FINAL ENVIRONMENTAL IMPACT STATEMENT

Proposed Change from One Non-Conforming Use to Another and Associated Site Improvements Southampton Day Camp Realty, LLC

Hamlet of North Sea
Town of Southampton
Suffolk County, NY

PREPARED FOR

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April 2018

FINAL ENVIRONMENTAL IMPACT STATEMENT
APPLICATION OF SOUTHAMPTON DAY CAMP REALTY, LLC
PROPOSED CHANGE FROM ONE NON-CONFORMING USE TO ANOTHER
AND ASSOCIATED SITE IMPROVEMENTS
655 MAJORS PATH
HAMLET OF NORTH SEA, TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

PROJECT LOCATION: 17.28±-Acre Parcel at 655 Majors Path, in the Hamlet of North Sea, Town of Southampton, Suffolk County, New York

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DATE OF PREPARATION: April 2018

AVAILABILITY OF DOCUMENT: This document, together with the Draft Environmental Impact Statement (DEIS), is the Final Environmental Impact Statement (FEIS). It has been prepared for the Lead Agency. Copies are available for public review and comment at the offices of the Lead Agency and at the local library. This FEIS is also available electronically at the Town of Southampton website at:
http://www.southamptontownny.gov/

DATE OF FILING: _____

AVAILABILITY OF DOCUMENT:
Office of the Town Clerk
Town of Southampton Town Hall
116 Hampton Road
Southampton, New York 11968

This document is a Final Environmental Impact Statement (FEIS)
for the application of Southampton Day Camp Realty LLC for a change from one non-conforming use to another.
This FEIS incorporates, by reference, the Draft Environmental Impact Statement (DEIS) for this proposed action, dated September 2016. The DEIS was the subject of Town of Southampton Planning Board Public Hearings on December 8, 2016 and January 26, 2017, and written comments on the DEIS were accepted until March 7, 2017.
The Written Correspondence and Public Hearing Transcripts are provided in Appendices A and B of this FEIS, respectively.

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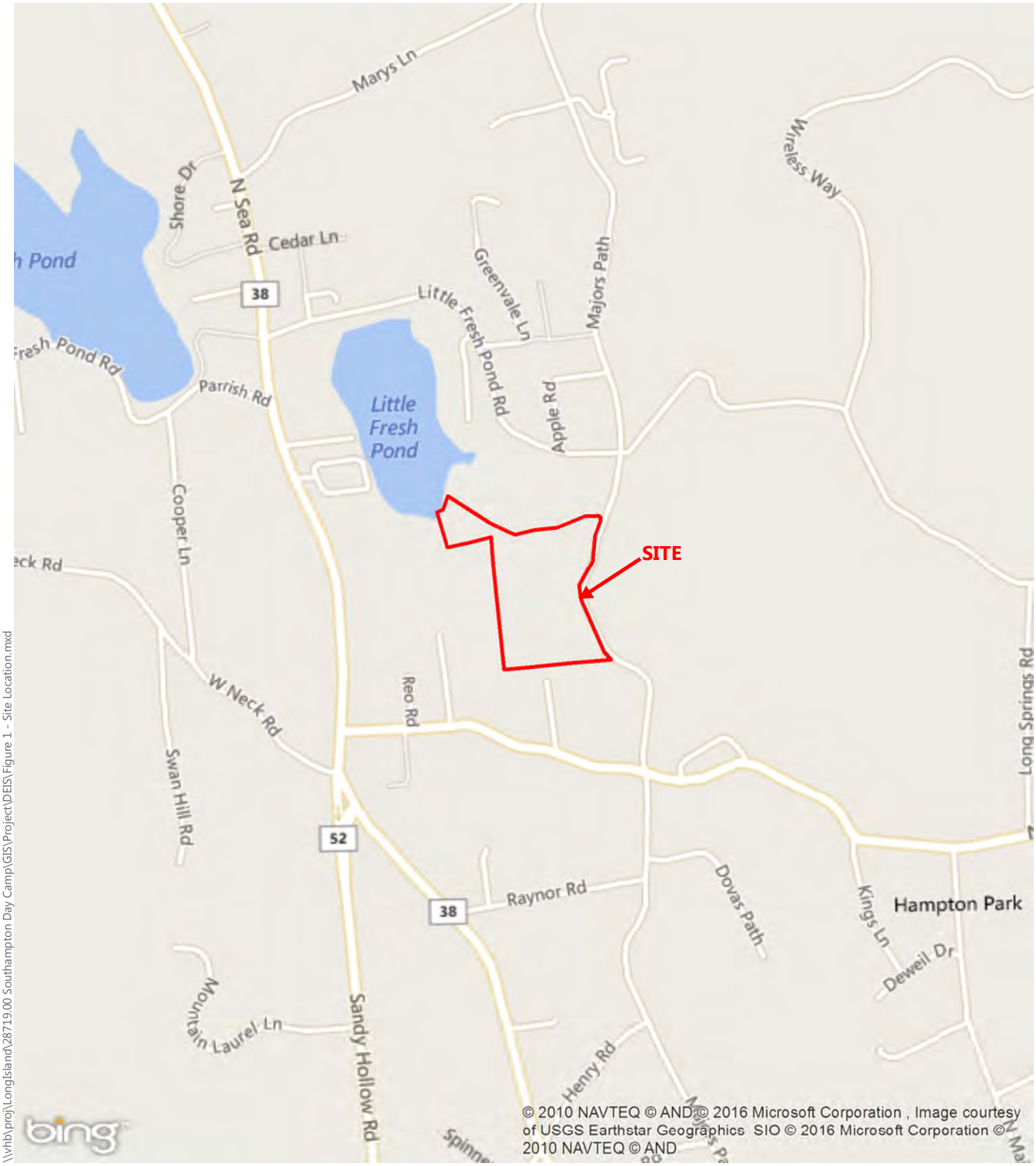
1.0

Introduction

This document is a Final Environmental Impact Statement (FEIS) prepared in response to comments received by the lead agency, the Town of Southampton Planning Board (hereinafter the "Planning Board"), on the Draft Environmental Impact Statement (DEIS) for the proposed action, dated September 2016. The proposed action consists of the application of Southampton Day Camp Realty, LLC (SDCR) for a change from one non-conforming use to another at the 17.28± acre parcel located at 655 Majors Path in the hamlet of North Sea, Town of Southampton, Suffolk County (see Figure 1). The subject property is identified on the Suffolk County Tax Map (SCTM) as District 0900 – Section 097.00 – Block 03.00 – Lot 0017.001 (see Figure 2).

As explained in the DEIS, the proposed action consists of a change from one non-confirming use to another - - from the existing tennis club and/or tennis camp to a day camp and tennis club - - and various site improvements designed to provide more diversified camp activities and improve site access, parking and accommodations.

The DEIS was accepted by the Planning Board as complete and adequate for public review, circulated to all involved agencies and interested parties, made available to the public via the Town of Southampton's website and at two local public libraries (Rogers Memorial Library and Hampton Library – Bridgehampton), and public hearings were held on December 8, 2016 and January 26, 2017. The DEIS comment period was held open until March 7, 2017.



\\vhb\proj\LongIsland\28719.00 Southampton Day Camp\GIS\Project\DEIS\Figure 1 - Site Location.mxd

0 500 1000 2000 Feet

Southampton Racquet Club & Camp | Town of Southampton, NY

Subject Property

Site Location
665 Majors Path, North Sea

Sources: Town of Southampton Parcel Data (Suffolk County, 2013)

0 100 200 400 Feet

Southampton Racquet Club & Camp | Town of Southampton, NY

Subject Property

Suffolk County Tax Map Excerpt
665 Majors Path, North Sea

Sources: Suffolk County Real Property Tax Service Agency (2013)

In accordance with 6 NYCRR §617.9(b)(8):

> *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.*

Since the time of the close of the public comment period on the DEIS, the applicant has modified its proposed action in response to comments raised by neighboring homeowners whose properties border the site to the north, and in response to feedback received from the Planning Board during its December 14, 2017 work session. The plan modifications are discussed in detail in Section 2.0 of this document, and include elimination of the existing basketball court at the northern portion of the site and elimination of the northernmost existing tennis court, which is largely proposed to be revegetated.

1.1 Format of FEIS

As evidenced by a review of written comments received (see Appendix A), many of the commenters expressed general support for the proposed action. While these comments are included in this FEIS, they are not "substantive comments" as contemplated in 6 NYCRR §617.9(b)(8), and are not individually addressed herein. These comments are designated as "GS" (General Support). Comments of General Support are summarized in Section 3.1 of this FEIS and are included in Appendix A-1.

Various substantive comments were received on the DEIS. Written correspondence containing substantive comments are addressed in Section 4.0. Written comments are designated with the letter "C." The substantive written comments have been coded by commenter and are included in Appendix A-2 of this FEIS. Substantive comments made at the public hearings are also addressed in Section 4.0. Each speaker at the public hearing was assigned a number preceded by the letter "H."

The comments received during the public hearings are coded within the marked hearing transcripts included in Appendices B-1 and B-2 of this FEIS (at the right-hand page margins). Several of the comments received during the public hearings can also be characterized as general support comments and are coded with a "GS" in the marked hearing transcript. These comments are summarized along with the written comments in general support in Section 3.1 of this FEIS.

2.0

Revised Site Plan

2.1 Introduction

A revised *Site Plan* has been prepared to address concerns related to the location of a basketball court within the northern portion of the subject property (see *Site Plan* in Appendix C). This basketball court, as initially proposed and described in the DEIS, would have involved the conversion of part of an existing tennis court to a smaller basketball court. The portion of the tennis court to be removed partially encroaches upon the northern property line under existing conditions. This area was proposed to be revegetated as part of the DEIS plan, providing a minimum vegetated setback of 20-feet-8±-inches for the converted basketball court to the nearest property boundary. These initially proposed improvements were evaluated in the DEIS, including within an analysis of potential noise impacts, which concluded that no significant adverse noise impacts would result. However, a revised *Site Plan* (see Appendix C) has been prepared in response to comments raised by neighboring homeowners whose properties border the site to the north, and in response to feedback received from the Planning Board during its December 14, 2017 work session.

The revised *Site Plan* proposes to remove the northern tennis court and basketball court from their current locations, thereby removing an existing noise source associated with the existing facility, and maximizing the buffer to the neighboring residences to the north of the subject property. In lieu of these existing courts, and generally in response to feedback from the Planning Board, a new "sport court" would be constructed in an interior site area within the western portion of the subject property, maintaining a minimum setback of 131-feet-6±-inches from the nearest property boundary and a buffer of natural vegetation a minimum of 126-feet-8±-inches in depth. It is noted that, although the Town of Southampton requirement for summer camps and day camps does not apply to the proposed action, this proposed buffer well exceeds the minimum 100-foot buffer requirement for camps (see §330-162.12 of the Town Code). The area of the proposed sport court (i.e., 8,964±-SF) would be no larger than the existing courts to be removed from the northern portion of the site, thus maintaining the existing total court area at the subject property of 59,213±-

SF. This sport court would be used for multiple court games such as basketball and tennis.

As part of the revised *Site Plan* the area immediately adjacent to the northern property line, currently occupied by the tennis court, would be largely revegetated with native species and retained as a natural buffer between the camp and the neighboring residential properties. It is expected that the removal of the existing basketball court and the removal and revegetation of the northernmost tennis court will address the relevant comments of the neighboring property owners expressed during the DEIS public comment period and the related concerns of the Planning Board expressed at its December 14, 2017, work session.

The modifications proposed by this revised *Site Plan* are intended to address a concern raised by residential neighbors regarding noise generated by existing basketball and tennis activities proximate to the property line. To facilitate the removal of these activities and their relocation to an interior portion of the site, additional clearing of vegetation in the vicinity of the new sport court location is necessary. Specifically, the revised *Site Plan* proposes 12,183±-SF of additional clearing (prior to revegetation in other areas) to accommodate the new sport court location on the western portion of the subject property. After revegetation of portions of the existing tennis and basketball courts to be removed, the net increase in total clearing above what was proposed in the DEIS plan would be nominal – the net additional area of clearing is 7,373± SF, or approximately one-percent of the total site area. The revegetated areas would be planted with species native to Eastern Long Island.

An updated Noise Impact Analysis was prepared to evaluate potential noise impacts from the revised *Site Plan*. The results of this updated Noise Impact Analysis are presented in Appendix D of this FEIS (see Section 4.5 of the analysis). As detailed therein, the updated noise models indicate that, by removing the northern basketball and tennis courts, sound levels at two receptors near the northern property line would be reduced by two decibels, and sound levels at one receptor near the northern property line would remain the same, as compared to the existing condition, whereas the analysis of the previously proposed *Site Plan* (i.e., within the September 2016 DEIS) indicated a two-to-five-decibel increase at these receptors. The greatest improvement in noise level impacts is expected near the property line of 735 Majors Path, where the DEIS analysis showed a five-decibel increase and the revised *Site Plan* analysis shows a two-decibel decrease. Two other receptors in the vicinity of these courts, on the east side of Majors Path, would not experience any increase in noise levels, whereas they were previously expected to experience a one-decibel increase in noise levels.

As the revised *Site Plan* would locate a new sport court on the western portion of the subject property, the updated Noise Impact Analysis shows a two-to-four-decibel increase above the existing condition at the residential receptors nearest to the new sport court as measured at the nearest property boundary. Under the previous *Site Plan*, these receptors were expected to experience up to a one-decibel increase. While

noise levels are anticipated to increase at these receptors, it is noted that the future sound level is expected to reach a maximum of 62 decibels, which is below the Southampton Noise Ordinance daytime limit of 65 decibels for residential land use. Furthermore, the sound level increase would be less than the threshold of six decibels above the existing condition at all receptors, such that noise mitigation is not needed for residential receptors according to the NYSDEC program policy.

Accordingly, the change to the *Site Plan* would minimize potential noise impacts to the residential neighbors closest to the existing northern basketball and tennis courts, while only moderately increasing noise levels (within Town and State policy limits) for the residential neighbors closest to the new sport court.

The Noise Impact Analysis was also updated to acknowledge and evaluate the presence of an existing open playing field on the northwestern portion of the subject property. As with the other activities throughout the camp, this field is expected to accommodate additional campers in the future. As such, the updated noise model shows that there would be a two-decibel increase in sound levels at the nearest residential receptors at the property lines of 717 and 719 Majors Path, north of the playing field, whereas there was no sound level increase at these receptors in the DEIS analysis. This change in the results of the analysis is not due to any of the proposed *Site Plan* revisions, but is a more comprehensive evaluation of activities currently taking place at the camp, which would continue under the proposed action.

With respect to the other impact areas evaluated in the DEIS (i.e., geology, groundwater, surface water, ecology, visual and aesthetic resources and community character, transportation, land use and zoning, community facilities and services), this proposed *Site Plan* revision would have little-to-no effect on the results of the impact analyses performed or the corresponding conclusions presented in the DEIS. There would be no changes in the total amount of court area or impervious area at the subject property, nor would the amount of water use or sanitary waste generation change. Transportation impacts would not change, nor would compliance with applicable zoning regulations or comprehensive plans. Community facilities and services would be unaffected by this change. Visually, the removal of the northern tennis and basketball courts and the increased vegetative buffer would reduce the visibility of camp activities from neighboring residences to the north – a positive change. As noted above, a 126-foot-8±-inch natural buffer would remain between the new sport court and the western property line. While the sport court would potentially be visible from the adjacent residential properties, the tree cover within the natural buffer would mitigate the visual impact. The vegetated area at the subject property would be 7,373±-SF less than proposed in the DEIS *Site Plan*. This area represents approximately one-percent of the total site area, and a 2.4±-percent increase above the total cleared area evaluated in the DEIS. Areas to be revegetated throughout the subject property, including portions of the tennis and basketball courts to be removed, would be planted with native species to provide natural habitat at the subject property and minimizing the potential ecological impact of the proposed action to the maximum extent practicable.

3.0

Comments in General Support

3.1 Comments in General Support of the Proposed Action

Correspondence received during the comment period (which ended on March 7, 2017) expressing general support for the proposed project are designated with a "GS" before the comment number and have been grouped apart from the substantive written comments. These GS comments are contained in Appendix A-1. In addition, some comments received during the public hearings are characterized as general support comments, and are also labeled "GS" in the hearing transcripts in Appendix B. A summary of the written support comments follows:

GS1 – Caryn Lockard

- There are very few places in the area where children can go outside and play. Southampton is no longer a place where many parents can afford to stay home with their children during the summer months. They need to work to afford to live here. Places like Southampton Club and Camp provide a safe fun place for children to spend their summers.
- I have not noticed an increase in traffic on Majors Path due to the camp.
- I have not heard noise from the camp on my walks by in the summer.

GS2 – Gina Minogue

- Southampton Camp and Club provides seasonal employment opportunities for local youth and teaches children skills of kindness, friendship and humanity.

GS3 – Kathryn Wik

- The camp provides scholarships to members of the local community.
- My daughter has benefitted from going to the camp.

- Majors Path is a busy road in general. The drop off and pick up procedures are fast and efficient and do not cause problems on Majors Path.
- My daughter is not aware of Little Fresh Pond. The pond is not used by the camp and should not be considered an issue.
- I have been to the camp many times as a visitor over the last four summers and the campers were not loud.
- The camp is an asset to the community.

GS4 – Thomas Wik

- There has been a huge increase in traffic going east and west on Noyac Road near Majors Path in the last 20 years, and the camp is not the cause.
- Southampton Camp and Club is beneficial to the local community, helping some people with day care and providing a fun learning experience.
- I believe Southampton Camp and Club has little to no effect on the local environment.
- If the camp is closed, development could happen, with potentially worse effects on the environment, and eliminating a positive opportunity for the children.

GS5 – Kerry Barrett

- Southampton Camp and Club provides seasonal employment opportunities for local youth, including college students home for break.
- The camp counselors park their cars at an off-site lot and are taken to the camp together by a bus.
- The camp provides buses to pick up campers from their homes. The number of campers using the bus has grown each year while the number of campers being dropped off by parents has decreased.
- Without Southampton Camp and Club, parents would have to drive their children individually to different camps, rather than having buses take multiple children. This could increase carbon emissions.
- There has never been a camper set foot in or near Little Fresh Pond. The campers swim in the camp's pools, so there is no need to use Little Fresh Pond.
- The camp teaches children to be better friends, athletes, artists, dancers, scientists and citizens.
- The camp has benefitted me personally.
- The camp provides scholarships to children of members of local volunteer organizations.

GS6 – Alexis Minogue

- The camp teaches children lessons that cannot be learned in a classroom.
- Southampton Camp and Club must remain open so that the future residents of the Hamptons communities can grow up to be respectful, kind, and most importantly, good neighbors.

GS7 – Tommy Kreymborg

- I have attended the camp for many years and made many friends.
- I am grateful to have the opportunity to continue to work at the camp as a counselor.

GS8 – Carley Kreymborg

- I love going to camp every summer to meet new friends, play and have fun.
- I learned to read at camp.
- I hope I can go back to camp every summer to meet new friends.

GS9 – Caitlyn Kreymborg

- My first job experience was working at the camp as a junior counselor in 2015.
- Working as a counselor, I felt a strong bond with the kids and made friends with the other counselors.
- The sound of children laughing is not a bad thing.

GS10 – Ms. Aubrey

- The pool is not noticeable.
- Campers pick up after themselves at the end of the day.
- The camp provides a place for kids with no babysitters.
- There are always counselors wherever we go. The camp is safe.

GS11 – Jackie Thulina

- I love going to the camp and working on my athletic skills.
- I have made a lot of friends and hope to one day become a counselor.

4.0

Responses to Substantive Comments

All correspondence containing substantive comments is included in Appendix A-2 of this FEIS. The public hearing transcripts are included as Appendices B-1 and B-2. This section contains responses to all substantive comments contained in correspondence (including electronic mail) as well as those made at the public hearings. The following is a list of commenters whose substantive comments are addressed herein. Note that commenters that offered substantive comments within more than one piece of correspondence, or that appeared at the public hearing and also submitted correspondence, appear in the list multiple times.

As explained in Section 1.0 of this FEIS, the commenters that submitted substantive written comments have been assigned the letter "C" and a number, and commenters that offered substantive comments at the public hearings before the Planning Board (i.e., on December 8, 2016 and January 26, 2017), have been assigned the letter "H" and a number.

Within Sections 4.1 through 4.7 of this FEIS, comments are arranged by their subject matter (i.e., water resources, ecological resources, etc.). If one comment is closely related or similar in nature to one or more other comments received, those comments have been combined and paraphrased for the purpose of providing a unified response and avoiding repetition to the extent practicable. Each comment presented below is not necessarily a direct quote, but all paraphrased comments are intended to remain as accurate as possible to the original comments. All comments are followed by a listing of the respective commenter(s) and comment number(s) in square brackets.

