streets 28 or 30 feet? (C1-85)

**Response TR-267**

See Section 4.3 of the Design Guidelines entitled *Street Design Standards*, which illustrates the overall street design concept, provides street sections for five road types and describes the characteristics of the five road types in detail. Total right-of-way and paving widths vary by street type (see Appendix RP-3).

**Comment TR-268**

This type of road is not shown in Figure 2-11 (page 2-49) of the report. Is it the same as the “Urban Access Roadway”? Its design is anathema to creating a pedestrian-friendly district, especially where so many residents are projected to walk to work and shopping: no requirement for on-street parking, extremely wide travel lanes (14 feet), substantial building setbacks anticipated, and high design speeds (30 mph). Furthermore, given the fixed minimum ROW width but variable roadway widths, the sidewalk width could be less when on-street parking is provided, while in fact sidewalks should be wider or the same with on-street parking (due to additional pedestrians walking to and from their cars). This street configuration is not appropriate for any location in this plan. If the wide travel lanes are required to accommodate the considerable truck volume likely from the intermodal center, the site plan should be rethought to place the truck traffic on the periphery where it will not impinge on goals of creating a pedestrian-friendly environment. (C1-86)

**Response TR-268**

See the Design Guidelines in Appendix RP-3, which show the location of on-street parking spaces, and provide the dimensions of travel lanes. Also see Response TR-267. The pedestrian realm is also discussed within the Design Guidelines. The Design Guidelines detail four distinct functional zones within the pedestrian realm: the edge zone (which is adjacent to the street and planting zone); the planting/furniture zone (which provides a buffer between the street and the sidewalk); the sidewalk (which is the walking zone that must remain clear for movement of pedestrians); and the yard/frontage zone (which represents the distance between the sidewalk and the building or property frontage). Both sidewalk placement and street

type have been carefully considered within the Design Guidelines, and are discussed and graphically depicted in Sections 4.3.2 and 4.3.3, respectively, of the Design Guidelines (see Appendix RP-3).

**Comment TR-269**

A minimum median width should be specified that allows the continuation of a planted median even where a turning lane is included. Figure 2-12 (page 2-50) shows a 16-foot median, which would be acceptable. (C1-87)

**Response TR-269**

The *Street Design Standards* within Section 4.3 of the Design Guidelines specify five specific street types with associated characteristics. Medians of differing widths are shown in association with the various road types.

**Comment TR-270**

There is no street section for the Town Center Boulevard type mentioned in the Plan and in Figure 2-12 (page 2-50). This is a critical street type that will likely carry some through traffic as well. (C1-88)

**Response TR-270**

The *Street Design Standards* within Section 4.3 of the Design Guidelines specify five specific street types with associated characteristics. All of the roadway classifications contained in the DGEIS have been revised to correspond to one of five road types (Road Type A through E) in the Design Guidelines. Specifications and sections of Road Type are included in Section 4.3 of the Design Guidelines (see Appendix RP-3).

**Comment TR-271**

All streets inside Ring Road are designed with only one lane in each direction; is this sufficient for Road G, Campus Road? Won't this street carry regional traffic from east and west? Also another east/west road is proposed north of Road G, connecting from Crooked Hill to Commack Road (Figure 2-11, page 2-49). Will this be sufficient with only one lane in each direction? (C1-89)

**Response TR-271**

The statement that all roads inside the Ring Road are designed with only one lane in each direction is not accurate. See Appendix TR-1 of this FGEIS for details of recommended improvements to "G" Road. Although there will be access to Heartland Town Square from both Commack Road and Crooked Hill Road, there is no internal east-west road connecting the two.

**Comment TR-272**

Street sections should specify maximum roadway widths and require on-street parking in order to discourage speeding and encourage walking. Most existing streets are wide enough that on-street parking could be accommodated within the existing right-of-way without disturbing the existing trees. (C1-91)

**Response TR-272**

Section 4.3 of the Design Guidelines, entitled *Street Design Standards*, includes sections for each of the five roadway types proposed for the Heartland Town Square development. The revised Conceptual Master Plan (see Appendix RP-1) proposes to preserve significant areas of existing street trees, including specific rows of trees within DU1 and DU4, and incorporate them into the Town Center and residential development, respectively. On-street parking is proposed for areas throughout the development. See Response TR-264.

Where possible, existing trees will be incorporated while allowing for on-street parking (see Appendix RP-4, which presents examples of tree-lined streets that incorporate existing trees).

**Comment TR-273**

Exceptions to requiring on-street parking could be made in order to preserve the existing site roadways that are very narrow. To preserve the beautiful existing oak tree canopy on these streets, a street typology with a very narrow roadway and no on-street parking would be acceptable and a good addition if used to preserve trees. Sidewalks could be added outside the tree area. Alternately, these areas could be converted to pedestrian-only or ped/bike pathways. (C1-92)

**Response TR-273**

See Response TR-272.

---

**4.21.12 Mitigation****Comment TR-274**

The report states that it is expected that improvements by others will be performed over time by government with private involvement. Are any of these improvements planned? Are any of the other developments implementing any of these improvements? What will be done by the Intermodal Facility, Tanger, and the other developments? As these projects are either under construction or along in their planning stages, the improvements for each should be identified, along with when they will be performed and compared to a list of improvements recommended in this study. A list of improvements needed w/o Heartland without any analysis to support it is inappropriate. The DGEIS indicates only a limited amount of improvement underway due to Tanger that is assumed in the study network. However, it still indicates a list of improvements necessary to address existing deficiencies that may be true but are not supported by analysis. (C2-3, C2-49)

Chapter 5.8.1 Existing Roadway Deficiencies, suggests that eight major improvements to the roadway network in and around Heartland Town Square will be funded "...over time as part of a public-private partnership with a combination of State, County, and local resources with appropriate contributions from various developers..." The assumed improvements listed on page 5-19 in the Heartland Town Square DEIS include:

- Addition of a third lane in each direction on the Sagtikos Parkway from the Southern State Parkway to the LIE. (C12-2)
- Reconstruction of the Commack Road underpass at the LIE to provide additional left turn capacity under the bridge. (C12-3)
- Additional through and turn lanes on the LIE. Service Roads approaching Commack Road. (C12-4)
- Reconstruction of the Sagtikos Parkway/Pine Aire Drive interchange; (C12-5)
- Reconstruction of the Campus Road and Crooked Hill Road Bridges over the Sagtikos Parkway (as a result of adding a third lane on the Sagtikos Parkway). (C12-6)
- Widening of northbound Commack Road to two lanes south of the LIE. (C12-7)

- Construction of a new interchange on the Sagtikos Parkway between Pine Aire Drive and Campus Road. (C12-8)
- Extension of Suffolk Avenue west, to connect with Long Island Avenue, as proposed by Suffolk County. (C12-9)

#### **Response TR-274**

DEA and VHB reviewed the planned projects in the DGEIS (Table 4-14 - Other Planned Developments) and have updated that information in the FGEIS in Appendix TR-1. This includes an evaluation of the additional traffic that may be generated by each project, including Tanger Outlet, and this additional traffic has been added to the No Build scenario. If roadway improvements were already required under any of these other proposed projects, those improvements were included in the no build network, and were not considered as part of the Heartland applicants' responsibility to mitigate.

Also see Table TR-1 in Response TR-127 for a list of other planned developments analyzed in the FGEIS for Heartland Town Square.

Also see Response TR-19.

#### **Comment TR-275**

The DGEIS presents a number of proposed roadway improvements based on the analysis performed. However, given that the analysis is based on flawed inputs and the study area should be expanded, the list of proposed improvements is incomplete and of questionable value. (C2- 45)

#### **Response TR-275**

Additional transportation analyses, which are included in Appendices TR-1 through TR-4 of this FGEIS, were developed with the guidance of the DEA. The methodology for the analysis of intersections or roadways was approved by DEA. The study area is defined in the Final Scope adopted by the Town. Roadways (including parkways and the LIE) were analyzed using a program called Vissim, which simulates conditions on the roadway and evaluates its ability to process existing as well as future traffic volumes. For analysis of intersections, DEA approved the use of the programs Synchro, for intersections, and Vissim, for controlled access highways. Two scenarios were examined Phase I and Full-Build. DEA did not require a separate analysis of Phase II; therefore, Phases II and III and the Gateway Area were analyzed together, and when added to Phase I results, are referred to as the Full-Build for the project.

Section 4 of Appendix TR-1 of the FGEIS presents the recommended improvements identified through this additional analyses.

#### **Comment TR-276**

The analysis that is presented indicates project impacts at locations where mitigation was not proposed or not proposed to an adequate extent. These unmitigated impacts need to be discussed in the FGEIS. The DGEIS contains discussions of some results but is limited to locations where degraded LOS or delay is experienced and physical constraints limit further mitigation. However, the tables indicate a number of degradations due to site traffic that are not discussed at all. The discussion of project impacts is lacking.

Clear statements need to be made regarding the degree and locations of unmitigated impacts.

Locations where overall Levels of Service have been degraded due to site traffic and not mitigated or not mitigated sufficiently include:

- Commack Road at the LIE NSR, Sat
- Crooked Hill Road at the LIE NSR, Weekday AM,PM
- Commack Road at the Pilgrim Site Access, Weekday AM, Midday PM
- Commack Road at LI Avenue, Weekday AM, PM
- Commack Road at Grand Boulevard, Weekday Midday, Sat
- Pine Aire Drive at Executive Drive, Sat
- Pine Aire Drive at the Sag Pkwy NB Ramps, Weekday Midday
- Wicks Road at Suffolk Avenue, Weekday AM, Midday, PM
- Wicks Road at Comm College Drive, Sat
- Crooked Hill Road at Comm College Drive, Weekday AM, PM, Sat
- Crooked Hill Road at the Pilgrim Access, Weekday Midday
- Wicks Road at Express Drive South, Weekday AM
- Commack Road at Bay Shore Road, Sat (C2-47)

#### **Response TR-276**

Additional transportation analyses, which are included in Appendices TR-1 through TR-4 of the FGEIS, were developed with the guidance of the DEA. The methodology for the analysis of intersections or roadways was approved by DEA. This includes a revised analysis of all of the intersections noted in the comment above.

The results of the revised analysis differ significantly in some instances from the results contained in the DGEIS. While there are still instances where an overall LOS degrades under the Build Condition (with improvements), many result in a LOS that is considered acceptable (for instance from a LOS A to LOS B). These locations are identified in Sections 2 and 3 of Appendix TR-1.

#### **Comment TR-277**

The document lists a series of significant roadway improvements (Section 5.8.1) that it indicates need to be performed to address conditions without Heartland. However, there is no back-up analysis that results in this conclusion. There is no analysis presented that shows what effect these improvements would have on the existing conditions. The developer has acknowledged the necessity of contributing to a fair share to the implementation of these improvements. How they propose that this fair share would be calculated should be presented. (C2-48)

#### **Response TR-277**

Appendix TR-1 includes an analysis of existing conditions, the 2017 No Build condition and the Phase I Build, condition. Tables 8, through 13 in Appendix TR-1 provide the LOS of the intersections or roadways studied from which conclusions have been drawn on where deficiencies currently exist. The Phase I Build condition has assumed certain improvements in place if Heartland Town Square is constructed and the Phase I Build LOS tables show the affect of these improvements in mitigating existing deficiencies.

The applicants acknowledge that physical roadway improvements are required in the area surrounding the Heartland Town Square property, not only due to traffic associated with the development of Heartland Town Square, but due to traffic conditions that already exist, and traffic that may be generated by other developments, independent of Heartland Town Square.

Also, see Response TR-19.

#### **Comment TR-278**

Mitigation B - Why would the project not take advantage of an access point Commack Road rather than partially closing it? In addition, Figure 2-11 indicates this access being utilized and connected to a main internal roadway. This discrepancy should be clarified. (C2-52)

**Response TR-278**

The development plan for Heartland Town Square includes access to Commack Road, as discussed and evaluated in Appendix TR-1 of the FEIS.

**Comment TR-279**

Mitigation C - Does this improvement require the removal of the shoulders under the bridge? The NYSDOT may not permit this. Provide information on the available width under the bridge. (C2-53)

**Response TR-279**

Striping can occur within existing pavement to provide an additional lane under the LIE overpass, on Crooked Hill Road. The existing pavement width is approximately 48 feet on Crooked Hill Road under the bridge. The restriping will result in the loss of most of the shoulder width currently on the west side of the pavement. After the restriping, the shoulder width on the west side will resemble the narrow shoulder width on the east side. The removal of shoulder width for short distances, such as under overpasses, has been performed in many places, including the east side of Crooked Hill Road at this location.

**Comment TR-280**

Mitigation E - The ramp proposed is shown as originating on an existing ramp. Will the NYSDOT permit this access from a control of access facility? Will the existing ramp junction handle the increase in volume? (C2-54)

**Response TR-280**

This ramp spur was proposed by NYSDOT in the DGEIS prepared for its proposed Intermodal Facility. The Intermodal Facility was included as an "other planned development" in the DGEIS (see Table TR-1 in Response TR-127) and additional traffic analysis was performed for the FGEIS. Appendix TR-1 shows that the new ramps will be able to handle the increase in traffic from Heartland Town Square.

**Comment TR-281**

Mitigation H - It appears that the new access may go across property that is not part of the development. If this is the case, how will it be constructed? (C2-56)

**Response TR-281**

All proposed access points are on property under the applicants' control.

**Comment TR-282**

Mitigation I - These new ramps were not evaluated for operation with the exception of queues. (C2-57)

**Response TR-282**

Additional transportation analyses have been performed, and are included in Appendix TR-1 through TR-4 of the FGEIS. These analyses were developed with the guidance DEA. Appendix TR-1 of the FGEIS presents the operation (Build and Full-Build) of the recommended improvements based on the Vissim model developed for this study.

Also, see Response TR-124.

#### **Comment TR-283**

Mitigation L – This proposed ramp is relatively close to the existing parkway entrance ramp from the existing Pilgrim site and may create a weaving problem that is not analyzed sufficiently. (C2-58)

The DGEIS indicates that there are proposed ramp junctions on Sagtikos Parkway that create new weaving sections that were not analyzed. All weaving sections existing and proposed must be analyzed. (C2-37)

#### **Response TR-283**

Additional transportation analyses have been performed, and are included in Appendix TR-1 through TR-4 of the FGEIS. These analyses were developed with the guidance of DEA. Appendix TR-1 summarizes the results of the new analysis of the controlled access highways within the study area. As stated in Response TR-124, the Vissim model was used to address ramp junction and weaving sections.

#### **Comment TR-284**

Neither the DGEIS nor the May 2008 Addendum address the issues of construction vehicle traffic mitigation nor how the integrity of the roads will be maintained, i.e., cleanliness. (C5-8)

#### **Response TR-284**

Truck traffic during construction will adhere to State, County and local ordinances related to truck restrictions, as appropriate. The major roadways serving the site are currently accommodating truck traffic associated with the various industrial developments in the surrounding area. The construction traffic associated with Heartland Town Square is not expected to adversely affect the integrity of these roads to any greater degree than the existing truck traffic. Furthermore, during construction, the tracking of dirt and debris onto roadways will be minimized by the use of special construction pads at construction entrances and the potential wash-down of trucks leaving the construction site.

#### **Comment TR-285**

The proposed mitigation for this project must be carefully revisited. The construction of access roadways and entrances to this development is not considered mitigation by this Department. (C5-10)

#### **Response TR-285**

Appendix TR-1 and Attachment TRA-1 of this FGEIS describes the recommended improvements in the vicinity of Heartland Town Square. The applicants have committed to contributing \$25 million toward recommended improvements at Phase III of the development.

#### **Comment TR-286**

The DEIS fails to assign responsibility for the mitigation measures. It fails to consider the necessary infrastructure improvements – what will have to be done to upgrade the road network, and, more importantly, who will pay for the improvements. (C8-21)

#### **Response TR-286**

See Response TR-19 for a more detailed discussion. The NYSDOT and the Suffolk County Department of Public Works have acknowledged the need for capacity improvements on the roads which fall under their

respective jurisdictions and have begun the process of addressing the existing deficiencies, including identifying potential funding.

**Comment TR-287**

The traffic impacts as noted in this assessment (discussed below) at the Town of Huntington intersections should be discussed and, where necessary, mitigated. The applicants should take mitigation responsibilities for any traffic impacts resulting from the Heartland Project. (C8C-4)

**Response TR-287**

See Response TR-8 with respect to the intersections examined, including those within the Town of Huntington, and Response TR-19 with respect to responsibility for mitigation.

**Comment TR-288**

However, as discussed above, at this point, we do not know who is going to accept the responsibility of mitigating these deficiencies. It is important to note that most of these "so called" existing deficiencies will have a significant negative traffic impact on the Town Huntington roadways and their mitigation responsibility by this project should be resolved in the proposed DGEIS. (C8C-56)

**Response TR-288**

See Response TR-19.

**Comment TR-289**

The applicants should take mitigation responsibility for the traffic impacts on the Town of Huntington roads that are resulting from the Heartland Square Project (see discussion above on Traffic Impact Criteria's and Assessments). (C8C-57)

**Response TR-289**

See Response TR-19.

**Comment TR-290**

The proposed mitigation measures to address transportation deficiencies are also inadequate and may place an undue share of the burden for providing the mitigation on the public rather than the developer. For these reasons, the traffic analysis and resultant conclusions are not acceptable to the Town of Babylon and are not sufficient in satisfying the requirements established within the SEQRA process. (C9A-2)

**Response TR-290**

See Responses TR-1, TR-5, TR-12 and TR-19.

**Comment TR-291**

The Town of Babylon concurs with the need for the traffic mitigation measures presented in the traffic study, but finds that these measures will not be sufficient to mitigate the traffic problems generated by the development. Additional mitigation measures will be necessary to address traffic issues associated with the development. The Town of Babylon also finds that many of the mitigation measures proposed place an

undue burden on government and the general public to provide these measures. A greater commitment from the developer to provide remedial measures and resources to bring the mitigation measures to the fore is necessary. (C9A-12)

**Response TR-291**

See Responses TR-1, TR-5, TR-12 and TR-19.

**Comment TR-292**

One measure that was not adequately explored is the construction of a full clover-leaf type junction on the Sagtikos State Parkway at College Drive (formerly G Road). This junction would address many traffic issues, both existing and project-generated, that would further the reasonableness of the proposed development. While it is not expected that the developer would have to fund this measure in its entirety, a commitment to provide some funding would be appropriate. Further exploration of this roadway improvement should, therefore, be included in the traffic study. (C9A-13)

**Response TR-292**

See Responses TR-1, TR-5, TR-12 and TR-19. Also see Appendix TR-1 of this FGEIS, which indicates the recommended improvements, including a reconstructed, expanded interchange on the Sagtikos Parkway at G Road.

**Comment TR-293**

The state improvements are not scheduled as part of the NYSDOT 5-year capital program and have not been identified for study, environmental analysis or construction. In addition, these improvements have substantial costs and potential environmental impacts including property acquisitions. (C12-10)

**Response TR-293**

According to correspondence from the Commissioner of the NYSDOT (see Attachment TRA-1), NYSDOT has programmed \$3.41 million in the current year of the 5-Year Nassau Suffolk Transportation Improvement Program for a preliminary engineering study of the Sagtikos Parkway Corridor and an additional \$10.95 million in future years for the design of a parkway improvement project. The NYSDOT study will identify potential environmental impacts and necessary property acquisitions associated with such a project.

**Comment TR-294**

The Heartland Town Square DEIS suggests that improvements identified in comment 2 are required to mitigate existing deficiencies. However, the report does not present analyses to demonstrate the need for the improvements and the benefits specifically associated with the suggested improvements. (C12-11)

**Response TR-294**

Additional transportation analyses have been performed, and are included in Appendix TR-1 through TR-4 of the FGEIS. These analyses were developed with the guidance of DEA. The assumptions that affect the analysis and methodology for the analysis of intersections or roadways were approved by DEA. These analyses include the evaluation of the 2017 and 2027 No-Build Conditions which reveal the presence of existing deficiencies in the study area roadway network, without Heartland Town Square.

Also, see Response TR-292.

**Comment TR-295**

Sagtikos Parkway (south of Pine Aire Drive); Heartland Town Square adds over 1100 vehicles per hour (vph) to the northbound direction in the AM peak hour and southbound in the PM peak hour. These volumes alone would warrant a major improvement to the transportation system in order to avert major traffic congestion as a result of the project, independent of any additional improvements needed to mitigate existing deficiencies. (C12-20)

**Response TR-295**

See Appendix TR-1, which summarizes the recommended improvements, which including a widening of the Sagtikos Parkway to three lanes in each direction and improvements to the Pine Aire Drive interchange. These recommended improvements add capacity beyond that needed solely to accommodate Heartland Town Square site traffic and will work to address existing deficiencies as well.

**Comment TR-296**

Sagtikos Parkway (north of Crooked Hill Road): Heartland Town Square adds over 1500 vph northbound in the AM peak and over 1700 vph southbound in the PM peak. These volumes alone would warrant a major improvement to the transportation system in order to avert major traffic congestion as a result of the project, independent of any additional improvements needed to mitigate existing deficiencies. (C12-21)

**Response TR-296**

See Response TR-295.

**Comment TR-297**

Campus Road (in the vicinity of Sagtikos Parkway): Heartland Town Square adds over 1400 vph westbound in the AM peak hour. This volume, in conjunction with the Heartland Town Square proposed new access ramps to/from the Sagtikos Parkway, creates impacts on Campus Road, possibly requiring widening Campus Road, and possibly widening the bridge over Sagtikos Parkway. The report should not assume that others will widen the parkway and this bridge. All impacts of traffic volumes generated by this project need to be disclosed in the DEIS without the assumption that others will do additional work or without the assumption that other projects not yet progressed through the EIS process and approved will be implemented. (C12-22)

**Response TR-297**

This comment refers to the Community College Drive/G Road overpass. The recommended improvements include the widening of this overpass to provide additional capacity in the form of additional travel lanes. Both the NYSDOT and Office of the County Executive have committed to participating in the improvement of the roadway infrastructure to address existing deficiencies and improve future conditions.

See Responses TR-1, TR-19, TR-277, TR-292 and TR-295.

**Comment TR-298**

Crooked Hill Road (north of Sagtikos Parkway): Heartland Town Square adds almost 1600 vph southbound in the PM peak hour. The development does include widening of Crooked Hill Road to four lanes north of the Sagtikos Parkway; however, no additional improvements are proposed to address this new traffic volume at the intersection with Campus Road. This should be addressed in the DEIS. (C12-23)

**Response TR-298**

Additional transportation analyses have been performed, and are included in Appendix TR-1 (Supplemental Traffic Analysis) through TR-4 of the FGEIS,. These analyses were developed with the guidance of DEA. The assumptions that affect the analysis and methodology for the analysis of intersections or roadways were approved by DEA.

Appendix TR-1 and Attachment TRA-1 of the FGEIS present the recommended improvements based on the results of this additional analyses. Included are improvements to Crooked Hill Road from the LIE North Service Road south through its intersection with Community College Drive/G Road. Included in this improvement is the widening of Crooked Hill Road and intersection improvements, including the intersection with Community College Drive/G Road. The recommended improvements in this area on described on Figure 1 in Appendix TR-1 as locations I and K.

**Comment TR-299**

Given the existing development of the surrounding communities, the current and projected traffic volumes, and the limited Heartland Town Square right-of-way in which to expand the roadway network, the DEIS should analyze the traffic impacts of this project both with and without the proposed improvements and mitigations. (C12-28)

**Response TR-299**

See Responses TR-1, TR-5, TR-12. Also See Appendix TR-1 of this FGEIS, which presents the proposed mitigation in Figures 1 and 2, Tables \_\_\_ and \_\_\_, and Section 4

**Comment TR-300**

Direct Access to LIE and Sagtikos Parkway. This is proposed as mitigation, but it requires NY State to do the planning and pay for it and the Builder should be responsible for the traffic mitigation that results from his development, not the taxpayers of NY state, Suffolk County, Islip Town, Babylon Town, Smithtown and Huntington Town. This is not an acceptable mitigation as it is not within the control of the Builder. The traffic mitigation must be a condition of the development, not a plan of the Builder. The Builder reaps the benefits of development, not the taxpayer, therefore the Builder needs to mitigate the traffic. (C23-10)

**Response TR-300**

See Response TR-19. As noted in this response, physical roadway improvements are required in the surrounding area, in part, to address existing deficient traffic conditions. Therefore, proposed mitigation to address Heartland Town Square impacts would also address existing deficiencies in the roadway system, which would benefit the average tax payer.

**Comment TR-301**

Suffolk Avenue Connection to Long Island Avenue. This is proposed as a mitigation, but it requires Suffolk County to do the planning and pay for it. This is not an acceptable mitigation as it is not within the control of the Builder. Additionally, this will not provide direct access to the LIE or Sagtikos Parkway. (C23-11)

**Response TR-301**

The recommended improvements contained in Appendix TR-1 do not include a connection between Long Island Avenue and Suffolk Avenue.

#### **Comment TR-302**

A North/South Route from Crooked Hill Road to Long Island Avenue. The report notes that this connection cannot accommodate large volumes of truck traffic. This is true, but there is no acceptable alternate provided. Additionally, all traffic will be on Crooked Hill Road will result in additional traffic at the Commack Road and LIE service road interchange, which is already a traffic problem with no mitigation planned. This intersection is already overcrowded and routinely results in gridlock during peak periods as the left turn staging area for the south bound traffic on Commack Road trying to make a left turn onto the LIE south service road is too short and the line of vehicles blocks the intersection. Any additional traffic cannot be tolerated. There must be an additional access to the west bound and eastbound LIE, For Trucks from the Heartland facility that does not require the vehicles to pass through the traffic light at the intersection of the LIE North Service Road and Commack Road. The currently planned mitigation for this current problem is the extension of the holding lanes for the left turn off of Commack Road north bound and south bound. This is entirely inadequate and will not resolve the existing traffic problem, let alone that which will result from the Heartland development. The Commack Road and LIE Service Road intersection traffic must be mitigated in the DGEIS and its currently is not. (C23-9)

#### **Response TR-302**

Response TR-19, Table A and Table B, present the recommended improvements, including at the locations noted in the comment. See Response TR-286. Also see Appendix TR-1 of the FGEIS, which discusses the recommended improvements, including at the locations noted in the comment.

#### **Comment TR-303**

Unfortunately, as it stands now, roadway expansion is the main solution that the DEIS proposes to mitigate traffic congestion on the roadways surrounding the development site. The majority of traffic mitigation measures in the 'Build' analysis focus upon increasing roadway capacity at intersection through the addition of turn lanes or restriping. These capacity expansions will do nothing to address the long term congestion problems that will face the Heartland Town Square, the Tanger Arches and other surrounding areas. (C34-3)

#### **Response TR-303**

Heartland Town Square is designed to minimize the use of the automobile as compared to conventional developments. Appendix TR-1 of the FGEIS discusses the nature of the development as it relates to reductions in anticipated vehicle use to and from the site based on the concept of "internal capture". Appendix TR-4, Alternative Modes, presents additional TDM strategies which will be used at Heartland Town Square to further reduce the use of the personal vehicle.

Also see Response TR-33.

#### **Comment TR-304**

Heartland developer, Gerald Wolkoff, must work with the New York State Department of Transportation (NYSDOT) Region 10, Suffolk County Department of Public Works and the Towns of Islip, Huntington and Smithtown to develop to comprehensive land use and transportation study that provides traffic mitigation measures which are broader than simply expanding capacity on existing roadways in the immediate area around the Heartland Town Square. The development in this area over the past decade, including Tanger

Outlet Mall, has been extraordinary and its transportation impacts must be addressed in a more coordinated manner going forward. (C34-4)

#### **Response TR-304**

See Response TR-19. The findings and recommendations contained in Appendix TR-1 of this FGEIS are based on a cumulative analyses of the impacts of all of the completed and proposed development projects in the surrounding area. The studies which will be undertaken by Suffolk County and New York State are expected to assess conditions on the Commack Road/Sagtikos Parkway corridor in a comprehensive and coordinated manner.

#### **Comment TR-305**

For instance, a more appropriate way to address capacity needs could be a look at intersection technology solutions more broadly. The DEIS suggests improved signalization at certain intersections, but foregoes signalization improvements in favor of capacity expansion at many other intersections. For example, in lieu of adding a second southbound left turn lane at the Pine Aire Drive and Executive Drive intersection, the developer should investigate, with NYSDOT, SCDPW and the Town of Islip, to change traffic signal timing. This is much cheaper and could be a more effective measure to mitigation traffic congestion. (C34-5)

#### **Response TR-305**

In the process of identifying roadway improvements to address identified deficiencies in the study area, changes in traffic signal timing were explored initially to determine whether they would adequately improve conditions. In many instances, traffic signal timing changes were not sufficient to provide the improvement necessary on their own and capacity improvements such as additional approach lanes are required.

#### **Comment TR-306**

Furthermore, the DEIS bases its traffic mitigation ideas on outdated transportation ideas, namely, that the main way to reduce traffic congestion is by creating greater roadway capacity to move more vehicles through a given area faster. Unfortunately, these ideas are the opposite of what the Heartland Town Square's overall vision of a smart growth development and pedestrian friendly community. To move beyond this the DEIS should look more closely at ways to promote transit use, cycling and walking. (C34-6)

#### **Response TR-306**

See Responses TR-33 and TR-303. Appendix TR-4 of the FGEIS contains additional information on alternative modes and transportation demand measures that are associated with the development of Heartland Town Square.

#### **Comment TR-307**

The Heartland Town Square should increase its proposed transportation improvement contribution from \$25 million, as outlined in the DEIS, to approximately \$175 million. This is more in line with contribution levels from the development group for the Long Island Lighthouse project in Hempstead. This group will contribute \$55 million to transportation improvements measures. Considering Heartland is over three times larger than the Lighthouse, and facing similar transportation challenges, this would be a fair contribution from the developer. (C34-9)

#### **Response TR-307**

See Responses to TR-19..

#### **Comment TR-308**

Glaringly absent from the traffic study portion of the GDEIS are any analyses of traffic conditions that will exist at intersections within the downtown Brentwood area upon development of the project. Traffic on north-south routes throughout the downtown area are presently halted for four (4) minutes every half-hour, due to the closures that occur at the railroad grade crossings. As a result, many of the intersections operate at "F" levels of service throughout the day, particularly along Brentwood Road. Additional traffic generated by the development will exacerbate these conditions. The downtown intersections must be analyzed and mitigation measures proposed. (C38-16)

#### **Response TR-308**

See Response TR-8. The FGEIS examined 30 intersections within the study area. The referenced intersections were not included in the Final Scope.

#### **Comment TR-309**

One other concern of impact is essentially the feasibility of mitigation. The scale of the project requires enormous mitigation, and in terms of both cost of the project and sometimes difficulty acquiring necessary right of way, it causes concern of how doable this mitigation is at the scale that is there. (H1-13)

#### **Response TR-309**

See Response TR-19. While there are some isolated locations where right-of-way may be necessary to construct the recommended improvements, the recommendations for the majority of locations are constructible within the existing public right-of-way. The developers of Heartland Town Square will also be dedicating property in some areas to facilitate the improvements.

#### **Comment TR-310**

That study makes the recommendations for mitigation of traffic, but identifies with the relatively large or massive development potential here, there has to be either massive mitigation or scaling back of development to fit the parameters of the road systems. (H11-2)

#### **Response TR-310**

See Response TR-19.

Additional transportation analyses have been performed, and are included in Appendix TR-1 (Supplemental Traffic Analysis) through TR-4 of the FGEIS. These analyses were developed with the guidance of DEA. The assumptions that affect the analysis and methodology for the analysis of intersections or roadways were approved by DEA. Appendix TR-1 and Attachment TRA-1 of the FGEIS describe recommended improvements to address existing capacity deficiencies in the study area and to accommodate the traffic associated with Heartland Town Square.

#### **Comment TR-311**

The cost of the roadway improvements in the DGEIS and the other improvements that we know will be needed, like additional lanes on the LIE and Sagtikos will cost about \$500 million. The developer proposed to contribute \$25 million. The developer has indicated the full mitigation for this development is predicated on

work performed by the New York State DOT. As mentioned earlier, New York State DOT has no plans to make improvements on any road in this area. (H13-12)

**Response TR-311**

See Response TR-19.

**Comment TR-312**

One of the mitigation measures offered is widening of Commack Road to four lanes south of the LIE. Read the list of all the records in this area and the residents that live there. There will never be a widening of Commack Road. You do not have to be an expert to understand the impact that would cause. (H16-5)

**Response TR-312**

Appendix TR-1 of this FGEIS indicates the recommended improvements. With the exception of spot widening at the Commack Road access point to the site, no widening of Commack Road is proposed south of its intersection with the LIE South Service Road.

**Comment TR-313**

Mitigation N talks about intersecting Pine Aire Drive and Executive Drive. What we need is a bridge over the railroad tracks, not just an extra left-hand turn lane. Mitigation P offers access to the proposed site from the LIE South Service Road. We are adamantly opposed to this idea as well. This proposed entrance invites further Commack Road congestion. (H35-3)

**Response TR-313**

See Response TR-105. The recommended improvements do not include a bridge over the railroad tracks. Access to the site from the LIE South Service Road is proposed as one of the Full-Build recommended improvements. This access will work to limit site traffic on Commack Road south of the LIE.

---

**4.21.13 Funding/Acquisition****Comment TR-314**

Will the applicants provide funding in the long-term (i.e., 5 years after full build out) to identify, implement, and monitor the various excellent trip-reduction strategies outlined on page 1-71? (C1-105)

**Response TR-314**

The applicants acknowledge that physical roadway improvements are required in the area surrounding the Heartland property, not only due to traffic associated with the development of Heartland Town Square, but due to traffic conditions that already exist, and traffic that may be generated by other developments, independent of Heartland Town Square.

Further, the applicants for the Heartland Town Square believe that Heartland Town Square will result in behavioral modifications regarding the use of the automobile, and that Heartland Town Square will ultimately yield a substantially higher percentage of these trips made internally than the modeling effort demonstrates, thereby, lessening impacts to the external roadway system.

In the "Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square," dated May 2008, and subsequent discussions with the Town, the applicants proposed that traffic counts be undertaken when 70 percent of the square footage in Phase I is occupied in order to evaluate the actual behavioral changes that occur as homes, work places and retail options all exist proximate to one another, in quantities that allow for trips to be made internal to the overall Heartland development and, thus, lessen the impacts outside of the development. This empirical data will then be used to verify the projections made

using standard modeling techniques. If the results are as expected by the applicants, the internal capture rate may be higher than that used in the model. Depending upon the results, fewer mitigation measures may be required. Conversely, if the empirical data reveals that the actual internal capture rate is less than that which was used in determining the projected number of external trips, the Town Board may modify the allowable office density in Phases II and III.

**Comment TR-315**

The roadway improvements noted as Mitigation A thru P are listed as “mitigation.” While it seems to be implied that the developer will bear the cost of implementing these improvements this should be stated clearly. (C2-46)

**Response TR-315**

See Response TR-19.

**Comment TR-316**

A number of the improvements identified as specific to Heartland appear as if they may require property to construct them. Many of the descriptions of the improvements in the DGEIS do not indicate whether or not ROW is available. Neither do the figures in Attachment T-28. Others indicate property is required and suggest impact fees to the County to take the land under eminent domain. The feasibility of this approach needs to be determined. The FGEIS should identify for each improvement, whether ROW is required, and how the developer intends to obtain it if the applicants does not own it. (C2-50)

**Response TR-316**

While there are some isolated locations where right-of-way may be necessary to construct the recommended improvements, the recommendations for the majority of locations are constructible within the existing public right-of-way. In addition, at some locations adjacent to the site property the applicant will dedicate property for the construction of the recommended improvements.

**Comment TR-317**

Mitigation A - Does this improvement require ROW? Confirm the status of the noted Suffolk County Project. (C2-51)

**Response TR-317**

Although Heartland Town Square’s share of the projected increase in traffic at this location is minimal, construction of a northbound right turn lane on Commack Road, adjacent to the Park and Ride lot will vastly reduce the delay experienced by northbound vehicles, especially during the PM Peak period when traffic often backs up as far south as Pine Hill Lane.

The exact limits of the County and State rights-of-way have not been determined. However, Appendix TR-1 of this FGEIS shows that this intersection currently operates at a poor LOS and should be improved by the State and/or County today, based on existing traffic volumes.

**Comment TR-318**

Mitigation G - Does this improvement require ROW on the east side of Crooked Hill Road? (C2-55)

**Response TR-318**

The improvements at this location are expected to be accommodated within the existing public right-of-way.

**Comment TR-319**

Mitigation M - Does this improvement require ROW? (C2-59)

**Response TR-319**

Improvements are no longer recommended at this intersection. The re-analysis shows that the No Build and the Build Scenarios result in the same LOS.

**Comment TR-320**

Mitigation N - Does this improvement require ROW on the south side of Pine Aire Drive? (C2-60)

**Response TR-320**

The addition of a second, separate southbound left turn lane at this intersection will ease congestion experienced by vehicles crossing south over the railroad tracks. This can be accommodated within existing right-of-way by narrowing the width of the center median.

**Comment TR-321**

Mitigation O - ROW way is required here. Is the County willing to participate in the taking of private property for a private development as noted in the text? (C2-61)

**Response TR-321**

As shown below, and in Appendix TR-1 of this FGEIS the proposed traffic mitigation plan includes the reconstruction of the Pine Aire Drive Interchange with the Sagtikos Parkway. The new interchange configuration does not require acquisition of any private rights-of-way.

**Comment TR-322**

Some of the mitigation proposed appears to require property acquisition from private entities prior to implementation, please clarify. (C5-9)

**Response TR-322**

The applicants do not propose to become directly involved in the acquisition of any private property for traffic mitigation purposes.

**Comment TR-323**

The project is too far off in the future to consider federal stimulus funds, and local governments certainly do not have the available resources to begin the regional road projects that will have to be undertaken starting almost immediately upon the zoning approval. (C8-22)

**Response TR-323**

See Response TR-19.

