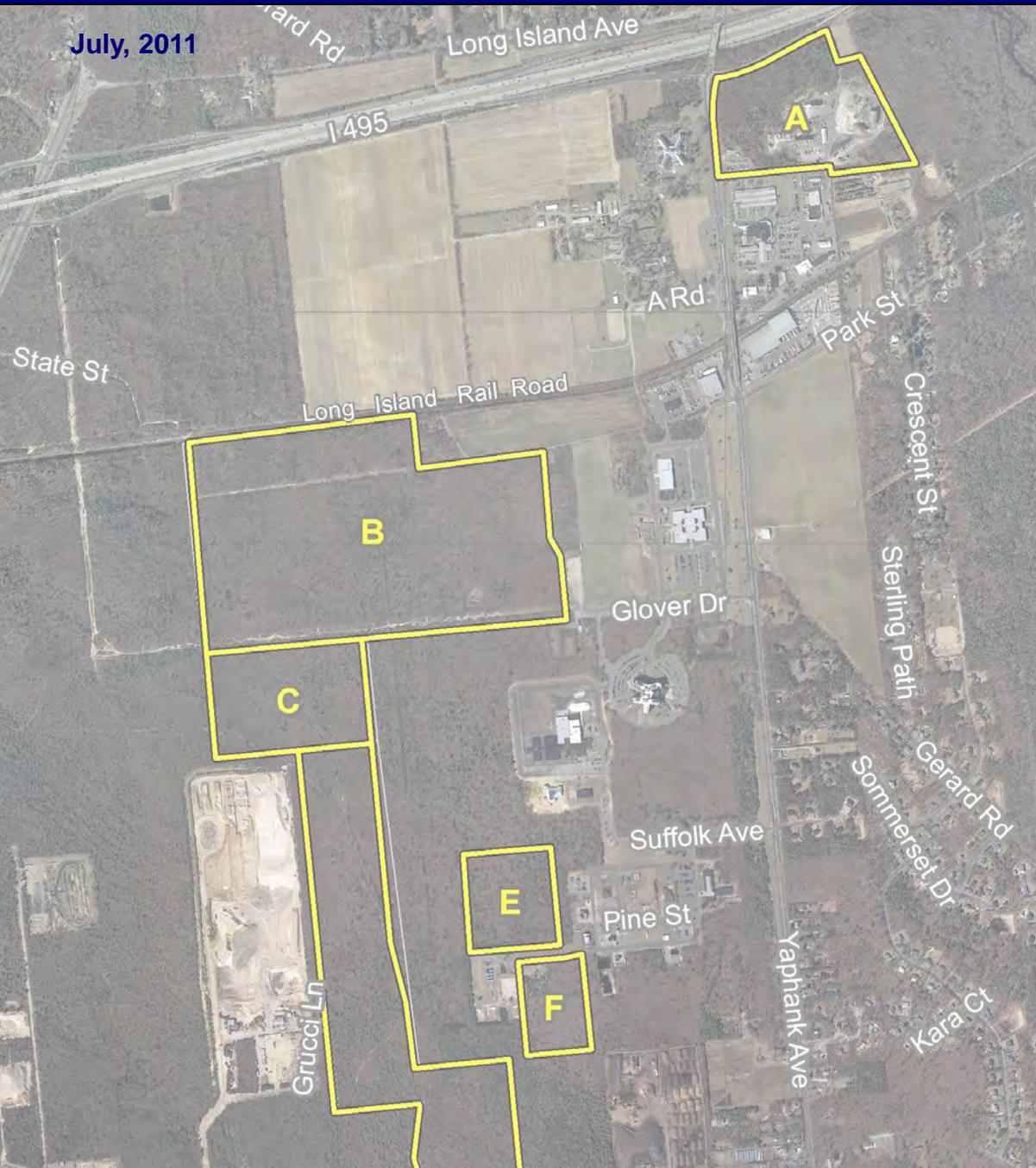


Prepared for Suffolk County for the:



**Declaration as Surplus and Subsequent Sale
of 250 Acres of County Owned Land in Yaphank
for Mixed Use Development Purposes**

Yaphank, Town of Brookhaven
Suffolk County, New York



**Cameron Engineering
& Associates, LLP**



FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
for the
**Declaration As Surplus and Subsequent Sale of 250 Acres of County Owned Land in
Yaphank for Mixed Use Development Purposes**

250 acres on both sides of Yaphank Avenue between
the Long Island Expressway to the north and Horseblock Road to the South
Yaphank, Town of Brookhaven, Suffolk County, New York

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- Appendix A – SEQRA Documents
- Appendix B – Hearing Transcript
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1. Introduction

The County of Suffolk (the “County”), issued a Request for Proposals (“RFP”) for the sale or lease for mixed–use development of approximately 250 acres at its Yaphank County Center. Respondents were encouraged to configure a development team that would bring the highest possible level of design and planning experience to this opportunity. The County sought responses that would establish a new standard of excellence in design, a sense of place and an exciting vibrant live, work, and play environment that would enhance the local Yaphank community and the greater Suffolk County region. The County selected the development proposal that best met the conditions and requirements of the RFP considering the capacity, both financially and based on prior experience, for the respondent to transform their development concepts into a sustainable built environment (the “Selected Developer”).

The County Legislature determined that a declaration of surplus and sale of this size property, while associated with a development plan was a Type I Action under the State Environmental Quality Review Act (“SEQRA”) and that a Generic Environmental Impact Statement would be required to comply with SEQRA requirements. A Draft Scope was prepared, a Public Hearing was held, and public comments were received. A Final Scope was then prepared based on the comments received and was adopted by the County Legislature in the fall of 2010.

Suffolk County accepted the Draft Generic Environmental Impact Statement (DGEIS) on March 17, 2011, held a public hearing on the DGEIS on April 12, 2011, and accepted public comment on the DGEIS through April 29, 2011. The Notice of Completion of the Draft GEIS and the Notice of Hearing for the April 12, 2011 Public Hearing are provided in Appendix A – SEQRA Documents.

This Final Generic Environmental Impact Statement (FGEIS) addresses concerns raised during the SEQRA Hearing and written comments received during the public comment period on the Draft GEIS. The Draft GEIS is incorporated into this document by reference.

The State Environmental Quality Review Act 617.9(b)(8) states that:

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

adequacy and accuracy of the final EIS, regardless of who prepares it. All revisions and supplements to the draft EIS must be specifically indicated and identified as such in the final EIS.

Chapter 2 of the FGEIS summarizes and responds to all of the substantive comments received through the SEQRA public hearing and public comment period. Chapter 3 summarizes the mitigation measures associated with the proposed project. A complete copy of the hearing transcript and the written comments is provided in the Appendix.

Following adoption of this FEIS, the remaining steps of the process for the proposed action, including completion of SEQRA review and subsequent actions, are as follows:

- Based on the information and analysis contained in the DGEIS and FGEIS, the County will adopt a Statement of Findings, which is the final environmental basis for the County decision, and will: (a) establish whether the proposed action avoids or mitigates significant adverse environmental impacts to the maximum extent practicable, consistent with social, economic, and other essential considerations from among the reasonable alternatives available (Positive Findings); or (b) establish that the proposed action does not satisfy this prerequisite for approval (Negative Findings). Adoption of this Findings Statement completes the SEQRA process.
- If the County concludes SEQRA with Positive Findings, it can proceed with the Declaration as Surplus and Subsequent Sale of 250 Acres of County Owned Land in Yaphank for Mixed Use Development Purposes, which comprise the proposed action. The County can sell the Areas separately or in combination as the analysis was done for the individual areas as well as the entire site.

While this will complete the SEQRA review for the County's action, further SEQRA analysis may be required during the detailed design phase of any future development actions on this site, as specified in SEQRA §617.10(d) and further described in Section 26 of the DGEIS and summarized below.

For an identical project - it is anticipated that a Supplemental EIS will be required even if the project remains exactly the same in order to evaluate issues related to site design which were unknown at the time of the preparation of the DGEIS. The preliminary scope of this analysis would include the following issues:

- Design and Layout
- Programming for Arena and Stadium
- Methodology for sustained affordability of housing
- Cut and fill analysis
- Stormwater management
- Visual quality
- Landscape plan
- Lighting plan
- Update of community service and utility availability
- Wastewater treatment plant design
- Energy analysis
- LEED compliance

For a modified project - the DGEIS and FGEIS were based upon a conceptual plan that is subject to change as a result of more detailed design and the approval process through the Town of Brookhaven. Through the rezoning and approvals process it is anticipated that the plan design could change in various ways including specific uses, density and layout. For each area of analysis, if these assumptions are exceeded by more than a minor amount (specified below) additional analyses should be performed for that issue.

The project that was analyzed in this DGEIS consisted of approximately 3,000,000 square feet of mixed use development as specified in Table 1-1 below. In the event that the overall scope of the development is increased beyond 3,000,000 square feet, or any individual component is increased by more than ten percent (10%), additional analysis shall be conducted to determine if there are any greater impacts than analyzed herein which need to be evaluated. Additionally, if less than the entire site is developed, there should be no more than 10% variation in the uses and density proposed for those Areas.

Table 1-2 lists the thresholds which would trigger the consideration of additional SEQRA review for a modified project. If any of these thresholds are exceeded it is anticipated that an initial evaluation would be performed to determine if the potential impact is significant and warrants subsequent review. This determination would be made by the Lead Agency in effect at the time.

Table 1-1: Project Components

Use	Total Site	Area A	Area B	Area C	Area D
Housing					
72 @ 650 sf	46,800 sf	46,800 sf			
785 @ 1,100	863,500 sf		863,500 sf		
215 @ 1600 sf	344,000 Sf		344,000 sf		
Commercial					
Arena	160,000 sf	160,000 sf			
Hotel	70,000 sf	70,000 sf			
Restaurants	35,000 sf	35,000 sf			
Retail	25,000 sf	25,000 sf			
Office	50,000 sf	50,000 sf			
Health Club	50,000 sf	50,000 sf			
Day Care	20,000 sf		20,000 sf		
Outdoor Stadium	152,160 sf	152,160 sf			
Light Industrial	1,200,000 sf				1,200,000 sf
Recreational Fields	3 Fields			3 Fields	
Total	3,016,460 sf	588,960 sf	1,227,500 sf	3 Fields	1,200,000 sf

Table 1-2: Thresholds for Further SEQRA Analysis

Geology	Project changes will impact geologic resources
Soils	Construction is proposed that is incompatible with site soils
Topography	Construction is proposed in steep slopes
Surface and Subsurface Conditions	The Phase I Site Assessments identified several Recognized Environmental Conditions (RECs) which will need to be investigated before commencement of site design and construction. If any of these RECs would impact site development, these impacts shall be analyzed.
Groundwater	Project changes will require more than 548,000 gallons per day of water supply Adequate water supply cannot be provided to serve the project
Stormwater Collection, Treatment and Recharge	All Stormwater cannot be retained on site.
Fertilizers & Pesticides	Noncompliance with County fertilizer and pesticide policy.
Ecological Resources	More than 240 acres of site cleared.
Sewage Disposal	More than 477,000 gpd of wastewater generated Advanced wastewater treatment plant not available
Land Use	Different land uses than analyzed herein
Zoning	N/A
Public Policy	N/A
Transportation – Traffic	More than the following trips: AM Peak: 1,815 Midday Peak: 2,478 PM Peak: 3,600 Saturday Peak: 2,478
Transportation – Parking	Less parking spaces provided than required by code
Visual Quality	Arena taller than 70 feet, or located closer to property boundaries; all other buildings if taller than 40 feet.

Noise	For traffic noise: a 6 dBA increase in noise levels For stationary sources: exceeding the limits set forth in the Town of Brookhaven Code
Air Quality	If traffic needs to be reanalyzed or if traffic mitigation measures identified herein are not installed
County Farm	Project changes that would put more activity closer to the County farm
Community Services	Inability of emergency service providers to serve the site
Schools	More than 207 projected public school children
Utilities	More than 15,000 KVA or 1,100 therms
Economic Impacts	Tax abatements, IDA, etc.
Construction Impacts	Lesser construction mitigation controls than outlined herein
Cumulative Impacts	N/A
LEED	Project does not meet LEED Certification

2. Comments and Responses

This chapter addresses the comments received during the SEQRA public hearing and the public comment period on the DSEIS. The comments are grouped by subject matter and referenced to the original source. Comments are reproduced exactly as written. Where multiple comments have a similar theme and/or are repetitive, not every individual comment is listed and they are grouped and responded to once. A complete copy of the public hearing transcript and the written comments is provided in Appendix B – Hearing Transcript and Appendix C – Comment Letters.

2.1. General Comments

2.1.1. Casino

Comment 1:

The people of Yaphank have been under siege for a long time from developers, the Compost facility, the jail, the Town dump, the Trap and Skeet and now Steve Levy. His Legacy Village Plan was a horrible idea and his Casino idea is even worse. The CEQ should seriously contemplate taking any action that will lead to this land being declared surplus or offered for sale. The people of Yaphank are against any attempt to put a casino on this property. This is a very historic town and we do not want the town destroyed by this type of development. (Letter from Robert/Audrey Kessler)

I am very concerned about the sale of this land for development. Land that is near the beautiful Carmans River as well as near the Pine Barrens needs to be carefully protected. A casino where Legacy Village was to be is just ridiculous. This residential area will be choked with traffic and will invite more problems to this beautiful area that are related to such development. (Email from Helen Sohne, April 29, 2011)

In the midst of long-standing fighting to find ways to eradicate the invasive species that have attacked our Yaphank lakes, and in the face of the present venture to place the hamlet of Yaphank into the Pine Barrens in order to protect it from further environmental damage, how can constructing a casino possibly be considered? Years of meetings, studies and taxpayer expense devoted to finding solution to the invasive plants, and currently months of meetings to understand and potentially support the Carmans River Watershed Protection and Management Plan to protect in perpetuity the fragile ecosystem of the rivers would be for nought. It would be unconscionable to consider a destination casino for Yaphank. (Email from Carol Dooley, April 28, 2011)

I am a Yaphank resident and I am absolutely outraged by the proposal to create a Shinnecock Indian Casino on the "Legacy Village property. (Email from Kathleen Madigan, April 28, 2011)

I, as well as my husband, and numerous neighbors are opposed to the development of this land. In addition, to hear this past week that the possibility of a casino being built in the Yaphank area, has angered us, to say the least. The negatives definitely outweigh the positives: increased traffic, increased crime, decrease in home values. We have already decided that if this were to happen we would move...no doubt about it. We will not stay in an area that puts our family at risk for potential various situations. (Email from Marybeth Lyons, April 29, 2011)

As President of Friends of Wertheim National Wildlife Refuge and a 43 year resident of South Haven I am writing to tell you that we are against any development of this property; especially a casino or other development within the watershed of Carmans River. (Email from Claire Goad, April 29, 2011)

I have read about the Shinnecock Indian Nation considering putting in a casino in Yaphank. We have enough dumped on us already with the shooting range, dumps, compost. We do not need a Casino in Yaphank. Our lakes and Rivers need to be protected. (Email from Diane English, April 29, 2011)

PLEASE leave our Carman's River Watershed plan intact! We don't need any private land developers and/or an Indian Casino. This area has been hit hard enough. Maybe someone on the North Shore would love such a casino, but we DO NOT. (Email from Bob/Donna Esp, April 29, 2011)

Response: The GEIS evaluated the proposed action of Declaration as Surplus and Sale of 255 Acres of County Owned Land in Yaphank for Mixed Use Development Purposes as advanced in the Legacy Village proposal. A Casino is not part of this process. In the event that a casino is advanced for this site in the future, a Supplemental EIS would be required to thoroughly analyze the potential impacts of that use, as is required under SEQRA.

Comment 2:

I felt that, in general, the consultant downplayed most of the potential impacts of the project. (Email from Daniel Pichney, dated April 5, 2011)

Response: The purpose and use of a Generic EIS is described in the SEQRA regulations as follows:

Generic EISs may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced. They may also include an assessment of specific impacts if such details are available. They may be based on conceptual information in some cases. They may identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns and character. They may discuss in general terms the constraints and consequences of any narrowing of future options. They may present and analyze in general terms a few hypothetical scenarios that could and are likely to occur.

Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.

Chapter 26 of the DEIS states that:

As the proposed development is conceptual in nature, detailed plans were not available at the time the DGEIS was prepared, and the project may be modified as government approvals are pursued, it is likely that additional SEQRA review will be required.

Therefore a detailed analysis could not be performed for many of the issues in the DGEIS and as appropriate for a Generic EIS, the potential impacts could only be generally estimated. Therefore Chapter 26 of the DGEIS contains specific guidance as to what additional SEQRA analysis would be required and when this additional SEQRA analysis would be required. Future SEQRA analysis will be much more specific as it will relate to a more defined plan.

Comment 3:

It states there was a public outreach, but it wasn't in Yaphank. Not much anyway. Transparent and lengthy process through the early involvement of the community. After the RFP Committee met, the plan went behind closed doors and the community had little or no involvement. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 18)

Response: SEQRA provides for public involvement throughout the entire process. The public was invited to comment on the Draft Scope for the Draft GEIS and their substantive comments were incorporated into the Final Scope. The public was invited to comment on the Draft GEIS and their comments are being responded to in this Final GEIS. Once a Final GEIS is issued by the County the public will have a minimum of ten days to consider the Final EIS before the County adopts Findings.

Additional public outreach will occur if the property is sold and developed as part of the Town's approval process. Public Hearings will likely be held on various aspects of the discretionary approvals such as zone changes, site plans and subdivision approvals. Additional SEQRA analysis will undoubtedly be required as addressed in Comment 2: and this will include additional opportunities for public outreach,

Comment 4:

And I know that most of the Yaphank people are currently at the town hall tonight, there's another meeting at town hall pertaining to the landfill. So I -- I will tell you that, only for that, there would many of them here tonight. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 25)

Response: The Public Hearing is only one way to participate in the SEQRA process. The entire Draft GEIS is available online, at the County offices and at the local library. The public had the opportunity from March 18, 2011 to April 29, 2011 to read the Draft GEIS and to submit written comments on its content.

Comment 5:

If the sale of this land does happen, I think that it ought to be done with a proviso that any future plans would have to pass muster as they apply to all issues (the river, traffic, usage, etc.), on their own merit and should not be sold "as is" with all of the criteria established

for Legacy Village in place. In other words whoever buys it should have to start from scratch rather than simply bootstrapping Legacy's criteria as a means of circumventing zoning, environmental or community issues. (Email from John Palasek, April 28, 2011)

Response: As stated in the earlier comment, “*Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.*” Therefore any future plans, if materially different from that studied in the DGEIS, would require additional SEQRA analysis.

The conceptual plans analyzed in the GEIS are not binding on the Town of Brookhaven. It is anticipated that the Selected Developer may modify the plan, and/or as the project progresses through the Town of Brookhaven rezoning and approvals process that the plan design could change in various ways including specific uses, density and layout. Once a GEIS is completed, the applicant can use the information in that report as a basis, but will have to provide new analysis of the modified plan, as appropriate. For example the existing conditions established in the GEIS would be the basis against which impacts would be evaluated, but a new impact analysis could be required for a specific element. The criteria for additional SEQRA review are provided in Section 26 of the DGEIS and summarized in Section 1 of this FGEIS.

Comment 6:

EDF is concerned over the proposed disposition of County land at the Yaphank County Center (Proposed Plan) in Suffolk County (County). The Draft Environmental Impact Statement (Draft EIS) prepared in connection with Proposed Plan must be revised to reflect changed circumstances and to include the requisite level of analysis regarding the preservation alternative. The draft EIS describes the Legacy Village development plan as the lead proposal that the County is considering as part of its disposition proposal. In light of recent developments in the County, it would appear to be the case that the Legacy Village plan is no longer the lead proposal for the Yaphank County Center as it is described in the Draft EIS. A revised Draft EIS must analyze the most recent proposal that encompasses sale to a private party and likely development scenarios, including a full assessment of the likely impacts of a development that is consistent with existing Town

zoning. The County clearly contemplates significant development of this land; otherwise, its sale at auction would yield no income. For SEQRA purposes it cannot take the position that the auction does not contemplate some significant range of development so long as the intent of the auction is to achieve significant positive revenues for the County. In order for the County to demonstrate that it will be receiving reasonable value for land that it is selling, it has to have some development concept in mind. Without the auction, those impacts would not occur. It is those impacts that a revised EIS must fully address. As of now, it does not do so at all. (Letter from James Tripp, Environmental Defense Fund, dated April 26, 2011)

I believe that the DGEIS should be revised for the following reasons: 1. The property will most likely not be sold to Legacy Village and this is the only proposal that was reviewed. Therefore it would seem that it would be necessary to investigate various other possible uses for the property.; 2. There could be any number of different types of development that could come forward if the property is put up for competitive bidding. (Email from Johan McConnell, South Yaphank Civic Association, April 28, 2011)

I would like to express my view on the DGEIS that has been generated pertaining to the acreage in Yaphank. The study is too specific to the Legacy/Lunacy Village proposal and any future proposals for the land should have to execute a new Environmental Impact Study that is precise to the intended land use. (Email from Christopher Broszeit, April 29, 2011)

Response: As discussed above, a Generic EIS can only provide a level of analysis that reflects the level of design available at the time and is meant to be supplemented in the future if and when more detailed information about a specific proposed plan becomes available. At this time there is no information available about a casino, nor about specific alternatives other than Legacy Village. The analysis that was done in the Generic EIS provides a general framework from which to evaluate the surplus of the land and some future development thereof. In the future if a different plan is proposed for this land, it will be analyzed in more detail through a Supplemental EIS.

Comment 7:

The DGEIS lists four areas, A — D. My understanding of the SEQRA law is that this is segmentation, but I'll let others more familiar with the law address this. No matter what else comes from this plan, the FEIS should recommend that area A be transferred to the

County Parks Department to become part of Southaven Park. (Letter from Martin Van Lith, Fire Place History Club, April 28, 2011)

Finally, we note that any segmentation of any environmental review to permit or sanction development on any of these parcels violates state law. The CEQ cannot facilitate development on one parcel as if it exists in a vacuum fully apart from the remaining lands and consideration of the impacts to the entire region from any development within this critical environmental region. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

The EIS takes an “all or nothing approach.” Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered. (Multiple Letters)

Response: The specific reason that Areas A through D were analyzed both separately and as a whole is that the disposition of the land may occur in pieces. By looking at the potential development impacts of each parcel separately and as a whole, the County has the option to dispose of each parcel separately, or in any combination. There is no segmentation under this process, and sale of one or more parcels individually or in any combination would be no less protective of the environment than sale of the entire property as a whole. Segmentation would only occur if a portion of the property were sold prior to completion of the SEQRA process, which is not contemplated.

Comment 8:

But again, I think more needs to be done... And I think we really need to look seriously at the Carmans River Watershed study and make sure that whatever is decided by this – this body that – you know, it’s the right thing for Yaphank. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 26)

Let me begin by commenting that it is unclear to most in the Brookhaven hamlet community that the DGEIS for Legacy Village was still an ongoing process given all of the new developments related with this same land. To begin, it should have been tabled during the time while Brookhaven Town is undergoing a Carmans River Preservation Plan. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

This week the CEQ should have put the plan aside and announced either a postponement or cancellation after the County Legislature voted to kill the Legacy Village proposal and replace it with their own plan. This is all extremely confusing to the lay people whose lives will be very much affected by the proposal. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

Response: The new developments on this land mentioned in the comment are assumed to be the resolution to end Legacy Village and a newspaper report of a potential casino for the site. Neither of those resulted in the discontinuance of the SEQRA process which continues to its completion with a Findings Statement following the issuance of this Final GEIS.

As for the Carmans River Preservation Plan, there is no reason to table a SEQRA process because a planning study is conducted. The timing of that study is unknown. It was issued as a Draft Plan in March 2011 and a Final Plan has not yet been adopted by the Brookhaven Town Board. The appropriate procedure is for any ongoing SEQRA reviews to continue. If and when that plan is finalized, development of this site will be required to comply with any regulations or laws that result.

Comment 9:

Equally distressing is that DGEIS comments are due immediately after the report that Legacy Village's author has been convicted of improprieties by the district attorney. It's no wonder that public confidence in government is at an all-time low. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

Response: This comment is unrelated to the SEQRA process.

Comment 10:

The whole process that led to this DGEIS is questionable and seems to be a sham: The signing of contracts with a developer before the legislature voted to declare the land surplus. The plan and the contract calling for massive development on land that is not zoned by the Town for this kind of density. And using taxpayer money for the propaganda promoting the plan. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

Response: The process leading to the DGEIS has been determined to be appropriate by the County Attorney. No contracts have been signed as of yet with any developer. The SEQRA process must be completed before a contract can be executed. The County has the ability to propose potential uses for land it owns. Should the land be declared surplus and sold, the developer will be required to obtain approvals from the Town of Brookhaven. Those approvals, which could entail a change of zone, and could impact uses, density and layout, will ultimately determine what is built.

Comment 11:

We believe any action that will provide for the surplus or sale of this vital Suffolk County asset is not in the best interests of our environment, our communities or the taxpayers of Suffolk! We respectfully request that CEQ recommend to the Legislature that sale of these lands will be environmentally and financially unsound, and that the CEQ is unable to reasonably carry out its duty absent specific information as to how negative and what impacts on the land can actually be determined or mitigated. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

As an active civic group we believe this measure is environmentally unsound and any future development on this largely “undeveloped” land will only serve to increase the likelihood that the fragile state of the Carmans River will be put at even greater risk of environmental disaster ... ABCO believes that limitations on development of these lands is essential to avoid a direct negative and sustained adverse impact to CARMANS RIVER WATERSHED and the wondrous critical ecosystems that must be protected for future generations. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside there. We thank you for prompt consideration of our comments and hope that the CEQ will serve the environment and the best interests of Suffolk's residents, both present and future, and not the special interests or short-sighted limited political vision that seeks short-term and shortsighted solutions to what is clearly long-term fiscal problems. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

It was originally purchased with taxpayers' money and the taxpayers should have a say in what to do with the acreage. (Email from Charlotte Jacob, April 20, 2011)

Response: It is up to the County Legislature to determine whether to surplus and sell this property. In order to make an informed decision, and as required by law, the SEQRA

process analyzes the potential impacts of sale and future development under various scenarios. The CEQ's role is to make a recommendation on the environmental impacts, not the fiscal impacts. Should the eventual plan proposed for this site be materially different from the alternatives studied, a Supplemental EIS will be required, in accordance with State law.

In addition, the County's open space program evaluates undeveloped parcels according to their environmental, recreational, aesthetic and other values. The evaluation of candidate parcels for preservation is conducted in the best interests of the citizens and the environment. According to the County's open space program criteria, none of the parcels comprising the proposed project offer exceptional value that would justify their permanent protection.

In terms of the Carmans River, whatever may eventually be developed on these parcels will need to conform to whatever restrictions may be imposed by the Carmans River Watershed Protection and Management Plan that is still in draft form as of this writing.

Comment 12:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property. (Multiple letters)

This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered. (Multiple Letters)

My comment for the CEQ is for the CEQ to note that the Suffolk County legislators representing the people who live in the vicinity of the land in Yaphank voted against the sale of the 247 acres, and for more EIS work to be done. (Email from Steven Trusnovec, April 28, 2011)

The Fire Place History Club, like the rest of the Brookhaven hamlet community, has been opposed to the idea of building a mini-city on 255 acres of County land in Yaphank since it was first introduced by Executive Steve Levy in 2005. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

I am the President of the Yaphank Civic Association, however today I write this letter as a concerned taxpayer, and lifelong resident of the Historic Hamlet of Yaphank. My family dates back in this town over two centuries, and I am extremely concerned with the current proposals for the county owned property known as the Legacy Village project. (Email from Chad Trusnovec, Yaphank Civic Association, April 29, 2011)

I am totally opposed to any development of this property . We have enough impact to the land at this time. The landfill has many issues that need addressing, we do not need more impact on the community in any way. (Email from Lillian and Nick Depaolo, April 29, 2011)

The Civic Association has put on record much opposition to this or any other future project to this area. Please consider the resident's deteriorating quality of life in the decision making process. This is much more important than the short term financial gain that the county may assess. (Email from Chad Trusnovec, Yaphank Civic Association, April 29, 2011)

I'm writing to in regard to the Draft Environmental Impact Statement regarding the development of 255 acres in Yaphank. I strongly oppose the sale and development of this land and feel the land should be preserved. Yaphank and the surrounding areas are rural communities and could not environmentally or economically support the volume of houses, buildings, offices, people and traffic. (Email from Karen Palasek, April 29, 2011)

I oppose the sale of this land not only because I believe that any development would adversely affect both the historic nature of the area and the Carmans river watershed... (Email from John Palasek, April 28, 2011)

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents. (Multiple Letters)

Also, I was under the impression that the people owned this land. I certainly do not want to sell it for this purpose. (Email from Helen Sohne, April 29, 2011)

I thank you for the time you took to read this letter. I hope you appreciate that this petition is not the result of a 'not in my backyard' philosophy, but rather an outlook for the future of a town that has too much charm to cut and divide for a profit. My family is counting on the CEQ to consider the future of our beautiful Yaphank. (Email from Laura Day, April 28, 2011)

Response: It is noted that various members of the public are opposed to the sale and development of this property. However, that is not a SEQRA issue. The role of SEQRA is to analyze the environmental impacts of an action, so that those impacts can be taken into consideration by decision makers, in this case, initially the Suffolk County Legislature and ultimately the Town of Brookhaven.

2.2. Energy/LEED

Comment 13:

The draft EIS assumes that the development proposal will be LEED-certified. As a result, the impacts are less than they otherwise would be. Because the developer is not legally obligated to obtain LEED-certification or to achieve net-zero electricity consumption for any development proposal, the Draft EIS must also analyze the impacts should these assumptions not be implemented (Letter from James Tripp, Environmental Defense Fund, dated April 26, 2011)

Response: The County Legislature has set LEED certification as a requirement for this project. They have the ability through the Contract of Sale to ensure that the property will be developed as a LEED certified project or that an equivalent environmental benefit will result. While the specific method is not under the purview of the CEQ, a likely method would be to require LEED certification of the ultimate development and to enforce it through an escrow account that would be retained by the County if the project was not LEED certified. These funds could then be used to provide energy and environmental benefits through another vehicle in the event that the developer defaulted on the agreement.

In addition, the DGEIS recognized that the Developer's claim of a net-zero project might not be fully attainable or achieved, and as such, contacted the utilities to determine if adequate capacity was available to serve the proposed development. The response was that adequate electricity and gas are available.

2.3. Surface and Subsurface Environmental Conditions

Comment 14:

Target Practice Area in both Area B and Area D - The report clearly states that the activity in these areas may have resulted in environmental impacts due to the toxic materials in the shell casings and the clay targets. Yet, the report fails to mention how to mitigate this impact. (Email from Johan McConnell, South Yaphank Civic Association, April 28, 2011)

Response: The potential for environmental impacts from shell casings and clay targets will need to be assessed as part of any redevelopment. If such environmental impacts are identified they would need to be mitigated during any construction activities and/or as part of ongoing engineering or institutional controls pursuant to NYS regulation. Section 4.8 of the DGEIS indicates that further investigation of the identified Recognized Environmental Conditions (REC)'s will be conducted by the Selected Developer as part of the due diligence period. Mitigation for these impacts, if required, shall be the Selected Developer's responsibility and will be completed prior to and/or during the project construction.

Comment 15:

Groundwater Plume in Area B and C - The consultant clearly indicates that there is potential for impacts for soil vapor in both location, and that the groundwater has been affected. I am concerned that Area B was designated for the housing units and no mention is made of how this would affect the units. (Email from Johan McConnell, South Yaphank Civic Association, April 28, 2011)

Response: The potential for existing ground water contamination to cause a soil vapor impact will need to be assessed as part of any redevelopment. If such an impact is confirmed, the redevelopment would need to incorporate mitigation measures in the form of institutional and/or engineering controls (e.g., sub-slab depressurization similar to radon mitigation used in other parts of the Country) consistent with NYS regulation. These regulations allow for certain engineering and institutional controls for a variety of land uses including residential.