Correspondence

C1 – Jeffrey Bragman (Attorney for Little Fresh Pond Association) (March 7, 2017)

C2 Steven Schneider, P.E. (Traffic Consultant for Little Fresh Pond Association) (December 7, 2016)

C3 Michael Bahtiarian, INCE Bd. Cert. (Noise Consultant for Little Fresh Pond Association) (February 23, 2017)

C4 – North Sea Citizens Advisory Committee (Lucy Dunne, Co-Chairperson) (December 6, 2016)

C5 – Group for the East End (Jenn Hartnagel, Senior Environmental Advocate) (January 26, 2017)

C6 – Larry Penny, Enviromeasurements, LLC (January 26, 2017)

C7 – Larry Penny (March 7, 2017)

C8 – Sophie and Bruce Nadell (January 16, 2017)

C9 – Sophie and Bruce Nadell (January 21, 2017)

C10 – Bruce Nadell (February 4, 2017)

C11 – Sophie and Bruce Nadell (February 26, 2017)

C12 – Heather Frayne (February 27, 2017)

C13 – Barbara Marsh (January 26, 2017)

C14 – Barbara Marsh (February 18, 2017)

C15 – Lincoln Palsgrove IV (February 5, 2017)

C16 – Lincoln Palsgrove IV (February 21, 2017)

C17 – Dorothea Donaldson (February 18, 2017)

C18 – Elizabeth Seus (January 26, 2017)

C19 – Margot Berwin (January 22, 2017)

C20 – Paul Schaye (January 30, 2017)

C21 – Bill Gaden (no date)

C22 – Lindsay Freda (January 26, 2017)

C23 – Jim Silber (January 24, 2017)

C24 – Foster Maer (January 31, 2017)

C25 – Foster Maer (March 7, 2017)

C26 – Ann Barzola (March 7, 2017)

Correspondence (continued)

C27 – Ann Welker (March 7, 2017)

C28 – Charles Guilloz (March 7, 2017)

C29 – Celeste and Jonathan Scott Frank (March 7, 2017)

C30 – Marcella Silverman (March 7, 2017)

C31 – Suzanne Henning (January 25, 2017)

C32 – Gary Sweeney (January 20, 2017)

C33 – Timothy John Carroll (January 23, 2017)

C34 – Matthew Spina (January 9, 2017)

C35 – Stacy and Christopher Dimon (January 24, 2017)

C36 – Nadya Potapchuk (January 26, 2017)

C37 – Roslyn Siegel (January 31, 2017)

C38 – Lauren Wedeles (January 31, 2017)

C39 – Barbara Peterson (February 11, 2017)

Public Hearing No. 1 (December 8, 2016)

H1 – Jeffrey Bragman – Attorney for the Little Fresh Pond Association (LFPA)

H2 – Steven Schneider – Traffic engineering consultant for LFPA

H3 – John Zbell – Water resources consultant for LFPA

H4 – Larry Penny

H5 – Grant Greenberg

H6 – Gretchen Pillar

H7 – Debra Smith

H8 – Ivan Bart

H9 – Celeste Frank – President of the LFPA

H10 – Sophie Nadelle

H11 – Bruce Nadelle

H12 – Stuart Summit

H13 – Barbara Marsh

Public Hearing No. 1 (continued)

H14 – Marcella Silverman

H15 – Jackie Meltzer

H16 – Melissa Aery

H17 – Alyssa Dunkirk

H18 – Donna Kreymborg

H19 – Mr. Schoyr

H20 – Mr. Frankel

H21 – Jimmy Silber

H22 – Mr. Goodwin

H23 – Jason Korte

H24 – Edna Teich

H25 – Lincoln Palsgrove

H26 – Ms. Morgan

H27 – Ann Welker – speaking on behalf of Trudy and Steve Aims

H28 – Ms. Minogue

H29 – Ben Zwin – speaking on behalf of Ashley Whetherwax

H30 – Ms. Potapeces

H31 – Mr. Mall

H32 – Lucy Dunne

Public Hearing No. 2 (January 26, 2017)

H33 – Jessica Hines

H34 – Stacy Dimon

H35 – Gary Galeski

H36 – Lindsay Freda

H37 – Deidre Boyd

H38 – Daniel Patry

H39 – Bill Gaden

H40 – Barbara Peterson

Public Hearing No. 2 (continued)

H41 – Wally Teich

H42 – Sally Bareau

H43 – Sheila Comparetto – reading letter from Lucy Dunn, Co-Chairperson of North Sea Citizens Advisory Committee

H44 – Ann Barzola

H45 – Carla Rich

H46 – Fred Havemeyer

H47 – Kevin McAllister

H48 – Vinny McGann

H49 – Kelly Gang

H50 – Frank Kalamaika on behalf of Nadia Potapchuk

H51 – Foster Maer

H52 – Paul Schaye

H53 – Larissa Potapchuk

H54 – Ann Welker – on behalf of the Surfrider Foundation

4.1 Water Resources

Comment No. WAT-1

There are flaws in the methodology used to describe the relationship between the groundwater and Little Fresh Pond. The DEIS said that studies found groundwater flows away from Little Fresh Pond and from lower elevations than Little Fresh Pond. The DEIS pointed out that there is a mound that appears near a septic system and water does not flow to the pond, but goes to either side of the pond. Groundwater mounding is indicative of the potential presence of silt and clay material. The DEIS does not analyze how the increase in flow and proposed stormwater systems at the camp could potentially change the groundwater mound, introduce localized mounds associated with the stormwater drainage systems, and affect overall groundwater flow direction and velocity. The groundwater measurements were conducted in August and November, which are both periods of low groundwater levels; and the report acknowledges that seasonal fluctuation of groundwater can make a big difference. There are no groundwater readings from any other season. This is important because, during periods of high groundwater, there can be changes in the groundwater flow and gradients. Only one of the four sets of water level measurements was collected during a period when the camp was in session and discharging sanitary waste to the on-site systems. There should be additional wells installed to better define groundwater flow, especially along the property boundary, in order to evaluate where groundwater goes once it leaves the subject property. **[H1-15, H3-2, H3-4, H10-2, H53-1, C1-12, C1-14, C6-2]**

Response No. WAT-1

As discussed in Section 3.2.1.2 of the DEIS, the proposed additional flow to be discharged to the ground from the multiple on-site sanitary systems is approximately 23 percent of the existing annual flow, or 0.1 million gallons per year (MGY) (existing flow = 0.44 MGY, proposed flow = 0.54 MGY). The proposed sanitary daily flow of 5,440 gallons per day (gpd) would equate to a 4.7 gallons per minute (gpm) flow. The proposed comprehensive stormwater system has been designed in accordance to the town codes and will minimally alter the existing land surface. There would be no significant increase of stormwater runoff generated and subsequently leached to the ground (point source discharge). Additionally, the proposed stormwater system structures are spread throughout the site that will avoid or minimize any groundwater mounding. It should be noted that these stormwater structures will be intercepting flow that would otherwise go into LFP. The proposed estimated flows from the sanitary or stormwater systems are not expected to create a significant impact (small localized mounds on the order of one or two inches) on the overall local water table elevation or the overall direction of flow.

Additionally, the on-site geology information provided in Appendix B of the DEIS (see soil boring data on *Proposed Storm Drainage Plan*, Sheet 1 of 2), shows that the geology of the site is mainly consisting of granular material (sands and some sand with silt) with a minimal layer of clay in a small localized section of the site. This clay layer is located above the groundwater table and does not show a physical connection to the geology near LFP to suggest that subsurface discharges at the subject property would flow into LFP.

Additional groundwater level data were collected during the months of January and March 2017. This later date is from a time period in which groundwater is expected to be at the highest level during the year. The additional groundwater measurements on these two dates are consistent with the results obtained during the summer and fall season of 2015. The data shows that the surface water level of LFP is higher than the adjacent groundwater levels even in periods of expected high groundwater. Please refer to the groundwater monitoring well data below.

Table 1 – Groundwater Monitoring Well Elevation Data

Groundwater Monitoring Wells Date									Surface Water Monitoring	
	MW-01		MW-02		MW-03		MW-04		SWG	
Top of Well Elev. (Feet.)	55.72		41.26		26.46		20.95		10.29	
Screen Interval Elev.	10.29' -0.29'		10.74' - 0.74'		16.76' - 6.76'		11.61' - 1.61'		-	
Screen Length (Feet)	10.0		10.0		10.0		10.0		-	
Groundwater Elevations									Surface Water Elevation	
Date	Depth To Water	Elev. (Feet.)	Depth To Water	Elev. (Feet.)	Depth To Water	Elev. (Feet.)	Depth To Water	Elev. (Feet.)	Depth To Water	Elev. (Feet.)
7/13/2015	-	-	-	-	-	-	-	-	2.25	8.04
7/18/2015	-	-	-	-	-	-	-	-	2.35	7.94
7/25/2015	-	-	-	-	18.75	7.71	13.59	7.36	-	-
8/1/2015	48.17	7.55	33.67	7.59	18.95	7.51	13.77	7.18	2.64	7.65
8/7/2015	48.4	7.32	33.82	7.44	19.15	7.31	13.95	7.00	2.78	7.51
11/10/2015	48.83	6.89	34.35	6.91	19.71	6.75	14.31	6.64	3.01	7.28
11/17/2015	48.79	6.93	34.29	6.97	19.65	6.81	14.24	6.71	2.99	7.3
11/24/2015	48.68	7.04	34.2	7.06	19.57	6.89	14.11	6.84	2.92	7.37
1/7/2016 (by. PL)	**48.2**	**7.52**	**33.6**	**7.66**	**19.1**	**7.36**	**13.5**	**7.45**	**2.58**	**7.71**
3/31/2017	**47.71**	**8.01**	**33.11**	**8.15**	**18.43**	**8.03**	**13.15**	**7.80**	**2.31**	**7.98**

Comment No. WAT-2

There is a lack of information about the site-specific geology of the subsurface. This is relevant because of the presence of silt clay layers which are known to exist on Long Island that could have a significant impact on groundwater elevation, flow gradient and the direction of groundwater flow. The water study did not include any well logs, which would typically be included in this type of study to get a vertical profile of the geology. The data in Appendix B of the DEIS suggests that silt and clay layers may be present beneath the site. The DEIS also used a recognized published value of hydraulic conductivity, which is the ability of the water to move through the soil, to obtain groundwater flow velocity. This study should use site-specific data, which can be obtained from the groundwater monitoring wells. Site-specific data relevant to groundwater flow velocity would include slug tests and sieve analysis. There are a number of variables that could affect groundwater flow direction, and even if the groundwater from the camp is being diverted away from the pond, it remains in the watershed and could eventually reach the pond. **[H1-16, H1-17 H3-1, H3-5, H47-1, C1-13]**

Response No. WAT-2

Site-specific geology information is provided in Appendix B of the DEIS under the Proposed Stormwater Drainage Plan. On this plan, results from several soil borings from areas throughout the site are presented. This data was collected in November 2010 and July 2011 by McDonald Geoscience. This information shows the existing geology beneath the site as mostly granular strata with a minimal layer of clay in a small localized section of the site. This clay layer is depicted above the groundwater table and does not show a physical connection to the geology near LFP.

The average hydraulic conductivity value (K value) of 350 ft/day utilized to estimate the groundwater flow velocity beneath the site was obtained from a U.S. Geological Survey Report (Nemickas & Koscalka 1982). The data contained in this USGS report is comprehensive, widely accepted and used among consultants on Long Island. Further analysis of the USGS report shows that the three of the monitoring wells utilized in the report to derive the average hydraulic conductivity are located within a mile south of the subject site. These three monitoring wells have hydraulic conductivity values averaging 350 ft/day, which validates the K value utilized by P.W. Grosser Consulting, Inc. (PWGC) to estimate the flow velocity presented in the DEIS. Typically, data from peer reviewed USGS reports are acceptable for use in a DEIS of this magnitude.

Table 2 – Hydraulic Conductivity at Area Wells

Monitoring Well No.	Hydraulic Conductivity (K)
S1341	400 ft/day
S147474	320 ft/day
S1340	335 ft/day

Source: (Nemickas & Koscalka 1982)

Comment No. WAT-3

The DEIS reported one set of water quality measurements detected high levels of nitrogen and phosphorus in groundwater wells, which suggested that septic discharge was moving toward the pond. However, the DEIS also detailed a second set of measurements which disclosed no detectable pollutants. Despite the contradictory results, the DEIS relied on the measurements showing no pollutants. The DEIS states that groundwater was of high quality and did not indicate any materially significant impact due to wastewater. However, the samples used in the analysis were taken during November 2015, when the camp was not in session, and were filtered. It is not standard practice to filter the samples. The justification for filtering is the New York State Department of Environmental Conservation (NYSDEC) publication, "Sampling Guidelines and Protocols" (March 1991). This publication makes specific reference to the filtering of metal samples, but goes on to state that samples that will be analyzed for organic compounds shall not be filtered in the field. The samples that were collected in August, when the camp was in session, contained elevated concentrations of nitrogen, phosphorus and the pesticide chlordane. It is also industry standard to allow the removal of sufficient groundwater from a well to establish a connection with the surrounding aquifer. The DEIS does not indicate that this was done in the sampling. The study used a bale-purge method, but the United States Environmental Protection Agency's (USEPA) low-flow or minimal draw-down sampling method from 1996 is more conventional and results in less disturbance of water resulting in lower turbidity and more representative groundwater sampling. **[H1-17, H3-6, C1-15, C6-7]**

Response No. WAT-3

The results from both rounds of groundwater sampling conducted on August 07, 2015, and November 24, 2015, indicate that groundwater beneath the subject property is of high quality. According to the *Suffolk County Comprehensive Water Resources Management Plan* (Suffolk County, 2015), the maximum ambient concentration of Nitrate found in private wells (dissolved in groundwater or Inorganic Nitrogen) in the northern Southampton area (i.e., the general vicinity of the subject property) was 6 parts per million (ppm or mg/l), or less. The analysis of the groundwater from the monitoring wells of the subject property shows results with Inorganic Nitrogen (Ammonia + Nitrite + Nitrate) less than 1 ppm (mg/l). The remaining Nitrogen components found in the Total Nitrogen (TN) results are Organic Nitrogen compounds that generally bind to the soil particles, hence the different TN levels

between the two sets of test results presented in the DEIS. Inorganic Nitrogen is an indicator of the presence of sewage or wastewater. Both sets of results indicate Inorganic Nitrogen much less than background levels. Notwithstanding this, it should be noted that PWGC personnel purged the monitoring wells in accordance to the standard sampling procedures (at least 3 times the volume of the wells) as part of both sampling events, prior to the collection of the groundwater samples.

Comment No. WAT-4

The water study does not acknowledge the relationship between Little Fresh Pond and the adjacent wetlands. What is the function of the wetlands? Do they contain rare plants? Are they acidic or basic, etc.? Recent pH values are higher than they should be for unsullied freshwater ponds on eastern Long Island. Rainwater and groundwater in general have lower pH's. What is driving up the alkalinity? How will these wetlands be impacted by the intended camp expansion? **[H1-18, C6-6, C7-3]**

Response No. WAT-4

The wetlands adjacent to Little Fresh Pond are a result of the either permanently or periodically saturated soil surrounding the Pond. These areas are a transition from upland area, which is permanently unsaturated, and the Pond itself. They are an expression of the Pond elevation - - as it increases or decreases, the wetland may expand or contract, respectively. Wetlands are characterized by hydric soil which supports unique vegetation and aquatic plants adapted to the anaerobic environment. Wetlands are a unique and valuable ecosystem, they play a number of roles in the environment, including but not limited to, water purification, flood control, and provide habitat to a wide range of plant and animal species. However, the purpose of the Environmental Impact Statement is to evaluate the potential significant environmental impacts of the proposed action, which is distinguishable from an evaluation of the condition of LFP or any surrounding wetland areas (e.g., a study of the wetlands' pH or contributions from the entire watershed). The DEIS contains a detailed assessment of the potential for the proposed action to impact surface waters (see Section 3.3) as well as a detailed assessment of potential ecological impacts (see Section 3.4). The analyses conclude that there would be no significant adverse impacts to surface waters or ecological resources, due to a variety of factors, including that there are no improvements or activities proposed in a wetland; on-site discharges to groundwater do not reach LFP; and various stormwater infrastructure is proposed to improve on-site stormwater management as compared to the existing condition.

Comment No. WAT-5

There are no groundwater elevation data or geologic boring logs from the on-site supply wells that were once used for potable water and are proposed for use as irrigation wells. These wells are significant because they are likely drilled deeper than the shallow groundwater monitoring wells that are depicted in the DEIS. It would be useful to measure the head or the level of the water in those wells. **[H3-3]**

Response No. WAT-5

The existing groundwater wells at the site were used for potable water supply before the facility's plumbing systems connected to the SCWA system in 2013. These wells are not in use at the present time and the facility intends to repurpose them for irrigation at the site. No data from these existing wells were available since they were drilled some time ago and logs may not have necessarily been generated at the time of drilling. The monitoring wells have provided all the data necessary to create an accurate hydrogeological model of the groundwater beneath the site and the adjacent areas, particularly the relationship between LFP and the groundwater table.

Comment No. WAT-6

There is insufficient data to determine the groundwater flow patterns into and out of Little Fresh Pond. There should be additional investigations, which would not be cost prohibited, and will include such things as the installation of a piezometer which allows for the measurement of the gradient between the pond and groundwater, shallow and deep groundwater monitoring well closer to the pond to also evaluate those vertical drains. Also, a bathymetric survey of the pond to confirm the configuration of the pond bottom depth and permeability, which is the ability of water to flow through the sediments at the bottom of the pond. A hydrogeologic cross-section should be developed beneath the site of the pond to depict the various soil types and groundwater elevation data to better establish the relationship between surface water and groundwater.

Little Fresh Pond derives its water from groundwater, precipitation and runoff. There are certain ponds that are separated from the underlying groundwater by impermeable barriers such as many of those in Montauk, which sit atop clay. These ponds almost invariably dry up at one point during the year. Little Fresh Pond is a permanent groundwater pond and has never gone dry during the 350-year history of Southampton Town. Such ponds on Long Island lose water by evaporation and drops in the water table during droughty periods. They lose on average a half-inch per day during the warm summer months, or 45 inches, between June 1 and September 1. In normal years, this difference in elevation is compensated for by groundwater feed and precipitation, directly and via runoff, which can amount to 10-to-20 inches of added water during the summer. During last summer, which was relatively droughty, the elevation of Little Fresh Pond dropped only a few inches. Thus, groundwater feed kept the level near normal during those three months. **[H3-7, H4-3, C1-13, C1-14, C1-15, C5-5, C6-3, C7-1]**

Response No. WAT-6

As set forth in SEQRA and its implementing regulations at 6 NYCRR Part 617, the purpose of an EIS is to identify, evaluate and mitigate the potential significant adverse impacts of a proposed action on the environment. In accordance with this requirement, the Final Scope promulgated by the Town of Southampton Planning

Board required that the relationship between the subject site and LFP be evaluated, and the potential impacts of the proposed action on LFP be assessed. The data presented in the DEIS confirms that the groundwater beneath the site does not flow into LFP. Additional studies of the pond hydrology, such as bathymetric survey and permeability of the sediments, are not necessary to determine the relationship between the pond and the subject site, or to support the DEIS analyses that conclude that no significant adverse impacts to the pond would result from implementation of the proposed action.

It should also be noted that the evaporation rates used for the water budget calculation shown in the DEIS were obtained from a USGS report *Hydrology of the Babylon-Islip Area, Suffolk County, Long Island, New York* (Pluhowski & Kantrowitz, USGS, 1964). The published annual evaporation rate for Long Island is 34 inches. The evaporation occurs throughout the year, but mainly during the summer months. The surface elevation of the LFP is expected to drop during the warm summer months, but the total evaporation experienced during this time period will vary from year to year. The discussion in the comment does not account for the significant amount of runoff that flows into LFP from the adjacent watershed.

The Pluhowski & Kantrowitz (1964) study referenced above is a widely accepted standard for estimating the evaporation rates for surface waterbodies on Long Island. Recent USGS reports for the Long Island area continue to reference this study for estimating evaporation rates. For instance, a USGS Water-Resources Investigations Report (WRIR 97-4136) from 1994, titled "Areas Contributing Ground Water to the Peconic Estuary, and Groundwater Budgets for the North and South Forks and Shelter Island, Eastern Suffolk County, New York" not only references the Pluhowski & Kantrowitz (1964) study, but also explicitly states that the annual evaporations rate for Long Island lakes/ponds is 33.7 inches per year.

Comment No. WAT-7

Little Fresh Pond was declared healthy in 1988 when the Town did a study of its ponds. The DEIS does not reference this study, which is helpful with chemistry, vegetation, etc. characteristics of Little Fresh Pond. The NYSDEC said that Little Fresh Pond has a blue-green algae problem in 2015. The Federal Clean Water Act lists Little Fresh Pond as an endangered water body. The pond is on the NYSDEC's list of endangered bodies of water, the 303(d) list, which may require a TMDL for phosphorus. It would be unwise to add 60 full-time residents during the ten weeks when camp is in session, because that would amount to about 15 families producing 300 gallons per day (GPD) of sanitary wastewater each. We still have a lot of information to find out before we make the use larger. If any of the wastewater goes into the pond during the summer, that can cause blue-green algae to form. **[H4-2, H10-2, H13-1, H21-2, H40-1, H53-1, C5-4, C39-1]**

Response No. WAT-7

Under the proposed facility upgrade, the average number of full-time residents (overnight staff) is expected to increase from 53 to 65 (i.e., 12 additional overnight staff for the 10 weeks of the camp operations). At a rate of 75 gpd per resident, the daily flow from 12 additional full-time residents would be equal to the discharge rate of three families. The total proposed sanitary flow is expected to be 6,800 gpd, which is a 1,360 gpd increase over the 2016 existing condition of 5,440 gpd. A 1,360 gpd increase in sanitary flow is roughly equivalent to 4.5 additional single-family residences with a discharge rate of 300 gpd. As previously noted, the existing and proposed uses are seasonal, occurring only during a 10-week period. In addition, the actual number of campers that attend the camp on a given day could fluctuate somewhat based on the actual programs offered. Moreover, the anticipated increase in site population is not entirely dependent upon the proposed action – throughout the DEIS it is explained that occupancy may continue to increase over time absent the proposed action, as it has over the past several summers. As concluded within the DEIS, and further confirmed by the additional data presented in Response No. WAT-1 above (see Table 1 on Page 17 of this FEIS), wastewater generated on-site does not flow into the pond, such that associated potential impacts to the pond are not anticipated.

Comment No. WAT-8

Lombardo Associates was hired by the Little Fresh Pond Association to examine the relationship between the Southampton Country Day Camp and Little Fresh Pond. He originally concluded that Southampton Country Day Camp site wastewater discharge will likely flow into Little Fresh Pond. Lombardo Associates was later hired by Southampton Country Day Camp, and they now conclude within the DEIS that groundwater at the camp property does not flow into Little Fresh Pond. The Lombardo report also states, inaccurately, that Little Fresh Pond is at a higher elevation than the camp, and that insufficient data exist to determine the groundwater flow patterns into and out of Little Fresh Pond. **[H5-1, H11-4, H30-1, H39-5, H44-1, C6-2, C7-1, C8-4, C10-2, C21-5]**

Response No. WAT-8

The commenter is apparently referring to an October 25, 2012 report by Lombardo Associates, Inc. for the Little Fresh Pond Association. That 2012 report, among other things, references available resources of the USGS and the Suffolk County Department of Health Services as the basis for concluding that discharges to groundwater at the subject property would be expected to reach LFP. Following the preparation of the 2012 report, the applicant consulted with Pio Lombardo Associates, Inc., to develop a site-specific investigation to further understand the relationship between the subject property and the pond. The results of those specific investigations, as fully acknowledged and explained in the January 2016 Lombardo Associates, Inc. report (see Appendix D of the DEIS), are more accurate than the

generalized data referred to in the 2012 report. The site-specific data concludes that wastewater discharges at the subject property do not flow into LFP.