**Comment TR-324**

The traffic mitigation efforts appear unrealistic in that they rely heavily upon State and County funded improvements, are proposed to be completed in a short time frame, and may be considered an excessive public cost. In the DEIS, the applicants appears to contribute about \$25 million to transportation improvements, but describes a need to implement about \$150 million (or more) worth of traffic mitigation. Most of the major improvements, such as adding a lane on the Parkway, would require the State and County to commit to major expenditures. In addition, most of the major improvements are listed to be accomplished

within the first five years of construction. It has been my experience that it is not realistic to assume that governments could commit that funding for so many projects in one area in such a time frame. For example, the Town of Smithtown has been waiting forty years for improvements to NYS Route 347 corridor. Why would these governmental entities contribute so much funding to one area when there are so many other necessary and pressing projects on the drawing boards? (C10-4)

There are other negatives, wastewater and loss of open space, but increased traffic dwarfs all others. Let's be candid, under the project's proposed size, the roadway mitigation necessary will cost hundreds of millions of dollars, not the 25 million dollars that the developer proposed. Who is going to pay for it? Don't look to New York State, don't look to Suffolk County, and don't look to the backs of Islip taxpayers. (H15-6)

...We did some preliminary cost estimate, and we are looking at 200 to \$400 million in transportation mitigation. And the developer committed to \$25 million, so clearly there is a gap. Being that the State DOT has not even done a study of this area, we don't see in the pipeline significant dollars coming from the State or federal government to fill that gap, unfortunately. We are not getting our fair share from Washington or Albany. (H18-10)

#### **Response TR-324**

Section 4 of Appendix TR-1 of this FGEIS presents information on the cost of the recommended improvements and funding. Also, see Response TR-19.

#### **Comment TR-325**

What are the anticipated costs to provide this service [the shuttle]? (C11-26)

Where will the funds come from to pay for this shuttle service? (C11-27)

#### **Response TR-325**

Since Heartland Town Square is designed as a community where automobile use is de-emphasized, an on-site transportation system is proposed. The applicants have proposed to create and be responsible for the operation of a private shuttle, which will provide direct access to the Deer Park LIRR station. The shuttle will be developed in Phase I of the project. See Response TR-172 and Appendix TR-4 for additional details.

#### **Comment TR-326**

The community must first have assurance that the funding will be delivered before we expected to absorb a project that is twenty-four percent more dense than Queens County. (C20-1)

#### **Response TR-326**

See Responses TR-19.

#### **Comment TR-327**

Who will pay for roadway mitigation? (C27-9, H37-8)

#### **Response TR-327**

See Responses TR-19.

**Comment TR-328**

The commitment of the applicants to tie the phasing of the development to traffic mitigation is very helpful in addressing this problem. However, it must be recognized that the feasibility of financing the enormous improvements needed from either public or private sources requires serious consideration of alternatives where it has less development, requiring more achievable improvements, may increase the likelihood of the site redevelopment going forward. (H1-4)

**Response TR-328**

See Responses TR-19. Refer to section 4 of TR-1.

**Comment TR-329**

Many of the mitigation measures that the developer does propose appear to acquire right-of-way acquisition. The developer has not identified how we [sic] will acquire this property, nor has it been identified as to what impact to the acquisition process will have on the project. (H13-11)

**Response TR-329**

See Response TR-309.

**Comment TR-330**

In addition, I think it is totally inappropriate to ask for funds from traffic mitigation from State, county and local government when this is a totally private development project, especially when New York State and the country as a whole are experiencing an economic recession on a scale that we have not seen since the Great Depression. (H14-3)

**Response TR-330**

The comment is noted. See Response TR-19.

**Comment TR-331**

As we mentioned earlier this will cost a lot of money, and so we want to urge the town, the county, the state, the MTA to be working with our members of the Congress and our senators to bring federal dollars under the Surface Transportation Act, to bring the transportation improvements that are going to be needed. (H9-7)

**Response TR-331**

The comment is noted. See Responses TR-19.

## 4.22 Energy/Green Buildings/Sustainability (EN)

### Comment EN-1

Will the developer pay for full cost of undergrounding all electrical service (page 1-10)? For substation upgrades? (C1-70)

### Response EN-1

As is the standard practice, electrical and gas infrastructure to serve the proposed development will be installed and paid for by the respective service providers.

In addition, pursuant to the New York Public Service Law, the Department of Public Service of the Public Service Commission has a broad mandate to ensure that all New Yorkers have access to reliable and low-cost utility services. The provision of land for an electric substation and other matters (including substation upgrades) is governed by the Public Service Law and the rules and regulations promulgated under NYCRR 16 Parts 98 et. seq. (see Appendix EN-1). The applicants are willing to negotiate with LIPA if it wishes to secure property on the Heartland Town Square property.

### Comment EN-2

Assuming existing natural gas lines (page 1-10) follow existing roads, will any of them need to be removed or relocated? (C1-71)

### Response EN-2

The applicants are proposing to use natural gas within the development. Therefore, removal of gas lines is not proposed. Once specific development plans are submitted to the Town of Islip, the applicants will work with National Grid to determine whether any natural gas line would have to be located/relocated. It is expected that existing gas lines, which are located within the street system, would need to be relocated, as the proposed street network differs from the existing street system on the property.

### Comment EN-3

***SCPC Policy on Energy Efficiency: Policy - All new residential, commercial and industrial buildings should be designed and constructed to reduce energy consumption and improve environmental quality:*** The DGEIS makes blanket statements as to the willingness of the applicants and LIPA to work together to ensure that the development is energy efficient. Solar and wind turbines are alluded to in the document with no specificity. The EIS puts forth that it is not feasible to determine the specific energy-conservation measures that will be incorporated into each building. The Suffolk County Planning Commission has established a guideline for multifamily and commercial design and construction of buildings should reduce energy consumption by at least 30% (using the NYC Energy Conservation Construction Code as the baseline). In addition, the Commission has established a guideline that the buildings should be designed for the applicable US Green Building Council LEED standard. Phase one of the proposed development alone includes 560,000 SF of Retail, 3,500 SF of housing units, 600,000 SF of Office and 105,000 SF of Civic Space. A more firm and serious commitment to energy efficiency needs to be made at the outset of the proposed project and agreements, guarantees and conditions should be codified. (C7-24)

The DGEIS needs to lay-out a comprehensive energy efficiency plan. CCE commends the developer's vision in utilizing energy efficiency technologies, yet we are concerned with the vagueness of the DGEIS. The DGEIS provides lists of "possible applications" or "example" technologies, yet the document is clearly

missing a comprehensive plan on how the development will be using these “possible” and “example” technologies. For instance the DGEIS states, “examples of such options include technical and financial assistance to utilize energy efficient technologies; the investigation of renewable energy sources, as appropriate; and the development of a smart utility grid that could assist with the implementation of distributed generated opportunities. (C36-37)

The DGEIS goes on to list “opportunities”, such as providing kiosks in strategic locations that provide energy use information on innovative techniques utilized in the development, using off-hour charging rates for electric vehicles, using smart meters, and providing effective solutions aimed at optimizing lighting to create a positive environmental impact. These area all note-worthy initiatives, yet it is not clear that they will be incorporated into the development. The developer remains unclear and non-committal on what the development will actually incorporate. (C36-38)

CCE strongly recommends that the developer be required to commit to a comprehensive energy plan and not simply list things that might be incorporated as “appropriate”. (C36-39)

### **Response EN-3**

The applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be financially feasible at that time. As explained in Section 4.9 of the DGEIS, it is envisioned that the development of Heartland Town Square would encompass a wide array of innovative energy use and savings options. However, as the buildings have not yet been designed, it is not possible to determine what buildings would incorporate what specific energy-savings measures.

Examples of energy use and savings options include compliance with EnergyStar requirements. The applicants are proposing to install energy-saving appliances (refrigerator, washer/dryer, dishwasher) and energy-saving lighting fixtures in the residential units. Other options include technical and financial assistance to utilize energy-efficient technologies; and the development of a smart utility grid that could assist with the implementation of distributed generation opportunities. These options, coupled with economic development initiatives and innovative rate design approaches will help to ensure that the proposed project is developed in an environmentally-friendly manner utilizing the most current and comprehensive resources.

In addition, energy-saving lighting fixtures and water-conserving fixtures will be installed throughout the development. The applicants will continue to investigate potential LEED certification.

It must also be understood the Heartland Town Square’s design as a mixed-use, smart-growth community will inherently include energy efficiency and help to reduce the carbon footprint as it is a walkable community and will reduce dependency on the automobile.

### **Comment EN-4**

To provide the energy estimated to Phases 2 and 3, LIPA will require property to construct a new substation proximate to the existing Brentwood substation. Will the sponsor be providing the land required to construct a new substation to service Heartland, or is land available outside of the development area? Please clarify if this will impact property owners outside of the Heartland development, and provide the cost to upgrade the system. (C9-34)

### **Response EN-4**

Pursuant to the New York Public Service Law, the Department of Public Service of the Public Service Commission has a broad mandate to ensure that all New Yorkers have access to reliable and low-cost utility services. The provision of land for an electric substation and other matters is governed by the Public Service Law and the rules and regulations promulgated under NYCRR 16 Parts 98 et. seq. The applicants are willing to negotiate with LIPA to provide land for a substation, as required.

#### **Comment EN-5**

The new PSPRD zoning code should include incentives to promote the incorporation of renewable energy (solar/wind...) generate on site into the design and construction of the buildings to occupy Heartland. With Heartland's stated objective of being a smart growth community, the absence of such incentives is a major deficiency in the plan that must be corrected. Creating a community from scratch provides the project sponsor a great opportunity to promote renewable energy within the community thereby reducing its energy requirement. Upgrading existing buildings to generate and utilize renewable energy is a more challenging endeavor. (C9-35)

#### **Response EN-5**

See Response EN-3.

#### **Comment EN-6**

CCE strongly encourages Heartland to invest in renewable energy technologies. CCE commends the developer's goal of looking into renewable energy technologies. The DGEIS states, "The use of solar energy has been showing considerable promise...wind turbines are also being planned in the areas surrounding the project (1-31)." Yet, we are again concerned with the lack of commitment and lack of a comprehensive plan to ensure that these technologies are being used at the site. The DGEIS states, "It is not feasible to commit to precise site plans, or to commit to the design of specific buildings. Accordingly, use of "alternate forms of energy" and/or specific energy conservation measures for buildings can only be defined at the time of site plan review (1-51)." (C36-40)

This lack of commitment is deeply troubling. According to the DGEIS, LIPA estimates that the Heartland proposal would require 48 megawatts of power, an additional substation, and an additional 5.4-11.8 MW of new load. This is a significant amount of energy and could result in significant air pollution to the surrounding area. The developer should ensure a certain percentage of the developer's energy is from renewable energy technologies, such as solar and wind energy, not just an "investigation of renewable energies, as appropriate" (1-50). Renewable energy is clean, emission-free, home-grown energy that will create jobs and reduce our dependency on foreign fossil fuels and provide for a sustainable future for the Heartland project. (C36-41)

Energy efficiency, solar energy and wind turbines are mentioned, but I also see the possibility of oil heat noted. I would expect us to be past oil use. An intention to first maximize the use of renewable sources would save money in the long term as well as protect the environment. (C31-4)

#### **Response EN-6**

See Response EN-3 and Sections 4.9 and 10.0 of the DGEIS. The applicants are proposing to use natural gas within the development. Furthermore, the applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be financially feasible at that time.

**Comment EN-7**

Sustainable Long Island supports regulations that promote land reuse within existing downtown areas, thereby preserving open space and reducing public infrastructure costs. While the Heartland Town Square is a proposed redevelopment of an underutilized site, it is not within an existing downtown area and will require new infrastructure. The Town of Islip should encourage the use of “green” infrastructure or alternatives such as bioswales, green roofs, greywater reuse, rain barrels, and pervious pavement. These elements will reduce the impacts of the large-scale development by reducing the amount of stormwater runoff that collects pollutants and delivers them to our natural water sources and help reduce heat absorbed by buildings within the development. (C37-10)

**Response EN-7**

The applicants will incorporate bioswales into the Town Center portion of the development along two north-south streets, running from the northernmost portion of the ring road south to the area just north of the proposed 100-foot-wide open space buffer areas, adjacent to the Pilgrim campus. “A bioswale is an urban landform used to convey surface water in order to enhance infiltration and reduce surface runoff,” according to The Encyclopedia of the Earth (<http://www.eoearth.org/>). “Bioswales are typically moderate gradient devices (approximately one to five percent in channel slope) and may be covered by grasses, landscape fabric, mulch or other vegetation or leaf litter. These landforms are typically integrated into an urban landscape design to enhance the visual appearance... Common urban applications of bioswales are to intercept large quantities of surface runoff from low permeability man-made surfaces, such as parking lots, roadways and roofs. Thus bioswales may be useful in industrial parks, office complexes, retail centers and high density apartment projects.” Furthermore, according to the Natural Resources Conservation Service of the United States Department of Agriculture, once established, bioswales require less maintenance than turf grass because they need less water and no fertilizer. Native grasses and other native species would be adapted to local rainfall patterns. Native species also resist local pests, disease and weed infestations. The proposed bioswales would be incorporated into the overall landscape design and stormwater drainage system. Use of bioswales will be considered as part of the drainage concepts for other areas of the property at the time of site plan review.

Also, see Response EN-3 and Sections 4.9 and 10.0 of the DGEIS. In addition, the concept of sustainability is discussed in the Design Guidelines (see Appendix RP-3).

**Comment EN-8**

A commitment from the developer to pursue some level of LEED-ND (Neighborhood Development) or other LEED certification will greatly enhance environmental sustainability of the project. (C1-39)

The DGEIS for this project repeatedly mentions using “green building” features whenever possible as well as working with LIPA to create energy efficient buildings however there is no mention of any level of efficiency or standard that will be met. Will there be a percentage of energy use reduction below current code maximums that can be expected? If it is understood that individual buildings have not yet been designed and that the efficiency of these proposed buildings cannot yet be measured, however Vision Long Island would recommend that the buildings be designed to Energy Star if not LEED standards in order to ensure that they are truly energy efficient above minimum code standards. (C28-24)

The US Green Building Council has teamed with the Congress for the New Urbanism in creating a LEED standard for Neighborhood Development (LEED-ND). It is still in the final review process but is still quite useful. It is a helpful tool in determining how environmentally friendly and pedestrian friendly overall neighborhoods are. Vision Long Island would recommend that this development pursue LEED-ND certification to ensure that it meets the standards for an environmentally friendly development. (C28-9)

As for the environment, at first glance of the DEIS I appreciate seeing a commitment to green building design in general, but the commitment is too open ended. A commitment to the United States Green Building Council's Leadership in Energy and Environmental Design guidelines is needed here. (C31-3)

CCE recommends that the Heartland development be required to construct all buildings to LEED standards, providing a nation-wide model green community. CCE believes that Heartland should strive to be the most energy efficient, sustainable, green living community. LEED is a voluntary national standard for developing a high-performance, sustainable building. Ensuring that all buildings meet LEED (Leadership in Energy and Environmental Design) standards will ensure buildings are energy efficient, water efficient, and built with recycled and sustainable products. LEED certified buildings have enormous environmental and health benefits for the surrounding area, as well improved health for the building workers. LEED certified buildings promote and encourage the use of renewable energy and energy efficiency, thus decreasing our dependence on fossil fuel resources such as coal, oil, and natural gas. (C36-36)

The adoption of LEED standards would have significant impacts on aggregate energy used by the project. Heartland appears to be a good candidate for construction and design under the LEED, or neighborhood design standards, which will be released later this summer. In addition, other LEED requirements, such as green roofs, solar panels, and wind energy may provide better mitigation for energy usage than what is currently listed. The possibility of locating an electrical substation along with projected size and output should be clarified in the FGEIS. (H3-18)

Require at least a portion of the project site if not all of it to be developed to LEED certification standards, at least the lowest rating, at a minimum. Do not change the zone and give away the project site without doing all you can to create the most sustainable community possible in the 21st century. The applicant is getting all of the benefit, all of the residential density and commercial intensification of uses for no return to minimize the energy impacts from the project. The extremely significant amount of roof area that will be available is prime for solar panels and even the small wind turbines that are available today. (C21-4)

#### **Response EN-8**

The applicants will continue to investigate potential LEED certification. With regard to renewable energy, the applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be financially feasible at that time.

See Response EN-3.

#### **Comment EN-9**

One of the key missing elements in the Heartland proposal is a consideration for the potential impacts on environmental sustainability. Sustainable Long Island supports and encourages the use of "green" building techniques such as LEED certification or other similar standards. Sustainable Long Island urges the Town of Islip and the developer to use green building techniques and pursue installation of green infrastructure such as the elements mentioned previously (bioswales, green roofs). Other measures should be taken to promote environmental sustainability such as the addition of permeable pavements, planting of street trees, and using renewable sources of energy. This is a real opportunity to create a green community that can serve as a model for energy efficiency. In addition Sustainable Long Island strongly urges the Town of Islip to take into consideration the legitimate concerns about the need to protect groundwater, mitigate stormwater runoff, reuse greywater, and ensure that any cleanup of contaminated portions of the site is done to appropriate state standards. We support all of the comments made by the Citizens Campaign for the Environment. (C37-12)

**Response EN-9**

See Responses EN-3 and EN-7 and Sections 4.9 and 10.0 of the DGEIS. In addition, the concept of sustainability is discussed in the proposed Design Guidelines (see Appendix RP-3).

**Comment EN-10**

Green building techniques can reduce building energy costs by 20-50% and water usage by at least 50% outdoors and 30% indoors, resulting in substantial savings. Since the developer has shown intention to use water use reduction strategies already and since the overall site has been designed in a way to meet many if not most of the requirements of LEED, it may be beneficial to go for full LEED certification for the buildings on this site. (C28-25)

**Response EN-10**

See Response EN-3.

**Comment EN-11**

A complete reading of the DGEIS documents however shows no clear plan to offer any real environmental friendly fuel facility for the Heartland complex. It is mostly a generic discussion of future possible changes in automotive use by society in general. There is no specific plan to encourage the use of environmentally friendly vehicles. (C29-13)

**Response EN-11**

While the applicants have not yet purchased specific vehicles, the applicants have committed to providing a shuttle bus service, zip cars and transportation demand management system (including car-pooling and/or van-pooling). In addition, Heartland Town Square provides for non-motorized vehicle use through an extensive sidewalk and pathway system and bike paths. Moreover, the Heartland Town Square concept is one that maximizes walkability, with compact design, vertically-integrated uses and a mix of residential, office and retail uses proximate to each other. Thus, while the applicants cannot at this time commit to specific types of vehicles, the applicants have committed to measures to reduce vehicular trips, thereby benefitting the environment.

**Comment EN-12**

We believe that the Heartland project has the potential to reflect a new spirit for the design of communities, employing the Cradle-to-Cradle concept promoted by architect William McDonough and chemist Michael Braungart. They state in Cradle to Cradle, "when designers employ the intelligence of natural systems—the effectiveness of nutrient cycling, the abundance of the sun's energy—they can create products, industrial systems, buildings, even regional plans that allow nature and commerce to fruitfully co-exist." Extending this concept to the Heartland project requires a redesign of the project to re-use the materials on property, capture future waste (food, energy, materials) and reuse them onsite. The Town of Islip should take a look at planned Cradle-to-Cradle and LEED Neighborhood Design communities such as Greenbridge in Chapel Hill, North Carolina that uses rainwater catchment, a state-of-the-art HVAC system, green roofs, a fleet of ZipCars and Cradle-to-Cradle building materials. (C37-1)

**Response EN-12**

See Responses EN-3 and EN-11.

**Comment EN-13**

Methods to decrease impervious surfaces at the Heartland site have not been fully explored, such as green roofs, rain gardens, and other green building practices. (C1-69)

**Response EN-13**

See Response EN-3 and Section 4.9 of the DGEIS.

**Comment EN-14**

By virtue of its size and scale, Heartland Town Square is potentially capable of implementing the use of “Smart grid” technology in the development of its electricity infrastructure. The recent federal stimulus package allocated \$11 billion for the creation of smart grids across the country. The discussion of energy efficient opportunities could be updated based on this and other recent developments. (C1-113)

**Response EN-14**

The “smart grid” technology is discussed in Section 4.9 of the DGEIS.

**Comment EN-15**

The plan says they will work closely with LIPA and other energy providers to insure energy conservation and reduction measures on implementing ground development. What does that mean? Well, not too much. We are looking for real commitment, real commitment on renewable technology to reduce energy demand on the LIPA grid. We are looking for real commitment on energy efficiency practices for new buildings, residential and commercial. We are looking for real commitment on energy consumption goals. It doesn't have that. It should have that. That is the wave of the future, and that is the kind of planning we are looking for to lead us into the new millennium. (H18-5)

**Response EN-15**

The applicants are willing to continue to work with LIPA to investigate energy reduction techniques, and are also willing to negotiate with LIPA to provide land for a substation, as required.

With regard to renewable energy, the applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be financially feasible at that time.

**Comment EN-16**

Anytime there is 5,000 megawatts of power used during the summer months, immediately Newsday goes to work and prints that fact. You will see a lot more examples of that if this completed – if this whole project is completed as advertised. (H27-5)

**Response EN-16**

As explained in Sections 4.9 and 10.0 of the DGEIS, the applicants have been working closely with LIPA, and will continue to do so, to ensure that electric demands are met and that feasible energy efficiency measures are incorporated throughout the development.

#### **Comment EN-17**

However, Heartland could do a better job in the pursuit of green and sustainable building principles, such as reusing on-site demolition debris, preserving more of the existing buildings through adaptive reuse, and building with sustainable and locally-sourced materials. (C1-38)

#### **Response EN-17**

As explained in Response HZ-6, the applicants have committed to the recycling and reuse of demolition debris, as feasible. Also, see Response EN-3 and Section 4.9 of the DGEIS. In addition, the revised Conceptual Master Plan includes the adaptive reuse of the existing power plant and the water tower.

#### **Comment EN-18**

The technology and design standards are readily available for virtually the same cost and with significant energy cost savings in the long run; the technology and standards are being employed in the U.S. and around the world with relative ease. There are examples on Long Island and in neighboring counties including New York City. It would make the development extremely attractive for sale and use by people who care about living in a more sustainable environment, which is an ever-growing population of people who care. Excuses should not be made that developers can't incorporate sustainability into their project design. This project is being developed from a blank slate, and if approved, it can be approved within any reasonable measures; therefore, anything is possible. If it's not possible on this large site, it's not possible anywhere, and we've seen that it is in fact possible elsewhere. (C21-5)

#### **Response EN-18**

The applicants do not agree that the various energy-efficiency measures and renewable energy are readily available at a comparable cost. The applicants have determined that it is not financially feasible at this time to pursue alternative energy sources. However, as the project progresses over time and technologies advance, the applicants will re-evaluate alternative energy sources, and incorporate measures that are deemed to be financially feasible at that time. As explained in Section 4.9 of the DGEIS, it is envisioned that the development of Heartland Town Square would encompass a wide array of innovative energy use and savings options. However, as the buildings have not yet been designed, it is not possible to determine what buildings would incorporate what specific energy savings measures.

Examples of energy use and savings options include compliance with EnergyStar requirements. The applicants are proposing to install energy-saving residential appliances (refrigerator, washer/dryer, dishwasher) and lighting fixtures in the residential units. Other options include technical and financial assistance to utilize energy-efficient technologies; and the development of a smart utility grid that could assist with the implementation of distributed generation opportunities. These options, coupled with economic development initiatives and innovative rate design approaches will help to ensure that the proposed project is developed in an environmentally-friendly manner.

Moreover, energy-saving lighting fixtures and water-conserving fixtures will be installed throughout the development. The applicants will continue to investigate potential LEED certification.

See Response EN-3.

**Comment EN-19**

We all experienced a significant increase in the price of oil in 2008. It is not sustainable to perpetuate the need to use and depend on a finite/non-renewable resource such as oil as the main source of energy for this or any other development. (C21-6)

**Response EN-19**

The applicants agree with the commentator and have agreed to incorporate financially feasible energy-efficiency measures throughout the development. See Response EN-3 and Sections 4.9 and 10.0 of the DGEIS.

**Comment EN-20**

The SEQRA regulations are being updated by DEC to require that a project's environmental review include an assessment of greenhouse gas emissions or carbon emissions...the Town of Islip should require that the proposed project include an assessment of carbon emissions as a result of the expected energy to be consumed and vehicle miles traveled generated by the project...Knowing this information, the Town, the developer and the public would be aware of the proposed emissions that would result from the project. The scale and magnitude of this project warrants this type of analysis. (C21-3)

**Response EN-20**

Greenhouse gas (GHG) emissions associated with expected energy consumption and project-related vehicle miles traveled (VMT) have been evaluated in accordance with the draft NYSDEC *Guide for Assessing Energy Use and Greenhouse Gas Emissions in an Environmental Impact Statement*.<sup>29</sup>

GHG emissions associated with expected energy consumption is considered "indirect," because the emissions will be generated off-site and not directly emitted by the Heartland Town Square development itself. According to Sections 4.9 and 10.0 of the DGEIS, the total power demand for the development has been estimated at 60 megawatts (MW) over several project phases. This energy demand estimate was used along with the LIPA power production carbon dioxide (CO<sub>2</sub>) emission factor of 1,250 pounds of CO<sub>2</sub> per megawatt-hours (lbs CO<sub>2</sub>/MWhr)<sup>1</sup> to calculate annual metric tons (MT) of CO<sub>2</sub> as follows:

$$CO_2 = 60 [MW] * 1,250 [lbs CO_2/MWhr] * 8,760 [hr/yr] * 0.00045 [metric ton/lb] = 295,650 MT$$

Emissions from project-generated VMT or "mobile sources", such as automobiles, are also considered indirect. Worst-case CO<sub>2</sub> emissions for Heartland Town Square can be calculated by multiplying maximum peak-hour trips as estimated in Section 4.8 of the DGEIS by average trip length in miles. The average trip length for Suffolk County was obtained by using US Census Bureau (2011) average commute time for Suffolk County and NYSDEC vehicle speed data (2010). Although trip distance and vehicle speed will vary slightly in future years, the most readily available, up-to-date data was used. Average trip length for the Heartland Town Square development was calculated as follows:

$$Average VMT per trip = 30.5 [minutes/trip] * \{24.4 [mph] * 0.0167 [hours/minute]\} = 12.43 VMT.$$

Annual CO<sub>2</sub> emissions from project related VMT were then calculated as follows:

$$CO_2 = 7,440 [trips/hr] * 12.43 [VMT/trip] * 450 [g CO_2/VMT] * 0.000001 [metric ton/g] * 8,760 [hr/yr]$$

▼  
<sup>29</sup> NYSDEC "Guide for Assessing Energy Use and Greenhouse Gas Emissions in an Environmental Impact Statement", July 2009, (Albany, New York).

= 364,553 MT

To put this into perspective, smart growth developments have lesser GHG emissions than traditional, non-smart-growth developments due to reductions in electrical energy usage and reductions in vehicle miles travelled. In relative terms, the energy savings for Heartland Town Square would be expected to result in approximately 24,000 – 37,000 Mwh (megawatt-hours) less electrical energy usage per year than a traditional development of the same magnitude, which translates to 18 to 28 percent less GHG emissions associated with the reduced electrical energy usage. In terms of VMT and the GHG emissions associated with vehicle trips, there would conservatively be an average 20 percent reduction in trip generation with a smart growth development, which would translate to a commensurate reduction in GHG emissions from vehicle trips, when compared to a traditional, non-smart-growth development of the same magnitude.

The CO<sub>2</sub> emission estimates presented above for the development's energy demand and project generated VMT are very conservative based on the following information:

#### Project Energy Demand

- An increase in alternative energy in the future utilized by local power providers (such as LIPA) will lower indirect CO<sub>2</sub> emissions from Heartland Town Square by the time the full 60 MW demand is required (at project completion).
- As explained in Sections 4.9 and 10.0, several green initiatives are proposed and alternative energy resources will be explored, which will reduce energy demand, and as such, CO<sub>2</sub> and other GHG emissions associated with the operation of the Heartland Town Square project will be reduced. With Heartland Town Square's stated objective of being a smart growth community, energy efficiency will inherently be included.

#### Project Generated Vehicle Miles

- Federal, State and local governments are continuing to develop more stringent fuel economy and GHG emission reduction regulations that are likely to be in place when the Heartland Town Square project is completed. In early 2010, the Federal government began regulating GHG from vehicles, with GHG reductions beginning in model year 2012 vehicles. In addition, new regulations promulgated in 2012 will again increase fuel economy and reduce GHG emissions beginning with model year 2017 through 2024 vehicles with tighter standards beginning with model year 2025 vehicles.
- The above calculation assumes that the peak-hour trip generation estimate occurs every hour of every day, which is not representative of actual projected traffic conditions. However, in order to conservatively estimate annual potential CO<sub>2</sub> emissions, the peak-hour trip estimate was used.

## 4.23 Noise (NO)

### Comment NO-1

The analysis of traffic noise is based primarily on the traffic mixes, volumes and speeds taken from the project traffic analysis. We have serious concerns that these volumes may be considerably underestimated. These concerns are detailed in the accompanying listing of traffic analysis comments. This is mentioned here to highlight the likelihood that the noise analysis, having significantly underestimated traffic generation, also significantly underestimates the project's noise impacts. (C8A-8)

### Response NO-1

A revised noise analysis, based on revised traffic data, has been provided in Appendix NO-1. According to the "Executive Summary" and "Applicable Noise Standards and Criteria" sections of Appendix NO-1, the principal noise consequence that could result from the proposed action is the potential increase in noise levels due to the prospective increases from stationary noise sources within the development and project-generated vehicular traffic on roadways in the project study area.

The NYSDEC Noise Impact Assessment Guideline was used in the noise analysis as it is the appropriate and applicable methodology to use for the proposed project. The NYSDEC, under the authority of 6 NYCRR Part 617 – SEQRA and Article 8 of the State Environmental Conservation Law (ECL), issued policy guidance for "Assessing and Mitigating Noise Impacts" in October, 2000. The guidance document considers increases in  $L_{dn}$  of greater than 6 dBA as having an impact and complaint potential with 65 dBA being an upper end limit in non-industrial settings. Ambient sound levels in industrial and commercial areas may exceed 65 dBA with a high end of approximately 79 dBA.

The guidance further provides the following thresholds of significant noise increases. Increases in noise levels associated with the proposed development above those without the development ranging from 0-3 dBA should have no appreciable effect on receptors. Increases from 3-6 dBA may have potential for adverse noise impact only in cases where the most sensitive of receptors are present. Sound pressure increases of more than 6 dBA may require a closer analysis of impact potential depending on existing sound pressure levels (SPLs) and the character of surrounding land use and receptors. An increase of 10 dBA deserves consideration of avoidance and mitigation measures in most cases.

The nearest noise-sensitive receptors with the greatest impact potential from the proposed project were identified, and existing noise levels during AM Peak, PM Peak, Weekday and Saturday Midday periods were measured. Increases in noise levels due to on-site operations and increases due to site-generated traffic in Year 2027 (full build-out) were then estimated.

Based upon the analysis, the fully built-out Heartland Town Square development may result in increases of up to 3 dBA above the No Build (i.e. without the project) noise levels in the project study area, well below the 6 dBA threshold for impact per NYSDEC Noise Impact Assessment Guideline. Increases for partial development (Phases I and II) can be expected to be lower than that under the fully built condition (Phase III). Therefore, no significant noise impact is expected to result from the proposed action. See Appendix NO-1 for a detailed discussion of the noise analysis.

**Comment NO-2**

The DEIS skirts the issue of site-generated noise with faulty, circular logic. It dismisses the issue by stating that no impact will occur because the site will be designed to meet Islip Town's noise standards. A detailed analysis should be required for a project of this nature. The DEIS should include both a quantitative and qualitative discussion of the noise impacts resulting from site generated activities and how Town noise standards will be achieved. The complete lack of an analysis makes a detailed evaluation of site generated noise impacts impossible to conduct. To further obfuscate the issue, the DEIS acknowledges elsewhere that the Town of Islip has NO specific noise standards, to which the project claims it will conform. (C8A-9)

**Response NO-2**

No major noise generating equipment or activity with the potential to create a noise impact was identified. Typical heating, ventilating and air-conditioning (HVAC) equipment, meeting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards, which when properly installed and operated, do not create noise impacts. The operation of such equipment will conform to the Town of Islip's noise ordinance, which is contained in Chapter 35 of the Town Code.

**Comment NO-3**

In addition, the noise analysis utilized the Passenger Car Equivalent (PCE) method as a tool to analyze traffic noise. This is a method approved for use only in New York City, where higher levels are an expected way of life and generally tolerated and expected. This analysis method should not be applied to a project in suburban Suffolk County. (C8A-10)

**Response NO-3**

The Passenger Car Equivalent (PCE) method is one of the tools to analyze traffic noise and was used as a first screen. It is based on the same acoustic principle of sound energy calculation as the other methods such as the Federal Highway Administration's (FHWA's) Traffic Noise Model (TNM); it is applicable to estimate changes in roadway traffic noise level due to the changes in traffic volume only. The revised noise analysis is provided in Appendix NO-1. Also, see Response NO-1.

**Comment NO-4**

Appendix N, Figure 1, shows traffic noise levels for comparative purposes. However, these levels are expressed in Day-Night Sound Levels ( $L_{dn}$ ). This is a descriptor used in the United States primarily for analysis of aircraft/airport noise, not highway or community noise. On page 7 of the appendix, there is a reference to international ISO criteria; this is irrelevant. This mixing and matching of incompatible descriptors and methodologies for analyzing noise makes the noise study appear to be a jumble of information borrowed from other, irrelevant, projects. This also makes it extremely confusing at best and misleading at worst to the non-technical reader. (C8A-11)

**Response NO-4**

A revised noise analysis is provided in Appendix NO-1 that addresses the comments, above. The only relevant noise descriptor used in the revised noise analysis is the hourly  $L_{eq}$ . All other descriptors were presented for informational purpose only.

**Comment NO-5**

On Page 6 of Appendix N, it is stated that substantial **relative** noise impacts occur when predicted-noise levels are increased by 6 or more decibels. The criterion applies only to an increase in traffic volume and does not take into account other site-generated noise. The project is a commercial/residential development, and a massive one, at that. The NYSDOT Noise Analysis Policy states that an applicable impact could occur with an increase as low as 3 decibels (i.e. a noticeable change in loudness) and result in a substantial impact with an increase of 5 decibels. Similarly, NYSDOT **fixed** noise impact criterion of 66 decibels should be used rather than the 67 decibels threshold provided in the study. (C8A-12)

**Response NO-5**

The revised noise analysis in Appendix NO-1 provides a comparison of project impacts with the appropriate guidelines. The SEQRA/NYSDEC Noise Abatement and Mitigation Policy has been used for similar development projects, as described in Appendix NO-1. The FHWA/NYSDOT Design Criteria are for federal and state highway projects and are not applicable to this development project.

The revised noise analysis in Appendix NO-1 applies the NYSDEC criteria, as described in Response NO-1. The results indicate that the fully built-out Heartland Town Square development is expected to result in increases of up to 3 dBA above the No Build (i.e. without the project) noise levels in the project study area, well below the 6 dBA threshold for impact per NYSDEC Noise Impact Assessment Guideline.

**Comment NO-6**

Using the correct criterion, the analysis demonstrates that there are and will be noise impacts at receptors N8 and N10, which are residences in the Town of Huntington (Tables 6 and 7). Numerous other receptors, in the Town of Islip, are similarly impacted. Also, the similarity between the build and no-build conditions reported in the noise analysis is a product of the underestimation of the traffic generation from the proposed project, as described in the analysis of the attached project traffic impact study. When the traffic analysis is appropriately corrected, these impacts are expected to rise significantly. (C8A-13)

**Response NO-6**

A revised noise analysis, based on revised traffic data, has been provided in Appendix NO-1. The analysis indicates that the increase in noise levels in the Build year 2027 (3 dBA) will be well below the NYSDEC Guideline threshold (6 dBA), as indicated in Responses NO-1 and NO-5. Estimated increases at receptors N8 and N10 are expected to be 1 dBA and 2 dBA, respectively.

**Comment NO-7**

Noise and odors should be examined as it pertains to autos and buses on and off the property. (C18-18)

**Response NO-7**

Off-site and on-site noise impacts are addressed in the revised report (see Appendix NO-1). On-site traffic would have no significant noise impact potential on off-site-sensitive noise receptors due to the distance. The

relevant odor issues are discussed in Section 7.0 of Appendix NO-1. As explained therein, the trend to cleaner exhausts in automobiles and trucks is expected to continue as the percentage of more environmentally-friendly motor vehicles in the mix of vehicles in service increases.

#### **Comment NO-8**

The impacts of noise as it pertains to the hours of operation, 24 hours a day, must be assessed. While, it is Huntington residents who will primarily be affected in this respect, there are no boundaries when examining impacts under SEQRA. (C18-19)

#### **Response NO-8**

The noise study examined the peak potential noise impacts to sensitive noise receptors nearest to the subject site, including residential areas within the Town of Huntington, immediately to the west of the subject site. Generated on-site project noise decreases as the square of distance and project-induced relative traffic change decreases downstream from project site (see Appendices TR-1 and TR-2 of this FGEIS). Since no significant impact was identified for the nearest noise-sensitive receptors with the greatest impact potential (monitoring sites Locations 1 and 2 on the south and east and Locations 8 and 9 in the northwest), no significant noise impact is expected further from the subject site. In addition, vegetated buffers have been expanded around the perimeter of the site, (closest to the existing residences) further reducing potential noise impacts.

#### **Comment NO-9**

Cumulative impacts have been largely ignored as evidenced by the years chosen by the applicant's experts to study the traffic (2003 and 2008) and noise (2005) prior to the recent building boom. (C18-20)

#### **Response NO-9**

Existing noise levels, whose constituents consist of noise contributions from all sources (e.g. LIE, existing traffic on roadways, commercial buildings, residential neighborhoods, etc), were measured and accounted for in the analysis presented in Appendix NO-1. Cumulative impacts are addressed and detailed in Appendix NO-1. Cumulative impact combines the contribution of on-site stationary noise sources and increases in roadway traffic. The increases in roadway traffic consider other developments in the area. The results indicate that Heartland Town Square may result in an increase of up to 3 dBA over the noise levels without the project. This is well below the 6 dBA threshold for a significant impact, per NYSDEC Noise Impact Assessment Guideline.

#### **Comment NO-10**

There is no consideration given to communication equipment that will likely be utilized at the facility. There will likely be loudspeakers, radios and other communication equipment, none of which were considered in the evaluation. These and other noise-producing equipment must be considered. (C23-21)

#### **Response NO-10**

While it is not possible to determine whether some restaurants or other facilities might play music, there are no specific plans at this time for outdoor loudspeakers, radios, or other communication operations, other than necessary emergency communications equipment and operations for safety and security. Also, there are no known plans for other outdoor noise-producing equipment installation other than HVAC equipment, which is addressed Response NO-2. In any event, noise generated would have to comply with applicable Town of Islip standards.

**Comment NO-11**

There is no evaluation of “pure tones” that may be present in the equipment to be used. Pure Tones are typically defined as increases of 10 Db or more in adjacent Octave bands. These pure tones are annoying to people and must be evaluated as part of the analysis. A complete 1/3th Octave Band analysis of all equipment to be used at the site must be completed to insure that none will emit pure tones. (C23-22)

**Response NO-11**

No pure tone noise generating equipment is proposed for use within the development site.