2.4. Groundwater

2.4.1. Water Supply

Comment 16:

The Carmen's River runs through the community of Yaphank which also has two lakes and flows into the Great South Bay. In the 70's the area in question was stated that it is in a deep recharge area for the Carmen's river. Now all of a sudden the land is to be used for Levy World as I call it. The land really belongs to the taxpayers and they should have the say what is done with it ... Why ruin the remaining good drinking water that is left on this island ... stop this infringement on the beauty and character of this area ... looking forward to keeping this land open for future generations. (Email from Charlotte Jacob, April 20, 2011)

Response: There are three separate issues in this comment. First, the DGEIS addresses the issue of groundwater quality in the section on groundwater modeling that shows that there will not be a contravention of groundwater standards as a result of this project. The reasons for this are the retention of stormwater on site, limitations on fertilizers and pesticides that will be imposed by the County on any purchaser, and the fact that all of the wastewater that is generated will be treated at a tertiary wastewater treatment facility. These mitigation measures will limit the amount of nitrogen that is released to the groundwater.

Second, as stated in the DGEIS, according to the SCWA, the proposed withdrawal from this project would not be anticipated to have a significant effect on baseflow to the Carmans River due to the size of the watershed recharging the aquifer and the fact that the water supply would be from an interconnected system that draws from a large area and from both aquifers.

The third issue concerns the taxpayers' right to determine the use of the land. That right is expressed through the actions of their elected officials and is unrelated to the SEQRA process.

2.4.2. Wastewater Management

Comment 17:

The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for

such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed? (Multiple Letters)

Since the entire Yaphank site is in the Carmans River watershed, all development at the site prior to completion should be hooked up to a tertiary sewage treatment facility. The build out of the preferred alternative as called for in the DGEIS shows significant increases in sewage flow. Since the current Yaphank Sewage Treatment Plant is or will be at capacity, the amount of acreage required for the upgraded/new facility should be made part of the GEIS. In addition, the projected cost in current dollars for such a facility should be calculated so that any individuals purchasing and developing the site know up front what start up costs will be required. (Letter from James F. Bagg, Jr., April 28, 2011)

Ground water discharge of any waste water from 1000 plus units will further degrade and impact the river as well as public and private drinking wells in the surrounding areas. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

Response: Section 5.2.2 of the DGEIS indicates that the Contract of Sale requires the Selected Developer to design and build the necessary wastewater collection and treatment facilities, at its own cost. The cost for the treatment plant is estimated at approximately \$18 million dollars at \$37 per gallon. The Selected Developer would construct a new privately owned sewage treatment plant, increase the capacity of an existing publicly owned sewage treatment plant, or construct a new publicly owned sewage treatment plant to handle all of the wastewater generated at the project site. The proposed treatment plant has not yet been designed. However, due to the LEED requirement and the stated goals of the Selected Developer to create a state of the art facility, it is anticipated that the new facility will have advanced treatment capabilities and will produce very high quality effluent with lower nitrogen concentration than the code limit of 10 mg/l. The County can require other specific level of treatments, such as a minimum of tertiary treatment and/or best management practices, etc, which can be recommended by the Suffolk County Health Department, as part of the Contract of Sale. The County has designated Area F (approximately 15 acres) for this facility. The draft Carmans River Watershed Protection and Management Plan specifies lower limits for nitrogen discharges to groundwater and a lower concentration in the river itself. Development in the watershed will need to meet any regulations adopted concerning nitrogen limits.

2.4.3. Stormwater Recharge

Comment 18:

I oppose the development on top of the Carmans River watershed because of the runoff from all the houses and stuff that would be built, from – from fertilizers and the roads – will contaminate the river and also the aquifers that are very nec – like necessary for our drinking water on Long Island. (Mr. Zarvos, April 12, 2011 Transcript Page 27)

Response: As indicated in Section 5.3 of the DGEIS, Suffolk County has adopted several local laws to reduce fertilizer and pesticide use, including the following:

- Local Law 41-2007 “ A Local Law to Reduce Nitrogen Pollution by reducing Use of Fertilizer in Suffolk County” prevents the application of fertilizer on County owned property, and prohibits the application of fertilizer on all other property between November 1 and April 1 every year.
- Local Law 5-2009 “A Local Law to Reduce the Use of Fertilizer Near Surface Waters in Suffolk County” added another degree of protection as follows: Fertilizer shall not be applied to any County-owned property, nor to any turf on any non-owned County real property, within twenty (20) feet of any regulated surface water, except, that this restriction shall not apply where a contiguous natural vegetative buffer, at least ten (10) feet wide, separates a turf area and regulated surface water.
- Chapter 380 of the Suffolk County Code describes the County’s Pest Control regulations, which state: Effective July 1, 2003, no County department or agency, or any pesticide applicator employed by the County or agency as a contractor or subcontractor for pest control purposes, shall apply any pesticide on County property (as owner ort tenant) except as provided for in Sections 380-3 of this Chapter.(See the DGEIS for the stated exemptions)

Since the County currently owns the site of the proposed project, these limitations on fertilizer and pesticide use effectively limit the application of pesticides and fertilizer on the property. The County intends to continue this practice on this land following its sale as a condition of sale. Therefore, these stringent requirements will apply in perpetuity to the land purchased by the Selected Developer.

In addition, the Carmans River Watershed Protection and Management Plan specifies lower limits for nitrogen – see response to Comment 16.

2.5. Ecological Resources

Comment 19:

Statement from all beings not human who have rights to open land free of human habitation in the Carmans river watershed.

Whereas: We, all creatures, other-than-human and human, look forward to going into the future as one sacred community of beings.

We: Residents of the Carmans River Watershed, require and strongly request, even go so far as demand that the powers that be, Council members of the Town of Brookhaven Board, do not allow any development whatsoever, and even as so much as one square inch of sacred land.

We: Demand, insist, even go so far as to shout at the top of our lungs, that every square inch of open space that remains be preserved and protected in said watershed that is presently free of the taint of human occupation.

We: The winged, four-legged, many legged, no legged, single and multi-celled invertebrates, even bacteria and fungi, who cannot speak up at public hearings, who simply live their lives in the habitats and ecosystems given to us, the amphibians, fish, reptiles, birds, and mammals who rely on the sacred compassion of home sapiens, the thinking upright being who thinks he/she knows what's best for all beings. We, creatures that do not create nitrogen concentrations too high for us to live in, pollution problems, especially the endangered species of two-lined salamanders, tiger salamanders, leopard frogs, spotted turtles, native brook trout, alewives, bald eagles, endangered scarlet tanagers and other neo tropical bird species who live here and migrate in winter all the way down to Central and South America, endangered butterflies, tiger beetles, and to her aquatic insects who depend on fresh, clean water untainted by the human waste stream that will most assuredly kill us . Not one square inch...leave us be, let us live!

We: Cannot sign this document, this plea; we creatures who already live within the Carmans River Watershed have rights to live where Humans think they deserve to live because builders of homes want to help the human. What about us? All sacred creatures

who cannot speak for ourselves. We, who have been run roughshod, underappreciated and unnoticed, we are still here living on those precious square inches that humans want to take away from us for their own selfish needs which ultimately leads to the destruction of our sacred spaces...soil, trees, wetlands, meadows, all in their natural state, untarnished!

We: Plead with humankind to not destroy us, move us someplace else, cover us with concrete foundations. Don't fear us. We mean no harm. We are not dangerous. We are beautiful, each of us with our unique life form. Enjoy us, let us be here for your human children to learn about and admire, wonder about and develop curiosity over. Let us teach you all that we are all part of one sacred community, all members of creation and are very sensitive to the whims of development by humans. Let it be known that we will not do well with multi-family dwellings with high density on even ONE SQUARE INCH of open space at the edge of the Carmans River Watershed because groundwater underneath us knows no boundary. We creatures do not live by property lines and no trespassing signs. We each have our natural histories and have the same rights as human to be allowed to live our lives and we are willing to allow human life to observe us, consider us part of our sacred community for we each have equal rights and want to teach you to admire and be curious about us. We bring you peace and a chance to improve the quality of all our lives, both human and non-human.

We: Ask, in the community of all sacred creation, to stop this insanity and leave the Carmans River Watershed alone to have a chance to heal Herself, bring Herself to a new balance where we all can live in harmony, love, and peaceful coexistence.

Thank you, The speechless animal and plant life of the Carmans River Watershed. (Letter from Tom Stock, received May 2, 2011)

Response: This comment requests that not one square inch of habitat be removed. However, with any development project on undeveloped land there will be loss of habitat. The County's Open Space Policy (see Section 10.2 of the DGEIS) lays out the criteria to determine whether land should be purchased for preservation. If this land was not already public land, it would not meet the criteria for the County to purchase it for Open Space. As described in Section 10.2 of the DGEIS, the Suffolk County Planning Department uses the "Suffolk County Open Space Rating System for Natural Environments Checklist" to determine which properties should be acquired. Although the County owns this land, the County prepared two forms for the project site, one for Area A and one for Areas B

through D, to evaluate whether this land would be targeted for acquisition, if not already County property. The County recommends properties for acquisition that achieve a rating of more than 25 points out of a possible 100 points. Area A was rated at 18 points and Areas B through D were rated at 8 points. Therefore, none of the project site met the County's criteria for recommendation for acquisition for preservation purposes.

As stated in Section 7 of the DGEIS, a review of the New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program database was conducted to describe the occurrence of rare or state-listed animals and plants, significant natural communities, and other significant habitats which occur or may occur on the project site or in the immediate vicinity. No state-listed animals, plants, natural communities, or habitats were identified on the project site.

Installation of buildings, roads and associated infrastructure would increase the fragmentation of habitats for plants and animals and would encourage the establishment of invasive plant species. Forest fragmentation can reduce the movements of wildlife species and limit the amount of genetic diversity within populations. The forest fragmentation would favor "edge" species at the expense of forest interior dwelling species.

The loss of upland, woodland habitat resulting from the proposed project is the most potentially significant impact to wildlife populations and species in the area. The proposed project would clear or disturb approximately 75% of the existing forest and most of the shrub/transition fields and unmanaged grasslands. The total area of developed/impervious and lawn/landscaped surfaces would increase.

As a result of the overall development plan, a small amount of natural habitat will remain for wildlife to inhabit. Resident wildlife populations would be expected to disperse from the project area and into adjacent natural areas during construction of the proposed project. There are approximately 6,000 acres of currently preserved land within the surface area of the Carmans River watershed.

The loss of natural habitat within the project areas may discourage the return of certain wildlife species. Those species most adapted to suburban habitats, fragmented natural habitats and human activity would be expected to return to the study areas and reestablish populations within the altered landscape. Maximizing the preservation of existing forest will mitigate the impacts on native wildlife populations. Specific project designs should

strive to maintain travel corridors and contiguous habitat. The use of native tree, shrub and grassland species will promote re-colonization of the developed areas by wildlife species.

The Commenter suggests that “every square inch of open space that remains be preserved and protected in said watershed that is presently free of the taint of human occupation.” This is not realistic since the existing habitat and plant communities present throughout Long Island, including the study area, are the result of a long history of human influences including settlement, fire, logging and agriculture. Human influences continue to indirectly influence habitat characteristics through atmospheric deposition, climate change, introduction of invasive species and increasing populations of white-tailed deer.

2.5.1. Wetlands, Streams and Carmans River

Comment 20:

And I just want to go into the reduction of wetlands in results to the reduction of water quality in the Carman Lake (sic) which will result from industrialization and development. Increase in development and an industrialization will add on to the reduction in the water quality; overconsumption and mass expansion will lead to further pollution in the water table; and will also lead to further reduction of wetlands, which could result from coastal disasters and also provide nurseries and result in vast wild diversity of wetlands... I feel that the plan is a bit -- a short-term goal in terms of mass expansion and -- leading to increase use of water which we are already depleting. I feel that we need more long-term goals which will focus on our resources in our wetlands and -- provided by our wetlands and -- as well as water quality protection plan. Also, I feel like this vast expansion will be to a lack of land needed for future generations. So I think we need to think more sustainably and more about the future, rather than just right now. (Ms. Abreu, April 12, 2011 Transcript Page 11)

I do have a piece of legislation currently to preserve Parcel A. The -- not the developed area, however -- where it is not currently developed, to preserve that. That's smack dab right on top of the Carmans River Watershed. And I'm also reading here -where is it here? Streams in the Carmans River -- I believe its page 20, and it says here, "Although distant from the Carmans River, the proposed developments in areas B through D could negatively affect both water quality and quantity within the river due to decreased groundwater recharge. Increase groundwater withdrawal, introduction of contaminants, and shallow groundwater can surface runoff, and increased use of fertilizers and deicing

materials." This is a GEIS. It's a general environmental impact study. I think there could be more work done on this and I really do -- I think as it stands right now, the Yaphank development is looking like it's going to die. And I hope it does. But I have serious concerns - I've always had serious concerns about this proposed development in Yaphank. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 24)

The parcel is close to the watershed and already surrounded by infringements such as the County offices, the jail, the police department, firematic, Foley Nursing Home, the town dump, Grucci, a huge development, Caithness power plant and US rail... The Carmans River is still not greatly impaired. Please try to keep this river clean. (Email from Charlotte Jacob, April 20, 2011)

Response: No wetland areas, streams or surface water features were identified within the project site. Therefore, the proposed plan will not directly impact any wetland resources or surface water resources. Areas B through F are far removed (i.e., more than 4,000 feet) from the Carman River wetlands. Area A, however, is closest to the Carmans River with wetlands approximately 600 feet from the boundary of Area A. Storage and handling of bulk materials in Area A at present, however, may pose a threat to water quality in the Carmans River, in particular with respect to runoff of bulk materials. The proposed use would eliminate all bulk material storage and handling. Future runoff from the proposed project would be directed to recharge basins (and/or leaching basins) thus preventing runoff from reaching the Carmans River.

However, the DGEIS states that although distant from the Carmans River, the proposed developments could negatively affect both water quality and quantity within the river due to decreased groundwater recharge, increased groundwater withdrawal, introduction of contaminants into shallow groundwater from surface runoff and increased use of fertilizers and deicing materials. Potential mitigation measures included in the DGEIS include limitations on impervious surfaces, preparation of a Stormwater Pollution Prevention Plan (SWPPP), construction of stormwater retention facilities to promote infiltration of surface runoff from impervious surfaces, construction of pre-treatment cells or wetlands to promote the removal of contaminants from stormwater runoff, restrictions on the use of fertilizers and pesticides in the proposed landscaping and turfgrass areas and limitations on the type and use of deicing materials.

The proposed stormwater treatment design will allow for the detention and infiltration of up to 8 inches of precipitation from impervious surfaces within the proposed development. The use of fertilizers and pesticides on turfgrass areas would be mitigated by recently adopted regulations discussed in Section 5.3 of the DGEIS. Additionally, since the County currently owns the site of the proposed project, these limitations on fertilizer and pesticide use effectively limit the application of pesticides and fertilizer on the property. The County intends to continue this practice on this land following its sale as a condition of sale. Therefore, these stringent requirements will apply in perpetuity to the land purchased by the Selected Developer.

The proposed project would result in increased withdrawal of groundwater from the Upper Glacial and Magothy aquifers. According to the SCWA their wells are an interconnected system and water to serve this project could be supplied through dozens of wells, both existing and new, if needed. Some of these existing wells are screened in the Upper Glacial aquifer and some are screened in the Magothy aquifer. If new wells are needed, the decision on where the wells are screened is based upon water quality and that decision cannot be made until the location of the well is known. According to the SCWA, the proposed withdrawal from this project would not be anticipated to have a significant effect on baseflow to the Carmans River due to the size of the watershed recharging the aquifer and the fact that the water supply would be from an interconnected system that draws from a large area and from both aquifers. In addition, the wastewater generated by the project will be treated and discharged to groundwater, thus maintaining the water table over the long term. Therefore, additional groundwater withdrawals resulting from the project will be mitigated by utilizing multiple supply aquifers and discharging treated wastewater back to groundwater. Additional mitigation measures may include the use of water conservation practices, limits on irrigation of turfgrass areas and installation of water conserving fixtures in residential and commercial facilities.

A groundwater model was created by modeling experts to investigate the potential for significant groundwater impacts from the proposed project. To maintain groundwater quality entering the Carmans River, groundwater leaving project sites must maintain a nitrogen concentration of less than 4.5 mg/l. Per the model results, the nitrogen concentration of groundwater leaving the site would be 2.2 mg/l.

Comment 21:

Even more distressing is the intellectual dishonesty that was used to push this ludicrous idea to this point. Throughout the County Executive's five-year promotional period there was no mention of the existence of the adjacent Carmans River. It seems clear to me that Carmans River was intentionally omitted from all literature to avoid environmental concerns. As far as I know, there was only one exception to this general deceit, an early discarded proposal named something like The Villages at Carmans River, which showed a diagram of a boardwalk leading from the development out to the river. (Letter from Martin Van Lith, Fire Place History Club, dated April 28, 2011)

Response: The 2006 Request for Expressions of Interest (RFEI), which is posted on the County's website mentions the proximity to the Carmans River and the General Site Vision includes "protecting and enhancing the environment including the Carman's River watershed". The Villages at Carmans River was the name of one of the responses received to the RFEI.

Furthermore, however, there is no legal requirement to discuss environmental impacts during the conceptual phase of a proposed project. The SEQRA process – under which all significant projects must be reviewed and evaluated – ensures that all potential environmental impacts are identified, evaluated and mitigated, if necessary.

Comment 22:

The Draft EIS was prepared at the same time as the Town's Draft Carmans River Plan, where the Town's goal is for the nitrogen level in Carmans River not to exceed .7 ppm. The Town's plan should be considered in a revised EIS before any consideration is given to declare this land surplus for the purpose of auction. (Letter from Martin Van Lith, Fire Place History Club, April 28, 2011)

The Draft Carmans River Plan proposes a 0.7 ppm nitrogen standard for baseflow entering the Carmans River. In addition, the Draft Carmans River Plan also adopts a 2.5 ppm (i.e., 2.5 mg/l) standard for nitrogen at the property line for projects that meets the criteria for Development of Regional Significance as defined in the Central Pine Barrens Comprehensive Land Use Plan and 4.5 mg/l of nitrogen at the property line for projects that require a treatment system per Article 6 of the Suffolk County Department of Health Services code or best practical technology as accepted. As per the groundwater model

developed by CDM, the average nitrate concentrations for the No Further Development and Proposed Development scenario – in the larger study area extending to the Carmans River – are estimated as 1.7 mg/l and 2.2 mg/l respectively. The latter concentration, i.e., for the proposed project, is well below the 4.5 mg/l standard that would apply to this project, and is even below the more stringent standard that was established for Developments of Regional Significance (as defined for the Pine Barrens).

Comment 23:

*And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here. (Multiple Letters)*

Response: Nearly all of the vacant parcels that have a direct impact upon the Carmans River, i.e., are adjacent to the river, have been purchased for open space and are protected in perpetuity. The density of housing units within the Carmans River Watershed will increase only slightly from approximately 0.29 units per acre to 0.34 units per acre upon completion of the project.

2.5.2. Land Cover and Vegetation

Comment 24:

In the past, I have been quite vocal about the proposed development on Parcel A. Taking down the entire woodland there and suggesting, as the consultant did, that planting a few native trees would make up for disruption of that habitat is patently absurd. Besides the fact that it would take at least 75 years for newly planted trees to reach the size of those in the existing woodlands, a collection of trees within a parking lot or as a buffer screen do not a forest make ... As an aside, I would also like to note that in my years of walking the parcel A area while being employed by DPW, I discovered a lilac shrub, hollies and one or two other species of cultivated plant that indicated either escapees or a previous deliberate planting. I just wanted to add to my comments that the woodland on parcel A is unique in the sense that it is a plant association completely different from the parcels to the south and has more in common with the woodlands on the hill surrounding the south side of Lower Yaphank Lake. While there are a number of invasive plants particularly on

the periphery including Oriental Bittersweet, Japanese Honeysuckle and Norway Maple, the interior of the woodland contains many fine mature oaks and other deciduous hardwoods. (Email from Daniel Pichney, dated April 5, 2011)

Response: While Study Area A is part of the broadly defined pitch pine-oak forest community type, Study Area A does contain plant communities that are somewhat different than the other properties included in this analysis. The site is bordered by the Long Island Expressway (LIE) to the north and Yaphank Avenue to the west. Due to the proximity of the parcel to existing infrastructure and the presence of developed areas, the northern interior portion of Study Area A supports native vegetation types and the perimeter habitats support several species of non-native plants. Removal of the forest area within Study Area A will not be completely offset by landscape plantings associated with the proposed development. However, a carefully crafted landscape plan utilizing native plant species can provide important habitat for wildlife species in the area.

Comment 25:

Whenever the issue of clearing land was discussed, the consultant stated that ‘native’ plants would be installed after construction because they were more drought tolerant and pest free... For a plant to be truly native in all respects, it has to be a plant that is indigenous to the habitat being disturbed. This would mean plants such as the Eastern Red Cedar and Pitch Pines that inhabit the area would be replaced, rather than say mountain laurels or clethra, which while native to LI and are ornamental but are otherwise inappropriate. Many non-native species suitable for the Yaphank environment are non-invasive and frugal in their use of both water and nutrients and as such shouldn't be discounted for the sake of some sort of horticultural correctness. (Email from Daniel Pichney, dated April 5, 2011)

Response: The commenter is correct that the term “native” could define a broad array of plant species native in New York, Suffolk County or in the Pine Barrens. To the fullest extent possible, plant species native to the Long Island Pine Barrens should be selected. Furthermore, the selected species should be well suited to the anticipated environmental conditions (i.e. soil characteristics, water, sunlight, etc.) at the specific planting site. In addition, not-native species well suited to the anticipated environmental conditions may be considered at the discretion of the Town of Brookhaven.

The Selected Developer will design the landscaping with appropriate plant species that will require minimal irrigation and fertilization. The Town of Brookhaven will review this landscaping plan as part of the approval process for future development of this site.

2.6. Land Use

Comment 26:

And I've received numerous complaints about prisoners that have been released and probationers who have to report to the Probation Department are knocking on doors of the homes in the surrounding area and littering the bus stops. I've requested to have that bus stop moved in closer to the jail. And I'm sure the 1,250 units of housing that are being proposed, those local residents, will certainly be pleased to know -- I'm sure they're not going to be pleased to know that people who are released from the jail will be riding on the bus in their community while they're at work. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 23)

Response: There are numerous examples on Long Island where locally unwanted land uses are proximate to residential areas; property values are adjusted accordingly. Given the well-distributed nature of residential land use on Long Island, a sub-region comprising primarily sprawling, medium-density residential uses, it is unreasonable to expect that new residential developments will always be situated in perfect harmony with other uses. Residential uses are, in many instances, located near highways, shopping centers, warehouses and industrial areas. Buses are a form of public transportation and thus offer the opportunity for greater social interaction. As transit use increases so does the sense of security, both real and perceived, as there are more riders, i.e., more eyes watching.

Comment 27:

I also would like to know, is there going to be a buyer beware if this project was to move forward. There's a landfill – I think we've all been reading about the landfill and the sludge – and a compost facility which still continues to be a problem, a fireworks facility, a jail and a probation department. And when you put that out there, who wants to live next to that? (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 23)

*There are so many **terrible** environmental problems involving this area right now, including noxious and horrible odors emanating from the LI Compost site and the Brookhaven Town landfill. (Email from Kathleen Madigan, April 28, 2011)*

Response: The demand for multifamily housing is strong as such developments are relatively limited in comparison with the predominance of single-family housing on Long Island. As described in the response to Comment 25 above, residential developments are often located adjacent to locally unwanted land uses (e.g., highways, rail lines, etc.) despite their drawbacks. In this instance, the proposed multi-family units are not directly adjacent to any incompatible uses but instead are separated by a minimum distance of approximately one-quarter mile. As with any housing, it would be prudent for anyone looking to rent an apartment or buy a home in any location to visit the surrounding neighborhood and research the area before choosing to live there. What constitutes an acceptable or unacceptable condition is an individual choice that is weighed against the positive attributes of an area, such as closeness to work, family, friends, shopping, transportation, etc. and the affordability of the housing,

Comment 28:

The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed. (Multiple Letters)

Further, any future development on these public-owned lands has the potential to forever change the non-destination Historic Hamlet of Yaphank into an unpredictable pseudo-city that claims easy access to the Long Island Expressway. (Email from Laura Day, April 28, 2011)

THE Yaphank Historical Society has been working very hard along with Suffolk County Historical Services to create a beautiful Historic downtown. We have been renovating the Mary Louise Booth house and we about to start on the Homan-Gerard house. We are also the caretakers of the Hawkins House which is a beautifully restored 1850 house. Two of these houses, the Hawkins House and the Homan-Gerard House are on the National Register of Historic Places. The action of the CEQ will have a huge impact on the Yaphank Historic District which is less than a mile from the property that the County wants to declare surplus. (Email from Robert Kessler)

Secondly, the document does not truly assess or address the impacts or other negative burdens that will destroy the character of the historic hamlet of Yaphank or the rural nature of several of the surrounding communities. The surrounding communities of Medford, Shirley, Bellport, Mastic, East Patchogue, Brookhaven and Middle Island are

already suffering from excessive noise, traffic, and inadequate public infrastructure for the populations now present. Additionally they host the huge Brookhaven landfill, a major composting facility, increasing heavy industry, a huge power plant and the unfortunate settlement of a lawsuit that permits operation of the Brookhaven Rail Terminal, accommodating heavy trucking throughout the area. None of these issues have been adequately addressed in the DGEIS. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

Our small, quiet and Historic Hamlet has been besieged in recent decades by a number of different projects and developments that have consistently undermined our past rural character, and we believe any further development will have extreme and forever lasting consequences to our already deteriorated quality of life. (Email from Chad Trusnovec, Yaphank Civic Association, April 29, 2011)

Response: The surrounding communities comprise low- to medium-density suburbs interspersed with parks and preserves; farming is not a major land use. Existing and future traffic levels are consistent with this intensity of land use. The project area is not within an historic district. Most of the project area, i.e., Areas B through F, are more than a mile – at a minimum – from Yaphank’s historic district. Area A is approximately ¼ mile from the historic district, separated from downtown Yaphank by the Long Island Expressway. This wide right-of-way with heavy truck traffic and rush hour volumes creates a physical, psychological and visual barrier between the project site and the Historic District. Thus, there are no direct physical or aesthetic impacts upon the district

In addition, project site and building design incorporate many elements that will determine the visual appearance of the proposed development. Façade treatments, landscaping, setbacks and retention of natural buffer areas can all work together to create a development that would be compatible with surrounding community aesthetics. These elements are all under the purview of the Town of Brookhaven and will be considered by the Town in their review of any plans proposed for the project site in the future.

Comment 29:

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the

soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”. (Multiple Letters)

Response: The proposed uses, i.e., residential, commercial and entertainment, would not generate any offensive odors and thus would not contribute to existing odor complaints. Like many other nearby land uses, the proposed project would be within the Carmans River Watershed but not adjacent to the Carmans River. The residences would be over 4,000 feet from the river (four-fifths of a mile). The potential impacts of development upon the Carmans River have been evaluated by groundwater experts and were determined to be minimal and acceptable. In particular, the nitrogen concentration of groundwater at the boundary of the proposed project would be within the limits proposed by the Carmans River Watershed Plan. Nitrogen from the proposed project would be minimized through the use of a wastewater treatment plant. The proposed development would be built in a more environmentally responsible manner than most existing uses within the watershed, in particular residential ones, which are not sewerage to a treatment plant, and are therefore may negatively impact groundwater and the Carmans River.

Comment 30:

I find it incredible that we as taxpayers and citizens are spending money to buy land that will prevent it from being developed and when we own vacant land that is undeveloped we want to sell it to have it developed. (Email from Linda Caldwell, April 29, 2011)

Response: When Suffolk County began experiencing rapid population growth and development during the 1950s and into the 1960s, Yaphank was identified as a major location for the growth of county facilities and the County’s property holdings increased to almost 900 acres by the late 1970s. Since that time, the population growth of the county has been much less than anticipated and the population center of the county is anticipated to remain in western Suffolk. In light of these changed conditions, the County revisited the properties and examined the needs of the county for the future and identified the portions of the county land that could be surplus and available for other uses. In the decades that the County has owned this property it was never designated as open space. Future

development of the site has always been contemplated and has been discussed in planning reports over the years.

The 1970 Nassau-Suffolk Comprehensive Development Plan recommended that “new activity centers should be planned only in the portions of the Island that are presently undeveloped, and where it is not possible to expand existing small concentrations of non-residential uses. In particular, three entirely new activity centers were proposed for eastern Brookhaven, Middle Island, Yaphank and Manorville; an important component of these new centers was multi-family housing. The rationale for these locations was that they were situated along the central transportation corridors of the Island and at points where the main line of the railroad crosses major north-south highway routes. In addition, it was argued that the “concentration of a large proportion of the projected population increase in the centers would permit the retention of the open character of the remainder of the Island.

In 2005, Suffolk County issued a report entitled “Yaphank County Center Site Evaluation Plan”. This report concluded that the County’s property was appropriate for development as the site:

- consists of relatively flat, upland property
- is not within any statutory environmental protection zone such as the Central Pine Barrens or a Special Groundwater Protection Area
- does not encompass any tidal or freshwater wetlands of any kind
- does not contain any surface water features
- has not been identified as containing or supporting any threatened or endangered species or species of special concern
- is not within a coastal location and is not subject any special regulations associated with such locations
- has good transportation access as it is located adjacent to the Long Island Expressway (495) with direct access to Yaphank Avenue, which also connects to Sunrise Highway to the south.
- is located along the main line of the Long Island Railroad.
- has public bus service on the S71 route to many destinations including Suffolk Community College in Selden and Stony Brook University.
- has adequate (or upgradable) utilities available

The report also determined that of the County's Yaphank holdings, 146 acres should be reserved for future county use, providing for a total area for municipal facility use of 326 acres plus 233 acres for the County Farm, or a total of 559 acres remaining in full county ownership and use. This would leave approximately 300 acres to be surplus and available for non- county use.

In 2006 Suffolk County issued a report entitled "A Review of Selected Growth and Development Areas, Suffolk County, New York". Five areas were profiled, with one of them being Yaphank, These reports make it clear, that for at least 40 years, development of this site has been contemplated, either for County facilities or more recently, for economic development purposes.

Preservation as open space was not considered in these reports. As previously discussed in the response to Comment 19 and in Section 10.2 of the DGEIS, the Suffolk County Planning Department utilizes the "Suffolk County Open Space Rating System for Natural Environments Checklist" to determine which properties should be acquired. While this land is already in County ownership, these checklists indicate whether the property has the environmental values that would make it appropriate for preservation. Acquisitions are recommended when properties are evaluated to have a rating of more than 25 points out of a possible 100 points. Area A was rated at 18 points and Areas B through D were rated at 8 points. Therefore, none of the project site met the County's criteria for recommendation for acquisition for preservation purposes. Or stated another way, if this was vacant, privately owned land, it would not meet the County's criteria for acquisition for open space purposes. Therefore, there is no reason to use it for that purpose because it is already in public ownership. The County's policy is not to preserve all vacant land from development, but instead those parcels that have exceptional environmental, ecological, aesthetic and/or recreational value.

It is also noted that 6,064 acres of land, or 27 percent, of all land within the 22,700-acre Carmans River watershed have been preserved for conservation and open space purposes. The draft Carmans River Watershed Protection and Management Plan proposes the acquisition of approximately 950 additional acres of land for permanent protection which would increase land preserved to over 30 percent of the entire watershed area.