As for the elevation of the pond and camp, the commenter misrepresents the statements of the Lombardo Associates, Inc. report. The report specifically indicates that, "the elevation of [Little Fresh Pond] is higher than that of the groundwater flowing off the SCDC property" meaning that the elevation of the water table beneath the subject property is lower than the surface elevation of the pond. The report does not indicate that the pond surface elevation is higher than the land surface elevation of the subject property.

Comment No. WAT-9

The Group for the East End reviewed data from the United States Geological Survey, which has studied groundwater on the South Fork for decades and created a groundwater map. The map depicts a groundwater divide on the South Fork, and suggests that groundwater in the vicinity of the subject property flows in the direction of Little Fresh Pond. **[H5-2]**

Response No. WAT-9

As explained in Section 3.2.1.2 of the DEIS, the regional groundwater flow direction is to the west/northwest towards the Great Peconic Bay. However, the data collected from the monitoring wells installed on-site shows that the pond surface elevation is higher than the groundwater elevation of an adjacent monitoring well at the subject property. This higher surface elevation creates a vertical hydraulic gradient that reverses the localized flow away from the pond. These data are supported by a groundwater budget analysis (see DEIS Section 3.2.1.3) which indicates that Little Fresh Pond provides a net recharge to the groundwater system and that the net yearly flow is away from the pond.

Comment No. WAT-10

Local ponds have been lost to blue-green algae outbreaks. The chief pollutant over the years is phosphorus, a chemical found in detergents, fertilizers, etc. Sports fields, swimming pools and hundreds of children do not belong so close to the fragile pond. **[H5-3, H33-1, H36-3, H40-1, H46-1, H48-1, H53-2, C7-2, C39-1]**

Response No. WAT-10

As discussed in DEIS Section 3.2.2.8 (Impacts of Fertilizers, Pesticides and Other Chemicals), the main contributors of phosphorus contamination of waterways are fertilizers. New York State (NYS) has passed the "NYS Dishwasher Detergent and Nutrient Runoff Law" which restricts the quantity of phosphorus in fertilizers and limits the time and location where fertilizers can be used. This law was enacted to reduce the amount of phosphorus in stormwater run-off which is the main

impairment of some waterbodies in the state. The facility's management closely monitors the application of fertilizers that are compliant with the state and federal laws. Additionally, the application of fertilizer is restricted to only the playing fields (lawn areas) which are located more than 600 feet away from the pond surface waters.

The proposed action would result in a minor (0.51±-acre) increase in the total area of lawn and landscaping at the subject property (see Table 2 of the DEIS). The proposed action also includes the installation of stormwater management infrastructure designed to prevent stormwater runoff from flowing off-site (e.g., to Little Fresh Pond), such that any nutrients present in stormwater runoff, including nitrogen and phosphorus, would not directly enter Little Fresh Pond (see Sections 2.3.3 and 3.3.2 of the DEIS). The site currently does not contain a comprehensive stormwater management system, such that stormwater is permitted to flow overland. Thus, the proposed action would improve upon existing conditions with respect to stormwater management.

The protection of the pond from phosphorus and other pollutants entering its waters is a group effort of all the residents of the pond's adjacent land use areas. As discussed in the DEIS, the pond currently receives at least 10% of the stormwater run-off from its tributary areas to replenish the water levels. Within the stormwater run-off, many pollutants, including phosphorus are likely to be carried from the near-by roads and residential properties.

The NYS Dishwasher Detergent and Nutrient Runoff Law also restricts the use of phosphorus in most of the commercially available detergents. No public action is needed to comply with this provision.

Overall, any detergent or fertilizer use associated with proposed action is not expected to result in any significant impact to Little Fresh Pond.

Comment No. WAT-11

Pollution from activities at the camp (e.g., chlorinated swimming pools, sanitary waste [including sanitary waste from overnight occupation], laundry, food preparation, use of pesticides, insect repellent and fertilizers) will wash into Little Fresh Pond without filtration or treatment. Chemicals containing nitrogen and phosphates are regularly used on the camp property. The DEIS inaccurately states that the use of chemicals for pools and fertilizer for the ground all would have no adverse impact on Little Fresh Pond. **[H8-2, H10-2, H13-2, H38-4, C6-1, C8-3, C9-1, C10-1, C10-2, C11-3, C12-1]**

Response No. WAT-11

See Response No. WAT-10 above. The DEIS has extensively evaluated all potential impacts to LFP and the surrounding areas including the concerns stated on this comment. Specifically, potential impacts of pool water, fertilizers, pesticides and other chemicals are discussed in Sections 3.2.2.7 and 3.2.2.8 of the DEIS. The DEIS has also shown how any potential impact will be mitigated. Moreover, the study conducted of the subject site has demonstrated that the groundwater flow from beneath the site does not flow into LFP. Accordingly, many of the above-mentioned concerns would not impact LFP.

Typical pool maintenance consists of pressure washing the pool walls at the pool opening in the spring. Muriatic acid is applied to the pool walls to remove staining formed over the winter. Muriatic acid is hydrochloric acid (HCl) and is sold in 15-35% concentrations by weight. The remaining percentage of the solution is water according to the manufacturer's safety data sheet. Approximately one-to-two gallons of muriatic acid is used in a pool cleaning.

The muriatic acid is diluted in a 1:1 ratio with water and sprayed onto the walls of the pool before pressure washing. Following the cleaning, an alkali base (sodium carbonate) is added to the wash solution to neutralize the muriatic acid. The resulting mixture is further diluted with water until it reaches a neutral pH and then is discharged.

For in-season treatment, "Sparkle Conquest" is poured directly into the pool water to prevent stain buildup. According to the manufacturer, Alden Leeds Inc., the "Sparkle Conquest" product dissipates into the air and becomes safe for discharge within a 10-day holding period. This 10-day holding period is already adhered to for the pool's chlorine dissipation.

The discharge of the additional volume of water resulting from the two new pools would neither adversely impact the groundwater beneath the site, nor the general environment at the site. Both cleaning agents are widely used throughout Long Island and can be safely discharged to the ground when the manufacturer's directions are followed. SDCR staff is recommended to follow NSF (National Sanitation Foundation), New York State Department of Health, NYSDEC, and chemical manufacturer guidelines and regulations for maximum cleaning solution concentrations. No additional treatment products are used for closing/emptying the pool.

Comment No. WAT-12

How can sanitary flow be grandfathered? There is no grandfathering when you do renovations. With 280 campers and 60 counselors on the property in 2016, there must be an increase in sanitary flow. The proposed increase in campers and staff will increase sanitary flow to the pond no matter what septic system is put in place. **[H11-3, H24-1, H24-2]**

Response No. WAT-12

Section 3.2 of the DEIS discusses in detail the concept of "grandfathering" of sanitary flow as it relates to the subject property and the proposed action. Also refer to Response No. WAT-13, below. With respect to LFP, it has been demonstrated throughout the DEIS and this FEIS that sanitary waste discharged to sanitary systems at the subject property (under existing or future proposed conditions) would not be expected to flow into the pond.

Comment No. WAT-13

Differing information has been submitted to the ZBA and the Suffolk County Board of Health with respect to sewage outflow. The SCDHS approved new septic systems based on there being 1-2-bedroom cabins. The DEIS claims that the SCDHS determined that the site is entitled to a grandfathered septic flow of 9,450 gpd. On that basis, the application sought approval of a dining hall and dormitories within reconstructed cottages and the single-family house. Those uses were not lawfully existing under zoning. The Planning Board must adhere to the 2012 ZBA decision, which is binding as to the uses that are permitted on-site: a membership tennis club with accessory camp for members' children; residential cottages rented seasonally; and a single-family house. The dining hall use was determined to have been abandoned by the ZBA decision in 2012.

The uses do not comply with the SCDHS grandfathering policies detailed in Guidance Memorandum #20. Guidance Memorandum #20 limits grandfathering to pre-existing uses which were previously permitted by SCDHS Department of Wastewater Management or the Department of Housing and Food Control. While the cottages were previously permitted, they were classified as "temporary residences" rented seasonally. There is no evidence that they were ever permitted or used as dormitories.

Temporary residences were assigned an extremely low septic flow rate, ranging from 150 to 250 gpd, depending on the square-footage of the cottages. In total, 11 cottages would generate just 150 gpd each, or 1,650 gpd total. Two larger cottages would generate 225 gpd, totaling 450 gpd. The single-family house would generate 300 gpd. Therefore, the uses recognized by the ZBA decision, and approved by the SCDHS as temporary residences would produce a total of just 2,400 gpd.

In 2011, supplementary application materials were submitted to the SCDHS regarding 13 existing buildings on-site. All buildings were described as "cottages." However, the occupancy assigned to each cottage was stated to be one person per 75 gross SF. That occupancy rate was for dormitories. As a result, the seasonal cottages suddenly had a total occupancy of 124 persons. Septic loading for the cottages was calculated in the same way. The gpd rate of 75 gpd for the cottages was selected from a category called "Boarding school/school." By labeling the seasonal cottages as dormitories, the total occupancy and septic loading were dramatically increased. Labeling the cottages as dormitories was inaccurate, as shown by the 2012 ZBA decision.

The SCDHS acceptance of grandfathering cannot change what is legal or illegal under Southampton zoning requirements, as interpreted and decided by the ZBA. The Planning Board can only approve uses which are lawful under the Town of Southampton Zoning Code, or otherwise lawfully pre-existing non-conforming. In this case, the ZBA decision determined the lawfully pre-existing uses on-site. It found that the residential cottages and the house were used for seasonal occupancy only. There is no mention of dormitories, nor did the decision legalize pre-existing dormitories. Indeed, the description of the tennis club and camp use shows that the house and cottages could not have been dormitories; it states that all maintenance and operations were undertaken by two owners who lived on-site. There were no other employees residing on-site. Likewise, the decision explicitly determined that a dining hall had been legally abandoned.

The applicant cannot apply for site plan approval for either dormitories or a dining hall, regardless of the SCDHS grandfathering decision. The FEIS should provide documentation of the purported legality under zoning of dormitories and a dining hall on-site, together with all submissions to the SCDHS regarding the grandfathering determination. **[H12-1, H32-3, H43-3, H1-29, C1-16, C4-1, C14-1, C18-1]**

Response No. WAT-13

Appendix C of the DEIS contains, among other things, a plan that was stamped approved by the Suffolk County Department of Health Services (SCDHS) as part of its review of the upgrade to the on-site sanitary systems, which has been completed. As depicted thereon, the several cottages (for which Certificates of Occupancy exist – see Section 2.3 and Appendix C of the DEIS) are assigned occupancies based on the applicable provisions of the Building Code of New York State, which was converted to a total grandfathered flow using the applicable flow rates assigned by SCDHS. As provided by the site engineer, and acknowledged by SCDHS, the grandfathered flow was calculated correctly, based on the maximum available use of the permitted structures on the site. Thus, the total grandfathered sanitary flow for this property is 9,450 gpd, as confirmed by the SCDHS-approved plan in Appendix C of the DEIS.

Based on the grandfathered flow rate of 9,450 gpd, assuming a 365-day-per-year activity at the site, which is not being proposed or contemplated, the annual allowable sanitary flow would be 3,449,250 gallons per year (gpy). The proposed action includes

a day camp and tennis club, which would operate for approximately 80 days per year, generating approximately 6,800 gpd of sanitary flow. This would yield a total annual sanitary flow of 544,000 gpy, which is 15.8 percent of the SCDHS-approved and grandfathered sanitary flow for the property. Accordingly, there is no reasonable argument that can be made that the proposed action would not comply with the requirements of SCDHS. It is also important to understand that under the existing condition (i.e., without the proposed action), there is no limitation on the number of campers or staff that can be present on the property, as long as the grandfathered sanitary flow of 9,450 gpd (3,449,250 gpy) is not exceeded.

Even though not required by any regulatory agency, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (averaging 6,800 gpd for 80 days). Based on the information provided by the applicant, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day (understanding that the number of campers on a given day could fluctuate somewhat based upon, for example, the actual programs offered on that particular day).

Comment No. WAT-14

There will be an impact from children swimming in Little Fresh Pond from sunscreen, bug spray, urination etc. **[H10-6, H13-3, H13-7, C12-1, C13-1]**

Response No. WAT-14

Since SDCR began operating the camp in 2013, it has never allowed campers to use Little Fresh Pond. The proposed action does not involve any new use of the Little Fresh Pond for any reason. Therefore, the impacts to Little Fresh Pond raised by the commenter would not result from implementation of the proposed action.

Comment No. WAT-15

The septic system is designed to eliminate nitrogen, but not phosphorus. Phosphorus has caused deterioration of other ponds in the area. It is an expensive and difficult cleanup effort. Once toxic blue-green algae infests a pond, it can no longer be used for swimming, wading and fishing. It would be smarter and cheaper to protect the pond before damage is done. The Planning Board, as Lead Agency, has the authority to require mitigation measures not specifically required by other involved agencies. In this case, there is ample evidence illustrating the need to provide mitigation to protect ground and surface waters. If the project is approved as proposed, advanced wastewater treatment technology will act as a mitigation measure. There should also be an ongoing monitoring, reporting and compliance schedule, overseen by the Town in conjunction with the SCDHS. **[H13-4, H21-2, C5-4]**

Response No. WAT-15

The study conducted of the pond, the subject property, and the potential for the proposed action to result in an impact to the pond, within the DEIS (see Sections 3.2 and 3.3) has demonstrated that the groundwater flow from beneath the site does not flow into LFP. Thus, no wastewater from beneath the site is expected to flow into Little Fresh Pond. Moreover, as no significant adverse impacts to Little Fresh Pond would result from the proposed action, no mitigation measures or ongoing monitoring of such measures are warranted.

Comment No. WAT-16

The camp has never allowed campers or staff to access the pond, and they will not be allowed to access the pond in the future for any purpose. The areas where camp activities take place are, at a minimum, 650 feet from Little Fresh Pond. If the pond is polluted, it is not due to any camp activities. The camp's sanitary systems are up to code. Pollution may be caused by homes with outdated septic systems near Little Fresh Pond, runoff from nearby roads, and other changes that have been occurring in the area. **[H15-2, H17-3, H17-4, H18-3, H22-1, H28-1, H29-3, H49-1, C31-2, C32-1, C33-1, C34-2, C35-3]**

Response No. WAT-16

It is noted that the camp does not allow campers to use the pond and does not propose to do so in the future.

Comment No. WAT-17

The depth of Little Fresh Pond is deeper than 50 feet, not six feet. **[H20-2]**

Response No. WAT-17

The Citizens Statewide Lake Assessment Program (CSLAP) *2015 Lake Water Quality Summary for Little Fresh Pond*[1] indicates a mean depth of three meters (10± feet) and a sounding depth of six meters (20± feet) at Little Fresh Pond. The exact depth of the pond is not a controlling factor with respect to the impact assessments and conclusions presented within the DEIS.

Comment No. WAT-18

If the pond is polluted, depleted and abandoned in a few years due to camp activities, who will restore it? Who will pay for it? Our homeowners will compensate. **[H27-2, H41-1, C9-1]**

▼

[1] http://www.dec.ny.gov/docs/water_pdf/cslrpt15lfreshp.pdf.

Response No. WAT-18

The DEIS extensively evaluated potential impacts to Little Fresh Pond that may occur due to the proposed action. While no significant impacts to Little Fresh Pond were identified, measures incorporated into the proposed action that will minimize or eliminate the potential for adverse impacts include, among other things, the installation of a comprehensive stormwater management system to prevent off-site stormwater runoff, and implementation of a SWPPP during construction. It is noted that Little Fresh Pond has not been used for active recreation pursuits by Southampton Racquet Club and Camp since their acquisition of the property, and no new use of the pond is proposed. Furthermore, the DEIS concluded that groundwater from beneath the subject property does not flow into Little Fresh Pond. Accordingly, no adverse effects on neighborhood homeowners are anticipated as a result of the proposed camp activities, although it is noted that the homeowners could contribute to the current and future condition of the pond.

Comment No. WAT-19

There are no laundry facilities at the camp. Laundry is taken to an off-site laundromat. **[H28-2]**

Response No. WAT-19

SDCR has acknowledged that there is one laundry washing machine at the existing residence that is used only by the camp director during the camp season. Water usage associated with this use is assumed to be included in the 300 gpd factor for a single-family residence for existing and proposed water demand and sanitary wastewater generation. No other laundry facilities are present, and staff that live on-site during the summer season are required to have their laundry taken off-site to a commercial laundromat.

Comment No. WAT-20

The DEIS states that groundwater flows to the west-northwest, and later it states, "During prolonged periods of little or no rainfall, groundwater flow is induced to Little Fresh Pond." **[H39-4, C21-4]**

Response No. WAT-20

The statement referenced in Comment No. WAT-20 is found on page 45 of the DEIS. The entire paragraph reads,

> *It is recognized that seasonal variations in rainfall and evaporation can change the water flux between the pond and the groundwater system. During prolonged periods of little or no rainfall and high evaporation, pond levels may fall to the point where groundwater inflow is induced to Little Fresh Pond.* ***However, the groundwater***

> ***monitoring performed over the summer months was conducted during a prolonged period of little rain and warm temperatures. Yet, the data showed that there is an outflow of the pond's surface water to the groundwater system.*** (bold added for emphasis)

It was theorized that the flux between the pond and the groundwater system can reverse in periods of no rain and high evaporation of the pond water. However, the groundwater data collected during the study consistently shows the pond's water higher than the adjacent groundwater, thus, no reverse flux occurs.

Comment No. WAT-21

The on-site sanitary systems have been upgraded to meet current SCDHS Article 6 standards, but these standards are not sufficient to protect water quality. The camp should be required to use advanced wastewater treatment methods. **[H47-2, H53-3, C5-3, C27-1]**

Response No. WAT-21

Detailed analyses of existing water quality and the potential for the proposed action to impact upon same, as a result of sanitary discharge and otherwise, are presented in Sections 3.2 and 3.3 of the DEIS. No significant adverse impacts to groundwater or surface water quality are anticipated as a result of the proposed action. Moreover, it is noted that Section 4.5 of the DEIS presents an alternative that includes the use of an alternative sanitary technology, which identified various potential environmental impacts that could result from the installation or use of an active denitrification system at the subject property (in lieu of the existing on-site sanitary systems) above and beyond the impacts that could be expected to result from the proposed action. It should also be noted that innovative or alternative systems are not available for non-residential uses such as those proposed as part of the proposed action, and the proposed action would be implemented in a manner consistent with all applicable regulations of the Suffolk County Department of Health Services and the Town of Southampton with respect to sanitary waste treatment.

Comment No. WAT-22

The use of grandfathered flow in Suffolk County promotes additional density and the use of conventional or standard septic systems to handle excessive amounts of wastewater above and beyond a parcel's capabilities. The population density of the subject property is 5,184 gpd, while the project is anticipated to generate 6,800 gpd of sanitary waste. There is a 32 percent increase in wastewater generation beyond the site's population density equivalent. It is not stated in the DEIS that the camp will not expand in the future or does not have the capacity to expand in the future. Therefore, it could be expected that the site will produce additional sanitary waste up to the grandfathered flow in the future. This would represent an 82 percent increase in wastewater generation above the site's population density equivalent. Data has

demonstrated that wastewater is impacting groundwater which in turn directly impacts surface water quality. Suffolk County recognizes the antiquatedness of its policy and is currently addressing the County's codes. The DEIS should address this issue. **[C5-2]**

Response No. WAT-22

The DEIS explains that the proposed action "would not increase the intensity of use of the subject property, but rather would diversify the recreational activities available to campers" (Page 8) and further explains that occupancy can be expected to continue to increase in the future even absent the proposed action, as it has continued to do over time, to the extent that "the proposed action would not necessarily result in an increase in the capacity of the subject property to accommodate members, campers and staff." (Page 14) The proposed action is a change from one non-conforming use to another, and does not affect the current operations or rights associated with the tennis club and camp. Accordingly, it would not be appropriate to presume that the proposed action would result in any change to the potential future growth or expansion of the facility.

The various analyses of potential groundwater impacts contained in Section 3.2 of the DEIS conclude that groundwater beneath the subject property is of relatively pristine quality, and that no significant adverse impacts to groundwater are expected to result from implementation of the proposed action. Moreover, the daily flow rates described by the commenter do not account for the seasonal nature of the use. The population density equivalent of this site, when looked at on an annual basis, is significantly lower than that permitted under current Article 6 standards (see Section 3.2 and Table 9 of the DEIS). Specifically, the Article 6 standards would permit 300 gallons per day (gpd) of sanitary waste discharge per acre, year-round. For the 17.28±-acre subject property, this equates to 1,892,160 gallons of sanitary discharge per year. The proposed action (under future conditions) is expected to generate only approximately 544,000 gallons of sanitary discharge per year, or roughly 71 percent less waste.

With respect to the grandfathered flow mentioned by the commenter, it is noted that the proposed flow of 6,800 gpd for the seasonal use equates to only 15.8 percent of the SCDHS-approved and grandfathered flow for the property, as further described in Response No. WAT-13 above. Even though not required by any regulatory agency, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gpy (i.e., the equivalent of 6,800 gpd for 80 days per year), which addresses the commenters concern for the future growth or expansion of the facility.

Comment No. WAT-23

The Town Code requires additional drywells and new septic systems, yet the DEIS claims that since there will be no impact to Little Fresh Pond with the increased level of activity, new equipment would not be necessary. **[C16-2]**

Response No. WAT-23

The septic systems on the subject property were replaced with modern systems meeting the requirements of Article 6 of the SCSC in 2013. There is no requirement to further upgrade the septic systems. One new system is proposed, which will be installed in accordance with all current requirements of the Suffolk County Department of Health Services (and relevant requirements of the Town, if any) at the time of installation.