**Comment NO-12**

Results of the preliminary study indicate there could be significant noise impacts. Though the impacts of the build vs. no build conditions for noise were deemed insignificant, even baseline conditions are high. (C1-114)

**Response NO-12**

Noise impacts were assessed per NYSDEC Noise Impact Assessment Guideline. Assessment results and baseline conditions are presented in the revised noise study report (see Appendix NO-1).

Section 3.10.1 of the DGEIS indicated, and Section 4.3 of Appendix NO-1 reiterates, that under the existing condition, overall, the ambient noise levels surrounding the site generally range from the low 50s in dBA in locations away from major roadways, to the low 70s near the LIE. Vehicular traffic is the principal noise source throughout the project area and noise levels are generally dependent on the proximity to the roadways and the volume of traffic on them. The highest observed noise in the vicinity of the proposed Heartland Town Square project were related to traffic occurring on the Long Island Expressway and south service road at Crooked Hill Road. The lowest noise levels were observed to the west of the proposed development at the eastern end of Polo Street. No other major source of noise was present during the measurement.

Furthermore, based upon the analysis conducted for the DGEIS, Section 4.10.1 indicated that the proposed Heartland Town Square development would not have a significant impact on the noise environment of the study area.

The supplemental analysis contained in Appendix NO-1 of this FGEIS indicates that Heartland Town Square may result in increases of up to 3 dBA above the No Build (i.e. without the project) noise levels in the project study area, well below the 6 dBA threshold for impact per NYSDEC Noise Impact Assessment Guideline. Therefore, there would be no significant noise-related impact due to the implementation of the proposed action.

**Comment NO-13**

Noise levels approaching (within 1 dBA) or exceeding the FHWA/NYS DOT NAC criteria of 67 dBA in areas N3, 4, 5, 6, 7, 8, 10 “however of these locations residences are only located along Commack Road, represented by monitoring Locations N8 and N10, and their noise levels are expected to be unchanged from the noise environment without the project” – these levels are still high (70 dBA) and exceed FHWA/NYS DOT NAC criteria. (C1-115)

**Response NO-13**

The proposed development has no control over existing ambient noise levels, especially existing traffic noise on the LIE and public roads. As explained in Sections 5.2 and 6.0 of Appendix NO-1, the proposed Heartland

Town Square development meets the guideline of having no noise significant impact on neighboring residences, as none of the monitoring locations would experience an increase of more than 3 dBA, which is well below the impact threshold of 6 dBA (see Responses NO-1 and NO-8).

#### **Comment NO-14**

Mitigation: revision of plans to move residential to quieter areas? Design or building materials to reduce noise? (C1-116)

#### **Response NO-14**

Residences are proposed to be developed within all four development units within Heartland Town Square. However, the vegetated buffers along the Sagtikos Parkway have been widened to provide additional noise attenuation for all the proposed uses, including residences, and the buffers in the northwestern and southeastern portions of the site, which are proposed to contain residences and which are proximate to existing residential neighborhoods, have also been increased in the revised Conceptual Master Plan.

In order to make the units attractive to tenants and economically viable, and to incorporate energy efficient measures, the building materials used in construction will inherently assist in attenuating noise from neighboring uses. Building construction materials as well as specific design elements to minimize the impact of noise on both residences and businesses will be incorporated into the design of the individual buildings.

#### **Comment NO-15**

Mr. Wolkoff promises a substantial natural noise buffer between his project and the adjacent homes east of Commack Road, but I can find no evidence of this in the report. What are the setbacks to the homes adjacent to this project? (H16-9)

#### **Response NO-15**

The minimum setback to the residential property lines on the east side of Commack Road has been increased from 75 feet to 130 feet, an increase of 73 percent (see Appendix RP-1). The development initially proposed for the extreme northwestern corner of the site, as depicted on the Detailed Development Typologies on Figure 2-10 in the DGEIS, has been removed, as shown on the revised Conceptual Master Plan (see Appendix RP-1). The area closest to the existing residences is proposed to be developed with low-rise residences. Another row of low-rise residences (with one mid-rise residence) would form an additional layer of less-intense development in this area of the site. These two rows of low-rise residences, along with the increased buffer, will separate the existing residences from the more intense development associated with the core of the Town Center. There is no commercial development proposed in the northwestern portion of the site, adjacent to the homes east of Commack Road.

#### **Comment NO-16**

The DGEIS indicates that the project is only 75' from Commack Road. Although Mr. Wolkoff says that is not true, it is what the report states. He promised a substantial natural buffer between his project and the adjacent homes east of Commack Road, but I could find no evidence of this. What are the setbacks to the homes nearest this project? Not only would the buffer need to be substantial, it would need to serve as a noise buffer. It was apparent in reviewing the comments about similar facilities elsewhere that noise was a huge factor in dissatisfaction with this type of facility. The noise factor was not seriously addressed in this report and to dismiss this as an important issue is negligent. Are noise-attenuating materials being used where possible? Air quality is a serious issue especially as it pertains to increased traffic and again the report makes light of any impacts. Common sense should tell you otherwise. (C18-12)



**Response NO-16**

See Response NO-15 with respect to noise and buffering and Response NO-14 with respect to the use of noise attenuating building materials. Furthermore, as noted in Response NO-1, the noise analysis results indicate that there would be no significant noise impact due to the implementation of the proposed action.

Air quality impacts are a serious issue, and the DGEIS considers them as such, as evidenced in the extensive air quality analysis presented in Sections 3.3., 4.3 and 5.3 of the DGEIS. In addition, the air quality impacts for the project were reevaluated based on revised traffic data (see Appendix AQ-1), and the project impact remains acceptable when compared to applicable rules and regulations (see Response AQ-1).

One of the major tenets of the project is to reduce vehicle miles traveled. With this in mind, Heartland Town Square has been designed to be a walkable community. When walking is not possible, alternative means of transportation, including bike lanes and a private shuttle bus for internal circulation as well as connection to the Deer Park LIRR station, among other measures, are proposed. With the reduction of single or low-occupancy vehicle usage, air quality impacts are expected to decrease commensurately.

## 4.24 Surrounding Community Linkages/Character (SU)

### Comment SU-1

The proposed project's street network would provide street connections to the surrounding areas where feasible. However, the Heartland project should consider providing more non-automobile (pedestrian and bicycle) connections to the wider Brentwood community, reducing driving trips. (C1-34)

### Response SU-1

The applicants are committed to encouraging bicycle use, which is evident by the bicycle network that is illustrated in the proposed Design Guidelines (see Appendix RP-3). This type of "bicycle and pedestrian-friendly community" is supported by Long Island Greenways and Health Trails (LIGHT) (see Appendix SU-1). Where possible, Heartland Town Square will incorporate bicycle lanes, which would traverse the internal streets as well as connect to the external street network. This idea of connection to the community is also acknowledged in the correspondence from LIGHT (see Appendix SU-1). Bike paths would be incorporated into major roadways and also within minor roadways to allow for easy non-motorized transportation around the site. As illustrated in the proposed Design Guidelines, the bicycle network is shown with potential connections to the surrounding community, including the Edgewood Preserve and across the Sagtikos Parkway onto Crooked Hill Road (toward Suffolk Community College), (see Appendix RP-3).

### Comment SU-2

Heartland's internal site planning could be better-integrated with the wider community. One example of this can be found in DU #4, where densities and heights need to taper off at the edges to a lower-scale product more compatible with existing single family detached residential development. (C1-35)

### Response SU-2

Building heights and buffers have been modified in the revised Conceptual Master Plan (see Appendix RP-1) to better transition from the proposed new development on the site to the existing development around it. In DU4, the revised Conceptual Master Plan removes the high-rise residential buildings, which were previously shown adjacent to Crooked Hill Road and along the western border of DU4 adjacent to the Sagtikos Parkway. In addition, in DU4, a 115-foot buffer is proposed along the majority of the western edge of the site near the Sagtikos Parkway, expanding to 160 feet at the southwest corner of DU4. The heights of the proposed buildings in DU4 along this western edge of the site near the Sagtikos Parkway are proposed to range up to six stories. At the southernmost "leg" of DU4, buffers of 120 feet and 140 feet are proposed along the southern and eastern portions, and a minimum 40-foot buffer is proposed along the rest of the southern and eastern edges of DU4, whereas the minimum buffer was 16 feet in this area in the DGEIS Plan. Along the south and southeast borders of DU4, proposed buildings would be low-rise, making them more compatible with the existing single-family detached residential development adjacent to them. The modification of building heights in the FGEIS plan, in conjunction with the enhancement of buffer areas as provided in the revised Conceptual Master Plan, reduce the visual impact of the project from off-site vantage points. Refer to the Design Guidelines in Appendix RP-3 to see how the revised Conceptual Master Plan integrates with the greater community.

**Comment SU-3**

At the southwestern edge of DU #3, bordering an existing industrial area, the project should consider having a deep planted buffer, and/or clean industrial uses as a transitional use. (C1-36)

**Response SU-3**

In order to help mitigate impacts the adjacent industrial area will have on development within DU3, the revised Conceptual Master Plan in the FGEIS has proposed a minimum 75-foot-wide buffer along most of the southwestern edge of the site that is adjacent to existing or future industrial development (i.e., the proposed Intermodal Facility). This buffer would be planted with trees and other vegetation to help mitigate sounds, views, and other impacts from the industrial area. The applicants are not considering the introduction of industrial development into DU3 or anywhere in Heartland Town Square. The proposed uses in the aforementioned area of DU3 include civic/community uses, which would act as transitional uses from the potential future Intermodal Facility to the proposed residences within this development unit.

**Comment SU-4**

At Heartland's center, the proposed new buildings should respect the campus-like Pilgrim State facilities by mirroring its building setbacks and the campus-like environment. Attractive, active street frontage in the new development should be preserved. The dividing street between Heartland and Pilgrim State should remain a campus-like street, lined with shady trees and street-oriented buildings with deep setbacks. Parking garages should be placed fully within the interior of blocks and should not create blank walls along the street. (C1-37)

**Response SU-4**

As illustrated on the revised Conceptual Master Plan, a vegetated buffer has been added to the blocks adjacent to areas of Pilgrim State that will remain, in order to respect the existing buildings and the campus-like setting. A 100-foot-wide green space is proposed on the south side of DU1-A along the border with Pilgrim. This green space would visually integrate with Pilgrim's green space and serve the residents living in the southern portion of the Town Center. A 100-foot-wide green space is also proposed in the central western portion of DU2 adjacent to the Pilgrim campus.

Several locations in the revised Conceptual Master Plan include retention of rows and stands of existing trees for incorporation into key green spaces (see Appendix RP-1). The revised Conceptual Master Plan incorporates some of the existing tree stands from Road "K" as the centerpiece of two new green spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, significant tree stands<sup>30</sup> and green spaces will be preserved and become a focal point for a new community space in that area. In addition to these key areas, a large number of trees will be preserved around the perimeter of the site to act as buffers (please see Response AV-1 for more detail on these green spaces).

With respect to parking garages, whenever possible and marketable, liner retail and other uses are proposed to be employed to activate the street-level and encourage pedestrian activity. In other words, the parking garages would be wrapped by either retail or residential uses. However, it is not possible to avoid having some garages at street level, in which cases street-level parking garage frontage will be reduced when possible.



<sup>30</sup> These trees are significant due to their size and age.

**Comment SU-5**

The analysis should be revised to include a primary impact area, consisting of the Heartlands property, a secondary impact area, consisting of the aforementioned one mile radius, and, as a third layer of analysis needs to consider regional impacts, such as those that will result on the planned development of the Route 110 corridor and other regional infrastructure. (C8A-2)

**Response SU-5**

The Final Scope promulgated by the Town of Islip Town Board, a copy of which is included in Appendix A of the DGEIS, identified various areas of impact evaluation, based upon the anticipated impact that would occur as a result of the implementation of the proposed action. These areas of impact evaluation varied depending upon the type and extent of the anticipated impact. For example, the land use analysis evaluated land use and zoning within a one-mile radius of the subject property. This “study area” encompassed the boundaries of four municipalities: the Town of Islip, the Town of Huntington, the Town of Smithtown, and the Town of Babylon. The visual analysis required that impacts be analyzed from various vantage points ranging from the residential community on the east side of Commack Road, to the Long Island Expressway and various areas along Crooked Hill Road and the Sagtikos Parkway. Water supply and sewage disposal were evaluated at a regional level since the agencies involved in providing such services review the project from a regional perspective. In addition, groundwater resources were reviewed at a regional level as the water resources section of the DGEIS (Section 4.2) analyzed the effect of the proposed development on streams and Deer Lake/Guggenheim Lake on the Sampawams Creek. This area is located south of the subject property, north of the Southern State Parkway. The traffic analysis study area is extremely broad. Not only did the study extensively cover the roadways and intersections in the immediate area around the subject site, it also encompasses the area between the Northern State and South State Parkways and between Deer Park Avenue (to the west) and Wicks Road (to the east). Accordingly, through the comprehensive scoping process, the Town Board identified appropriate areas of evaluation for specific anticipated impacts.

**Comment SU-6**

One of my greatest concerns is integration of this project with the surrounding communities, most notably, the hamlet of Brentwood, which would bear the brunt of support systems for this project, such as fire, education and health. The DGEIS does not discuss how this project will integrate and/or reach out to the other communities. What measures will be taken to ensure that the existing Brentwood community – its businesses and organization, will not be hurt by this new development? (C39-28)

Measures should be taken to truly integrate this community with the existing Brentwood community before allowing an influx of people from the city or elsewhere. What provisions – now and in the future – will be made to encourage and enable those in Brentwood to live in this project? What measures will be taken to ensure that connections – social, economic, and other – are established for the existing Brentwood community? What we don’t want are two separate Brentwood communities. (C39-30)

**Response SU-6**

One of the first things the applicants did when they purchased the property was to meet with civic groups from the Brentwood community to advise them of what they were proposing, to explain how the proposed development would benefit the Brentwood community and to answer any questions they may have had. The applicants have received letters of support from both the Brentwood Civic Association and the Brentwood Chamber of Commerce (see Appendix SU-2 of the FGEIS).

Moreover, the jobs that are created would benefit members of the Brentwood community. The proposed residential units, including the workforce housing units, will be available to members of the Brentwood

community. Also, this is not a gated community. Accordingly, residents of Brentwood would be able to enjoy the facilities within the community.

While, the existing community facilities would be called upon to provide services to the future residents, employees and visitors of Heartland Town Square, these service providers would be reaping substantial tax benefits, as documented in Section 4.11 of the DGEIS, and would also, in the case of the volunteer firefighter and ambulance workers, have a larger pool of residents from which to draw volunteers. According to the property tax analysis, the Brentwood Fire Department would receive approximately \$2.2 in annual tax revenue, while the Brentwood Legion Ambulance Corps would receive over \$480,000, annually.

Response CF-9 of this FGEIS provides an updated analysis of school district revenues. This response indicates that when compared to projected annual tax revenues of almost \$36 million from Heartland, the School District would enjoy a net annual tax benefit of over \$23 million due to the construction of Heartland Town Square.

Finally, as indicated in Response CF-28, the proposed revised Conceptual Master Plan includes an 8.9-acre area for the development of community services/civic uses (see Appendix RP1-1). A specific area within DU-3 (DU3-19) has been designated as "civic space." However, no specific community services have been programmed for the site at this time. Such area could be used for the construction of fire and/or ambulance sub-station, post office, library, etc.

#### **Comment SU-7**

A third concern links the property's impact on community character. This development is not taking place in a Sun Belt exurb where growth rates are high and definable downtown to other existing centers are relatively lacking. It takes place in a mature suburb in the Northeast where the most successful implementation of Smart Growth principles are built on existing infrastructures in downtowns, blighted sites, or areas of commercial or residential disinvestment. Such reinvestment is integral to a community's identity which is the foundation of the Town of Islip Comprehensive Plan. The Town Board approved apartments within walking distance of downtown Brentwood, approved density above 30 units an acre on targeted sites in downtown Bay Shore, and reinvestment in retail centers, reinforcing existing community identity, taking advantage of existing infrastructure, while creating jobs and tax base. The impact tonight's proposal may have all on these initiatives will be considered. (H1-5)

#### **Response SU-7**

The development of Heartland Town Square is proposed to occur within an area of institutional disinvestment. Pilgrim State was formerly an active state hospital that housed thousands of patients and provided significant employment opportunities. A portion of the hospital remains, but the other 452± acres lay fallow. Reinvestment by a private developer in this once publicly-owned property would provide a significant boost to the community by creating jobs and a tax base as well as having the added benefit of guaranteeing workforce housing due to its scale (an element which is difficult to implement on small-scale projects). As the commentator notes, "reinvestment is integral to a community's identity." Such reinvestment does not necessarily have to occur within an existing downtown.

There are many examples of reinvestment occurring in areas other than in downtowns. *Retrofitting Suburbia* notes there are myriad types of areas that can benefit from smart growth development – not just the exurbs or downtown areas. Candidates for retrofitting (with smart-growth, mixed-use concepts) include inner ring suburbs (first suburbs developed close to major downtowns), edge cities (concentrations of business, shopping, and entertainment outside traditional urban areas in what had recently been a residential suburb), old malls or strip retail centers, industrial or office parks, older residential subdivisions. Retrofits and development of mixed-use, smart-growth communities can happen in small areas or large areas. However,

15 acres is the minimum threshold that the USEPA deems necessary to implement smart growth principles. Examples of retrofits for smart growth from *Retrofitting Suburbia* are as follows:

- MetroWest – a 60-acre site in Vienna, Fairfax County, VA, which originally encompassed a 69-unit single-family residential subdivision. This area was turned into 2,250 residential units, 400,000 square feet of office and retail and a 30,000-square-foot community center. This transit-oriented development replaced 69 homes with 30-times the residential density in an area with high traffic congestion. Prior to gaining zoning approval, the developers agreed to providing convenience retail in the first phase of development, provides the 30,000-square-foot community center and agreed to strict requirements for monitoring traffic generation.
- Santana Row – a 43-acre strip retail center in San Jose CA. This former retail area was revitalized into 1,200 residences, a hotel, ten spas and salons, 30 restaurants, high-end fashion establishment, local shops and large chain stores. The thought was that the impact on local community was going to be controversial due to a concern that the site was located less than three miles from downtown San Jose. The worry was that it was going to “compete with the downtown retailers and drain an already a struggling market.” However Santana Row has been credited with demonstrating the market for urban residential living and boosting reinvestment in downtown development projects.
- Mashpee Commons – a 75,000-square-foot shopping center was remade into a 140-acre walkable village with a new mixed-use downtown in Cape Cod, MA. The area is known for its no-growth sentiment, but Mashpee Commons transformed the area into a “lively commercial town center” with 460,000 square feet of commercial space and 482 residential units. The strategy was “evolutionary demolition and rebuilding of a neighborhood strip center into a new mixed-use town center to comprise an ‘attachable fragment of urbanism.’” In addition, the development involved “parallel planning of compact residential neighborhood in adjacent areas that will plug into commercial core to create a highly connected, walkable village center.”
- Addison Circle in Addison, TX – an edge city infill development located approximately 15 miles north of Dallas. The area was highly congested with workers and shoppers, but Addison Circle is now getting residents, walkable routes and public spaces. Addison Circle mitigates traffic congestion by providing residents and workers in nearby office complexes with a variety of pedestrian-oriented spaces, restaurants and convenience shopping, negating their need to drive. The final plan for Addison Circle contained five specific elements: a development framework with high quality infrastructure, pedestrian-friendly streets, etc.; a land use plan with two subareas -- one with 4,000 mid-rise rental and owner-occupied units with small-scale commercial development and the other a mixed-use district permitting up to four million square feet of commercial and residential space; an urban form designed to encourage street life and a self-policing environment.
- Atlantic Station in Atlanta, GA – comprises 138 acres and consists of the redevelopment and reclamation of the former Atlantic Steel Mill in midtown Atlanta, Georgia. The vision for this redevelopment was to create a “live, work and play” community where everything was within walking distance. According to the Atlantic Station website, “Atlantic Station is a national model for smart growth and sustainable development... with middle income housing, up-scale housing, restaurants, theaters, businesses and retail.” The community was divided into three major areas of development – “Town Center,” “Tech Village” and “The Commons.” The project consists of three-to-four million square feet of residential development, two to 2.5 million square feet of retail space, five-to-six million square feet of offices, 1.5-to-two million square feet of high tech labs, one-to-1.5 million square feet of hotel space. Atlantic Station will house 10,000 people and provide employment for 30,000. This project is similar in size to Heartland Town Square, but at 138 acres, it is much denser than the proposed development.

- Westwood Station in Westwood MA - located approximately 11 miles outside of Boston, MA was a former 141-acre industrial park that was turned into a live-work-shop-play and ride development with approximately 1,000 condominiums and apartments, restaurants and nightlife. This development is an example of the economy's post industrial shift, which provides opportunities for retrofits of office/industrial parks to more integrated communities.
- Downtown Kendall/Dadeland - Miami-Dade County FL, located approximately nine miles outside of Miami, FL was formerly automobile dealerships, parking lots and low-rise apartments around the Dadeland Mall. This development is an edge city development located on approximately 324-acres. The development consists of more than 3,000 residential units, 350,000 SF of retail/commercial and 110,000 SF of office space and a hotel. Downtown Kendall demonstrates how an edge city can be infilled to improve walkability and interconnectivity between and through multiple parcels.

Rather than being stand-alone communities, these examples show that reinvestment in such areas as retail strip centers, out-dated industrial parks, older shopping centers, single-family subdivisions, can provide linkages to the broader areas in which these new smart-growth communities are located. Also, rather than competing with existing development, some of these communities, (e.g., Santana Row) actually spurred reinvestment in the downtown. It is important to note that although the majority of the developments listed above are located within 20 miles of their respective core cities, Heartland Town Square will be located approximately 23 miles from New York City (Borough of Queens) and approximately 40 miles from Manhattan. Although Heartland Town Square will be located somewhat farther from its respective core city, the distance can be accounted for in the extensive sprawl of the New York City metropolitan area that encompasses an area of approximately 6,720 square miles with a far-reaching public transportation system that is not comparable to any other transportation system in the Country.

According to *Retrofitting Suburbia*, "the 'suburbs' are behaving more and more like center cities." The research shows "that the areas where suburban retrofits are most thriving - Atlanta, Denver, and Washington, DC - have all simultaneously experienced significant center city revivals. The demographic changes driving urbanization are impacting the entire metropolis and while this does not reduce competition, it does allow for systemic sustainable growth."

Moreover, while not within a traditional downtown, the location of Heartland Town Square will take advantage of adjacent existing infrastructure (intersection of LIE and Sagtikos Parkway and adjacency to Deer Park LIRR Station) and connection to public sewer and water facilities, amenities (Suffolk County Community College site, the Brentwood State Park, and the Edgewood-Oak Brush Plains Preserve), and adjacent employment (Pilgrim State Hospital, Heartland Business Center, Suffolk County Community College) that most traditional downtowns would not be able to take advantage of due to their location.

The redevelopment of the subject property is not expected to have an adverse impact on the initiatives that the Town has previously undertaken in Brentwood and Bay Shore. In fact, redevelopment of the subject property with Heartland Town Square would be expected to augment previous initiatives. Sense of pride of place and sense of community would be enhanced by the new development.

#### **Comment SU-8**

We have concerns about the conclusions drawn in the DGEIS regarding type, location, and size of the proposed schools, fire-fighting facilities, the relationship of the project to the greater Brentwood area, and the relationship of this project to the adjacent land uses. (H3-17)

#### **Response SU-8**

The Heartland Town Square development would become part of the greater Brentwood community and would pay taxes to the Town of Islip. Thus, the residents and employers of Heartland Town Square would be entitled to enjoy existing community services similar to any other taxpayer in the community. Moreover, it is proposed that civic/community uses (yet to be determined) would be developed within the Heartland Town Square property. As shown on the revised Conceptual Master Plan in Appendix RP-1, an area has been set aside for the incorporation of such civic/community services on-site within DU3.

The proposed Heartland Town Square community would be an open development, not gated to the outside. The applicants envision Heartland Town Square becoming a significant part of the Brentwood community.

With respect to adjacent land uses, such proposed uses are compatible with existing adjacent land uses. The Heartland Town Square site is currently surrounded by a mix of uses, including industrial development to the southwest, residences to the northwest and east, the remaining Pilgrim State facilities to the west of the main parcel and roadways, including the Sagtikos Parkway, Crooked Hill Road, and a portion of the LIE South Service Road. The revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS) has modified the densities and the number of stories to be more compatible with the surrounding uses. For example, low-rise residential development has been placed in the northwest corner of the site, adjacent to the existing single-family homes located east of Commack Road. The same is true for the southeastern portion of the development, where low-scale residences are situated adjacent to the single-family neighborhood to the south. Also see Response LU-1 and AV-1. In addition, between areas of differing land use and/or density, vegetated buffers have been added to help to transition between the new development and the existing surrounding development.

#### **Comment SU-9**

Our main concern, our overriding concern with the Heartland Town Square project's DEIS is that it does not take the necessary regional approach. The DEIS fails to consider the effect this project will have on its neighbors. The DEIS treats this supposedly self-contained community's 475 acres as if the development of some 9,100 residential units, 4.1 million square feet of office space and one million square feet of retail space will have no effect on the surrounding communities. (H7-2)

#### **Response SU-9**

The DGEIS for the proposed Heartland Town Square development assessed a number of regional impacts, including traffic (Sections 3.8 and 4.8 of the DGEIS), marketability and absorption of various types of development (Section 4.11 of the DGEIS), affordable housing (see Sections 3.11 and 4.11 of the DGEIS), sewer and water (Section 3.2 and 4.2 of the DGEIS, and land use and zoning impacts (Sections 3.1 and 4.1 of the DGEIS). Also, see Response SU-5.

In addition, a revised *Marketability Study* was performed for this development and is included in Appendix LU-1 of this FGEIS. The socioeconomic analysis contained in Sections 3.11 and 4.11 of the DGEIS reviewed demographic trends not only in Brentwood, but in the Town of Islip and in Suffolk County as a whole. The impact analysis examined the secondary fiscal effects of construction jobs, permanent jobs, and permanent residents.

#### **Comment SU-10**

As Greenman-Pedersen advised us, "Despite assertions and assumptions to the contrary regarding the Town Square concept, Heartland is not a stand-alone island with little integration with the neighboring communities and region. It needs to fully address how it will integrate with the Long Island regional trafficscape." (H7-8)

**Response SU-10**

As indicated in Response SU-5, the study area for traffic encompassed the area between the Northern State and Southern State Parkways and Deer Park Avenue (to the west) and Wicks Road (to the east). As emphasized throughout the DGEIS, Heartland Town Square is not proposed as an isolated community; however, its underlying concept is to allow people to live, work and play in the same community, thereby reducing dependence on the automobile. The applicants acknowledge that employees and visitors will still drive to the site, and residents will leave the site to work, shop, attend school, etc. The traffic analysis considers all these trips and the internal capture rates have been modified to reflect both the timing/phasing of construction and mix of uses.

Heartland Town Square proposes to connect to the broader traffic network through nine vehicular access points. Good transportation planning calls for multiple points of access/egress within a community. Also, smart-growth principles recommend that planned communities, like Heartland Town Square, become integrated with the transportation fabric of the neighboring community -- not isolated from it. This integration not only provides choices for residents, workers and guests regarding where to enter or leave the community, but it distributes the traffic over multiple locations, thereby reducing impacts.

Furthermore, as shown in the Design Guidelines (see Appendix RP-3 of this FGEIS), the bicycle network is proposed to extend to connect with areas outside of Heartland Town Square, especially in the area of the Edgewood Preserve and nearby Suffolk Community College, where possible.

As indicated in *Retrofitting Suburbia*, the larger, denser, and more urban the redevelopment, the more ability its designers have to change the existing development pattern in order to,

- “Reduce vehicle miles traveled and improve public health by creating a transit-served or transit-ready mix of uses in a walkable street pattern connected to adjacent uses;
- Reduce land consumption and per capita costs of public investment by absorbing growth that without alternatives would otherwise expand in sprawl and edgeless cities;
- Increase the feasibility and efficiency of transit;
- Increase local interconnectivity;
- Increase ...green space;
- Increase...civic space;
- Increase choice in housing type...;
- Increase diversification of the tax base; and
- Establish an urban node within a polycentric region.”

Moreover, the synergistic effect of the building designs, which will incorporate stacked retail, office space and residential units, in conjunction with a shuttle service on the site to be implemented by the applicants, will serve to enhance walkability thereby reducing the need for automobile use.

**Comment SU-11**

Study fails to provide any discussion of the potential for integration of the proposed development units with the existing Pilgrim State Psychiatric facility beyond simply stating that “it is the applicant’s intention for there to be public access to the development.” For example, there is no discussion of the existing residential treatment center on site. Study should provide a discussion of the immediate and long term impact of the proposed development on the current and projected population and operations of the hospital. (C1-142)

**Response SU-11**

Although a portion of the Pilgrim campus remains adjacent to the subject property, the proposed development does not integrate such use into the overall project. Moreover, the proposed development would not significantly affect the existing operations at the Pilgrim facility, including the residential treatment center.

## 4.25 Socioeconomics (SO)

### Comment SO-1

The proposed project's phasing for the office component (over four million square feet) is to be built and absorbed in just 15 years. In contrast, the project's own Market Study suggests it would take some 32 years to absorb this quantity of development. (C1-20)

The office market in Suffolk County had zero net absorption in the first quarter of 2009. Phase 1 includes 600,000 square feet of office space. The impact of office space not being absorbed means less tax revenue to the government to pay for services and improvement, fewer on-site customers for the proposed retail and dining establishments, fewer short-term construction jobs and long-term employment opportunities, and less diversity in terms of the final land use mix. (C1-21)

The DGEIS fails to adequately address potential impacts to existing office markets resulting from the development of over 4,000,000 square feet of new office space. The DGEIS should examine long term absorption rates and analyze potential impacts from the development of 4,000,000 square feet of new office space on other office markets along Motor Parkway, Veterans Highway, the Long Island Expressway and other surrounding office markets. (C7-9)

Similar verification of the current office space market and whether the proposed amount of office square feet could be reasonably absorbed should also occur. (H3-16)

### Response SO-1

As indicated in Response LU-3, MVS performed an updated market feasibility study, entitled *Consulting and Marketability Study of Heartland Town Square*, dated March 18, 2010, a copy of which is included in Appendix LU-1. The conclusions with respect to office development at Heartland Town Square were as follows: Heartland Town Square is proposed to include a 300,000 square foot mid-rise building as its first office building with 300,000 square feet in other parts of the overall mixed-use project. However, after the first office building, the applicants will not build a new office building unless at least 70 percent of the square footage of the first office building has been leased. In Phases II and III, there may be an additional 2.4 million square feet. However, there are limited resources to forecast far into the future in terms of long-term employment projections and construction pipeline forecasts. Therefore, the study concentrated on Phase I in terms of marketability. MVS assumed that the property will be Class "A" new construction. Its location away from typical office districts will be offset by being within a new town center milieu. Heartland Town Square is located in CoStar's Class "A" Suffolk County Office Market. Since the third quarter of 1996, 2,064,032 square feet have been added to the inventory and 1,548,339 square feet have been absorbed on a net basis over 14 years. Vacancy levels have remained generally above 10.0 percent reaching a high of 16.4 percent in the first quarter of 2002. Rent levels have increased 1.63 percent per year since 1996. These long-term trends suggest that the market remains resilient in accepting new Class A product. As long as the pipeline continues to bring on modest new construction near the average of 147,430 square feet per year, vacancy levels will only spike upward during recessionary times, not due to an excess of supply. Rents will likely remain in the upper \$20s per square foot as they have over the last 14 years. MVS is of the opinion that 600,000 square feet of office at Heartland Town Square can be absorbed within two years of opening of the first building, based on pre-leasing during construction.

It should be noted that based upon the update letter provided by MVS, dated May 24, 2013, the Class "A" office market in Suffolk County has demonstrated a reasonable degree of health since April 2010. Whereas the overall vacancy rate remains largely unchanged at 12.8 percent, average rents have increased by \$3.29 per

square foot, or 12 percent. More impressive is the fact that the market successfully absorbed 575,000 square feet of new inventory during the past three years without incurring greater vacancy. MVS notes that only 55,000 square feet of Class "A" office space is under construction in the market, suggesting that the vacancy rate will decline in the near future.

#### **Comment SO-2**

[With regard to "Marketability Study"] Study requires an update; data is from 2003 and lacks any post-2008 projections. (C1-117)

One of the 21 areas of fundamental disagreement that Jeanmarie Brennan previously spoke of pertained to the marketability study originally submitted with the application. This document was produced around 2003 and should be updated with numbers, thus the effects of the development, such as the Tanger Outlet Mall located in the Town of Babylon, would be reflected in the FGEIS. Subsequent SEQRA proceedings should clarify how the applicant is capable of absorbing the 90 percent proposed rental units as a part of this application. (H3-13)

There needs to be a market analysis on the viability of the office and retail in the context. (H8-3)

#### **Response SO-2**

As noted in Responses LU-3 and SO-1, MVS performed an updated market feasibility study, dated March 18, 2010, a copy of which is included in Appendix LU-1. MVS's *Marketability Study* contains the following findings with respect to the current retail market adjacent to the Heartland site: Heartland Town Square will have a Phase I that will include a 560,000-square-foot shopping area. It will be an open-air retail property that in format will be a lifestyle center. Phases II and III have 450,000 square feet proposed that will be developed only if the office and residential components of those phases move forward. MVS focused on Phase I, which will be the first aspect of the development and stimulate demand for residential units and office space.

Due to the position of Suffolk County as a growing center of business with a generally favorable demographic profile, retailers regard it as an important retailing market in Long Island. Population growth in the subject's trade area remains fairly strong. The primary trade area is classified as a middle- to upper-middle income community. The subject property benefits from its proximity to the Long Island Expressway and Sagtikos Parkway.

The update letter from MVS, dated May 24, 2013, indicated that the population demographic projections used in the 2010 *Marketability Study*, were based upon pre-2010 Census data, employing the 2000 Census. Whereas the 2010 *Marketability Study* forecasted population and households within a 10-mile radius of the proposed development to be decreasing during the 2009-2014 timeframe, based upon the more accurate and recent 2010 Census, the population is forecasted to increase by 16,329 persons and the number of households is expected to grow by 5,345 units between 2012 and 2017. Concurrently the age, income and home values are also increasing (see Appendix LU-1).

The major competition will come from super-regional malls located within a 10-mile radius, which include Smith Haven Mall, Walt Whitman Mall, and Westfield Shoppingtown South Shore. There would be some competition from Tanger Outlets at The Arches in Deer Park if that project changes from its pure outlet format. According to REIS, a provider of real estate performance information, net negative absorption is forecast to continue until 2012 when strong positive absorption is to resume with 504,000 square feet anticipated to be absorbed by 2014 in both neighborhood and community shopping centers on Long Island. By that year, rents should be increasing at an annual rate of 1.8 percent with an annual average of \$26.03 per square foot. The vacancy factor is to decline to 6.6 percent in 2014, down from a high of 7.7 percent in 2011.

Part of the underlying support for this growth is the expected rise of employment by 2014. By 2013, average household incomes are forecast to strongly increase by 4.0 percent over year previous. Based on consumer expenditure surveys the total trade area far exceeds typical consumption patterns. The average annual household expenditure is \$65,477 in 2009, substantially greater than the USA average of \$48,163. Consumer expenditures that are retail sales are forecast to increase robustly over the next 5 years to \$86,774 per household, which is a 6.41 percent annual increase. Heartland Town Square Phase 1 will have a core market coming from the residents of its apartments and townhomes and the daily office workers. In addition, it will be the only property of its type in Suffolk County. With a core demographic within 10 miles of solid middle-income households, the retail portion of Heartland Town Square should attain a market share alongside other retail formats such as the regional malls, power centers, and the new outlet center. The overall analysis indicates current potential demand for an additional 873,755 square feet of retail space within the five-mile primary trade area; however, that demand may slightly decrease by 2014 because of unknown future leasing at Tanger at the Arches. Therefore, MVS's residual demand analysis supports the development of a 560,000 square foot lifestyle center based on the supporting demographics and the competitive supply. The MVS report also notes that additional proposed retail in Phases II and III may or may not be constructed, or may be more service in nature. However, the model indicates that there is additional potential beyond the 560,000-square-foot lifestyle center in this market.

According to the update letter prepared by MVS, dated May 24, 2013, the retail market in Western Suffolk County remains strong, demonstrating a vacancy rate of 4.0 percent. Retail rents have increased by \$1.69 per square foot, or 7.0 percent since April 2010, when the updated *Marketability Study* was conducted. Boding well for rental rates is the fact that there is no additional retail space under construction in this market (see Appendix LU-1).

The *Marketability Study* also analyzed the demand for the proposed office and rental units. The findings with respect to office space are described in Response SO-1.

With respect to the housing units, MVS noted that given the projected shortage of for-rent and for-sale housing product in the influencing market, the subject property's residents will be primarily represented by those households already residing in the Primary Market Area (10-mile radius from the subject) and those newcomers who would otherwise relocate to the area, given sufficient housing opportunities. Given the shortage of forecast competitive housing product in the market area and the fact that most areas within the market area are well-served by linkages with the local and regional employment centers, the Primary Market Area of 10 miles is projected to represent the subject property's chief target market area. Given the broad search for workforce housing throughout not only the Nassau/Suffolk MSA but also within the Tri-state area, which includes portions of New York City, New Jersey and Connecticut, the subject property is also projected to appeal to working singles and couples new to the local and regional job market, and who are seeking desirable and convenient housing wherever they can find it. Based on a 2009 renter-occupancy ratio of 19.1<sup>31</sup> percent within the 10-mile market area, the proposed development of the subject property is an opportunity to increase the supply of rental housing to meet demand. It appears that the subject property's residential component will be absorbed at a brisk pace given the shortage of, and pent-up demand for, quality multifamily residential housing within the market area based on the synergistic appeal of Heartland Town Square.

### **Comment SO-3**

[With regard to Market feasibility of proposed residential] NYMTC forecasts indicate that the average household size on Long Island will increase to 2.98 by 2030, the highest average in the entire region. If Long



<sup>31</sup> Approximately 19.1 percent of the occupied units are occupied by renters.