Comment 31:

I suggest to anyone interested in our future on LI to just drive along Yaphank Ave. Yes there are public buildings and yes there is a sod farm but it has a rural feel that should be maintained. These kind of spaces will make areas around it just that much desirable and in the long run good for the economy of Brookhaven. (Email from Jane Roe Tierney, April 29, 2011)

Portions of the land are in environmentally sensitive areas and others are in historically important areas. Additionally, the area is very rural and any proposed development MUST take that into consideration. The hamlet of Yaphank needs to retain its character regardless of the land usage. (Email from Christopher Broszeit, April 29, 2011)

There are other similar problems occurring on East Main Street in Yaphank and residents there have completely lost any semblance of quality of life due to day and night truck traffic from eighteen wheelers marked "Solid Municipal Waste", Demolition and Construction Materials and other huge trucks carrying demolition debris from the MTA Second Avenue Subway project. (Email from Kathleen Madigan, April 28, 2011)

Response: The development in Areas B through F would be located on interior parcels, i.e., removed from and not visible from Yaphank Avenue. The farmland in the vicinity of the project would not be physically affected by the proposed development in Areas B through F. Area A would, according to the development that is being evaluated, support a new stadium and commercial uses. However, Area A currently supports vehicle maintenance, bulk handling and storage operations and heavy vehicle/truck traffic. A fair and objective analysis of the environmental impacts should consider the impacts of the current as well as proposed uses of Area A in terms of their relative impact to the community.

Comment 32:

The development areas do not correspond with present property boundaries shown on the SCTM. (Letter from NYSDOT, May 4, 2011)

Response: It is acknowledged that the development areas do not correspond with present boundaries shown on the Suffolk County Tax Map. Section 19.5.4 of the DGEIS acknowledges that as currently drawn, the tax parcels do not align with the components of

the proposed development and recommends that at some future date, tax parcel lines be redrawn in the future as to more closely match the actual development.

2.7. Zoning

Comment 33:

The residential portion of the proposal is zoned A1; one unit per acre in compliance with SCDHS 208 wastewater drinking water study. However, the proposal plan calls for 1000 residential units, with additional accessory apartments. Clearly building 1000 units on 158 acres that are now zoned 1-unit per acre in compliance with Suffolk County's 208 study is simply not permissible. The power to rezone is delegated by state law exclusively to the town of Brookhaven; not the County of Suffolk. The development of this project exceeded the scope of authority granted to the County Executive by the County Charter. Further, mitigation is impossible since the county cannot effectuate any change to the present zoning. The EIS fails to reasonably or adequately address this issue. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

Due process and accountability to current zoning along with approval of the existing community have to be part of the process. (Email from Christopher Broszeit, April 29, 2011)

Response: The proposal being considered by the County would require a change of zone. This is a process regulated by the Town of Brookhaven and the Selected Developer would have to make an application to the town for this change of zone. Only if this application were approved, could the project be built as contemplated in the DGEIS. It is anticipated that as part of this approval, transfer of development rights would occur.

It is noted that Suffolk County Article 6 Transfer of Development Rights Standards state that in sewerred areas, Article 6 provides no density requirements as long as a sewage treatment plant is provided. Therefore, any number of TDR credits could be transferred into a sewerred area; it remains a local planning and zoning decision as to the acceptable numbers. Therefore TDRs would be based on Town requirements for a Planned Development District (PDD).

Suffolk County currently has workforce housing development rights for the Town of Brookhaven. There are approximately 185 credits (with an additional 153 pending the closing of various open space acquisitions) available under the Drinking Water Protection

Program and another approximately 46.5 credits available under the Save Open Space Program. Their use is subject to an act by the Legislature. Additionally, there are separate Pine Barrens Credits for sale. The number of credits required would be determined by the Town of Brookhaven at the time of the application. The Selected Developer would be responsible for obtaining these credits, either from Suffolk County or by purchasing them from private owners or through the Pine Barrens Clearinghouse.

The Town Code indicates that TDRs are not required for affordable housing units and that for multi-family units one TDR is required for each two multi-family units above the yield that exists on the property. For example, on a parcel where the yield is 50 single-family homes, TDRs would be required for all units above 50 that are not affordable housing units. If a developer wanted to increase the density to 200 multi-family units, 75 PBCs would be required (200 minus 50 yield equals 150 units, or 75 credits at one per two multi-family units).

However, the code also states:

If an applicant proposes to provide other special public benefits in exchange for a zoning incentive, the actual zoning incentive decided upon by the Town Board will be based upon the comparable economic value of PBC's, the importance of the proposed public benefits, features or amenities to the accomplishment of the purposes and goals of this article, the estimated economic cost to the applicant of providing the benefit feature or amenity, the estimated economic gain to the applicant of obtaining the requested incentive and the environmental impact of the requested density increase and/or land use change, including considerations of sewage and traffic generation. The economic calculations will take into account estimated changes in both land value and development cost. All special public benefits for which zoning incentives are requested must be determined by the Town Board to be beyond that which would customarily be provided by an applicant or required by regulations of the Town of Brookhaven or other involved regulatory agencies.

Therefore, the number of credits that will be required cannot be determined at this time, as there will be a calculation by the Town and the Developer which will consider the yield of the property, the density proposed, the type of units (single-family, multi-family, affordable) and the value of any public benefits.

In response to accountability to current zoning, as required by SEQRA, an As-of-Right Alternative was analyzed in the DGEIS. This alternative evaluated the potential impacts of

developing the site in accordance with existing zoning. This alternative would consist of approximately 2,500,000 sf of office (41 lots) and 50 single-family homes on one acre lots.

2.8. Public Policy

2.8.1. General

Comment 34:

The recently released Carmans River Watershed Protection plan lists the Legacy Village Property as a site proposed for acquisition; is it really prudent for one entity to deem this property available for development while another recommends preservation? (Email from Pauline A. Mize, April 29, 2011)

Brookhaven Town has just completed and released the Draft Carmans River Watershed Protection and Management Plan which will have a direct impact on how and even if the property can be developed. I believe that there should have been more discussion of alternative uses of the property and even the possibility of no development. The property is fully paid for by the taxpayers and should remain as open space or possible future use by the County. (Email from Johan McConnell, South Yaphank Civic Association, April 28, 2011)

The Carmans River Watershed Protection Plan status should be updated in the FGEIS and exactly how the proposed alternative compares with that plan should be done on a parcel by parcel basis. Clearly, the proposed increased density development of parcel A does not conform to the draft plan. In addition, the draft Carmans River Plan calls for the rezoning of privately owned areas within the watershed area to 5 acre residential. The DGEIS states that since the county property is publically owned, that it does not apply to the Yaphank site. However, that statement is disingenuous since the county site is to be sold to a private entity and developed privately in the future. (Letter from James F. Bagg, Jr., April 28, 2011)

Response: The Carmans River Watershed Protection and Management Plan was released in February 2011 as a Draft Report. At a recent presentation on the Plan, the Town indicated that they had received many comments and they were reviewing them prior to preparing a Final Report. The Town will also have to prepare an EIS on the Plan prior to its adoption. Their stated goal was to adopt a Final Plan sometime in the fall. Therefore it

is premature to address the impact of the Plan on the current proposal being analyzed in this FGEIS.

The draft Carmans River Watershed Protection and Management Plan proposes that privately-owned residential-, commercial and industrial-zoned properties in the 0-to-2-year groundwater contributing area and privately-owned residential-zoned properties in the 2-to-5-year groundwater contributing area be rezoned to 5-acre residential (A-5). There is also a proposal to re-zone all residential-zoned publicly-owned lands to 5-acre residential (A-5), unless the land is already zoned 10-acre residential (A-10) without any clarification of whether this also applies to the 2-to-5 year contributing area, or to other areas. The re-zoning map provided in the plan does not delineate Areas B through F for 5-acre rezoning, though these areas are currently in public ownership. Thus, should these areas remain in public ownership there appears to be no change to zoning, and if Areas B through F are deemed surplus, their present zoning would be unaffected by the recommendations of the plan as they are outside of the 2-to-5 year contributing area.

As stated in section 10 of the DGEIS, the Draft Carmans River Watershed Protection and Management Plan (February 2011) identified Area A for acquisition if declared surplus by Suffolk County. This area is currently in County use and the site of two salt/sand storage structures and five other Department of Public Works buildings and maybe of limited conservation value. While this site is within the 0-2 year groundwater contributing area of the river, other developed areas within this zone were excluded, so it is unclear why this area was included. In fact this area was not included on the original maps in the report, but was added to the map in the Errata pages. The County believes that this draft recommendation should be reconsidered in view of the existing development on the property and the fact that the planned development is proposed to be designed to have minimal impact on the river by maintaining all stormwater onsite, sending all wastewater to a wastewater treatment plant, and complying with the County's stringent pesticide and fertilizer requirements as described in Section 5.3 of the DGEIS. There appears to be no scientifically based reason to target this developed area for acquisition while other developed areas within the 0-to-2 year contributing area are excluded.

Should this recommendation remain in the Final Plan, this would not prevent the County from developing the land, but could impact a potential purchaser of the property. There could be several outcomes including the Town of Brookhaven purchasing this land from the County for preservation, County preservation of the land, County development of the

land, relocation of the planned elements of Area A to Areas B, C or D, or elimination of some elements of the proposed development. At this time, the County is completing the SEQRA process using the information available. Should the recommendations of the Final Plan be in conflict, resulting in a material change to the proposal, the Selected Developer may need to prepare a Supplemental EIS to address those changes.

Comment 35:

Preservation of Open Space and critical environmental areas has always been a priority for our county government and our residents...that is no less true today than in the past. We must keep faith with those promises to tomorrow's children. Little open space remains on Long Island today so we must not lose the Carmans to such shortsighted foolishness. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

The supreme irony of the County offering this property for sale while other, more fortunate, parcels are being purchased in the name of conservation is irrational. However, all we can ask is that our request for an equitable use for the property is part of the sale. (Email from Christopher Broszeit, April 29, 2011)

To state or believe that there is any such thing as "surplus" land, by any definition of the word is ludicrous. The premise that CEQ accept or approve findings based on this initial premise is ill advised and poorly reasoned and may be illegal. As long as Suffolk County continues the voter mandated practice of open space preservation and acquisition, declaring any County owned property surplus is in opposition to current policy. If we as a community entity have voted and legislated to spend tax dollars protecting land by purchasing land currently on the tax rolls, WHY would it be reasonable to sell land that is currently in the public land bank exposing current environmentally stable areas to degradation due to development which will certainly occur? (Email from Pauline A. Mize, April 29, 2011)

Besides being in the Carmen's River watershed area , this land is basically open and not developed - an increasingly rare and valuable commodity in Brookhaven. As the years go by this area will only become more valuable to every resident in Brookhaven because it is undeveloped. Mr. Levy says that it is developed and therefore open to further development. I respectfully disagree. (Email from Jane Roe Tierney, April 29, 2011)

I think it's important to mention about the selling of this parcel, or whatever we decide to do with it, that we all recognize that impacts of all the other projects in concert with the Levy town proposal, and to realize that even if this project does, quote, unquote, die, there's still the potential for, if we do sell it, another proposal with even more density and more intensive land use to be put there. The best option would be preservation of the land, especially in such close proximity to the Carmans River Watershed ... So my recommendation is that we buy the parcel or we donate it to just open space, but not charge the taxpayers for something that they technically already own. (Mr. Murdocco, April 12, 2011 Transcript Page 30)

We do not think the SC property in Yaphank should be build or sold. We believe that all public owned property on any level of government that is not currently developed should be preserved and placed into the core of the LI Pine Barrens. (Email from Robert Liere & Diane Ress-Liere, April 28, 2011)

Response: Several letters indicated support for preservation of this property. As described in Section 10 of the DGEIS, Suffolk County and the Town of Brookhaven administer open space acquisition programs that, collectively, have preserved tens of thousands of acres of open space, thus permanently protecting these areas from future development. Suffolk County open space acquisition efforts are organized according to three programs - New Drinking Water Protection Program, Multifaceted Land Preservation Program and Environmental Legacy Program. These programs were devised in accordance with a number of open space preservation goals. These goals were described in the DGEIS and the project site was evaluated in light of these goals, as follows:

Preservation of Groundwater

Area A lies within Hydrogeological Zone III; this is an important deep recharge zone on Long Island. However, it is important to consider that most of Area A is already developed. Only undeveloped areas within deep recharge zones are deemed valuable for preservation. The remainder of the project area (including Areas B through F) lies within Hydrogeological Zone VI which is not a deep recharge zone.

As noted in the response to Comment 20, development of the property is not anticipated to have a significant adverse affect on groundwater for the following reasons. According to the SCWA, the proposed withdrawal from this project

would not be anticipated to have a significant effect on baseflow to the Carmans River due to the size of the watershed recharging the aquifer and the fact that the water supply would be from an interconnected system that draws from a large area and from both aquifers. In addition, the wastewater generated by the project will be treated and discharged to groundwater, thus maintaining the water table over the long term. Therefore, additional groundwater withdrawals resulting from the project will be mitigated by utilizing multiple supply aquifers and discharging treated wastewater back to groundwater. Additional mitigation measures may include the use of water conservation practices, limits on irrigation of turfgrass areas and installation of water conserving fixtures in residential and commercial facilities.

Preservation of Coastal Resources

The proposed project is not located adjacent to any shorelines. The Carmans River, the nearest shoreline to the proposed project, is located over 600 feet from the edge of Area A. Area A is presently more than half developed with County maintenance facilities and storage yards.

Preservation of Wetlands

The DEIS studies determined that there are no wetlands in Areas A through F.

Preservation of Watershed and Stream Corridors

Field surveys determined that runoff from Area A – which is the closest area of the project to a waterway – does not reach the Carmans River at present. The proposed project would retain all runoff (up to an 8-inch storm event which is a rare precipitation event) on site. Areas B through F are far removed from the Carmans River and do not contribute any surface runoff to the river.

Preservation of Plant and Animal Habitats

An ecological survey of the site (Appendix E) indicated that there were no rare, threatened or endangered species within the project area. Except for the developed portions of Area A, the remainder of the study area is comprised almost entirely of forested areas that are typical of the forest habitats found throughout Suffolk County.

Preservation of Scenic Vistas and Open Areas

Area A, which is mostly developed with maintenance facilities and storage yards, has little scenic value other than along its north and west perimeter. Areas E and F are forested, but limited in area and surrounded by industrial and municipal uses; these areas have little scenic value given their setting. Areas C and D are forested but adjacent to a sand mining operation; this use detracts from their scenic value. Area B is the most isolated and internal of the study areas and is generally flat topographically; it hosts a common forest type of Long Island and has no unique scenic features. However, it is adjacent to the cultivated fields of the County Farm and the forest provides a complementary natural background to the farm.

Farmland Preservation

None of the study areas are farmed at present. Significant portions of Areas B, D, E and F comprise prime farmland soils. However, these areas, which are almost entirely forested, would have to be cleared for farming.

Passive Recreation

Area A, which is mostly developed with County maintenance facilities and storage yards, offers little value for passive recreation. Areas B through F are almost entirely forested but have existing trails, most of which are used for maintenance of the high-tension electrical towers. Other than their generally flat forested areas, Areas B through F offer no other natural amenities, such as water courses or water bodies, interesting topography, and scenic vistas. The proximity of Area B to the County Farm can be considered as a cultural amenity.

Active Recreation

Area C would be dedicated to active recreation including baseball, soccer and football fields. These recreational areas would enhance existing active recreation amenities within the Yaphank area.

Preservation of Cultural and Historic Resources

According to a Phase IA Archaeological and Historic Resources Assessment (Appendix I), Areas B through F contain no valuable cultural or historic

resources, and mitigation measures will address possible resources associated with Area A.

Access to Shoreline

The parcels that comprise Areas B through F are neither adjacent to nor provide any access to properties that are adjacent to shorelines. The northeastern corner of Area A is adjacent to a parcel that encompasses a portion of the Carmans River just south of Interstate 495. This access point is in an unfavorable location that would require traversing the County storage yards. As such, it does not offer viable and attractive access to the Carmans River.

Hamlet Park

Areas A through F are not situated in nor do they surround any downtown districts.

Finally, the DGEIS stated that the Suffolk County Planning Department uses the “Suffolk County Open Space Rating System for Natural Environments Checklist” to determine which properties should be acquired. Although the County owns this land, the County prepared two forms for the project site, one for Area A and one for Areas B through D, to evaluate whether this land would be targeted for acquisition, if not already County property. These forms were provided in the DGEIS. The County recommends properties for acquisition that achieve a rating of more than 25 points out of a possible 100 points.

In addition, it is important to note that 6,064 acres of land, or 27 percent, of all land within the 22,700-acre watershed have been preserved for conservation and open space purposes. This is a remarkable achievement for any watershed and with few equals on Long Island. The Carmans River is more heavily impacted at present by unsewered residences that are very near or adjacent to the river than by the proposed project whose residential uses are far removed from the river banks and whose wastewater would be treated by a sewage treatment plant. The draft Carmans River Watershed Protection and Management Plan proposes the acquisition of approximately 950 acres of land for permanent protection. This would be in addition to the existing 6,064 acres (approximately) of permanently protected land within the 22,700-acre watershed. The 950 additional acres proposed for conservation could include Area A if the County deems this property as surplus. If these acquisitions are realized, the watershed would comprise approximately 7,014 acres of protected land, or

about 31 percent of the entire watershed area. Areas B through F were not proposed for acquisition.

Comment 36:

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well
(Multiple Letters)

Response: The SEQRA process deals with the environmental aspects of a proposed action. The SEQRA process provides information which the Suffolk County Legislature will use in making their decision.

Comment 37:

As a Trustee of the Yaphank Historical Society, homeowner in the Yaphank historic district for 30 years, and life-long resident of Suffolk County, I am appalled that this is coming up without any notice or consensus from our community. We have been working hard at preserving the history and architectural heritage of our 18th century hamlet, restoring our Main Street historic district and trying to save our dying Yaphank Lakes. It is well known that the residents of Yaphank responded unanimously and negatively to the Legacy Village plan, and this proposal is so much worse, as it is to be sited on the banks of the Carmans River. (Email from Tricia Foley, Yaphank Historical Society, April 18, 2011)

Response: The project area is not within an historic district. Most of the project area, i.e., Areas B through F, are more than a mile – at a minimum – from Yaphank's historic district. Area A is approximately ¼ mile from the historic district, separated from downtown Yaphank by the Long Island Expressway. Thus, there are no direct physical or aesthetic impacts upon the district. The lake would not be affected by the proposed project as both surface water flow and groundwater flow is directed in an easterly direction away from the lakes. Moreover, any runoff from the project site would be directed to recharge basins that would filter out contaminants. The present use in Area A, i.e., a vehicles

maintenance and bulk handling and storage yard, presently poses a greater threat to water quality in the Carmans River than the proposed project.

2.8.2. Carmans River

Comment 38:

The Pine Barrens Society doesn't support selling the land for both environmental and economical reasons. Government at every level is working to protect the Carmans River, and this property is in the watershed. "A survey taken at the height of the recession indicated that 4 out of 5 Long Islanders support preserving lands now, while prices are down and sellers are eager. It will permit high density development at a time when it's contemplating rezoning lands to limit the density to the Carmans River Watershed as part of the Carmans River Watershed Protection Management Plan... So the Pine Barrens Society believes that selling this land makes neither environmental nor economical sense. Since it is clear that the County doesn't need it for any other purpose, these lands should be put into permanent preservation." (Ms. Motschenbacher, April 12, 2011 Transcript Page 9)

Response: Concerns over the environmental and economic aspects of the project are noted. However, the County open space program does not find the parcels within the project area of exceptional environmental, ecological or recreational value. In addition to environmental concerns, there are other values that the County must balance in its decision to deem the subject land as surplus. For example, there is a high demand for affordable, multi-family housing that is going unmet in Suffolk County. It is unlikely that all of the demand for multifamily housing can be accommodated within existing downtowns. It is important to note that there are social, economic and employment consequences for the failure to address these needs. Furthermore, the County must also consider equity in its open space and its fiscal policies. Yaphank residents benefit from the large expanses of existing open space and vacant land in their community.

Comment 39:

"Land Trust Development proposes several residential complexes, a sports arena, office, and retail complexes, town square, recreation, light industrial structures, and so on. "Although these plans are regarded as following the smart growth principles that have been prioritized by Suffolk County, I do not believe they are being applied in such a way as initially intended, nor in a sustainable fashion. "According to the smart growth

principles, areas that have already been developed should be those to which funding be applied for renovation and improvement..."Therefore, it seems counterintuitive to take a fundamentally undeveloped area outside of the existing downtown and develop it further. "The 1970 plan published by the Suffolk -- the Nassau/Suffolk Regional Planning Board designated the conservation of open space to be the highest priority in both Counties. I cannot see how this has changed considering the continued increase in population density and the associated loss of open space ... The environmental impact statement draft states that the Carmans River, although in good health currently, has been affected in the past by development and anthropogenic degradation, and continues to be vulnerable. "The wetlands that boarder the river provide a natural water purification system, but is currently being lost across Long Island and remains the topic of dispute between developers and environmentalists. "Impacts of development are more often than not conservative and underestimate a few professions. Increases of runoff, water contamination, and road and foot traffic will very possibly degrade the areas surrounding the region in question. "In conclusion, not only do these plans for development come under much scrutiny of the public, but they also perpetuate the overdevelopment in associated landscape (Ms. Hancock, April 12, 2011 Transcript Page 14)

Response: At the time of the preparation of the 1970 plan, Suffolk County was growing very rapidly. However, over the course of the next few decades, the growth rate slowed considerably. Thus, the population levels projected by the 1970 plan were never realized. Although, open space remains a high priority, there are now other pressing concerns that must also be considered by the County, such as economic development and stabilization of the tax base. In addition, as discussed in the response to Comment 37 above, there is a high demand for affordable, multi-family housing that is going unmet in Suffolk County, partly due to public opposition. It is unlikely that all of the demand for multifamily housing can be accommodated within existing downtowns as a result of public opposition and available land. (Some recent examples include the initial defeat of the Avalon Bay proposal in Huntington which resulted in a significant decrease in units, the reduction in units of the Signature Place/Avalon Bay project in the Village of Rockville Center where density was only restored through litigation and the defeat of the conversion of the former St. Paul's School in the Village of Garden City for multi-family housing).

Regarding potential ecological impacts, the majority of the project area, i.e., Areas B through F, is far removed (approximately one mile) from the Carmans River and its wetlands. Area A is closer to the Carmans River, or approximately 600 feet, but this area

is also currently used as a maintenance and bulk material storage facility. The relocation of this facility is likely to have a positive effect upon the Carmans River.

With respect to smart growth and the existing conditions in the vicinity of the proposed project, the area is not “undeveloped” as it supports a number of significant uses, including residences, County facilities and industrial uses. In addition, the area also has its own train station, i.e., the Yaphank Station.

Comment 40:

I do agree that development needs to occur. However, I think that the Carmans River is not the correct spot, mostly because of its uniqueness as a river on Long Island. Many people know that there aren't many rivers on Long Island, and wetlands are unique in their ability to protect areas from floods and filter groundwater. And it just does not seem like to correct spot for development because of its uniqueness. (Mr. Phinney, April 12, 2011 Transcript Page 26)

Response: As discussed in the response to Comment 38 above, the majority of the proposed project is not located near the Carmans River. The portion of the proposed project that is near – but not adjacent – to the Carmans River would replace an existing use that may presently pose a threat to the River because of the vehicle maintenance and bulk materials handling operations. Existing development along the Carmans River, comprising thousands of unsewered residences that contribute high nitrogen loads, is a present and significant threat to the river’s water quality. In contrast, the proposed project would be served completely by a sewage treatment plant.

Comment 41:

I also oppose the Carmans River Watershed protection plan and – especially because in the plan it notes about building – about constructing infrastructure especially to deal with the mortality of wildlife from road kill. (Multiple Persons, April 12, 2011 Transcript Page 28)

Response: Table 8-3 of the DGEIS includes recommendations proposed by the Draft Carmans River Protection Plan to protect the Carmans River. Among these recommendations includes constructing infrastructure in order to reduce the mortality of wildlife from road kill. The DGEIS indicates that this is achievable. At this time, the

Carmans River Protection and Management Plan has not yet been finalized. Once the Plan has been finalized, the Selected Developer will be required to comply with any regulations or laws that result from that plan.

Comment 42:

The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed. (Multiple Letters)

The discussion of smart growth shows that one of the guiding principles is to preserve open space. This is done by transferring development rights from sensitive environmental areas into proposed smart growth areas. Since the preferred alternative for the county's Yaphank property has been purported to be a "smart growth" project, the proposed increased density should only be allowed when development rights are brought in from outlying areas... The number of development rights that currently have been acquired by the county, as well as future ones, should be quantified in the FGEIS and transferred to the site to accommodate the increased density called for in the preferred alternative. In addition, there are Pine Barrens credits still left to be purchased in the Pine Barrens Core Area and their number should also be ascertained, and if necessary, be required to be moved to the site. Any developer proposing to build additional density at the county's Yaphank property should be required to purchase and transfer those development rights. This would help to balance the county's current deficit and minimize environmental impacts. (Letter from James F. Bagg, Jr., April 28, 2011)

Response: It is anticipated that as part of the approval process, transfer of development rights would occur. Suffolk County currently has workforce housing development rights for the Town of Brookhaven. There are approximately 185 credits (with an additional 153 pending the closing of various open space acquisitions) available under the Drinking Water Protection Program and another approximately 46.5 credits available under the

Save Open Space Program. Their use is subject to an act by the Legislature. Additionally, there are separate Pine Barrens Credits for sale (approximately 245 within the Town of Brookhaven as of June 1, 2011 <http://pb.state.ny.us/pbc/registry.pdf>). The number of credits required would be determined by the Town of Brookhaven at the time of the application. The Selected Developer would be responsible for obtaining these credits, either from Suffolk County or by purchasing them from private owners or through the Pine Barrens Clearinghouse.

Comment 43:

This proposal to sell 255 acres of publically owned land for the purpose of intense development in the Carmans watershed flies in the face of 60 years of preservation efforts. It is incomprehensible to me to be addressing a DGEIS concerned with things like traffic, parking, jobs and payroll, entertainment, etc, when the whole concept of undoing past preservation efforts is absurd. This is the very land that we are spending millions of dollars to protect. (Letter from Martin Van Lith, Fire Place History Club, April 28, 2011)

I am very concerned about the sale of this land for development. Land that is near the beautiful Carmans River as well as near the Pine Barrens needs to be carefully protected. A casino where Legacy Village was to be is just ridiculous. This residential area will be choked with traffic and will invite more problems to this beautiful area that are related to such development. (Multiple Letters)

Response: Almost all of the remaining vacant land that is adjacent to the Carmans River is in permanent protection (or planned for protection per the Draft Carmans River Watershed Protection and Management Plan) as conservation land and open space. The County has evaluated the parcels that comprise the project and has concluded that they do not offer enough environmental, ecological and aesthetic value to meet the criteria for preservation under the open space program.

2.8.3. Smart Growth

Comment 44:

There are some many other areas that should be revitalized instead of building new, please look to preserving this area. (Email from Karen Palasek, April 29, 2011)

So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence... This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed. (Multiple Letters)

Response: It is true that a portion of the demand for new development, including affordable multifamily housing can be accommodated within existing developed areas. However, there are limits to accommodating all new development within existing centers; these include constraints on the adaptive re-use of existing structures, public opposition to redevelopment (i.e., particularly multifamily housing projects) and insufficient space. In addition, multi-family unit dwellers may also wish to experience a more suburban setting as a lifestyle choice, one which is comparable to that enjoyed by single-family unit occupants in Long Island's many quaint suburbs.

Comment 45:

The Levy Town proposal is not smart growth. And I say that because smart growth is the repurposing and the reuse of, say, an old commercial parcel, old industrial parcel. This is creating a new destination center where there was not a destination, and that's something to realize. (Mr. Murdocco, April 12, 2011 Transcript Page 31)

Smart growth principles require such building be constructed within an EXISTING downtown community. This plan violates all smart growth concept principles presently accepted or approved by the county. (Letter from MaryAnn Johnston, Affiliated Brookhaven Civic Organizations, April 29, 2011)

Response: Section 8.2.4 of the DGEIS includes discussion regarding the proposed project's conformity with Smart Growth principles and includes the following table which addresses the proposed project's conformance with Smart Growth principles. As illustrated by this table, location within an existing downtown community is only one of many criteria which contribute to Smart Growth. The proposed project meets many of the requirements of a Smart Growth project.

Table 2-1: Conformance with Smart Growth Principles (Table 8-2 of the DGEIS)

Smart Growth Principle	Conformance
<p>Direct development to strengthen existing communities. By directing development to local downtowns, communities can maximize the capacities of their existing infrastructure. In addition, development or redevelopment within existing communities promotes downtown revitalization.</p>	<p>Proposed site is not within an existing downtown, however it has access to good transportation infrastructure, and wastewater treatment in an existing treatment plant can be provided.</p>
<p>Encourage mixed land uses and mixed use buildings. Mixed use development can help attain the land use densities that are needed to sustain healthy communities and promote walking between uses.</p>	<p>Proposed project includes a mix of uses that will complement the existing government complex by providing affordable housing for the workforce and new services in terms of retail, recreation and entertainment.</p>
<p>Encourage consultation between communities. The County recognizes that there are differences in resource use and development approaches across communities. However, communities should work together to resolve these issues using smart growth as an organizing framework.</p>	<p>The County's RFEI and RFP process included meetings with the local government and civic groups. As the proposed project requires project approvals from the Town of Brookhaven and other government agencies, and service providers, there will be significant opportunity for continued coordination through the SEQRA process and the approval process.</p>
<p>Take advantage of compact building sizes and create a range of housing opportunities. Higher-density, multi-family housing – which typically comprises smaller unit sizes – is appropriately situated in compact downtown settings where buildings occupy smaller footprints and host multiple stories.</p>	<p>The Proposed Project takes advantage of compact buildings and creates a range of housing opportunities in higher density multifamily buildings.</p>
<p>Provide a variety of transportation choices. In order for transit to be viable and affordable, it requires supportive land use densities. By encouraging greater densities within downtown settings and other existing activity centers, transit services can be provided or enhanced.</p>	<p>A variety of transportation choices serve the site including the LIRR Yaphank Station, local buses and access to major roadways including the Long Island Expressway and Sunrise Highway. It is anticipated that increased bus and train service could be supported with the proposed new activity. A local shuttle service could be considered by the Selected Developer to provide easy access among the project components as well as to the LIRR station.</p>
<p>Create pleasant environments and attractive communities that are pedestrian-oriented. Uniform design conditions, i.e., for signage, awnings, and other features, should be established to support pedestrian access. Pleasant environments invoke pride in the community and encourage walking and local shopping and other commercial activity.</p>	<p>The Selected Developer's proposal includes a vision for an attractive community with a Town Square, Great Lawn, trails, and other visual and recreational amenities.</p>

Table 2 1: Conformance with Smart Growth Principles (Table 8-2 of the DGEIS)- continued

<p>Preserve open space and natural resources. By directing growth to areas that are already developed, the demand for land in open, undeveloped sites is reduced.</p>	<p>The proposed project would remove approximately 300 acres of open space, however this is open space that does not meet the priorities of the County’s Open Space Policy.</p>
<p>Make development decisions predictable, fair and cost-effective. Incentives can also be established to guide development according to smart growth principles.</p>	<p>The Town of Brookhaven’s Planned Development District Zoning provides for the provision of public benefits and Pine Barrens Credits in order to achieve zoning incentives which would be required to obtain approvals for the Proposed Development.</p>

2.9. Transportation – Traffic and Parking

Comment 46:

And let's get real about Yaphank train station. We talk about improving that. This is really, right now, next to no service. And as we all know, Long Island Rail Road has cut service on the East End. So reality is, to think that they will improve the system in Yaphank, I think, is a pipe dream. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 22)

Response: The DGEIS utilizes a conservative 3% transit credit in order to account for alternative means of transportation other than passenger vehicles. This includes person trips utilizing the Suffolk County Transit bus system, the Long Island Rail Road station at Yaphank, along with potential jitney services provided by the developer as part of the development. As demand for public transportation increase, providers typically make modifications to accommodate the additional demand.