The proposed action includes installation of stormwater infiltration structures, such that the minimal increase in impervious surface area at the subject property would not cause stormwater to flow off-site, to adjacent properties or to Little Fresh Pond.

4.2 Ecological Resources

Comment No. ECO-1

The pond's biota which will suffer from an expansion of the day-to-day summer activities at the critical time when fish, algae, aquatic plants and plankton are reproducing and growing will suffer even more greatly than now. There should be a thorough study of the pond's biota, fauna, flora and invasive organisms (e.g., cyanobacteria). The revised DEIS did not reexamine the pond-side plant and wildlife species. The fish species and amphibians have not been elucidated. There may be other species present, for instance, leopard frogs, gray tree frogs, spring peepers and wood frogs, etc., that use the pond for breeding. The pond has four rare aquatic plants: small waterwort, cutleaf watermilfoil, fineleafed pondweed and little floating bladderwort. NYSDEC's advised uses are as paludal habitat for fish and aquatic plants, fishing and limited swimming, but not for general recreation. The pond has both blue-green algae as well as exotic fanwort, *Camboba* (lately taking over many local ponds). **[H4-1, C6-4, C7-2, C7-4, C28-2]**

Response No. ECO-1

Section 3.4 of the DEIS includes a comprehensive evaluation of the potential ecological impacts of the proposed action. As discussed on page 77 of the DEIS, VHB conducted a field inspection of the subject property on June 18, 2015. The field inspection included a habitat evaluation, vegetation and wildlife species inventories, and rare/protected species assessments for the entire subject property, with additional focus on those areas that would be impacted by the proposed action.

The proposed action does not involve any activities or disturbance within or adjacent to Little Fresh Pond. In fact, as discussed on page 93 of the DEIS, the proposed limits of clearing are, at a minimum, 368± feet from the nearest portion of the wetland/pond complex. As such, the proposed action is outside of the jurisdictional area of the NYSDEC (i.e., 100 feet) (see also Appendix E of the DEIS – NYSDEC Wetlands Correspondence). As discussed on page 74 of the DEIS, there are no changes to the existing, minimal level of usage of Little Fresh Pond related to the proposed action (i.e., potential supervised nature walks near the pond). The proposed action does not involve any future use of the pond for swimming or any other camp activities. As such, there would be no impacts to the water quality or biota of Little Fresh Pond from sunscreen, bug spray, urination or other incidental pollutants that could be related to general recreational use of the pond. Based on these factors, no significant adverse ecological impacts to the pond water quality or biota are anticipated as a result of the proposed action. Accordingly, the comprehensive analyses of the pond and pond biota discussed in the comment are not necessary in relation to the proposed action, and, therefore, such analyses were not included in the DEIS.

The DEIS is intended to evaluate the proposed action and its potential for impact, and is not intended to be a comprehensive analysis of the pond itself. This intent is reflected clearly within the Final Scope adopted by the Planning Board as lead agency (see Appendix A of the DEIS), which identifies the potential ecological impacts that the DEIS should evaluate as follows:

1. *Assess the existing vegetation and natural habitat to be cleared including trees of 6" caliper or greater. Tree preservation plans shall be prepared for area proposed to be cleared, only.*
2. *Discuss the area of natural vegetation to be retained and the area of natural vegetation to be re-established.*
3. *Identify any threatened or endangered plant or animal species found in the area.*
4. *Identify any non threatened or non endangered plant or animal species found in the area.*

It is noted that the revised *Site Plan* proposes additional clearing areas totaling 12,183±-SF (prior to revegetation) to accommodate the sport court on the western portion of the subject property. The net additional area of clearing of 7,373± SF is nominal, considering that the *Site Plan* will retain the wooded character of the 17.28±-acre site with over 10.15± acres of revegetated area and natural vegetation to remain. It is noted that the *Tree Removal + Preservation Plan* included in Appendix B of the DEIS did not include this area. However, the incremental increase in tree clearing from the revised *Site Plan* would not substantially change the conclusion of the DEIS that,

> *…the minimal proposed clearing…of disturbed forest communities and maintained lawn areas, which are abundant at the subject property and surrounding properties, would have a negligible effect on local habitat diversity and individual plant species populations. Furthermore, …revegetation with native trees, shrubs and herbaceous plants is proposed, further reducing the potential for impact. As such, no significant adverse impacts to local habitats or vegetative species are anticipated as a result of implementation of the proposed action.* (p. 93)

The *Tree Removal + Preservation Plan* would be updated and finalized during Site Plan review, as required by the Planning Board.

Comment No. ECO-2

Little Fresh Pond is a small, environmentally fragile body of water that needs to be preserved. It provides home for many species of birds and animals. The results of increased pollution, debris and waste will have irreversible environmental impact on the surrounding flora and fauna, driving the pond toward dystrophia. **[H10-3, H27-3, C7-2, C9-2]**

Response No. ECO-2

The proposed action would not cause pollutants of any kind to flow into Little Fresh Pond. As discussed in Section 3.2.2.8 of the DEIS (page 65), "the increase in fertilizer use due to the proposed [0.5-acre increase of landscaped area] is not anticipated to cause damage to the local or regional environment." Fertilizer applications are required to comply with the NYS Dishwasher Detergent and Nutrient Runoff Law, and would be closely monitored to ensure compliance with same.

The only pesticide used at the subject property is a cedar oil-based pesticide that is applied four times per summer for mosquito and tick control. As discussed on page 65 of the DEIS, "[c]edar oil was deregulated by the EPA in 1996 since it was found to pose little or no risk to human health or the environment. Cedar oil is also not listed as a hazardous substance or toxic pollutant in the Clean Water Act."

Section 3.2.2.10 of the DEIS (pages 66-68) includes a nitrogen mass balance study that was conducted to evaluate the expected nitrogen loading to groundwater from the proposed action. The quantitative BURBS model that was used to conduct this analysis calculates nitrogen loadings from wastewater, turf, natural land, atmospheric deposition and runoff from impervious surfaces. The results of the BURBS model analysis indicate that the proposed development would increase the mass of nitrogen recharged to groundwater by approximately 34.28 pounds per year. The concentration of nitrogen in recharge would increase from 2.06 mg/L to approximately 2.39 mg/L. The nitrogen concentration of 2.39 mg/L is below both the United States Environmental Protection Agency (USEPA) maximum contaminant level (MCL) of 10 mg/L, and the unofficial concentration used to protect waters of Peconic Bay of 2.5 mg/L. Thus, flow of groundwater from the subject property into Little Fresh Pond has not been demonstrated, and, even if it were, the anticipated nitrogen concentration that would result from the proposed action is below both the unofficial level set to protect Peconic Bay waters, and the official MCL set by USEPA for drinking water.

Finally, as detailed in the response to Comment ECO-1, the proposed action does not involve any activities or disturbance within or adjacent to Little Fresh Pond, and the proposed limits of clearing are, at a minimum, 368± feet from the nearest portion of the wetland/pond complex. It is further noted that the proposed action does not involve any future use of the pond for swimming or any other camp activities and there are no changes to the existing, minimal level of usage of Little Fresh Pond related to the proposed action (i.e., potential supervised nature walks near the pond). As such, there would be no impacts to Little Fresh Pond from sunscreen, bug spray, urination or other incidental pollutants related to direct use of the pond.

Based on the foregoing, no increases in pollution, debris and waste to Little Fresh Pond, as noted in the comment, are anticipated as a result of the proposed action.

Comment No. ECO-3

There may be new flora and fauna that is in the wetlands associated with Little Fresh Pond that is endangered or threatened since the last reconnaissance from the Heritage Foundation of New York State. **[H4-4, C6-4]**

Response No. ECO-3

It is assumed that the commenter is referring to the New York Natural Heritage Program (NYNHP). The NYSDEC's New York Nature Explorer (NYNE) website is a site-specific database of rare protected species records that includes records from the NYNHP. The NYNE database report for Little Fresh Pond and associated wetlands, generated on July 16, 2017 (copy included in Appendix E of this FEIS), includes the same species records for wetland flora and fauna that were previously described and evaluated in Sections 3.4.1 and 3.4.2 of the DEIS. The NYNE database report also includes an historical species record from 1946 for an additional plant known to occur in wetlands: the NYS-endangered small-flowered pearlwort (*Sagina decumbens ssp. decumbens*). It is unknown whether this species currently occurs within the wetlands associated with Little Fresh Pond. However, as discussed on page 93 of the DEIS, the proposed action does not involve any activities or disturbance within or adjacent to Little Fresh Pond, and the proposed limits of clearing are, at a minimum, 368± feet from the nearest portion of the wetland/pond complex. Further, as discussed on page 74 of the DEIS, there are no changes to the existing, minimal level of usage of Little Fresh Pond related to the proposed action (i.e., potential supervised nature walks near the pond), and the proposed action does not involve any future use of the pond for swimming or any other camp activities. As such, similar to the NYNHP-listed species previously addressed in the DEIS, no significant adverse impacts to small-flowered pearlwort, if present, would be anticipated.

Moreover, following receipt of the NYNHP response, VHB conducted additional field investigations and additional resources were consulted for comprehensive understanding of current ecological conditions, at the site, including rare/protected species. These include the United States Fish and Wildlife Service records and the NYSDEC Coastal Fish and Wildlife Habitat Assessment report, as described in Section 3.4.1 of the DEIS.

Comment No. ECO-4

If noise levels increase due to the proposed action, there could be adverse ecological impacts. If there are nocturnally active species such as owls and whippoorwills, how are they affected by such noises? How are diurnal birds affected? Will the breeding success of area wood thrushes, robins, bluebirds, woodpeckers, red-winged blackbirds and other local birds that breed in the area be impacted? The month of June, when the camp is active, is the most important time for local bird breeding and territorial singing by males. Daytime noises can become a major distraction during this time. Are there any plans to attenuate such ambient noise levels? **[C7-5]**

Response No. ECO-4

With respect to potential adverse impacts to owls (Order: Strigiformes), whip-poor-wills (*Caprimulgus vociferus*) and other nocturnal species, as detailed on page 8 of the DEIS, as with the existing operations, the proposed day camp and tennis club would be seasonal, with overnight accommodations used by employees and camp counselors. There would be no overnight accommodations for campers. As with the tennis camp element of the existing use, the proposed day camp would operate for a ten-week period on weekdays between mid-June and early September. Staff arrival and departure would occur at approximately 7:30 a.m. and 4:15 p.m., respectively, and camp activities would occur between approximately 9:30 a.m. and 3:30 p.m. (i.e., camper arrival and departure). No significant change in the nature or level of off-hours activity (e.g., associated with seasonal staff residing at the site) would result from the proposed action. The tennis club activities would continue daily for a 22-week season, from early May through early October, between the hours of 8:00 a.m. and 6:00 p.m.

Accordingly, as all camp activities would be restricted to daytime hours and no significant change in off-hour staff activity is proposed, no significant adverse impacts to nocturnal species are anticipated.

The conservative analyses of potential noise impacts utilizing NYSDEC guidance (and local regulations, etc.) presented within Section 3.9 of the DEIS do not identify the potential for significant adverse noise impacts, based on absolute increases in noise levels. Therefore, no significant adverse impacts to the breeding success of resident bird species are anticipated due to noise levels.

Overall, if no significant adverse noise impacts expected, particularly as compared to existing conditions, the comment is not relevant.

Notwithstanding the above, as listed within the DEIS (page 158), the following measures and practices will be implemented to minimize potential noise impacts during construction:

- only performing noisy operations during periods of the day with less potential for annoyance to abutters
- increasing the setback distance of construction equipment (such as portable generators) to sensitive receptors as feasible
- using smaller and/or quieter equipment
- altering construction methods (i.e., using a small bull dozer rather than a large bull dozer)
- making sure equipment such as backhoes have functioning mufflers.

During the tennis and camp season, the following are identified in the DEIS as measures and practices to reduce potential noise impacts:

- not reproducing amplified music, or using public announcement equipment on the camp
- yelling, hooting or screaming could be limited through general counseling of the campers and/or signage near the property lines.

4.3 Transportation

Comment No. TRA-1

The traffic study says that there would be a maximum of 25 buses with 24 seats each, leading to a maximum of 600 campers. This is not explicitly stated in the study. **[H1-6]**

Response No. TRA-1

Page 22 of the Traffic Impact Study (TIS) (see Appendix H of the DEIS) details the proposed bus operations. It is noted that bus transportation is included in the cost of enrollment at Southampton Racquet Club and Camp and that transportation of campers by caregivers to the camp is discouraged. The camp uses a mix of 16- and 24-seat buses, and a maximum of 25 small (16-seat) buses would be required to transport a projection of 360 campers and 25 day-staff. Many vehicles operate with as little as 50 percent of capacity under existing conditions, and similar conditions would be expected to persist upon implementation of the proposed action. Even if only 24-seat buses were used, they would not necessarily be filled to capacity, as total camp enrollment is not a function of the total number of seats on the buses. On the other hand, if there were additional campers on these buses in the future (with or without the proposed action), it would not increase the amount of bus traffic coming to and from the site, as capacity exists on the buses that currently transport the campers. Camp enrollment is not limited by the number of buses – the site occupancy is only limited based on sanitary flow, and the applicant has agreed to limit sanitary flow for the proposed facility (see Response Nos. WAT-13 and WAT-22, above).

Comment No. TRA-2

Traffic counts were only done for three days, not a full week, which is the industry standard. The data is from 2013, before the day camp was fully operational, not 2016, which is used to describe the existing conditions throughout the rest of the DEIS. The FEIS should substitute current data, and correlate traffic volumes with an accurate count of the daily campers' attendance which created the volumes. Additionally, the data were collected between August 20-22, on the last day of camp and the post-camp session, which is presumed to be not well attended. The TIS should have discussed the number of campers that were present during that specific three-day count. They also chose to use a two percent growth factor, which is not appropriate because there was a 69 percent growth rate between 2013 and 2014. The growth rate has been as high as 86 percent. The two percent growth factor should be revised to take into account the large growth which the public camp use has experienced. The counts should be redone to better reflect the existing condition. The DEIS must also present an accurate description distinguishing the amount of tennis club members using the club and the amount of tennis club members' children who participated in the

accessory camp for members only. That should be the baseline used to compare to the faster growth over the last three years.

The TIS states that the Southampton Racquet Club has operated at the same level for many years and no growth in the existing facility is anticipated (page 21). This statement is in direct conflict with statements in the DEIS stating that membership has grown in recent years and may continue to grow (DEIS page iii). The DEIS/TIS should provide historic membership and enrollment data that clearly identifies the growth trend and perform a quantitative analysis to determine future projected growth. On page 21 of the TIS, it indicates an anticipated increase in children from 215 in 2015 to 390 in the near future. That is an 81 percent increase in children expected at the site. During that same time period, the staff would be increasing by 46%. This is truly a tremendous increase in the expected number of persons on site. The use creating this increase is not the tennis club, or its accessory camp for members, but the new public day camp, which is a proposed new use. The DEIS should distinguish the membership and accessory camp use from the new public children's camp so that the growth can be compared to an accurate baseline. **[H1-8, H2-6, H2-7, H2-9, H39-2, C1-5, C2-8, C2-11, C5-6, C21-2]**

Response No. TRA-2

It is industry standard practice to do a full week of counts when weekend traffic is significant to the study. However, that is not the case for the camp which is closed on the weekend. The three-day counts taken in August 2013, were Automatic Traffic Recorder Counts (ATRs) used to examine the volumes of traffic using Major's Path and to define the peak hours. These counts were supplemented by turning movement counts collected in July of 2015 which counted the turning traffic in and out of the camp and were used to define how much traffic the camp was generating at the 2015 enrollment level.

As stated on page 21 of the TIS, the counts of the camp's driveways were taken in July of 2015. Data was also collected in August of 2013 for an earlier study but was updated because of delays in scoping the study. Clearly, the counts were not taken on last days of camp operations, as the camp remained open many weeks after the counts were collected in mid-July. It should also be noted that the TIS was completed in September 2015, two months after the data was collected. It was revised in September 2016 to include comments received from the Town in May of 2016. The Town's comments resulted in no additional data collection or changes in the capacity analyses.

It is not industry standard practice to study traffic based on the number of individuals on site. This is because there tends to be variation and it is difficult, if not impossible, to render land use decisions and enforce them based on the number of individuals on site. Typical standards for studies are based on the square footage of a property or building, such as in retail or office uses, the number of seats, such as in restaurants or movie theaters, the number of units such as residential housing or hotels, or the

number of students such as used for schools. Sometimes studies are based on square footage, number of employees or seats, providing different data for each methodology. Schools are a use similar to camps, where data is provided based on employees, number of classrooms and number of enrolled students. The number-of-students standard is not based on the number of students attending on a particular day, but on the school's enrollment. The Institute of Transportation Engineers, reference, the *Trip Generation Manual* (which is a widely used industry publication), the New York State Department of Transportation and the Suffolk County Department of Public Works do not utilize the number of individuals on site in determining trip generation, but rather variables such as square-footage, number of employees, student enrollment or number of tennis courts as described above.

A growth factor of 2% per year was applied to the background traffic on the surrounding roads. The growth induced by the camp was observed and then the predicted increases in camper enrollment were applied using the traffic assignment procedure as outlined in the study.

The Southampton Racquet Club has operated at the same level for many years. The Club has had the same seven courts over years with a small club house and deck adjacent. Further, there is no plan to expand the facilities as part of this application. The membership does fluctuate from year to year and has increased in recent years. The number of members playing tennis at any given time is limited by the number of tennis courts available to play on and no increase in the number of courts is planned. Indeed, when considering trip generation, the Institute of Transportation Engineers reference *Trip Generation Manual* under Land Use Code 490, Tennis Courts (Pages 910 to 914), only the number of courts is considered as a factor in determining trip generation.

The Southampton Racquet Club members and staff use the parking facility between the tennis courts and Major's Path exclusively, as do a limited number of camp related vehicles, such as the camp vans. In order to take the most conservative approach possible, it was assumed, as noted on page 24 of the TIS, that a 46% increase in trip generation would occur between the No Build and Build conditions at the driveway used by the Club and camp staff. The actual increase at this driveway, if any, would be far less than this percentage increase based solely on the estimated increase in camp staff. So, despite the fact that there will be no increase in tennis facilities that would result in increased trip generation, the TIS did consider a 46% increase. The fluctuations in the membership of the Racquet Club is not consequential. As the potential growth of traffic trips from the Racquet Club/Staff lot has been fully addressed in such a conservative manner, no further differentiation between camp and club trips generation is necessary.

Comment No. TRA-3

The accident reports that were included in the TIS are from 2007 to 2010, when the current camp use was not active. A second set of accidents were included from 2012 to 2014, over a period of 26 months. Accidents have increased in ensuing years. The FEIS should use the most recent available accident data for a contiguous 36-month period. **[H1-9, H2-8, C1-6, C2-10, C5-6]**

Response No. TRA-3

The TIS included three years of traffic accident data from a prior study (April 1, 2007 to March 31, 2010) and 26 months of updated data from July 10, 2012 to September 30, 2014. The initial accident study only covered the area along Major's Path in the vicinity of the camp. The updated data included the wider network of roads in the vicinity of the camp as defined in the scope. The accident data was fully discussed and no accidents were found to be related to the camp or its driveways. As suggested by the comments received, the accident data has been updated again and now includes the period January 1, 2012, to August 31, 2016, a total of 44 months, but more importantly includes four summers of data when the camp was operating with ever increasing numbers of campers. In 2016, the camp hosted 280 campers and utilized 72 staff personnel. Despite four years of camp operation with increasing levels of activity there were no reported accidents related to the camp and its driveways. See Appendix F of this FEIS for the Updated Accident Analysis and detailed records.

Comment No. TRA-4

The directional capacities were not calculated using industry standards. The standard practice is to use the percentage of existing traffic. They decided to use an 80 percent figure for traffic turning to the south of the site because there are more homes to the south. The data for all traffic in front of the site shows that 50 percent of the traffic is going north and 50 percent is going south. Even if most of the site traffic is going south now, if the proposed action is approved, at some point, it is going to draw traffic according to the traffic pattern north and south. As it grows more successful, it is going to draw traffic from a wider area. This is important because the left turn out of the site is the critical movement. Standard traffic engineering practice is to derive the directional distribution of future trips to a site from the current distribution of all traffic in front of the site. The FEIS should correct the directional capacity methodology and submit a new analysis of the corrected data. **[H1-10, H2-10, C1-7, C2-12, C5-6]**

Response No. TRA-4

It appears from the comments that the commenters believe that it would be better to use the directional distribution of traffic on Major's Path to determine how camp traffic will arrive and depart the site. This approach is flawed. The traffic existing on Major's Path consists of individuals going to and from work, shopping and multiple

other destinations. In addition, much of the traffic in the same weekday A.M. and P.M. peak periods on Major's Path is by-pass traffic; traffic that is simply there to avoid congestion on other roadways. There is no similarity between this traffic and how campers will arrive and depart the site. Therefore, it would not be technically proper to use the existing distribution of traffic on Major's Path to develop the future trip distribution for the camp traffic. It is also interesting to note that no reference is provided for the "industry standard practice."

The study took a more accurate approach using data of the 2015 summer counts at the site driveways to determining how traffic was actually arriving at the camp. Then the population distribution analysis was done to determine where campers would likely be living. This analysis was then used to project how the site traffic would distribute itself through the other intersections included in the study. It should also be recognized that most of the campers are transported by camp provided buses that have fixed routes and those routes also provided input into the distribution analysis.

In the summer of 2017, 20 small buses were used to transport campers. The busses carried campers from residences in the following locations:

- 4 bus routes went to Westhampton, Quogue, East Quogue and Hampton Bays.
- 3 bus routes went to Bridgehampton
- 3 bus routes went to Water Mill
- 7 bus routes went to Southampton Village, south of C.R. 39
- 3 bus routes went to Sag Harbor/Noyac

With regard to arrival and departure from the camp, the three buses for Sag Harbor/Noyac and one for Water Mill went to and came from the north on Majors Path. The bus route that included Water Mill utilized Great Hill Road while the others continued onto Noyac Road. Those routes using Majors Path to the north represent 20% of the bus routes.