Island has the largest average household size in the region, what is the basis for assuming the market can absorb 9,000 one- and two-bedroom units? (C1-118)

The number of housing units proposed is more than the total number of housing units in the hamlet of Bay Shore, more than in all of North Babylon, and about as much as in all of Central Islip. The DGEIS fails to adequately address the impacts to the local and regional housing markets resulting from the proposed dramatic increasing housing units associated with the development plan. (C7-10)

### **Response SO-3**

The *Marketability Study* confirms that the primary market area can absorb the residential units proposed for Heartland Town Square for a number of reasons (see Appendix LU-1). Given the shortage of forecast competitive housing product in the market area and the fact that most areas within the market area are well-served by linkages with the local and regional employment centers, the Primary Market Area of 10 miles is projected to represent the subject property's chief target market area. Given the broad search for affordable and workforce housing throughout not only the Nassau/Suffolk MSA but also within the Tri-state area, which includes portions of New York City, New Jersey and Connecticut, the subject property is also projected to appeal to working singles and couples new to the local and regional job market, and who are seeking desirable and convenient housing wherever they can find it. Based on a 2009 renter-occupancy ratio of 19.1 percent within the 10-mile market area, the proposed development of the subject property is an opportunity to increase the supply of rental housing to meet demand.

Moreover, according to the fact sheet from the 2008 Long Island Index, almost half of people aged 18-34 can imagine themselves living in an apartment, condominium or townhouse in a local downtown area on Long Island, as well as a majority of empty-nesters and seniors would prefer to live in a neighborhood where the homes are close together and local stores are within walking distance, rather than one where homes are spread out and require driving. Furthermore, according to the *2011 Long Island Index Survey - Downtown Development and Residential Satisfaction* "young residents of Long Island continue to report greater difficulty in meeting housing costs and a greater desire to leave the area than older residents... [they] see the lack of affordable housing as a more serious problem than to older residents..."<sup>32</sup> In addition, "the youngest and oldest age groups are most interested in living in a walkable neighborhood on Long Island." The *2012 Long Island Index Survey - Tracking Residential Satisfaction on Long Island* states that there is considerable support for increasing the number of rental homes on Long Island and changing zoning laws to allow increases in height limits to allow more apartments in local downtowns.<sup>33</sup> This is true especially among young adults age 18 to 34 years. Thus, as can be seen, there is a trend toward people wanting to live in walkable, higher density downtown neighborhoods. Smart growth principles center on creating walkable communities. At Heartland, people will be able to walk from their home to their job, to buy their food and clothing and to their entertainment venues. Scale is the most important element of the Heartland Town Square plan. Density is what makes the entire development sustainable. Density supports a diverse mix of uses and the uses support each other. In addition, higher density allows developers to offer more attractive amenities that would initially entice residents to locate on the site and ultimately keep them there. Residents and office building employees will patronize the proximate stores and restaurants. The more vibrant the economic and social environment, the more businesses will want to locate in the office buildings. The more convenient it will be to work there, the more people will want to live there. The diverse mixture of uses feed each other and work together to create energy and excitement that will sustain itself through its own momentum. Without sufficient density, the overall concept will not be successful.

### **Comment SO-4**



<sup>32</sup> <http://ww1.prweb.com/prfiles/2011/01/17/1895714/Survey2011.pdf>

<sup>33</sup> <http://www.stonybrook.edu/surveys/NewCSR/Files/2012%20Long%20Island%20Index%20Report.pdf>

[With regard to Market feasibility of proposed residential...there is a] lack of explanation as to how the proposed residential product will satisfy pent-up demand in the immediate market area. How will this project satisfy demand in the Brentwood area? (C1-119)

**Response SO-4**

The *Marketability Study* (see Appendix LU-1) concludes that the residential product will satisfy pent-up demand in the immediate market area. As noted in Response SO-3, based on a 2009 renter-occupancy ratio of 19.1 percent within the 10-mile market area, the proposed development of the subject property is an opportunity to increase the supply of rental housing to meet demand. It should be noted that the Towns of Islip, Smithtown and Huntington are among the communities with the lowest percentages of rental units on Long Island and within overall metropolitan region (see Tables HO-1 and HO-2 in Response HO-29). It appears that the subject property's residential component will be absorbed at a brisk pace given the shortage of, and pent-up demand for, quality multifamily residential housing within the market area based on the synergistic appeal of Heartland Town Square. The Brentwood community is at the heart of the 10-mile market area.

**Comment SO-5**

[With regard to Market feasibility of proposed residential] Analysis cites rent-burdened population in Brentwood as a target market segment; but would the proposed rents be affordable to this population? (C1-120)

**Response SO-5**

There is concern about whether the proposed rental units will be affordable to young people and particularly to residents of the Brentwood community. The lack of affordable housing is a problem throughout Suffolk County and particularly in the community of Brentwood. HUD has indicated that housing is affordable if it consumes no more than 30 percent of gross household income. In high cost areas like Suffolk County, this standard can be stretched slightly so that households paying up to 35 percent of gross household income can be deemed to be living in affordable housing. However, as the following census tables show, 40.3 percent of Suffolk County homeowners with a mortgage paid 35.0 percent or more of their household incomes for shelter. In Brentwood, 53.1 percent of homeowners with a mortgage paid 35 percent or more of their household income for shelter. Among renters, 49.6 percent of those in Suffolk County and 42.8 percent of those in Brentwood paid 35 percent or more of their household income for shelter. The workforce housing proposed for Heartland will help to address this situation through the provision of workforce rentals.

**Table SO-5 - Affordability of Owner Housing in Suffolk County and Brentwood, 2009-2011**

Housing Costs/Household Income	Suffolk Owners	Brentwood Owners
No. Of Units	276,761*	7,974*
< 20.0%	20.6%	16.6%
20.0% to 24.9%	13.9%	7.9%
25.0% to 29.9%	14.0%	12.2%
30.0% to 34.9%	11.1%	10.2%
35.0% or More	40.3%	53.1%

Refers to housing units with a mortgage; U.S. Census Bureau, American Community Survey, 2009-2011

**Table SO-6 - Affordability of Rental Housing in Suffolk County and Brentwood, 2009-2011**

Housing Costs/Household Income	Suffolk Renters	Brentwood Renters
No. Of Units	95,105	3,649
< 15.0%	8.0%	5.3%
15.0% to 19.9%	10.2%	12.4%
20.0% to 24.9%	11.7%	9.2%
25.0% to 29.9%	11.6%	18.8%
30.0% to 34.9%	8.9%	11.5%
35.0% or More	49.6%	42.8%

U.S. Census Bureau, American Community Survey, 2009-2011

Ten percent (913) of the overall 9,130 units proposed for Heartland Town Square will be workforce units. Of the 8,217 rental apartments proposed for Heartland Town Square, 88.9 percent (7,304) will be market rate units and 11.1 percent (913) will be workforce units. The anticipated breakdown of the workforce rental units is shown below.

**Table SO-7 - Composition of Workforce Rental Units**

Unit Type	No of Units
Studio Loft Apartments	46
One Bedroom Apartments	228
Two Bedroom Apartments	593
Two-Bedrooms + Den	46
Total	913

As indicated in Section 4.11.2 of the DGEIS, based upon then-prevailing HUD data (which is adjusted annually), the anticipated monthly rents for the workforce housing, at the time of submission of the DGEIS, ranged from \$821 for the studio loft apartments to \$1,144 for the two bedroom units with den. These rents were well below the relevant fiscal year fair market rents for Suffolk County, as designated by HUD, which were \$1,159 for studio apartments, \$1,339 for one-bedroom apartments and \$1,581 for two-bedroom apartments.

Both the workforce rental units and the various market-rate ownership units would be affordable, in that those earning between 100 and 120 percent of the HUD Nassau-Suffolk median income would not spend more than 30 percent of their income for housing cost (whether rental or ownership units).

For illustrative purposes, according to the HUD Fiscal Year 2013 income guidelines, a family of two earning 100 percent of median could earn up to \$84,720 annually, and could afford \$25,416.00, annually (\$2,118.00 per month in housing costs, based upon spending no more than 30 percent of gross income on housing expenses). The 2013 HUD Fair Market Rent for a two-bedroom unit is \$1,583.00, which is well below the \$2,118.00 in monthly housing cost that a two-person family at 100 percent of median income could afford. If and when the Heartland Town Square project is approved and units are ultimately available for rent, the workforce units will be leased at rates that are anticipated to conform to the prevailing HUD guidelines.

#### **Comment SO-6**

[With regard to Market feasibility of proposed residential] How many residents would be projected to work within the development? (C1-121)

#### **Response SO-6**

At this point, it is not possible to precisely determine how many Heartland residents would work within the development. However, with almost 26,000 full-time equivalent permanent jobs expected on-site at full

build-out, a substantial proportion of the approximately 20,000 residents of Heartland Town Square are likely to work on site. This would reduce auto travel and road congestion in the area.

It is not possible to precisely determine how many of the jobs created at Heartland Town Square will represent relocations from elsewhere in Suffolk, how many will represent relocations from Nassau, Westchester, New York City or farther away and how many will represent newly-created businesses. However, the presence of a unique “lifestyle” community containing well-priced Class A office space will undoubtedly bring jobs to Heartland from destinations outside Suffolk County. The existence of a large resident population at Heartland Town Square will itself be a major draw for consumer-based businesses not currently present in Suffolk County.

The estimate of secondary jobs at Heartland Town Square was based of multipliers from the RIMS II input-output model (Regional Input-Output Modeling System) developed for Long Island by the Bureau of Economic Analysis of the U.S. Commerce Department. A density gradient applies to secondary job creation. That is, the greatest numbers of secondary jobs are created closest to the direct jobs that generate them. Secondary job creation then diminishes with distance from the source of the direct jobs, in this case Heartland Town Square.

It is anticipated that there will be an attempt to place Heartland residents and those currently residing in Brentwood in on-site Heartland jobs once development is completed and these jobs become available. This will be done through job fairs. This will provide more office-type employment opportunities and entertainment options for Brentwood residents. Given the nature of the development – a lifestyle community – the jobs there are likely to pay a living wage and offer employment benefits.

#### **Comment SO-7**

[With regard to Market feasibility of proposed retail] Study lacks any psychographic<sup>34</sup> market segmentation analysis to support its claim that a lifestyle center can be supported. (C1-122)

With regard to Market feasibility of proposed retail] Retail absorption analysis is based on Airport Plaza, which is primarily big box; analysis of similar upscale/lifestyle retail development is needed. (C1-124)

#### **Response SO-7**

See Response SO-2 with respect to retail development.

Overall, MVS has analyzed the retail market in Suffolk County and the development’s primary and total trade area in terms of competitive supply and demand forces, and have concluded that a lifestyle center at this location, in Phase I, would capture more than its fair share based on the current and forecast competition and the anticipated demand based on demographics and retail purchasing levels.

#### **Comment SO-8**

[With regard to Market feasibility of proposed retail] DGEIS fails to cite the main conclusion of the market study (demand for approx. 450,000 SF of retail). (C1-123)

With respect to existing retail centers, the DEIS again fails to adequately address market impacts on existing development. The DEIS cites a market gap of 450,000 square feet for retail establishments. This analysis



<sup>34</sup> Psychographics are used to describe the personality, values, attitudes, interests, or lifestyles of a particular segment of a particular market.

apparently was conducted some time ago and is outdated, since it does not appear to take note of the recent opening of the 800,000-square foot Tanger Outlets in Deer Park. (C8-14)

This project plans for over a million square feet of retail, while Tanger Outlets is located already in close proximity to the project site at about 3 miles, or a 10 minute car ride away, and already has 800,000 sq. ft. of retail space, with over a hundred different stores. Creating more retail space is unnecessary. (C9-14)

#### **Response SO-8**

The *Marketability Study* has been updated to consider the Tanger at the Arches development. In considering the existing retail development within a both a five-mile and ten-mile radius, the *Marketability Study* indicates, in pertinent part, that there is a current potential demand for an additional 873,755± square feet of retail within the five-mile primary trade area, although some of this demand would slightly decrease by 2014 due to the unknown future leasing of vacant space at Tanger at the Arches. The conclusions of the *Marketability Study* indicate that the 560,000 square feet of retail proposed in Phase I of Heartland Town Square could be absorbed based upon the analysis of demographics and competitive supply. The *Marketability Study* also states that the model used in the analysis shows there is additional retail potential beyond the initially proposed Phase 1 retail development.

#### **Comment SO-9**

INTENTIONALLY LEFT BLANK

#### **Comment SO-10**

[With regard to Market feasibility of proposed retail] While existing merchants in Islip and Brentwood could indeed benefit from increased demand from the new residents at Heartland Town Square (page 1-50), this implies that those residents will be leaving the project site - i.e., driving - to access those areas, and it implies that the Town Center will not provide much of the daily needs that are already available elsewhere in the community. (C1-125)

#### **Response SO-10**

Planned roadway improvements will help ease additional traffic generated by Heartland Town Square. The applicants propose to develop and operate a private shuttle bus that traverses Heartland Town Square and connects to the Deer Park railroad station. Moreover, a significant number of the residents of Heartland Town Square are expected to work and shop within the Heartland development. Heartland Town Square will contain neighborhood shops to meet the needs and service demands of its residents. Also see Responses LU-4 and LU-23.

#### **Comment SO-11**

[With regard to Market feasibility of proposed retail] How much retail business is expected to be generated by residents vs. visitors? (C1-126)

#### **Response SO-11**

The applicants are creating a live/work/play environment where the people who live at Heartland Town Square will work at Heartland and shop at Heartland. It is the applicants' opinion that the majority of the retail business will be generated by residents as opposed to visitors. However, the lifestyle center planned for Heartland Town Square is expected to attract patronage from visitors living in the primary trade area as well.

**Comment SO-12**

[With regard to Market feasibility of proposed retail] Appendix B, page 4, Phasing Strategy says the primary retail trade area is middle- to upper-middle income community; however, Brentwood and the other nearby towns near the LIRR appear to be middle- and lower-income communities. Question the success of the retail here. (C1-127)

**Response SO-12**

The primary trade area is large and includes a wide range of income groups, thereby assuring the success of retail activity at Heartland. The *Marketability Study* concludes that primary trade area is classified as a middle- to upper-middle income community (see Appendix LU-1). Heartland Town Square Phase I will have a core market coming from the residents of its apartments and townhomes and the daily office workers. In addition, it will be the only property of its type in Suffolk County. With a core demographic within 10 miles of solid middle-income households the retail portion of Heartland Town Square should attain a market share alongside other retail formats such as the regional malls, power centers, and the new outlet center. The residual demand analysis supports the development of a 560,000 SF lifestyle center based on the supporting demographics. See Response SO-2 for additional discussion of retail feasibility, demand, and absorption.

**Comment SO-13**

[With regard to Market feasibility of proposed office] Appendix B, page 4, Phasing Strategy, compares this site to the strong office market on Long Island. However, some of these strong office centers are no doubt located at train stations. Others, if not next to train stations, must provide ample parking. The DEIS cannot point to the success of other suburban office developments in Long Island to justify a fast office absorption rate, without also accepting that those offices are either heavily reliant on adjacent train service, or must provide ample parking. Assuming the office development at Heartland would succeed, from where would the workers be commuting? No doubt many would be driving from scattered residential subdivisions that are poorly served by transit, if at all. (C1-128)

**Response SO-13**

Although not physically located adjacent to a train station, Heartland Town Square is located near the Deer Park train station and will be connected to same with a private shuttle bus. Office workers coming from locations served by rail can access Heartland Town Square via the shuttle bus. Others may come to the site via the County's public bus system, while others will drive. The proposed Heartland Town Square incorporates the concept of shared parking, and provides parking spaces based upon the requirements of the proposed PSPRD (see Appendix RP-2 of this FGEIS).

In order to understand where workers will be commuting from, Appendix TR-1 of this FGEIS contains a directional distribution specific to the office development proposed for Heartland Town Square. This document, along with Attachment TRA-4, presents the details of how this distribution was developed based upon Census data.

Also, the applicant believes that over the course of Heartland Town Square's development, many of the office workers would also be residents of Heartland's residential units. Therefore, these office workers would not have to travel to the site for work.

**Comment SO-14**

[With regard to Fiscal Impact Analysis] The fiscal impact analysis should be conducted for each year of the anticipated build-out to demonstrate that at no time would the impact on the Town of Islip be negative. For example, the study should provide analysis of how many residential units and/or commercial space would

have to be leased in each phase in order to attain a positive fiscal impact. For instance, would Phase 1 provide revenue to cover required capital improvements in the school system so that it can plan ahead for residents in Phase 2 and 3? (C1-129)

#### **Response SO-14**

A fiscal impact analysis for each year of the anticipated build-out would not be feasible nor would it result in accurate findings. The construction of a project such as Heartland Town Square occurs in stages, and necessitates that many of the public infrastructure improvements (e.g., water mains, sewer lines, etc.) be built prior to construction of tax-generating commercial or residential uses.

Furthermore, the proposed development would occur in phases, wherein only a portion of the project would be built within a pre-determined time period. To address issue contained in the comment, the applicants are willing to commit that at least 200,000 SF of retail space and 200,000 square feet of office space will be developed at the same time that residential development is commenced. This commitment will help to ensure the achievement of smart-growth principles through mixed use, and will also ensure commercial ratables for the school district (as well as other taxing jurisdictions) as school-aged children are generated by the residences.

Heartland Town Square development is likely to stabilize school taxes. The fiscal analysis shows that, at build-out, the Brentwood School district will receive close to \$29 million annually in excess property taxes. These are taxes in excess of the added costs to the school district (the net benefit) to educate the children generated by Heartland Town Square.

More specifically, the school district's budget for the 2012-2013 school year was \$324,363,514. The projected student enrollment for the district was 16,739 for the 2012-2013 school year, an increase from the previous school year. This amounts to a per pupil expenditure of approximately \$19,378. However, the Brentwood School District receives a significant amount of state aid. The proposed aid for the Brentwood School District during the 2012-2013 school year was \$232,235,857. Subtracting proposed state aid from the 2012-2013 Brentwood School District budget, school district expenditures derived from local tax revenues equals \$92,127,657 or about \$5,504 per pupil. Using \$5,504 as the true cost per student from local tax revenues, the projected 1,807 students from Heartland Town Square would cost the Brentwood School District only \$9,945,318 from local tax revenues. When compared to projected annual tax revenues of almost \$39 million from Heartland, the School District would enjoy a net annual tax benefit of almost \$29 million due to construction of Heartland Town Square.

**Table SO-8 - Estimated Added Costs v. Added Tax Revenues to the Brentwood UFSD From Additional School-Aged Children Generated by Heartland Town Square at Build-Out 2012-2013 School Year**

1	Projected School Budget	\$324,363,514
2	Projected Student Enrollment	16,739
3	Cost Per Student	\$19,378
4	Cost of 1,807 Additional Students	\$35,015,525
5	Proposed New York State Operating Aid, 2012-2013 School Year	\$232,235,857
6	Projected School Budget Less Operating Aid (1 minus 5)	\$92,127,657
7	Cost Per Student (6 divided by 2)	\$5,504
8	Cost of 1,807 Additional Students	\$9,945,318
9	Projected Annual Tax Revenues to District from Heartland	\$38,908,613
10	<b>Net Annual Financial Benefit to School District (at Build-Out)</b>	<b>\$28,963,295</b>

The same analysis was conducted for Phase I of Heartland Town Square with the following results:

**Table SO-9 - Estimated Added Costs v. Added Tax Revenues to the Brentwood UFSD From Additional School-Aged Children Generated by Heartland Town Square, Phase I 2010-2011 School Year**

1	Projected School Budget	\$324,363,514
2	Projected Student Enrollment	16,739
3	Cost Per Student	\$19,378
4	Cost of 702 Additional Students at Phase I	\$13,603,154
5	Proposed New York State Operating Aid, 2012-2013 School Year	\$232,235,857
6	Projected School Budget Less Operating Aid (1 minus 5)	\$92,127,657
7	Cost Per Student (6 divided by 2)	\$5,504
8	Cost of 702 Additional Students	\$3,863,649
	Projected Annual Tax Revenues to District from Heartland at end of Phase 1	\$17,136,740
<b>10</b>	<b>Net Annual Financial Benefit to School District (at Phase I)</b>	<b>\$13,273,092</b>

Therefore, at the end of Phase I of the Heartland Town Square development, the Brentwood School District would be receiving over \$13 million in net fiscal benefits based upon the 2012-2013 data. Even assuming that operating aid is cut, the school district taxes generated by the proposed development would still more than cover the associated cost of the anticipated school-aged children.

The fiscal analysis presented below encompasses also encompasses the Gateway Area. All taxing districts will benefit from Heartland Town Square as shown in the following table.

**Table SO-10 - Allocation of Tax Revenues at End of Phase III to Relevant Taxing Districts**

Taxing District	Levy (% of Total)	Property Tax Revenue
Brentwood School District	70.59	\$35,891,739
Brentwood Library District	4.65	2,364,309
County General Fund	1.09	554,214
County Police	10.84	5,511,637
NYUS Real Property Tax Law	0.81	411,847
General Town	3.61	1,835,517
Town Excluding Villages	0.33	167,790
Combined Highway	2.06	1,047,414
Brentwood Fire District	4.33	2,201,604
Street Lighting District	0.55	279,649
Brentwood Ambulance	0.95	483,031
Town Water	0.19	96,606
Total	100.00	\$50,845,358

Source: Consultant's estimates based on information from Islip Tax Receiver & Islip Assessor's Office

Moreover, the presence of Heartland Town Square is expected to stimulate business activity throughout the immediate community. Expanded business activity indirectly brought about by Heartland Town Square equates to additional property taxes for the school district as well as the other taxing jurisdictions cited above.

#### **Comment SO-15**

[With regard to Fiscal Impact Analysis] Executive Summary (page 1-47) says that failure of the model to account for rising construction costs understates the positive economic impact of the construction phase of the project. Why is this? Does it assume that higher construction costs result in higher pay to construction workers? This is probably not the case; higher costs could result from higher materials costs or transportation costs, which don't benefit construction workers; or even if workers receive more pay, it may be eaten up by higher costs of living on Long Island. (C1-130)

**Response SO-15**

Rising construction costs are a product of rising material, transportation and labor costs. There is currently little inflation because the economy is still emerging from a deep recession. However, eventually there will be some inflation and wages will begin to rise. It is assumed that the construction workers building Heartland Town Square will share in these gains and as construction costs rise, wages will rise as well.

**Comment SO-16**

[With regard to Primary and secondary job creation] the project is estimated to result in a gain of 26,000 full-time equivalent jobs at completion (page 1-47). But how many of these jobs will be from companies or businesses that relocate here from elsewhere in Suffolk County, perhaps trading up to Class A office space, and not a net gain in employment? (C1-131)

**Response SO-16**

While there is nothing to prevent existing companies from relocating from outside the Town of Islip to the Town of Islip, with or without the development of Heartland Town Square, in any case, the creation of employment opportunities within the Town results in benefits to the Town, the County, the region and New York State as a whole.

Furthermore, Heartland Town Square would help foster the creation of new enterprises, such as personal service businesses, non-chain restaurants, banks, convenience retail etc., which are businesses that would not relocate from other areas, but would evolve to serve the local community.

One only has to look at recent unemployment figures to understand the importance of economic development. As indicated in the table below, unemployment has risen significantly in Nassau County, Suffolk County, New York City, New York State and the United States. More specifically, since December 2006, the unemployment rate has more than doubled across Long Island and New York State and has increase significantly across the nation.

**Table SO-11 - Rates of Unemployment**

Area/County	December 2006	December 2007	December 2008	December 2009	December 2010	December 2011	October 2012
Nassau	3.3%	3.9%	5.5%	6.9%	6.6%	6.5%	7.0%
Suffolk	3.5%	4.1%	6.0%	7.5%	7.4%	7.2%	7.3%
Long Island (N/S)	3.4%	4.0%	5.8%	7.2%	7.0%	6.9%	7.2%
New York City	4.4%	4.9%	7.0%	10.0%	9.0%	9.0%	9.2%
New York State	4.3%	4.7%	6.7%	8.8%	8.3%	8.2%	8.7%
United States	4.4%	5.0%	7.3%	8.9%	9.4%	8.5%	7.9%

Source: U.S. Department of Labor, Bureau of Labor Statistics, Local Area Unemployment Statistics Map, October 2012

The above percentages reflect the following number of unemployed persons as of October 2012:<sup>35</sup>

- Nassau County – 48,533
- Suffolk County – 57,470



<sup>35</sup> U.S. Department of Labor, Bureau of Labor Statistics, Databases, Tables and Calculators by Subject; Local Area Unemployment Statistics, October 2012

➤ New York City - 366,702

Thus, the 26,000 persons cited in the comment represent only 24.5 percent of those documented as unemployed on Long Island, and only 5.5 percent of the total unemployed in Long Island and New York City combined.

Moreover, as has been documented by the Long Island Index, Long Island Housing Partnership, Inc., the Long Island Association, the Suffolk County Department of Economic Development and many other sources, Long Island has been and continues to lose its young, educated workforce to other areas of the United States for a variety of reasons including, but not limited to, the lack of sufficient affordable housing, the lack of “exciting” places to live and work, and the lack of job growth. The vision of Heartland Town Square is to help address this “brain drain” by stimulating job growth, providing housing for various income levels, and creating an exciting location where young and old alike can live, work and play. The applicants envision that Heartland Town Square will become an economic engine for the Town of Islip and an activity center as well as a destination that is not dependent on the automobile.

In addition, the applicants, who are experienced real estate professionals, and who have previously attracted nationally-renowned companies to Long Island, have a network of brokers throughout the country that will assist in attracting companies to this location. Accordingly, it is difficult to understand how the commentator can represent that the creation of 26,000 jobs within the Town of Islip would, in any way, result in a negative impact to the region.

**Comment SO-17**

[With regard to Primary and secondary job creation] No basis provided for: “2,800 secondary jobs created principally in the immediate vicinity of Heartland Town Square.” (C1-132)

**Response SO-17**

The estimate of secondary jobs at Heartland Town Square was based of multipliers from the RIMS II input-output model (Regional Input-Output Modeling System) developed for Long Island by the Bureau of Economic Analysis of the U.S. Commerce Department. A density gradient applies to secondary job creation. That is, the greatest numbers of secondary jobs are created closest to the direct jobs that generate them. Secondary job creation then diminishes with distance from the source of the direct jobs, in this case Heartland Town Square.

**Comment SO-18**

[With regard to Project Population] The project is estimated to have been 1.6 and 2.1 persons per household. But page 1-7 (Executive Summary) says that 65 percent of the rental units will be 2-bedroom units. It is likely that many or most of these will have two adult occupants, which would increase the average household size. The *Heartland Town Square Community Development Guidelines, January 2004*, Appendix A of the DGEIS states that the surrounding areas of Brentwood and Commack have large household sizes of 3.29 to 4.19 persons, with most being married families and many having children. The young singles and empty nesters that will allegedly come to Heartland Town Square will thus greatly change the demographic makeup of the area. (C1-133)

**Response SO-18**

The Rutgers University Center for Urban Policy Research computes residential demographic coefficients for new housing. These coefficients are widely used by urban planners in estimating the population size of new residential developments. They are the most comprehensive data available and are considered the “gold

standard" in performing this type of research. Planners and economists regard these coefficients as the most widely accepted and most accurate method of projecting public school enrollments. The most recent Rutgers coefficients were published in June 2006. The Rutgers coefficients have been widely studied to confirm their accuracy. These studies have shown that the coefficients have historically produced overstated estimates of population rather than underestimates. To address this, David Listokin, one of the authors of the June 2006 Rutgers study published a subsequent demographic multiplier study. (See David Listokin, "The Accuracy of Demographic Multipliers Obtained From the Public Use Microdata Sample", Rutgers University, November 2006) In it, he acknowledged that previous Rutgers studies had not taken into account contemporary demographic data that reflect modern population and development trends. These contemporary factors include lower average household sizes when there are housing densities of 16 units to the acre or more. Listokin further recognized that statewide average benchmark data, on which the Rutgers coefficients are based, only go so far in accurately predicting the actual demographic impact of a specific housing development. The actual population varies depending on each community's unique demography. This consideration is particularly relevant to Heartland Town Square, which is expected to attract a relatively high proportion of singles, young couples that have not yet started a family and senior empty-nesters. Building heights also appear to have an impact on the size of the population that is generated by a new development. Listokin notes: "anecdotal evidence and historical data indicate that high-rise development has lower household sizes than low-rise development." Again, this is relevant to Heartland Town Square, where much of the residential development will be between one and six stories.

It should also be noted that the household sizes shown in the DGEIS represent averages. Thus, some of the two-bedroom apartments would have fewer than two occupants and some would have more than two occupants. Whenever a large residential complex is built, the demography of an area changes somewhat. However, the new residents will also bring considerable purchasing power to the area.

#### **Comment SO-19**

[With regard to Project Population] What are the price points for the townhouses and the likelihood that they will attract families with children? (C1-135)

#### **Response SO-19**

See Responses HO-2, HO-15 and HO-27.

#### **Comment SO-20**

[With regard to Relationship to Greater Brentwood Community] Study claims there will be spillover effects, but no quantitative support is provided. (C1-140)

#### **Response SO-20**

There will be several types of spillover effects with respect to the greater Brentwood community; however, at this time it is impossible to quantify such impacts, with the exception of projected taxes to the overall community (see Table SO-10, above). It is anticipated that there will be an attempt to place Heartland Town Square residents and those currently residing in Brentwood in on-site jobs once development is completed and these jobs become available. This will provide more office-type employment opportunities and entertainment options for Brentwood residents. Also, given the nature of the development - a lifestyle community - the jobs there are likely to pay a living wage and offer employment benefits.

In addition, Brentwood residents will be able to avail themselves of the entertainment and shopping facilities offered at Heartland Town Square. However, as noted above, the most important spillover will be increased job opportunities at Heartland Town Square for Brentwood residents.



**Comment SO-21**

Accommodating the needs of this growing young adult population is an important planning issue since that may be facilitated by this application. The DGEIS should adequately analyze the complexity of changing demographic patterns in the region and should better address the increasing number of 15-24 year olds in the region. (C7-13)

**Response SO-21**

As the following Census data indicate, Suffolk's population age 15 through 24 increased by more than 33,000 between 2000 and 2010, while in the Town, the 15-through-24-year age group increased by close to 6,500. This development is designed to address the needs of the young adults (particularly to provide housing opportunities for the young workforce). However, Heartland Town Square is not designed to provide housing for school-aged children.

Of greater concern is that the number of persons between ages 25 and 34 (the "young adult" age group containing recent college graduates and people starting families) declined considerably in both Suffolk County and the Town of Islip between 2000 and 2010. This is also reflected in the significant decline in the population up to age 9, between 2000 and 2010. In addition, Suffolk County and the Town of Islip also lost a considerable number of persons in the 35 through 44 year age group category. This reflects the loss of the young adult population beginning to extend into the next age category. The lack of affordable/workforce housing in general and the lack of rental housing are responsible for much of this decline in Suffolk County. Many young adults would prefer to stay on Long Island but lack the down-payment for a home. Others are not yet ready to put down roots. Rental apartments would meet their needs but few are available. The rental units proposed for Heartland Town Square will help to remedy this situation.

**Table SO-12 - Demographic Changes by Age, Suffolk County, Town of Islip, 2000-2010**

Age Group	Suffolk, 2000	Suffolk, 2010	Net Change	Town of Islip, 2000	Town of Islip, 2010	Net Change
Under 5	100,304	85,984	-14,320	23,661	21,126	-2,535
5 to 9	109,690	97,819	-11,871	26,442	22,787	-3,655
10 to 14	103,930	106,367	2,437	24,863	24,115	-748
15 to 19	88,558	106,992	18,434	21,053	24,612	3,559
20 to 24	75,665	90,371	14,706	18,518	21,404	2,886
25 to 34	191,695	166,685	-25,010	46,756	42,256	-4,500
35 to 44	251,600	213,341	-38,259	57,784	49,179	-8,605
45 to 54	197,593	245,782	48,189	42,419	54,035	11,616
55 to 59	75,535	94,938	19,403	16,523	19,823	3,300
60 to 64	57,241	83,278	26,037	12,722	16,860	4,138
65 to 74	91,906	107,983	16,077	18,567	21,914	3,347
75 to 84	55,650	65,969	10,319	9,919	12,418	2,499
85 +	20,002	27,841	7,839	3,385	5,014	1,629
Total	1,419,369	1,493,350	73,981	322,612	335,543	12,931

Source: U.S. Census Bureau, 2000 Decennial Census, 2010 Census

The housing units planned for Heartland Town Square will cover many price points, thus attracting households in different income classes and at different life stages.

**Comment SO-22**

*SCPC Policy on Economic Development: Provide job assistance and education programs to better match job seekers and employers, particularly those in the most economically vulnerable groups:* With all the

mitigations measures proposed by the project sponsors, assistance to match potential residents with employment opportunities and new employees of the development with housing opportunities is not mentioned. This is considered an oversight and should be a condition on an approval if a change of zone application is approved. The Suffolk County Planning Commission has adopted guidelines for Economic Development related to land use actions. While the proposed project is generally in conformance with economic development goals of the Commission, this aspect is considered a significant point in providing for the true “capture” of residents potentially working within the Heartland Town Square development. The commercial aspect of the proposed project would be direct competition with the more than thirty downtown centers of the four western towns of Suffolk County. An analysis of the potential cannibalization effect of the proposal on these downtowns is warranted. (C7-26)

### **Response SO-22**

Since the time of the DEIS, the Suffolk County Planning Commission has updated its policies regarding economic development. The specific policy noted in the comment no longer exists. Specifically, the Planning Commission’s general policy goal regarding economic development is to: “Enable sustainable economic growth by supporting a broad range of industries and economic opportunities – from local entrepreneurs to national firms – that are linked to transit, housing and services. Economic opportunity must be equitably distributed among the entire range of potential workers.” The more specific new policies include “promote the location of new centers of commerce and or [sic] industry near transit and/or on existing brownfields in order to reduce vehicle miles traveled to places of employment and to preserve remaining open space...recognize the tax revenue and employment impacts of residential, commercial, and industrial developments.”

The updated general policy goal focuses on the link among economic opportunities, transit, housing and services. The Heartland Town Square mixed-used development provides that link, by providing the opportunity for a broad range of economic opportunities through the office spaces, retail and entertainment spaces and civic spaces that are proposed to come together within this one development. Incorporating the other aspects – housing and services – Heartland is proposing to provide a mix of over 9,000 residential units for people of varying ages and income levels proximate to employment opportunities. As indicated in Response SO-6, matching potential residents with employment opportunities and new employees of the development with housing opportunities will be done through job fairs. In addition, the applicants will advise commercial tenants of housing opportunities on the site.

The opportunity for the provision of community services, including neighborhood retail services, as well as municipal services is included within the Heartland development. Furthermore, where people work off-site from their residences, Heartland is proposing a shuttle to the Deer Park LIRR station, which is located near the development. Having the opportunity to combine employment and housing on one site and providing the ability for residents to easily access mass transit will reduce vehicle miles traveled.

While not technically a brownfield, Heartland Town Square would be constructed within an urban renewal area, on a site that was previously used as a psychiatric hospital. Thus, no designated open spaces or previously undeveloped/undisturbed lands would be used for construction of this mixed-use development.

With respect to the tax base, on an annual basis, within the first five years, Heartland Town Square is projected to generate approximately \$15.8 million in property taxes for numerous taxing jurisdictions. By completion, it is estimated that Heartland Town Square would generate over \$50 million in property taxes to various local and Town jurisdictions (see Section 4.11.2 of the DGEIS and Table SO-6 herein). Further, according to sales tax projections prepared by Dr. Kamer, given the current sales tax rates, the estimated sales tax revenues generated by the residents of Heartland Town Square by completion of the 15-year build-out of the development are estimated to be approximately \$16.6 million, annually, of which Suffolk County’s share would be approximately \$8.2 million, annually, based upon the current distribution of sales tax revenues. In

addition, the proposed retail space at Heartland Town Square is projected to generate a total of \$23.3 million, annually, in sales tax revenue by completion of the 15-year build-out, of which Suffolk County's share would be almost \$11.5 million, annually, based upon current rates and distribution. Overall, Heartland Town Square would have a significantly positive tax impact.

Moreover, one of the major benefits of Heartland Town Square will be the creation of jobs both during the construction phase and after development. The new jobs will contribute to the economic well-being of Brentwood, a community with the largest Hispanic population in New York State outside New York City, and the surrounding communities. According to Section 4.11.2 of the DGEIS, the number of construction jobs created in each year during the first five years is 880 (for a total of approximately 4,400 construction jobs). Overall, based upon the \$3.7 billion dollar investment in construction, over the course of the 15-year build-out period, Heartland Town Square is expected to generate over 13,000 construction jobs. The number of permanent jobs expected to occur within the first five years of development is over 5,400, with payroll of approximately \$220 million. According to Dr. Kamer, upon completion of the final phase of development, Heartland Town Square is expected to generate over 25,000 permanent jobs, with a direct payroll of \$1.3 billion.

Heartland Town Square will provide myriad jobs opportunities that span all industry sectors. The categories with the highest number of projected jobs include: professional and technical services (which is currently one of Long Island's fastest growing industries), information industries, administrative and support services, health care and social assistance, educational services, retail, financial and investment services, and arts and entertainment.

It is intended that national companies in all fields, as well as "start-ups" that are born from the myriad research centers and universities on Long Island, will occupy the office space at Heartland Town Square, along with national retailers, and national restaurant and entertainment chains who will lease space in the Town Center. Heartland Town Square will be positioned to attract cutting edge technology firms desirous of capitalizing on the "brain power" available in the world renowned Long Island research institutions. In addition, new businesses in emerging industries formed by local entrepreneurs are also anticipated to rent space within Heartland Town Square. In order to keep this "brain power" on Long Island, Heartland Town Square will provide a diversity of housing types (including a significant number of rentals), which will cover many price points that are designed to attract households in different income classes and at different stages in their lives.

Overall, Heartland Town Square is anticipated to become an economic engine that will spur the creation of employment opportunities and new enterprises within the Town of Islip that will result in positive economic benefits to the Town, County, region and State, as a whole.

With respect to the proposed retail activity at Heartland Town Square, it is unlikely that such development would adversely impact retailers in local downtown centers. Local downtowns contain retailers that serve the immediate neighborhood population, including banks, neighborhood restaurants such as pizzerias and sandwich shops, barbers, nail salons, groceries, and medical and insurance offices, among others. In addition, some of the retail activity planned for Heartland Town Square will be entertainment-related. Therefore, there is unlikely to be direct competition between retailers at Heartland Town Square and retailers in surrounding downtowns. Furthermore, like other downtowns, there will be on-site neighborhood retailing sufficient to meet the demand and serve the needs of the resident population.

#### **Comment SO-23**

The DGEIS estimates that 2056 students may be generated from the development and would cost the school district \$33 million annually. Tax revenues are estimated at \$35 million, a \$2 million surplus. These estimates should be verified by a competent, independent source. In addition, these numbers do not fully include

possible capital costs which should be considered for all public services, e.g., schools, police cars, fire trucks, building facilities, etc. that may be needed as a result of the development. It also does not appear to include any tax abatements which would obviously reduce revenues generated. Will the applicant seek tax abatements? If so, how will this affect the revenue projections?