Comment 47:

The added traffic and noise pollution is something that will destroy our small town. (Email from Chad Trusnovac, Yaphank Civic Association, April 29, 2011)

Response: Section 11.2.6 and Section 11.2.7 of the DGEIS includes discussion regarding the proposed project’s traffic impacts on the roadway system. As discussed, several mitigation/improvement measures will be necessary to help alleviate any impacts to traffic flow quality by the Proposed Action. However, due to the 15-year ambient growth rate, in addition to trips generated by other proposed developments, intersections within the area will already be experiencing high delays prior to the Proposed Action’s construction.

Intersection and roadway improvements proposed by the Selected Developer will yield improvements over this future scenario, without the Proposed Action.

Section 13.3 of the DGEIS includes discussion regarding the proposed project's impact on the area's noise level. As discussed in Comment 2's response, potential impacts of the project could only be estimated, and additional SEQRA analysis could be required once more specific site plans exist. Site plans are subject to the Town of Brookhaven's approval, and the Selected Developer's site plan must comply with the Town of Brookhaven Code. Therefore, any negative noise impacts resulting from the project will be mitigated to a level acceptable by the Town of Brookhaven.

Comment 48:

Traffic Mitigation at Yaphank Avenue and Gerard Road – I use this intersection every day and cannot see how it would be safe to add an additional Northbound and Southbound through traffic lane. If this was to occur there would not be enough room for the current right turn lane from Yaphank Ave. onto Gerard Road. It would entail the removal of the median, which now acts as a traffic calming device. (Email from Johan McConnell, South Yaphank Civic Association, April 28, 2011)

Response: As detailed roadway improvement plans become available, the intersection's overall safety will remain a high priority. The intersection will be designed to operate at an acceptable level of safety. At the time of detailed design, additional studies may be conducted to determine if other intersection improvements are warranted, such as installation of a traffic signal in conjunction with the adjacent proposed signal at Glover Drive.

The existing median running along Yaphank Avenue currently functions to separate the northbound and southbound traffic. In addition, it serves to provide westbound drivers from Gerard Road a second location to stop at while executing a westbound left turn onto Yaphank Avenue. It would be inappropriate to consider the Yaphank Avenue median, as currently exists, a "traffic calming device" as these devices are typically utilized to slow or reduce motor vehicle's speed to improve safety for pedestrians and bicycles. Yaphank Avenue is a relatively straight roadway with varying speed limits from 40 mph to 50 mph within the project site, much higher than what is typically recommended within a pedestrian crossing area. In addition, this intersection has no pedestrian facilities, such as

crosswalks, sidewalks, or bike paths. As previously stated, at the time of detailed design, the intersection will be designed to operate at an acceptable level of safety.

Comment 49:

Chapter 11 Section 2.6 – 2025 Build Scenario Capacity Analysis: Can you please provide clarification of mitigation #6? (Letter from NYSDOT, May 4, 2011)

Response: It is proposed to widen the westbound approach at Yaphank Avenue/Horseblock Road and Victory Road (labeled as Sunrise Highway Exit 57 within the DGEIS) to include an additional right turn lane onto Yaphank Avenue/Horseblock Road. It is not being proposed to construct an additional westbound right turn lane at Sunrise Highway Exit 57's off ramp. It is acknowledged that the Sunrise Highway Corridor Sustainability Transportation Study recommends that a roundabout be constructed at Yaphank Avenue/Horseblock Road-Victory Road, along with several roadway modifications at the Sunrise Highway on and off ramps. As discussed below, should these improvements be constructed, the DGEIS's proposed westbound right turn recommendation will not be necessary, and the Proposed Action will function satisfactorily with the roundabout in place.

Comment 50:

Suffolk County is on the Project Advisory Committee with the Sunrise Highway Corridor Sustainable Transportation Study. Please ensure consistency of mitigation strategies with the findings of that study effort. (Letter from NYSDOT, May 4, 2011)

Response: A review of the April 2011 Draft Sunrise Highway Corridor Sustainable Transportation Study, indicates a proposed roundabout at Yaphank Avenue/Horseblock Road – Victory Road (labeled as Sunrise Highway Exit 57 in the DGEIS), one of this project's study locations. Should this improvement be constructed, the Proposed Action will require no further mitigation measures at Yaphank Avenue-Victory Road. If the corridor study's mitigation measures are not constructed, the DGEIS' recommendation for an additional westbound right turn lane at this location should be implemented.

Comment 51:

Where infrastructure improvements are needed in order to insure that adequate capacity exists to accommodate growth, consideration should be given to the creation of a

transportation financing district(s) to offset costs and facilitate the implementation of identified mitigation measures. (Letter from NYSDOT, May 4, 2011)

Response: As summarized in the DGEIS, there will be potential impacts resulting from the Proposed Action. Proposed mitigation measures to address these impacts are also summarized in this section. Several mitigation measures will require infrastructure improvements in order to accommodate the proposed project. Any necessary infrastructure improvements will be paid for by the Selected Developer. The Selected Developer will also coordinate with the appropriate authorities to facilitate implementation of these mitigation measures.

Comment 52:

Consideration should be given to strategies aimed at reducing vehicular trip generation such as parking management (priced parking and preferential parking for car/vanpools etc), improved transit access, and provisions for bicycles and pedestrians. (Letter from NYSDOT, May 4, 2011)

Response: As part of the future site plan review, these concepts will be explored by the developer and can be required by the Town of Brookhaven as part of the approval process. As the project will be required to be LEED certified, it is reasonable to expect that these types of strategies will be employed to reduce vehicular trip generation and parking needs.

Comment 53:

Road widening, extensions and roadway additions in response to increased traffic density, such as bus turnout lanes, parking facilities, etc., may require acquisitions. (Letter from NYSDOT, May 4, 2011)

Traffic access, turn lanes, traffic signals/loops, etc. may require acquisition. (Letter from NYSDOT, May 4, 2011)

Additional drainage, utilities, etc, to accommodate development expansion may require acquisition of adjacent land. (Letter from NYSDOT, May 4, 2011)

Response: As previously mentioned in Comment 51's response, there are several proposed mitigation measures that may require infrastructure improvements to accommodate the Proposed Action. These infrastructure improvements include roadway

modifications, and drainage system improvements, among other measures. Acquisition of adjacent land may be required to construct these infrastructure improvements. As the Proposed Action is conceptual in nature, specific details regarding possible land acquisitions are not currently available. At the time of detailed design, acquisition of adjacent land to accommodate the proposed project will be evaluated.

Comment 54:

An undeveloped bed of street (Grucci Lane) beginning at the southern project limit at the corner of Horseblock Road, northeast of the intersection of Woodside Avenue and Horseblock Road ends as a dead end. If the road is extended, acquisition of adjacent land may be required. (Letter from NYSDOT, May 4, 2011)

Response: The site's southern project limit currently terminates north of Grucci Lane, which ends at a dead end. The Proposed Action does not propose to modify and extend Grucci Lane beyond its current terminus to provide a second site access driveway along Horseblock Road. Therefore, acquisition of the adjacent land in order to extend this roadway is not anticipated. Should the Proposed Action change to include extending Grucci Lane, future acquisition of adjacent land may be required.

Comment 55:

We didn't see any indication of non-motorized transportation mentioned in this document. Examples of what we would like to see include:

- *Existing bike routes in the area and how the anticipated development may impact them.*
- *Bus/rail routes and what opportunities exist for increasing their reach with bike/ped improvements*
- *The potential for mitigating traffic impacts by the development of bike routes*
- *The potential to create/extend greenbelt hiking trails as part of the anticipated development.*

(Letter from NYSDOT, May 4, 2011)

Response: Please refer to Comment 2. As stated, detailed analysis for pedestrian and bicycle analysis, was not performed due to the proposed development's conceptual nature. Additional pedestrian and bicycle analysis will be performed when a more defined plan is

in place. Any future pedestrian- and bicycle-related designs and accommodations will be designed according to Chapters 17 and 18 of the NYSDOT Highway Design Manual and Chapter 23 of the Code of Federal Regulations section 652.5.

2.10. Visual Quality

Comment 56:

In addition, the proposed stadium and other buildings would be very visible from the Yaphank district both during the day and at night as a result of the intense light. (Email from Daniel Pichney, dated April 5, 2011)

Response: Section 16.11 of the DGEIS includes discussion regarding the building heights. It is recommended that the project sponsors consult with NYSOPRHP on appropriate mitigation options to lessen any visual impacts of the proposed projects on the Yaphank Historic District.

Section 12.3 of the DGEIS includes discussion regarding the visual character of the proposed project. Due to the conceptual nature of the proposed project, there is no detailed site plan to review for potential lighting impacts. However, the Selected Developer's site plan must comply with the lighting requirements and limitations of the Town of Brookhaven's "dark skies" ordinance. In addition, the site plan must comply with Article XXXIX § 85-463 through § 85-475 of the Town of Brookhaven Code. Therefore, negative lighting impacts resulting from the project will be mitigated to a level acceptable by the Town of Brookhaven.

2.11. Air Quality

Comment 57:

Recently the American Lung Association gave Suffolk County failing grades for our air quality and noted we had the dirtiest air in the state when measured for ozone. I think Yaphank currently has enough things causing air pollutants – we have the power plant, landfill and compost factory located here, their existence alone causes air pollution and in the past few years the number of large trucks using our roads (Yaphank Ave & Horseblock Rd) has quadrupled. (Email from Karen Palasek, April 29, 2011)

Response: It is not possible to quantify the increase in truck volume at the study intersections in the DGEIS "over the past few years" because neither the County nor

Cameron Engineering performed truck traffic counts in or around the year 2005 (i.e., “a few years” before 2010). The comment is acknowledged, with the note that this comment would apply to any use of the County property since this reported truck increase is related to other land uses.

Comment 58:

The NYSDOT EPM Air Quality Chapter 1.1 indicates that Regionally Significant Projects must be included in the Transportation Conformity Regional Emissions Analysis for the NYMTC Transportation Improvement Program (TIP) and Long Range Plan. Criteria for determining whether a project may be regionally significant, or require Interagency Consultation Group (ICG) consideration of possible regional significance, are contained in the NYSDEC 6 NYCRR Part 240 State Conformity Regulation. The DGEIS should discuss the potential for regional significant and determine whether ICG consultation is needed. (Letter from NYSDOT, May 4, 2011)

Response: The NYSDEC 6 NYCRR Part 240 defines a “regionally significant project” as “a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves).”

The project has frontage on the LIE South Service Road, Yaphank Avenue, and Horseblock Road, and includes a sports complex. It therefore constitutes a potentially Regionally Significant project under the EPM criteria.

According to NYCRR Part 240 Section 240.6.h.11, Consideration of Regionally Significant Projects that are not FHWA/FTA Projects, (i) states the following: “(i) The affected MPOs and NYSDOT, as appropriate, shall work with the Department [of Environmental Conservation] to identify regionally significant projects that are not FHWA/FTA projects so that proper project information is included in the regional emissions analysis. The MPO shall solicit the necessary information from agencies that are recipients of federal funding...for any regionally significant projects, regardless of funding, in conjunction with MPO transportation plan and MPO TIP updates. In non-attainment and maintenance areas outside of MPO boundaries, NYSDOT shall solicit such information.”

Therefore, the Findings will include the statement that the New York Metropolitan Transportation Council (NYMTC), the local MPO and/or NYSDOT, will need to consult with the ICG regarding the potential for these land uses to constitute a Regionally Significant Project that has the potential to affect the area's conformity determination. The Findings will also specify that, should the ICG confirm the regional significant nature of this project, the project will need to be included with the TIP Transportation Conformity Regional Emissions Analysis for the year 2025, despite the private (non-Federal) funding source.

Comment 59:

The NYSDOT EPM Air Quality Chapter 1.1 indicates that projects meeting specified criteria must undergo a mesoscale analysis. Potential criteria relevant to this project include adding at least 10% vehicle miles traveled (VMT), or widening roadways affected by the project by at least one mile cumulatively and directionally. The DGEIS should conduct a mesoscale analysis if any of the criteria are met, or document that none of the criteria are met. (Letter from NYSDOT, May 4, 2011)

Response: According to the NYSDOT EPM Air Quality Chapter 1.1, examples of projects that could require a mesoscale analysis include “widening to provide additional travel lanes more than a mile in length.” This same feature is listed in the 6 NYCRR Part 240 in §240.6.h(2)(i)(a).

The Suffolk County property development includes the proposal to widen Yaphank Avenue between the LIE North Service Road and Glover Drive (0.95 miles), plus other widenings (various auxiliary lanes, plus lane addition on Horseblock Road) totaling more than 0.05 miles.

However, this is based on preliminary-level information. A mesoscale analysis would be premature at the GEIS stage, since final project data and roadway improvement information are not yet known. Therefore, the Findings will include the requirement that the future site plan approvals process include an analysis of whether mesoscale analysis is warranted. If it is, a mesoscale air quality analysis will be required.

Comment 60:

The NYSDOT EPM Air Quality Chapter 1.1 indicates the carbon monoxide microscale screening should be conducted for the project completion year (ETC) and for years ETC + 10 and ETC + 20. The DGEIS analysis, which appears to screen only year 2025, should justify why screening was not conducted for the two additional years, or extend the screening. (Letter from NYSDOT, May 4, 2011)

Response: The year 2025 represents the ETC and was the accepted scoped year of air quality screening analysis. The following calculations illustrate that Year 2045 (ETC+20) conditions would not require full microscale air quality analysis, and therefore, the DGEIS ETC (2025) analysis is sufficient.

For the purposes of projecting traffic volumes to the year 2045 (ETC+20), the anticipated volume increases past 2025 reflect ambient growth only, since there are no specific identified projects which would generate traffic between 2025 and 2045 (ETC to ETC+20). Applying the New York 2.04% ambient growth rate for an additional 20 years would yield a 49.8% increase.

The microscale air quality impact results depend on whether critical approach volumes would reach specific minimum thresholds - i.e. whether the third and final screening level criteria is reached. The following table summarizes the Year 2025 projected critical volumes from the screening analysis, and the required approach volumes for 2025.

Even with an additional 20 years of ambient growth, most of the critical volumes would not reach the minimum thresholds. Two locations would exceed Year 2025 volumes in the Year 2045 (albeit by minimal percentages below 4%).

However, this raw comparison is based on Year 2025 Emission Factors. Emission Factors get smaller as time progresses, which corresponds to requirements for higher traffic volumes to meet the threshold of Level 3 screening. As shown in Table 2 3, whereas the required threshold volumes in 2025 will be 2,562 and 3,800 vehicles per hour, the requirement in 2045 increases to 4,000 vehicles per hour.

Table 2-2: Year 2025-2045 Emission Factors and Volumes

Speed	Weighted CO Emission Factor	Minimum Volume (vph)	Corresponding Volumes: Year 2025 / Year 2045	Volume Met?
5 mph	10.74 (round to 15)	2,562	<ul style="list-style-type: none"> Yaphank Avenue at Area A Site Driveway (PM): 1,770 / 2,651 EXCEEDS THRESHOLD BY 89 VEHICLES (3.5%) 	YES
10 mph	8.68 (round to 10)	3,800	<ul style="list-style-type: none"> Yaphank Ave. at Horseblock Rd (SAT): 1,509 / 2,260 Horseblock at Town Landfill and Area D Driveway (PM): 1,686 / 2,526 Sunrise Highway Exit 57 (AM): 1,475 / 2,210 	NO NO NO
15 mph	8.04 (round to 10)	3,800	<ul style="list-style-type: none"> Yaphank Avenue at LIE SSR (PM): 2,589 / 3,878 EXCEEDS THRESHOLD BY 78 VEHICLES (2.1%) Horseblock Road at LIE NSR (PM): 1,749 / 2,620 	YES NO
20 mph	7.71 (round to 10)	3,800	<ul style="list-style-type: none"> Yaphank Avenue at LIE NSR (MID, PM, SAT): 1,116 to 1,341 / 2,009 Yaphank Avenue at LIE SSR (SAT): 1,413 / 2,117 Yaphank Avenue at Horseblock Road (PM): 2,454 / 3,676 Horseblock Road at LIE NSR (SAT): 1,300 / 1,947 	NO NO NO NO
25 mph	7.52 (round to 10)	3,800	<ul style="list-style-type: none"> Horseblock at Town Landfill and Area D Driveway (SAT): 939 / 1,407 	NO
45 mph	7.94 (round to 10)	3,800	<ul style="list-style-type: none"> Horseblock Road at Bellport Road (MID, PM, SAT): 907 to 1,178 / 1,765 	NO

The EPM only provides Emission Factors through the year 2035, so 2035 Emission Factors were used to analyze Year 2045 conditions, which is conservative. The future Emission Factors become small enough that the required traffic volumes are not met:

Table 2-3: Year 2045 Emission Factor Analysis

Weighted CO Emission Factor	Minimum Volume	Corresponding Volumes: Year 2025 / Year 2045	Volume Met?
5.52 (round to 7.5)	4,000	Yaphank Avenue at Area A Driveway (PM): 1,770 / 2,651	NO
2.84 (round to 5)	4,000	Yaphank Avenue at LIE SSR (PM): 2,589 / 3,878	NO

Since Year 2045 volumes would not meet the threshold, Year 2035 volumes would also not meet the threshold since volumes would be smaller.

Therefore, it is unnecessary to perform further analysis to determine that ETC+10 (Year 2035) and ETC+20 (Year 2045) conditions will not require microscale air quality analysis.

Comment 61:

Executive Summary Page 1.2.9 of the DGEIS states that carbon monoxide is the only air pollutant typically studied at the project level. However there are substantial tailpipe, engine, and tire erosion emissions of Fine Particulate Matter (PM₂₅) from motorized vehicles. In March 2006, EPA and FHWA issued Transportation Conformity guidance for the evaluation of localized (hot-spot) mobile source emissions of PM₂₅ in nonattainment areas such as Suffolk County. The DEGIS should evaluate the guidance criteria to determine whether the project is of air quality concern, and if so, conduct a qualitative project-level hot-spot analysis according to the 2006 guidance document. (Letter from NYSDOT, May 4, 2011)

Response: Suffolk County is in a PM_{2.5} non-attainment area. As stated in the Transportation Conformity Guidance, projects of air quality concern are defined in 40 CFR 93.123(b)(1) as:

- (i) New or expanded highway projects that have a significant number of or significant increase in diesel vehicles*
- (ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project*
- (iii) New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location [not applicable]
- (iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location [not applicable]
- (v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM_{2.5} or PM₁₀ applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation

** The main potential generator of trucks (diesel-fuel vehicles) is the 1.2 million s.f. General Light Industrial use on Area D. According to the article titled, "Truck Trip Generation Characteristics of Non-Residential Land Uses" in the Institute of*

Transportation Engineers publication, ITE Journal, Light Industrial uses generate the following breakdown of vehicles (based on each 1,000 square feet of area):

<u>Automobiles</u>	<u>2-3 Axle Trucks</u>	<u>4-6 Axle Trucks</u>	<u>All Trucks</u>
83.9%	9.2%	7.5%	16.7%

Given that some 2-Axle trucks may not use diesel fuel, the 16.7% truck component of the Light Industry use trips is the expected maximum. The external trips associated with the General Light Industry use are (per the TIS):

Table 2-4: Maximum Potential Truck Trips (Trips per Hour/tph)

Peak Hour	External Area D Trips			Maximum Potential Truck Trips
AM	Enter	1,075	tph	180
	<u>Exit</u>	<u>146</u>	tph	<u>24</u>
	Total	1,221	tph	204
Midday	Enter	77	tph	13
	<u>Exit</u>	<u>77</u>	tph	<u>13</u>
	Total	154	tph	26
PM	Enter	172	tph	29
	<u>Exit</u>	<u>1,262</u>	tph	<u>211</u>
	Total	1,434	tph	240
Saturday	Enter	77	tph	13
	<u>Exit</u>	<u>77</u>	tph	<u>13</u>
	Total	154	tph	26

As detailed in the TIS in Figure 5-6, only some of these trips will be routed through certain intersections. Apart from the “CR 16 at Town Landfill” intersection, the highest per-intersection distribution is 40% at the “Sunrise Highway Exit 57” intersection. Adding 40% of the above truck numbers to this location corresponds to the following:

- AM: 72 westbound (out of 930) and 10 southbound (out of 520) truck trips
- Midday: 5 westbound (out of 861) and 5 southbound (out of 646) truck trips
- PM: 12 westbound (out of 475) and 84 southbound (out of 1,488) truck trips
- Saturday: 5 westbound (out of 447) and 5 southbound (out of 696) truck trips

The highest percentage increase in truck traffic is either 72 trips out of 930 (AM westbound) or 84 trips out of 1,488 (PM southbound) trips. Both increases are less than 8% per approach, and these numbers reflect the maximum expected numbers of new diesel-fuel vehicles.

Regarding item (v), the proposed land uses might constitute a “site of possible violation.” Therefore, the Findings will require that the future developer commit to coordination with NYSDOT and any other required party regarding associated methods and assumptions to be used in a PM2.5 hot-spot analysis. If the hot-spot analysis is required, that hot-spot analysis would need to be done as part of the site plan approvals process.

2.12. Cultural Resources

Comment 62:

The Yaphank Historical Society has worked very hard to improve the historical homes. The County’s also budgeted to restore the Homan house, which is right near this proposed development. The County Infirmary, which is over 100 years old, and nearby – and there’s also the nearby cemetery where residents of the infirmary were laid to rest. The Doctor’s Cottage is a valuable structure to the Yaphank community. It was the residence of the doctor who cared for the residents in the infirmary. There’s a recommendation to demolish the building. The Historical Society has a desire to restore the building. And demolition is certainly not support in historical character of the community. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 19)

Response: Section 16.11.1 of the DGEIS includes discussion regarding the Doctor’s Cottage. The Doctor’s Cottage may be considered contributing resources to the overall S/NRE Suffolk County Poor Farm Historic District. However, a comprehensive evaluation of this district has never been conducted, due to its different resource locations. If a new evaluation by the NYSOPRHP was completed, the Doctor’s Cottage, along with the nearby garage and cemetery, may be included as part of the district.

The proposed project’s plans call for demolition of the existing Doctor’s Cottage and garage and construction of a new Doctor’s Cottage and garage, to be used as office space and storage. However, it is recommended that if the existing Doctor’s Cottage and garage are structurally sound and could be usefully repurposed, that the buildings be relocated to another location on the overall Suffolk County Poor Farm complex. If this option is not feasible, it is recommended that the NYSOPRHP be consulted prior to demolition for additional documentation options.

Comment 63:

Building a state-of-the-art 5,500 seat arena does not respect or coexist without conflict of the historical community. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 19)

Response: The stadium is not located in the historic district and would be situated approximately one-quarter mile from the Yaphank historic district. Moreover, the Long Island Expressway – which accommodates heavy trucks and rush-hour commuter traffic, separates the proposed stadium from the historic district. There are numerous examples around the country where historic districts are situated adjacent to business districts, entertainment facilities, etc. in a complementary manner. One example is the Saratoga Race Track which is located less than a mile from the Broadway Historic District in Saratoga Springs. The proposed stadium can be designed with sensitivity to the historic district.

2.13. Community Services

2.13.1. Emergency Services

Comment 64:

The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed. (Multiple Letters)

Response: Section 17.1.3 of the DGEIS discusses mitigation measures to address the additional burden placed on the Fire District to serve the proposed development. As described, the emergency services would receive increased tax revenues from the proposed development. In addition, the Contract of Sale between Suffolk County and the Selected Developer shall provide preference for volunteer emergency personnel. Therefore, it is projected that the site will accommodate a higher percentage of emergency services volunteers than the area's existing population and increase the district's volunteer ranks. Lastly, any resources and requirements of the emergency service providers shall be negotiated between the Selected Developer and emergency services.

2.13.2. School Districts

Comment 65:

And you also have to take into consideration the other developments within the Longwood School District. There's one a little further southeast of that, off of William Floyd Parkway, the AVR property, and there's a proposed, I believe, 800 units of housing. So that will have an impact on the school district also. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 22)

Response: Section 21.1 of the DGEIS includes discussion regarding approximately 343 land use applications within the Longwood School District spanning 1987 through 2011. These applications were reviewed and reduced to 144 applications after filtering out several projects assumed to have been built. These applications were not classified as active or inactive, residential or non-residential. Therefore, the number of additional potential students generated from these applications could not be determined. It is beyond the scope of this GEIS to perform a cumulative impact analysis of hundreds of possible projects within the Longwood School District. This would best be performed by the School District in order to plan appropriately for growth within the District.

Comment 66:

It costs approximately \$17,000 to educate one child. And let's take about 785 of the housing units. And if each one of those has maybe one child, that would be about \$13 million a year to the Longwood School District. The average home has 2.5 children, and how could this be a tax positive if there's 1,250 units? The taxes in one home doesn't pay to educate one child. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 20)

The study says 207 students. I think that number is very understated. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 21)

Response: As discussed in the DGEIS, population estimates were based upon multipliers issued in 2006 by the Rutgers University Center for Urban Policy Research. These multipliers are specific to New York and are derived from the 2000 U.S. Census 5-Percent Public Use Microdata Sample (PUMS). These multipliers take many factors into account including the number of bedrooms, ownership versus rental, number of units per building, and the rental or purchase costs. These multipliers show, that for the types of housing units

proposed, i.e. primarily one and two- bedroom units, the number of school children is very low, significantly less than the one child or 2.5 children per unit mentioned in the comment above.

The Long Island Housing Partnership prepared a report entitled Multifamily Housing on Long Island: Its Impact on School-Age children and School District Finances. The report states that *“The failure to build multifamily housing is largely attributable to the mistaken belief that such housing generates more school-age children than traditional single-family homes and that the school taxes paid by multifamily housing complexes don't cover the costs of educating the children these complexes generate. Many credible research studies have debunked this myth but the myth persists.”*

The study goes on to say that: *“Several credible research studies have found that multifamily housing, including rental housing, generates significantly fewer school-age children than traditional single-family homes. The explanation is that residents who favor higher density condominium or rental housing tend to be young singles and couples without children or seniors who no longer want the burdens of homeownership. By contrast, households with school-age children generally prefer traditional single-family houses with adequate yard space in which their children can play.”*

This document analyzed 159 multifamily housing complexes in Suffolk County and found an average of 0.18 children per unit. This would equal approximately 200 students from the proposed development. The document also looked at whether these multifamily complexes were tax positive or tax negative and found that 60% were tax positive, although the reasons that some were tax positive and some were tax negative were not determined.

Comment 67:

In light of this year's budget cuts to education adopted by Albany, the projected school district taxes should be revised to reflect the current reality of the situation. All of the proposed increases in housing are in the Longwood School District and if any of the proposed commercial and industrial development in that district does not take place, the resulting impact on the school taxes should be calculated and made known. (Letter from James F. Bagg, Jr., April 28, 2011)

Response: Budget cuts will vary from year to year and the situation when this project would be fully built out in 2025 is unknown. The DGEIS looked at the entire project proposed. In the event that the mix of uses changes, the taxes would have to be reanalyzed. As there are an unlimited number of variables, this analysis should occur at the time when the actual proposal is known as part of the approval process through the Town of Brookhaven.

Comment 68:

The position of the Longwood Board of Education is that the Legacy Village plan or any similar plan would have an extremely adverse impact on the Longwood School District. The calculations for number of students have a potential for greater variation than projected by county planners and the claims of the plan being a tax positive were grossly overstated. From the very beginning representatives of the developer indicated that area A would never be built due to the proximity near the river, yet those tax revenues were never excluded by county planners in figuring the total revenue projections. Our district was never asked for meaningful input and was regularly told what to think. We are fearful that any future development based on the merits of the DGEIS for Legacy Village will have the same devastating impact on our school district. (Email from Daniel Tomaszewski, Vice President, Longwood Board of Education, April 28, 2011)

Response: As discussed in the responses above the actual number of students can vary, but multipliers based upon both census data and actual students living in multifamily complexes in Suffolk County support a number in the range of 200 new students. The actual tax revenue will depend on the mix of uses. As stated in the DGEIS, additional analysis will be required if the proposed development is materially different from what was analyzed in the DGEIS.

Comment 69:

The Longwood School Board of Education have long expressed that under the current proposal, the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into

redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed. (Multiple Letters)

Response: As detailed in Section 19.5.4 of the DGEIS, taxes from the proposed development for Areas A and B were allocated towards the Longwood School District. Area A is projected to generate \$3.49 million in real property taxes, while Area B is projected to generate \$5.6 million in annual real property taxes, tax revenues which are expected to mitigate the impact of the additional students on the Longwood School District. It is acknowledged that the existing tax parcels currently do not align with the proposed development. The DGEIS recommended that the tax parcel lines be redrawn in the future to more accurately match the proposed development.

As stated in Section 17.2.2, many Long Island schools are facing significant declining enrollment. Based on a January 4, 2011 Newsday article, the Longwood School District experienced a 6% enrollment decline between the 2004-2005 and 2009-2010 school year. If this trend persists, the proposed development's additional students may be less of a concern.

2.14. Demographics and Economic Impacts

Comment 70:

I researched the building of a 5,500 seat arena, and what I've learned is that the size of the arena cannot sustain itself. It can't attract the venues to bring in adequate revenue, and the County would need to donate the land and make it tax free to the developer to make it worthwhile to build. (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 20)

Response: Section 19.4.2 of the DGEIS includes discussion regarding an arena's economic benefits to their host cities and communities. Based on numerous published studies for arenas with mixed-use development components, the arena generally provides a net positive economic impact to their community.

Comment 71:

We need more farms, not more houses or casinos. Let's develop this area to feed the hungry with food prices going through the ceiling, people out of work and public programs in danger of being slashed. (Email from Helen Sohne, April 29, 2011)

Response: Multifamily housing is in great demand on Long Island. The proposed project does not include a casino. It is note that farming is an important component of local and regional economies. However, it is also noted that there are few, if any, working farms within the vicinity of the project area. A notable exception is the County farm, however, the primary purpose of this farm is for educational and conservation purposes. The economic viability of farming within the immediate project vicinity is questionable owing to the high cost of land – as this is a medium-density suburban area. Farming is more viable in the more eastern locations on Long Island, in particular the north fork, where land costs are significantly lower. Farm employment is also a tiny fraction of employment, approximately 2 percent, or less for the United States. Moreover, farm wages are significantly lower than in other sectors. Thus, economic development of other employment sectors, i.e., other than agriculture, would be more appropriate for this part of the County.

Comment 72:

And since the population increase would be about one-third and -- you know, what community wouldn't complain with that kind of an increase to the population in their community? (Suffolk County Legislator Browning, April 12, 2011 Transcript Page 21)

Response: As discussed in Section 8.4 of the DGEIS, Yaphank covers a large geographic area which is bisected by the Long Island Expressway. The portion of Yaphank located south of the Long Island Expressway has concentrations of activity such as the County government complex and the Sills Industrial Park, alongside areas of vacant land and open space. The population of Yaphank, at around 6,500 persons would increase by about a third as a result of the proposed project. While the proposed project would effectively increase the density of development in Yaphank, the mitigation measures discussed throughout the document related to quality of life issues, such as traffic, air quality, and noise, as well as the large areas of protected open space existing in the area will serve to mitigate this increase in density. Additionally, this increase in density needs to be balanced with the positive impacts of provision of affordable housing, new recreational amenities, and significant economic opportunities in the form of jobs and taxes, stated goals of several of the land use plans discussed in the DGEIS.

Comment 73:

Whatever tax benefit may be perceived to be gained in the short term, will have uncalculatable costs for future generations... There is NO financial impact to keeping this land in the public trust as it is already being carried by the taxpayers; what will the costs to those same taxpayers be if this land is developed? (Email from Pauline A. Mize, April 29, 2011)

Response: The financial impact to the public from land preservation has to consider the lost opportunities for tax revenues in terms of property taxes and sales taxes. The potential tax revenues and costs were discussed in Section 19.5 of the DGEIS.