All of the other buses came from the south on Majors Path. The five of the buses going to Water Mill and Bridgehampton went to and came from the east on North Sea-Mecox Road, while the remaining ten continued on Majors Path to North Sea Road and C.R. 39 where they further distributed.

Comment No. TRA-5

The camper drop-off procedure is unclear and may be unsafe. The current plan has two drop-off points for campers. However, the plan did not detail the manner in which campers would cross a proposed busy internal road. For safety, the plan should have only one drop-off point. It should clearly depict a path so that children do not have to cross the internal road. The FEIS should be supplemented with this material. **[H1-11, H2-5, C1-8, C2-5, C5-6]**

Response No. TRA-5

The pick-up and drop-off operation at the camp is physically set-up and operated the way many public schools are operated with a dual loop roadway. The outer loop is for buses which enter via the one-way roadway and drop-off facilities are aligned along the right side of the buses so that campers are discharged and picked up safely without having to cross the road and cross the path of any vehicles. Under State Vehicle and Traffic Law no vehicle may pass a school bus with its warning lights on picking up or dropping off children.

The inner loop roadway is for parents and caregivers to enter the site and discharge campers. While buses are within the discharge/pickup area of the outer loop road no other vehicles are permitted into the area. This prohibition is backed by State Law that prohibits vehicles from passing the stopped school buses picking up or discharging passengers. Campers dropped off by parents in the inner loop are then escorted across the outer loop road.

The proposed site plan (see Appendix C of this FEIS) makes many improvements to the existing conditions that will make the operation safer by:

1. Paving the loop roads that will allow for pavement markings including formal crosswalks.
2. Providing formal sidewalks and pathways that will make discharging and picking up campers safer.
3. Providing more storage area for buses to queue which will help minimize the movement of buses during pick-up and drop-off.
4. Providing more parking and drop-off/pick-up areas for parents and caregivers and formalizing the area where this is done.

Note that unless the site plan is approved the improvements that will enhance camper safety will not be able to be completed.

Appendix C of the FEIS contains the *Site Plan* showing the inner and outer one-way loop roadways. On the outer loop, road space for 24 small school buses has been indicated with ample reserve. Also shown at the beginning and end of the outer loop are gates that will be used to isolate the outer loop road during camper pick-up. The bus pick-up and drop-off will be operated in the following manner:

A. Bus Pick-Up/Drop-Off

Morning Drop-Off: In the morning buses transporting campers arrive over a fifteen-to-thirty-minute period. They all move to the right-hand side of the outer loop and discharge campers directly onto the sidewalk. Counselors are present at each discharging bus to receive the campers and escort them further into the camp.

Afternoon Pick-Up: Prior to the arrival of the pick-up buses the gate at the exit to the outer roadway is closed. The buses arrive in the outer loop and park either on the left or right of the roadway prior to 3:30 P.M. Once all the buses have arrived, the entry gate is closed and buses must be turned off. Counselors then escort pre-grouped campers to the appropriate bus. Once all campers are loaded onto the buses the gate is opened and the buses released. All buses are gone by 3:45.

B. Parental Pick-Up and Drop-Off

Morning Drop-Off: Parental drop-off in the morning only occurs after the buses have discharged the campers and the outer loop is closed directing parents to the inner loop. Parents pull up to the sidewalk on the right side and the campers discharge to a counselor. Counselors escort campers to the inner camp via the sidewalk, crossings and paths that will be provided as per the site plan.

Afternoon Pick-Up: Parental pick-ups are not permitted during the bus loading period and occur after 3:45 when the buses are gone. Parents line up along the right side of the inner loop road. Counselors bring the campers to the pick-up area after the buses depart so the crossing of the outer loop is done when that loop is empty and closed to traffic. Counselors bring the campers to the vehicle as the parent must be identified by the child and counselor. If a parent is not picking up the child and someone else has been designated to do it, permission and identification must have been provided previously. Counselors or caregivers load the campers and vehicles depart.

Comment No. TRA-6

The intersections at North Sea Mecox Road and Majors Path; North Sea Road and Majors Path; and North Sea Road and Sandy Hollow Road, are not functioning well.

In Table B of the TIS, the results indicate that presently, the westbound approach of North Sea Mecox Road and Majors Path has a poor LOS E and is close to failure during the PM peak hour. This worsens to LOS F in the 2017 No-Build condition. The traffic added by the camp in the 2017 Build condition further worsens the problem. While the problem isn't entirely caused by the existing camp, it must be recognized that it contributes to the problem. Expansion of the camp will certainly have an impact at this location. The DEIS/TIS should directly address this issue and how it will be impacted by the proposed condition.

The DEIS/TIS should identify, within the text of the TIS, what the current ratio of available capacity to demand (v/c ratio) and queue lengths are, and how they will be impacted by the proposed condition.

In Table C of the TIS, the results indicate that there is a serious congestion issue at North Sea Road and Majors Path during the PM peak hour where the traffic on the westbound approach is reported to experience 4.5-minute delays in the existing

condition. In just two years, the delay increases to almost 6 minutes in the No-Build condition. The delay increases another 40 seconds due to the additional site-generated traffic in the 2017 Build condition. It is highly probable that long queues will develop as a result. The DEIS/TIS should directly address this issue and how it will be impacted by the proposed condition.

In Table D of the TIS, the results presented for North Sea Road and North Sea Mecox Road indicate that the westbound approach experiences significant delays and operational problems in both the AM and PM peak periods; in fact, it fails under all conditions. The AM Build condition shows that the site traffic adds 10 seconds of delay while the results of the PM peak period analysis indicate 42 minutes of delay which is obviously impossible. In reality, it indicates that the intersection cannot handle the current or future traffic. The DEIS/TIS should directly address this issue and how it will be impacted by the proposed condition.

Table H of the TIS does not identify the v/c ratio for any movements or the overall signalized intersection of North Sea Road and Sandy Hollow Road. Examination of the capacity analysis results reports shows that the eastbound left turn is at about 90 percent capacity in the 2017 No-Build condition and will be at more than 95 percent of its capacity as a result of the additional site traffic associated with the proposed camp. This increased impact must be analyzed in the TIS.

While the LOS scores are an indication of intersection operation, one must examine the actual changes in time delay to fully evaluate an impact. It is important to recognize that the results of intersection capacity analysis are given in delay time per vehicle and that any added delay applies to every vehicle using the intersection, not just the newly added traffic.

The results indicate that there are serious problems on the existing roadway network, which the DEIS does not identify or analyze. The TIS discusses field observations indicating that the actual conditions are much better than the analysis results indicate. The level of disparity between the analysis results and observations is significant and indicates that models were not adequately calibrated. It is felt that new observations should be made, when the camp is in session, and documented.

The DEIS indicated that there is still considerable queuing in the existing conditions. Additional traffic will worsen the condition unless mitigation measures are considered.

The TIS does not address v/c ratios in the text.

The TIS recognizes the traffic problems but denies that the added traffic contributes significantly. The issue still remains that there are serious existing traffic issues and it is only logical that any added traffic will exacerbate the issue.

In addition, the study did not examine whether there are any new generating uses which can be anticipated near this facility since their last look at the Town files in 2015.

Finally, the TIS does not present or analyze any traffic mitigation measures. **[H1-13, H2-11, C1-10, C2-13, C5-6]**

Response No. TRA-6

It is not necessary to add the v/c ratios of movements, approaches, and intersections to the LOS Summaries Tables. The information is already available in the detailed capacity sheets provided in the appendix of the TIS. The LOS designation and delay data summarized and shown in the tables and taken from the detailed analysis provides adequate indication of each movement, approach delay and intersection LOS performance when comparing Existing, No Build and Build Scenarios.

a. The addition of the camp traffic to the North Sea Mecox Road intersection or Major's Path has a minor impact on the westbound approach to the intersection. The capacity analysis indicates a 6.3 second (9.8% increase) in intersection delay for left turning traffic to an average delay of 64.2 seconds. It is noted that the increased delay between the existing condition and the No Build Condition is 13.5 seconds (a 23% increase). The change is small and equivalent to that of a typical year of traffic growth.

b. The DEIS presented a full discussion of the capacity analysis of the intersection of North Sea Road at Major's Path Road on page 38 and 39 of the TIS.

c. The DEIS presented a discussion of the capacity analysis results on pages 38 and 39 of the TIS.

d. While there is a 5% change in the volume to capacity ratio for eastbound left turning traffic at the intersection of Sandy Hollow Road at North Sea Road, this is inconsequential. The LOS remains at "C" and there is only a 1.0 second increase in delay when comparing the No Build with the Build Condition. Note also that the Camp adds only three additional vehicles to the future No Build Volume of 453 vehicles, a negligible amount of new traffic.

e. The analysis clearly indicates that some intersections within the study area have existing capacity problems. These intersections receive a considerable amount of bypass traffic during the weekday A.M. and P.M. peak hours of traffic as workers avoid the congested main arteries. While the unsignalized capacity analysis tends to treat these conditions too conservatively; they do indicate where problems are and will occur. The models have limited ability for adjustment and calibration and underestimate the ability of Long Island motorists to navigate these intersections. Once the analysis reaches LOS F conditions and vehicle to capacity ratios exceeds 1.0 the results become meaningless.

f. The DEIS did indicate that there was queuing at several unsignalized intersections. Additional traffic will be added to these intersections yearly due to the normal growth in traffic on the eastern end of Long Island. Signalization can be considered to reduce queues at some intersections but queuing for an hour or two once a day does not always mean signalization is appropriate. As discussed in the TIS, queuing on North Sea Mecox Road at North Sea Road could be resolved with a traffic signal but the accident records did not indicate an accident problem. More importantly, the installation of a signal that would alleviate a one to two-hour queue that occurs only during the P.M. peak four to five months a year may encourage more "back roads" traffic to utilize these local roads. The traffic on North Sea Mecox Road during the P.M. peak is mostly traffic avoiding the congestion on County Road 39. The by-pass traffic is responsible for virtually all the queuing found at the study intersection.

   The Southampton Racquet Club and Camp has done its utmost to mitigate its impact on local traffic by assuring that most campers arrive at the camp via bus, reducing the potential of the site to generate traffic. Further, staff is either transported by van to the facility or lives at the site to minimize the number of employee trips. Due to these mitigation measures the Camp has little impact on the surrounding road system and further mitigation is unnecessary.

g. As stated above, it is not necessary to discuss the volume to capacity ratios in the text of the TIS. The TIS already contains a discussion of the significance of the capacity analysis.

h. As documented in the TIS, there are congestion problems at several of the intersections studied. As also explained in the TIS, much of these problems are due to the overflow of traffic from Montauk Highway and County Road 39. The Southampton Racquet Club and Camp adds a small amount of traffic to the existing traffic volumes for approximately ten weeks during the summer months. The Camp is not active during the peak summer weekends and mitigates its traffic impact to the greatest extent possible by using bussing. The small amount of traffic generated has little additional traffic impact on the surrounding intersections.

i. There are no additional projects within the project area that are likely to create traffic impacts on the study intersection, other than the Sandy Hollow Cove development discussed in the TIS.

j. The mitigation plan dramatically reduces the number of vehicles the operation draws to the site by incorporating bussing into each camper's tuition and by not allowing Camp staff to individually drive to the site. This mitigation plan reduces vehicular trips to the site, thus minimizing the traffic impact of the Camp's operation on the surrounding intersections and roadways.

Comment No. TRA-7

The wrong sight distance standard was used; and the traffic study, using cars, did not take into account that buses need more sight distance. Safe stopping distance (the distance required for other vehicles already on the road to make an emergency stop) is not the critical number, departure sight distance (DSD) is. DSD ensures that vehicles leaving a site can do so safely. 505 feet of DSD should be required for buses making right turns; the traffic study is 240 feet short of this. 560 feet should be required for buses making left turns. Schneider Engineering, PLLC, independently measured the DSD at the proposed relocated driveways. The right turn DSD at the proposed camp exit is 335 feet, where 505 feet are required. The left turn DSD at the proposed camp exit is 390 feet, where 560 feet are required. The right turn DSD at the proposed southern driveway is 458, where 505 feet are required. The left turn DSD at the proposed southern driveway is 434 feet, where 560 feet are required. The DEIS ignored the required AASHTO DSD requirement and instead substituted a stopping distance requirement of 440 feet as the required standard. The AASHTO sight distance requirements apply to buses generally. There is no basis to distinguish small from large buses. No matter where the driveway is located, there is no way to fix the lack of DSD for buses. The DSD problem also affects cars. For the northern driveway, cars cannot safely execute either a right or left turn in compliance with AASHTO directional standards. For the southern driveway, cars can only safely make a right turn; they cannot safely make a left turn. The FEIS should correct the deficient analysis of sight distance requirements. Supplemental information should be submitted which correctly applies required AASTHO DSD requirements. It should discuss whether mitigation (e.g., stop signs) is or is not possible for turns which cannot meet standards. The FEIS should acknowledge that absent mitigation, the obvious risk of accident and serious injury constitutes a serious adverse environmental impact. **[H1-14, H2-12, H10-7, H38-3, H42-2, H52-2, C1-11, C2-14, C5-6, C16-3, C20-1, C23-1]**

Response No. TRA-7

As discussed in the TIS (Appendix H of the DEIS, see the section entitled, *Access Examination*, at pages 44-46 of the TIS) and as stated by the commenter, the sight distance available to motorists approaching the site's three driveways and to motorists turning in and out of those driveways is of critical importance. However, the commenters analysis ignores various relevant facts, as set forth below.

a. The driveways are currently existing and have served the site continuously throughout its existence. The accident data available in the study have demonstrated these driveways have operated safely since 2007 (the dates of the earliest data in the study) until September of 2016 (date of latest available data) and no accidents have involved vehicles entering or exiting the site. However, the project team and owners recognize that the best available sight distance should be provided and as part of the proposed site plan the access will be altered to

maximize the available sight distance. These improvements cannot take place without a site plan approval.

b. Table 3 below, is copied from the December 7, 2016, letter from Mr. Steven Schneider (see comment letter C2 in Appendix A-2 of this FEIS).

Table 3 – Site Distances from Letter of Steven Schneider, December 7, 2016

Southampton Country Day Camp

AASHTO Recommended Intersection Sight Distance

Northern Exit	Required (40 MPH*)		Actual	Proposed		Result (Actual v Req'd.)	
	Auto	Truck/Bus				Auto	Truck / Bus
Right Turn (Looking North / Left)**	385'	505'	335'	320'		-50'	-170'
Left Turn (Looking South / Right)***	445'	560'	390'	370'		-55'	-170'

Southern Exit	Required (40 MPH*)		Actual	Proposed		Result (Actual v Req'd.)	
	Auto	Truck/Bus				Auto	Truck / Bus
Right Turn (Looking North / Left)**	385'	505'	458'	435'		-73'	-47'
Left Turn (Looking South / Right)***	445'	560'	434'	455'		-11'	-126'

*Design Speed
**Case B2 - Right Turn from a Stop
***Case B1 - Left Turn from a Stop

The data provided in Table 3 became the basis of most of the comments generated regarding the proposed site access. The subheading of the tables in Table 3 states, "AASHTO Recommended Intersection Sight Distance" while the table headings state "Required". The information provided is the "recommended" amount of sight distance that should be provided when designing intersections when the design speed is 40 miles per hour. The site's accesses are not the intersection of two public streets but rather access driveways for private property accessing a public road. Where possible, it is desirable to provide sight distance meeting these recommendations but that it is not always possible. The proposed site plan improves on the existing conditions and maximizes the sight distance that can be physically provided.

The "recommended intersection sight distance" is designed to provide sufficient visibility for the motorist entering the major street from a stopped condition to identify a sufficient gap in traffic to make the desired turning movement onto the major street, accelerate up to speed without causing the approaching vehicle on the major street to vary their speed by either taking their foot off the gas or breaking. Under moderately heavy traffic conditions motorists often do not find sufficiently long gaps in the flow of traffic to find a gap of sufficient length to meet these conditions and many impatient drivers do not wait for gaps of these lengths to appear either.

Another measurement of sight distance is the "safe stopping distance" or the distance necessary for approaching drivers to see an object in the road and stop to avoid hitting it. This distance is often considered the minimum sight distance that should be provided, but it should also be recognized that in the case of a vehicle turning onto the roadway, it is already moving away from the point where the object was seen providing a cushion and not requiring the oncoming vehicle to make a full stop.

Another issue raised in Table 3 is whether it is necessary to provide the sight distance that would be desired for "trucks and buses". These vehicles have substantially slower acceleration characteristics and thus a much longer gap in traffic would have to be found for a truck to turn onto the major road and accelerate up to speed so that an oncoming vehicle did not catch up to it or have to alter its speed in any way.

The data provided in Table 3 indicates the sight distance that would be desired if large trucks and buses were operating out of the Camp's access driveways and this is not the case. Trucks included in this group would include large box trucks, dump trucks and even concrete trucks. Buses would include large city buses operated by Suffolk County Transit or the Hampton Jitney and fit into the FHWA Class 4 category. These vehicles have poor acceleration characteristics. On the contrary, the buses used to carry the Southampton Day Campers are small 16 to 24 passenger vehicles. Many of the 16 passenger vehicles have only four tires and according to the FHWA classification would fall into the combined Class 2 and 3 vehicle category which includes passenger vehicles. Some of the 16 passenger units do have six wheels and the 20 and 24 passenger units all have 6 wheels. All of these vehicles, which would fit into the FHWA Class 5 category, have substantially better acceleration characteristics than full size buses and trucks.

Table 4, below, provides a comparison of the available sight distance expected after completion of the site plan improvements against the required stopping sight distance for a roadway where the 85th percentile speed is measured at 40 miles per hour.

Table 4 – Stopping Sight Distance and Available Sight Distance

Northern Exit	Required Stopping Sight Distance	Measured By Schneider	Measured By Dunn	Agreed Sight Distance	Exceeds Required Stopping Sight Distance	
					Yes/No	Exceed By
Right Turn (Looking North / Left)**	305'	335'	320'	320'	Yes	15'
Left Turn (Looking South / Right)***	305'	390'	370'	370'	Yes	65'

Southern Exit	Required Stopping Sight Distance	Measured By Schneider	Measured By Dunn	Agreed Sight Distance	Exceeds Required Stopping Sight Distance	
					Yes/No	Exceed By
Right Turn (Looking North / Left)**	305'	458'	435'	435'	Yes	130'
Left Turn (Looking South / Right)***	305'	434'	455'	434'	Yes	129'

*Design Speed
**Case B2 - Right Turn from a Stop
***Case B1 - Left Turn from a Stop

As can be seen in a review of Table 4, the required stopping sight distance is exceeded all categories.

c. The improvements included in the proposed site plan maximize the sight distance that will be available at the site access points. Intersection warning signs (Manual of Uniform Traffic Control Devices [MUTCD] sign W2-2) could be posted on Major's Path both north and southbound in advance of the Camp's exit only driveway. The sign could be further augmented with flashing beacons that would only be active when during Camp dismissal periods. Such signage would be appropriate. The use of all way stop ordinance would not be appropriate.

Comment No. TRA-8

The traffic study uses the term "camp" to describe both the existing and proposed use. The terms used in the DEIS and TIS should distinguish between the tennis club, tennis club accessory camp or a separate day camp use. Each specific use can greatly affect trips generated to the site, which in turn, affects the impact that traffic will have on the site. This could lead to inaccurate current trip generation counts, possibly even higher than they actually are. When considering the future counts, it may not seem as much of a difference, thereby lowering future impacts. **[H2-1, H2-2, C2-1, C5-6]**

Response No. TRA-8

A range of activities occur at the existing tennis club and/or tennis camp, as discussed in the TIS (at the *Introduction*, page 2 of the TIS [see Appendix H of the DEIS]). Among them is the tennis club element, which consists of seven tennis courts, a small clubhouse and a deck associated with the clubhouse. It is served by a parking facility located adjacent to the tennis courts and has an access onto Major's Path that permits full turning movements in and out. Much of the remaining activities are associated with the camp operations, for which vehicle traffic generally utilizes the one-way dual

loop roadway that serves the camp. All campers are dropped off and picked up via the loop road. There is a small overlap of the camp operation with the tennis club in that the camp's 16 passenger vans park in the lot associated with the tennis club and staff transported to the club via vans arrives and departs the site via the tennis club access. These vans mostly transport staff before camp activities start and after activities end. They represent two or three trips in the hour before and after the camp activities and are inconsequential to trip generation counts.

Overall, traffic activity associated with the club and camp operations are accurately accounted for within the analyses of traffic impacts contained in the TIS and DEIS.

Comment No. TRA-9

The traffic study does not sufficiently analyze employee activities. The turning movement counts were done from 8:00 a.m. to 10:00 a.m., but should have started earlier to account for employee arrivals. The employees may also have cars for use on weekends. With as many as 50 camp counselors staying overnight at the camp during the summer, nighttime traffic would increase considerably, unless counselors are prohibited from leaving the premises after work hours. **[H2-2, H2-3, C2-3, C5-6, C7-6]**

Response No. TRA-9

Staff that are housed on site (other than the Camp Director) are not permitted to have vehicles at the camp. Local employees are bused in via the camp's 16 passenger vans in the morning before 8:00 A.M. No more than two to three in and out trips will occur. While some in and out trips may be generated by taxis or friends picking up staff off regular camp hours, these trips are inconsequential. The industry standard peak hours of highway traffic would not conflict with significant traffic volume generated by the facility. Other than the regular summer weekday peak hours of camp arrivals and departures the camp will not generate significant enough traffic to generate traffic impacts.

Comment No. TRA-10

Traffic on Majors Path is due to the nearby North Sea Transfer Station, Southampton Youth Services, Future Stars camp, Block Spot, Active East Physical Therapy, the rifle range, the Path, trade traffic from the west, and other existing shops. The camp provides busing for counselors, who park their vehicles at an off-site location, as well as busing for campers. The camp operations are compatible with traffic conditions on Major's Path. There has never been an accident. The entrance and exit for the camp are staffed during arrival and dismissal to ensure safety and do not hold up traffic. The camp may enhance existing traffic problems. **[H7-1, H15-1, H16-1, H17-2, H17-5, H18-1, H18-6, H23-1, H28-3, H29-2, H37-1, C31-1, C34-1]**

Response No. TRA-10

The comment is noted. There are a number of factors contributing to the summer season traffic conditions in the area surrounding the subject property. Accident records up to September 15, 2016, indicate there have not been any accidents on Major's Path associated with the use of the subject property (see Appendix F of this FEIS).