The DEIS fails to adequately address potential costs associated with the massive scale of development that is proposed. Suffolk County is currently the 23<sup>rd</sup> most populated County in the United States out of a total of over 3,100 counties. Despite the significant amount of growth that has already occurred, the County maintains one of the country's highest tax burdens. The DGEIS should better analyze the potential costs in the form of services, maintenance, education, etc. associated with the proposed development. (C7-14)

#### **Response SO-23**

See Response SO-14 and CF-17 with respect to the school-aged children analysis.

In addition, the applicants intend to seek tax abatements. Tax abatements should not affect the revenue projections because it will take approximately fifteen years for full build-out of the development. Tax benefits (i.e., 485[b]) decrease annually over a ten-year period. As time goes on, not only will there be greater tax revenues by reason of reduction of abatements, there will be additional tax revenue from the additional construction during the same time. It should also be noted that 485(b) tax abatements apply to real property constructed, altered, installed, or improved for the purpose of commercial, business or industrial activities, and the Assessor of the Town of Islip would determine if such abatements are granted.

#### **Comment SO-24**

The closest thing I can think of to this concept is Oz, the walled Emerald City that nobody leaves – and almost nobody gets into. But people traveling to Heartland Town Square won't be following the Yellow Brick Road – they'll be driving down Commack Road, and Crooked Hill Road, and the Long Island Expressway. And so will people leaving the community to shop at Wal-Mart, Target, Home Depot, Kohl's and Costco just north of the LIE on Crooked Hill Road. (C8-3)

#### **Response SO-24**

See Responses to SO-2 and SO-10.

#### **Comment SO-25**

The dramatic increase of office and retail space proposed in this plan could have a significant impact on the financial viability of existing commercial centers in our region. But the DEIS doesn't address this potential regional impact. (C8-12)

#### **Response SO-25**

The *Marketability Study* concludes that there will be sufficient demand for office and retail space in the primary market area to accommodate the planned office and retail development at Heartland Town Square without adversely affecting the viability of existing commercial centers in the area (see Appendix LU-1).

Specifically, with respect to the demand for office space, see Response SO-1, and see Response SO-2 with respect to retail development.

#### **Comment SO-26**

My question is: How will the development of a 4 million square foot competing corporate center a few miles away impact the long-term economic viability of the Route 110 Corridor? From a regional perspective, does it make sense for Long Island to have two such centers in such close proximity, competing for government and private dollars? The DEIS does not consider the potential negative market impacts on Route 110 and the future implications it may have on investment in the corridor. (C8-13)

#### **Response SO-26**

See Response SO-1 with respect to office absorption and marketability.

The *Marketability Study* (see Appendix LU-1) indicates that Heartland Town Square is located in CoStar's Class "A" Suffolk County Office Market. Since the third quarter of 1996 2,064,032 square feet have been added to the inventory and 1,548,339 square feet have been absorbed on a net basis over 14 years. Vacancy levels have remained generally above 10.0 percent reaching a high of 16.4 percent in the first quarter of 2002. Rent levels have increased 1.63 percent per annum since 1996. These long-term trends suggest that the market remains resilient in accepting new Class A product. As long as the pipeline continues to bring on modest new construction near the average of 147,430 square feet per year, vacancy levels will only spike upward during recessionary times, not due to an excess of supply. Rents will likely remain in the upper \$20s per square foot as they have over the last 14 years.

#### **Comment SO-27**

Adding Tanger results in a glut of retail space – even before Heartland's proposed one million square feet of retail is factored in. Heartland's retail construction could produce vacant storefronts, either at Heartland or throughout the region. (C8-15)

#### **Response SO-27**

With respect to the impact of Tanger on retail activity in the primary trade area for the Heartland Town Center, due to the position of Suffolk County as a growing center of business with a generally favorable demographic profile, retailers regard it as an important retailing market in Long Island. Population growth in the subject's trade area remains fairly strong. The primary trade area is classified as a middle- to upper-middle income community. As previously noted, the subject property benefits from its proximity to the Long Island Expressway and Sagtikos Parkway.

See Response SO-2.

#### **Comment SO-28**

This DEIS does not adequately evaluate the regional economy to determine how the project will impact existing commercial centers within its market area. The analysis does not fully address the market demand for the proposed office development and consider the impact of the project on the economic viability of existing centers in neighboring Towns. State and local governments have made capital investments in infrastructure to support and direct the growth of corporate development in the region to specific areas, such as the Route 110 Corridor. The introduction of a new office center may undermine the private and public investments made in existing development and hinder regional planning efforts. (C8A-25)

#### **Response SO-28**

See Responses SO-1 and SO-27.

#### **Comment SO-29**

While a development of this scale is a welcomed addition to the tax base in the areas, permanent job creation and sustainability are also important issues to consider. Job creation is an issue of utmost importance to many Long Islanders and across the country. A development of this scale will provide more jobs than the site's previous use. In pursuit of social equity and true economic development, rather than simply developing new businesses which will, in turn, create jobs, Sustainable Long Island encourages the Town of Islip and the developer to work in partnership to develop hiring practices that give preference to Long Islanders, particularly local workers from Brentwood and other surrounding areas. Apprenticeship programs and job training should start as soon as possible so that workers have an opportunity to receive proper training and can begin to get the experience necessary to move forward smoothly and accurately. (C37-13)

#### **Response SO-29**

See Responses SO-6 and SO-20.

#### **Comment SO-30**

How many young people from Long Island or couples in Brentwood will move into these apartments? Unless there are better jobs (with long-term commitment offerings and health benefits) available, I am concerned that many young people – the very population this project aims to help – will not be able to afford these apartments. Long Island salaries are not great to begin with. If the targeted young people cannot afford these apartments because the salaries and/or career choices cannot support them, then what? (C39-29)

#### **Response SO-30**

See the Response SO-5.

#### **Comment SO-31**

The School Taxes will increase. (C40-2)

#### **Response SO-31**

See Response SO-14.

#### **Comment SO-32**

Do you think this is the right time to build mini-city. (C40-3)

#### **Response SO-32**

According to Dr. Pearl M. Kamer, project economist, in the depth of a recession such as the nation and the region are currently experiencing, it is the perfect time to plan for and build a development that will help Suffolk County and the Town of Islip generate the jobs and income needed to lead to economic recovery. This recession is unlike any recession in the post-World War II period. Dr. Kamer notes that it is “transformational” in the sense that many of the consumer-related and financial jobs that were lost in the recession will not be coming back. Developments such as Heartland Town Square will generate the added economic activity that will bring new jobs to the area and lead to recovery. The construction of higher density developments such as Heartland in otherwise low-density suburbs will enable local communities to develop the tax base that will sustain current and future levels of public services. As Response SO-39 indicates, Heartland Town Square is a true economic stimulus that will bring economic opportunity and jobs to Long Island. As Response SO-44 notes, a project of such magnitude and scope will require a sizable

workforce to service its needs. These jobs will increase local sales and property taxes and support public services. As Responses SO-47 and SO-48 note, the area is facing the toughest times it has ever faced and the jobs are needed; we need something big to take us out of this.

Moreover, in 2011, the Heartland Town Square development received \$2.5 million from the Long Island Regional Economic Development Council for the design and implementation of improvements to Crooked Hill Road (which is the principal roadway connecting Heartland Town Square to the community), based upon it being deemed a transformative project for the Long Island region. Thus, New York State, by virtue of its funding the project, agrees that Heartland Town Square is the type of project that would provide the economic impetus that the Long Island economy needs at this time.

#### **Comment SO-33**

The proposal for Heartland is *over four times* the vacant space which currently exists in all of Nassau and Suffolk counties! Unless the Town were to provide enticing tax incentives for businesses to relocate to Heartland, it is hard to see how this space would be fully occupied. And unless these incentives were for *new to Long Island* businesses, the space would only be occupied by businesses relocating from elsewhere on Long Island, which would do nothing for the local economy, would not fill new housing, and would force the route of commuters to converge into an area of gridlock. (C25-4)

#### **Response SO-33**

See Response SO-1 with respect to office development and Response SO-2 with respect to retail development.

In addition, in its *Marketability Study*, MVS noted the projected shortage of for-rent and for-sale housing product in the influencing market (see Appendix LU-1). The subject property's residents will be primarily represented by those households already residing in the Primary Market Area (10-mile radius from the subject) and those newcomers who would otherwise relocate to the area, given sufficient housing opportunities. Given the shortage of forecast competitive housing product in the market area and the fact that most areas within the market area are well-served by linkages with the local and regional employment centers, the Primary Market Area of 10 miles is projected to represent the subject property's chief target market area. Given the broad search for affordable housing throughout not only the Nassau/Suffolk MSA but also within the Tri-state area, which includes portions of New York City, New Jersey and Connecticut, the subject property is also projected to appeal to working singles and couples new to the local and regional job market, and who are seeking desirable and convenient housing wherever they can find it. Based on a 2009 renter-occupancy ratio of 19.1 percent within the 10-mile market area, the proposed development of the subject property is an opportunity to increase the supply of rental housing to meet demand. It should be noted that Brentwood and the surrounding hamlets, as well as the Towns of Islip, Smithtown and Huntington are among the communities with the lowest percentages of rental units on Long Island and within overall metropolitan region (see Response HO-29). It appears that the subject property's residential component will be absorbed at a brisk pace given the shortage of, and pent-up demand for, quality multifamily residential housing within the market area based on the synergistic appeal of Heartland Town Square.

#### **Comment SO-34**

Jobs created by the construction and completion of the Heartland Project should go to people from surrounding communities (Central Islip, Brentwood, Bay Shore, etc). The jobs must also provide a living wage and employee benefits. (C26-3)

#### **Response SO-34**

See Responses SO-6 and SO-20.

**Comment SO-35**

The DGEIS emphasizes the merits of the Gateway Project over and over again as a big plus for the Town of Islip and the Brentwood Community. That would be so, if the cost of this project to the taxpayers at every level, but primarily to the Town and the Brentwood School District, would not be so enormous. (C18-15)

**Response SO-35**

The Gateway Area is one in which the proposed PSPRD may be appropriate, as it would allow redevelopment of an area that it not coherently developed. Thus, there is the potential that the Town Board could rezone the property to PSPRD. Given that the Town Board is considering the rezoning of the Gateway Area to PSPRD, the Town Board was required to evaluate the potential rezoning to PSPRD and the potential redevelopment of the area in accordance with the PSPRD, pursuant to SEQRA and its implementing regulations. Accordingly, a potential development scenario was considered for the Gateway area, which is consistent with redevelopment pursuant to the PSPRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD and development in accordance with that zoning district.

Aside from the potential rezoning of the Gateway Area, the Town of Islip is also considering a condemnation process, so that portions of the Gateway Area, as identified in the Finding of Blight report, can be redeveloped and the blighted conditions can be eliminated. The applicants have offered to fund the condemnation proceedings and to redevelop the Gateway Area in accordance with the proposed PSPRD zoning. Therefore, there would be little cost to the taxpayers of Islip associated with the redevelopment of the Gateway Area.

With respect to impacts to the Brentwood School District, see Response SO-14.

**Comment SO-36**

As for the amount of commercial space, there is only so much disposable income people have, and there is currently a significant amount of commercial space vacancy around Long Island. It would be prudent to minimize the intensity of commercial uses on the project site, as well as residential uses. (C21-11)

**Response SO-36**

See Response SO-2 with respect to retail development, marketability and absorption.

**Comment SO-37**

They make all of the profits, and the cost to reconstruct and repair roads and other infrastructure gets passed on the taxpayers. (C21-14)

**Response SO-37**

See Response SO-14. The taxing jurisdictions that serve the proposed Heartland Town Square, upon the completion of Phase III, would receive approximately \$51 million dollars in annual property tax revenue to help offset the cost of providing services to the development (see Section 4.11.2 of the DGEIS). Furthermore, the applicants have indicated that, at Phase III, they would contribute \$25 million for roadway improvements.

**Comment SO-38**

I'm glad that I have been informed by the building trades that there has been a process started where there is a dialogue between Mr. Wolkoff and the building trades and they are moving toward reaching certain agreements. (H4-6)

The fact that the unions are involved is to the benefit of our community. If you hire somebody to do a carpentry job in a project, when he is done with that job and he is not union, that is the end of his job. If that job creates an entry level into the union, that young person who entered has a career for life. (H4-7)

**Response SO-38**

The applicants will continue to negotiate with the unions. It should be noted that the applicants have undertaken substantial construction projects in Suffolk County (Heartland Business Center and Hauppauge Industrial Park), and the applicants have used and continue to use various union contractors.

**Comment SO-39**

Finally, this is true economic stimulus. Every level of government is working so hard to bring a turnaround to our economy. Here we have the opportunity with public review, environmental review, and private investment dollars to really bring economic opportunities and jobs, both construction and long-term jobs to Long Island. (H9-8)

**Response SO-39**

See Response SO-32.

**Comment SO-40**

Overall in Suffolk County we have 32 square feet of downtown shopping center space for every person. That is a 78 percent increase per capita since the 1970s. More recently in this we have had the development of the Tanger development in Babylon, which is the largest shopping center built since 1969 in Suffolk County, and as mentioned earlier, has not been reflected in the market study. (H11-6)

**Response SO-40**

See Responses SO-2 and SO-8.

According to the International Council of Shopping Centers (ICSC), a retail trade organization, there are approximately 14.2 billion square feet of total retail space in the United States. Dividing this total by the current population of 304,059,700 yields approximately 46.6 square feet of total retail square feet per capita. Heartland Town Square's ratio is approximately 50 square feet of retail per capita, similar to the national figure. As indicated by Sasha M. Pardy of CoStar in an article entitled "No Sign of a Meltdown in Third Quarter Retail Real Estate Trends: Retail Vacancy and Rents Hold Steady Despite Addition of New Space; Rising Retail Per Capita," dated October 16, 2008:

*"Because readers have demanded it, CoStar Advisor brings you current retail space per capita trends this quarter. Keep in mind the latest population statistics are from the U.S. Census Bureau's 2007 population estimate. Aggregating the 59 major markets CoStar tracks in its national retail report; there was 8.26 billion square feet of retail space existing at the close of third quarter. Across those 59 markets, the estimated weighted average retail space per capita figure is 43.71 square feet of retail space per capita in those markets. This is up from a ratio of 43.03 square feet of retail space per capita in third quarter 2007.*

*The 10 markets with the most retail space per capita include Southwest Florida (74.12 sq. ft.), Richmond (68.2 sq. ft.), Greensboro/Winston-Salem (66.11 sq. ft.), Greenville/Spartanburg (65.96 sq. ft.), Tulsa (65.52 sq. ft.), Oklahoma City (65.35 sq. ft.), Toledo (65.06 sq. ft.), San Antonio (60.51 sq. ft.), Jacksonville (60.02 sq. ft.), and Birmingham (59.94 sq. ft.).*

*The 10 markets with the least retail space per capita include Long Island (22.11 sq. ft.), Charlotte (22.52 sq. ft.), Portland (27.95 sq. ft.), Westchester/So. Connecticut (32.44 sq. ft.), Detroit (32.83 sq. ft.), Northern NJ (33.93 sq. ft.), Washington D.C. (34.23 sq. ft.), Los Angeles (34.66 sq. ft.), Kansas City (35.77 sq. ft.) and Philadelphia (37.52 sq. ft.)."*

These data indicate that Long Island has the least retail space per capita of the largest markets in the United States and that the density of retail development in Heartland Town Square in relation to its proposed population is more in line with the national average.

#### **Comment SO-41**

Fifteen to 24-year-olds have gone up in 2000 by 86,000. They may stay, they may go, but it is a planning issue that we have to address. We have to provide housing options, planning, jobs. So I'm not toying with the idea that we have to help our young adults, but I just want to make sure everybody understands that the demographics are a little unique in that. We appreciate this opportunity. (H11-10)

#### **Response SO-41**

See Response SO-21.

#### **Comment SO-42**

On the positive side, many jobs will be created; sales tax revenue will increase, which will benefit the various community services throughout the county, as well as needed increase to the County's workforce. (H13-1)

Finally, in this recession and our Town curbing property taxes, the Town should also evaluate the project's positive impact on job creation, tax revenue, and the overall economy. That is something very important to the Suffolk County IDA. (H15-8)

#### **Response SO-42**

See Responses SO-14 and SO-32.

#### **Comment SO-43**

Let there be no mistake, Heartland Town Square, as proposed, will not produce any jobs at all, because the project as proposed is never going to get built. (H17-4)

#### **Response SO-43**

It is the applicants' opinion that Heartland Town Square will be constructed and will be a successful community that will not only be a benefit to the local economy, but to the regional economy as well.

#### **Comment SO-44**

An argument can be made that each phase of the development will create the need for many jobs which can stimulate the economy, and it is clear that a project of such enormous size and scope will require a sizable

work force to serve its needs. We must remember, even though the potential work force that chooses to live in Brentwood will require legal housing to bring up their families, schools to educate their children, services and automobiles for travel. (H20-3)

**Response SO-44**

See Response SO-32.

**Comment SO-45**

I would appreciate a project labor agreement so we move along very smoothly because we can build your project. I don't know if you think maybe somebody else can, but I know that we can. If we can build New York City and the towers, the Freedom Towers, we can build what I consider your little Heartland project. (H23-1)

**Response SO-45**

See Response SO-38.

**Comment SO-46**

Ladies and gentlemen, our veterans are coming home. They are going to need a place like Levittown and Babylon so they can start their family. They served our country. This Heartland project would be a perfect place for them to start. When all is said and done, I didn't hear one thing about unemployment. (H23-2)

**Response SO-46**

The applicants are not proposing a specific employment program for returning veterans. However, as indicated in Responses SO-6 and SO-20, job fairs would be held and returning veterans can apply for jobs and can attend job fairs. See Responses SO-5 and SO-16 with respect to unemployment.

**Comment SO-47**

We are facing the toughest times we have ever faced. We need jobs. Very simple. We need jobs. Whether it's going to be bigger, whether it's going to be smaller, whether it's sideways, we are building, but we need to put our people to work. (H23-3)

Twenty-six thousand job opportunities is certainly prosperity. (H29-2)

**Response SO-47**

See Response SO-32.

**Comment SO-48**

The country is going through its roughest time in my working career. We need something big to help take us out of this. We should all support the Heartland project. (H30-1)

**Response SO-48**

See Response SO-32.

**Comment SO-49**

The burden will fall on the homeowners. Schools would be force taxed [sic] a billion dollars when completed and staffed. (H31-5)

**Response SO-49**

See Response SO-14.

**Comment SO-49**

If this high-density project impacts the stated formula of our neighborhood districts, then, after this \$40,000,000 in new tax revenue is applied, the property taxpayers in Brentwood may be on the hook for tens of millions of dollars in additional tax levies. (H32-5)

**Response SO-49**

See Response to Comment SO-14.

**Comment SO-50**

When I say "here in Brentwood," I mean living in Brentwood and working in Brentwood. There's a very big difference there. In addition to this lack of office-type work employment opportunities, we lack entertainment options that would entice a social crowd on a large scale. (H39-1)

**Response SO-50**

See Response SO-6.

**Comment SO-51**

Here it is, with all of other issues that concern poverty, some of the issues I know are not in the Heartland project, are covenants to keep out minorities. (H41-1)

**Response SO-51**

The applicants will comply with prevailing fair housing requirements.

**Comment SO-52**

I have not heard a population estimate, but if an average of two people occupy each unit, then this is in excess of 18,000 new residents. This would be a population density of 27,000 people per square mile in this complex. (H32-1)

**Response SO-52**

As explained in Section 4.11.2 of the DGEIS, the projected population is approximately 20,000.

According to the fact sheet from the 2008 Long Island Index (see Appendix SO-1 of this FGEIS), almost half of people aged 18-34 can imagine themselves living in an apartment, condominium or townhouse in a local downtown area on Long Island, as well as a majority of empty-nesters and seniors would prefer to live in a neighborhood where the homes are close together and local stores are within walking distance, rather than

one where homes are spread out and require driving. Smart-growth principles center on creating walkable communities. Furthermore, as noted in Response SO-3, according to the *2011 Long Island Index Survey - Downtown Development and Residential Satisfaction* "the youngest and oldest age groups are most interested in living in a walkable neighborhood on Long Island." These groups are also interested in changing zoning laws to allow an increase in height limits to permit apartments to be installed above stores in downtown areas. The *2012 Long Island Index Survey - Tracking Residential Satisfaction on Long Island* also states that since 2010, there has been an increase in support for changing zoning laws to allow increases in height limits to allow more apartments over stores in local downtowns. This is especially true among young adults age 18 to 34 years. Thus, as can be seen, there is a trend toward people wanting to live in walkable, higher density downtown neighborhoods.

At Heartland, people will be able to walk from their home to their job, to buy their food and clothing, and to their entertainment venues. Scale is the most important element of the Heartland Town Square plan. Density is what makes the entire development sustainable. Density supports a diverse mix of uses and the uses support each other. In addition, higher density allows developers to offer more attractive amenities that would initially entice residents to locate on the site and ultimately keep them there. Residents and office building employees will patronize the proximate stores and restaurants. The more vibrant the economic and social environment, the more businesses will want to locate in the office buildings. The more convenient it will be to work there, the more people will want to live there. The diverse mixture of uses feed each other and work together to create energy and excitement that will sustain itself through its own momentum. Without sufficient density, the overall concept will not be successful.

In addition, the higher densities will make it possible to make the rents at Heartland Town Square affordable for most local residents. Also, the purchasing power that the new residents will bring to the area will stimulate job creation throughout the local economy. When the estimated disposable income of condominium/townhouse owners and renters are aggregated, it appears that slightly more than \$285 million in additional purchasing power would be injected into the Brentwood community annually.

#### **Comment SO-53**

Heartland will include 1,643 workforce housing units. Workforce housing needs to be defined. A 2006 Rutgers University study found that 1 bedroom apartments renting for more than \$1,000.00 per month generated only .08 school age children per unit. Two bedroom apartments renting for more than \$1,100.00 generated only .23 school age children per unit. Even 3 bedroom apartments renting for more than \$1,250.00 per month only generated 1 school age child per unit. Lower priced apartments tended to generate somewhat more school aged children. Long Island real estate and rental prices if not among the highest in the USA are definitely well above the median value for the nation. It is important to provide some background to the Rutgers Study. What were the monthly rental numbers presented in this study based on? Were these national averages, or are they broken down by regions? (C9-24)

#### **Response SO-53**

Based upon discussions with the Town, 10 percent of the residential units within Heartland Town Square will be workforce units, which are defined as residential rental units that are affordable to those earning between 100 percent and 120 percent of the Area Median Income. Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing.

In addition, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization. See Response SO-5 for an explanation regarding the workforce units and Response SO-18 for the Rutgers Study information.

**Comment SO-54**

To be truly applicable, they should be based upon Long Island real estate/rental values. Considering the skyrocketing cost of real estate, rents on Long Island have increased rapidly over the last few years. The Rutgers study was released in 2006; however, what year locally are the rents referenced? Are the rental numbers from this study relevant to the rents proposed in this document, i.e., are we comparing 2008 rental costs with 2000 rents. Real estate values can and have become dated very quickly. If the numbers are based upon a national or lower cost area(s), or the numbers have become dated, these findings may prove to be baseless. If the assumptions for school age children are inaccurate all estimates provided for impacts to the schools will require recalculation. 2,065 school aged children from over 9,000 dwelling units appears to be an ambitiously low estimate. As per the US census, there were 14,741 individuals under 18 and 13,701 housing units in Brentwood, yielding 1.08 students per housing unit. (C9-25)

**Response SO-54**

See Responses SO-5, SO-14, CF-8 and CF-17. The demographic profile of Heartland Town Square is expected to differ from the existing demographic profile of the Brentwood community due to the type of units proposed. As indicated in CF-8, a community may attract fewer public school children per housing unit depending on its unique demography. This consideration is particularly relevant to Heartland Town Square, which is expected to attract a relatively high proportion of singles, young couples that have not yet started a family, and senior empty-nesters. Building heights also appear to have an impact on the number of school children generated. David Listokin, one of the authors of Rutgers study notes that "anecdotal evidence and historical data indicate that high-rise development has lower household sizes and school children generation relative to low-rise development." This is relevant to Heartland Town Square where residential development will include high-rise buildings. Moreover, the projection of 1,807 school-aged children does not take into account that some of these children could elect to attend private schools. Therefore, the impact on public schools may be lower than anticipated.

**Comment SO-55**

[With regard to Project Population] Given the apparent low incomes of Brentwood, will this really attract middle-income and upper-income residents? (Appendix B, page 4, Phasing Strategy says the housing is geared towards "luxury residential" market.) If rental, will it attract lower-income people who tend to have larger families and more kids? (C1-136)

**Response SO-55**

See Responses SO-5 and SO-21.

**Comment SO-56**

Much of the new office space planned for Heartland will accommodate firms already on Long Island. The number of new jobs and the amount of new ratable gained by the town and the region may be much less than forecasted. (C1-19)

**Response SO-56**

The largest office districts in Western Suffolk are Melville in the Town of Huntington and Hauppauge in Town of Islip. As of November 2011, the Suffolk County Planning Department identified 5,913,000 square feet of office space within non-government office buildings within the Town of Islip, with Hauppauge, Ronkonkoma, and Islandia along Veterans Memorial Highway accounting for most of that total. Heartland Town Square is located in a new office setting. It will satisfy a desire to work within a new urban

environment in the suburbs and will differentiate the project from its competition in the traditional office centers in the area. The fact that Heartland Town Square is likely to attract firms that want to locate in a new type of office setting would suggest that Heartland would draw Class "A" office tenants from off Long Island.

Moreover, the applicants, who are experienced real estate professionals, and who have previously attracted nationally-renowned companies to Long Island, have a network of brokers throughout the country that will assist in attracting companies to this location. Also, see Response SO-1.

#### **Comment SO-57**

The addition of the proposed Heartland retail space would in effect create a new downtown. Its retail space would represent one-eighth of all the downtown retail spacing the entire County and one-fourth of all the downtown space in the four western Towns.

In Suffolk County, there are already 32 square feet of downtown and shopping center space for every person, a 78% increase in *per capita* retail space since 1970. Retailers and warehouse clubs are holding up in the recession, most other retailers have not performed well. Increasing numbers of vacant stores are obvious on Long Island. In the immediate vicinity of HTS is the recently approved Tanger at the Arches development the largest shopping center to be built in Suffolk County since 1969. This center opened last year and contains many vacancies. The DGEIS fails to adequately address the potential economic impacts to existing downtown centers and retail nodes resulting from the development of over 1,000,000 square feet of new retail space. (C7-8)

The retail space proposed in the project is larger than the downtown of Babylon, Bay Shore and Smithtown combined. The addition of a Heartland retail center would create a new downtown and would represent an area of one-fourth of all downtown space in Suffolk County. (H11-5)

#### **Response SO-57**

See Response SO-2 with respect to retail development, marketability and absorption, and Response SO-40 with regard to retail square footage per capita.

Also, the concept of Heartland Town Square is a true smart-growth community, where people can live, work, shop, eat, and be entertained. As explained in Response LU-1, which indicates the Town Center provides a high density core and a mix of uses within a walkable community, and follows some of the main tenets of "new urbanism," which include walkability (everything within a 10-minute walk of home and work), connectivity (interconnected street grid, hierarchy of streets and high quality pedestrian network), mixed use and diversity (mix of uses within neighborhoods, blocks and buildings, diversity of population - income, age, culture) and increased density (more buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live). The proposed development, including the Town Center, also supports the concepts of "smart growth" as set forth by the USEPA through its Smart Growth Network. Most of USEPA's smart growth principles coincide with those of new urbanism, including walkability, mix of land uses, compact building design, and foster distinct and attractive communities with a strong sense of place. Furthermore, an important benefit of a higher density mixed-use development is the synergistic affects that each use provides. A key aspect of configuring a successful mix in a new downtown is to identify dynamic synergies between uses.

Successful smart-growth communities have exciting and diversified downtowns that are anchored by retail uses. Response LU-14 suggests that Phase I of Heartland Town Square (which includes the lifestyle center)

will have a core market coming from the residents of its apartments and townhomes and the daily office workers. However, the primary trade area for Heartland Town Square is a five-mile radius around the site.

Finally, Response SG-7 indicates that the proposed on-site retail establishments will support the future residents and employees by providing for basic needs as well as entertainment and other types of shopping. The proposed on-site offices and other businesses will provide employment opportunities for both residents and non-residents alike. Therefore, the Heartland Town Square community will, aside from connecting to and assisting in upgrading existing infrastructure, provide its own infrastructure to support to the new residents, employees and visitors.

Overall, the Heartland Town Square development will create a new downtown in the spirit of smart-growth and new urbanist principles, and will increase the per capita retail square footage on Long Island, which has among the lowest per capita retail figures within the 50-to-60 largest markets in the United States, as demonstrated in Response SO-40.

## 4.26 Community Facilities (CF)

### 4.26.1 Education

#### Comment CF-1

At present – and without the addition of a single student from the proposed Heartland development – three of those four schools are either now operating or are projected to operate above the optimal level of student capacity for the next ten years. (*Id.* at pp. 3-4). Notably, the Freshman Center is currently operating at 108 percent of its operating capacity (*Id.* at p. 4). The congestion at the Freshman Center is so pronounced that school officials had to institute one-way traffic rules in hallways to govern student traffic between school periods as there is insufficient space for students to safely pass each other in two directions. (C3-1)

#### Response CF-1

The latest available information concerning student enrollments in the Brentwood Union Free School District (UFSD) shows that, in general, enrollments have been increasing. Between the 2007-08 and 2011-12 school years, enrollment increased by 796 students or approximately 5.4 percent.

**Table CF-13 - Enrollment Trends, by School, Brentwood UFSD\***

School	2007-08 Year	2008-09 Year	2009-10 Year	2010-11 Year	2011-12 Year**	Net Change 2007-08 to 2011-12
Brentwood High School	3,605	3,639	3,751	3,776	3,916	311
East Middle School	924	921	932	922	955	31
Freshman Center	1,107	1,131	1,112	1,214	1,096	-11
Hemlock Elementary School	544	534	516	456	459	-85
Laurel Park Elementary School	535	560	545	564	539	4
Loretta Park Elementary School	664	671	707	710	691	27
North Elementary School	792	776	757	765	828	36
North Middle School	1,032	996	981	1,049	1,052	20
Northeast Elementary School	943	935	948	953	938	-5
Oak Park Elementary School	647	660	704	723	745	98
South Middle School	857	893	879	854	896	39
Southeast Elementary School	606	602	613	622	597	-9
Southwest Elementary School	932	993	1,032	1,070	1,172	240
Twin Pines Elementary School	784	844	852	860	863	79
West Middle School	784	780	799	819	805	21
<b>Total</b>	<b>14,756</b>	<b>14,935</b>	<b>15,128</b>	<b>15,357</b>	<b>15,552</b>	<b>796</b>

Source: New York State Department of Education

\* East Elementary School and Pine Park Elementary School are not included due to insufficient data or changes in status of the grades within each of these schools over the years examined.

\*\* Latest year available for the complete breakdown by school.

As indicated in Section 4.11 of the DGEIS, there is an abundance of research that indicates multi-family rental housing generates fewer school-aged children per housing unit than conventional single-family housing. The National Multi Housing Council has found that on average there are 64 school-aged children for every 100 new single-family owner-occupied houses but just 21 children for every 100 new apartments. When the school-aged children are projected using this factor, approximately 2,103 school-age children could be

generated by the proposed residential units in Heartland Town Square at the end of Phase III, assuming full occupancy. However, it should be noted that this factor is general and more refined factors, the new mix of units (including bedroom count and price of units) yields a total of approximately 1,807 school-aged children (see Response CF-17).

As stated in Response SO-14, the school district's budget for the 2012-2013 school year was \$324,363,514. The estimated student enrollment for the district was 16,739 during the 2012-2013 school year, an increase from the previous school year. This amounts to a per pupil expenditure of approximately \$19,378. However, the Brentwood School District receives a significant amount of state aid. The proposed aid for the Brentwood School District during the 2012-2013 school year was \$232,235,857. Subtracting proposed state aid from the 2012-2013 Brentwood School District budget, school district expenditures derived from local tax revenues would be \$92,127,657 or about \$5,504 per pupil. Using \$5,504 as the true cost per student from local tax revenues, the projected 1,807 students from Heartland Town Square would cost the Brentwood School District \$9,945,318 from local tax revenues. When compared to projected annual tax revenues of almost \$39 million from Heartland at Phase III, the School District, at the end of Phase III, would receive a net annual tax benefit of close to \$29 million due to construction of Heartland Town Square. This annual net tax benefit would enhance the ability of the School District to finance the upgrade and expansion of existing schools within the district. It would also afford the School District the ability to purchase properties to construct additional school-related facilities, if needed.

Furthermore, the applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I. This commitment will help to ensure the achievement of smart-growth principles through mixed use, and will also ensure commercial ratables for the various taxing districts, including the Brentwood UFSD, at the first stage of development.

Moreover, since the time comments were received from the School District on the DGEIS, the applicants voluntarily negotiated with the School District and an amended and restated payment-in-lieu-of-taxes (PILOT) for the vacant land was informally agreed upon between the property owners and School District, and executed between the property owners and the Town of Islip Industrial Development Agency (IDA). The PILOT is for a 10-year period. The first five years of payments (2012/2013-2016/2017) will consist of \$3,650.44 per acre for 452 acres, and for the second five years of payments (2017/2018-2021/2022) payment will consist of \$3,685.84 per acre for 452 acres. After the tenth year, full taxation of the Heartland Town Square development would occur. Copies of the PILOT agreements are included in Appendix CF-1; two separate agreements cover the subject property, with identical terms, corresponding to the two discrete parcels under different ownership (22-50 Jackson Avenue Associates L.P. and Pilgrim East L.P.).

If the proposed project proceeds, site development would result in termination of the existing PILOT agreement for the vacant land. Each development parcel would be assessed for taxation purposes, as occurs with any property on which improvements are constructed. Application can be made to the IDA for a new PILOT agreement for any or all of the subject property as developed.

#### **Comment CF-2**

After just two phases of the development are completed, all four of the affected District buildings would be operating above optimal capacity levels. (*Id.* at pp. 5-6). North Elementary School in particular is projected to be operating at 168 percent of optimal capacity after Phase II of the planned development is completed. (*Id.* at p. 6). All of the buildings would be pushed beyond their capacities after the first phase alone. (*Id.*) (C3-2)

#### **Response CF-2**

See Response CF-1.



**Comment CF-3**

The effect of such massive changes to student enrollment and building capacity levels would require additions to existing buildings, construction of new buildings and/or redistricting of existing schools, which has the potential to break up long-standing neighborhoods. (*Id.* at p. 7). (C3-3)

As the above illustrates, there will necessarily be a need for additional facilities to accommodate the anticipated increases in student enrollment in the Brentwood School District. Where those facilities are located – whether on existing District properties or within the Heartland development itself – is an issue that requires further consideration. (C3-4)

The analysis provided in the DGEIS does not demonstrate that space availability within current Brentwood Schools facilities are sufficient to accommodate the influx of school children the development will generate. The tax base provided solely by the development will also not be sufficient to fund the schooling of these children. Placing the tax burden on present Brentwood residents would also be improper. As such, the applicant should be required to provide property and building space within the bounds of the development area to accommodate the school children. The amount of space provided should be relatively consistent with the amount of building space and property currently provided for each student within the district. (C38-14)

**Response CF-3**

See Response CF-1 and CF-9.

**Comment CF-4**

The influx of such a large number of new students to the District would also affect District building facilities. For example, increases in enrollment would affect kitchen facilities and student lunch services. The kitchen at the Freshman Center must operate over six and seven periods of the school day to enable existing students to be served lunch. The addition of large numbers of additional students from the proposed Heartland development would require major changes to kitchen facilities at this and other School District buildings. (*Id.* At p. 6) (C3-5)

**Response CF-4**

See Responses CF-1 and CF-3.

**Comment CF-5**

Other core building facilities would also be affected. Libraries, gymnasiums, auditoriums and cafeteria spaces would have to be assessed to determine whether they could accommodate the additional student load. Existing auditorium space at the High School, for example, cannot accommodate grade level assemblies even without the addition of Heartland students. An influx of 146 students is projected to the High School after Phase I of the development alone. Such increases would require reevaluation of the uses of such student spaces and renovations or new constructions may be required (*Id.* At pp. 5 and 7) (C3-6)

**Response CF-5**

See Responses CF-1 and CF-3.

**Comment CF-6**

The projected additional enrollment to the Brentwood School District from the Heartland development project will also affect District transportation. Due to socio/economic issues within the District, most students utilize District busing, rather than private transportation. Currently, buses at the High School are forced to “loop” on District parking lots to enable students safely embark and disembark from buses in the driveway. The addition of 146 new High School students after Phase I alone will necessitate payment by the District of additional buses for the High School and similar expenses will be required at other affected schools. Routes may need to be staggered, possibly impacting the school day schedule at some buildings. (*Id.* at p. 6). (C3-7)

#### **Response CF-6**

See Responses CF-1, CF-3 and CF-9, which discuss the revenues to be generated by the PILOT and subsequent full tax levy. These tax revenues would enable the district to fund additional services required from children residing at Heartland Town Square and attending the Brentwood schools.

#### **Comment CF-7**

Significant increases in District enrollment will also impact extra-curricular activities, particularly at the High School, Freshman Center and Middle School. Sports and music programs will be impacted, either by increasing competition for existing programs or the District will have to fund additional programs (*Id.*) (C3-8)

#### **Response CF-7**

See Responses CF-1 and CF-3.

#### **Comment CF-8**

The DGEIS projects the “[t]he estimated property taxes to be generated by the Heartland [development project] at full build out (\$35.9± million annually, net \$2.0 million annually) should cover any additional capital and operating expenditures that the district may incur in order to accommodate its normal enrollment increases and any enrollment increases stemming from the planned rental apartments at Heartland Town Square.” (DGEIS at p.1-60).

The DGEIS projects specifically that at the completion of Phase III of the project, the Brentwood School District will bear the cost of educating an additional 2,056 students at an average per student cost of \$16,526, totaling \$33,477,456. Compared to the anticipated tax revenue at full development totaling \$35,989,671, the DGEIS argues that the Brentwood School District will see an excess of \$2,012,215 annually (DGEIS at p. 1-58).