2.15. Cumulative Impacts

Comment 74:

I think it's important to mention...that we all recognize that impacts of all the other projects in concert with the Levy town proposal, and to realize that even if this project does, quote, unquote, die, there's still the potential for if we do sell it, another proposal with even more density and more intensive land use to be put there. The best option would be preservation of the land, especially in such close proximity to the Carmans River Watershed. (Mr. Murdocco, April 12, 2011 Transcript Page 30)

Response: Section 21 of the DGEIS includes discussion for the projected short-term, long-term, cumulative, and environmental impacts for any proposed projects in the geographic area around the project site. These cumulative effects were further broken down into three separate data sets: 1) school district impacts within the Longwood School District; 2) groundwater and surface water impacts with the Carmans River Watershed; and 3) projects within a one mile radius of the project site.

As mentioned in Section 26.2, it is anticipated that a supplemental EIS will be required should the project remain the same in order to evaluate more detailed site design plans. Should another proposal be proposed at the project site, an initial evaluation would be performed to determine if the potential impact is significant and warrants additional review, as determined by the Lead Agency in effect at the time.

2.16. Alternatives

Comment 75:

A revised Draft EIS must also reflect the recently released Draft Carmans River Watershed Protection and Management Plan by including a more robust comprehensive, not a cursory, discussion of the No Development Alternative. The Town of Brookhaven (Town), as well as Suffolk County, has clearly made preserving the Carmans River watershed, and improving management of all its resources, a top priority. This should be reflected in a revised Draft EIS. The cursory discussion of the preservation alternative in the Draft EIS, as it stands now, is insufficient. A comprehensive evaluation of turning the undeveloped land in the Yaphank County Center into a nature preserve or into parkland is critical to fully comparing this option with the Proposed Plan, a municipal build-out plan and an as-of-right build-out plan. The preservation option should also be considered in the context of ongoing New York State, County and Town efforts to preserve the land in the Carmans River watershed. It makes little sense for the County to be selling off such a large parcel of land when the Town and New York State are investing millions of dollars in watershed protection. (Letter from James Tripp, Environmental Defense Fund, dated April 26, 2011)

Response: All of the alternatives that were required to be examined in accordance with the Final Scope were examined to the same level of detail for the purposes of comparing impacts across alternatives. One of the alternatives that the scope specified for investigation was the preservation of the site as open space. The scope of the RFP did not, however, require an analysis of turning the undeveloped land in the Yaphank County Center into a nature preserve or into parkland. It is noted that a nature preserve typically requires long-term maintenance of trails and limited facilities and the provision of staff; parkland – which is an active recreational use – typically comprises outdoor and, in some instances, indoor facilities. Analyses of impacts were not required for a nature preserve or a parkland alternative; instead, the RFP required an open space alternative, i.e., effectively a no-development alternative.

As discussed in the DGEIS, the open space alternative does not provide any of the social and economic benefits that were outlined in the goals of the RFP. None of the alternatives met the county's goal for the site as established in the RFP for the sale of the property. As stated in Section 25.4.14 of the DGEIS, "in all environmental areas the No Further Development Alternative would have lesser impacts. However this alternative would not

generate any affordable housing, economic development, jobs or taxes, and would not serve to address the County's goals as set forth in their Request for Proposals for the Yaphank site. The Yaphank site has been identified in studies since at least the 1970s as a prime location for economic development. The County will need to weigh the social and economic considerations against land preservation for this site, and determine whether preservation of other lands could provide an equal or greater environmental benefit.

Comment 76:

The EIS does not consider doing nothing as an option. Why can we not preserve this environmentally sensitive land that is publicly owned? The land is in the Carmans River Watershed where the County, the State and the Town of Brookhaven have spent millions of taxpayer dollars to preserve this beautiful River. (Letter from Robert/Audrey Kessler)

Response: Section 25.3 of the DGEIS describes the No Development alternative, which evaluated the potential impacts of preserving the site as open space. A comparison of the No Development alternative was performed in Section 25.4 of the DGEIS.

Comment 77:

The Table 25-14 gives a square foot/acre density for the various alternatives, however, this should be expanded to specifically show how many residential, industrial and commercial units could be built on a parcel by parcel basis. For example, the amount of residential units proposed clearly exceeds the number of units allowed under the current zoning. This should be clearly shown so the residents of the Yaphank community understand the proposal. (Letter from James F. Bagg, Jr., April 28, 2011)

Response: Table 2-5 shows the proposed uses, floor areas and parking required for each of the six areas studied as well as the total for the entire property. DGEIS Table 25-14 was updated to provide this information individually for Areas A through F and is provided as Table 2-6 below.

Table 2-5: Project Data by Area

	Units	Unit Size	Seats	Hotel Rooms	Fields	Square Feet	Parking
Area A							
Residential (Rental)	72	650				46,800	144
5,500 Seat Indoor Arena*			5,500			160,000	2,750
Hotel				90		70,000	90
Health Club						50,000	333
Restaurants			1,200			35,000	600
Retail						25,000	167
Office						50,000	333
5,000 Seat Outdoor Stadium*			5,000			152,160	Shared
Subtotal	72		11,700	90		588,960	4,417
Area B							
Residential (Condos/Townhouses)	785	1,100				863,500	1,570
Residential (Condos/Townhouses)	215	1,600				344,000	645
Day Care Center						20,000	50
Subtotal	1,000					1,227,500	2,265
Area C							
Recreational Fields					3		167
Subtotal					3		167
Area D							
High-Tech Industrial*						1,200,000	3,000
Subtotal						1,200,000	3,000
Area E (Relocate Section A)							
Ten acres of County highway yards							
13,000 SF public works						13,000	87
16,600 SF road salt building						16,600	8
90 parking spaces County Board of Elections							90
New/relocated doctor's cottage and shed						3,000	20
Subtotal						32,600	205
Area F							
STP Expansion/Biomass Clean Energy Facility							20
Subtotal							20
Total	1,072		11,700	90	3	3,049,060	10,074

*Square footage estimated as not specified in contract documents

Table 2-6: Comparison of Proposed Project and Alternatives (Revised DGEIS Table 25-14)

	Proposed Development Area A	Proposed Development Area B	Proposed Development Area C	Proposed Development Area D	Proposed Development Area E	Proposed Development Area F	Proposed Development Total	No Action/Municipal Build-out	As-of-Right Build-out	No Further Development
Area (acres)	34.16	121.13	28.32	94.75	15	10.49	303.85 including 14 acres already developed	303.85 including 14 acres already developed	303.85 including 14 acres already developed	299.85
Housing Units	72	1000	0	0	0	0	1072	0	50	0
Square Feet	588,960	1,227,500	0	1,200,000	32,600	TBD	3,049,060	2,000,000	2,750,000	0
Parking Spaces	4,417	2,265	167	3,000	205	20	10,074	13,333	16,767	0
Geology	No change	No change	No change	No change	No change	No change	No change	No change	No change	No change
Soils	Minimal change	Minimal change	Minimal change	Minimal change	Minimal change	Minimal change	Minimal change	Minimal change	Minimal change	No change
Topography	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	Possible minor impact	No change
Surface and Subsurface Environmental Conditions	Remediation	Remediation	Remediation	Remediation	Remediation	Remediation	Remediation	Possible remediation	Remediation	No remediation
Groundwater Average Nitrate Concentration (m g/l)										
Immediate Downgradient Area	Not analyzed separately by area						2.3	1.9	1.7	1.7
Complete Downgradient Area	Not analyzed separately by area						2.2	1.9	1.8	1.7
Stormwater Management	Contained on site	Contained on site	Contained on site	Contained on site	Contained on site	Contained on site	Contained on site	Contained on site	Contained on site	Continued runoff
Ecology	17 acres cleared	83 acres cleared	21 acres cleared	94 acres cleared	15 acres cleared	10 acres cleared	240 acres cleared	Up to 240 acres cleared	Up to 240 acres cleared	No change
Land Use	Compatible	Compatible	Compatible	Compatible	Compatible	Compatible	Compatible	Compatible	Compatible	Compatible
Land Use Density	17,241 sf/acre	10,134 sf/acre	0 sf/acre	12,665 sf/acre	2,173 sf/acre	0 sf/acre	10,035 sf/acre	6,582 sf/acre	9,051 sf/acre	0 sf/acre
Zoning	Change of Zone to PDD	Change of Zone to PDD	No Change	No Change	No Change	No Change	Change of Zone to PDD	Not applicable	No change	No change
Public policy	Conforms	Conforms	Conforms	Conforms	Conforms	Conforms	Conforms	Conforms	Conforms	No change

Table 2-5: Comparison of Proposed Project and Alternatives (Revised DGEIS Table 25-4) - continued

	Proposed Development Area A	Proposed Development Area B	Proposed Development Area C	Proposed Development Area D	Proposed Development Area E	Proposed Development Area F	Proposed Development Total	No Action/Municipal Build-out	As-of-Right Build-out	No Further Development
AM Peak Hour Trips	269	546	0	1,221	No Change	Negligible	2,036	3,910	2,500	0
Midday Peak Hour Trips	2,236	749	63	154	No Change	Negligible	3,202	5,042	565	0
PM Peak Hour Trips	2,186	642	1	1,262	No Change	Negligible	4,264	5,042	2,938	0
Saturday Peak Hour Trips	2,236	749	63	154	No Change	Negligible	3,202	0	565	0
Truck Trips	Low in Residential areas, higher in Industrial areas	Low	Low	High	Low	Low	Low in Residential areas, higher in Industrial areas	Higher than Residential part of the Proposed Action; Similar to Industrial part of Proposed Action	Less than the Proposed Action due to decrease in Industrial use	0
Visual Quality, and impacts to Cultural Resources and Suffolk County Farm	Arena visible from a wide area; rest similar to surrounding areas	Similar to existing County facilities	Similar to existing County facilities	Arena visible from a wide area; rest similar to surrounding areas	Similar to existing County facilities	Similar to surrounding area	No change			
Noise change from No Build to Build	< 6 dBA change	< 6 dBA change	< 6 dBA change	< 6 dBA change	Similar to existing County facilities in Area A	Similar to existing County wastewater treatment facilities	< 6 dBA change	< 6 dBA change	< 6 dBA change	No change
AM	1.6	1.9	1.9	2.1			1.6-2.1	2.3-3.9	1.7-2.9	0
Midday	3.9	3.7	3.7	1.0			1.0-3.9	3.2-6.1	0.5-1.3	0
PM	2.8	3.0	3.0	2.4			2.4-3.0	2.6-4.6	1.8-3.3	0
Saturday	4.7	4.3	4.3	0.9			0.9-4.7	0	0.5-1.6	0
Air Quality	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No exceedance of screening	No change

Table 2-5: Comparison of Proposed Project and Alternatives (Revised DGEIS Table 25-4) - continued

	Proposed Development Area A	Proposed Development Area B	Proposed Development Area C	Proposed Development Area D	Proposed Development Area E	Proposed Development Area F	Proposed Development Total	No Action/Municipal Build-out	As-of-Right Build-out	No Further Development
Cultural Resources	Mitigation to Cemetery and Phase 1B testing	Low sensitivity	Low sensitivity	Low sensitivity	Low sensitivity	Low sensitivity	Mitigation to Cemetery and Phase 1B testing	No change	Mitigation to Cemetery and Phase 1B testing	No change
Emergency Services	Greatest need, but potential for private security	Similar to other residential developments	Similar to other recreational fields	Similar to other office parks	Similar to existing County facilities in Area A	Similar to existing County wastewater treatment facilities	Greatest need, but potential for private security	About double of existing	Second greatest need	No change
Schoolchildren	19	188	0	0	0	0	207	0	57	0
Water Supply	141,400	384,700	3,200	55,200	Relocated	Negligible	548,500	293, 500	106,000	0
Wastewater Treatment										
Design Flow for STP (gpd)	122,875	303,000	2,790	48,000	Relocated	Negligible	476,665	255,000	91,800	0
Projected Flow (gpd)	92,150	227,250	2,100	36,000	Relocated	Negligible	357,500	189,000	68,850	0
Solid Waste (lbs/day)	28,400	9,000	600	12,000	Relocated	Negligible	50,000*	20,000	13,000	0
Electricity (KVA)	2,775	6,285	Negligible	6,140	Relocated	Negligible	15,200 KVA	14,000 KVA	10,150 KVA	0
Natural Gas	200 therms	450 therms	Negligible	450 therms	Relocated	Negligible	1100 therms	700 therms	508 therms	0
Total Property Taxes	\$3,485,837	\$5,671,984	0	\$2,896,592	0	0	\$12,054,413	\$0	\$10,834,245	\$0
County	\$400,331	\$651,399	0	\$351,277	0	0	\$1,403,007	\$0	\$1,309,579	\$0
Town	\$227,092	\$369,512	0	\$199,365	0	0	\$795,969	\$0	\$743,221	\$0
Longwood SD	\$2,363,297	\$3,845,441	0	0	0	0	\$6,208,738	\$0	\$454,760	\$0
South Country SD			0	\$1,893,809	0	0	\$1,893,809	\$0	\$6,644,944	\$0
Other Districts	\$495,118	\$805,631	0	\$452,141	0	0	\$1,752,890	\$0	\$1,681,741	\$0
Construction	Dispersed over 15 years	Dispersed over 15 years	Within 5 years	Dispersed over 15 years	Within 5 years	Within 5 years	Dispersed over 15 years	Unknown time frame	Unknown time frame	None

*Corrected from DGEI

APPENDIX A

SEQRA DOCUMENTS

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

Thomas A. Isles, A.I.C.P.
DIRECTOR OF PLANNING

**STATE ENVIRONMENTAL QUALITY REVIEW
(SEQRA)
NOTICE OF COMPLETION
of
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
And
NOTICE OF SEQRA HEARING**

DATE: March 17, 2011
RESOLUTION #: 45-2010
LEAD AGENCY: Suffolk County
ADDRESS: 100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, N.Y. 11788

This notice is issued pursuant to Title 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and Suffolk County Local Law #22-1985.

A Draft Generic Environmental Impact Statement (DGEIS) has been completed and accepted for the proposed action described below. A public hearing on the DGEIS will be held on April 12, 2011 at 6:00 pm in the Rose Caracappa Legislative Auditorium, William H. Rogers Legislative Building, 725 Veterans Memorial Highway, Smithtown. Comments are requested and will be accepted by the contact person until April 29th, 2011.

Name of Action: Declaration as Surplus and Subsequent Sale of 255± Acres of County Owned Land in Yaphank for Mixed-Use Development Purposes

Description of Action: The proposed project consists of declaring 255± acres of County Owned land in Yaphank surplus for mixed-use development purposes. The site includes four distinct development areas in which to accommodate sports and wellness facilities, office use, restaurants, hotel use, retail use, mixed income rental and ownership housing, a sports arena, an outdoor stadium, athletic facilities and trails, light industrial uses and electric production facilities.

Location: The proposed project is located on approximately 255± acres of land in the hamlet of Yaphank, Town of Brookhaven, County of Suffolk, State of New York. The proposed location for project components is located on multiple parcels within the Yaphank County Center on both

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
fax (631) 853-4044

the east and west sides of Yaphank Avenue, south of the Long Island Expressway and north of Horse Block Road.

Potential Environmental Impacts: The potential exists for the proposed action to have significant adverse impacts on the following:

- Impacts to groundwater and Carmans River
- Increased emissions from vehicle trip generation and construction activity; increased industrial emissions
- Increased impervious area impacts to stormwater runoff and surface water quality
- Increased traffic volumes and changed Levels of Service on Yaphank Avenue and Horseblock Road
- Increased noise levels above Town code-permitted levels from site operations, vehicle trips, or construction activity
- Increased solid waste generation, wastewater generation and resulting STP expansion
- Reduced open space impacts to wildlife habitats and vegetation
- Archeological and historic impacts to historic facilities such as the Doctor's Cottage
- Aesthetic and visual changes to the four areas (A, B, C, D, and highway maintenance yard and STP expansion), site lighting pollution
- Community character and population changes from residential, commercial, recreational, and industrial development in a rural/agricultural area
- Increased energy use due to the development of vacant parcels
- Increased demand for community services, schools, and emergency services
- Economic effects on community services, schools, and emergency services
- Potential cumulative impacts on each of the above features

A copy of the DGEIS is available for public review at the Suffolk County Department of Planning and is posted on <http://www.suffolkcountynv.gov/departments/planning.aspx>

Contact Person: Michael Mulé, Environmental Projects Coordinator
Suffolk County Department of Planning
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, N.Y. 11788
631-853-5191

cc: Steve Levy, Suffolk County Executive
Tim Laube, Clerk of the Legislature
Kate M. Browning, Legislator 3rd Legislative District

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fax (631) 853-4044

cc: Judith A. Pascale, Suffolk County Clerk
Thomas A. Isles, Director, Suffolk County Dept. of Planning
Mark Lesko, Brookhaven Town Supervisor
Vincent E. Pascale, Chairman, Brookhaven Town Planning Board
Peter Scully, Regional Director, NYSDEC Region 1
Raymond Walsh, Superintendent, South Country Central School District
Dr. Allan Gerstenlauer, Superintendent, Longwood Central School District
Tanima Adhya, Senior Health Engineer, Suffolk County Dept. of Health Services
Gilbert Anderson, P.E., Commissioner, Suffolk County Dept. of Public Works
Subimal Chakrabortyi, Director, Office of Regional Affairs, NYSDOT Region 10
Elizabeth Martin, Historic Site Restoration Coordinator, NY State Office of Parks,
Recreation and Historic Preservation
Longwood Public Library
Brookhaven Free Library
Yaphank Fire Department
Brookhaven Fire Department
South Country Ambulance
New York State Department of Environmental Conservation
Environmental Notice Bulletin

LOCATION

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COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

Department of Planning

Thomas Isles, AICP
Director of Planning

NOTICE OF SEQRA PUBLIC HEARING

Notice is hereby given that Suffolk County will convene a SEQRA public hearing concerning the Draft Generic Environmental Impact Statement for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes. The hearing will be held at 6:00 p.m. on Tuesday, April 12th, 2011 in the Rose Caracappa Legislative Auditorium, William H. Rogers Legislative Building, Smithtown. The project is located on approximately 255± acres of land in the hamlet of Yaphank, Town of Brookhaven, County of Suffolk, State of New York. The proposed location for project components is located on multiple parcels within the Yaphank County Center on both the east and west sides of Yaphank Avenue, south of the Long Island Expressway and north of Horse Block Road. Pursuant to the Citizens Public Participation Act, all citizens are invited to submit testimony, either orally or in writing at the meeting. Written comments can also be submitted prior to the meeting and will be accepted until April 29th, 2011. Please forward all comments to the attention of:

Michael Mulé, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

THE FOLLOWING DOCUMENTS CAN BE REVIEWED AT:

<http://www.suffolkcountyny.gov/departments/planning.aspx>

Suffolk County Resolution No. 45-2010
Positive Declaration & Notice of Public Scoping Hearing
Notice of SEQRA Public Scoping Hearing
SEQRA Public Scoping Hearing Minutes
Final scope for DGEIS for declaration as surplus and subsequent sale of 255 acres of county owned land in Yaphank for mixed-use development purpose
Notice of Completion of DGEIS
Notice of Public Hearing
Draft Generic Environmental Impact Statement
A copy of the DGEIS is available for public review at the Suffolk County Department of Planning

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

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APPENDIX B

HEARING TRANSCRIPT

Commenter	Comment Location
1. Beth Motschenbacher, Long Island Pine Barrens Society	Comment # 38
2. Dibser Abreu	Comment # 20
3. Natalie Hancock for Amanda Stewart	Comment # 39
4. Legislator Kate Browning	Comments # 3, 4, 8, 20, 26, 27, 46, 62, 63, 65, 66, 70, 72
5. Emmett Phinney	Comment # 40
6. James Zarvos	Comment # 18
7. Fedora Ferrao	Comment # 41
8. Zorina Razack	Comment # 41
9. Richard Murdocco	Comments # 35, 45, 74

PUBLIC HEARING

On

DGEIS

FOR THE DECLARATION AS SURPLUS AND
SUBSEQUENT SALE OF 255+ ACRES OF
COUNTY OWNED LAND IN YAPHANK FOR
MIXED-USE DEVELOPMENT PURPOSES

ROSE CARACAPPA LEGISLATIVE AUDITORIUM
WILLIAM ROGERS LEGISLATIVE BUILDING
725 Veterans Memorial Highway
Smithtown, New York

April 12, 2011
6:00 p.m.

BEFORE:

R. LAWRENCE SWANSON, Chairperson

REPORTED BY:

THERESA PAPE,
Court Reporter/Notary Public

FIVE STAR REPORTING, INC.
90 JOHN STREET, SUITE 411
NEW YORK, NEW YORK 10038

631.224.5054

REC'D
CO. PLANNING DEPT.
211 APR 19 AM 11:27

1

2 A P P E A R A N C E S:

3

4 RICHARD MACHTAY

5 GLORIA G. RUSSO

6 MARY ANN SPENCER

7 JAMES BAGG

8 MICHAEL KAUFMAN

9 MICHAEL MULE

10 KAREN TIMLIN

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2 (WHEREUPON, this proceeding
3 convened at 6:00 p.m.
4 Off-the-record discussions ensued,
5 after which the following
6 transpired:)

7 (Time noted: 6:15 p.m.)

8 CHAIRMAN SWANSON: All right.
9 I'd like to call this public hearing
10 to order.

11 Good evening, everybody. My
12 name's Larry Swanson, and I'm the
13 chair of the CEQ. I'd like to start
14 on my right and have everybody else
15 at the table introduce themselves.

16 MS. RUSSO: Hello, everyone --

17 CHAIRMAN SWANSON: Oh, I'm
18 sorry. I was thinking of Mary Ann.

19 MS. RUSSO: Oh, gosh. I
20 thought you were talking about --

21 CHAIRMAN SWANSON: I'm sorry.

22 MS. RUSSO: Never mind.

23 MS. SPENCER: Mary Ann Spencer.

24 MR. MACHTAY: Richard Machtay.

25 MS. RUSSO: Gloria Russo.

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2 MR. MULE: Michael Mule.

3 MR. BAGG: James Bagg.

4 MR. KAUFMAN: Michael Kaufman.

5 CHAIRMAN SWANSON: All right.

6 This is a meeting to solicit
7 comments on the Draft Generic
8 Environmental Impact Statement dated
9 March 16th, 2011 for the Yaphank
10 County Center Development Project.

11 This is not a question and answer
12 session, this is an opportunity for
13 the public to respond to the
14 document and submit comments on its
15 content.

16 The County Planning Department
17 will be accepting written comments
18 up through Friday, April 29th.

19 Because the proposed
20 development has not been finalized
21 at this -- and is at this stage a
22 concept, the County felt it prudent
23 to prepare what is known as a
24 Generic Environmental Impact
25 Statement. As such, the impacts

1 Public Hearing 4/12/11

2 associated with the proposed project
3 were analyzed based on the
4 conceptual development plan and
5 reasonable assumptions. And I'm
6 going to ask Mike Mule to expand on
7 that a little bit later, after I get
8 through my introductory comments.

9 An environmental assessment
10 form on the proposed project was
11 reviewed by the CEQ on their
12 December 9th, 2009 meeting, where
13 the Counsel recommended
14 classification as a Type I Action
15 that may have significant adverse
16 impacts on the environment.

17 In February 2010, the Suffolk
18 County Legislature adopted
19 Resolution 45-2010 accepting CEQ's
20 recommendations and called for the
21 preparation of the Draft Generic
22 Environmental Impact Statement with
23 Public Scoping.

24 A Public Scoping Hearing was
25 held on March 16th of 2010.

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2 In November, 2010, Suffolk
3 County adopted Resolution 1025-2010
4 accepting the final scope -- scoping
5 document.

6 A DGIS based on the final scope
7 was presented to the CEQ on
8 March 16th, where it was accepted as
9 complete and suitable for public
10 comment.

11 And that brings us to today.
12 So if you intend to speak, please
13 sign a card and give it to the
14 receptionist in the hallway.

15 Mike, would you, for the
16 audience, say -- please expand a
17 little bit on what a Draft Generic
18 Impact Statement is versus an EIS.

19 Before you do, though, I want
20 to welcome the students from the
21 Environmental Issues course,
22 MAR 30- -- what is it? ENS 301.
23 Dr. Bowman is in the back with
24 13 of our students, and we thought
25 this is a great opportunity for them

1 Public Hearing 4/12/11

2 to be exposed to the SEQRA process,
3 and I think it's great that you're
4 coming and participating.

5 Mike.

6 MR. MULE: All right. So
7 Generic Environmental Impact
8 Statement is, as the title states,
9 more generic.

10 The project submitted, at this
11 point, was more conceptual. And
12 considering the fact that we didn't
13 have engineering schematics, plans,
14 the real details and the -- and the
15 meat of the development, the impacts
16 had to be evaluated in a more
17 generic sense. So reasonable
18 assumptions had to be made with
19 regard to traffic and wastewater
20 flows and energy consumption.

21 So it's a little less specific
22 than a regular environmental impact
23 statement where all those factors
24 are at the forefront of the project.
25 This is more conceptual.

1 Public Hearing 4/12/11

2 CHAIRMAN SWANSON: Thank you,
3 Mike.

4 So we'll begin.

5 And the first card we received
6 was from the Long Island Pine
7 Barrens Society.

8 And I understand you want to
9 only submit a written statement; is
10 that correct?

11 MS. MOTSCHENBACHER: No, I'll
12 read it. I just brought an extra --

13 CHAIRMAN SWANSON: Okay.
14 Please come forward.

15 MR. KAUFMAN: Have her submit a
16 copy for the record.

17 CHAIRMAN SWANSON: And submit a
18 copy for the record.

19 MS. MOTSCHENBACHER: Sure.

20 (WHEREUPON, the
21 above-referred-to document, letter
22 dated April 12, 2011 from the Long
23 Island Pine Barrens Society, CEQ
24 Public Hearing Exhibit 1, was marked
25 for identification, and was moved

1 Public Hearing 4/12/11

2 into evidence, as of this date.)

3 CHAIRMAN SWANSON: And state
4 your name and your organization.

5 MS. MOTSCHENBACHER: My name is
6 Beth Motschenbacher -- should I
7 spell it?

8 CHAIRMAN SWANSON: Please.

9 MS. MOTSCHENBACHER: It's
10 M-O-T-S-C-H-E-N-B-A-C-H-E-R, and I'm
11 here on behalf of the Long Island
12 Pine Barrens Society.

13 "The Pine Barrens Society
14 doesn't support selling the land for
15 both environmental and economical
16 reasons. Government at every level
17 is working to protect the Carmans
18 River, and this property is in the
19 watershed.

20 "A survey taken at the height
21 of the recession indicated that
22 4 out of 5 Long Islanders support
23 preserving lands now, while prices
24 are down and sellers are eager. It
25 is unlikely the Town of Brookhaven

1 Public Hearing 4/12/11

2 will permit high density development
3 at a time when it's contemplating
4 rezoning lands to limit the density
5 to the Carmans River Watershed as
6 part of the Carmans River Watershed
7 Protection Management Plan.

8 "You don't have to be an
9 economist to know that you can't
10 balance the budget with one-shot
11 revenue sources such as surplusings
12 property that the taxpayers already
13 own. So the Pine Barrens Society
14 believes that selling this land
15 makes neither environmental nor
16 economical sense. Since it is clear
17 that the County doesn't need it for
18 any other purpose, these lands
19 should be put into permanent
20 preservation."

21 Thank you.

22 CHAIRMAN SWANSON: Thank you.

23 All right. We're going to have
24 a time limit of three minutes for
25 talk.

1 Public Hearing 4/12/11

2 The next in line is Dibser
3 Abreu, Stony Brook University.

4 MS. ABREU: Hello. My name is
5 Dibser Abreu --

6 CHAIRMAN SWANSON: Speak into
7 the microphone.

8 MR. KAUFMAN: She has to push
9 the button.

10 MS. ABREU: Oh -- okay.

11 All right. So my name is
12 Dibser Abreu, and I'm a student at
13 Stony Brook University. I am an
14 Environmental Studies major.

15 So I just want to speak in
16 concern of the landline -- the water
17 on Long Island. And I just want to
18 go into the reduction of wetlands in
19 results to the reduction of water
20 quality in the Carman Lake (sic)
21 which will result from
22 industrialization and development.

23 Increase in development and an
24 industrialization will add on to the
25 reduction in the water quality;

1 Public Hearing 4/12/11

2 overconsumption and mass expansion
3 will lead to further pollution in
4 the water table; and will also lead
5 to further reduction of wetlands,
6 which could result from coastal
7 disasters and also provide nurseries
8 and result in vast wild diversity of
9 wetlands.

10 I feel that there needs to be a
11 water quality goal for this land
12 of urbanization in the Yaphank area
13 of Long Island. I feel that the
14 plan is a bit -- a short-term goal
15 in terms of mass expansion and --
16 leading to increase use of water
17 which we are already depleting. I
18 feel that we need more long-term
19 goals which will focus on our
20 resources in our wetlands and --
21 provided by our wetlands and -- as
22 well as water quality protection
23 plan.

24 Also, I feel like this vast
25 expansion will be to a lack of land

1 Public Hearing 4/12/11

2 needed for future generations. So I
3 think we need to think more
4 sustainably and more about the
5 future, rather than just right now.

6 Thank you.

7 CHAIRMAN SWANSON: Thank you.

8 Our next speaker is Natalie
9 Hancock.

10 MS. HANCOCK: Hi. I'm Natalie
11 Hancock from Stony Brook University.
12 I'm speaking on behalf of Amanda
13 Stewart who's a Biology major and an
14 Environmental Studies minor.

15 "In the past several decades,
16 Long Island has become densely
17 populated as suburban sprawl and
18 industrial development has made its
19 way back east. In its path, many
20 environmental issues have arisen due
21 to ecosystems, degradation, water
22 contamination, and loss of open
23 space. However, despite the obvious
24 repercussions of development, profit
25 and politics have become major

1 Public Hearing 4/12/11

2 facilitators of its continuation,
3 even in the wake of public
4 disapproval.

5 "Another possible victim to this
6 vicious cycle is the parcel of land
7 in question tonight situated in
8 Yaphank along the Carmans River. As
9 of right now, this area and
10 surrounding land is mostly vacant or
11 used for recreational open space.

12 "Land Trust Development
13 proposes several residential
14 complexes, a sports arena, office,
15 and retail complexes, town square,
16 recreation, light industrial
17 structures, and so on.

18 "Although these plans are
19 regarded as following the smart
20 growth principles that have been
21 prioritized by Suffolk County, I do
22 not believe they are being applied
23 in such a way as initially intended,
24 nor in a sustainable fashion.

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2 "According to the smart growth
3 principles, areas that have already
4 been developed should be those to
5 which funding be applied for
6 renovation and improvement. This
7 concerns open space and restructures
8 where infrastructures already exist
9 in order to concentrate popular --
10 population density and reduce
11 sprawl.

12 "Therefore, it seems
13 counterintuitive to take a
14 fundamentally undeveloped area
15 outside of the existing downtown and
16 develop it further.

17 "The 1970 plan published by the
18 Suffolk -- the Nassau/Suffolk
19 Regional Planning Board designated
20 the conservation of open space to be
21 the highest priority in both
22 Counties. I cannot see how this has
23 changed considering the continued
24 increase in population density and
25 the associated loss of open space.

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2 "The Carmans River and its
3 water and ecosystem quality also
4 remain a major concern in
5 consideration of these plans. The
6 environmental impact statement draft
7 states that the Carmans River,
8 although in good health currently,
9 has been affected in the past by
10 development and anthropogenic
11 degradation, and continues to be
12 vulnerable.

13 "The wetlands that boarder
14 the river provide a natural
15 water purification system, but is
16 currently being lost across
17 Long Island and remains the topic of
18 dispute between developers and
19 environmentalists.