Comment No. TRA-11

The increase in vehicular traffic is not sustainable for the area. Majors Path has already become heavily trafficked due to the recycling center and people cutting through as a shortcut to Noyac Road, going east. There is heavy traffic during the summer at around 3:30 p.m. to 4:00 p.m. along North Sea Mecox Road from North Sea Road to Majors Path. If the application is approved, the additional traffic from buses and parents picking up children will cause a safety hazard. **[H13-5, C9-3]**

Response No. TRA-11

The TIS has already addressed these concerns. Over six years of accident statistics have been included in the study and no accidents have been identified as related to the camp and its operations. The capacity analysis included in the study has indicated that the camp traffic can be accommodated with minimal traffic impact. There is no analysis or data to indicate that approval of the project will cause a safety hazard.

Comment TRA-12

Traffic conditions have worsened from North Sea Mecox Road to North Sea Road in the last ten years, and on Sandy Hollow Road, where it is difficult to make a left turn onto. These changes in traffic conditions are not the camp's fault, as the population has been changing. **[H18-3]**

Response No. TRA-12

The comment is noted.

Comment TRA-13

There has been a dramatic increase of traffic (pedestrian and vehicular) and noise on Little Fresh Pond Road, and the TIS only evaluated driveways and major access roads Majors Path and North-Sea Mecox Road. **[H20-3]**

Response No. TRA-13

The intersection of Little Fresh Pond Road at Major's Path was evaluated as part of the study and the analysis showed that no significant traffic impact would occur at that

intersection due to the project (see Table A in the Intersection Capacity Analyses Results and the Intersection Capacity Analysis for Major's Path at Little Fresh Pond Road/Edge of Woods Road in the appendix of the TIS [Appendix H of the DEIS]). Camp generated traffic is not expected to use Little Fresh Pond Road unless an individual camper lives on the street. The pick-up and drop-off of a single individual would be inconsequential.

Comment No. TRA-14

Traffic on Majors Path and Noyac Road has gotten worse during the past summer. It's very hard to make left and right turns. **[H26-1, H38-1]**

Response No. TRA-14

Right and left turns onto Noyac Road and Major's Path may have gotten more difficult in the past years. Traffic in the area has generally increased by 2% per year as growth in the area has occurred. Traffic growth on these roadways has been exacerbated by "trade parade" and many motorists who seek to use the "back roads" as a by-pass to Route 27 and County Road 39. The TIS indicates that the proposed camp will have minimal traffic impact particularly when compared with normal growth of the area.

Comment No. TRA-15

There have been accidents on Majors Path and speed is an issue. **[H30-3]**

Response No. TRA-15

The accident analysis provided in the DEIS and updated in the FEIS (see Appendix F) indicates that there have been some accidents on Major's Path and there are indications that speed, particularly through several of the curves in the road is an issue. A high percentage of the accidents involve vehicles running off the road. Speed measurements included in the study indicates an 85th percentile speed of 40 miles per hour while the posted speed is 30 miles per hour. Almost all of the accidents occurred when the camp is closed, on weekends, in the winter and at night. None of the accidents involved vehicles entering or exiting the site.

Comment No. TRA-16

The camper drop-off procedure is well organized. There is no overlapping of buses and parents' cars entering and exiting the site. The campers that are driven by their parents are escorted by counselors from their parents' cars, so there are never children in front of cars. **[H34-1, C31-1, C35-2]**

Response No. TRA-16

The comment is noted.

Comment No. TRA-17

The DEIS states that the volume of traffic could not be readily accommodated on site if there were no buses. If the level of busing decreases in the future, the risk to the kids in the neighborhood increases. **[H39-3, C21-3]**

Response No. TRA-17

Busing of the campers is essential to managing the safe ingress and egress of the campers to the site. The TIS has been conducted on the basis of busing being an integral part of the operation. The applicant does not propose to reduce the bus services provided to campers, and camp employees will continue to park off-site and use the camp's van service to get to the site.

None of the owner's camps operate without the camper transportation included in the cost of attendance. The owner recognizes that the camp cannot be successfully operated without the provision of transportation services. The Town, in its approval, of the project can impose a condition on the approval requiring transportation services.

Comment No. TRA-18

The DEIS described the camp as having a 2016 occupancy or enrollment of 280 campers and 65 staff, including 22 overnight. However, the DEIS does not specify the daily number of campers. This implies that the described impacts relate to 280 daily campers in 2016. Yet neighbors testified that the number of daily campers was much smaller, ranging from 50 to 70. While traffic volumes were provided and analyzed, it was unclear what number of daily campers caused the volume. Far fewer campers could have been causing the described increase in traffic impacts. This fact suggests that greater numbers of campers would cause far greater traffic impacts than reported. The DEIS should also provide specific, accurate counts for the tennis club members, based on verifiable membership and other documentation. **[C1-4, C2-4, C5-6]**

Response No. TRA-18

Traffic impact studies are not based on the number of individuals on site. This is because there tends to be variation and it is difficult, if not impossible, to render land use decisions and enforce them based on the number of individuals on site. Typical standards for studies such as those presented and detailed in the Institute of Transportation Engineer's reference, *Trip Generation Manual*, are instead based on the square footage of a property or building, such as in retail or office uses, the number of

seats, such as in restaurants or movie theaters, or the number of units such as residential housing or hotels. Sometimes studies are based on square footage, number of employees or seats providing different data for each methodology. A use similar to camps are schools, where data is provided based on employees, number of classrooms and number of enrolled students. The number-of-students standard is not based on the number of students attending on a particular day, but on the school's enrollment. The TIS is based on a projection of the number of campers and staff that are expected in the future, but it is acknowledged that the number of campers on a given day could fluctuate somewhat based upon, for example, the actual programs offered on that particular day. Nonetheless, the conclusions of the TIS would remain valid, based on the projected number of vehicles entering and exiting the property (i.e., whether a bus with a capacity of 16 persons is carrying eight campers or 15, the potential traffic impact would be the same for that one bus travelling to-and-from the subject property).

While the comment claims that neighbors "testified that the number of daily campers was much smaller, ranging from 50 to 70," rather than the "280 daily campers in 2016" no description or evidence of how the residents determined this number is offered. Accordingly, any such claim is presumed to be speculative and not accurate.

Comment No. TRA-19

Trip generation is the amount of new trips generated to and from the site by the proposed use. In determining trip generation, the TIS claimed that the racquet club operated at the same level for many years, and that no growth was anticipated. Yet in the body of the DEIS, membership in the club was shown as rising from 35 members in 2013, to 55 members in 2014, to 90 members in 2015, and remaining at 90 members in 2016. Membership grew nearly 16 percent. There is no legal limitation on membership growth. Future growth must be accurately reported and accounted for in the FEIS. **[C1-9]**

Response No. TRA-19

Vehicular activity associated with the tennis club element of the existing and proposed facility is accurately reported and accounted for in the TIS. It is noted that, when considering trip generation for Land Use Code 490, Tennis Courts, (Pages 910 to 914), the Institute of Transportation Engineers reference *Trip Generation Manual* only considers the number of courts as a factor in determining trip generation, and there are no additional tennis courts proposed as part of the proposed action. It is also noted that having 90 club members does not equate to 90 persons on the site – only a fraction of the membership could utilize the seven existing club courts at any one time. Also see Response No. TRA-2 with respect to the TIS analysis of future tennis club operations.

Comment No. TRA-20

It is unclear whether the previously submitted comments from Schneider Engineering, PLLC, were addressed in the completed version of the DEIS. The DEIS suggests that they were not. It notes, on page 2, that the revisions addressed the "analysis specified in the Scoping Document prepared by the Town in 2015." Therefore, many of the previously submitted comments may not have been answered. To the extent that they are included in [the December 7, 2016] memorandum, supplemental information should be required. **[C2-6, C5-6]**

Response No. TRA-20

All of Mr. Schneider's Comments have been addressed. The most recent comment letter by Schneider Engineering, PLLC (see letter C2 in Appendix A-2 of this FEIS) effectively supersedes the previously submitted comments described by the commenter. All comments from the December 7, 2016 memorandum (letter C2) are delineated, assigned a comment number (C2-1 through C2-14), and responded to within this FEIS.

Comment No. TRA-21

The TIS states that the site will have two driveways on Majors Path at completion. The site plan indicates that there will be a total of three driveways (page 11). The traffic counts indicate that the existing driveways on T Road serve two-way traffic. Since all access points on T Road serve two-way traffic, the site clearly has three driveways. This fact should be corrected. **[C2-7, C5-6]**

Response No. TRA-21

There are three driveways proposed to serve the site, in total, and the function of each is described in detail within the DEIS (see Section 2.3.2, *Site Access and Parking*, page 11, and Section 3.6.2, *Access Examination*, pages 107-108. Also see the TIS in Appendix H of the DEIS). The northerly driveway is a one-way entry only access. The middle driveway is a one-way, exit-only driveway, and the southerly driveway is a two-way access that serves the parking area for the tennis club. The one-way northerly and middle driveways serve the camp. For the purpose of analyzing the count data only the one-way entrance and one-way exit driveways were combined.

Comment No. TRA-22

The DEIS contains an inaccuracy which must be formally corrected. The northbound weekday a.m. peak hour volume is 227 vehicles, not 193 (TIS page 14). **[C2-9, C5-6]**

Response No. TRA-22

The northbound peak volume was 193 vehicles on August 21, 2013 and 193 vehicles on August 22, 2013. The peak northbound volume counted during the A.M. on Major's Path was 193 vehicles. Note also since the other data in the sentence referenced from page 11 of the TIS was not disputed, the peak A.M. northbound and southbound volume was 446 vehicles and 253 were southbound (i.e., 446 – 253 = 193 vehicles).

4.4 Land Use and Zoning

Comment No. LUZ-1

The DEIS incorrectly describes the existing use of the subject property. The principal use of the membership tennis club was defined in the Zoning Board of Appeals (ZBA) decision in March 2012. The primary principal use is a "membership tennis club" with an accessory tennis camp. There was a small intermittent children's tennis activity with only two children's programs, all related to tennis. The only non-tennis structure that existed at the time of the ZBA decision was a half-court basketball court. The existing use was a small operation, with the tennis club having 40 members, a few instructors, two owners that lived on and maintained the site. The existing use that is described in the DEIS is not a tennis camp for children of the club members, it is a second principal use – a public day camp. The ZBA has said that this is not equivalent to or interchangeable with the existing use pursuant to the SIC code. The ZBA has said you need permission to create a brand new non-conforming use. This application cannot be for the existing tennis club and public camp because the pre-existing non-conforming use is the tennis club. The FEIS should contain an explanation of the zoning legality of converting a single pre-existing, non-conforming membership tennis club use, into two principal uses: an expanded non-conforming membership tennis club and new public camp as another principal use.

The camp developer has systematically avoided Town codes and made piecemeal improvements that altogether amount to the change in use variance he seeks. The developer has made changes while in the process of seeking the approved variance, not after the variance has been determined, thereby giving the appearance of these improvements as de facto property assets. No change of use plans have been approved to date, yet he has cleared fields, added pools, altered structures and added to the scale and scope of the facility, and in doing so, diverted the very process set up by the Town. **[H1-1, H1-25, H1-26, H19-1, H21-1, H21-3, H43-1, H50-2, C1-1, C14-1, C15-1, C16-1, C30-1]**

Response No. LUZ-1

The appropriate baseline condition for use in the DEIS for the purposes of analysis of potential impacts of the proposed action is the existing tennis club and/or tennis camp with all existing improvements. The proposed action is the change from one non-conforming use to another, not an analysis of the current existing condition as compared to the subject property as it existed at the time of the ZBA decision in 2012. Appendix C of the DEIS provides the permits, approvals, Certificates of Occupancy, etc., for all approved improvements at the subject property. It is noted that the applicant maintains a full-court basketball court on the site and that the Certificate of

Occupancy is for a "basketball court," not a half-court basketball court (see Certificate of Occupancy No. C018937 in Appendix C). Moreover, the land use controls do not dictate a site occupancy, but rather the gross floor area of the structures (and setbacks, etc.). As explained throughout the DEIS, and detailed at Section 2.3 (pages 9-10) of the DEIS, the existing gross floor, deck, and court areas would not be expanded upon implementation of the proposed action. Thus, this application is for a change from one non-conforming use to another non-conforming use, and not an expansion of the use. The Town Code provides for the proposed change at §330-167B[2], and the aforementioned ZBA decision contemplated that the proposed action constituted such a change.

Comment No. LUZ-2

The DEIS omitted any discussion of the fact that a "day camp" is explicitly defined as a special permit use, under Town Code Section 330-162.12. Therefore, the special permit setbacks are applicable. Under the special exception use standards at §330-162.12 of the Town Code, all buildings must be set back 100 feet from the property line. To avoid discussing the project's non-compliance with required special permit setbacks of 100 feet, the applicant claimed that it was seeking to change one non-conforming use into another. However, this sleight-of-hand ignored the clear definition of "day camp" as a special permit use. Just because the applicant proposed to abandon one pre-existing non-conforming use, did not mean that any replacement use was necessarily another non-conforming use.

There needs to be a minimum landscape buffer, which is critically important to locate a major camp in the midst of a residential development. There are already three cottages, four tennis courts, and 16 parking spaces within the 100-foot buffer, and they are proposing to add a new cottage, a second basketball court, approximately 20 parking spaces, and part of a new pool within the 100-foot buffer. The DEIS does not acknowledge that there is also an existing athletic field within the 100-foot buffer. A 20-foot setback is not enough. The setback and landscaping requirements are relevant to noise impacts. **[H1-2, H5-4, H14-3, H25-2, H25-6, C1-3, C14-1, C16-4, C16-8, C26-1, C30-2]**

Response No. LUZ-2

As discussed in the Section 4.4 of the DEIS, the Town Code contains a provision for campgrounds, summer camps, day camps or health camps as uses permitted by Special Exception (§330-162.12). The definition in §330-5 at the Town Code limits such use to "recreational camping in tents, automotive camping units or trailers or house trailers." The proposed use does not fit in this definition. There are Special Conditions and Safeguards in §330-162.12 for the Special Exception uses "campgrounds, summer camps, day camps or health camps," which appear to be designed for camping grounds. However, the terms "summer camp," "day camp" and "health camp" are not defined in the Town's Zoning Code, nor are they listed uses anywhere on the Residential, Business or Industrial Tables of Use Regulations of the Zoning Law and

are, therefore, considered to be prohibited uses. The Standard Industrial Classification (SIC) Code classifies a day camp or tennis camp under #7999, but the Town's Zoning Code only allows this category in the HB, MTL, RWB and SCB zones under "other indoor activities," or as a "miniature golf, driving range, pitch-n-putt, batting cage, go-carts, bumper carts or similar outdoor recreation." Neither the existing use as a tennis club and/or camp with a dwelling and 12 cottages, or the proposed seasonal day camp and club, fit with these categories, and are both considered to be non-conforming uses as they are not listed permitted or Special Exception (SE) uses in the prevailing R-20 zone.

The Article XVII, Special Exceptions, encompasses §330-120 through §330-162.20 of the Town Code, inclusive. The Planning Board is authorized to act on proposed Special Exception uses which are specifically provided for in the Zoning Code, particularly those uses listed as SE on the Tables of Use Regulations. The Planning Board must determine that each proposed special exception use meets the General Standards set forth in §330-122, as well as any applicable Special Conditions and Safeguards set forth in §330-123 through §330-162.20. These Special Conditions and Safeguards are not stand-alone requirements of the code and only apply to proposed SE uses brought before the Planning Board. As noted, above the Zoning Code does not list a "summer camp," "day camp" or "health camp" as a SE use in the R-20 zone or in any zone. These uses are not listed on the Table of Use Regulations and therefore must be construed to be prohibited uses allowable only by variance. Thus, the Special Exception Special Conditions and Safeguards in §330-162.12 cannot be applied to the subject application. At best, as suggested by the Planning Board, such standards could be used as a guide for consideration of potential mitigation measures.

The pre-existing non-conforming tennis club and/or tennis camp includes several improvements, as noted in the Comment, that are already within 100 feet of the property lines. Of the existing improvements within 100 feet of the property lines, the northern tennis and basketball courts would be removed under the proposed action, while the other improvements would either remain in place, or be modified (i.e., the conversion of a tennis court to a swimming pool). The Final Scope (see Appendix A of the DEIS) required an analysis of the potential impacts associated with altering the proposed project to meet the Special Exception standard that a 100-foot landscaped buffer separate any buildings from the nearest property line (see Section 4.4 of the DEIS). The results of that analysis conclude that, aside from the considerable financial cost to do so, the relocation of the various amenities out of the 100-foot buffer would likely result in the need to clear additional naturally vegetated areas throughout the site. There would be no net benefit with respect to traffic generation, water use, sanitary waste discharge, etc., as further analyzed within the DEIS. Additionally, there would be construction-related impacts associated with the removal and relocation of improvements, clearing of vegetation, etc., that would not otherwise occur under the proposed action.

Notwithstanding that any potential environmental benefit would be limited, the significant cost, and the fact that the proposed action is not subject to the Town's Special Exception permit requirements, the applicant has revised its *Site Plan* to remove an existing tennis court and basketball court and replace them with a sport court located further from the property boundary and neighboring residences. As detailed in Section 2.0 of this FEIS, the revised *Site Plan* would remove the existing northernmost tennis court and the existing basketball court, eliminating the encroachment of the tennis court on the property line. The area of the existing tennis court is proposed to be largely revegetated with native species, providing a natural buffer to the adjoining residential properties. The sport court which would replace these courts would be located in an interior location within the western portion of the subject property, a minimum of 131-feet-6± inches from the nearest property line with a minimum 126-foot-8±-inch natural buffer, well in excess of the Town's relevant requirement for summer camps and day camps. As demonstrated in Section 2.0 and within the Noise Impact Assessment in Appendix D of this FEIS, this change to the *Site Plan* would result in beneficial impacts with respect to noise and visibility at the northern property line, while minimally impacting noise and visibility at the western property line. It is expected that the revised *Site Plan* will address the relevant comments raised by the neighboring residents during the DEIS public comment period.

Comment No. LUZ-3

The DEIS uses the wrong baseline to describe the existing population at the subject property, based on conditions which came to exist in years after 2012, during the time that the applicant began illegally operating a public camp use, in violation of a binding ZBA decision. The Project Description says 90 club members, 280 campers and 66 overnight staff under existing conditions. The applicant has talked about 108 and 280 campers, and a goal of 350, 390, or 500 campers. The existing condition from the 2012 ZBA decision was much smaller in terms of number of club members and staff than what is described in the DEIS. By making the use bigger to begin with, the proposed growth looks smaller. This DEIS shows 35 club members, 108 campers and 44 staff in 2013. The DEIS from 2012 shows there were 35 club members with two owners/staff in 2011. The DEIS should use 2011 as the baseline year with a membership tennis club, an accessory tennis camp, and one half-court basketball court, maintained by two owners, both of whom lived on site. The only other employees were tennis professionals. The existing conditions should be before the two new pools, new basketball court, new dining rooms and new counselor overnight accommodations were constructed, as well as the large-scale busing operation. The application involves a huge increase in volume and intensity. Once the camp is given the requested change of use permit, there is no legal way to limit the size to which it grows. **[H1-3, H1-4, H1-12, H1-27, H1-28, H2-4, H6-2, H8-1, H10-5, H11-2, H12-2, H20-1, H21-3, H25-1, H31-3, H39-1, C1-2, C2-2, C8-1, C9-4, C13-1, C14-1, C21-1]**

Response No. LUZ-3

The projected increase in the number of staff and campers at the site would not result in a significant adverse environmental impact, as explained throughout the DEIS. Additionally, the notion that the baseline population for existing conditions should be what was at the site before several legal improvements were constructed, is flawed. The ZBA decision did not place a limit on the camp population; the only limitation on population is the maximum legal sanitary flow of 9,450 gpd. Moreover, the DEIS evaluates the difference in conditions with and without the proposed action (i.e., the change from one non-conforming use to another and the associated physical improvements) to understand the impacts of the proposed action, itself. Even if none of the proposed improvements were approved, enrollment at the camp would still be able to continue to increase until the reaching the maximum 9,450 gpd sanitary flow.

Even though not required by any regulatory agency, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gpy (i.e., averaging 6,800 gpd for 80 days per year). Based on the information provided by the applicant, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day, understanding that the number of campers on a given day could fluctuate somewhat based on, for example, the actual programs offered on that particular day. This sanitary flow is only 15.8 percent of the SCDHS-approved and grandfathered sanitary flow for the property.

As the proposed action does not involve any expansion of gross building floor, deck or court areas, the projected increase in camp population is not assumed to be significantly different than what would be expected absent the proposed improvements. The applicant seeks only to improve upon and diversify the existing use, defined by the ZBA as a tennis club and/or tennis camp, and is required to obtain a variance for a change from one non-conforming use to another non-conforming use in order to achieve this objective.

Comment No. LUZ-4

When the DEIS says 280 campers, it means total enrollment, not daily camper numbers. The DEIS states that an increase in camper enrollment is expected to occur with or without the proposed action. The DEIS should include a discussion of the limits to future enrollment, including campers and counselors. In addition, the DEIS should include information regarding the camp's past enrollment history dating back several years. This information will help to determine how existing and proposed camps may differ and how a change may impact the general neighborhood. We need the list of campers day-by-day while the camp has been in operation from 2013 forward. **[H1-7, C5-8, C27-1]**

Response No. LUZ-4

Page 6 of the DEIS includes a graph showing the camp enrollment, club membership and staffing trends since 2013. As presented in the DEIS, camp enrollment has been rising steadily since opening in 2013. Section 2.3.4 of the DEIS describes future project operations and management, noting that future day camp enrollment and staff at the site is projected to be 360 campers and 90 staff (including 65 overnight). The actual number of campers on a given day could fluctuate somewhat based upon the actual programs offered on that particular day. However, even though not required by any regulatory agency, the applicant has agreed to limit its sanitary flow to 544,000 gpy (averaging 6,800 gpd for 80 days). See also Response No. LUZ-3 above.