OSPR, on the other hand, projects an additional 2,261 students at full development – 205 students more than in the DGEIS report. The addition of 205 students at the same per student cost brings the total cost to the District to \$37,365,286 and subjects the District to an annual net loss of \$1,473,547. Moreover, the above-referenced estimated cost to educate students does not include monies that will need to be expended for capital improvement and new construction. (C3-9)

#### **Response CF-8**

Since the projection of 2,056 students was made, the residential component of Heartland Town Square was modified to include 913 market-rate, owner-occupied units. In addition, the mix between workforce and market rate rental units was changed. The revised Conceptual Master Plan includes 913 workforce rental

units (11.1 percent) and 7,304 market rate rental units (88.9 percent).<sup>36</sup> The updated unit mix between workforce units and market-rate units would generate fewer than the originally-projected 2,000+ school-aged children, since school-children generation factors from the Rutgers Study (see below) are based not only on the size of units, but the relative price of units. Overall, the generation factors for the market-rate units (both rental and owner-occupied) are lower than for the workforce units. Therefore, based upon the updated unit mix, it is expected that Heartland Town Square would generate approximately 1,807 school-aged children (see Response CF-17). It should be noted that in order to be conservative, the calculations performed for Heartland Town Square, assumed that 100 percent of all school-aged children would attend the Brentwood School District. However, this is not expected to be the case. Thus, it is expected that the number of school-aged children attending public schools within the Brentwood School District would be less than 1,807.

The Rutgers coefficients used in the DGEIS to estimate the potential number of school-aged children generated by Heartland at full development and occupancy are the “gold standard” used in this type of analysis. Planners and economists regard these coefficients as the most widely accepted and most accurate method of projecting public school enrollments. The most recent Rutgers coefficients were published in June 2006.

In order to assess the accuracy of the Rutgers’ multipliers, David Listokin, one of the authors of the June 2006 Rutgers Study, published a subsequent demographic multiplier study (see David Listokin, “The Accuracy of Demographic Multipliers obtained From the Public Use Microdata Sample,” Rutgers University, November 2006). In this document, Dr. Listokin acknowledged that previous Rutgers studies had not taken into account contemporary demographic data that reflect modern population and development trends. These contemporary factors include lower average household sizes and housing densities of 16 units to the acre or more. Dr. Listokin further recognized that statewide average benchmark data, on which the Rutgers coefficients are based, only go so far in accurately predicting the actual demographic impact of housing development in specific communities. For example, a community may attract fewer public school children per housing unit depending on its unique demography. This consideration is particularly relevant to Heartland Town Square, which is expected to attract a relatively high proportion of singles, young couples who have not yet started a family, and senior empty-nesters. Building heights also appear to have an impact on the number of school children generated. Dr. Listokin notes, “anecdotal evidence and historical data indicate that high-rise development has lower household sizes and school children generation relative to low-rise development.” Again, this is relevant to Heartland Town Square where residential development will include taller residential structures (designated as either mid-rise buildings or mid-rise towers). Moreover, some of the projected students could elect to attend private schools. Students in private school would not pose additional costs to the Brentwood school district. For these reasons, the Rutgers coefficients undoubtedly overstate the number of school-aged children likely to be generated by Heartland Town Square. Therefore the school-aged children projection should be regarded as the upper limit of the number of students likely to be generated. In all likelihood, significantly fewer students would actually be generated when Heartland Town Square is fully occupied.

Also, see Responses CF-1, CF-3 and CF-9.

#### **Comment CF-9**

Such a vast disparity in fiscal projections depending on the number of projected new students highlights the need for additional study of how this planned development will affect District finances and how the required facilities expansions and related expenses will be paid. (C3-10)

#### **Response CF-9**



<sup>36</sup> For comparison purposes with the DGEIS, these figures include residential units within the Gateway Area.

Since the time the DGEIS was prepared, the information on the budget and student enrollments at the Brentwood School District has been updated. In addition, information concerning how much state school aid the district receives has been updated. Using this information it is possible to more closely define how an increase of students from Heartland Town Square will affect school district finances.

See Response CF-1 for an analysis of the effect that students generated by Heartland Town Square would have on the School District's budget, as summarized in the following table.

**Table CF- 14 - Estimated Added Costs v. Added Tax Revenues to the Brentwood School District from Additional School-Age Children Generated by Heartland Town Square 2012-2013 School Year**

1	Projected School Budget	\$324,363,514
2	Projected Student Enrollment	16,739
3	Cost Per Student	\$19,378
4	Cost of 1,807 Additional Students	\$35,015,525
5	Proposed New York State Operating Aid, 2012-2013 School Year	\$232,235,857
6	Projected School Budget Less Operating Aid (1 minus 5)	\$92,127,657
7	Cost Per Student (6 divided by 2)	5,504
8	Cost of 1,807 Additional Students	\$9,945,318
9	Projected Annual Tax Revenues to District from Heartland	\$38,908,613
10	<b>Net Annual Financial Benefit to School District (9 minus 8)</b>	<b>\$28,963,295</b>

**Comment CF-10**

Lastly, the DGEIS notes that the entire Heartland development will be considered "non-homestead" for tax purposes, except for sale condominiums. (DGEIS at p. 1-57). Because the Brentwood School District functions on a dual assessment process which separates homestead (single family homes) from non-homestead properties, any tax savings from the planned development will be shared solely by commercial and business owners and not by District families and homeowners. This is an additional subject area which requires further review. (C3-11)

**Response CF-10**

The comment is not correct. The net annual tax benefit to the School District of more than \$23 million will help to stabilize residential tax rates and keep them from rising.

**Comment CF-11**

Although the concept is a favorable one and the District supports efforts to improve District communities, the District would like to see its concerns remediated before the development proceeds. (C3-12)

**Response CF-11**

It is projected that the School District will receive a net tax benefit of more than \$23 million annually, which should go a long way to remediating problems associated with the increase in student enrollments from the Heartland development. Also, see Responses CF-1, CF-3 and CF-9.

**Comment CF-12**

The school district will receive \$2,012,215.00 in excess property tax revenues annually. This calculation is based on the current per pupil cost (\$16,526.00) in the district and the estimated tax revenue to be directed by the Heartland project to the Brentwood School District. The result of this calculation is directly affected by the assumptions for new school aged children generated by Heartland made as per the 2006 Rutgers University study referenced above. As stated above, a number of clarifications are necessary to substantiate the estimates from the Rutgers University study. The relevancy/accuracy of the Rutgers data will directly impact the accuracy of this estimate. 2,056 school aged children are estimated in the DGEIS. Subtracting those over 18 from the total population of Brentwood leaves 14,741 as a reasonable estimate for the number of school aged children residing in Brentwood<sup>37</sup>. This represents approximately a 14 percent increase in school age children. The DGEIS does not discuss if the infrastructure of the Brentwood school district can accept this influx of children or if the project requires the construction of new schools, or expansion of existing schools. Further, the cost of new teachers to educate the influx of new students does not appear to be accounted for in this estimate. The capital cost of new construction and an expansion in professional staff would represent two major impacts to the school district's budget. The addition of these costs will impact the cost structure of the district and ultimately the per pupil cost used in the document to arrive at the surplus. These important variables must be accounted for when calculating the impact of the development on the community. (C9-26)

**Response CF-12**

See Responses CF-1, CF-3, CF-8 and CF-9.

**Comment CF-13**

Finally, for brevity, there are again many issues not raised by Wolkoff's notion. For instance the proposal is devoid of any civic and spiritual aspects. Where would the children who reside in this project attend public school? Are Brentwood taxpayers aware they may be on the hook for the building any number of new public school facilities for these children? (C35-5)

**Response CF-13**

The revised Conceptual Master Plan (see Appendix RP-1) depicts an area located in DU-3 that is devoted to civic/community uses.

The school-aged children of Heartland Town Square would attend schools within the Brentwood School District or private schools. As indicated in Response CF-9, when compared to projected annual tax revenues of almost \$39 million from Heartland, the School District would receive a net annual tax benefit of almost \$29 million due to the construction of Heartland Town Square. Also, see Responses CF-1 and CF-3. While no public schools are proposed to be built on the Heartland site, this \$29 million in net annual tax benefits generated by Heartland Town Square at build-out is expected to address capital needs.

**Comment CF-14**

The project claims that there will be minimal impact to the school district but does not provide acceptable justification for this claim. The Builder claims that he will limit the number of 2 and 3 bedroom apartments, to discourage families, but does not say how many there will be. The Builder claims that he is targeting "young professionals" and "empty nesters," but that does not guarantee that there will be no families on the site. Alternatively this does appear to result in families on the site, as these young professional get married



<sup>37</sup> US Census Bureau, 2005-2007 American Community Survey 3-Year Estimates, US, <http://factfinder.census.gov/>

and have families, they may want to stay on the site as the cost of housing is significantly more than an apartment. This will result in the Brentwood School District being overwhelmed, without sufficient tax base to support the additional enrollment, if not immediately after construction, then down the road as the “young professional” become “married with children.” (C23-16)

#### **Response CF-14**

See Responses CF-8 and CF-9.

#### **Comment CF-15**

Will the Brentwood SD be capable of supporting an estimated 2,000 students? (C27-6, H37-5)

#### **Response CF-15**

See Responses CF-1, CF-3 and CF-9. The applicants have held numerous consultations with the Brentwood UFSD in order to address the potential impacts of the proposed action. While the Brentwood UFSD is aware of the influx of new students that will be generated by Heartland Town Square, it should be noted that enrollment in the Brentwood UFSD has increased in recent years. Although the Brentwood UFSD would see an increase in student enrollment as a result of the Heartland Town Square Development, it is important to understand that the estimated number of school-aged children generated by the proposed development would not be enrolling all at once, but rather over the entire build-out period.

The 15-year build out would provide the Brentwood UFSD with an extended timeframe in which to accommodate the influx of children generated by Heartland Town Square, with the benefit of the additional tax revenue generated by this development. As indicated in Section 4.11 of the DGEIS, it is expected that the school district will receive more than \$23 million in excess property tax revenues annually, which will also help the school district in further accommodating the influx of students.

As noted in Response CF-11.

#### **Comment CF-16**

The project forecasts 2,100 school-aged children. The magnitude of this increase would generate a demand for a number of elementary schools, a middle school and a significant expansion of the existing high school, which would be difficult enough to accommodate. If the market shifts and the developers end up building more large units, how will the Township handle the possible resulting increased influx of school-aged children? (C1-134)

#### **Response CF-16**

As noted above, the projected number of school-aged children, based upon the current mix and size of units, as presented in the revised Conceptual Master Plan, is approximately 1,807 (see Response CF-17, below). The Brentwood School District would be responsible for handling increased enrollment.

#### **Comment CF-17**

The projection of 2,100 school-aged children should be broken down into age categories which match school type, i.e., number of elementary-age children, middle-school aged children and high school-aged children, so that the impacts on existing schools, and the need for new schools, can be ascertained. (C-137)

**Response CF-17**

The Rutgers coefficients allow the estimation of the grade levels for the projected number of school-aged children at Heartland.<sup>38</sup> Overall, the majority of the increase in students is projected to be at the lower grade levels, K - 2 and 3 - 6.

As the following tables indicate, based upon the unit mix presented in this FGEIS, the estimated 1,271 school-aged children in the 7,304 market-rate rental apartments at the end of Phase III would be distributed as follows by grade: 413 in grades K-2, 343 in Grades 3-6, 292 in grades 7-9 and 223 in grades 10-12.

**Table CF-15 - Estimated School Age Children, Market-Rate Rental Apartments**

Size of Unit	No. Of Units, End of Phase III	Estimated School-Age Children Per Unit	Total Estimated School-Age Children
Studio Loft Apartments	365	0	0
One Bedroom Apartments	1,826	0.08	146
Two Bedroom Apartments	4,748	0.22	1,045
Two Bedroom Apartments + Den	365	0.22	80
<b>Total</b>	<b>7,304</b>		<b>1,271</b>

Note: Columns may not add to totals due to rounding.

**Table CF- 16 - Grade Level Coefficients for School Age Children, Market-Rate Rental Apartments**

Size of Unit	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft Apartments	0	0	0	0
One Bedroom Apartments	0.03	0.02	0.02	0.01
Two Bedroom Apartments	0.07	0.06	0.05	0.04
Two Bedroom Apartments + Den	0.07	0.06	0.05	0.04

Source: Rutgers coefficients

**Table CF- 17 - Projected Grade Level for School-Age Children, Market-Rate Rental Apartment**

Size of Unit	School-Aged Children	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft Apartments	0	0	0	0	0
One Bedroom Apartments	146	55	37	37	18
Two Bedroom Apartments	1,045	332	285	237	190
Two Bedroom Apartments + Den	80	26	22	18	15
<b>Total</b>	<b>1,271</b>	<b>413</b>	<b>343</b>	<b>292</b>	<b>223</b>

\*Note: Columns may not add to totals due to rounding

As the following tables indicate, the projected grade levels for the 394 school-aged children in the 913 affordable rental apartments are as follows: 127 would be in grades K-2, 119 in grades 3-6, 82 in grades 7-9 and 67 in grades 10-12.

**Table CF-18 - Estimated School Age Children, Workforce Apartments**

Size of Unit	No. of Units, End of Phase III	Estimated School-Age Children Per Unit	Total Estimated School-Age Children
Studio Loft Apartments	46	0	0
One Bedroom Apartments	228	0.30	68
Two Bedroom Apartments	593	0.51	303

▼  
<sup>38</sup> It should be noted that these totals include the Gateway Area.

Two Bedroom Apartments + Den	46	0.51	23
<b>Total</b>	<b>913</b>		<b>394</b>

Note: Columns may not add to totals due to rounding.

**Table CF-19 - Grade Level Coefficients for School Age Children, Workforce Apartments**

Size of Unit	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft Apartments	0	0	0	0
One Bedroom Apartments	0.11	0.10	0.05	0.04
Two Bedroom Apartments	0.16	0.15	0.11	0.09
Two Bedroom Apartments + Den	0.16	0.15	0.11	0.09

Source: Rutgers coefficients

**Table CF-20 - Projected Grade Level for School-Age Children, Workforce Apartments**

Size of Unit	School-Aged Children	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft Apartments	0	0	0	0	0
One Bedroom Apartments	68	25	23	11	9
Two Bedroom Apartments	303	95	89	65	53
Two Bedroom Apartments + Den	23	7	7	5	4
<b>Total</b>	<b>394</b>	<b>127</b>	<b>119</b>	<b>82</b>	<b>67</b>

Note: Columns may not add to totals due to rounding

Of the projected 142 students generated by the 913 condominiums and townhouses, 22 would be in grades K-2, 71 would be in grades 3-6, 7 would be in grades 7-9, and 42 would be in grades 10-12.

**Table CF-21 - Estimated School Age Children at Heartland Town Square Market-Rate Townhomes and Condominiums**

Size of Unit	Market Rate Units at End of Phase III	Est. School Age Children Per Unit	Total Estimated School Age Children
Studio Loft	46	0	0
One-Bedroom	228	0.14	32
Two Bedroom	593	0.14	83
Two Bedroom + Den	46	0.59	27
<b>Total</b>	<b>913</b>		<b>142</b>

**Table CF-22 - Grade Level Coefficients for School Age Children, Market-Rate Townhouses and Condominiums**

Size of Unit	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft	0	0	0	0
One-Bedroom	0.02	0.08	0.00	0.04
Two Bedroom	0.00	0.06	0.05	0.03
Two Bedroom + Den	0.13	0.11	0.16	0.19

Source: Rutgers coefficients

**Table CF-23: Projected Grade Level for School-Age Children, Market-Rate Townhouses and Condominiums**

Size of Unit	School-Aged Children	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Studio Loft Apartments	0	0	0	0	0
One Bedroom Apartments	32	5	18	0	9
Two Bedroom Apartments	83	12	47	0	24

Two Bedroom Apartments+Den	27	6	5	7	9
<b>Total</b>	<b>142</b>	<b>22</b>	<b>71</b>	<b>7</b>	<b>42</b>

Note: Columns may not add to totals due to rounding

Overall, as shown in Table CF-12, below, of the projected 1,807 school-aged children from Heartland Town Square, 551 would be in grades K-2, 521 in grades 3-6, 411 in grades 7-9 and 325 in grades 10-12.

**Table CF-24: Grade Levels for Projected School Age Children at Heartland Town Square at the End of Phase III**

Size of Unit	School-Aged Children	Grade K-2	Grade 3-6	Grade 7-9	Grade 10-12
Market Rate Rental Apartments	1,271	413	343	292	223
Affordable Rental Apartments	394	127	119	82	67
Market Rate Townhouses/Condos	142	10	59	37	36
<b>Total</b>	<b>1,807</b>	<b>550</b>	<b>521</b>	<b>411</b>	<b>325</b>

Source: Rutgers coefficients; Total column will not add across due to rounding

**Comment CF-18**

With 2,100 new school children anticipated, and overcrowding at area schools, it seems a good idea to offer land within Heartland for at least one or two new elementary schools and perhaps a middle school. Virtually all developments of this magnitude incorporate community facilities within their boundaries, including in particular schools, to serve the added population. The project's compact, high-density nature and walkability make it especially suitable for the inclusion of new schools within the development, which has the particular advantage of lowering vehicle-trips to schools (Children walk to school) and added marketability of the residential units. (C1-138)

**Response CF-18**

See Responses CF-1 and CF-15.

**Comment CF-19**

The developer should be required to build a school due to the potential number of school-age children generated by the proposed development. It is not acceptable to burden an existing school and existing taxpayers with a huge influx of school-age children and simply say that the Town will be receiving X amount of tax revenue, as if that would suffice to accommodate the additional demands on the school district. Taxes in the school district will only increase, placing the burden on the homeowners in the district. This is an impact that gets transferred from the developer to the community, and it is not acceptable. If the developer wants to build in the community, they will have the pay and true price of the impacts caused by the development. (C21-13)

There is no intention of building schools for the students that are going to be housed in this complex. This is not an over-55 complex. According to his projection, there will be 2,000 students in the complex. Yet, in Starrett City and LeFrak City, they have approximately one student for each apartment. Assuming 9,000 students would reside in Heartland that would figure a 60 percent increase in the students of the Brentwood School District. Mr. Wolkoff has no plans to devote any space for schools. (H31-4)

**Response CF-19**

See Response CF-1 and CF-15.

In addition, the commentator does not provide any source or derived formulae of which 9,000 students would be generated at Heartland Town Square. The target demographics of Heartland Town Square are young professionals and empty nesters, which would create a composition of residents that would likely not generate the maximum number of school-aged children.

**Comment CF-20**

It has been said by Mr. Wolkoff in early public meetings that he expected little impact to the school district in the number of students. I find this hard to believe. (H32-2)

**Response CF-20**

Student enrollments would increase by a maximum of 1,807 students over current levels as a result of Heartland Town Square, under the revised Conceptual Master Plan. The projected net tax benefit of close to \$29 million annually to the school district should help in instituting programs that will enhance the quality of education for all students.

The applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I. This commitment will help to ensure the achievement of smart-growth principles through mixed use, and will also ensure commercial ratables for the various taxing districts, including the Brentwood UFSD, at the first stage of development.

The applicants believe that Heartland Town Square will have a positive impact on the school district.

**Comment CF-21**

Affordable two-to-three bedroom units among the overall 9,000 units proposed will be attractive to young families, but assuming that it is correct that it wouldn't add a burden of additional students to the district, what are the impacts to students and quality of education? (H32-3)

**Response CF-21**

See Response CF-20.

**Comment CF-22**

Has there been an inquiry to the State Education Department to make a projection on what the effect on State aid would be if a four-billion-dollar project is added to undeveloped and little developed land within the existing boundaries of the Brentwood District? (H32-4)

**Response CF-22**

No such inquiry has been made at this time.

**Comment CF-23**

It greatly concerns me that our educational resources will be stretched further and, obviously, not to the benefit of students and employees of the Brentwood School District. (H32-6)

**Response CF-23**

See Response CF-9.

---

## 4.26.2 Emergency Services

### Comment CF-24

The applicant should take care to balance the physical design preferences of fire departments, which tend to encourage wide streets, large turning radii, and wide cul-de-sacs; with the need to ensure pedestrian-friendly walking environments, with shorter intersection crossing distances and human-scale streets. (C1-90)

In regards to vehicle access, I am under the impression that this development will be marketed as a walking community with large areas that are designated for pedestrians only. If this is the case, we just need reassurance that these areas will be accessible by emergency vehicles at all times. (C4-1, C4A-1)

We will need reassurance that the planning of this new development takes into account emergency vehicle access into the development despite increases in traffic. We believe this can be accomplished with an emergency vehicle lane into and out of the development. (C4-3, C4A-3)

### Response CF-24

Heartland Town Square is planned as a pedestrian-friendly environment; however, it is not planned to be exclusive to pedestrian circulation. Rather, the plan for Heartland Town Square relies on a pedestrian-friendly street grid, which allows for both vehicular and pedestrian access throughout the development. This is similar to most other downtown-type street conditions, which accommodate both pedestrians and vehicles in their street network. As such, it is not necessary to incorporate separate emergency vehicle access lanes in the development. Heartland Town Square will coordinate with all emergency service providers and meet their requirements, as required by law, while pursuing this pedestrian-friendly environment.

### Comment CF-25

Obviously, I am sure it would be cost prohibitive to require every elevator to be capable of carrying a patient in a flat position, but if one elevator or the service elevator for each multilevel structure could be designed with this need in mind I am sure it would assuage any concerns we have and provide for a safer working and living environment for the residents and workers in these buildings. (C4-4, C4A-4)

### Response CF-25

The Heartland Town Square Master Plan is conceptual at this time. No specific buildings have been designed. However, elevators will be designed in accordance with both local and State prevailing building code requirements.

### Comment CF-26

The Heartland Square development will surely increase the total number of residents in our community as well as the number of employees that work in our community and visitors who are drawn to the potential shopping and entertainment. This increase in population will certainly result in a corresponding increase in call volume. Our district is approximately 23 square miles and all of our vehicles respond from a geographically central headquarters. This new development will shift the greatest population center of our district further north than it currently is. The National Fire Protection Association (NFPA) recommends an ideal ambulance response time of 8:59 for 90% of ambulance calls received (NFPA 1710, ss5.3.3.4.2). Our department prides itself on meeting this goal. With the anticipated shift in population center we believe that our department can best adjust to this change and meet the response time goals if a small ambulance substation were to be built at this development. Having ambulances and medical equipment situated in close

proximity to this large population center can only enhance the quality of life of the people who will live, work and play in this new community. It will also make the emergency medical service an integral part of the community by encouraging the new resident to become “neighbors helping neighbors”. (C4-5, C4A-5)

#### **Response CF-26**

An area of the proposed development within DU3 has been depicted as “civic space” on the revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS). If necessary, an ambulance sub-station can be located within the civic space. Approximately 0.95 percent of the overall tax levy is allocated to Brentwood Ambulance. The total annual property tax revenues resulting from this development (projected at approximately \$483,000 at full build-out for the Brentwood Legion Ambulance) would assist in off-setting increases in ambulance services.

#### **Comment CF-27**

The Suffolk County Police state in a letter dated September 7, 2004 that the proposed Heartland development could not be adequately serviced with current police resources. The sponsor responds that they feel the Department will adapt and that the additional revenues should be more than sufficient to cover additional police costs. The comment from the Suffolk County Police Department has not been adequately addressed. In fact the response is presumptuous. (C9-27)

#### **Response CF-27**

The response is not presumptuous, as the response from the Suffolk County Police Department (included in Appendix O of the DGEIS) specifically states: *“Your endeavor...could not be adequately serviced with the current police resources. Unfortunately, there is no litmus to predict the future demand for police service in a demography that existing only in a building plan. However, the Suffolk County Police Department has a long history of adapting to the needs of the citizenry it serves and will continue to adapt to the needs brought about by the concern for homeland security and the continuing increases in population, business activity, and vehicular traffic.”* (emphasis added)

The letter goes on to say that *“...the subject parcel is within the jurisdiction of the Third Precinct and that [police] services can be provided. It is so affirmed.”* The Suffolk County Police Department did not make any specific requests of the developer in its correspondence of September 7, 2004. However, based upon the analysis provided in Section 4.11 of the DGEIS, the Suffolk County Police Department, at Phase I, will receive an estimated \$1.7 million in annual property taxes from the Heartland Town Square development. At the time of the completion of Phase III of the development, it is projected that the Police Department would receive \$5.5 million in annual property taxes. Furthermore, the applicants will continue to work with the Police Department to address concerns that may arise during the course of the development of Heartland Town Square.

#### **Comment CF-28**

The DGEIS does not show any plans related to emergency response for this huge Heartland site. How many new emergency calls are anticipated as a result of the proposed project on a daily basis? Who will be responsible for the emergency response and added emergency need of the project site? It is not known whether or not the proposed project is going to rely on the existing available resources. Will it not strain the emergency response time? We do not think that surrounding Long Island fire stations are presently capable to handle fire fighting ability of a 20 story high building that are being proposed under the proposed project. (C8C-58)

**Response CF-28**

The existing emergency service providers will continue to provide services to the site. With the addition of almost 20,000 new residents, a portion of same would be expected to become volunteer firefighters and ambulance workers.

The proposed revised Conceptual Master Plan includes an area for the development of community services/civic uses. As noted in Response CF-26, a specific area within DU-3 has been depicted as "civic space." However, no specific community services have been programmed for the site at this time.

According to the Brentwood Fire District website:

*"The Brentwood Fire Department is in Suffolk County's Fire-Rescue and Emergency Services 3rd Fire Division. The District has an area of approximately 24 square miles covering Brentwood, North Bay Shore, Edgewood and Baywood. It has a wide variety of structures including; single and multiple family dwellings, Suffolk Community College Campus, C.W. Post, Pilgrim State Psychiatric Facility which has 25 to 30 non fire proof buildings with many converted into private businesses, 20 Brentwood Public School buildings, many taxpayers and commercial structures, nine garden apartment complexes and the St. Josephs Academy Complex."*

As noted above, the District currently handles 10-story buildings and other buildings that are "non fire-proof" within the Pilgrim site. Therefore, the District has the capability of providing fire protection services to a wide variety of structures (as noted above), including mid-rise towers and high-rise buildings.

All proposed buildings, including mid-rise towers and high-rise buildings, would be constructed to latest New York State Building and Fire Code. All inhabited buildings and below-ground parking structures, if any, are proposed to contain a fire suppression system (sprinklers, etc.), in accordance with applicable, prevailing regulations. Commercial buildings would be outfitted with fire alarm control panels, as required by law.

The applicants will continue to meet with the Fire District to ensure that Fire District concerns are addressed. Meetings will occur during the site planning, building design, building construction and operational phases of the proposed development. The Brentwood Fire District will be invited to review designs and inspect the site to ensure that the appropriate emergency equipment is installed in an appropriate manner. These inspections will, in addition to ensuring that fire personnel have approved the equipment, allow such personnel to be familiar with alarm panel locations, fire exits, and the like. These measures will also facilitate response in an emergency.

During the specific design and site planning phases, the Fire District would also be consulted on fire hydrant and exterior standpipe placement, turning radii for emergency vehicles, and the need for special procedures in places of public assembly. In furtherance of fire protection, the community is not proposed to be gated, and there would be multiple access points for entry into the site should emergency situations arise.

Finally, based upon the property tax analysis prepared by Dr. Pearl Kamer, which is included in Section 4.11 of this DGEIS, the Brentwood Fire District would receive approximately \$684,600 in property tax revenue, annually at the end of Phase I and \$2.2 million in property taxes, annually, at full build-out.

**Comment CF-29**

Will the Suffolk County Police Department and our tax dollars be responsible for this high density area? (C27-7, H37-6)



**Response CF-29**

See Response CF-27.

**Comment CF-30**

Will a volunteer Fire Department be able to support such an infrastructure? (C27-8, H37-7)

**Response CF-30**

See Response CF-28. Moreover, as indicated in Section 4.11.3 of the DGEIS, based upon consultation with the Brentwood Fire District and in order to minimize potential impacts to the fire district, the applicants will provide a 8.9-acre civic area in DU3, which can include fire response facilities if needed.

The size of firehouse property can vary widely. However, based upon experience with other firehouses within Nassau and Suffolk Counties, sizes of firehouse properties can range from approximately 0.2 acre to over 1.0 acre. Properties of these sizes generally include a firehouse and associated parking.

**Comment CF-31**

The Brentwood Fire District has stated in a letter dated February 28, 2006 (Appendix O) that a new fire substation must be built on the site in order to service this new "mini city." Where would this substation be located, if built? (C1-139)

**Response CF-31**

See Response CF-30.

**Comment CF-32**

The impact on emergency response resulting from this huge project is not evaluated in the DGEIS. (C8C-7)

**Response CF-32**

Sections 3.11 and 4.11 of the DGEIS provide an evaluation of the existing conditions and projected impacts with respect to police and fire protection and ambulance services to the site.

As indicated in Section 4.11.3 of the DGEIS, based upon consultations with the Brentwood Fire District and in order to minimize potential impacts to the fire district, the revised Conceptual Master Plan incorporates land for civic uses, such as a fire substation. Moreover, the applicants will provide the Fire District with site plans to ensure that the roadways and locations of fire hydrants, smoke and carbon monoxide detectors, fire exits and sprinklers, are appropriate, as required by law, to facilitate fire protection services. Finally, as indicated in Section 4.11.5 of this DGEIS, the Brentwood Fire District is anticipated to receive approximately \$2.2 million in property tax revenues, annually, at full build-out.

With regard to ambulance, Sections 4.11.3 and 4.11.5 of the DGEIS indicate that the Brentwood Legion Ambulance would receive approximately \$483,000 in property tax revenue annually at full built-out. According to analysis conducted by Dr. Pearl Kamer, this should make it possible for Brentwood Legion Ambulance to expand its operations to service the proposed Heartland Town Square.

With regard to police protection, Section 4.11.3 of the DGEIS indicates that the Suffolk County Police Department will receive an estimated \$5.5 million in property tax revenues from Heartland Town Square

annually at full build-out (in current dollars), increasing the Third Precinct budget by almost nine percent. These additional revenues should be more than sufficient to cover any additional police costs associated with Heartland Town Square. Notwithstanding this, the applicant is also proposing private security in addition to police protection provided by the Suffolk County Police Department, which would assist in off-setting the additional demand posed by the development.

---

#### 4.26.3 Solid Waste

##### **Comment CF-33**

The DGEIS grossly underestimates the amount of garbage generated by residents living in the Heartland development. The DGEIS offers several calculations for the amount of garbage generated by the Heartland Development, which is not based on NY or Long Island statistics. As part of these calculations, it is estimated that a studio loft apartment would generate 2.5 lbs of waste per day, a one bedroom apartment would generate 4 lbs per bedroom each day, a 2 bedroom apartment would also generate 4 lbs per bedroom per day, totaling 8 lbs per apartment per day. *The 2006 Long Island Garbage Index cites that Long Islander's generate nearly 5 lbs of garbage per person per day in the home, double the amount estimated by the DGEIS. (C36-27)*

##### **Response CF-33**

The total amount of solid waste to be generated was estimated using National Solid Waste Management Association factors (see Section 4.11.3 of the DGEIS). The factors used in the solid waste calculations include: 0.05 pounds per occupied square foot per week for general office; 0.22 pounds per occupied square foot per week for general retail, restaurants and cinemas; 0.04 pounds per occupied square foot per week for civic uses; four pounds per room per day for hotels; 2.5 pounds per persons per day for studios/lofts; and four pounds per bedroom per day for all other residential units. While the amount of solid waste that would be generated by Heartland Town Square will likely vary, solid waste generated by the proposed development will be collected and disposed by a private carting company at a licensed facility, as indicated in the DGEIS. Recycling will also be performed in accordance with the existing Town of Islip Code. The applicants will encourage recycling of waste generated by providing conveniently located areas of sufficient size with compactors and containers of sufficient capacity to separate wastes into the different forms of recyclable materials. Compactors will be provided for cardboard-type waste. Furthermore, the applicants assert that as recycling practices become more efficient, Heartland Town Square will utilize the "best practices" at the time to further reduce solid waste generated by Heartland Town Square.

##### **Comment CF-34**

The DGEIS estimated that the residential development will generate 74,426 lbs of garbage per day. However, using the number provided by the Long Island Garbage Index, projected garbage generation would be double - that amount would be 148,852 lbs of garbage per day. *This is significantly more garbage than is estimated.* Using the DGEIS calculations residents would generate over 27 million lbs per garbage per year, when reality tells us the more accurate number would be 54 million lbs of garbage per year. CCE anticipates that without a comprehensive recycling program this number could climb even higher. (C36-28)

##### **Response CF-34**

See Response CF-33.

##### **Comment CF-35**

A comprehensive recycling program must be put into place for residents and businesses to reduce the amount of garbage generated from the site. The DGEIS fails to mention recycling or development of a comprehensive recycling throughout the entire document. Recycling is critical on Long Island, where landfills are illegal, shipping is costly and increases undesirable truck traffic and pollutants, and burning garbage generates air pollutants and increases the cost of property taxes. The USEPA states there are many benefits to recycling that include: job creation, reducing the need to landfill and incinerate garbage, prevention pollution caused by manufacturing products from virgin materials, saving energy, decreasing greenhouse gas emissions, and conserving natural resources such as timber, water, and minerals. (C36-29)

**Response CF-35**

See Response CF-33.

**Comment CF-36**

CCE strongly believes that any large-scale development proposal should incorporate several components to a comprehensive recycling program:

- a) *A source separation recycling program needs to be established for residents*

The Heartland Development is mainly a mix of apartments, townhomes, and condo housing. On Long Island many complexes, similar in this make-up, do not have a sources separation recycling program. Residents throw everything in the garbage and a carter is responsible for taking away garbage, sometimes claiming to pull out recyclables. (C36-30)

**Response CF-36**

See Response CF-33.

**Comment CF-37**

The Heartland Development should ensure that residents are separating out their newspapers, plastics, glass, metal containers and bottles. The recyclables should be picked up separately and properly recycled. In addition, community composting centers would greatly decrease garbage entering the waste stream. (C36-31)

- b) *Heartland should develop a "main street" program for downtown businesses to recycle. A "main street" program allows for businesses located on "main streets" in downtown areas to be able to place recyclables curbside where they are picked up by the carting company for recycling. It is an easy program that encourages businesses to recycle. The developer should make arrangements with the carting company to ensure these programs are in place. (C36-32)*

**Response CF-37**

See Response C-33.

**Comment CF-38**

- c) *Throughout the development area there should be recycling bins in common areas, downtown areas, and in the various community parks.*

It makes good sense to place recycling receptacles at the parks, community areas and downtown centers. These receptacles will make it easy and convenient for residents to recycle while “on the go.” It will also help to reduce litter in these key recreational and commercial areas, as well as illustrating the developer’s commitment to recycling. CCE recommends that the receptacles designed to ensure that recycled material stays in place and isn’t susceptible to wind or vandalism. (C36-33)

#### **Response CF-38**

See Response CF-33.

#### **Comment CF-39**

- d) *The Heartland Development should ensure that all lawn-landscaped areas be required to leave the grass clippings on the lawn.*

The collection of grass clippings is an anticipated policy that costs money and serves zero environmental benefit. Such a program is counter-productive and prevents grass clippings from providing a natural, slow-release fertilizer for lawns and gardens. Leaving the grass clippings on the land reduces the amount of fertilizer needed to maintain a healthy lawn. It also costs less, since you do not have to dispose of the grass clippings. (C36-34)

#### **Response CF-39**

See Response CF-33 with respect to recycling practices.

#### **Comment CF-40**

- e) *The Heartland Development should establish a model food-scrap recycling/composting program modeled on San Francisco’s program.*

For the past several years San Francisco has offered curbside recycling of food scraps, shipping residents’ leftovers to large-scale composting facilities. Toronto, Canada has also implemented a program and Portland, Oregon is considering a program. Food waste makes up about 30% of the average home’s garbage. These scrapes end up in the garbage, which is burned or disposed of in a landfill. Composting, or recycling the scraps into rich, organic material makes sense. Heartland should implement this cutting edge program, which could be a model program for waste reduction and recycling on Long Island. (C36-35)

#### **Response CF-40**

See Response CF-33.

#### **Comment CF-41**

Another deficiency in the DGEIS is in the sections detailing how the community will dispose of solid waste. It simply references that it will be collected by licensed carters and disposed of at Town of Islip solid waste facilities. This assumes that trucks will travel throughout various sections of the Town to get to the Heartland area. The amount of solid waste to be generated by 9,000 residences and the additional commercial development proposed would be astronomical. This is especially true considering that the applicant admits that “no solid waste is being generated from the property” currently. (DGEIS Page 3-201). This would create a significant additional environmental and traffic burden on Islip residents. (C29-16)

**Response CF-41**

As indicated on page 4-272 of the DGEIS, it is projected that the proposed development will generate approximately 132,093± pounds per day of solid waste. According to the Town of Islip Resource Recovery Agency, this represents 14 percent of the total residential-only solid waste generation in the Town.<sup>39</sup> In addition, as explained in Response CF-33, recycling will be performed on site. The applicants will comply with all legal requirements for the handling and disposal of solid waste.

**Comment CF-42**

We anticipate that it will not only be a significant increase in the volume of litter in these areas, but the problem will extend over many years considering the scope of the project. (H21-1)

**Response CF-42**

The applicants believe that the development of Heartland Town Square will create a sense of community and pride of place. Therefore, there will be self-policing with respect to littering, and the residents, employees and shopkeepers will not allow litter to become a concern.

**Comment CF-43**

We have serious concerns that this can be adequately enforced considering the unusual size and aspects of the PSPRD. We request that the Town Board investigate ways that the Town Code can be used to effectively limit the problem [litter] before it becomes unmanageable. (H21-2)

**Response CF-43**

The comment is noted.

---

**4.26.4 General****Comment CF-44**

There is no provision for public property use by Police, Fire Department services and schools within the Plan. Is this property included in the open space calculations? (C9-33)

Property should also be dedicated for the purpose of providing police, fire, public recreation, and library facilities. The amount of property the applicant is proposing to provide for these facilities is woefully inadequate. (C38-15)

The project site plan should identify where it would set aside land that may be needed for community facilities such as police and fire stations, and a LIPA substation. (C1-8)

Only 105,000 square feet of the total proposed project square footage will be set aside for civic uses, which is inadequate for the projected population. A community of this size (at full build-out about 20,000 people, including 2,100 school-aged children) should consider and incorporate specific locations and space for:

▼  
<sup>39</sup> Solid waste from non-residential facilities as well as condominium developments is not required to be disposed of at the Town's facility. Therefore, the Town only quantifies residential (non-condominium) solid waste, which was calculated at 147,925 tons per year.

school(s) within walking distance of homes; police, fire, and emergency services on site; and possibly a branch library and post office in the town center area. (C1-27)

**Response CF-44**

A portion of the property within DU-3 (8.9 acres) has been depicted as civic use (see Appendix RP-1 of this FGEIS). This area is designated to accommodate uses such as fire and/or ambulance sub-station, post office, library, etc. As indicated in Section 5.9 of the DGEIS, LIPA has indicated in correspondence of March 2, 2007 that it requires land for the construction of a substation in order to meet the requirements of the proposed development. The applicants have discussed this matter with representatives of LIPA and have been advised that LIPA is seeking property from New York State for the construction of the required substation. The applicants have indicated that if LIPA cannot secure the necessary land from New York State, the applicants will negotiate with LIPA to provide the required area on the Heartland Town Square site. Consultations will continue with LIPA in order to provide the necessary infrastructure to support Heartland Town Square.