20 "Impacts of development are
21 more often than not conservative and
22 underestimate a few professions.
23 Increases of runoff, water
24 contamination, and road and foot
25 traffic will very possibly degrade

1 Public Hearing 4/12/11

2 the areas surrounding the region in
3 question.

4 "In conclusion, not only do
5 these plans for development come
6 under much scrutiny of the public,
7 but they also perpetuate the
8 overdevelopment in associated
9 landscape not -- so many people are
10 fighting against. Important
11 ecosystems that provide us both
12 natural resources and services at
13 risk, and should be made the highest
14 priority in light of this decision.

15 "Thank you for your time and
16 consideration."

17 CHAIRMAN SWANSON: Thank you.

18 Suffolk County Legislator
19 Browning.

20 LEGISLATOR BROWNING: I guess I
21 have to do what everybody else is
22 being told to do. Hold the button.

23 Well, first of all, thank you
24 for giving me some time to speak
25 with you.

1 Public Hearing 4/12/11

2 As you know, this planned
3 project of Legacy Village is within
4 my district and -- many concerns
5 that are going on with it.

6 You know, the GEIS states that
7 the Yaphank site has a unique, rural
8 character reflective of the
9 surrounding community.

10 The vision in this GEIS is to
11 respect the community, have a
12 positive impact on the school
13 districts, protect the environment,
14 and coexist without conflict.

15 It states there was a public
16 outreach, but it wasn't in Yaphank.
17 Not much anyway. Transparent and
18 lengthy process through the early
19 involvement of the community. After
20 the RFP Committee met, the plan went
21 behind closed doors and the
22 community had little or no
23 involvement.

24 The Yaphank Historical Society
25 has worked very hard to improve the

1 Public Hearing 4/12/11

2 historic homes. The County's also
3 budgeted to restore the Homan house,
4 which is right near this proposed
5 development.

6 The County Infirmary, which is
7 over 100 years old, and nearby --
8 and there's also the nearby
9 cemetery were residents of the
10 infirmary were laid to rest.

11 The Doctor's Cottage is a
12 valuable structure to the Yaphank
13 community. It was the residents of
14 the doctor who cared for the
15 residents in the infirmary. There's
16 a recommendation to demolish the
17 building. The Historical Society
18 has a desire to restore the
19 building. And demolition is
20 certainly not support in historical
21 character of the community.

22 Building a state-of-the-art
23 5,500 seat arena does not respect or
24 coexist without conflict of the
25 historical community.

1 Public Hearing 4/12/11

2 I researched the building of a
3 5,500 seat arena, and what I've
4 learned is that the size of the
5 arena cannot sustain itself. It
6 can't attract the venues to bring in
7 adequate revenue, and the County
8 would need to donate the land and
9 make it tax free to the developer to
10 make it worthwhile to build.

11 The arena would become a modern
12 day Vanderbilt where the taxpayers
13 would have to subsidize it. I don't
14 think that they will sign up for
15 that.

16 The County Executive just
17 vetoed funding needed for the
18 Vanderbilt for much needed
19 restorations. Why would you want to
20 build a white elephant and further
21 burden the taxpayers?

22 It costs approximately \$17,000
23 to educate one child. And let's
24 take about 785 of the housing units.
25 And if each one of those has maybe

1 Public Hearing 4/12/11

2 one child, that would be about
3 \$13 million a year to the Longwood
4 School District.

5 The average home has
6 2.5 children, and how could this
7 be a tax positive if there's
8 1,250 units? The taxes in one home
9 doesn't pay to educate one child.

10 The study says 207 students. I
11 think that number is very
12 understated.

13 \$17,000 for a child who does
14 not require special services.
15 That's about what it costs. But
16 many children these days, the high
17 rate of autism -- and the Longwood
18 School District is very well known
19 for the great services they provide
20 for special needs kids, and there is
21 a real concern about how much it
22 would really cost per child.

23 And since the population
24 increase would be about one-third
25 and -- you know, what community

1 Public Hearing 4/12/11

2 wouldn't complain with that kind of
3 an increase to the population in
4 their community?

5 And you also have to take into
6 consideration the other developments
7 within the Longwood School District.
8 There's one a little further
9 southeast of that, off of William
10 Floyd Parkway, the AVR property,
11 and there's a proposed, I believe,
12 800 units of housing. So that will
13 have an impact on the school
14 district also. However, I have to
15 say, they did do phenomenal outreach
16 with the Town of Brookhaven and with
17 the local community to make this a
18 project that would work.

19 And let's get real about
20 Yaphank train station. We talk
21 about improving that. This is
22 really, right now, next to no
23 service. And as we all know,
24 Long Island Rail Road has cut
25 service on the East End. So

1 Public Hearing 4/12/11

2 reality is, to think that they will
3 improve the system in Yaphank, I
4 think, is a pipe dream.

5 You know, they're expanding the
6 jail. And I've received numerous
7 complaints about prisoners that have
8 been released and probationers who
9 have to report to the Probation
10 Department are knocking on doors of
11 the homes in the surrounding area
12 and littering the bus stops. I've
13 requested to have that bus stop
14 moved in closer to the jail. And
15 I'm sure the 1,250 units of housing
16 that are being proposed, those
17 local residents, will certainly be
18 pleased to know -- I'm sure they're
19 not going to be pleased to know that
20 people who are released from the
21 jail will be riding on the bus in
22 their community while they're at
23 work.

24 I also would like to know, is
25 there going to be a buyer beware if

1 Public Hearing 4/12/11

2 this project was to move forward.

3 There's a landfill -- I think we've
4 all been reading about the landfill
5 and the sludge -- and a compost
6 facility which still continues to be
7 a problem, a fireworks facility, a
8 jail and a probation department.
9 And when you put that out there, who
10 wants to live next to that?

11 And I'll finish up with the
12 environmental issues. Parcel A -- I
13 do have a piece of legislation
14 currently to preserve Parcel A.
15 The -- not the developed area,
16 however -- where it is not currently
17 developed, to preserve that. That's
18 smack dab right on top of the
19 Carmans River Watershed.

20 And I'm also reading here --
21 where is it here? Streams in the
22 Carmans River -- I believe its page
23 20, and it says here, "Although
24 distant from the Carmans River, the
25 proposed developments in areas B

1 Public Hearing 4/12/11

2 through D could negatively affect
3 both water quality and quantity
4 within the river due to decreased
5 groundwater recharge. Increase
6 groundwater withdrawal, introduction
7 of contaminants, and shallow
8 groundwater can surface runoff, and
9 increased use of fertilizers and
10 deicing materials."

11 This is a GEIS. It's a general
12 environmental impact study. I think
13 there could be more work done on
14 this and I really do -- I think as
15 it stands right now, the Yaphank
16 development is looking like it's
17 going to die. And I hope it does.

18 But I have serious concerns --
19 I've always had serious concerns
20 about this proposed development in
21 Yaphank. And I know that most of
22 the Yaphank people are currently at
23 the town hall tonight, there's
24 another meeting at town hall
25 pertaining to the landfill. So I --

1 Public Hearing 4/12/11
2 I will tell you that, only for that,
3 there would many of them here
4 tonight.

5 But, again, I think more needs
6 to be done. And, like I said, I
7 hope this Yaphank project dies. I
8 think it is dying a slow death. And
9 I think we really need to look
10 seriously at the Carmans River
11 Watershed study and make sure that
12 whatever is decided by this -- this
13 body that -- you know, it's the
14 right thing for Yaphank.

15 Thank you.

16 CHAIRMAN SWANSON: Thank you.

17 Emmett Phinney.

18 MR. PHINNEY: My name's Emmett
19 Phinney, and I'm a Stony Brook
20 University student as well as a
21 resident of Suffolk County. And as
22 a resident of Suffolk County, I do
23 agree that development needs to
24 occur. However, I think that the
25 Carmans River is not the correct

1 Public Hearing 4/12/11

2 spot, mostly because of it's
3 uniqueness as a river on
4 Long Island.

5 Many people know that there
6 aren't many rivers on Long Island,
7 and wetlands are unique in their
8 ability to protect areas from floods
9 and filter groundwater. And it just
10 does not seem like to correct spot
11 for development because of its
12 uniqueness.

13 That's all I have to say.

14 CHAIRMAN SWANSON: Thank you.

15 James Zarvos.

16 MR. ZARVOS: Hello. My name is
17 James Zarvos. I'm an Environmental
18 Studies student at Stony Brook
19 University.

20 I just have a quick statement
21 saying that I do -- I oppose the
22 development on top of the Carmans
23 River Watershed because of the
24 runoff from all the houses and stuff
25 that would be built, from -- from

1 Public Hearing 4/12/11

2 fertilizers and the roads -- will
3 contaminate the river and also the
4 aquifers that are very nec -- like
5 necessary for our drinking water on
6 Long Island.

7 That's it.

8 CHAIRMAN SWANSON: Thank you.

9 Fedora Ferrao.

10 MS. FERRAO: My name's Fedora
11 Ferrao, and I'm also a student from
12 Stony Brook University.

13 CHAIRMAN SWANSON: Just a
14 minute.

15 Can you go back and spell your
16 name for the stenographer?

17 MS. FERRAO: F-E-D-O-R-A, and
18 F-E-R-R-A-O.

19 CHAIRMAN SWANSON: Thank you.

20 MS. FERRAO: I'm a student from
21 Stony Brook University, and I also
22 oppose the Carmans River Watershed
23 protection plan and -- especially
24 because in the plan it notes about
25 building --

1 Public Hearing 4/12/11

2 CHAIRMAN SWANSON: Hold the
3 microphone a little closer to
4 your --

5 MS. FERRAO: -- about
6 constructing infrastructure,
7 especially to deal with the
8 mortality of wildlife from road
9 kill. So --

10 CHAIRMAN SWANSON: Thank you.
11 Zorina Razack.

12 MS. RAZACK: Hello. Hi. My
13 name is Zorina Razack and I also
14 attend Stony Brook University.

15 CHAIRMAN SWANSON: Spell your
16 name, please.

17 MS. RAZACK: Z-O-R-I-N-A,
18 R-A-Z-A-C-K. And I am also against
19 the Carmans River Watershed
20 protection plan also because of its
21 construction of the infrastructure
22 can reduce mortality of wildlife and
23 road kill.

24 Thank you.

25 CHAIRMAN SWANSON: Thank you.

1 Public Hearing 4/12/11

2 Do we have anybody else that is
3 desirous to speak?

4 MR. MURDOCCO: (Indicating)

5 CHAIRMAN SWANSON: Yes.

6 MR. MURDOCCO: Hi. My name's
7 Richard Murdocco. I'm a resident of
8 Brookhaven in Suffolk County, and I
9 have my masters in policy from
10 Stony Brook.

11 CHAIRMAN SWANSON: Could you
12 spell your name also, please?

13 MR. MURDOCCO: M-U-R-D-O-C-C-O.

14 I think it's important to
15 mention about the selling of this
16 parcel, or whatever we decide to do
17 with it, that we all recognize that
18 impacts of all the other projects in
19 concert with the Levy town proposal,
20 and to realize that even if this
21 project does, quote, unquote, die,
22 there's still the potential for, if
23 we do sell it, another proposal with
24 even more density and more intensive
25 land use to be put there.

1 Public Hearing 4/12/11

2 The best option would be
3 preservation of the land, especially
4 in such close proximity to the
5 Carmans River Watershed.

6 The Levy town proposal is not
7 smart growth. And I say that
8 because smart growth is the
9 repurposing and the reuse of, say,
10 an old commercial parcel, old
11 industrial parcel. This is creating
12 a new destination center where there
13 was not a destination, and that's
14 something important to realize.

15 So my recommendation is that we
16 buy the parcel or we donate it to
17 just open space, but not charge the
18 taxpayers for something that they
19 technically already own.

20 That's it.

21 CHAIRMAN SWANSON: Thank you.

22 Anybody else?

23 (WHEREUPON, there was no
24 response.)

25 CHAIRMAN SWANSON: Karen, do

1 Public Hearing 4/12/11

2 you have any more cards?

3 MR. MULE: No, she doesn't.

4 CHAIRMAN SWANSON: She doesn't.

5 MS. TIMLIN: No.

6 CHAIRMAN SWANSON: Thank you.

7 Okay. If that is all, I would
8 remind you to please submit your
9 statements in writing if you have
10 them. And the record will stay open
11 until April 29th for other comments.
12 And I thank you for your
13 participation and your thoughts.

14 So have a good evening.

15 MR. KAUFMAN: You have to do a
16 motion to close.

17 CHAIRMAN SWANSON: Okay. We
18 need a motion to close.

19 MR. MACHTAY: Motion to close.

20 CHAIRMAN SWANSON: Do we have a
21 second?

22 MS. SPENCER: Second.

23 CHAIRMAN SWANSON: All in
24 favor?

25 ALL: Aye.

Public Hearing 4/12/11

CHAIRMAN SWANSON: The
meeting is closed.

(Time noted: 6:41 p.m.)

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Public Hearing 4/12/11

EXHIBITS

PUBLIC HEARING

EXHIBITS	DESCRIPTION	PAGE
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1	Letter dated April 12, 2011	8
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Public Hearing 4/12/11

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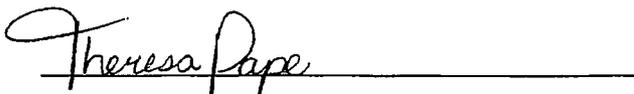
C E R T I F I C A T E

I, THERESA PAPE, a Shorthand
Reporter and Notary Public of the State of
New York, do hereby certify:

That the foregoing is a true and
accurate transcription of the stenographic
notes taken herein.

I further certify that I am not
related to any of the parties to this action
by blood or marriage; and that I am in no
way interested in the outcome of this
matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 12th day of April 2011.

A handwritten signature in cursive script that reads "Theresa Pape". The signature is written in black ink and is positioned above a solid horizontal line that extends across the width of the signature.

THERESA PAPE

APPENDIX C

COMMENT LETTERS

Author	Comment Location
1. Rosemary W. Albanese	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
2. Ms. Donna Andrea	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
3. James Bagg	Comments # 17, 34, 42, 67, 77
4. Christopher Broszeit	Comments # 6, 31, 33, 35
5. James & Christine Burke	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
6. Linda Caldwell	Comments # 30
7. Heather Champion	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
8. Gary Clevidence	Comments # 12
9. Ellen Clyne, Director, Brookhaven Village Association	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
10. Jim and Barbara Curto	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
11. Laura Day	Comments # 12, 20, 28, 44
12. Lillian and Nick Depaolo	Comment # 12
13. Carol Dooley & Jim Gamaldi	Comment # 1
14. Diane English	Comment # 1
15. Bob & Donna Esp	Comment # 1
16. Alan & Mary Anne Feinstein	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
17. Tricia Foley, Trustee, Yaphank Historical Society	Comments # 12, 23, 37, 44
18. Claire Goad	Comments # 1, 7, 12, 17, 23, 29, 36, 42, 44
19. Frances E. Goldhorn	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
20. Margaret Hart	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
21. Jan Harting-McChesney	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
22. George Howarth	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
23. Gerry/Geraldine Hummel	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
24. Charlotte Jacob	Comments # 11, 16, 20
25. Charlotte Jacob (2 letters)	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
26. MaryAnn Johnston, President, Affiliated Brookhaven Civic Organizations, Inc.	Comments # 7, 11, 17, 28, 29, 33, 35, 36, 44, 45, 69
27. Robert Kessler	Comment #28
28. Robert/Audrey Kessler	Comments #1, 76
29. Ronald M Kinsella	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
30. Robert Liere & Diane Ress-Liere	Comment # 35
31. LI Pine Barrens Society	Comments # 38
32. Consuelo G. Ludlam	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
33. Edward P. Luke	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
34. Mrs. Marybeth Lyons	Comments # 1, 12, 23, 29, 36
35. Kathleen Madigan	Comments # 1, 27, 31
36. Liz Marcellus	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
37. Linda McCarthy	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
38. Johan McConnell, President, South Yaphank Civic Association	Comments # 6, 14, 15, 34, 48

*Final Generic Environmental Impact Statement for
Declaration as Surplus and Sale of 255 Acres of County Owned
Land in Yaphank for Mixed Use Development Purposes*

July 2011

39. Joann & Francis McLoughlin	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
40. Pauline A. Mize	Comments # 34, 35, 40, 73
41. Frederick S. Mohlmann	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
42. Glenn Murrell, P.E., Acting Regional Planning and Program Manager, NYSDOT	Comments # 49, 50, 51, 52, 53, 54, 55, 58, 59, 60, 61
43. John Palasek	Comments # 5, 12
44. Karen Palasek	Comments # 12, 44, 57
45. Ralf Petersen	Comments # 12, 33, 44
46. John Petraglia	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
47. Daniel Pichney	Comments # 2, 24, 25, 56
48. Daniel Pichney (2 letters)	Comment # 24
49. John T. Rauh	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
50. Karen Rowley	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
51. Kathleen Scheibel, President, Brookhaven Village Association, Director, Brookhaven Free Library	Comments # 7, 12, 17, 28, 42
52. Helen Sohne	Comments # 1, 12, 71
53. Tom Stock	Comment # 19
54. Jane Roe Tierney	Comments # 12, 31, 35
55. Daniel Tomaszewski, Vice President, Longwood Board of Education	Comment # 68
56. Werner & Marieanne Tramm	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
57. James T.B. Tripp, Senior Counsel, Environmental Defense Fund	Comments # 13, 75
58. James T.B. Tripp, Senior Counsel, Environmental Defense Fund (2 Letters)	Comments # 6, 13, 75
59. Chad Trusnovec	Comments # 12, 28, 47
60. Steven Trusnovec	Comment # 12
61. Carol Tucher	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
62. Martin Van Lith	Comments # 7, 8, 9, 10, 12, 21, 22, 43
63. Sharon A. Wiesmann	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69
64. Thomas B. Williams	Comments # 7, 12, 17, 23, 28, 29, 36, 42, 44, 64, 69

From: Sharon Wiesmann [mailto:shawingen@gmail.com]
Sent: Thursday, April 28, 2011 5:28 PM
To: Mule, Michael
Subject: FW: Critical Call to Action to Provide Comments to CEQ on Yaphank Development

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a Suffolk County resident I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What

type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Rosemary W. Albanese
71 Pinewoods Crescent
Middle Island, NY 11953
(631) 732-3596

From: Clootsie@aol.com [mailto:Clootsie@aol.com]
Sent: Thursday, April 28, 2011 8:51 PM
To: Mule, Michael
Subject: letter regarding levyville

(Michael.Mule@suffolkcountyny.gov)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

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-

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I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

ms. donna andrea

Full name

Mailing address p o box 219, brookhaven, ny 11719

Telephone number 631 286-3676

James F. Bagg, Jr.
8 Tiger Court
Yaphank, N.Y. 11980
(631-345-0243)

MEMORANDUM

To: Michael Mule, Environmental Projects Coordinator, Suffolk County Planning Department
From: James Bagg, CEQ Member

Date: April 28, 2011

Re: Comments concerning the **DGEIS for the Declaration as Surplus and Subsequent Sale of 250 Acres of County Owned Land in Yaphank for Mixed Use Development Purposes**

Review of the above referenced document indicates that specific issues remain unanswered and that a FGEIS should be prepared to address those concerns. Specifically, the following things come to mind:

1. The Table 25-14 gives a square foot/acre density for the various alternatives, however, this should be expanded to specifically show how many residential, industrial and commercial units could be built on a parcel by parcel basis. For example, the amount of residential units proposed clearly exceeds the number of units allowed under the current zoning. This should be clearly shown so the residents of the Yaphank community understand the proposal.

2. The discussion of smart growth shows that one of the guiding principles is to preserve open space. This is done by transferring development rights from sensitive environmental areas into proposed smart growth areas. Since the preferred alternative for the county's Yaphank property has been purported to be a "smart growth" project, the proposed increased density should only be allowed when development rights are brought in from outlying areas. Suffolk County through its Planning Department has been accumulating development rights from open space previously purchased by the county to be used for projects such as the one proposed in Yaphank. The number of development rights that currently have been acquired by the county, as well as future ones, should be quantified in the FGEIS and transferred to the site to accommodate the increased density called for in the preferred alternative. In addition, there are Pine Barrens credits still left to be purchased in the Pine Barrens Core Area and their number should also be ascertained, and if necessary, be required to be moved to the site. Any developer proposing to build additional density at the county's Yaphank property should be required to purchase and transfer those development rights. This would help to balance the county's current deficit and minimize environmental impacts.

3. The Carmans River Watershed Protection Plan status should be updated in the FGEIS and exactly how the proposed alternative compares with that plan should be done on a parcel by parcel basis. Clearly, the proposed increased density development of parcel A does not conform to the draft plan. In addition, the draft Carmans River Plan calls for the rezoning of privately owned areas within the watershed area to 5 acre residential. The DGEIS states that since the

county property is publically owned, that it does not apply to the Yaphank site. However, that statement is disingenuous since the county site is to be sold to a private entity and developed privately in the future.

4. Since the entire Yaphank site is in the Carmans River watershed, all development at the site prior to completion should be hooked up to a tertiary sewage treatment facility. The build out of the preferred alternative as called for in the DGEIS shows significant increases in sewage flow. Since the current Yaphank Sewage Treatment Plant is or will be at capacity, the amount of acreage required for the upgraded/new facility should be made part of the GEIS. In addition, the projected cost in current dollars for such a facility should be calculated so that any individuals purchasing and developing the site know up front what start up costs will be required.

5. In light of this years budget cuts to education adopted by Albany, the projected school district taxes should be revised to reflect the current reality of the situation. All of the proposed increases in housing are in the Longwood School District and if any of the proposed commercial and industrial development in that district does not take place, the resulting impact on the school taxes should be calculated and made known.

Once the FGEIS is finalized, then the CEQ can recommend and the Legislature can adopt the required findings and the SEQRA process will be complete.

From: Christopher R. Broszeit [mailto:cbroszeit@orlandi-usa.com]
Sent: Friday, April 29, 2011 8:46 AM
To: Mule, Michael; Browning, Kate
Subject: DGEIS

Greetings,

I would like to express my view on the DGEIS that has been generated pertaining to the acreage in Yaphank. The study is too specific to the Legacy/Lunacy Village proposal and any future proposals for the land should have to execute a new Environmental Impact Study that is precise to the intended land use. Portions of the land are in environmentally sensitive areas and others are in historically important areas. Additionally, the area is very rural and any proposed development MUST take that into consideration. The hamlet of Yaphank needs to retain its character regardless of the land usage. The limited roadways, natural resources, community services, schools and waste services need to be paramount in future consideration.

In my view the DGEIS is not a fair document to our community and needs additional deliberation. The supreme irony of the County offering this property for sale while other, more fortunate, parcels are being purchased in the name of conservation is irrational. However, all we can ask is that our request for an equitable use for the property is part of the sale. Due process and accountability to current zoning along with approval of the existing community have to be part of the process. Hot selling to fill a budget deficit will only produce larger problems down the road.

Sincerely,

Christopher Broszeit

6 Sommerset Drive

Yaphank, NY 11980
631-924-4713

[\(Michael.Mule@suffolkcountyny.gov\)](mailto:Michael.Mule@suffolkcountyny.gov)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this. Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.
2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

James & Christine Burke

104 Patchogue Yaphank Road

Yaphank, New York 11980

(631) 924-5582

From: babes106@aol.com [mailto:babes106@aol.com]
Sent: Friday, April 29, 2011 10:32 AM
To: Mule, Michael
Subject: casino

I find it incredible that we as taxpayers and citizens are spending money to buy land that will prevent it from being developed and when we own vacant land that is undeveloped we want to sell it to have it developed. Yaphank has had everything dumped on it that no other community wants--I suggest that Mr. Levy select an area nearby to his residence and do an exchange---we get the casino and he gets the dumps, or the jail, or the compost business, or the skeet range----I could go on but I think I have made my point. This was an agricultural area where my grandparents(Glover) owned a farm and now ---thanks to progress and and no political clout on our part --the area is just about destroyed. Sincerely,

Linda Caldwell

Yaphank, NY 119808

From: Heather Champion [mailto:heather.champion@gmail.com]

Sent: Friday, April 29, 2011 9:31 AM

To: Mule, Michael

Subject: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an “all or nothing approach.” Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.

6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.

8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Heather Champion

260 Waverly Ave, #43

Patchogue, NY 11772

631.730.6443

From: Gary Clevidence [mailto:garyclevidence@gmail.com]

Sent: Friday, April 29, 2011 12:25 PM

To: Mule, Michael

Subject: SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

Sincerely,

Gary Clevidence

108 Edgar Ave.

Brookhaven, NY 11719

286 4206

From: eclyne@optonline.net [mailto:eclyne@optonline.net]
Sent: Friday, April 29, 2011 3:50 PM
To: Mule, Michael
Subject: Protecting the Carmans River

Michael Mule, Environmental Projects Coordinator Suffolk County Planning Department PO Box 6100 Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I am a resident of Brookhaven Hamlet and am writing to express my opposition to any development of the land formerly considered for the Legacy Village. Protection of the Carmans River and its surrounding water shed is vital to the survival of the river and the wildlife and ecosystem it supports. Suffolk County must keep as much open space and protected drinking water as possible to ensure the health and vitality of its existing communities. Additional roads, traffic and development will drain our natural resources and tax our existing infrastructure beyond its limits.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlets of Yaphank and Brookhaven. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC - OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to CARMANS RIVER WATERSHED, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

In closing I add that I am opposed to any plan to put a casino on this land. I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Ellen Clyne
10 Newey Lane
Brookhaven, NY, 11719
Director, Brookhaven Village Association eclyne@optonline.net

From: JBCurto [mailto:jbcurto@optonline.net]

Sent: Sunday, May 01, 2011 8:11 AM

To: Mule, Michael

Subject: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

April 30, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What

type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Jim and Barbara Curto
194 Gerard Rd.
Yaphank, NY 11980

631-924-5124

From: Laura Day [mailto:1pumpkin@optonline.net]
Sent: Thursday, April 28, 2011 9:52 PM
To: Mule, Michael
Subject: DGEIS - Yaphank (thank you for reading my letter)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident for almost 14 years and taxpayer, I am adamantly **opposed** to the surplus and potential sale of this property.

I am sure that you must be receiving numerous letters commenting and questioning the DGEIS. I would like to emphasize the one point that I believe is the most essential to the sale and development of any land, whether or not it is in my backyard. There is so little open space remaining on Long Island today. Any potential use of this land should be carefully considered so as not to duplicate something already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants, sports complexes, warehouses, and the like in one of the few towns left that is struggling to hold on to its historic roots. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other land-ravaging eyesores lying vacant within a few miles of the property in question.

I know you are aware that *any* activity on this particular land has a direct impact on CARMANS RIVER WATERSHED, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to forever change the non-destination Historic Hamlet of Yaphank into an unpredictable pseudo-city that claims easy access to the Long Island Expressway.

I thank you for the time you took to read this letter. I hope you appreciate that this petition is not the result of a 'not in my backyard' philosophy, but rather an outlook for the future of a town that has too much charm to cut and divide for a profit. My family is counting on the CEQ to consider the future of our beautiful Yaphank.

Sincerely,

Laura Day
14 Sterling Path
Yaphank, NY 11980
(631) 345-2519

From: lillian depaolo [mailto:twoprunes@gmail.com]
Sent: Friday, April 29, 2011 9:37 AM
To: Mule, Michael
Subject: concerning LEGACY

Good morning Michael, I am totally opposed to any developemnt of this property . We have enough impact to the land at this time. The landfil has many issues that need addressing, we do not need more impact on the community in any way..

Thank You Lillian and Nick Depaolo
6 meadow lane Brookhaven, new York 11719

631-286-3890

From: Carol F Dooley [mailto:carolfrancescad@optonline.net]
Sent: Thursday, April 28, 2011 5:18 PM
To: Mule, Michael
Subject: Casino

In the midst of long-standing fighting to find ways to eradicate the invasive species that have attacked our Yaphank lakes, and in the face of the present venture to place the hamlet of Yaphank into the Pine Barrens in order to protect it from further environmental damage, how can constructing a casino possibly be considered? Years of meetings, studies and taxpayer expense devoted to finding solution to the invasive plants, and currently months of meetings to understand and potentially support the Carmans River Watershed and Management Plan to protect in perpetuity the fragile ecosystem of the rivers would be for nought. It would be unconscionable to consider a destination casino for Yaphank. What kind of thinking goes into a hasty proposal like this? Get with the facts, get with the people, not with how much money you can make on the sale of this land.

Sincerely,
Carol Dooley
Jim Gamaldi
Main St., Yaphank

From: English [mailto:kendikris@optonline.net]
Sent: Friday, April 29, 2011 10:33 AM
To: Mule, Michael
Subject: No Casino in Yaphank

Hi. My name is Diane English and I live in Yaphank. I have read about the Shinnecock Indian Nation considering putting in a casino in Yaphank. We have enough dumped on us already with the shooting range, dumps, compost. We do not need a Casino in Yaphank. Our lakes and Rivers need to be protected. Enough is enough. The value of our homes have gone down enough.

Thanking you in advance for keeping anymore development proposals out of Yaphank.

Diane English

From: Bob & Donna Esp [mailto:dab26@optonline.net]
Sent: Friday, April 29, 2011 2:13 PM
To: Mule, Michael
Subject: Carman's River Watershed

PLEASE leave our Carman's River Watershed plan intact! We don't need any private land developers and/or an Indian Casino. This area has been hit hard enough. Maybe someone on the North Shore would love such a Casino, but we DO NOT.

From: ALAFE456@aol.com
To: michale.mule@suffolkcountyny.gov
Sent: 4/29/2011 1:12:35 P.M. Eastern Daylight Time
Subj: Yaphank Development

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
 3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?
-

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Alan & Mary Anne Feinstein

P.O. Box 1125

Middle Island, NY 11953

From: Tricia Foley [mailto:tricia@triciafoley.com]
Sent: Thursday, April 28, 2011 6:35 PM
To: Mule, Michael
Subject: proposed Yaphank casino

Dear Mr. Mule,

I am adamantly opposed to the sale of the surplus property in Yaphank for the proposed gambling casino.

As a Trustee of the Yaphank Historical Society, homeowner in the Yaphank historic district for 30 years, and life-long resident of Suffolk County, I am appalled that this is coming up without any notice or consensus from our community.

We have been working hard at preserving the history and architectural heritage of our 18th century hamlet, restoring our Main Street historic district and trying to save our dying Yaphank Lakes. It is well known that the residents of Yaphank responded unanimously and negatively to the Legacy Village plan, and this proposal is so much worse, as it is to be sited on the banks of the Carmans River.

So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

I would also like to point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Any future development on these public-owned lands has the potential to destroy the Historic Hamlet of Yaphank. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents and the future of this area.

Sincerely,
Tricia Foley
Trustee
Yaphank Historical Society

469 Main Street
Yaphank, NY 11980
631.924.0146
www.triciafoley.com

From: Claire Goad [mailto:cagoad@verizon.net]
Sent: Friday, April 29, 2011 12:13 AM
To: Mule, Michael
Cc: Browning, Kate
Subject: Suffolk County property in Yaphank

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound decision and any future development of this land will only serve to increase the burdens in the surrounding communities of South Haven, Brookhaven and Yaphank. Our communities are already suffering from excessive noise, traffic, the smells emanating from the Brookhaven landfill and L.I. Compost and the leachate plumes from the landfill and Grucci Fireworks property. South Haven, Brookhaven and Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. The proposed surplus and sale of land will harm the Carmans River. It is difficult to understand why the same Suffolk County that spent \$80,000 on a plan to clean up the Robinson Duck Farm and restore its natural habitats without harming Carmans River or Wertheim National Wildlife Refuge is now looking to sell 255 acres to be developed.

As President of Friends of Wertheim National Wildlife Refuge and a 43 year resident of South Haven I am writing to tell you that we are against any development of this property; especially a casino or other development within the watershed of Carmans River.

Selling land to cover the County's current budget deficit is only helping to eradicate the deficit for one year and it is not in the best interest of the taxpayers, the residents of South Haven, Brookhaven or Yaphank, Carmans River or Wertheim NWR. What will the County sell next year to balance the budget??? This action by the County is not a responsible action; we trusted the County to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do.