Comment No. LUZ-5

A requirement for the proposed change in non-conforming use is that the change must be beneficial to the environment or neighborhood. The day camp would be out of character with the residential neighborhood and would be detrimental to the environment due to noise, traffic, water quality etc. **[H6-1, H19-1, H20-1, H32-1, H41-3, H43-3, H43-4, H45-1, H50-1, H53-3, C4-1, C5-7, C7-7, C17-1, C36-1, C37-1, C38-1]**

Response No. LUZ-5

The DEIS evaluated all impact areas as required by the Final Scope, including impacts on character, and concluded that no significant adverse impacts are anticipated. Several measures to reduce or eliminate potential adverse impacts have been incorporated into the project, as discussed in the various mitigation sections of the DEIS.

Specifically, with respect to noise reduction, Section 3.9.3 indicates that best management practices (BMPs) that may be implemented include not reproducing amplified music or using public announcement equipment; limiting yelling by campers through counselor instruction and/or signage near the property lines; performing noisy construction operations only during periods of the day with less potential for annoyance to abutters; increasing the setback distance of construction equipment (such as portable generators) to sensitive receptors as feasible; using smaller and/or quieter equipment; altering construction methods (i.e., using a small bull dozer rather than a large bull dozer), and making sure equipment such as backhoes have functioning mufflers.

In addition to the noise mitigation BMPs mentioned in the DEIS, the applicant has revised the *Site Plan* to remove the basketball and tennis courts from the vicinity of the northern property line (see revised *Site Plan* in Appendix C of this FEIS), in response to comments expressed by the neighbors and feedback offered by the Planning Board at its December 14, 2017 work session. These courts would be replaced by a sport court to be constructed at an interior location within the western

portion of the subject property, providing a minimum 126-foot-8±-inch natural buffer to the western property line. Extensive responses to noise concerns brought up through the public comment period can be found in the responses to comments in Section 4.5 of this FEIS.

With respect to traffic, no significant adverse impacts are anticipated. However, as noted in Section 3.6.3 of the DEIS, the proposed action includes the relocation of site access driveways to improve safety as well as on-site improvements resulting in beneficial circulation and parking conditions. Extensive responses to transportation concerns brought up through the public comment period can be found in the responses to comments in Section 4.3 of this FEIS.

The water quality studies presented in the DEIS, supplemented by additional monitoring performed after public comments, concluded that water quality in Little Fresh Pond would not be impacted by the proposed action. With respect to groundwater quality, it is noted that new on-site sanitary systems were installed at the subject property in 2013 (see *Neighboring Wells Site Plan* in Appendix C of the DEIS), and that a new system would be installed to accommodate discharge from the proposed Cottage No. 14 (see *Proposed Storm Drainage Plan* in Appendix B of the DEIS). These sanitary systems are designed to achieve the standards set forth in Article 6 of the SCSC. Extensive responses to water quality concerns brought up through the public comment period can be found in the responses to comments in Section 4.1 of this FEIS.

As discussed in Section 2.5 of the DEIS, the proposed action would also result in community benefits, including: continuing to provide a recreational use (day camp and tennis club) to its patrons; improving drainage conditions by installing drainage structures to contain and recharge 100-percent of stormwater runoff on-site, where none currently exist; replacing a tennis court that currently encroaches on the property to the north with a smaller basketball court and a new vegetative buffer between the basketball court and the northern property line; relocating existing site driveways to improve safety on Majors Path; maintaining the existing character and extent of development at the subject property and avoiding potential significant adverse impacts associated with redevelopment with single-family residences in accordance with R-20 Residence zoning, including: increased clearing of natural vegetation to accommodate a subdivision roadway and clearing within individual lots for homesites, driveways, yards and amenities; increased water usage and sanitary waste discharge to on-site sanitary systems on a year-round basis, and closer to Little Fresh Pond; potential reduction in vegetative buffer along Majors Path and adjacent to existing, neighboring residences; greater construction-related impacts; greater extent of soil disturbance and grading activities; greater total area of impervious surfaces (and associated quantities of stormwater runoff); increased burden on community service providers, including public education costs due to school-aged children generation; and management by several individual property owners or occupants that may utilize a broad range of maintenance practices, such as fertilizer and pesticide application, etc.

Comment No. LUZ-6

The DEIS on page xiii mentions "Little Fresh Pond has historically been used by the existing tennis club and/or tennis camp facility for various purposes." This is not true, at least since the 1970s. There were never any activities from tennis club members on the pond. Also on page xiii, it says "There is no use of the pond related to the existing facility operations…" This is contrary to an advertisement for the camp, which says "Located on the property is also a private beach that can be used for kayaking, swimming and other activities." How will the camp practically ban its occupants from water activities in Little Fresh Pond over the long term? Swimming is not recommended according to the NYSDEC's evaluation of the pond's waters. **[H10-4, H10-6, H11-1, H13-3, H42-1, H13-7, H52-1, H53-2, C6-5, C8-2, C13-1, C28-1]**

Response No. LUZ-6

An advertisement included in the written comments shows that Southampton Racquet Club and Camp advertised on its website, "Refreshing Water Fun in Little Fresh Pond." This advertisement dates to the 2012 camp season, before the current owners operated the site. Another webpage provided by the commenters, with a date of May 1, 2013, is a description of the property that was published in the Southampton Patch, and says, "Located on the property is also a private beach that can be used for kayaking, swimming and other leisure activities." The text of these advertisements was copied over from advertisements of the previous camp operators, who may have used Little Fresh Pond. Pond activities are no longer advertised.

The applicant does not propose to use Little Fresh Pond for any purpose. Campers and counselors are forbidden from going into the pond. All camp activities are supervised by counselors who are aware of the camp's prohibition on accessing the pond.

Comment No. LUZ-7

Homeowners on Little Fresh Pond have a 35-foot natural buffer to Little Fresh Pond. Five hundred people will never appreciate or do that. **[H27-1]**

Response No. LUZ-7

As described on page 93 of the DEIS, the distance between the proposed clearing areas and the nearest portion of the wetland/pond complex is 368± feet. Furthermore, as discussed in Response No. LUZ-6, above, no active use of Little Fresh Pond is occurring or proposed in connection with the use of the subject property.

Comment No. LUZ-8

The application seeks to increase from 50± parking spaces to at least 120 parking spaces that are spread throughout the property. They are putting graveled parking areas all around the front which was basically wooded with just cabins present. **[H32-2, H43-2, C4-1]**

Response No. LUZ-8

Section 2.3.2 of the DEIS describes the proposed changes to site access and parking. A total of 74 parking spaces are proposed, including 47 spaces in the existing gravel-surfaced southern parking lot serving the tennis club (where approximately 39 unmarked spaces currently exist), 23 spaces in a gravel-surfaced parking area within the camp driveway loop (where five unmarked spaces currently exist), and four new parallel parking spaces along the camp driveway loop. There are also 37 spaces that are proposed to be landbanked for future use; which would bring the total number of parking spaces to 111. The landbanked parking areas are currently lawn and gravel areas, and would not require additional clearing of natural vegetated areas. It is noted that there is no anticipated need to convert the landbanked spaces into actual parking spaces, as the bus services for campers and staff limit the demand for parking. Thus, the number of developed parking spaces would increase from approximately 44 spaces to 74 spaces.

All parking areas would be gravel-surfaced, which is a preferred substitute to impervious cover. Construction of these parking areas and the widening of existing driveways to enhance circulation and safety on-site, would involve very limited tree removal and this would be partially offset by revegetation of cleared areas along Majors Path, where existing driveways are to be relocated, and at the existing northern tennis court and basketball court to be removed (a net decrease of 0.75± acre of natural area at the 17.28±-acre subject property). The proposed 23-space bus loop parking area, where the most extensive tree clearing would occur, would maintain a minimum 40±-foot natural buffer to Majors Path.

Comment No. LUZ-9

The dining hall was previously used as a summer share house, not a dining hall. It was never a dining hall, so the dining hall use cannot be expanded. In addition, the small cottages on the property were not dormitories for counselors; they were rented out to couples and individuals as summer vacation rentals. The majority of those people were tennis club members. The environmental impact from 500-800 kids using the dining hall five days per week will be far greater than the impact from 10 adults using the house for long weekends. **[H1-29, H36-1, C14-1, C22-1, C22-2]**

Response No. LUZ-9

New Horizon Camp Inc. obtained a Certificate of Occupancy for the improvements at the subject property on December 2, 1998, including a "kitchen and dining hall" (see Appendix C of the DEIS). The dining hall is an existing legal use and is not proposed to be expanded. A 357±-SF deck at the rear of the dining hall is proposed to be replaced with a 665±-SF deck (see *Site Plan* in Appendix B of the DEIS). However, the 308±-SF increase in dining hall deck area would be offset by removal of decks elsewhere on the camp grounds. The larger dining hall deck will simply provide occasional outdoor eating opportunities for campers. The existing condition to which the proposed action is being compared is the tennis club and/or tennis camp, not a summer share house.

Additionally, even though the prior use of the subject property is not the appropriate existing condition to compare to the proposed action, there is no significant practical difference in the environmental impacts of the existing cottages being used as summer vacation rentals in the past or dormitories for summer camp counselors. The cottages are still overnight accommodations whose occupancy is controlled by building code.

Comment No. LUZ-10

There are other, more appropriate locations for camps that are not on Little Fresh Pond, including Future Stars down the road on Majors Path. **[H36-2]**

Response No. LUZ-10

The fact that other camps exist in the Town does not preclude approval of the pending application. The existing tennis club and/or tennis camp is a legally established non-conforming use. As discussed throughout Section 3.7 of the DEIS, the proposed improvements require a variance for a change from one non-conforming use to another non-conforming use (a "tennis club and day camp"). These improvements do not represent an intensification or expansion of the existing use, but rather upgrades and diversification of camp amenities.

Comment No. LUZ-11

The zoning code prohibits summer camps and day camps from having any overnight residential structures, except for a permanent dwelling by a caretaker. Over 70 percent of the staff would be sleeping at the camp, with up to four or five people per structure, without limit once the application is approved. This is not a sleepover camp. The increase in overnight staff from 22 in 2015 to 53 in 2016, is suspicious, since there was only one additional staff member in that time. This code requirement is relevant to noise impacts. **[H5-6, H14-4, C14-1, C16-8, C30-2]**

Response No. LUZ-11

The prohibition on overnight dwelling is part of the special exception standards at §330-162.12 of the Town Code for Campgrounds, summer camps, day camps or health camps. Specifically, Subsection A of the special exception standards states,

> *No overnight residential building or structure shall be permitted, except for one permanent dwelling for the use of a caretaker or other custodial person.*

As discussed in Section 4.4 of the DEIS, the proposed action does not contemplate the need for a Special Exception permit, and the provisions of the Town Code that apply to such permit are not applicable to the proposed action. Also refer to Response No. LUZ-2, above. However, it is noted that the number of overnight staff under existing conditions, and under the proposed action, is not without limit. The number of overnight staff is limited by the number and size of the cottages. As shown on the *Neighboring Well Site Plan* in Appendix C of the DEIS, the occupant load for each cottage is defined by New York State Building Code, Table 1004.1.2 – Maximum Floor Area Allowances per Occupant,[2] as 1 person per 50 SF of floor area for dormitories (dormitories, as defined in the Building Code, are "A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses").

As shown on the *Site Plan* in Appendix C of this FEIS, and described in Section 2.3 of the DEIS, the proposed action includes a total of 10 cottages for overnight dwelling (a total of 12 cottages would be present, with one to be used as a Health Center and one as a caretaker's office) and one residence (with up to four employees). Under existing conditions (Section 2.2.1 of the DEIS), there are 12 cottages for overnight dwelling (a total of 13 cottages are present, with one used as a caretaker's office) and one residence (with up to four employees). With a total projected number of 65 overnight staff, including four in the existing residence, 61 staff would be divided among 10 cottages (approximately six staff members per cottage). The occupancy of each cottage would be well within the physical limitations of one occupant per 50 SF as set forth in the Building Code. In fact, the smallest cottage to be used for overnight dwelling under the proposed action (Cottage 7 – 419 SF [see Table 19 of the DEIS on page 124]) could fit up to eight beds according to the Building Code.

With respect to noise impacts associated with overnight occupancy during the camp season, it is noted that a curfew is enforced for all staff. The Noise Study that was included in the DEIS evaluated the projected sound levels during the day, when camp would be in session. As discussed in Section 3.9.1.3 of the DEIS, the Town of Southampton Noise Ordinance has an overall sound level limit of 50 dBA at residential receptors for the night time period between 7:00 p.m. and 7:00 a.m. As no

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[2] https://codes.iccsafe.org/public/document/code/441/7895154?code_id=7895154

outdoor activities are proposed during the night time, it is not necessary to quantitatively evaluate overnight noise impacts.

Comment No. LUZ-12

Part C of the Special Exception Standards for day camps requires a minimum 50-foot landscape buffer adjacent to any property line. The project does not provide a 50-foot landscape buffer. **[H5-5]**

Response No. LUZ-12

The comment appears to be referencing §330-162.12(C), which requires,

> *A minimum one-hundred-foot landscape buffer shall be provided adjacent to any property line.*

As noted in Section 4.4 of the DEIS, the special exception standards for campgrounds, summer camps, day camps or health camps are not applicable to the proposed action. The potential environmental impacts associated with an alternative action that would comply with these special exception standards were evaluated in Section 4.4 of the DEIS (also refer to Response No. LUZ-2, above). This evaluation concluded that the following existing and proposed improvements would require relocation to achieve a 100-foot landscape buffer:

- Cottages 9, 10, 11 and the proposed Cottage 14
- The existing tennis court (proposed basketball court) on the north side of the subject property
- The existing basketball court on the north side of the subject property
- Three of the seven existing tennis courts on the south side of the subject property
- 16 parking spaces in the existing southern gravel parking lot
- 23 proposed gravel parking spaces (including existing parking) in front of the residence
- A portion of one of the two pools proposed to replace the existing tennis court north of the tennis club gravel parking lot.

It is noted that the relocation of the above-mentioned amenities out of the 100-foot buffer area would require clearing of existing wooded areas that currently buffer the site from adjacent residential development and Little Fresh Pond, thus offsetting the additional planting that would occur within the 100-foot buffer. This alternative (evaluated at Section 4.4 of the DEIS) was determined not to be feasible due to the extensive site disturbance and cost involved in establishing a 100-foot landscape buffer.

In an effort to address the comments of the neighbors to the north of the subject property, the revised *Site Plan* includes the removal of the northern tennis and basketball courts from their locations within 100 feet of the property line. These courts

would be replaced with a sport court of equivalent area to an interior location within the western portion of the subject property, a minimum of 131-feet-6± inches from the western property line, with a minimum 126-foot-8±-inch natural buffer. While this revision would result in some additional clearing, it would not substantially change the impact conclusions pertaining to ecological resources from the DEIS, and would result in overall beneficial impacts with respect to noise and visibility (also see Section 2.1 of this FEIS).

Comment No. LUZ-13

The property has not been continuously used as a tennis club. **[H8-3]**

Response No. LUZ-13

The Town of Southampton Zoning Board of Appeals issued a decision on March 15, 2012, upon consideration of an appeal brought by neighbors that specifically claimed the pre-existing, non-conforming use was abandoned. Based on the extensive record before it, the Zoning Board of Appeals determined that the existing tennis camp was not abandoned. The existing facility continues to operate as permitted under the existing Certificates of Occupancy (see Appendix C of the DEIS).

Comment No. LUZ-14

If the camp is allowed to expand to 500-plus children, it will be on par with the size of a public school and provide a very different experience for campers. **[H25-3, C15-1, C16-1]**

Response No. LUZ-14

As discussed in Response Nos. WAT-13, LUZ-3 and LUZ-4 in this FEIS, the projected future camp enrollment at the site would be an average of 360 campers and 90 staff (including 65 overnight). Furthermore, as stated on page 13 of the DEIS,

> *…an increase in the number of campers at the existing tennis club and/or tennis camp may be expected, even absent the proposed action. That is, an increase in the popularity of the existing tennis club and/or tennis camp may continue to occur, as it has over the past several years, and the proposed action would not necessarily result in an increase in the capacity of the subject property to accommodate members, campers and staff.*

The proposed use of the subject property as a tennis club and day camp is not analogous to a public school. Whereas a typical public school maintains peak operations from early September through late June, the subject property, as it does currently, would maintain peak operations from mid-June through early September, with the tennis club also operating from early May through early October.

The camp experience that this comment is concerned with would be essentially the same us under existing conditions, although with a more diverse mix of activities befitting a day camp. These activities, as listed in Section 2.3.4 of the DEIS, would include, but not be limited to, "tennis, swimming, arts and crafts, Zumba, nature walks, climbing, cooking, basketball, soccer, Gaga, 9 square, wiffleball, dance, cheerleading, train, free play, parachute games, dodgeball, kickball, and field games" (page 14). The main distinction between the activities that would be offered under the proposed action and the activities already offered at the subject property is as follows:

> *"[T]he proposed day camp would offer programs that are less focused on tennis, and may offer programs to accommodate campers that do not wish to play tennis. These activities would follow a structured schedule throughout the day, with campers separated into groups enabling efficient use of the facilities"* (DEIS, page 14).

As discussed in Section 2.3 of the DEIS, the specific physical changes that are proposed, which would aid in the diversification of camp activities, include:

> *"eliminating two existing tennis courts and replacing them with two pools and a basketball court (increasing the number of pools on site to three pools, and the number of basketball courts to two courts), [and] constructing a new play area…"* (DEIS, page 8)

Notwithstanding the above, and even though not required by any regulatory agency, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gpy (i.e., averaging 6,800 gpd for 80 days per year). Based on the information provided by the applicant, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day, understanding that the number of campers on a given day could fluctuate somewhat based on, for example, the actual programs offered on that particular day. This sanitary flow is only 15.8 percent of the SCDHS-approved and grandfathered sanitary flow for the property (see Response No. WAT-13). Accordingly, the commenter's characterization of future camp enrollments greater than 500 campers is without basis.

Comment No. LUZ-15

Enrollment must be capped, and if a change of use is sought, the cap should be followed by enforcement of current required codes to meet Town regulations. There are no sanctions for "grandfathered" uses – if a change in use is sought, then current applicable code standards for the new use must be upheld. This study is loaded with inconsistencies and assumes multiple exemptions that, if permitted, are completely contradictory to the Codes that Southampton enforces (i.e., the special exception standards at Section 330-162.12 for 100-foot setback, 100-foot landscaped buffer, no overnight dwellings other than for a caretaker, no occupation by the same person for more than 30 days in a calendar year). The enrollment should be limited to children of the tennis club members only, as the ZBA stated previously. **[C16-8]**

Response No. LUZ-15

The proposed use is not "grandfathered" but rather is proposed to be changed from one non-conforming use to another, consistent with the determination made by the Town of Southampton Zoning Board of Appeals in its March 15, 2012 decision. The Town Code specifically provides for such changes at Sections 330-166(B) and 330-167(B)(3), as discussed and evaluated within Section 3.7.2 of the DEIS.

Response No. LUZ-2, above, addresses the relevance of the Town's Special Exception permit criteria (e.g., 100-foot setback) to the proposed action, and the applicant's voluntary revision to the *Site Plan* to remove the existing northernmost tennis court and basketball court and replace them with a sport court of equal area at an interior location within the western portion of the subject property (see Appendix C).

It is noted that the Town of Southampton ZBA has not made any determination with respect to the use of the subject property by the tennis club members and their children, only.

Comment No. LUZ-16

There is a practical limit to the number of campers. Legally, the subject property is a tennis club, so the number of members is limited by the number of tennis courts. This should be the foundation for any increase in use. **[C17-2]**

Response No. LUZ-16

The legal definition of the current use, as recognized by the ZBA is a "tennis club and/or tennis camp," not exclusively a tennis club. The number of tennis courts only presents a physical limitation on how many tennis club members can use those courts at any one time, not on how many members the tennis club could have, nor the number of children that could attend the camp. Section 3.7.2.1 of the DEIS includes a discussion of the limits on enrollment at the subject property: "[t]here are currently no zoning restrictions with regard to occupancy of the subject property as presently developed, other than as a function of a maximum permitted 'grandfathered' sanitary flow of 9,450 GPD…" (page 127). The proposed action would not result in any net increase in the total gross floor area, sports court area, or patios, etc., such that there would be no expansion of the existing facility as a result of the proposed action.

4.5 Noise

The noise analysis was updated to include noise modeling of the existing open playing field on the northern portion of the subject property, as well as a modified "With-Action" condition wherein the northernmost existing tennis court and the existing basketball court are removed from their current locations, near the residential neighbors to the north, and replaced with a sport court at an interior location within the western portion of the subject property (see Appendix D of this FEIS). The responses to the comments received during the public comment period, as presented below, reflect the results of the Noise Impact Analysis provided in the DEIS. Where applicable, the results of the updated analysis are presented with the response indicating that it is reflective of the updated analysis provided in Appendix D of this FEIS.

Comment No. NOI-1

There is also a large deck at the dining hall building where houses are less than 100 feet away and there is no blockage of sounds to the houses. The noise study is insufficient in its analysis of the daily routine of the camp. It does not analyze especially noisy days such as competition days or visitor days. Some people have observed blow-up devices run by loud air compressors. The noise study also leaves out three noise sources in the analysis, including the sports field between the dining hall and the property's northern border, the northern tennis court that serves as a play area for campers, and the property's largest outdoor deck, proposed to be added to the dining hall for both dining and other camp activities. The soccer field is the largest outdoor gathering space, and was cleared of trees without permission from the Town. Instead of the soccer field, the noise study measured noise generated on a much smaller field in the middle of the property, farther away from the neighbors' homes. The proposed outdoor deck space (665 SF) to be built adjacent to the dining hall would host another 50 or more campers. Any noise from the deck would carry down the hillside in to the homes and across the pond. These noise sources that were not studied would bring the projected noise levels above the level that requires mitigation. **[H1-19, H1-23, H25-5, H31-1, H51-2, C1-17, C16-5, C24-1, C25-4, C28-2]**

Response No. NOI-1

The Noise Impact Assessment has been updated to account for the open playing field in the northwestern portion of the subject property, as well as the removal of the northernmost tennis court and basketball court, and the introduction of a sport court to an interior location within the western portion of the subject property (see Appendix D of this FEIS). As depicted on the updated *With-Action Sound Level Contours (Leq)* figure, anticipated sound levels at the nearest property line to the open playing field are in the range of 60 to 61 dBA. The nearest residential receptors to this

playing field are 717 and 719 Majors Path. The updated noise modeling results in Table 5 in Appendix D of this FEIS indicate that sound levels are expected to increase from 60 dBA to 62 dBA at the property line near 717 Majors Path, and from 59 dBA to 61 dBA at the property line near 719 Majors Path. These results of the updated assessment confirm that there would be no significant adverse noise impact due to the proposed action.