**Comment CF-45**

We have to have real transportation and be mindful of the burden this project might bring on the local residents, especially on local school district, volunteer fire fighters and EMT's, and we know we live in one of the most dense areas of Suffolk County already. (H4-3)

**Response CF-45**

See Responses CF-1 and CF-15 regarding the local school district, Responses CF-26 and CF-28 regarding the local fire department, and Responses CF-26 and CF-32 with respect to the local ambulance corps. Section 4.21 of this FGEIS discusses the traffic impacts and mitigation measures proposed for the Heartland Town Square development. Also see Appendices TR-1 through TR-4 of this FGEIS.

## 4.27 Alternatives (AL)

### Comment AL-1

An additional alternative for development of the former Pilgrim State Psychiatric Center should be studied which has the capacity to ameliorate or mitigate the substantial adverse environmental impacts of the proposed project. (C1-41)

We recommend that an additional alternative for development of the former Pilgrim State Psychiatric Center be studied which has the capacity to ameliorate or mitigate the substantial adverse environmental impacts of the project based upon the guidelines included in the report. (C1-147)

### Response AL-1

A revised Conceptual Master Plan has been prepared that addresses many of the comments raised during the public comment period on the DGEIS including, but not limited to, the concentration of density in the Town Center and core areas of each development unit, the reduction of density and reduction in the number of building stories at the perimeter of the overall property and the increase in buffer areas around the overall property (see Appendix RP-1 of this FGEIS). Another change in the revised Conceptual Master Plan is that an area within DU3 has been specifically set aside for civic uses. This area can be used for the development of a fire and/or ambulance substation, police substation, post office, library or other such uses. The revised Conceptual Master Plan enhances alternate transportation measures by, for example, making development more compact (thus more walkable), by providing both in-street and off-street bicycle paths and bike racks, and by ensuring that a private shuttle bus to the Deer Park train station will be developed and operated beginning in Phase I of the development. See Section 2.2.5 of the is FGEIS for a more detailed discussion of the differences between the DGEIS Plan and the revised Conceptual Master Plan presented in this FGEIS.

### Comment AL-2

The comparison of alternatives on page 1-90 should translate the residential yield to equivalent square footage, using a standard gross floor area per unit, such as 1,000 s.f. per unit. Then the total floor area of all uses can be used to calculate the overall FAR of each alternative for comparison purposes. (C1-145)

### Response AL-2

The average residential unit size used in the calculations for the proposed action was approximately 1,235 square feet per unit. A comparison of the alternatives uses (not including No-Action) for the Heartland Town Square property (not including the Gateway Area) follows:

**Table AL-25 - Comparison of Total Gross Floor Area and Floor Area Ratio**

Alternative	Total Gross Floor Area	Floor Area Ratio*
Proposed Action	15,571,130 SF**	0.79
Development under Prevailing Residence AAA Zoning	1,905,000 SF***	0.097
Development Under the SGPA Plan for the Oak Brush Plains	5,440,645 SF	0.28
Redevelopment with Preliminary Reutilization Master Plan (1996)	3,490,000 SF****	0.18
Alternative to Phase III - Industrial Rezoning for Multi-Tenant Office/Industrial Uses	14,387,723 SF**	0.73

\*Includes only 452±-acre Heartland Town Square site.

\*\*Assumes average 1,235 square feet per residential unit.

\*\*\*Assumes average 5,000 square feet per single-family home.

\*\*\*\*Assumes average 3,500 square per clustered home.

### **Comment AL-3**

Another good metric to compare alternatives is acres of permeable and impermeable surface. This affects groundwater recharge rates, surface water runoff water quality, and the urban heat island effect (pavement and conventional dark-colored building roofs typically increase the ambient temperature). (C1-146)

### **Response AL-3**

Impermeable and permeable surfaces have been calculated for the proposed action as well as the alternatives (see Table AL-26).

**Table AL-26 - Comparison of Impermeable and Permeable Surfaces**

Alternative	Percent Impermeable	Percent Permeable
Proposed Action	56±%	44±%
Development under Prevailing Residence AAA Zoning*(**)	15±%	85±%
Development Under the SGPA Plan for the Oak Brush Plains**	20±%	80±%
Redevelopment with Preliminary Reutilization Master Plan (1996)**	28±%	72±%
Alternative to Phase III - Industrial Rezoning for Multi-Tenant Office/Industrial Uses**	22±%	78±%

\* Assumptions were made for building coverage and other factors based upon Town Code requirements.

\*\* Includes 452± acres owned by applicants. Remainder of site is as per existing condition.

**Comment AL-4**

New York State Preliminary Reutilization Master Plan - This plan was prepared by the State in 1995 to examine potential reuse options for the site. The plan had among its goals the promotion of economic development, the retention and creation of jobs, the compatibility of the needs of mental health consumers, the incorporation of public participation and the reduction of State costs. A task force of local officials and citizens assisted the State in the preparation of the plan. A total development plan of about 2.5 million square feet on 780 acres was recommended. This included 500 housing units. The subject application is over five times larger than the recommended plan with 40% less land area. What is the basis of such a high density proposal and such a radical variation from the recommended State plan? (C7-6)

In 1996, when a preliminary utilization master plan for the Pilgrim State Psychiatric Center was adopted, the plan called for development of 2,550,000 square feet of a total of approximately 490 acres. By contrast, tonight's proposal has more than six times the total floor area of that adopted plan including more than 14 times the recommended housing and eight times the office development. This increase in scale is the greatest impact the Town has to review. Another plan, The Special Groundwater Protection Area, was adopted in 1993 which recommended a slightly lower development than the 1996 plan. (H1-2)

The 1996 Master Plan, identified a portion of the southern sector for industrial and research development. The fact that Suffolk County historically has been among the lowest rates for industrial use in the nation, the site's access to road network and sewers argues for this Board's consideration of this plan in the FGEIS. This site is not as large, 460 acres, but due to the location of the hospital, has three very distinct zones separated from each other. This could help achieve a different land use mix than what is proposed. The plan also proposed less development. (H1-14)

**Response AL-4**

The subject property is no longer owned by the State. It is privately owned, and the owners/applicants have submitted a plan for consideration by the Town Board. The applicants' goals are similar to those previously mentioned, including economic development, creation of jobs and public participation. One of the all-encompassing goals of the applicants is to keep Long Island's youth on Long Island. Heartland Town Square, which proposes a significant number of rental units, including workforce rental units, within a smart-growth, mixed-use community, unlike the other alternatives presented in the DGEIS, would assist in furthering this goal as it will provide an exciting and affordable place for young adults to live, work and play. Economic and social circumstances have shifted since the 1990s, when both the Re-utilization Plan and the SGPA Plan were developed. Moreover, it is important to note that neither the applicants nor the Town of Islip are bound by the recommendations in the Re-utilization Plan or the SGPA Plan. Furthermore, as explained in Section 4.7 of the DGEIS, the proposed development complies with many of the recommendations of the SGPA Plan. Finally, the revised Conceptual Master Plan includes many of the components of the Re-Utilization Plan, including retail, office, housing and entertainment uses.

The task force commenced review of this site in 1996 and the applicants did not purchase the subject property until 2002. The task force's development scenario was a recommendation, based upon its opinions, and New York State did not place any development restrictions on the property when it was sold to the applicants. Moreover, given that the proposed plan will promote local and regional economic development and create jobs, it conforms to the results that New York State intended when selling this property. Also, the economic benefits of the proposed plan are far greater than the plan recommended by the task force. Heartland Town Square is expected to create almost 26,000 permanent jobs compared to the projected 4,575 associated with the task force plan. The applicants' direct investment is over \$4 billion in construction costs (instead of \$363 million according to the task force plan), generating over \$51 million in property taxes (instead of \$5.7 million according to the task force plan). Additionally, Heartland Town Square will add 9,130 housing units, 10 percent (913) of which will be workforce units, as opposed to 500 units in the task force's plan. In addition,

based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

The alternatives discussed in the comments above, are presented and evaluated in Section 7 of the DGEIS. The proposed action and the alternatives have been presented for the Town Board's consideration. As indicated above, it is the responsibility of the Town Board to weigh all the information presented, including the alternatives, in making a decision regarding the proposed action.

#### **Comment AL-5**

The recommendation was for a state-of-the-art sports complex with limited support. It included offices and 500 clustered housing units. In all, the plan called for just over 2.1 million square feet of development. At 15 million square feet of development, Heartland Town Square would be more than seven times the size of the recommendation of the task force. At that time, 2.1 million square feet of development there was controversy because of traffic and environmental concerns. Unlike the statement found in the DGEIS summary, this project does not achieve the policies of New York State surplus land. It flies in the face of the Community Reinvestment Act of 1993. (H16-2)

It is more than seven times the size even though traffic in this area has increased tremendously since 1996 due to increased development in this region. To put this project into further perspective, 2.1 million sq. ft. of development was controversial even at that time because of traffic and environmental concerns. Unlike a statement found in the DGEIS summary, this project does not achieve the policies of New York State for surplus land. It flies in the face of the Community Reinvestment Act of 1993. (C18-4)

#### **Response AL-5**

See Response AL-4.

#### **Comment AL-6**

Only the DEIS alternative, in terms of residential development density, is implementation of the Town's Residence AAA zoning. There must be other alternatives considered, including a lower-density residential scheme that still complies with the basic development plan. Along these lines, an alternative design that significantly reduces proposed building heights must also be considered. As previously noted, we recommend an alternative that limits maximum building height to four stories. Given the expanse of property being developed, there should be ample opportunity to design such a layout, which would significantly reduce the impacts on aesthetics, adjacent land use, and community character. (C8A-26)

#### **Response AL-6**

As part of the environmental review process, a Final Scope was issued by the Town Board, which set forth all of the alternatives that required evaluation in the DGEIS. The alternatives that the applicants were requested to examine were included in the Final Scope prepared by the lead agency. The Town's Residence AAA zoning district, which is the prevailing zoning across the 452±-acre portion of the property owned by the applicants, was evaluated in Section 7.2 of the DGEIS. Other alternatives that were examined in the DGEIS, including "Development Under the Special Groundwater Protection Area Plan for the Oak Brush Plains" (see Section 7.3 of the DGEIS), contained a residential component and buildings with heights other than those included in the proposed action.

According to 6 NYCRR §617.8(g):

*“All relevant issues should be raised before the issuance of a final written scope. Any agency or person raising issues after that time must provide to the lead agency and project sponsor a written statement that identifies:*

- (1) the nature of the information;*
- (2) the importance and relevance of the information to a potential significant impact;*
- (3) the reason(s) why the information was not identified during scoping and why it should be included at this stage of the review.”*

The alternative requested by the commenter was not incorporated into the Final Scope by the Town Board as lead agency and, based upon the provision of the SEQRA regulations cited above, it is not appropriate to expand the scope to analyze such additional alternative at this time. The DGEIS and the FGEIS conform to the Final Scope and, accordingly, provide the Town Board with sufficient information to analyze the issues raised by the commentator and to make its decision regarding the proposed action.

#### **Comment AL-7**

As also noted above, an alternative layout that concentrates the project open space in the native Oak-Pine Woodland areas needs to be presented. Also known as a conservation subdivision, it is a design that preserves green space and maintains the unique natural features of the site as much as possible. Such developments can have many environmental benefits, including potential groundwater benefits if less land is developed into fertilized lawns and landscapes, which is particularly important when considering its location within the SGPA. (C8A-27)

“Development Scenario under the Special Groundwater Protection Area Plan for the Oak Brush Plains”, as briefly described in the Draft Generic Environmental Impact Statement offers a more reasonable plan for the development of this area. That plan appears most balanced in that it provides fair development rights for the owners, is least disruptive to the environment, has a tolerable level of impact upon current infrastructure, and provides the Town with a reasonable tax base. (C25-1)

#### **Response AL-7**

See Response AL-6. In accordance with the SEQRA regulations at 6 NYCRR §617.11(d)(5), the Town must:

*(5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.*

Therefore, it is the Town Board’s responsibility to weigh the issues based upon the material presented and make a decision that considers all relevant factors.

#### **Comment AL-8**

The DGEIS only glosses over the analyses for the development alternatives it presents. Since it is likely that one of these alternatives, or a combination of these alternatives, will ultimately be most reflective of the development actually constructed, the analyses should provide significantly more detail. An alternative that combines aspects of the Town’s Gateway proposal, the Special Groundwater Protection Area for the Oak Brush Plains alternative, the AAA Zoning alternative, and a limited version of the Multi-Tenant Office/Industrial alternative would be most appropriate. (C38-20)

**Response AL-8**

Contrary to the comment, the DGEIS does not gloss over the alternatives, but presents 64 pages of plans and discussions of the alternatives that were identified in the Final Scope, promulgated by the Town Board. See Responses AL-6 and AL-7.

**Comment AL-9**

It is interesting to note that impacts generated by the primary proposal are far more severe than any of the alternatives presented. Typically, the proposal offered for consideration by a Town Board is one that produces the least impacts or only moderate impacts. The fact that the development proposal offered is the one that will most affect existing environmental conditions points to its inappropriateness as a reasonable development plan. (C38-21)

**Response AL-9**

The commentator is incorrect in that SEQRA does not require a proposed action to produce the fewest or the least significant impacts as compared to the other alternatives presented in a DEIS (or DGEIS). The applicants have endeavored to minimize the significant adverse impacts of the proposed action to the maximum extent practicable, and in doing so have prepared a revised Conceptual Master Plan, which is included in this FGEIS (see Appendix RP-1).

Furthermore, the proposed plan will promote local and regional economic development and create jobs. The economic benefits of the proposed plan are far greater than any of the other alternatives analyzed in the DGEIS. Heartland Town Square is expected to create almost 26,000 permanent jobs and thousands of construction jobs. The applicants' direct investment will be over \$4 billion in construction costs, generating over \$51 million in annual property taxes. Additionally, Heartland Town Square will add 9,130 housing units, 10 percent (913) of which will be workforce units.

In addition, just because the proposed plan (and now revised Conceptual Master Plan) could potentially have the "most" impact on the environment, does not mean that it is inappropriate. It is the Town Board's responsibility to consider all aspects of the proposed action, which includes social and economic benefits as well as potential significant adverse environmental impacts, and to weigh all relevant factors. Specifically, according to 6 NYCRR §617.11(d), the lead agency in making its findings about the proposed action must, among other things: "(1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS; (2) weigh and balance relevant environmental impacts with social, economic and other considerations; and (3) provide a rationale for the agency's decision."

## 4.28 General (GN)

### Comment GN-1

The concept (p. 1-2, P. 2-16) of comparing patient population of Pilgrim State fully-functioning (15,000) with proposed development's residential population (i.e., a patient, non-mobile population residing at the hospital, as opposed to a working mobile population in the new project) is questionable. Though the proposed project will have similar number of people, new residents will be much more mobile, coming and going as they please and thus creating far more trips to and from the project site. (C1-46)

Volume 1, Section 1, page 1-5, 7<sup>th</sup> paragraph beginning with "At its peak. The Pilgrim State ...". This paragraph makes reference to the number of patients housed at the Pilgrim State Psychiatric Center. It is not a relevant comparison as the residents of the Psychiatric Center were confined to the center and were not allowed to leave. This is not the case with the Heartland development. Additionally the report states that the Psychiatric Center, being a self-sufficient city, is similar to Heartland. Again, this is not a relevant comparison, the Psychiatric Center was self sufficient because it had to be; there was nothing else around. The center had its own power plant, cemetery and farming center. Heartland has none of these, it is not self-sufficient in any way and it is completely dependent on services from other providers for all of the essential needs of the inhabitants. (C23-7)

The major difference between Heartland Town Square and Pilgrim Psychiatric – the difference in the DEIS fails to consider is mobility. Pilgrim Psychiatric was self-contained because its residents were not permitted to leave. As a result, the effect on the surrounding community was minimal. (H7-3)

### Response GN-1

The discussion of the number of patients and employees at Pilgrim was presented as a comparison of the level of land use intensity of the site – the comparison was not used to evaluate the impacts of Heartland Town Square. Those impacts were evaluated on the basis of analyses of the proposed action on various elements of the environment, pursuant to 6 NYCRR §617.9 and the Final Scope promulgated by the Town Board.

In addition, although Heartland Town Square does not have its own power plant or its own farm, that does not mean it is totally dependent upon outside service providers. The proposed development would provide residences, places of employment, places to shop, places to be entertained, open spaces and recreational facilities as well as civic/community service spaces. The applicants believe that the Heartland Town Square community can serve the essential needs of its inhabitants and employees.

### Comment GN-2

Study should discuss the levels of maintenance made possible by each project phase. For instance, would a fully-leased Phase 1 provide enough revenue to operate the shuttle and maintain open space? What would be the impact if only half of the retail space is leased? (C1-102)

### Response GN-2

According to the applicants, a fully-leased Phase I would provide enough revenue to operate the shuttle bus and maintain open space. Furthermore, the applicants are committed to developing and operating the private shuttle bus in Phase I of the development.

There would be no impact if only half the retail space is leased because any shortfall would be made up through rent from the residential units and office buildings. Also, as explained in Section 2.2, the applicants have committed to developing at least 200,000 square feet of commercial space and 200,000 square feet of retail space concurrent with the development of residential units, to ensure that ratables are generated as part of Phase I.

### **Comment GN-3**

*SCPC Policy on Public Safety: Policy- New buildings and developments should incorporate general design elements that promote public safety...New residential, commercial and industrial buildings and developments must incorporate design elements that calm traffic, deter criminal activity and increase public safety:* The project sponsors should make a commitment at the change of zone application to the general sense of community well-being by incorporating public safety as a design element in the residential buildings and development. The Suffolk County Planning Commission has adopted guidelines for public safety that should be consulted prior to final approval of the change of zone application. The Environmental Impact Statement submitted by the project sponsors make no mention of this design consideration and is considered a major oversight. (C7-25)

### **Response GN-3**

The applicants will install a state-of-the-art surveillance system for the entire development. Video cameras would be installed on streets within Heartland Town Square, and there would be monitoring of these cameras. In addition, the applicants propose to have private security with a visible presence throughout the community. Furthermore, in order to enhance safety, the streets will be well lit and active. Also, a portion of the property will be committed to civic uses, which would include, as may be needed, police resources.

Heartland Town Square is designed based on a community street framework with walkable blocks. This framework is envisioned to be a self-policing environment based on its design of active land uses on the ground floor of buildings and residences or offices above the ground floor with views to the street (conditions which support the presence of people using the street both night and day and allow for residents to watch the street). Specifically, the street wall will consist of storefronts and restaurants with large windows facing onto the streets. Apartments above storefronts will overlook the streets. All of these elements will work together to create a safe and secure environment and, as such, are consistent with the guidelines adopted by the Suffolk County Planning Commission.

The Design Guidelines (see Appendix RP-3) discuss the use of traffic calming measures to enhance pedestrian safety within Heartland Town Square. Such measures include the incorporation of a hierarchy of street types that separate the streets into different use categories. For example, "park streets" are low-flow streets, which encourage pedestrian safety, "local streets without parking" are narrow in width to reduce speeding, and "alley/yields" streets warrant limited traffic and make use of lower speed limits. In addition, the Design Guidelines indicate the use of narrow street cross sections and "neck downs" at crosswalk locations to minimize crossing distances and enhance pedestrian safety.

Finally, as indicated in Response CF-32, with regard to police protection, Section 4.11.3 of the DGEIS indicates that the Suffolk County Police Department will receive an estimated \$5.5 million in property tax revenues from Heartland Town Square annually, upon full build-out (in current dollars), increasing the Third precinct budget by almost nine percent. These additional revenues should be more than sufficient to cover any additional police costs associated with Heartland Town Square. As noted above, notwithstanding the additional property tax revenue, the applicants are also proposing private security in addition to police protection provided by the Suffolk County Police Department, which would assist in off-setting the additional demand posed by the development.

### **Comment GN-4**

**SCPC Policy on Design: Policy- Encourage high-quality and innovative design which incorporates universal design principles to positively shape the built environment for living, working, and playing. Sustainable design, which incorporates universal design principles, ensures that the built environment facilitates function, creates an identity of place, provides equal access to all members of society and strengthens a sense of community:** The Suffolk County Planning Commission has adopted policy and guidelines on universal design principles. Universal design principles are intended to improve access to homes, businesses and all development types for all members of the community, including those with disabilities and seniors. While it is understood that this is not the site plan phase of the proposed development, the project sponsors should be required to commit to universal design principles and Town approvals should be conditioned so as to require universal design throughout the project. (C7-30)

#### **Response GN-4**

It is the vision of this project to promote an accessible environment for residents, visitors, and workers of the Heartland Town Square community. As such, the development will be in full compliance with all state, local, and federal laws relating to building and site accessibility requirements. As noted in the comment, universal design principles can be incorporated into site-specific design at the time of site plan review.

#### **Comment GN-5**

Like any grand plan, the devil is in the details. This plan is vague on so many details as to make educated comment difficult. We need to know more about the effect on its neighbors, on the road network that will bring people to and from its borders, and on where it will find the tenants for its commercial development. But as I noted, there are enough red flags to raise serious concerns. (C8-23)

#### **Response GN-5**

As indicated in Section 4.0 of the DGEIS, one of the major benefits of Heartland Town Square will be the creation of jobs both during the construction phase and after development. These new jobs will contribute to the economic well being of Brentwood residents and those of surrounding communities. The number of jobs likely to be created during the construction phase of Heartland Town Square has been computed as follows, based on the projected construction costs for each development phase.

**Table GN-27 - Projected Number of Construction Jobs Generated Annually**

Year	Number of Jobs
1	878
2	878
3	878
4	878
5	878
6	1,087
7	1,087
8	1,087
9	1,087
10	1,087
11	677
12	677
13	677
14	677
15	677

Source: Consultant's estimates based on cost data submitted by the developer.

Therefore, there would be a total of 4,390 construction jobs in Phase I, 5,435 jobs in Phase II and 3,385 construction jobs in Phase III, for an overall total of 13,210.

Heartland Town Square would help foster the creation of new enterprises, such as personal service businesses, non-chain restaurants, banks, convenience retail etc., which are businesses that would not relocate from other areas, but would evolve to serve the local community. In addition, the applicants, who are experienced real estate professionals, and who have previously attracted nationally-renowned companies to Long Island, have a network of brokers throughout the country who will assist in attracting companies to this location.

With regard to potential impacts to traffic, a supplemental traffic impact analysis is presented in Appendix TR-1 and detailed responses to comments regarding traffic issues which arose during review of the DGEIS are presented in Section 4.21 of this FGEIS. More extensive discussion has been provided regarding trip generation, trip distribution and internal capture rate, among other aspects. The study area for traffic encompasses the Northern State Parkway to the north, the Southern State Parkway to the south, Deer Park Avenue to the west and Wicks Road to the east.

See Responses SU-5 and LU-9 for a discussion regarding the regional aspects and analyses associated with the proposed project. These responses discuss traffic, sewage disposal, water supply, groundwater impacts, land use and zoning and visual impacts, among other issues.

Finally, it is important to understand that, given that the build out of the property would extend for 15+ years, it is not feasible to predict how every square foot of property would ultimately be developed, the specific location of every building, the specific height of every building, etc. Accordingly, the revised Conceptual Master Plan, and associated materials, is a conceptual plan that illustrates a feasible development potential, should the Town Board adopt the PSPRD and apply that zoning to the Heartland Town Square property and/or the Gateway property. The proposed PSPRD zoning and the associated Design Guidelines set forth the parameters (i.e., the zoning regulations) under which the Heartland Town Square property and/or the Gateway property could be developed. The revised Conceptual Master Plan complies with the requirements of the PSPRD and the associated Design Guidelines, and development in accordance with the revised Conceptual Master Plan is being evaluated in this SEQRA process to ensure that potential significant adverse environmental impacts are identified, evaluated and, to the extent practicable, avoided or mitigated. Also, as indicated in Section 3.0 of this FGEIS, the analyses presented in the overall GEIS represent the proposed conditions and thresholds, which if met, would require no further SEQRA compliance. This section sets forth the parameters for overall development of the Heartland Town Square site in terms of overall square footage, phasing, amount of overall open space, percentage of workforce housing, sewage flow, provision of shuttle service to the Deer Park railroad station, parking and financial obligation toward traffic mitigation.

#### **Comment GN-6**

Of particular concern is that the DEIS concentrates its impact analysis on on-site impacts, virtually ignoring its neighbors to the north and west. This is a massive project, far larger than anything in Suffolk County history, making especially important the need for openness, clarity and ease of review. This project will bring New York City-scale development to Suffolk County. Yet the DEIS adopts an insular view that stands in direct contradiction to the Suffolk County Planning Commission's principles for evaluating proposals of this size and scope. (C8A-1)

#### **Response GN-6**

See Responses GN-5, SU-5 and SU-9.

**Comment GN-7**

Projects of this scope, whether in Uniondale, Yaphank, Oyster Bay, Riverhead or the Heartland Project, when situated on an Island can prove challenging to elected officials, and to residents in the surrounding community. However, for the future of Long Island they must be well thought out and built. (C16-3)

Heartland Town Square would not only create much need jobs for Brentwood and nearby communities, but will replace eye-sore old buildings with modern housing, recreational facilities and stores. (C17-1)

**Response GN-7**

As indicated in the DGEIS, one of the main purposes of the project is to redevelop an underutilized and surplus property that was sold by the State of New York. After the consolidation of many of the Long Island psychiatric hospitals and the de-institutionalization of patients from these hospitals, patient populations continued to decline. The State of New York determined certain properties to be "surplus," and has sold many of these former psychiatric hospitals or portions thereof to private parties. In the case of the subject property, New York State determined that approximately two-thirds of the overall Pilgrim State Psychiatric Center property was surplus and it was sold to the applicants in 2002. A portion of the Pilgrim State Psychiatric Center remains operational on a 200±-acre parcel adjacent to the subject property.

In redeveloping this significant property (which is advantageously situated in an area where major east-west and north-south transportation corridors meet and where there is access to public transportation in the form of the LIRR and bus service), the applicants have designed a community that applies smart-growth principles to achieve benefits that have been touted by the community, planners and government officials alike. Such benefits include, but are not limited to, walkability, reduction of vehicle miles traveled, mix of land uses, connectivity, compact building design, density, housing choices, transportation options and fostering distinct and attractive communities with a strong sense of place (also see Response LU-1).

The Heartland Town Square community would concentrate development on a previously-disturbed and developed site within an urban renewal area that once supported a population density of similar magnitude to what is proposed. The objectives of the applicants are to achieve smart growth goals, provide the type of community that exists nowhere else on Long Island, and to provide an activity center and a destination that is less dependent on the automobile. The applicants have designed a community where people can live, work, shop and play.

In developing the Heartland Town Square, the applicants would also be providing over 900 workforce housing units, fulfilling a significant need as indicated by Suffolk County, among other agencies. Also, based upon requests from the Town, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization. In addition, development would provide thousands of construction jobs over a 15-year construction period and almost 26,000 permanent jobs.

**Comment GN-8**

We know that the size of the property and the close proximity to residential communities has the potential to generate negative impacts to the surrounding area. The Long Island Correctional Facility which found a temporary home there proved that in the early '80s. We recognized from the outset the environmental and ecological value of the land which is located over the deepest water recharge area and a home to the last vestiges of Oak Brush Plains. The battle to stop the construction of the largest garbage burning plant in the world and a composing facility there bore credence to that. (C18-1)

**Response GN-8**

The potential environmental impacts of the proposed action have been comprehensively evaluated in the DGEIS and this FGEIS. With regard to additional social and economic benefits to the surrounding community and Long Island, see Response GN-10, below.

With respect to potential impacts to groundwater, the entire project is proposed to be connected to the municipal sewerage system, and thus, the impact to groundwater of the vicinity of the subject site with respect to sanitary wastewater generated on the subject site would be minimized. Stormwater will be contained and recharged on site through the use of catch basins, drywells, leaching pools and recharge basins. These stormwater management measures would serve to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to groundwater and ultimately surface waters. According to prevailing regulations, stormwater discharge from construction activities disturbing more than one acre also requires a permit under the State Pollutant Discharge Elimination System (SPDES).

In order to implement the regulations, the NYSDEC has issued General Permit GP-0-10-001 for stormwater discharge from construction activities, under which the applicants for this project will be required to obtain coverage. The proposed stormwater management system will comply with prevailing regulations. The calculations contained in the proposed stormwater management system demonstrate the volume of storage required along with a discussion of the provisions for providing the necessary storage.

It is anticipated that the amount of fertilizer-dependent vegetation would be minimized and indigenous species would be used in the ultimate landscaping plans that are developed, although the extent to which such plantings will be employed on the site has not yet been quantified (see Appendix C of the DGEIS for a list of native species to be used in the landscaping of the Heartland Town Square site). Such species would be used to the maximum extent practicable to allow for a low-maintenance, successful landscape.

Overall, the environmental and ecological value of the Oak Brush Plains has been acknowledged in the establishment of the 800+-acre Edgewood-Oak Brush Plains Preserve adjacent to the subject property. The Heartland Town Square development will respect these values and be a good neighbor to this ecological community. As stated in Response OS-18, in a letter from the Friends of the Edgewood-Oak Brush Plains Preserve "there is the potential for a rich, reciprocal relationship between the Edgewood Preserve and Heartland Town Square, situated in the Town of Islip."

With respect to impacts to on-site ecology, page 4-69 of the DGEIS indicates, except for the cemetery at the north end and existing buffer areas along the perimeter along portions of the subject property, the site will be entirely redeveloped. Consequently, while a part of one of the "cultural" ecological communities (Mowed Lawn/Mowed Lawn with Trees) would be preserved, the other three communities on the site would be substantially altered. This includes Pitch Pine-Oak Forest, Successional Old Field, and the second cultural community - Urban Vacant Lot. There are no NYSDEC or NWI wetlands on the site, and consequently, none would be disturbed. Table 4-11 of the DGEIS summarizes the acreage of existing natural habitats, as well as the acreage of each to be lost and preserved as a result of the proposed action. As indicated on this table, significant acreage of forested lands and open fields would be preserved on the site, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In total, approximately 90 acres of existing vegetation would be preserved. Given that all existing natural and cultural habitats will continue to exist on the site following the completion of the proposed action, it is anticipated that most existing plant species will continue to be supported within these communities.

With regard to wildlife, most adult animals are highly mobile and most of these would, therefore, be able physically to emigrate from the site as active development commenced. With respect to recolonization of the site by wildlife, it is important to note the 90 acres of existing vegetation to be preserved will continue to support many resident wildlife species during and after construction. Moreover, the majority of Pitch Pine-

Oak Forest proposed for preservation would be in perimeter buffer areas that are located beyond the proposed project roadways and have directly contiguous off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve), thus serving as wildlife corridors that would allow recolonization of wildlife between the site and these areas.

See Responses EC-2, EC-4 and EC-6 with respect to rare communities, plants and wildlife.

#### **Comment GN-9**

Let me say from the outset, we fully recognize Mr. Wolkoff's right to build something on the 452 acres he acquired from the state. We say that also recognizing the distinct legal possibility that this property was sold illegally to him by the state. We do know for certain that the land the state had intended to use for the intermodal was illegal and must become part of the Edgewood Preserve. We would also say for the record that we appreciate the fact that Mr. Wolkoff, unlike most developers, has shared his vision with us for this property number of times over the years. He is always made himself accessible. And, while we appreciate his passion with a capital "P" for his project, passion cannot take the place of prudent and proper planning. Try as we might, we cannot not see how this project could be built as planned without causing enormous impacts to all concerned. (C18-2, H16-1)

#### **Response GN-9**

See Response GN-8. Also, the sale of this property by the State was completed, and has not been deemed to be illegal by any Court. Furthermore, the proposed Intermodal Facility is a project that is separate from Heartland Town Square.

#### **Comment GN-10**

After having met with town and planning officials, environmental and civic leaders, and the developer himself, the Long Island Pine Barrens Society has concluded that the Heartland Town Square project is an excessive and environmentally detrimental project without demonstrated public benefit to the community, the Town or the region as a whole. Instead, it represents the biggest developer windfall in the sad history of development on Long Island. Our organization calls for its complete rejection and for the property to be developed in a manner consistent with the economic, environmental and social requirements of the region. The people of Long Island will have no problem judging Long Island's elected officials on the basis of their positions concerning this preposterous proposal. (C19-5)

#### **Response GN-10**

The commentator provides no facts or empirical analyses to support the opinion expressed. The Heartland Town Square development will not be located within the core preservation or compatible growth area of the Long Island Central Pine Barrens, nor is the proposed project to be located in an undeveloped area that is currently protected by any local, State or federal regulation. Although the site is within the Oak Brush Plains Special Groundwater Protection Area, development within this area is not prohibited. The proposed Heartland Town Square development is proposed to be built upon previously-developed land that was sold to the applicants by the State of New York. As indicated in Responses EC-6 and EC-9 and discussed in Section 4.4 (Table 4-11) in the DGEIS, significant acreage of natural habitat would be preserved on the site under the proposed development plan, including 48.57± acres of Pitch Pine-Oak Forest and 6.68± acres of Successional Old Field. In total, approximately 90 acres of existing vegetation would be preserved. Furthermore, several locations in the revised Conceptual Master Plan include retention of rows and stands of existing trees for incorporation into green spaces.

Furthermore, the purpose of the proposed PSPRD and Heartland Town Square is to foster smart-growth redevelopment of the abandoned and/or unused formerly State-owned portions of the Pilgrim State Psychiatric Center. The PSPRD is designed to allow for the creation of a new efficiently-designed, transportation-oriented and served, multi-use community that includes residential facilities, as well as shopping and employment opportunities for residents and non-residents of the community, that is harmonious with surrounding districts and communities, and that minimizes adverse effects on the Town and the surrounding community. The smart-growth approach to community development facilitates community interaction, interdependence and neighborhood spirit and encourages owners and occupants in the community to continually reinvest socially and materially in the community, thereby promoting the economic viability of the community.

As has been documented by the Long Island Index, Long Island Housing Partnership, Inc., the Long Island Association, the Suffolk County Department of Economic Development and many other sources, Long Island has been and continues to lose its young, educated workforce to other areas of the United States for a variety of reasons including, but not limited to, the lack of sufficient affordable and workforce housing, the lack of “exciting” places to live and work, and the lack of job growth. The vision of Heartland Town Square is to help address this “brain drain” by stimulating job growth, providing housing for various income levels, and creating an exciting location where young and old alike can live, work and play. The applicants envision that Heartland Town Square will become an economic engine for the Town of Islip and an activity center as well as a destination that is less dependent on the automobile.

Whenever a project of this magnitude is proposed, there are questions concerning how the new development will be linked both socially and economically to the existing community, in this case the greater Brentwood community, and to what extent the businesses located within the new development will provide competition for existing businesses in the community. Establishment of social linkages with the Brentwood community will be relatively straightforward. Heartland Town Square will include a lifestyle center whose facilities can be used by residents of the greater Brentwood community. The town square itself will feature concerts and other forms of entertainment as well as special holiday events. The lifestyle center, together with its cinemas, restaurants, artists’ gallery and other retail facilities will provide a venue for Brentwood residents to socialize with friends and family and will provide them with a greater sense of community. However, the most important spillover from the development and linkage to the community will be increased job opportunities at Heartland Town Square for Brentwood, Islip and Suffolk County residents.

The proposed project would also have a positive impact on the County, Town and the community of Brentwood. Existing neighborhood merchants will benefit from the increased demand for personal and business services by residents of Heartland Town Square and by the businesses located there. Community residents will benefit from a broader choice of goods and services. They will have access to the restaurants, entertainment and recreational facilities at Heartland Town Square. However, the land use implications of the plan will extend well beyond the Brentwood community and the Town of Islip. In the applicants’ opinion, its positive impact will be felt throughout the Long Island region.

#### **Comment GN-11**

Chapter 635, Section 7 of the Laws of 1987, established that any Pilgrim State Hospital Land no longer needed by the hospital should be incorporated into the Oak Brush Plains State Preserve. This facility is proposed on property that was Pilgrim State Hospital land. Therefore, the use of this property for the Heartland Development is prohibited by this law and should not be allowed. Please address why the Developer has the right to ignore this law. (C23-15)

#### **Response GN-11**

The State of New York sold this property to the applicants, and this sale has not been deemed illegal by any Court. The Town of Islip is complying with all applicable laws in the review of this application.

**Comment GN-12**

Executive summary, Section 2.3 Proposed Action, pages 2-46 and 2-47. The section that is titled “Surrounding Land Uses and Roadway/Highway Network.” In this section there is a listing of surrounding communities to the proposed Heartland development. The area identified as to the West of the development only mentions residential housing to the west of Commack Road. My property, as well as my neighbors on Kilmer Ave are to the **West** of the proposed development, and **East** of Commack Road. Here is no mention of our community in this evaluation. This is an error and not acceptable. As the closest residential community to the proposed development it appears that we were purposely left out of the DGEIS. (C23-18)

**Response GN-12**

The DGEIS contains a representative general land use map for the area surrounding the proposed Heartland Town Square development (see Figure 3-1 of the DGEIS). The single-family residences along Kilmer Avenue, Polo Street and Commack Road are included in that map presented in the DGEIS. Furthermore, Viewpoint 5, Figure 4-9 of the DGEIS analyzed the before-and-after views from Commack Road looking east toward the subject property at Kilmer Avenue. In addition, intersections along Commack Road, in the area mentioned by the commentator (including at the North and South Service Roads of the LIE and at the entrance to the Pilgrim State facility) were included in the overall traffic impact analysis. These intersections consider traffic from both the eastern and western sides of Commack Road. Therefore, the residential area east of Commack Road was not neglected from the scope of the DGEIS.

The minimum setback to the residential property lines on the east side of Commack Road has been increased from 75 feet to 130 feet, an increase of 73 percent for the revised Conceptual Master Plan as compared to the plan presented in the DGEIS (see Appendix RP-1). The development initially proposed for the extreme northwestern corner of the site, as depicted on the Detailed Development Typologies on Figure 2-10 in the DGEIS, has been removed, as shown on the revised Conceptual Master Plan (see Appendix RP-1). The area closest to the existing residences is proposed to be developed with low-rise residences. Another row of low-rise residences (with one mid-rise residence) would form an additional layer of less intense development in this area of the site. These two rows of low-rise residences, along with the increased buffer, will separate the existing residences from the more intense development associated with the core of the Town Center. There is no commercial development proposed in the northwestern portion of the site, adjacent to the homes east of Commack Road.