My concerns include the following:

1.The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

2.Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed. .

3. The sewage treatment plant that would be needed is not described in detail. What would the size of it be? How much would it cost? A developer may not want to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS must consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be heard by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County property. **We ask that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.**

6. Any use of this land should be carefully thought out so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes now available throughout Suffolk County. It is also important to note that many of these homes are less expensive than work force housing homes the County wants to build. Using these homes for work force housing would benefit not only the new home owners but also the communities by getting rid of many vacant homes. We also don't need any more retail businesses or restaurants. The vacant stores and strip malls should be utilized instead of clearing more land.

In closing, I have to stress that any development to this property would have a negative effect on the **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. The County has helped to protect the river in the past; the plan for rehabilitating Robinson Duck Farm without impacting Carmans River and helping protect the river and Wertheim NWR when Home Depot wanted to build on the river. Friends of Wertheim is asking that you help protect the river once again. We need to keep it safe from pollution for future generations.

Thank you. I hope the CEQ will find in favor of the environment, Carmans River and Wertheim National Wildlife Refuge, and in the best interest of the residents.

Sincerely,

Claire Goad
PO Box 253
Brookhaven, NY 11719
631-286-0910

From: FrannyG033@aol.com [mailto:FrannyG033@aol.com]
Sent: Friday, April 29, 2011 8:25 AM
To: Mule, Michael
Subject: Re: Carman's River Watershed and Property in Yaphank

April 29, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Frances E. Goldhorn
31 Raimond Street
Yaphank, NY 11980
631-924-4864

From: sshearwater@yahoo.com [mailto:sshearwater@yahoo.com]

Sent: Friday, April 29, 2011 2:51 PM

To: Mule, Michael

Subject: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

April 28, 2011

Michael Mule, Environmental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge, NY 11788

29 April 2011

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a biologist, resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the environmental burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. Over development has become a serious problem in our area, particularly many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. We elected these officials to safe guard our PUBLIC-OWNED lands and resources, not to attempt to sell them. I request that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing these development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?
4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

In closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Margaret Hart

P.O.430
Bellport, NY 11713

From: Jan Harting-McChesney [mailto:jhmc@optonline.net]
Sent: Friday, April 29, 2011 12:03 PM
To: Mule, Michael
Subject: Critical Call to Action to Provide Comments to CEQ on Yaphank Development

VIA EMAIL
(Michael.Mule@suffolkcountyny.gov)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

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Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

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I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Jan Harting-McChesney
148 Old Stump Road
Brookhaven, New York 11719

631-286-8229

From: George Howarth [mailto:ghowarth@optonline.net]
Sent: Friday, April 29, 2011 11:35 AM
To: Mule, Michael
Subject: carmans river protection

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

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2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

George Howarth

2881 montauk hwy

Brookhaven, née

631.286.4128

From: bbbrn@optonline.net [mailto:bbbrn@optonline.net]
Sent: Saturday, April 30, 2011 7:40 AM
To: Mule, Michael
Subject: Carman's river watershed

April 29, 2011

Michael Mule, Environmental Projects Coordinator Suffolk County Planning Department PO Box 6100 Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC - OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
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7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
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And in closing, I must again point out that all of this is on lands that have a direct impact to CARMANS RIVER WATERSHED, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Gerry/Geraldine Hummel
40 Astor Ave.
Brookhaven, NY 11719
631-750-5139

Charlotte JacobRECEIVED
S.C. PLANNING DEPT.

From: "Charlotte Jacob" <cmj5037@msn.com>
Date: Tuesday, October 20, 2009 11:34 AM
Subject: Levy World

2011 APR 13 AM 10: 23

I am writing this letter in opposition to Levy World, which I call it, in Yaphank. Yaphank is a quaint and quiet community with a Historic District running down Main Street. The massive development of Mr. Levy is not appropriate in this neighborhood. The Carmen's River runs through the community of Yaphank which also has two lakes and flows into the Great South Bay. In the 70's the area in question was stated that it is in a deep recharge area for the Carmen's river. Now all of a sudden the land is to be used for Levy World as I call it. The land really belongs to the taxpayers and they should have the say what is done with it. Most of the residents in and around Yaphank say it should stay as it is. Why ruin the remaining good drinking water that is left on this island. It is up to you, the entire legislature, to stop this infringement on the beauty and character of this area. There are so many houses in foreclosures that can be purchased and refurbished for the younger generation. The taxes are what keep the younger generations from staying here. Thank you for reading this e-mail and looking forward to keeping this land open for future generations.

Sincerely,
 Yaphank Resident

Mr Thomas Isles, Suffolk Cty Planning Dept.

I am writing to you concerning the 250 acres on Yaphank Ave. It was originally purchased with taxpayers money & the taxpayers should have a say in what to do with the acreage. The parcel is close to the watershed & already is surrounded by infringements such as the county offices, the jail, the police dept, fire station, Foley Nursing home, the town dump, Brucci property, a huge development (airlines) power plant & US Rail. What else do you want to dump close to the watershed! The Carmen's River is still not greatly impaired. Please help to keep this river clean.

Thank you very much. Please bring these concerns to others in your dept.

Yaphank resident

From: Charlotte Jacob [mailto:cmj5037@msn.com]

Sent: Thursday, April 28, 2011 5:41 PM

To: Mule, Michael

Subject: Fw: Comments on the DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes

Michael.Mule@suffolkcountyny.gov

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
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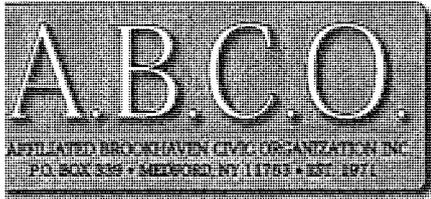
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4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
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And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Charlotte Jacob
372 Yaphank-Middle Island Rd.
Yaphank, NY 11980
(631) 924-5037



www.ABCOonline.org

April 29, 2011

Michael Mule, Environmental Projects Coordinator

Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

ABCO appreciates this opportunity to provide comments on the potential negative impacts flowing from the Legislature's Declaration as Surplus and Subsequent possible sale at public auction of 247 – 255 acres of County-Owned Land in Yaphank.

As an active civic group we believe this measure is environmentally unsound and any future development on this largely “undeveloped” land will only serve to increase the likelihood that the fragile state of the Carmans River will be put at even greater risk of environmental disaster.

Secondly, the document does not truly assess or address the impacts or other negative burdens that will destroy the character of the historic hamlet of Yaphank or the rural nature of several of the surrounding communities. The surrounding communities of Medford, Shirley, Bellport, Mastic, East Patchogue, Brookhaven and Middle Island are already suffering from excessive noise, traffic, and inadequate public infrastructure for the populations now present. Additionally they host the huge Brookhaven landfill, a major composting facility, increasing heavy industry, a huge power plant and the unfortunate settlement of a lawsuit that permits operation of the Brookhaven Rail

Terminal, accommodating heavy trucking throughout the area. None of these issues have been adequately addressed in the DGEIS.

The EIS also does not take into consideration the historic district, which lies within a mile of these lands. All SEQRA options must consider and hopefully yield to well established principles and applicable case law that require the CEQ give significant weight to preserving the character of all the surrounding communities. The DGEIS fails to adequately consider such adverse impacts or to mitigate same

The Town of Brookhaven is rapidly becoming the poster child for massive and totally unnecessary “over development”. The Carmans River lies within the heart of these lands and is less than two miles from the nearby 303(d) Impaired Waters of the Forge River; made so largely by massive overdevelopment. Many areas adjacent to this site are critical and sensitive habitat for many species and compose an environmentally sensitive part of the Carmans River watershed area. These 247 or 255 acres are located within the 0 to 5 year ground water contribution zone and all clear thinking environmentalists and residents believe this area must remain free of any increased development; especially high density housing, industrial or commercial uses . We believe that the proposed surplus and sale of these lands at auction will be a “death sentence” for the Carmans River and it is inconceivable that a government-based effort is underway to sell at any price such an important piece of this vital Watershed.

Further, we firmly believe that any attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of Suffolk’s taxpayers and violates the purpose and intent of SEQRA in its entirety. The proposed actions by lawmakers is also a clear violation of their fiduciary responsibility to balance development, while also ensuring our sensitive lands and natural resources are and remain fully protected for future generations. The concept of balancing a budget deficit by selling off “PUBLIC – OWNED” lands is tantamount to holding a GARAGE SALE simply to pay a current mortgage; it doesn't work for the homeowners and it won't work for the County. However, in this case it will deprive the next generation of the treasure that is the Carmans River. The County Legislature has failed Suffolk's residents and

Brookhaven taxpayers most directly; as these lands were acquired through Eminent Domain powers and thus Brookhaven residents are already the owners of these parcels; it is our sincere hope that the CEQ not fail us as well.

The residential portion of the proposal is zoned A1; one unit per acre in compliance with SCDHS 208 wastewater drinking water study. However, the proposal plan calls for 1000 residential units, with additional accessory apartments. Clearly building 1000 units on 158 acres that are now zoned 1-unit per acre in compliance with Suffolk County's 208 study is simply not permissible. The power to rezone is delegated by state law exclusively to the town of Brookhaven; not the County of Suffolk. The development of this project exceeded the scope of authority granted to the County Executive by the County Charter. Further, mitigation is impossible since the county cannot effectuate any change to the present zoning. The EIS fails to reasonably or adequately address this issue. Ground water discharge of any waste water from 1000 plus units will further degrade and impact the river as well as public and private drinking wells in the surrounding areas. Smart growth principles require such building be constructed within an EXISTING downtown community. This plan violates all smart growth concept principles presently accepted or approved by the county.

Furthermore, the several diverse civic and environmental advocates are demanding to protect these as well as thousands of other acres in the watershed. A comprehensive Carmans River Protection plan is to up-zone to A-10 immediately based on the science indicating that the carrying capacity of the river has been exceeded, The area rightly should be declared a 'no build zone'. The parcels proposed for surplus are within the heart (0-5 year zone) of the watershed and must be preserved. As the land is already publicly held no development credits need be dealt with in any manner by governmental administration. The county has a legal mandate to preserve sensitive lands, and preserving these lands is not encumbered and does not pose the additional burden of even requiring a 'willing seller' to fulfill this legal mandate; all that is necessary is a simple and direct act of the Legislature. It is important to note that the 18 members of the Legislature work for the people of Suffolk, not Century 21.

The description of the sewage treatment plant that would be needed is inadequately described and clearly insufficient to protect the groundwater that composes 80% of the fresh water flow to the river. What type of sewage plant would be most suitable for this area, and can it achieve the present non-degradation standard required for a Pine Barrens river? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed, and how can that negative impact be reasonably mitigated to achieve non-degradation?

The EIS takes an “all or nothing approach.” Why does it not consider preservation the ideal alternative for such an environmentally sensitive area?

The Longwood School Board of Education have long expressed that under the current proposal, the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district’s boundaries. This will place excessive burdens on localities as will likely “double” the population of school age children in the Longwood School District, now facing double digit increases due to State aid changes. Many of the surrounding schools are already overcrowded, and more residential development may adversely impact the quality of education within districts bearing the burden of such massive overdevelopment.

We believe any action that will provide for the surplus or sale of this vital Suffolk County asset is not in the best interests of our environment, our communities or the taxpayers of Suffolk! We respectfully request that CEQ recommend to the Legislature that sale of these lands will be environmentally and financially unsound, and that the CEQ is unable to reasonably carry out its duty absent specific information as to how negative and what impacts on the land can actually be determined or mitigated. Finally, we note that any segmentation of any environmental review to permit or sanction development on any of these parcels violates state law. The CEQ cannot facilitate development on one parcel as if it exists in a vacuum fully apart from the remaining lands and consideration of the impacts to the entire region from any development within this critical environmental region. We demand that the CEQ move

slowly and thoughtfully in rendering recommendations regarding any transfer of ownership that includes further development of this property. More information should be gathered, reviewed and considered, and no sale can be contemplated without consideration first by the county as to the still unknown impacts of ill-defined development within the Carmans River Watershed.

Preservation of Open Space and critical environmental areas has always been a priority for our county government and our residents...that is no less true today than in the past. We must keep faith with those promises to tomorrow's children. Little open space remains on Long Island today so we must not lose the Carmans to such shortsighted foolishness. Our residents neither need nor believe the county needs more housing units, especially considering the thousands of vacant homes currently on the market and sitting empty throughout Suffolk County. Neither, do we need more low-paying retail jobs or businesses, restaurants and the like. This proposal ignores the impact that we already have countless acres of vacant movie theaters, car dealerships, retail stores, strip malls, offices, and decaying infrastructure everywhere. We feel the built environment has not been adequately addressed, nor has the growth inducing aspects of such development been reasonably considered or addressed by the legislators or the DGEIS prepared by the CEQ.

Lastly, ABCO believes that limitations on development of these lands is essential to avoid a direct negative and sustained adverse impact to CARMANS RIVER WATERSHED and the wondrous critical ecosystems that must be protected for future generations. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside there.

We thank you for prompt consideration of our comments and hope that the CEQ will serve the environment and the best interests of Suffolk's residents, both present and future, and not the special interests or short-sighted limited political vision that seeks short-term and shortsighted solutions to what is clearly long-term fiscal problems.

Sincerely,

MaryAnn Johnston

President, Affiliated Brookhaven Civic Organizations

P.O. Box 339

Medford, NY 11763

www.abcoonline.org

631-281-7145

YAPHANK HISTORICAL SOCIETY

Po box 1111

Yaphank NY 11980

Michael Mule, Enviromental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge NY 11788

Dear Mr. Mule

THE Yaphank Historical Society has been working very hard along with Suffolk County Historical Services to create a beautiful Historic downtown. We have been renovating the Mary Louise Booth house and we about to start on the Homan-Gerard house. We are also the caretakers of the Hawkins House which is a beautifully restored 1850 house.

Two of these houses, the Hawkins House and the Homan-Gerard House are on the National Register of Historic Places.

The action of the CEQ will have a huge impact on the Yaphank Historic District which is less than a mile from the property that the County wants to declare surplus.

We urge the CEQ to look long and hard before taking any action on this property.

Sincerely

Robert Kessler

President

Yaphank Historical Society

Michel Mule, Environmental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge NY 11788

Mr. Mule

The people of Yaphank have been under siege for a long time from developers, the Compost facility, the jail, the Town dump, the Trap and Skeet and now Steve Levy. His Legacy Village Plan was a horrible idea and his Casino idea is even worse.

The CEQ should seriously contemplate taking any action that will lead to this land being declared surplus or offered for sale.

The people of Yaphank are against any attempt to put a casino on this property. This is a very historic town and we do not want the town destroyed by this type of development.

The EIS does not consider doing nothing as an option. Why can we not preserve this environmentally sensitive land that is publicly owned? The land is in the Carmans River Watershed where the County, the State and the Town of Brookhaven have spent millions of taxpayer dollars to preserve this beautiful River.

I urge the CEQ to be very careful before it takes it,s next step.

Sincerely

Robert/Audrey Kessler

9 Private Road

Yaphank NY 11980

From: RonKinsella@aol.com [mailto:RonKinsella@aol.com]
Sent: Thursday, April 28, 2011 7:30 PM
To: Mule, Michael
Cc: sts.brookhaven@gmail.com
Subject: DGEIS fDeclaring as Surplus and Subsequent Sale of 255± acres of county land

Michael Mule, Environmental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge, NY 11788

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6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

(Add)

Full name Ronald M Kinsella

Mailing address 16 Meadow Lane, Brookhaven Ny 11719

Telephone number 6312860712

From: lierefarm@optonline.net [mailto:lierefarm@optonline.net]
Sent: Thursday, April 28, 2011 8:08 PM
To: Mule, Michael
Subject: SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

4/28/11

To S.C. Legislators,
From Robert Liere and Diane Ress- Liere
PO Box 341
Yaphank NY 11980
516-819- 7173
liere@optonline.net

We do not think the SC property in Yaphank should be build or sold.

We believe that all public owned property on any level of government that is not currently developed should be preserved and placed into the core of the LI Pine Barrens.

Thank you
Robert Liere
&
Diane Ress-Liere
Sent via BlackBerry by AT&T



LONG ISLAND
PINE BARRENS
SOCIETY

547 EAST MAIN STREET
RIVERHEAD, NEW YORK 11901
P: (631) 369-3300
F: (631) 369-3389
WWW.PINEBARRENS.ORG

April 12, 2011

Council on Environmental Quality

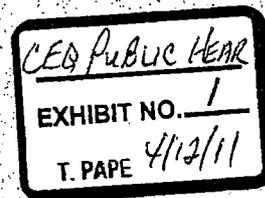
The Pine Barrens Society doesn't support selling the land for both environmental and economical reasons. Government at every level is working to protect the Carmans River, and this property is in the watershed.

A survey taken at the height of the recession indicated that 4 out of 5 people supported preserving land now, while prices are down, and sellers are eager.

It is unlikely the town of Brookhaven will permit high-density development at a time when it is contemplating rezoning land to limit density in the Carmans River watershed, as part of the Carmans River Watershed Protection and Management Plan.

You don't have to be an economist to know that you can't balance a budget with one-shot revenue sources such as surplus property that the taxpayers already own.

So the Pine Barrens Society believes that selling this land makes neither environmental, nor economical sense. Since it is clear the county doesn't need it for any other purpose, these lands should be put into permanent preservation.



From: Tom Ludlam [mailto:maxludlam@optonline.net]
Sent: Thursday, April 28, 2011 9:15 PM
To: Mule, Michael
Subject: DGEIS

VIA EMAIL

(Michael.Mule@suffolkcountyny.gov)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property. Although currently my family and I do not live near the Carmans River, we did live in Brookhaven for twenty five years. We still value the Carmans River and everything possible should be done to protect its water and environs.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?
4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on the local taxpayers as well as almost "double" the population of school age children in the district. These schools are already crowded. Are you expecting this district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
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And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Consuelo G. Ludlam

1725 Broadwaters road

Cutchogue, New York 11935

From: edwardluke@optonline.net [mailto:edwardluke@optonline.net]

Sent: Monday, May 02, 2011 8:12 AM

To: Mule, Michael

Subject: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes

VIA EMAIL

(Michael.Mule@suffolkcountyny.gov)

April 29, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”. This scenic recreational river, which directly impacts my quality of life, must not be allowed to be destroyed.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed? The neighboring Forge River has demonstrated the disastrous results of a river becoming over-burdened with pollution.

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.

6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.

8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Edward P. Luke
40 Astor Ave.
Brookhaven, NY 11719
(631) 750-5139

From: Richard Lyons [mailto:richmbl@optimum.net]
Sent: Friday, April 29, 2011 7:42 PM
To: Mule, Michael
Subject: Yaphank County owned land

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this undeveloped land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by over development. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a death sentence to the Carmans River and it is inconceivable that a government-based effort is underway to give away our PUBLIC WATERSHED LAND.

I, as well as my husband, and numerous neighbors are opposed to the development of this land. In addition, to hear this past week that the possibility of a casino being built in the Yaphank area, has angered us, to say the least. The negatives definitely outweigh the positives: increased traffic, increased crime, decrease in home values. We have already decided that if this were to happen we would move...no doubt about it. We will not stay in an area that puts are family at risk for potential various situations.

Further, I believe that this attempt to sell or lease this land to reduce the countys current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off PUBLIC OWNED lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well.

And in closing, I must again point out that all of this is on lands that have a direct impact to CARMANS RIVER WATERSHED, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Mrs. Marybeth Lyons
8 Lime Ave.
Brookhaven, New York 11719
776-7614

From: kaatthhi@aol.com [mailto:kaatthhi@aol.com]

Sent: Thursday, April 28, 2011 5:27 PM

To: Mule, Michael

Subject: Casino proposal

Mr. Mule,

I am a Yaphank resident and I am absolutely outraged by the proposal to create a Shinnecock Indian Casino on the "Legacy Village property.

There are so many **terrible** environmental problems involving this area right now, including noxious and horrible odors emanating from the LI Compost site and the Brookhaven Town landfill. Additionally, there are other similar problems occurring on East Main Street in Yaphank and residents there have completely lost any semblance of quality of life due to day and night truck traffic from eighteen wheelers marked "Solid Municipal Waste", Demolition and Construction Materials and other huge trucks carrying demolition debris from the MTA Second Avenue Subway project. Everything is being dumped in Yaphank, 24 hours a day!

If this ill advised proposal is approved, the Shinnecoaks should consider naming their casino, "Putrid Pines" and they should offer complimentary gas masks for casino guests to stave of the stench that surrounds this area. Yaphank is one of the last great places on Long Island and we need to preserve it.

Sincerely,

Kathleen Madigan

From: Liz Marcellus [mailto:ecmflowers@optonline.net]
Sent: Saturday, April 30, 2011 8:01 AM
To: Mule, Michael
Subject: Carmans

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: *DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.*

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Liz Marcellus
600 Lincoln Ave
(631) 439-1487
Sayville, NY 11782

From: Linda McCarthy [mailto:ljmccarthy@yahoo.com]

Sent: Thursday, April 28, 2011 7:18 PM

To: Mule, Michael

Subject: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

April 28, 2011

Michael Mule, Environmental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge, NY 11788

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

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Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage

plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an “all or nothing approach.” Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.

6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district’s boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost “double” the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

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And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Linda McCarthy

17 Garden Lane

Yaphank, NY 11980

631-924-1545

From: JJMcConnel@aol.com [mailto:JJMcConnel@aol.com]
Sent: Thursday, April 28, 2011 11:11 PM
To: Mule, Michael
Cc: Browning, Kate; Slaughter, Joshua
Subject: comments of DGEIS for Yaphank County Property

Dear Mr. Mule,

I am writing to express my concerns with the **DGEIS for the Declaring as Surplus and Subsequent Sale of 255 acres of County Owned Land in Yaphank**. I believe that the DGEIS should be revised for the following reasons;

1. The property will most likely not be sold to Legacy Village and this is the only proposal that was reviewed. Therefore it would seem that it would be necessary to investigate various other possible uses for the property.
2. There could be any number of different types of development that could come forward if the property is put up for competitive bidding.
3. Brookhaven Town has just completed and released the Draft Carmans River Watershed Protection and Management Plan which will have a direct impact on how and even if the property can be developed.
4. I believe that there should have been more discussion of alternative uses of the property and even the possibility of no development. The property is fully paid for by the taxpayers and should remain as open space or possible future use by the County.

Additional I have concerns over several statements made by the consulting firm in regards to:

Traffic mitigation at Yaphank Avenue and Gerard Road

I use this intersection every day and cannot see how it would be safe to add an additional Northbound and Southbound through traffic lane. If this was to occur there would not be enough room for the current right turn lane from Yaphank Ave. onto Gerard Road. It would entail the removal of the median, which now acts as a traffic calming device.

Target Practice Area in both Area B and Area D

The report clearly states that the activity in these areas may have resulted in environmental impacts due to the toxic materials in the shell casings and the clay targets. Yet, the report fails to mention how to mitigate this impact.

Groundwater Plume in Area B and Area C

The consultant clearly indicates that there is potential for impacts for soil vapor in both location, and that the groundwater has been affected. I am concerned that Area B was designated for the housing units and no mention is made of how this would affect the units.

Sincerely,

Johan McConnell
President
South Yaphank Civic Association

From: Joann McLoughlin [mailto:fjmc@verizon.net]
Sent: Sunday, May 01, 2011 1:19 PM
To: Mule, Michael
Subject: Yaphank Destruction

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal, the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,
Joann & Francis McLoughlin
1 Muellers Lane
Yaphank, NY 11980
(631) 924-8576

From: pamize [mailto:pamize55@aol.com]
Sent: Friday, April 29, 2011 11:29 AM
To: Mule, Michael
Cc: Slaughter, Joshua; sharonwiesmann@verizon.net
Subject: DGEIS - Yaphank Property - Commentary

To state or believe that there is any such thing as "surplus" land, by any definition of the word is ludicrous. The premise that CEQ accept or approve findings based on this initial premise is ill advised and poorly reasoned and may be illegal. As long as Suffolk County continues the voter mandated practice of open space preservation and acquisition, declaring any County owned property surplus is in opposition to current policy. If we as a community entity have voted and legislated to spend tax dollars protecting land by purchasing land currently on the tax rolls, WHY would it be reasonable to sell land that is currently in the public land bank exposing current environmentally stable areas to degradation due to development which will certainly occur? The recently released Carmans River Watershed Protection plan lists the Legacy Village Property as a site proposed for acquisition; is it really prudent for one entity to deem this property available for development while another recommends preservation? As a citizen, I have not had the time resource to review the entire document, but urge those with the public trust to make such decisions to carefully consider the future financial implications of this proposal. Whatever tax benefit may be perceived to be gained in the short term, will have uncalculatable costs for future generations. The acquisitions of some of these parcels began over 100 years ago, perhaps the vision of those who began this process should be considered. There is NO financial impact to keeping this land in the public trust as it is already being carried by the taxpayers; what will the costs to those same taxpayers be if this land is developed? On behalf of my children, I am opposed to the proposal to declare this land surplus.

Respectfully submitted,

Pauline A. Mize
1776 Main St.
Box 196
Yaphank, NY 11980
631-924-4917
pamize55@aol.com
2nd Generation Yaphank Resident and Community Steward

From: Rick Mohlmann [mailto:mohlmann@optonline.net]

Sent: Friday, April 29, 2011 6:54 AM

To: Mule, Michael

Subject: I am vehemently opposed to development of any kind on the surplus county land

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

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Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

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4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.

6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

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I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Frederick S. Mohlmann

78 Old Stump Road

Brookhaven, NY, 11719

286-1983



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
250 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788-5518

RECEIVED
S.C. PLANNING DEPT.
2011 MAY -6 AM 10:10

SUBIMAL CHAKRABORTI, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

May 4, 2011

Mr. Michael Mulé, Senior Planner
Suffolk County Planning Department
100 Veterans Memorial Highway, 4th Floor
Hauppauge, NY 11788

RE: Draft Environmental Impact Statement (DGEIS): Declaration
as Surplus & Subsequent Sale of 250 Acres of County Owned
Land in Yaphank for Mixed Use Development Purposes

Dear Mr. Mulé:

Thank you for providing us with an opportunity to comment on the DGEIS. Please find our comments listed below:

- Chapter 11 Section 2.6. - 2025 Build Scenario Capacity Analysis: Can you please provide clarification of mitigation #6?
- Suffolk County is on the Project Advisory Committee with the Sunrise Highway Corridor Sustainable Transportation Study. Please ensure consistency of mitigation strategies with the findings of that study effort.
- Where infrastructure improvements are needed in order to insure that adequate capacity exists to accommodate growth, consideration should be given to the creation of a transportation financing district(s) to offset costs and facilitate the implementation of identified mitigation measures.
- Consideration should be given to strategies aimed at reducing vehicular trip generation such as parking management (priced parking and preferential parking for car/vanpools etc), improved transit access, and provisions for bicycles and pedestrians.
- The development areas do not correspond with present property boundaries shown on the SCTM.
- Additional drainage, utilities, etc. to accommodate development expansion may require acquisition of adjacent land.

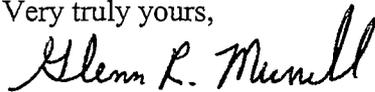
- Road widening, extensions and roadway additions in response to increased traffic density, such as bus turnout lanes, parking facilities, etc., may require acquisitions.
 - Traffic access, turn lanes, traffic signals/loops, etc. may require acquisition.
 - An undeveloped bed of street (Grucci Lane) beginning at the southern project limit at the corner of Horseblock Road, northeast of the intersection of Woodside Avenue and Horseblock Road ends as a dead end. If the road is extended, acquisition of adjacent land may be required.
 - We didn't see any indication of non-motorized transportation mentioned in this document. Examples of what we would like to see include:
 - o Existing bike routes in the area and how the anticipated development may impact them.
 - o Bus/rail routes and what opportunities exist for increasing their reach with bike/ped improvements
 - o The potential for mitigating traffic impacts by the development of bike routes
 - o The potential to create/extend greenbelt hiking trails as part of the anticipated development.
 - The NYSDOT EPM Air Quality Chapter 1.1 indicates that Regionally Significant Projects must be included in the Transportation Conformity Regional Emissions Analysis for the NYMTC Transportation Improvement Program (TIP) and Long Range Plan. Criteria for determining whether a project may be regionally significant, or require Interagency Consultation Group (ICG) consideration of possible regional significance, are contained in the NYSDEC 6 NYCRR Part 240 State Conformity Regulation. The DGEIS should discuss the potential for regional significance and determine whether ICG consultation is needed.
 - The NYSDOT EPM Air Quality Chapter 1.1 indicates that projects meeting specified criteria must undergo a mesoscale analysis. Potential criteria relevant to this project include adding at least 10% vehicle miles traveled (VMT), or widening roadways affected by the project by at least one mile cumulatively and directionally. The DGEIS should conduct a mesoscale analysis if any of the criteria are met, or document that none of the criteria are met.
 - The NYSDOT EPM Air Quality Chapter 1.1 indicates that the carbon monoxide microscale screening should be conducted for the project completion year (ETC) and for years ETC + 10 and ETC + 20. The DGEIS analysis, which appears to screen only year 2025, should justify why screening was not conducted for the two additional years, or extend the screening.
-

Mr. Michael Mulé
May 4, 2011
Page 3

- Executive Summary Page 1.2.9 of the DGEIS states that carbon monoxide is the only air pollutant typically studied at the project level. However, there are substantial tailpipe, engine, and tire erosion emissions of Fine Particulate Matter (PM_{2.5}) from motorized vehicles. In March 2006, EPA and FHWA issued Transportation Conformity guidance for the evaluation of localized (hot-spot) mobile source emissions of PM_{2.5} in nonattainment areas such as Suffolk County. The DGEIS should evaluate the guidance criteria to determine whether the project is of air quality concern, and if so, conduct a qualitative project-level hot-spot analysis according to the 2006 guidance document.

Please contact Geoffrey Rick of my staff at (631) 952-6108, if you have any questions regarding the above.

Very truly yours,



Glenn Murrell, P.E.

Acting Regional Planning and Program Manager

From: John Palasek [mailto:jpsuff@optonline.net]
Sent: Thursday, April 28, 2011 7:45 PM
To: Mule, Michael
Subject: Sale of Yaphank land

Mr. Mule,

I am a twenty-year resident of Yaphank and I am writing to express my concern over the surplus sale of the 247 acres originally slated for Legacy Village.

I oppose the sale of this land not only because I believe that any development would adversely affect both the historic nature of the area and the Carmans river watershed but also because I feel that this is being done primarily to fill budget gaps and I believe that is foolish and will likely lead to a plethora of unintended consequences.

That said, if the sale of this land does happen, I think that it ought to be done with a proviso that any future plans would have to pass muster as they apply to all issues (the river, traffic, usage, etc.), on their own merit and should not be sold "as is" with all of the criteria established for Legacy Village in place. In other words whoever buys it should have to start from scratch rather than simply bootstrapping Legacy's criteria as a means of circumventing zoning, environmental or community issues.

My Legislator, Kate Browning opposes the sale of the land as surplus along with four of her colleagues and I join them in thier opposition to the sale. There are still far too many unanswered questions and far too much speculation as to whatever any future development would entail and these concerns should not be ignored just because Suffolk County is trying to shore up a leaky budget.

I thank you for your attention in this matter.

Regards,

John Palasek
25 Quaker Path
Yaphank, NY
Member: South Yaphank Civic Association

From: Karen palasek [mailto:karen50east@optonline.net]
Sent: Friday, April 29, 2011 4:39 PM
To: Mule, Michael
Subject: DEIS regarding the development of 255 acres in Yaphank

Dear Mr. Mule,

I'm writing to in regard to the Draft Environmental Impact Statement regarding the development of 255 acres in Yaphank – I strongly oppose the sale and development of this land and feel the land should be preserved. Yaphank and the surrounding areas are rural communities and could not environmentally or economically support the volume of houses, buildings, offices, people and traffic.

Recently the American Lung Association gave Suffolk County failing grades for our air quality and noted we had the dirtiest air in the state when measured for ozone. I think Yaphank currently has enough things causing air pollutants – we have the power plant, landfill and compost factory located here, their existence alone causes air pollution and in the past few years the number of large trucks using our roads (Yaphank Ave & Horseblock Rd) has quadrupled.

There are some many other areas that should be revitalized instead of building new, please look to preserving this area.

Thank you for your time.

Karen Palasek
25 Quaker Path
Yaphank, NY 11980

Email: karen50east@optonline.net

From: Brlpeter [mailto:brlpeter@aol.com]
Sent: Thursday, April 28, 2011 8:00 PM
To: Mule, Michael
Subject: DGEIS/255 acres of County owned land in Yaphank

Dear Mr Mule:

Thank you for accepting "my" comments on declaring as surplus and sale of 250+ acres of county owned land in Yaphank . As a resident of Yaphank I am adamantly opposed to the sale of this land for the purpose of yet more development in Yaphank and the sensitive Carmens River watershed. The Carmens R. protection plan is trying to preserve not develop surrounding land. Residential development should be a min. of one unit per acre. The proposal I understand is for 1000 units on 150 acres??? How will that impact the YFD and LSD? Is any consideration being given to preserving some of the more sensitive land? With so many empty homes and commercial buildings do we need to develop this land now? Why the big rush to sell it? Thank you for your time and consideration on this matter .
Sincerely Ralf Petersen, PO Box 683,Yaphank, NY. 924 4972. 662 2691

From: John Petraglia [mailto:john@spdControlSystems.com]
Sent: Thursday, April 28, 2011 9:17 PM
To: Mule, Michael
Subject: CEQ on Yaphank Development - Comment

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an “all or nothing approach.” Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
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And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,
John Petraglia
140 Old Stump Road
Brookhaven, NY 11719
631-286-3833

From: Daniel Pichney <dpichney@gmail.com>
Sent: Tuesday, April 05, 2011 8:50 PM
To: DeSalvo, Christine
Subject: Re: Public Hearing on April 12th

Hi Christine,

Since I will not be attending either the public hearing or the CEQ meeting on the DGEIS, I want to briefly convey a few of my comments on the report. Please pass them on to Richard.

I felt that, in general, the consultant downplayed most of the potential impacts of the project. The following are some examples within my field of interest.

In the past, I have been quite vocal about the proposed development on Parcel A. Taking down the entire woodland there and suggesting, as the consultant did, that planting a few native trees would make up for disruption of that habitat is patently absurd. Besides the fact that it would take at least 75 years for newly planted trees to reach the size of those in the existing woodlands, a collection of trees within a parking lot or as a buffer screen do not a forest make. In addition, the proposed stadium and other buildings would be very visible from the Yaphank Historic district both during the day and at night as a result of the intense light. As an aside, I would also like to note that in my years of walking the parcel A area while being employed by DPW, I discovered a lilac shrub, hollies and one or two other species of cultivated plant that indicated either escapees or a previous deliberate planting.

In regard to the other parcels, whenever the issue of clearing land was discussed, the consultant stated that 'native' plants would be installed after construction because they were more drought tolerant and pest free. This has become a native species mantra which isn't entirely true. For a plant to be truly native in all respects, it has to be a plant that is indigenous to the habitat being disturbed. This would mean plants such as the Eastern Red Cedar and Pitch Pines that inhabit the area would be replaced, rather than say mountain laurels or cleyra, which while native to LI and are ornamental but are otherwise inappropriate. Many non-native species suitable for the Yaphank environment are non-invasive and frugal in their use of both water and nutrients and as such shouldn't be discounted for the sake of some sort of horticultural correctness.

Thank you.

From: Daniel Pichney <dpichney@gmail.com>
Sent: Wednesday, April 06, 2011 6:32 AM
To: DeSalvo, Christine
Subject: ps

Hi Christine,

I just wanted to add to my comments that the woodland on parcel A is unique in the sense that it is a plant association completely different from the parcels to the south and has more in common with the woodlands on the hill surrounding the south side of Lower Yaphank Lake. While there are a number of invasive plants particularly on the periphery including Oriental Bittersweet, Japanese Honeysuckle and Norway Maple, the interior of the woodland contains many fine mature oaks and other deciduous hardwoods.

If you choose to type up what I wrote, you can integrate this addition into the first paragraph. Thanks again.

From: John Rauh [mailto:jtrauh@optonline.net]
Sent: Friday, April 29, 2011 9:49 AM
To: Mule, Michael
Subject: DGEIS

April 29, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this "undeveloped" land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by "over development". Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a "death sentence" to the Carmans River and it is inconceivable that a government-based effort is underway to give away our "PUBLIC WATERSHED LAND".

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off "PUBLIC – OWNED" lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
 3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage
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plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,
John T. Rauh
48 Shannon Blvd
Yaphank, NY 11980
(631) 924-1179

From: Karen Rowley [mailto:krowley@optonline.net]
Sent: Friday, April 29, 2011 8:18 AM
To: Mule, Michael
Subject: Fwd: Critical Call to Action to Provide Comments to CEQ on Yaphank Development

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.
 3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage
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plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
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And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Karen Rowley
325 Beaver Dam Rd
Brookhaven, NY 11719

631-286-0975

From: broolib@suffolk.lib.ny.us [mailto:broolib@suffolk.lib.ny.us]
Sent: Friday, April 29, 2011 11:40 AM
To: Mule, Michael
Subject: Legacy Village EIS

Michael:

The Brookhaven Village Association objects to the development of the property known as Legacy Village for the following reasons:

1. The residential proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1 unit per acre? The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the pine barrens, and the EIS does not address this. Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed.
2. The EIS does not take into consideration the surrounding historic districts of Yaphank and Brookhaven Hamlet, which are within a mile of here. Does any development proposal adhere to the characteristic of the surrounding community?
3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, because a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area?
4. The EIS takes an all or nothing approach. Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

Please do all you can to prevent this needless and harmful development in a sensitive area that needs to be preserved for open space to protect our water supply, our air quality, and our quality of life.

Sincerely,

Kathleen Scheibel, President
Brookhaven Village Association

and, Director
Brookhaven Free Library

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Brookhaven Free Library
273 Beaver Dam Road
Brookhaven, NY 11719
631-286-1923 (phone)
631-286-0120 (fax)

From: Helen Ruth [mailto:helenruth@optonline.net]
Sent: Friday, April 29, 2011 6:10 PM
To: Mule, Michael
Subject: Regarding sale of public land

I am very concerned about the sale of this land for development. Land that is near the beautiful Carmans River as well as near the Pine Barrens needs to be carefully protected. A casino where Legacy Village was to be is just ridiculous. This residential area will be choked with traffic and will invite more problems to this beautiful area that are related to such development.

We need more farms, not more houses or casinos. Lets develop this area to feed the hungry with food prices going through the ceiling, people out of work and public programs in danger of being slashed.

Also, I was under the impression that the people owned this land. I certainly do not want to sell it for this purpose.

Sincerely,

Helen Sohne
284 River Road
Shirley, NY 11967

STATEMENT FROM ALL BEINGS NOT HUMAN WHO HAVE RIGHTS TO OPEN LAND FREE OF HUMAN HABITATION IN THE CARMANS RIVER WATERSHED

WHEREAS:

WE, ALL CREATURES, OTHER-THAN-HUMAN AND HUMAN, LOOK FORWARD TO GOING INTO THE FUTURE AS ONE SACRED COMMUNITY OF BEINGS.

WE:

Residents of the Carmans River Watershed , require and strongly request, even go so far as DEMAND that the powers that be, Council members of the Town of Brookhaven Board, DO NOT ALLOW ANY DEVELOPMENT WHATSOEVER, and even as so much as ONE SQUARE INCH OF SACRED-LAND.

WE:

DEMAND, INSIST, EVEN GO SO FAR AS TO SHOUT AT THE TOP OF OUR LUNGS, that every square inch of open space that remains be preserved and protected in said watershed that is presently free of the taint of human occupation.

WE:

The winged, four-legged, many legged, no legged, single and multi celled invertebrates, even bacteria and fungi, who cannot speak up at public hearings, who simply live their lives in the habitats and ecosystems given to us, the amphibians, fish, reptiles, birds, and mammals who rely on the sacred compassion of HOME SAPIENS, the thinking upright being who thinks he/she knows what's best for all beings. We, creatures that do not create nitrogen concentrations too high for us to live in, pollution problems, especially the endangered species of two-lined salamanders, tiger salamanders, leopard frogs, spotted turtles, native brook trout, alewives, bald eagles, endangered scarlet tanagers and other neo tropical bird species who live here and migrate in winter all the way down to Central and South America, endangered butterflies, tiger beetles, and to her aquatic insects who depend on fresh, clean water untainted by the human waste stream that will most assuredly kill us . NOT ONE SQUARE INCH...leave us be, let us live!

WE:

Cannot sign this document, this plea; we creatures who already live within the Carmans River Watershed have rights to live where Humans

311 MAY -2 AM 10:50
S. PLANTING DEPT.

JII APR 32 AM 10: 49

think they deserve to live because builders of homes want to help the human. WHAT ABOUT US? all sacred creatures who cannot speak for our selves. We, who have been run roughshod, under appreciated and unnoticed, WE ARE STILL HERE living on those precious square inches THAT HUMANS WANT TO TAKE AWAY FROM US FOR THEIR OWN SELFISH NEEDS WHICH ULTIMATELY LEADS TO THE DESTRUCTION OF OUR SACRED SPACES...SOIL, TREES, WETLANDS, MEADOWS, ALL IN THEIR NATURAL STATE, UNTARNISHED!

We:

Plead with humankind to not destroy us, move us someplace else, cover us with concrete foundations. DON'T FEAR US. We mean no harm. We are not dangerous. We are beautiful, each of us with our unique life form. Enjoy us, let us be here for your human children to learn about and admire, wonder about and develop curiosity over. Let us teach you all that we are ALL PART OF ONE SACRED COMMUNITY, all members of creation and are very sensitive to the whims of development by humans. Let it be known that we will not do well with multi-family dwellings with high density on even ONE SQUARE INCH of open space at the edge of the Carmans River Watershed because groundwater underneath us knows no boundary. We creatures do not live by property lines and no trespassing signs. We each have our natural histories and have the same rights as human to be allowed to live our lives and we are willing to allow human life to observe us, consider us part of OUR SACRED COMMUNITY FOR WE EACH HAVE EQUAL RIGHTS AND WANT TO TEACH YOU TO ADMIRE AND BE CURIOUS ABOUT US. We bring you peace and a chance to improve the quality of all our lives, both human and non human.

WE:

Ask, in the community of all sacred creation, to stop this insanity and leave the Carmans River Watershed alone to have a chance to heal Herself, bring Herself to a new balance where we all can live in harmony, love, and peaceful coexistence.

Thank you,

The speechless animal and plant life of the Carmans River Watershed

NOT ONE SQUARE INCH

Save What's Left of The Sacred
Carmar River Watershed Community



Brookhaven Town Board Council District
Members: Do Not Allow Development
On any open space left

not 1 square inch

Save

Flourishing Life

Sacred, Fungi Live here

Earth in
Carmar
Watershed

Dove brings
Peace



TO
The watershed
NOT
Economic



Mother Nature is
OUTRAGED - NO MORE
HOUSES



Let the footprints
be of animals
Not
concrete
Foundations



Embrace all
life - let life
live - its
NOT ALL
ABOUT
Humans



Let's embrace
All things

Collage
in our
Sacred
community

Handwritten signature
3-11

From: Jane Roe Tierney [mailto:janeroetierney@yahoo.com]
Sent: Friday, April 29, 2011 9:15 AM
To: Mule, Michael
Subject: Public land on Yaphank Avenue

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

Besides being in the Carmen's River watershed area , this land is basically open and not developed - an increasingly rare and valuable commodity in Brookhaven. As the years go by this area will only become more valuable to every resident in Brookhaven because it is undeveloped. Mr. Levy says that it is developed and therefore open to further development. I respectfully disagree.

I suggest to anyone interested in our future on LI to just drive along Yaphank Ave. Yes there are public buildings and yes there is a sod farm but it has a rural feel that should be maintained. These kind of spaces will make areas around it just that much desirable and in the long run good for the economy of Brookhaven. Please don't just consider the next few years but think about our future. Once that land is again owned privately and developed, we will lose it forever. Thanks for the chance to make some comments.

Jane Roe Tierney
267 Beaver Dam Road
Brookhaven Hamlet

Jane Tierney

From: Daniel Tomaszewski [mailto:dantski@optonline.net]
Sent: Thursday, April 28, 2011 9:01 PM
To: Mule, Michael
Cc: michaelloguercio@aol.com; Slaughter, Joshua
Subject: DGEIS Legacy Village

Dear Mr. Mule,

The position of the Longwood Board of Education is that the Legacy Village plan or any similar plan would have an extremely adverse impact on the Longwood School District. The calculations for number of students have a potential for greater variation than projected by county planners and the claims of the plan being a tax positive were grossly overstated. From the very beginning representatives of the developer indicated that area A would never be built due to the proximity near the river, yet those tax revenues were never excluded by county planners in figuring the total revenue projections. Our district was never asked for meaningful input and was regularly told what to think. We are fearful that any future development based on the merits of the DGEIS for Legacy Village will have the same devastating impact on our school district.

Sincerely,

Daniel Tomaszewski, Vice President
Longwood Board of Education
14 Cathedral Court
Middle Island, NY 11953
631-831-5972

From: WGHTMSRT@aol.com [mailto:WGHTMSRT@aol.com]
Sent: Friday, April 29, 2011 10:59 AM
To: Mule, Michael
Subject: Fwd: Critical Call to Action to Provide Comments to CEQ on Yaphank Development

Subj: Critical Call to Action to Provide Comments to CEQ on Yaphank Development

April 29, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

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Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

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Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

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-

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?
4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
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6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
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8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Werner & Marieanne Tramm

89 Shannon Blvd.
Yaphank, NY 11980
631 924-8213



April 26, 2011

Dear Mr. Mulé:

I hereby submit comments on behalf of the Environmental Defense Fund (EDF) pursuant to the April 12, 2011 SEQRA Public Hearing on the Draft Generic Environmental Impact Statement for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank.

EDF is deeply concerned over the proposed Legacy Village development at the Yaphank County Center (Proposed Plan) in Suffolk County (County). The Draft Environmental Impact Statement (Draft EIS) prepared in connection with Proposed Plan must be revised to reflect changed circumstances and to include the requisite level of analysis regarding the preservation alternative.

In light of recent developments in the County, it is unclear whether Legacy Village will continue to be the lead proposal for the Yaphank County Center as it is described in the Draft EIS. A revised Draft EIS must analyze the most recent development proposal.

A revised Draft EIS must also reflect the recently released Draft Carmans River Watershed Protection and Management Plan by including a more robust comprehensive, not a cursory, discussion of the No Development Alternative. The Town of Brookhaven (Town), as well as Suffolk County, has clearly made preserving the Carmans River watershed, and improving management of all its resources, a top priority. This should be reflected in a revised Draft EIS. The cursory discussion of the preservation alternative in the Draft EIS, as it stands now, is insufficient. A comprehensive evaluation of turning the undeveloped land in the Yaphank County Center into a nature preserve or into parkland is critical to fully comparing this option with the Proposed Plan, a municipal build-out plan and an as-of-right build-out plan. The preservation option should also be considered in the context of ongoing New York State, County and Town efforts to preserve the land in the Carmans River watershed. It makes little sense for the County to be selling off such a large parcel of land when the Town and New York State are investing millions of dollars in watershed protection.

Because the developer is not legally obligated to obtain LEED-certification or to achieve net-zero electricity consumption for Legacy Village, the Draft EIS must analyze the impacts should these assumptions not be implemented. The assumption that these practices will be followed is unwarranted. A revised Draft EIS should, therefore, analyze the impacts of the Proposed Plan should these assumptions not be implemented. Developers may make promises early in the planning stage, but when the economic realities of those promises set in, developers pull back from them.

Sincerely,

James T.B. Tripp
Senior Counsel
jtripp@edf.org

April 26, 2011

Mr. Larry Swanson, Chair
Suffolk County Council on Environmental Quality

Re: Carmans River Watershed Disposition of County Land

Dear Mr. Swanson:

We hereby submit comments on behalf of the Environmental Defense Fund (EDF) pursuant to the April 12, 2011 SEQRA Public Hearing on the Draft Generic Environmental Impact Statement for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank within the Carmans River groundwater watershed.

EDF is concerned over the proposed disposition of County land at the Yaphank County Center (Proposed Plan) in Suffolk County (County). The Draft Environmental Impact Statement (Draft EIS) prepared in connection with Proposed Plan must be revised to reflect changed circumstances and to include the requisite level of analysis regarding the preservation alternative.

The draft EIS describes the Legacy Village development plan as the lead proposal that the County is considering as part of its disposition proposal. In light of recent developments in the County, it would appear to be the case that the Legacy Village plan is no longer the lead proposal for the Yaphank County Center as it is described in the Draft EIS. A revised Draft EIS must analyze the most recent proposal that encompasses sale to a private party and likely development scenarios, including a full assessment of the likely impacts of a development that is consistent with existing Town zoning. The County clearly contemplates significant development of this land; otherwise, its sale at auction would yield no income. For SEQRA purposes it cannot take the position that the auction does not contemplate some significant range of development so long as the intent of the auction is to achieve significant positive revenues for the County. In order for the County to demonstrate that it will be receiving reasonable value for land that it is selling, it has to have some development concept in mind. Without the auction, those impacts would not occur. It is those impacts that a revised EIS must fully address. As of now, it does not do so at all.

A revised Draft EIS must also reflect the recently released Draft Carmans River Watershed Protection and Management Plan by including a more robust comprehensive, not a cursory, discussion of the No Development Alternative. The Town of Brookhaven (Town), as well as Suffolk County, has clearly made preserving the Carmans River watershed, and improving management of all its resources, a top priority. This should be reflected in a revised Draft EIS. The cursory discussion of the preservation alternative in the Draft EIS, as it stands now, is insufficient. A comprehensive evaluation of turning the undeveloped land in the Yaphank County Center into a nature preserve or into parkland is critical to fully comparing this option with the Proposed Plan, a municipal build-out plan and an as-of-right build-out plan. The preservation option should also be considered in the context of ongoing New York State, County and Town efforts to preserve the land in the Carmans River watershed. It makes little sense for the County to be selling off such a large parcel of land when the Town and New York State are investing millions of dollars in watershed protection.

The draft EIS assumes that the development proposal will be LEED-certified. As a result, the impacts are less than they otherwise would be. Because the developer is not legally obligated to obtain LEED-certification or to achieve net-zero electricity consumption for any development proposal, the Draft EIS must also analyze the impacts should these assumptions not be implemented. An EIS does not provide a process for guaranteeing LEED certification. It is not stated that the auction will impose LEED certification at a particular level as a legally enforceable condition of use of the land. While appropriate as an expression of hope, the assumption that these practices will be followed is unwarranted. A revised Draft EIS should, therefore, analyze the impacts of the Proposed Plan should these assumptions not be implemented. Developers may make promises early in the planning stage, but when the economic realities of those promises set in, developers pull back from them.

For these three reasons, CEQ should declare the draft EIS for the disposition of County land at Yaphank to be deficient. Until it is revised, the County should not proceed with the auction.

Sincerely,

James T.B. Tripp
Senior Counsel
jtripp@edf.org

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New York, NY 10010

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New York, NY / Austin, TX / Bentonville, AR / Boston, MA / Boulder, CO / Raleigh, NC
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From: Chad Trusnovec [mailto:112huntr@optonline.net]
Sent: Friday, April 29, 2011 12:45 PM
To: Mule, Michael
Subject: Yaphank EIS

Mr. Mule,

I am the President of the Yaphank Civic Association, however today I write this letter as a concerned taxpayer, and lifelong resident of the Historic Hamlet of Yaphank. My family dates back in this town over two centuries, and I am extremely concerned with the current proposals for the county owned property known as the Legacy Village project.

My family and I strongly oppose the sale of this taxpayer owned asset. In an age when many millions of taxpayer dollars are being spent to preserve open space, this action would defy all logic and common sense. As a resident of this town, I am greatly concerned for our future quality of life. Our small, quiet and Historic Hamlet has been besieged in recent decades by a number of different projects and developments that have consistently undermined our past rural character, and we believe any further development will have extreme and forever lasting consequences to our already deteriorated quality of life. The added traffic and noise pollution is something that will destroy our small town.

The Civic Association has put on record much opposition to this or any other future project to this area. Please consider the resident's deteriorating quality of life in the decision making process. This is much more important than the short term financial gain that the county may assess.

Respectfully,
Chad Trusnovec
178 Main St.
Yaphank Yaphank

From: Steven Trusnovec [mailto:steven.trusnovec@verizon.net]
Sent: Thursday, April 28, 2011 3:15 PM
To: Mule, Michael
Cc: Browning, Kate; Slaughter, Joshua
Subject: Public comment re Yaphank surplus land sale

Dear Mr Mule,

My comment for the CEQ is for the CEQ to note that the Suffolk County legislators representing the people who live in the vicinity of the land in Yaphank voted against the sale of the 247 acres, and for more EIS work to be done.

Our local legislators: Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents: "don't deem the property "surplus", and don't sell this Suffolk County environmental asset!"

Respectfully,

Steven Trusnovec

Main St, Yaphank

From: Carol Tucher [mailto:cwtucher@gmail.com]
Sent: Friday, April 29, 2011 8:58 AM
To: Mule, Michael
Subject: DGEIS

Michael Mule, Environmental Projects Coordinator

Suffolk County Planning Department

PO Box 6100

Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage

plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.

6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.

8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Carol Tucher
19 Meadow Lane
Brookhaven, NY 11719
631-286-0215



Fire Place History Club

Dedicated to preserving and sharing the history of Brookhaven Hamlet, the oldest settlement on the South Shore of Brookhaven Town.

April 28, 2011

Re: DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR DECLARATION AS SURPLUS AND SUBSEQUENT SALE OF 255 ACRES OF COUNTY OWNED LAND IN YAPHANK FOR MIXED USE DEVELOPMENT PURPOSE

Dear Members of the CEQ Board,

Let me begin by commenting that it is unclear to most in the Brookhaven hamlet community that the DGEIS for Legacy Village was still an ongoing process given all of the new developments related with this same land. To begin, it should have been tabled during the time while Brookhaven Town is undergoing a Carmans River Preservation Plan.

This week the CEQ should have put the plan aside and announced either a postponement or cancellation after the County Legislature voted to kill the Legacy Village proposal and replace it with their own plan. This is all extremely confusing to the lay people whose lives will be very much affected by the proposal.

Equally distressing is that DGEIS comments are due immediately after the report that Legacy Village's author has been convicted of improprieties by the district attorney. It's no wonder that public confidence in government is at an all-time low.

The Fire Place History Club, like the rest of the Brookhaven hamlet community, has been opposed to the idea of building a mini-city on 255 acres of County land in Yaphank since it was first introduced by Executive Steve Levy in 2005.

For the past 60 years, there has been an ongoing effort to protect Carmans River, beginning with the donation of 1,500 acres along the lower river by Maurice Wertheim in 1947. In 1962, New York State began a program of stream corridor protection by condemning Ken Hard's 1,600-acre game preserve, today's Southaven Park. In 1974, through the lobbying efforts of this community, the Carmans River was included in the NYS Wild, Scenic and Recreational Rivers Act. Since then millions of taxpayer dollars have been spent acquiring Carmans

River watershed land, the most recent last week with NYS's purchase of 99 acres adjacent to Cathedral Pines, for \$5 million.

This proposal to sell 255 acres of publically owned land for the purpose of intense development in the Carmans watershed flies in the face of 60 years of preservation efforts. It is incomprehensible to me to be addressing a DGEIS concerned with things like traffic, parking, jobs and payroll, entertainment, etc, when the whole concept of undoing past preservation efforts is absurd. This is the very land that we are spending millions of dollars to protect.

Even more distressing is the intellectual dishonesty that was used to push this ludicrous idea to this point. Throughout the County Executive's five-year promotional period there was no mention of the existence of the adjacent Carmans River. It seems clear to me that Carmans River was intentionally omitted from all literature to avoid environmental concerns. As far as I know, there was only one exception to this general deceit, an early discarded proposal named something like The Villages at Carmans River, which showed a diagram of a boardwalk leading from the development out to the river.

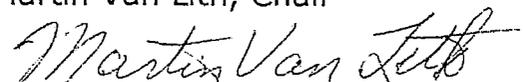
The whole process that led to this DGEIS is questionable and seems to be a sham: The signing of contracts with a developer before the legislature voted to declare the land surplus. The plan and the contract calling for massive development on land that is not zoned by the Town for this kind of density. And using taxpayer money for the propaganda promoting the plan.

The DGEIS lists four areas, A - D. My understanding of the SEQRA law is that this is segmentation, but I'll let others more familiar with the law address this. No matter what else comes from this plan, the FEIS should recommend that area A be transferred to the County Parks Department to become part of Southaven Park.

For the areas B, C and D there is no meaningful discussion of a preservation alternative, such as turning these areas into a nature preserve or parkland. The Draft EIS was prepared at the same time as the Town's Draft Carmans River Plan, where the Town's goal is for the nitrogen level in Carmans River not to exceed .7 ppm. The Town's plan should be considered in a revised EIS before any consideration is given to declare this land surplus for the purpose of auction.

Sincerely,

Martin Van Lith, Chair



From: Sharon Wiesmann [mailto:sharonwiesmann@verizon.net]
Sent: Thursday, April 28, 2011 5:11 PM
To: Mule, Michael
Subject: Comments on the DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes

VIA EMAIL
(Michael.Mule@suffolkcountyny.gov)

April 28, 2011

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank. Our community and those surrounding communities are already suffering from excessive noise, traffic, the stench from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. Many areas of Yaphank are an environmentally sensitive part of the Carmans River watershed area. These 255 acres are partially located within and adjacent to the Carmans River Watershed. This proposed surplus and sale of land is a “death sentence” to the Carmans River and it is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county’s current budget deficit is short-sighted and not in the best interest of the taxpayers. The proposed action of our lawmakers is not within the fiduciary responsibility we entrusted to them to safe guard our lands and resources. To manage a budget deficit by selling off “PUBLIC – OWNED” lands is not what we elected them to do and quite frankly, with the exception of few, the County Legislature has failed us. I ask that the CEQ not fail us as well and to that end I submit the following comments and questions on the DGEIS.

1. The residential portion of the proposal is on underlying A1 zoning, but the proposal is for 1000 units. How do they intend on building 1000 units on 158 acres that should have 1-unit per acre. The EIS does not adequately address this issue. Smart growth principles approved by the county would require development credits from other areas, such as the Pine Barrens, and the EIS does not address this.

Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river’s watershed.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn’t any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?
4. The EIS takes an "all or nothing approach." Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered.
5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed.
6. The Longwood School Board of Education have long expressed that under the current proposal , the 1,072 housig units will lie within the Longwood School District. The commerical development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.
7. This past Tuesday, our local legislators Browning, Anker, Eddington, Romaine and Barraga, voted the will of their constituents. We ask that their voices, on our behalf, be seriously contemplated by CEQ. Do not take any action that will provide for the surplus or sale of this Suffolk County asset! I implore that CEQ move slowly and thoughtfully about the transfer of ownership of this property. More information should be gathered, reviewed and considered.
8. So little open space remains on Long Island today. Any potential use of this land should be carefully assigned so as not to duplicate similar commodities already in existence. We do not need more housing units when one considers the thousands of vacant homes we currently have throughout Suffolk County. We do not need any further retail businesses, restaurants and the like. This proposal ignores the fact that there are countless acres of movie theaters, car dealerships, retail stores, strip malls, offices, and other infrastructure lying vacant everywhere. I do not feel these areas have been adequately addressed.

And in closing, I must again point out that all of this is on lands that have a direct impact to **CARMANS RIVER WATERSHED**, a critical ecosystem that must be protected at all costs. Further, any future development on these public-owned lands has the potential to turn the non-destination Historic Hamlet of Yaphank into a mega-city on the Carmans River. This will irreversibly damage the quality of the Carmans River Watershed and only further negatively impact the quality of life of those who reside here.

I thank you for the every consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Sharon A. Wiesmann
494 Yaphank Middle Island Road
P.O. Box 525
Yaphank, NY 11980
(631) 345-0655

Please note: I am also the owner of property located at
496 Yaphank Middle Island Rd.
Yaphank, NY 11980

Michael Mule, Environmental Projects Coordinator
Suffolk County Planning Department
PO Box 6100
Hauppauge, NY 11788

SUBJECT: DGEIS for the Declaring as Surplus and Subsequent Sale of 255± acres of County Owned Land in Yaphank for Mixed Use Development Purposes.

Dear Mr. Mule:

I appreciate this opportunity to provide comments on the potential impact from the Declaration as Surplus and Subsequent Sale of County-Owned Land in Yaphank. As a resident and taxpayer I am adamantly opposed to the surplus and potential sale of this property.

This is not an environmentally sound measure and any future development on this “undeveloped” land will only serve to increase the other burdens of the historic hamlet of Yaphank and Brookhaven. Our community and those surrounding communities are already suffering from excessive noise, traffic, the problems emanating from the Brookhaven landfill and L.I. Compost and the soon to be operational Brookhaven Rail Terminal. We are being overburdened by “over development”. This area is an environmentally sensitive part of the Carmans River watershed area. It is inconceivable that a government-based effort is underway to give away our “PUBLIC WATERSHED LAND”.

Further, I believe that this attempt to sell or lease this land to reduce the county's current budget deficit is short-sighted and not in the best interest of the taxpayers. I submit the following comments and questions on the DGEIS.

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Furthermore, the Carmans River Protection plan is calling for the exact opposite. These areas in the watershed should be preserved and the credits redirected to commercial areas away from the river. This project would be bringing the development credits to the river's watershed. I believe the recently submitted “Carmans River Preservation and Management Plan” needs to be reviewed and incorporated into the DGEIS as well.

2. The EIS does not take into consideration the historic district, which is within a mile of this land. Doesn't any development proposal have to adhere to the characteristic of the surrounding community? This is not adequately addressed.

3. The sewage treatment plant that would be needed is not described enough. What would the size of it be? How much would it cost, as a developer may not want to have to pay for such a large endeavor. What type of sewage plant would be most suitable for this area? What impact will the discharge from this sewage treatment plant have on the Carmans River Watershed?

4. The EIS takes an “all or nothing approach.” Why does it not consider preservation of environmentally sensitive areas (Parcel A being one) and allow for certain uses for less sensitive areas. All open space or all development should not be the only options considered. I do not believe that enough attention was paid to the “no development alternative”. With the County preserving other land within the watershed it seems that the sale of this land is in direct contradiction to the County policy.

5. The proposed facility doubles what the Yaphank Fire District currently serves and would place a tremendous burden on the fire departments ability to protect its current population. This has not been adequately addressed. Additionally, the South country Ambulance Company and Fire District also serve the landfill in this area and are already overburdened with having to deal with the landfill which may become a receiving area for the potential development.

6. The Longwood School Board of Education have long expressed that under the current proposal, the 1,072 housing units will lie within the Longwood School District. The commercial development that would help to mitigate the tax impact for the school district actually lies outside the district's boundaries. This will place excessive burdens on us, the local taxpayers, as well as almost "double" the population of school age children in the district. Our schools are already crowded. Are we to expect our district to be forced into redrawing attendance boundaries or bus students from the proposed site to other schools, further from their homes? This has not been adequately addressed.

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I thank you for your consideration and hope that the CEQ will find in favor of the environment and in the best interest of the residents.

Sincerely,

Thomas B Williams
Vice President
Post-Morrow Foundation
311 Beaver Dam Road
Brookhaven, NY 11719

631-286-3621