**Comment GN-12A**

A major objection to this development plan is in its very foundation: creating a city where none exists. Typically, an area becomes more developed over time as people move closer to where there is work, factory or office, and new businesses spring up to service this population. There is a *reason* why towns and cities sprout up and grow. In turn, towns create master plans to govern this growth. Essentially, what is proposed here is the reverse of this process; to construct an empty city and then quickly populate it with businesses and workers. What industry is going to draw people here? Where are the businesses and people that are waiting to occupy the approximately 4 million square feet of proposed office space? (C25-3)

**Response GN-12A**

The subject site is located, not in an isolated area, but in an area that contains well-established infrastructure and land uses. In addition, the proposal involves the redevelopment of a portion of a former psychiatric hospital; it is not the development of pristine land. Moreover, although virtually unknown on Long Island, this is not a new concept, as a number of complete communities have been built at other locations that are either undeveloped or have previously been developed with a use that is no longer viable (see examples in Responses LU-11 and SU-7). An example of such a community is Levittown, Pennsylvania, the second

“Levittown” built by Bill Levitt. According to *Community in History: Levittown and the Decline of a Postwar American Dream* “the Levitts built not just houses; they built entire communities...”<sup>40</sup> The Levitt communities consisted of parks, houses of worship, shopping centers, etc. Also, see Responses LU-1 and SU-7 for examples of communities that were retrofitted from areas in decline, including, for example, vacant shopping malls and strip centers, former industrial and office parks, and older residential subdivisions. These communities began in a similar fashion to Heartland Town Square. They represent reinvestments in areas that have either experienced decline, are no longer relevant to their original purpose, or are starting to emerge near or become extensions of central cities.

The Heartland Town Square redevelopment would begin with a master plan for the development. The applicants are not proposing to build a city and then populate it. As with most other developments, the applicants will begin building based upon the master plan and market conditions. The development is proposed to occur in three phases over a 15-year period. This phased approach ensures that there will not be empty buildings waiting to be filled up. Phasing is discussed in more detail in both Section 2.2 and Section 4.4 of this FGEIS.

Phase I involves the construction of office space, the lifestyle retail center and residential units within the Town Center portion of the property, in accordance with the overall Heartland Town Square master plan (see Section 2.2 of this FGEIS). As noted in Response GN-5, Heartland Town Square is anticipated to help foster the creation of new enterprises, such as personal service businesses, non-chain restaurants, banks, convenience retail etc., which are businesses that would not relocate from other areas, but would evolve to serve the local community. In addition, the applicants, who are experienced real estate professionals, and who have previously attracted nationally-renowned companies to Long Island, have a network of brokers throughout the country that will assist in attracting companies to this location. Once businesses and jobs (both office-related and personal and service business-related) are established on the site, more people will be attracted to the residential units.

#### **Comment GN-13**

I am concerned about the increased demand on public water and power supplies. (C27-4, H37-3)

#### **Response GN-13**

As indicated on page 4-41 of DGEIS, the daily maximum build-out water requirement for public supply (consumptive use) and irrigation will be 1.96± mgd, according to D&B, the applicants’ water and sewer engineers. The water required by phase is as follows: Phase I – 0.527± mgd; Phase II – 0.694± mgd; and Phase III – 0.742± (including irrigation). The SCWA has provided a letter of water availability for the proposed Heartland Town Square development (included in Appendix R of the DGEIS). The applicants and their representatives have met with and continue to meet with the SCWA to discuss water modeling, water conservation and water supply matters (including the location of new wells).

With regard to power supply, the applicants requested that LIPA provide an energy analysis for the proposed Heartland Town Square project. The following is a summary of the report entitled Heartland Town Square – “A Strategic Partnership.” The report can be found in its entirety in Appendix T of the DGEIS.



<sup>40</sup> Kimmel, Chad M., “Community in History: Levittown and the Decline of a Postwar American Dream,” *Footnotes: Newsletter of the American Sociological Association* (November 2003 – Volume 31, Number 8) (<http://www.asanet.org/footnotes/nov03/fn8.html>)

Numerous meetings have been held between the applicants and LIPA. The proposed project would be developed in phases as discussed in Section 2.6.2 of the DGEIS. Discussions between the applicants and LIPA evolved into developing an integrated approach using state-of-the-art energy supply options, yet recognizing the applicants' desire to mitigate risk by installing technologies that are well-proven and fully commercialized.

LIPA prepared the above-referenced report to demonstrate its expertise and desire to provide state-of-the-art electric service options for Heartland Town Square and to identify cost-effective options that benefit the environment and Long Island in general. While the electric service infrastructure proposed would include the latest technological advances to ensure premium reliability, it could also provide opportunities for future technologies (i.e., fuel cells, solar, etc) with virtual "plug-in" capability as they become more commercially and economically available. Furthermore, LIPA would partner with the applicants to ensure that the energy component of this project is developed in the most environmentally-friendly way possible.

The formalized working relationship between Heartland Town Square's developers and LIPA will provide for the development of a sustainable, environmental-friendly, and energy-efficient community. This goal will be achieved by LIPA working closely with the developer to help maximize cost-effective, energy-efficient opportunities; minimize the impact on the electric grid; and minimize the overall environmental impacts of a development the scale of Heartland Town Square as the specific development plans evolve.

The applicants will comply with applicable energy regulations, including EnergyStar requirements. The applicants are proposing to install energy-saving appliances (refrigerator, washer/dryer, dishwasher) and lighting fixtures in the residential units. At this time, the applicants have indicated that it is not financially feasible to pursue the use of alternative energy sources, due to the size and scale of the proposed development. As the project progresses and energy technology advances, the applicants will re-evaluate the feasibility of using alternative energy sources. Such alternative energy sources would be incorporated in the future where they are deemed financially feasible by the applicants.

The applicants will continue to investigate potential LEED certification. See Section 4.22 of this FGEIS for additional discussion of energy and sustainability.

Overall, the applicants are committed to constructing buildings that are energy-efficient and will work with LIPA and National Grid/KeySpan to identify and implement appropriate energy-conservation measures.

#### **Comment GN-14**

There is little space in which to build these types of communities without infringing on existing communities or encroaching on critical environmental areas, and so care must be taken when planning, designing, and implementing these kinds of projects. (C39-2)

#### **Response GN-14**

The property owned by the applicants is over 450 acres, which provides a significant area in which to develop Heartland Town Square. Moreover, rather than infringing upon existing communities, the applicants believe the development of Heartland Town Square will have an overall positive impact on surrounding communities. See Responses GN-8 and GN-10.

Development of an overall conceptual master plan, PSPRD zoning and Design Guidelines for Heartland Town Square will assist in ensuring that care will be taken in planning, design and implementing the vision for the community.

#### **Comment GN-15**

I think most of us agree about the need to move this project, and we are conscious of the economic needs and the need for jobs and the high-end unemployment numbers in this community right now. However, we are also conscious that it should not be used as justification to shove the project down the throats of our residents without consultation and without careful thought. I'm cautiously supportive of bringing this project to the next level. (H4-2)

#### **Response GN-15**

See Responses to Comments GN-10, PP-2 and SQ-8, which discuss the careful and comprehensive environmental review process that was undertaken by the Town of Islip.

The applicants are committed to continuing to involve the community in the redevelopment of the subject property. The applicants acquired the subject property in 2002 and have taken over 10 years to get to this point. Within this timeframe, the economy has seen a number of swings. Therefore, this project was not created as an antidote to a faltering economy. Also, since 2002 the applicants have held numerous meetings with various community entities and agencies, including, but not limited to the Town of Islip, Brentwood UFSD, Brentwood Legion Ambulance, Brentwood Fire District, etc. These meetings occurred in addition to the formal SEQRA process, which included community involvement in the scoping process and DGEIS hearing and extensive public comment period. Furthermore, the applicants have met with various community groups in order to obtain further insight from Town and Brentwood citizens alike to ensure maximum community involvement was taken into account. Specifically, some of the groups that the applicants have met with, and will continue to meet with, include the Brentwood Civic Association, the Brentwood Chamber of Commerce, Four Towns Civic Association, Adelante, Friends of the Edgewood Preserve, Vision Long Island and the community service providers, as noted above.

The process of approving and developing the subject property is not yet complete. After the FGEIS is filed by the Town and a Notice of Completion of the FGEIS is issued, a minimum 10-day consideration period commences. Subsequent to that, a Finding Statement will be prepared and adopted by the lead agency, which will conclude the SEQRA process. However, conclusion of the SEQRA process does not complete the overall development review process. The creation of the new zoning district and rezoning of the subject property would have to occur. The process for development approval is outlined in the PSPRD (see Appendix RP-2). Therefore, far from being a process that has been rushed or "shoved down the throats of our residents without consultation and without careful thought," the process has occurred over a long period of time with public involvement at every step of the way.

#### **Comment GN-16**

We really need to move this project. One of the things I would encourage the Town Board is to insure that the Planning Department and developers sit down, roll up their sleeves and let's answer those 21 points out there so we can get a very clear picture of what this project is about, what it's going to do, what it's going to look like, etcetera. (H5-1)

#### **Response GN-16**

See Response SQ-2 for a tabular summary of how the Town's 21 points have been addressed.

#### **Comment GN-17**

I want to be the first official to come out in favor of this project, because I think this project is a worthy project. I want to work closely to insure this project as it goes through has the least negative impact on the

residents of the community that we represent and the community that we serve, but there are too many unanswered questions. (H5-5)

#### **Response GN-17**

The revised Conceptual Master Plan, and supporting materials, as well as this FGEIS discuss how impacts due to the proposed development will be minimized. In addition, review of the proposed project does not end with the filing of the FGEIS. As explained in Response GN-15, subsequent to the filing of the FGEIS, the Town of Islip has to adopt a Findings Statement “that considers the relevant environmental impacts presented in an EIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the agency’s decision and certifies that the SEQOR requirements have been met” (6 NYCRR §617.2 (p)). After the Findings Statement is adopted, the Town can then make a decision regarding the proposed creation of the zoning district and rezoning of the subject property. The creation of the zoning district and rezoning of the property would also involve a public hearing.

#### **Comment GN-18**

And it has been explained to me several times now about the promise that it presents, it is exactly the kind of thing that we all want to get behind. But if you take a look at the numbers, if you take a look at some of the challenges that are still before us, it is certainly a project that is not quite there yet. It needs an awful lot of work... (H6-1)

#### **Response GN-18**

See Response GN-17.

#### **Comment GN-19**

...this is a visionary project, one in theory we would all like to support. Hopefully as we continue to go through the process, the infrastructure that is going to be totally necessary to serve it is big and bold as well. (H6-3)

#### **Response GN-19**

See Section 4.2.2 *Sewage Disposal*, Section 4.2.3, *Water Supply*, Section 4.2.4 *Drainage and Stormwater*, and Section 4.11.3 *Community Facilities* of the DGEIS with respect to infrastructure. Sections 4.8 and 5.8 of the DGEIS discuss potential traffic impacts and mitigation measures, respectively. Sections 4.14 and 4.21 of this FGEIS respond to comments regarding water resources and traffic issues, respectively; and Section 4.26 of this FGEIS discusses community facilities. See Section 4.21 and Appendix TR-1 of this FGEIS for a discussion of the proposed traffic mitigation for the Heartland Town Square development.

#### **Comment GN-20**

A project that big will raise issues, we understand that. Now we need all parties concerned to work together to come up with a solution so this project can move forward. We cannot spend another five years talking about what we are going to do. (H26-1)

#### **Response GN-20**

The Town of Islip and the applicants have worked cooperatively in developing a revised Conceptual Master Plan (see Appendix RP-1) and revised traffic impact analysis to assist in minimizing the potential significant adverse impacts associated with the proposed development.

**Comment GN-21**

The Long Island Regional Planning Council has indeed designated this project as their project of regional significance as established under its criteria. So I want to congratulate Supervisor Nolan and the Town Board for moving this review forward in advancing a critical redevelopment project for Long Island. (H9-1)

**Response GN-21**

The comment is noted.

**Comment GN-22**

Allow Mr. Wolkoff to start and complete this project. I probably won't be around 17 years from now, but let it start, please. Please allow Brentwood to be put back on the map as a community to work in, live in, and where we can once again hold our heads up high and proudly say "I live in Brentwood." (H10-1)

**Response GN-22**

The comment is noted.

**Comment GN-23**

Stormwater, infiltration, irrigation -- those are things that still need much more attention in the environmental impact process to actually be assessed. Keep in mind that we are talking about one of the most critical environmental areas in Western Suffolk County, and the largest private development project in the history of Suffolk County. We think it can work, but it is going to need a lot more work to get it planned. (H11-1)

**Response GN-23**

Overall discussion of stormwater, infiltration and irrigation is included in Section 4.2 of the DGEIS. Also, see Responses WR-73 through WR-97 with respect to stormwater and drainage issues.

While the site is located in a Special Groundwater Protection Area, it was, until recently, densely developed with buildings associated the Pilgrim State Psychiatric Center. Furthermore, the 800+ acres adjoining the subject property is being maintained in its natural state as the Edgewood-Oak Brush Plains Preserve.

As discussed in Response GN-17, the SEQRA process is only one part of the overall application review and development process. There are other steps to be taken after the completion of the environmental review process. These are outlined in the proposed PSPRD (see Appendix RP-2).

**Comment GN-24**

This project is clearly one of significance not just for Islip, not just for its neighbors, but for our entire County of Suffolk and, indeed, our entire region. (H12-1)

As you go about making your choices here in Islip, as you engage in give and take among the various parties, and as you work cooperatively over the coming months through the many issues that will be raised in writing, and are being raised here tonight, please carefully consider the impacts beyond Islip's borders on our whole county, on our whole region. (H12-2)

**Response GN-24**

See Responses GN-5, SU-5 and LU-9 for a discussion regarding the regional aspects and analyses associated with the proposed project. These responses discuss traffic, sewage disposal, water supply, groundwater impacts, land use and zoning and visual impacts, among other issues.

**Comment GN-25**

The project will have a major impact on the surrounding infrastructure. (H13-3)

**Response GN-25**

The DGEIS and FGEIS together comprehensively evaluate the impacts to both on-site and surrounding infrastructure (including roadways, sewer, water, utilities and community services), and where applicable, has incorporated mitigation measures into the design or has proposed both on-site and external mitigation measures in order to minimize impacts to the maximum extent practicable. See Response GN-19 with respect to infrastructure.

**Comment GN-26**

Our organization calls for its complete and utter rejection and for the property to be developed in a manner consistent with the economic, environmental, and social requirements of the region. This project should not be known as "Heartland Town Square," it should be known as "Wolkoff in Wonderland," with all due respect, to the applicant. Before this project can or should move one step forward, it's got to get real. (H17-8)

**Response GN-26**

See Responses GN-7 and GN-10. Also, see Section 2.2 of this FGEIS, which discusses the modifications to the conceptual master plan, PSPRD zoning and the Design Guidelines. These modifications address the comments made during the public comment period.

**Comment GN-27**

We polled over one thousand people in the community, and almost everyone supported the project. The affordable housing benefits are clear, we need it. We hear about people leaving, young people leaving, we hear about seniors not wanting to go to Florida, not wanting to move away from their family. Where can they go? Well, they can go to the Heartland project, because that is going to be built. (H19-1)

**Response GN-27**

Based upon discussions with the Town, 10 percent of the residential units within Heartland Town Square will be workforce units. Furthermore, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

Also, see Response SG-32, which indicates Heartland Town Square is proposed to serve various segments of the population, both young and old by providing a range of housing types at various price points.

**Comment GN-28**

The reality is we need this project. We need it for jobs. We need it for affordable housing. We need a different type of place on Long Island. This is a win-win-win for Long Island. A lot of people say, yes, we can right now, and we say that to you, because, together with negotiations, yes, we can. (H19-5)

**Response GN-28**

As indicated on page 2-61 of the DGEIS, in redeveloping this significant property (which is advantageously situated in an area where major east-west and north-south transportation corridors meet and where there is access to public transportation in the form of the LIRR and bus service), the applicants have designed a community that applies smart-growth principles. The Heartland Town Square community would concentrate development on a previously-disturbed and developed site that once supported a population density of similar magnitude as is proposed. The objectives of the applicants are to achieve smart-growth goals, provide the type of community that exists nowhere else on Long Island, and to provide an activity center and a

destination that is less dependent on the automobile. The applicants have designed a community where people can live, work, shop and be entertained. See Response GN-7.

In developing the Heartland Town Square, the applicants would also be providing almost 26,000 jobs. With respect to workforce housing, as noted in Response GN-27, based upon discussions with the Town, 10 percent of the residential units within Heartland Town Square will be workforce units. Furthermore, the applicants have committed \$2,000,000 to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

#### **Comment GN-29**

...we must be careful not to view any one single part of this project without understanding the impact on the community, negative or positive, as a whole and in its entirety. I'm sure there are people in this audience that do not have the best interest of the Brentwood community in mind. (H20-4)

#### **Response GN-29**

See Responses GN-10 and GN-15.

#### **Comment GN-30**

To me this project is a project that promotes intergenerational ties, ties that all too often on Long Island don't exist, or are in short supply because of separating the generations. (H22-1)

...this project enables young or old to make eye contact with one another on a daily basis. That is very important in our society. (H22-2)

The project enables empty-nesters and younger people to live in close proximity to one another, share common commercial-constructed recreational facilities, and the Town of Islip has frequently been a leader on Long Island in the housing area. Heartland Square presents another opportunity for the Town to set the standard and lead the way into the future. (H22-4)

#### **Response GN-30**

*The Heartland Town Square development has been designed as a mixed-use, smart-growth community, incorporating the principles outlined both in the Smart Communities Through Smart Growth and Smart Growth Policy Plan for Suffolk County reports. The Pilgrim State Psychiatric Center has been designated by Suffolk County as a "redevelopment of regional significance." Such areas were designated as such to ensure that the mix of uses provided therein takes advantage of existing infrastructure, strengthens the tax base, provides jobs and, in general, improves the quality of life in the area. As indicated, the redevelopment of the Heartland Town Square property will help to "reshape the developed landscape for generations to come." The reuse and redevelopment of this site of regional significance can assist in limiting the development of undisturbed or less-disturbed areas for the type of high-density development that is critical in making Smart Growth communities, such as Heartland Town Square, successful. Smart Growth principles have been incorporated into the concept and design of the Heartland Town Square development.*

As indicated in the DGEIS, the proposed Heartland Town Square project aspires to re-create the densities that allow the vitality of traditional downtowns to flourish in newly-created environments. It is the density and the presence of community support facilities that permit the development of a wide range of housing types including luxury, market-rate and workforce housing that are geared toward a wide range of populations (e.g., young professionals, empty-nesters, retirees, artists), and that would be integrated into the fabric of the new community.

The applicants agree that promoting intergenerational ties is an important component of a sustainable and healthy community and envisions that Heartland Town Square would be a community where these intergenerational ties and interactions will be possible.

**Comment GN-31**

Let me tell you, if this project is built, it would be the best thing. (H24-1)

**Response GN-31**

The comment is noted.

**Comment GN-32**

...I believe in the concept that Mr. Wolkoff is building on that property. I believe that we have to improve the quality of life. I believe we have to give the jobs. (H25-2)

**Response GN-32**

Based upon the analysis in Section 4.11 of the DGEIS, the proposed project would generate almost 26,000 jobs within Heartland Town Square and the Gateway Area.

**Comment GN-33**

...it is a grand plan that Mr. Wolkoff is proposing. We in the public have to be just as grand as he is, because, you know why, we live here... (H25-3)

**Response GN-33**

See Response SU-6, which discusses the anticipated positive impacts on the Brentwood community.

**Comment GN-34**

I'm approaching 55 years old, and I would like to live in a facility where it is affordable to me as an older woman, and not have to worry about cutting the grass and all the overhead that the elderly would think of. (H28-1)

**Response GN-34**

The proposed Heartland Town Square project will provide a wide range of housing types including luxury, market-rate and workforce housing which are geared toward a wide range of populations (e.g., young professionals, empty-nesters, retirees, artists), and that would be integrated into the fabric of the new community.

With regard to maintenance, as the majority of the proposed residences consist of rental units, residents would not be required to perform lawn maintenance or other similar maintenance activities normally associated with single-family home ownership.

Also, see Response HO-9, which discusses the concept of renters-by-choice, people who do not have the intention of buying a home or who may be empty-nesters who have down-sized and sold their homes. In addition, also as indicated in Response HO-9, according to *Practical Apartment Management* by Edward N.

Kelley, “empty-nesters, career professionals and retired people are renters by choice. For some, the situation is one in which the extra space available in purchased housing is no longer needed. Others want the freedom provided by renting (sometimes referred to as the ‘lock and leave’ set)...These people are making a conscious decision in their choice to be a renter.”

#### **Comment GN-35**

This is hardly a greenbelt. To compound this, he also proposed to construct 5,000,000 square feet of office space. Does he expect the empty-nesters to work for him? (H31-3)

#### **Response GN-35**

The subject property does not currently serve as a “greenbelt,” as approximately 17.5 percent of the site is impervious. Furthermore, the subject parcel is a privately-owned parcel that was purchased by the applicants from New York State in 2002. The subject property is not part of a greenbelt, though it is adjacent to the 800+-acre Edgewood Preserve.

As explained in Responses AV-1 and AV-7, the Conceptual Master Plan has been revised to increase vegetated buffers. For example, the buffer along the northwestern area of the property has been increased from 75 feet to 130 feet, a 73 percent increase as compared to the plan that was presented in the DGEIS. The buffer along the western side of the existing Sagtikos Parkway right-of-way is now a uniform 200 feet in width.

The applicants expect that many of the residents, including empty-nesters living within Heartland Town Square, would be able to work in the proposed office space and retail establishments. Such residents would not be working for the developers, but for independent commercial establishments that choose to locate within the Heartland Town Square development. Moreover, the applicants believe it would be a convenient place for empty-nesters or seniors to work, as the community would be walkable, would provide bike paths, and would provide a shuttle bus to the Deer Park train station, thereby reducing dependence on the automobile.

#### **Comment GN-36**

Mr. Wolkoff’s project is presently far-fetched and overly aggressive. He wants to prosper at the community’s expense. An overburdened community should not be required to solve all of Long Island’s ills. That is not what workforce housing is all about. (H31-6)

#### **Response GN-36**

As explained in Response GN-5, there will be numerous benefits associated with the proposed action. For example, the development of Heartland Town Square is projected to benefit the local and regional community through an increase in property taxes of over \$51 million per year at full build-out. Furthermore, Heartland Town Square would be a tax positive development for the Brentwood UFSD, as demonstrated in Response SO-14.

Workforce housing would also be provided. The lack of such housing has significantly contributed to the migration of young people away from their homes and their families. It is about stemming the tide of “brain drain” wherein young people are leaving the Island and local businesses and the economy, as a whole, is finding it more difficult to recruit and maintain skilled workers. Workforce housing is about allowing the people who devote themselves to community service, such as teachers, firefighters, police officers, to remain within their communities. Based upon discussions with the Town, 10 percent of the residential units within Heartland Town Square will be workforce units. Furthermore, the applicants have committed \$2,000,000 to

purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

#### **Comment GN-37**

He has 460 acres for the Town Square. He owns 450 acres for the Heartland. That is 900 acres. He is also the largest property owner of the Hauppauge Industrial Park. Let's assume he owns 25 percent of that. That is over 1,000 acres within a mile of each other. What Mr. Wolkoff is actually doing is hedging his bets, because what we have is an individual who is an investor who has industrial, commercial and proposed residential aspects. (H31-8)

#### **Response GN-37**

The amount of collective acreage that may be owned or controlled is not relevant to the evaluation of impacts from the proposed action. As explained in Responses LU-20 and SQ-12, the Town Board, as lead agency, is obligated to identify and evaluate the potential impacts of the proposed action, and weigh them against the expected social and economic benefits.

#### **Comment GN-38**

I urge the Town of Islip to go and have Mr. Wolkoff go back to the drawing board to come up with a solution that is well-grounded and takes into consideration the entire community and not just Mr. Wolkoff. (H31-9)

#### **Response GN-38**

See Responses GN-5, LU-9, SU-5 and SU-9 with respect to impact on surrounding communities.

#### **Comment GN-39**

...I would like the residents of our community to be completely informed of the impact this project will have on use, not only for traffic and environmental concerns, but also the financial impact on property owners, the existing property owners. For the potential that each of our property taxes could increase by thousands per year, I'm not sure the privilege of having a 16-story office tower appearing over my tree-line, an upscale shopping area that will probably be beyond the means of most of our current residents, the additional traffic, additional strain on our educational resources, as well as the other concerns raised in this process overrun the cost to this community. (H32-7)

#### **Response GN-39**

As explained in Responses LU-20 and SQ-12, the Town Board, as lead agency, has required the preparation of an extensive DGEIS and FGEIS to address the potential environmental impacts associated with the proposed action. As required by SEQRA and its implementing regulations, the applicants prepared the DGEIS in conformance with the requirements of the Final Scope. As noted in Response PP-2, the Town Board has and will continue to undertake a comprehensive environmental review of the Heartland Town Square development. For example, regulatory timeframes for review have been substantially extended to afford maximum opportunity for public input into the process. Accordingly, the Town Board has gone beyond the requirements of SEQRA to ensure that the public was properly informed of the proposed action, its impacts and benefits.

The commentator provides no supporting evidence that property taxes would increase by thousands per year. See the property tax analysis that is included in Section 4.11 of the DGEIS, which indicates that over \$51 million in property tax revenue would be generated annually at full build-out. Also, see Response SO-14,

regarding impact to the Brentwood UFSD. In addition, the applicants have pledged \$25 million toward roadway improvements in Phase III.

**Comment GN-40**

How can a community give proper critique of a project of this magnitude without accurate information. Until that accurate data is provided, I cannot endorse this project, and I ask the Town of Islip to do the right thing and reject the application. (H35-5)

**Response GN-40**

The commentator does not provide examples of or evidence that the information presented in the DGEIS is inaccurate. See Responses PP-2, SQ-8, GN-15 and GN-39 with regard to the Town Board's careful and comprehensive environmental review process.

**Comment GN-41**

I approve the Heartland project. (H42-1)

**Response GN-41**

The comment is noted.

**Comment GN-42**

I'm Puerto Rican. I also was hearing how you guys want to bring work to Brentwood, but most people in Brentwood are immigrants. How can you help immigrants? It's so hard to help them. . . I have known many, many good people who just want to get out of poor places and go forward. To me, that is positive. I think a plaza would be a positive thing for kids in Brentwood that we can move forward. (H43-1)

**Response GN-42**

The comment is noted.

**Comment GN-43**

Our concerns are as we heard earlier tonight: the traffic, the water, the sewage, that the downtown portion of Brentwood doesn't get neglected with a new city. We want all the jobs to go to the people of the community. (H45-1)

**Response GN-43**

Traffic aspects of the proposed development have been comprehensively reviewed in Sections 3.8, 4.8 and 5.8 of the DGEIS and in Section 4.21 and Appendices TR-1 through TR-4 of this FGEIS. Water and sewer impacts were analyzed in Section 4.2 of the DGEIS, with updated information included in Section 4.14 of this FGEIS. Linkages to the surrounding community and neighborhood character were analyzed in Section 4.11.1 of the DGEIS and explored in more detail in Section 4.24 of this FGEIS.

**Comment GN-44**

In the DGEIS summary, there were many initials of entities or regulations, etc. that were not explained. Who is RTP? NHP? OPRHP? BBVPC? D&B? NYSDOL? What is ACM? O&M plan? (C18-17)

**Response GN-44**

The abbreviations used in the DGEIS are all defined the first time that they are used in the document. Additional abbreviations are contained in Section 5.0 of this FGEIS. The abbreviations cited in the comment are defined as follows:

RTP: RTP Environmental is a consultant to the applicants who provides technical input regarding air quality, odor and noise.

NHP: Natural Heritage Program of the New York State Department of Environmental Conservation.

OPRHP: New York State Office of Parks Recreation and Historic Preservation. This agency provided correspondence respect to the historical significance of the on-site structures.

BBVPC: Barrett, Bonacci & Van Weele, P.C. is a consultant to the applicants who provides technical input including site plan development and engineering.

D&B: Dvirka & Bartilucci Consulting Engineers is a consultant to the applicants and provided technical input regarding sewer and water supply, as well as water budget issues.

NYSDEL: New York State Department of Labor.

ACM: Asbestos-containing material.

O&M Plan: Operation and Maintenance Plan.

**Comment GN-45**

Attached is a note sent to me by Sandy Jones, who was the Chairman of the Pilgrim State Psychiatric Center Local Facility Task Force. He indicates that Patrick Panero, the spokesman for the state, "believes that the ultimate Pilgrim development will be consonant with our plan" (C18-21)

**Response GN-45**

The comment is noted.

**Comment GN-46**

The renderings that have been done by RTKL indicate an attractive style of architecture that will fit well with the existing buildings that are to remain on site. They show a mix of mostly traditional and some more modern styles that can provide visual interest as well as continuity. However, there doesn't appear to be any language in the DGEIS to ensure that this high level of quality will be met. There are repeated references stating that it is not feasible at this point to design each building on the site at this time, which is understood, however steps should be made to see that the final buildings that are built are of this high quality. (C28-11A)

**Response GN-46**

Design Guidelines which have been incorporated in to the PSRPD zoning that is being considered by the Town Board will guide the ultimate development and ensure it is of high quality (see Appendices RP-2 and RP-3 of this FGEIS).

**Comment GN-47**

If done correctly, this project could very well become the model that should be emulated elsewhere in NY State and other regions. Among reasons for this support is because a good portion of the site was previously developed and used to house over 15,000 patients and had thousands in support staff, some of which lived on site and others that commuted to and from the area. We would also like to commend Heartland, since up to 30% of the land would be set aside as open space. (C32-1)

**Response GN-47**

Based upon the revised Conceptual Master Plan (see Appendix RP-1 of this FGEIS), open space, including parks, buffers, yards and courtyards, comprises approximately 35 percent of the site (not including the cemetery).

**Comment GN-48**

The DGEIS cites several mitigation measures that will be necessary to remedy the impacts generated by the development. Nevertheless, it does not address all the remedial measures necessary to alleviate all the impacts, nor does it provide a choice of alternatives to consider for remedying the impacts. These issues need to be more thoroughly discussed in the DGEIS (C38-19).

**Response GN-48**

As required by the SEQRA regulations and the Final Scope promulgated by the Town Board, the GEIS identified, evaluated and mitigated, to the extent practicable all potential significant adverse impacts associated with the proposed action. 6 NYCRR §617.1(c) and (d) state:

*“(c) The basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment, and, if it is determined that the action may have a significant adverse impact, prepare or request an environmental impact statement.*

*(d) It was the intention of the Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with social and economic considerations in determining public policy, and that those factors be considered together in reaching decisions on proposed activities. Accordingly, it is the intention of this Part that a suitable balance of social, economic and environmental factors be incorporated into the planning and decision-making processes of state, regional and local agencies. It is not the intention of SEQR that environmental factors be the sole consideration in decision-making.” (emphasis added)*

Therefore, potential significant adverse impacts must be identified, evaluated and mitigated to the extent practicable. The lead agency must then weigh and balance the potential significant adverse impacts with social and economic benefits and ensure that mitigation has been identified, to the maximum extent practicable, before making a decision. It is not the purpose of SEQRA to avoid every conceivable impact or completely mitigate every conceivable impact.

**Comment GN-49**

I'm against construction of a mini-city on the grounds of Pilgrim Psychiatric Center because of traffic in Brentwood and the Long Island Expressway, and because the school taxes will increase. (C40-1)

**Response GN-49**

Traffic impacts were comprehensively evaluated in the DGEIS and FGEIS (see Sections 3.8, 4.8 and 5.8 and Appendix M of the DGEIS, and Section 4.21 and Appendices TR-1 through TR-4 of this FGEIS).

Response SO-14 provides an analysis of school tax revenue and school costs, and demonstrates that the proposed development at both Phase I and at full build-out would be tax positive for the Brentwood School District. Moreover, to address the potential concern that the applicants would commence residential development without commercial and/or retail development, the applicants have committed to providing 200,000 square feet of retail space and 200,000 square feet of office space at the same time that the residential development is commenced. This will ensure that commercial and retail ratables are received by the various taxing districts at the same time the residential development is constructed.

**Comment GN-50**

In addition to the negative repercussions of litter, KIC has strong feelings regarding environmental issues such as, but not limited to, storm water run-off, groundwater quantity and quality, soil contamination, increased sanitary flow, presence of asbestos, lead and other hazardous materials, air quality from increased traffic, energy consumption, renewable woodlands and impacts on species. (H21-3)

**Response GN-50**

The issues identified in the comment have been comprehensively evaluated in both the DGEIS and FGEIS, as follows:

**Table GN-28: Relevant Topics Studied in GEIS**

Topic Listed by Commentator	Location within DGEIS*	Locations within FGEIS
Stormwater Runoff	Section 4.2.4	Section 4.14
Groundwater Quality and Quantity	Section 4.2.1	Section 4.14
Soil Contamination/Subsurface Impacts	Section 4.1.2	Section 4.12
Sewage Disposal	Section 4.2.2	Section 4.14
Hazardous Materials	Section 4.1.2	Section 4.12
Air Quality	Section 4.3	Section 4.15
Energy Consumption	Section 4.9	Section 4.22
Ecology	Section 4.4	Section 4.17

\*It should be noted that proposed mitigation measures associated with each respective topic are included in Section 5.0 of the DGEIS.

**Comment GN-51**

The plans which he has, he plans a density which is comparable to Lefrak City, Co-Op City, Starrett City, or Stuyvesant Town. These are complexes situated in New York City. They are not row houses, but high rises to exceed 135 acres. For a greenbelt sanitary [sic] given to him by the State to be kept in federal care is farcical. (H31-2)

**Response GN-51**

See Response GN-35 with respect to the greenbelt issue. In addition, the height and density of the development are discussed in Responses LU-1, SC-13 and AV-5.

**Comment GN-52**

I never worked for anybody better, and this would be a huge advantage to Islip and Long Island to go forward with this. I think it is a great thing and I want to be a part of it. (H40-1)

**Response GN-52**

The comment is noted.

**Comment GN-53**

I hear the passion of these young people tonight. If you look, they have no place to go. We need to develop a place. (H44-2)

**Response GN-53**

The comment is noted.

**Comment GN-54**

I think you have to seriously look at a more futuristic way and think about the past. We need to organize it better to cut down on cost of taxes and at the same time bring it in. (H44-3)

**Response GN-54**

See Responses LU-1 and AV-5.

# 5.0

## Glossary of Abbreviations

**ACM:** Asbestos-containing Material

**AIA:** American Institute of Architects

**AMI:** Area Median Income

**ASHRAE:** American Society of Heating, Refrigeration and Air-Conditioning Engineers

**AWWA:** American Water Works Association

**BBVPC:** Barrett, Bonacci & Van Weele, P.C.

**BOD:** Biological Oxygen Demand

**C&D:** Construction and Demolition Debris

**CEA:** Critical Environmental Area

**CO:** Carbon Monoxide

**D&B:** Dvirka & Bartilucci Consulting Engineers

**DEA:** Dunn Engineering Associates

**DGEIS:** Draft Generic Environmental Impact Statement

**DU:** Development Unit

**ECL:** Environmental Conservation Law

**EDR:** Environmental Data Resources, Inc.

**EPM:** Environmental Procedure Manual

**ESA:** Environmental Site Assessment

**FAR:** Floor Area Ratio

**FGEIS:** Final Generic Environmental Impact Statement

**FHWA:** Federal Highway Administration

**FMR:** Fair Market Rent

**GWT:** Groundwater Table

**HASP:** Health and Safety Plan

**HUD:** United States Department of Housing and Urban Development

**HVAC:** Heating, Ventilation and Air Conditioning

**ICSC:** International Council of Shopping Centers

**IHWDF:** Inactive Hazardous Waste Disposal Facility

**ITE:** Institute of Transportation Engineers

**LBP:** Lead-Based Paint

**LEED:** Leadership in Energy and Environmental Design

**LID:** Low Impact Development

**LIE:** Long Island Expressway

**LIGHT:** Long Island Greenways and Health Trails

**LIPA:** Long Island Power Authority

**LIRR:** Long Island Rail Road

**LOS:** Level of Service

**LTANKS:** Leaking Underground Storage Tanks

**MOE:** Measure of Effectiveness

**MVS:** Metropolitan Valuation Services

**NMHC:** National Multi-Housing Council

**NOI:** Notice of Intent

**NOx:** Nitrogen Oxides

**NRPA:** National Recreation and Parks Association

**NSP:** Northern State Parkway

**NURP:** Long Island National Urban Runoff Program

**NWI:** National Wetland Inventory

**NYCRR:** New York Code of Rules and Regulations

**NYMTC:** New York Metropolitan Transportation Council

**NYNHP:** New York Natural Heritage Program

**NYSDEC:** New York State Department of Environmental Conservation

**NYSDEL:** New York State Department of Labor

**NYS DOT:** New York State Department of Transportation

**NYS PILLS:** Petroleum Spills Sites, as identified in the EDR database report.

**O&M Plan:** Operation and Maintenance Plan.

**OMH:** Office of Mental Health

**OPRHP:** New York State Office of Parks Recreation and Historic Preservation.

**OSHA:** Occupational Safety and Health Administration

**PBS:** Petroleum Bulk Storage registration database

**PCE:** Passenger Car Equivalent

**PECs:** Potential Environmental Concerns

**PSI:** Professional Service Industries, Inc.

**PSPRD:** Pilgrim State Planned Redevelopment District

**RCA:** Recycled Concrete Aggregate

**RECs:** Recognized Environmental Conditions

**RTKL:** RTKL Associates Inc.

**RTP:** RTP Environmental

**SCDHS:** Suffolk County Department of Health Services

**SCDPW:** Suffolk County Department of Public Works

**SCSA:** Suffolk County Sewer Agency

**SCWA:** Suffolk County Water Authority

**SEQRA:** State Environmental Quality Review Act

**SGPA:** Special Groundwater Protection Area

**SIP:** State Implementation Plan

**SPDES:** State Pollutant Discharge Elimination System

**SPL:** Sound Pressure Level

**SSP:** Southern State Parkway

**STP:** Sewage Treatment Plant

**SWI:** Saltwater Interface

**SWPPP:** Stormwater Pollution Prevention Plan

**TDM:** Travel Demand Management

**TDR:** Transfer of Development Rights

**TNM:** Traffic Noise Model

**TSS:** Total Suspended Solids

**UFSD:** Union Free School District

**ULI:** Urban Land Institute

**USEPA:** United States Environmental Protection Agency

**USGS:** United States Geological Survey

**VHB:** VHB Engineering, Surveying and Landscape Architecture, P.C.

**VOCs:** Volatile Organic Compounds