Table 5 of the updated Noise Impact Assessment (see Appendix D of this FEIS) shows a two-to-four-decibel increase above the existing condition at the nearest residential property boundaries to the new sport court. Under the previous *Site Plan*, these receptors were expected to experience up to a one-decibel increase. While noise levels are anticipated to increase at these receptors, it is noted that the future sound level is expected to reach a maximum of 62 decibels, which is below the Southampton Noise Ordinance daytime limit of 65 decibels for residential land use. Furthermore, the increased sound would be less than six decibels above the existing condition at all receptors, such that noise mitigation is not needed for residential receptors according to the NYSDEC program policy. The revised *Site Plan* proposes to maintain a substantial wooded buffer between the new sport court and the nearest residential property boundaries, which are also wooded and have significant buffers and setbacks within their own properties.

Accordingly, the change to the *Site Plan* would provide relief to the residential neighbors closest to the existing northern basketball and tennis courts while only moderately increasing noise levels (within Town and State policy limits) for the residential neighbors closest to the new sport court.

It is noted that the deck at the rear of the dining hall building is situated a minimum of 199± feet from the northern property line and 274± feet from the western property line. Accordingly, the deck would be placed well over 100 feet from the nearest property line (see *100' Setback Plan* in Appendix I of the DEIS, which depicts a 100-foot setback line from the property boundaries). Accordingly, the commenter's claim that neighboring houses are less than 100 feet from the dining hall deck is not correct. The existing vegetation between the dining hall and the nearest residences is not proposed to be removed. Overall, as confirmed by the Noise Impact Assessment (see Appendix D of this FEIS), there would be no discernable difference in noise generated at the dining hall deck compared to existing conditions.

It is also noted that there is no requirement per the NYSDEC noise policy to evaluate specific dates.

Comment No. NOI-2

The noise study uses decibel readings but does not address noise pollution according to the definition in the Town Code. **[H1-20]**

Response No. NOI-2

The Noise Impact Assessment does evaluate noise from the proposed action per the Town of Southampton Noise Ordinance. Specifically, Section 2.2 of the Noise Impact Assessment provided in Appendix D of this FEIS (and Section 3.9.1.3 of the DEIS) presents the information on the ordinance, and Section 3.4 of the Noise Impact Assessment (and Section 3.9.2 of the DEIS) presents the results of the evaluation. Noise impacts are evaluated with respect to the daytime limit of 65 dBA according to the Town's Noise Ordinance.

According to the Noise Ordinance at §235-1, "Noise Pollution" is defined as:

> *The presence of that amount of acoustic energy for that amount of time necessary to:*
>
> *A. Cause temporary or permanent hearing loss in persons exposed;*
> *B. Otherwise be injurious, or tend to be, in the basis of current information, injurious to the public health or welfare;*
> *C. Cause a nuisance;*
> *D. Exceed standards or restrictions established herein; or*
> *E. Interfere with the comfortable enjoyment of life and property or the conduct of business. The following are deemed to interfere with the comfortable enjoyment of life and property or the conduct of business:*
>
> *(1) Yelling, shouting, hooting, whistling or singing on the public streets or from private property at any time that annoys or disturbs the quiet, comfort or repose of person or persons in the vicinity and that such noise is plainly audible at a distance of 50 feet from the area, building, structure or vehicle from which such noise emanates.*
> *(2) The using of, operating of or permitting to be played, used or operated, any radio, receiving set, musical instrument, phonograph, television set or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants and in such a manner as to be plainly audible at a distance of 50 feet from the area, building, structure or vehicle in which it is located.*

Under §235-2 of the Noise Ordinance, there is a general prohibition on "the establishment of a condition of noise pollution." While the general prohibition on noise pollution as defined above is subject to interpretation, the noise standards at §235-3 of the Noise Ordinance are intended to quantify permissible levels of noise, and form a basis for which noise impacts should be evaluated, as has been done in the DEIS.

Comment No. NOI-3

The campers are encouraged to make noise at times and they use amplified music, contrary to the noise standard in the Town Code. The counselors walk up and down

Little Fresh Pond Road at night and are very loud and leave litter. The expansion of counselors, staff and children will make this worse. **[H1-21, H10-1, H14-1, H20-3, C11-2, C16-8, C28-1, C29-1, C30-1]**

Response No. NOI-3

The proposed facility will adhere to the local noise ordinance. While no significant noise impacts are anticipated, Section 3.9.3 of the DEIS notes that BMPs for noise reduction may be implemented at the camp, including "not reproducing amplified music, or using public announcement equipment on the camp. Yelling, hooting or screaming could be limited through general counseling of the campers and/or signage near the property lines" (page 158). As provided by the SDCR, camp counselors are repeatedly reminded by administration that they are not permitted to create a noise disturbance to the neighbors during off-hours. While music is played outdoors during camp hours, it is only played at interior portions of the camp, away from neighbors' homes, and is kept at a relatively low volume. The camp does not use bullhorns or other amplifying equipment, except as required for fire drills, approximately three-to-four times per summer.

Comment No. NOI-4

The DEIS does not clearly explain the noise study methodology. The study was done on the last day of the camp session and after it ended. Specifically, data was collected on August 14, 2013, two days before the camp closed for the summer and two years before the scoping for the DEIS was adopted. Another data set was collected on August 18, 2015, four days after the camp's summer session ended. A reduced number of campers on these days reduces the baseline for the measurements. **[H1-22, H6-3, H9-1, H14-2, H31-2, H51-1, C1-17, C1-22, C3-2, C11-1, C16-8, C24-1, C25-3]**

Response No. NOI-4

The methodology used to measure existing noise conditions and predict future noise conditions with the Proposed Action is provided in Section 3 of the Noise Impact Assessment contained in Appendix D of this FEIS. Specifically, the methodology discussion in Section 3.3 of the Noise Impact Assessment includes details regarding the type of equipment used to take the sound measurements, its calibration, the dates, times and conditions for data collection, etc.

The measurements included the number of campers in attendance to allow predictions based on the anticipated increase in attendance. While it is acknowledged that the number of campers on a given day could fluctuate somewhat based on the actual programs offered on that particular day, there is nothing to indicate that measurements on the last days of camp would have more or less attendance than other camp days.

Comment No. NOI-5

The sounds of camp activities and laughter have a positive effect on the neighborhood. Campers are told to keep their voices down so as not to disturb neighbors. Actual noise impacts are not from the camp, but are from the nearby rifle range. Noise is also a part of the summertime environment in the area due to parties, fireworks, etc., and the camp activities are similar to year-round activities found at schools. **[H7-3, H15-3, H35-2, C31-2]**

Response No. NOI-5

The comment is noted.

Comment No. NOI-6

The camp is noisy and can be heard within neighboring houses in excess of the 65 dB maximum, and across Little Fresh Pond. **[H9-1, H9-2, H13-6, H30-2, C11-1, C16-4, C19-1, C25-1, C25-4, C29-1]**

Response No. NOI-6

The Existing Sound Level results of the noise modeling indicate that, under existing conditions, the camp does not produce sound in excess of 65 dB within any of the neighboring residences (see updated Existing Sound Level Contours figure in Appendix D of this FEIS). Notwithstanding this, the proposed project includes the relocation of the northernmost existing tennis court and basketball court from their current locations, near neighboring residences, to interior locations within the subject property, which would have a positive effect on noise conditions at the neighboring residences. The results of the Noise Impact Assessment in Appendix D of this FEIS reflect these proposed changes.

Comment No. NOI-7

Have there been any official noise violations at the camp? Has anyone ever lodged a formal noise complaint? **[H23-2]**

Response No. NOI-7

No noise violations have been issued to the applicant in connection with its operation of the existing facility at the subject property.

Comment No. NOI-8

The expansion and conversion of a tennis court to a basketball court with 35 or 40 children on the northern portion of the property will create a noise disturbance. It appears that the new basketball court is potentially less than 30 feet from the property

lines of a few of the northern abutters, particularly 717 Majors Path, and the Frank residence. Using the distance of 30 feet from the proposed basketball activity, the projected sound level is just over the 65 dB(A) limit. Computations by Noise Control Engineering, LLC, show that there is a significant increase in sound level as well due to the fact that there is the introduction of a "new source" of sound (i.e., the new basketball court).

The north tennis court would increase in size from 37'x57' to 55'x90' (5,000 SF) and become a basketball court, with no buffer or 100-foot setback. The use of this court would increase from seven campers to 32 campers, as noted on page 153 of the DEIS, adding 5 dB to the existing condition for a total of 73 dB (above permitted levels). **[H25-4, H38-2, C3-5, C16-4, C25-4]**

Response No. NOI-8

The tennis court in the northern portion of the subject property currently encroaches upon the northern property line. The proposed action would remove this existing tennis court, as well as the nearby existing basketball court, and replace them with a sport court of equal area at an interior location within the western portion of the subject property (see revised *Site Plan* in Appendix C of the FEIS). This *Site Plan* revision eliminates basketball and tennis activities, and any corresponding noise, from this portion of the subject property, and is expected to address the relevant comments raised by adjoining property owners to the north during the DEIS public comment period.

Comment No. NOI-9

Camps produce variable noise. The noise study assumed a constant noise source. The actual minute-by-minute sound pressure levels are likely to be significantly higher and lower than the L_{eq} values presented in the report. The NYSDEC guidance specifically states, "these maximum and minimum SPLs should be given in the noise analysis. The time interval over which the L_{eq} is measured should always be given." If the maximum SPL for the noted activity (particularly at the basketball court) is even 1 dB higher than the L_{eq}, the noise study would show an excess to the Town of Southampton noise regulations. **[H51-3, C1-22, C3-3]**

Response No. NOI-9

The Southampton noise ordinance does not specify what noise metric shall be used to evaluate whether airborne sound is in excess of "65 dBA's." The L_{eq} noise metric is a commonly used metric to evaluate potential human annoyance and is used by the United States Environmental Protection Agency and other federal agencies such as the Federal Transit Administration and the Federal Highway Administration.

Comment No. NOI-10

The noise study was not included in its entirety in the DEIS. The DEIS does not state who conducted the noise study or whether they had the proper credentials to do so. A supplemental EIS should be prepared, containing rigorous noise mitigation measures and strict limitations on the camp's size, activities, and the location of its activities. When the applicant was directed to provide the complete noise study, the document provided the original noise study, but it contained no new data or information that was not in the DEIS; it was a word-for-word copy of the text in the DEIS Noise chapter. **[H51-4, C3-1, C24-1, C25-1, C25-2]**

Response No. NOI-10

A Noise Impact Assessment was conducted by VHB and documented in a technical report titled "Noise Study for Southampton Tennis Club and Camp." The noise study presented in the DEIS was conducted in accordance with the Final Scope issued by the Planning Board, as Lead Agency. The noise study contained within the DEIS was written in plain language easily understood by the public, and did not represent highly technical information such as would normally be summarized in the text of a DEIS and included in its entirety in an appendix. The Planning Board's professional consultant deemed the DEIS to be complete and adequate for the purpose of commencing public review, despite that the content of the noise study was contained directly in the text of the DEIS and not in a standalone appendix.

Comment No. NOI-11

There are differing measurements in the noise study (Leq, A-weighted decibels). This is comparing apples to oranges. **[H9-3]**

Response No. NOI-11

A-weighted energy equivalent sound levels measured in decibels are denoted as "L_{eq}." This is one, single sound metric, and allows for a consistent comparison.

Comment No. NOI-12

As a baseline for tennis court noise, noise was measured 80 feet from the northern tennis court on the interior of the property. This doesn't make any sense. **[H9-4]**

Response No. NOI-12

Noise measurements were conducted at distances sufficient to capture noise from the specific activity with minimal contribution from other sources. It is acceptable to conduct these measurements at this distance from the source.

Comment No. NOI-13

Camp activities were apparently deliberately cut back during the noise measurements. Normal activities were canceled, and the noisy whistling train that neighbors have complained about was not run (even though it was not actually broken). Additionally, an ex-employee of the camp claims that he was instructed by the camp director to follow him in a second bus, as the two repeatedly drove the empty buses around the perimeter of the camp a number of times to give the appearance that they were dropping off a greater number of campers than were actually in attendance. **[C1-18, C1-20]**

Response No. NOI-13

The applicant refutes the commenter's claims, and such allegations are unsupported by the empirical evidence. The Noise Impact Assessment (and the updated assessment contained in Appendix D) collected noise data based upon the number of participants present as physically counted by the personnel performing the noise measurements at the time of data collection, while the activity was observed occurring. Neither the data collected nor the analysis of future conditions based its conclusions upon the number of buses entering or exiting the subject property.

Comment No. NOI-14

The calculation of anticipated impacts from an increased number of attending campers appears to have been adjusted to lessen the impacts. In calculating the increase, the report applied a multiplier which purportedly represented the increase in the number of attending campers. The factor was 67 percent, representing existing daily campers versus anticipated maximum daily campers (215 to 360). When the multiplier was applied in a formula to calculate the increase in noise, it resulted in a predicted 2.3 dB increase. However, if there were actually 70 daily campers attending, as reported by witnesses and neighbors, the increase would have been significantly higher -approximately 7 dB – a very substantial increase in noise impacts. The DEIS appears to obscure the fact that there were never 215 daily campers in attendance. Instead, the number appears to have represented the total summer enrollment.

Rather than a 67 percent increase in campers and noise, the projected increase in attendance would be in the range of 200-400 percent, as would be the increase in noise if it's a proportionate increase as presumed in the DEIS. The anticipated maximum of 360 campers represents the maximum number of campers that would be attending the camp on a daily basis. Over the eight-week (40 days) summer session, 360 campers a day would add up to a total of 14,400 camper days for the summer. The 215 existing campers represents a different metric: the total number of campers that attended the camp at any point during the entire length of the summer session. If true, the multiplier would have to be revised dramatically upward. For example, if each of those 215 campers attended the camp for half of the eight-week summer session (20 days), the total camper days for the summer season would be 4,300. The applicant

would have to disclose the camp's daily attendance and the average length of stay of those 215 campers to accurately predict what the impact of the conversion of the property to a day camp will be. **[C1-19, C25-6]**

Response No. NOI-14

The Noise Impact Assessment is based on all activities occurring simultaneously. As documented in Table 3 of the Noise Impact Assessment, this included a total of 142 campers engaged in the specific outdoor activities (i.e., soccer with 12 campers, tennis with 25 campers, basketball with 7 campers, swimming pool with 84 campers, parachute game with 14 campers). Not all campers engage in outdoor activities simultaneously as there are also indoor activities occurring throughout the day. Similarly, with the Proposed Action to increase attendance, there would be a similar percentage of campers engaged in interior and exterior activities.

The comment purports an increase from 70 daily campers to 360 daily campers in order to magnify the potential noise impacts from the proposed action. The existing noise conditions are based on actual sound measurements conducted at the site, and the projected increases in sound levels are based on a proportional increase in the number of campers at each activity. It is important to note, as with other potential impacts, an increase in sound levels can be expected absent the proposed action due to natural growth in camp attendance. Any increased camper enrollment attributable to the proposed action would be incremental to the enrollment increases already occurring and expected absent the proposed action.

Comment No. NOI-15

Table 3 of the standalone noise study provides documentation of measured existing ambient SPL. The table states that the ambient Leq is 58 dB(A). The minute-by-minute ambient SPLs should be described. The lowest value is of interest for ambient conditions. The ambient SPL of 58 dB(A) is high for such a suburban (nearly rural) area that is found in Southampton. Measurements by Noise Control Engineering, LLC for daytime suburban/rural areas give SPL values as low as 40 dB(A) during the day. Further, NCE believes that if a lower ambient SPL were used, the computations would be markedly different. While the use of the ambient SPL within this study is not specifically described in the report, NCE believes it is used as a background SPL within the acoustical model. This would mathematically limit any sound projection to nothing lower than the ambient SPL and therefore, this would greatly reduce the sound level increases given in Table 5 of the standalone noise study. The applicant's noise study from 2011 identified ambient sound levels along the property's northern border to range from 46-49 dB(A). More information is needed regarding the locations of ambient sound measurements. A singular ambient sound level is not appropriate for a property surrounded by uses varying from a quiet, wooded nature preserve to a busy road. **[C1-21, C3-4, C25-2, C25-3, C25-5]**

Response No. NOI-15

The actual sound environment in the study area includes contributions from ambient sources such as distant transportation sources and natural sources such as wind through the trees as well as contributions from sources associated with camp activities such as tennis and other sporting activities. Therefore, the noise assessment evaluates existing and future noise conditions including ambient and camp-generated sources. The fact that noise measurements of camp activities are similar to measurements without camp activities (ambient conditions) demonstrates that noise generated by the camp does not substantially exceed ambient conditions and that an increase in enrollment would not cause an increase in overall sound levels causing substantial adverse noise impact.

Comment No. NOI-16

Additional supporting data for the noise study should be provided in the FEIS. This should include: the specific time of day and duration of the measurements; description of the activity during the measurements; photographs of the activities (the level of activity described in Table 3 of the standalone noise study is not substantiated by the provided photographs); graphs and/or a summary of all sound pressure level data; the specific inputs to the acoustic (Cadna/A) noise model, including: source sound levels in octave bands, source sound level modeling details, including source types (area or point), acoustic spreading assumptions, acoustic ground absorption assumptions, and wind and meteorological assumptions; both the sound and the distance at which the measurements were taken (sound/distance) specification; calculations of both the "A-weighted" and "octave band" values; data collected during times when camp was in full session; the minute-by-minute data that was used to calculate the noise average measurements; periods of low ambient noise for comparison to periods of high camp noise; the number of children playing on the location of the proposed basketball court when the measurements were made; assessment of noise related to renovations and additions to existing structures; noise from mechanical systems; noise from bus traffic, morning drop-off and afternoon pick-up, and idling noise. **[C1-22, C3-1, C3-3, C3-4, C3-6, C3-7, C12-2, C16-7, C25-2, C25-3]**

Response No. NOI-16

The Noise Impact Assessment provided in Appendix D of this FEIS includes the dates of the measurements, a description of the activity and conditions, and photographs in its appendix. The NYSDEC does not require that the requested information supporting the measurement results be included in the technical documentation. Regardless, the Noise Impact Assessment has been updated with a new "Appendix C," which includes tables showing the Overall A-weighted Sound Level Measurement Results and the Octave Band Sound Level Measurement Results. These tables include the source activity, the date of the measurement, the time period during which the measurement occurred, and the observed measurements.

Comment No. NOI-17

The DEIS does not address how the increased sound would be mitigated (e.g., berms, required setbacks). **[C16-4]**

Response No. NOI-17

Section 4.0 of the Noise Impact Assessment provided in Appendix D of this FEIS and Section 3.9.3 of the DEIS address whether mitigation is required according to NYSDEC noise policy and BMPs that may be implemented to minimize noise effects. While no significant adverse noise impact is anticipated, the BMPs that may be considered include: not reproducing amplified music or using public announcement equipment; limiting yelling, hooting or screaming through general counseling of campers and/or signage near the property lines; performing noisy construction operations only during periods of the day with less potential for annoyance to abutters; increasing the setback distance of construction equipment (such as portable generators) to sensitive receptors as feasible; using smaller and/or quieter equipment; altering construction methods (i.e., using a small bull dozer rather than a large bull dozer); and making sure equipment such as backhoes have functioning mufflers.

Comment No. NOI-18

NYSDEC guidance notes that summertime noise has the greatest potential for annoyance, therefore a windows-open vs. windows-closed study should be conducted to obtain a valid assessment. No receptors were placed to study the sound at each house on the northern property boundary, but they were identified in the DEIS as where they would be if a comprehensive study takes place in the future. **[C16-6]**

Response No. NOI-18

As presented in the Noise Impact Assessment in Appendix D of this FEIS and shown in the accompanying figures, receptors were located at each house including the property line and the building setback. It is not necessary to place noise monitors at each house in order to model the noise levels. All noise levels reported are based on outdoor noise conditions and do not consider interior noise levels, that would be substantially lower, with either windows open or windows closed. Accordingly, as the levels were found to be acceptable and below the impact thresholds at the modeled outdoor receptor location, they could not possibly exceed those thresholds indoors.

Comment No. NOI-19

Currently, there are wooded areas on the property that serve as a shield for the noise and cover for the surrounding houses for the people living in the area. The removal of trees and vegetation would change that drastically for the worse, if more building and development is permitted on this site. **[C28-1]**

Response No. NOI-19

Any removal of wooded areas to allow for the proposed improvements would be relatively limited and would have no substantial effect on noise reduction. Moreover, there would be no net increase in the total amount of building, court or deck areas at the subject property. Any new construction (i.e., the new cottage, expanded decks, new pools, new sport court) would be offset by the removal of existing improvements (see Section 3.7.2.1 of the DEIS). Furthermore, the existing tennis court that currently encroaches on the northern property line would be removed and largely revegetated. The addition of a sport court at an interior location within the western portion of the subject property would require some tree removal; however, there would still be a minimum 126-foot-8±-inch natural buffer between this sport court and the nearest property line. The change to the *Site Plan* is expected to generally improve noise conditions in the area, and the updated noise model results in Appendix D of this FEIS indicate that noise produced by this sport court would not exceed Town regulatory limits or NYSDEC policy thresholds for additional mitigation at the property line.

4.6 Alternatives to the Proposed Action

Comment No. ALT-1

If not for the camp, the subject property could be developed with several single-family residences in accordance with prevailing zoning. The residences would result in greater potential environmental impacts than the camp use, due to, for example, the potential for numerous swimming pools, lawns, and additional users of Little Fresh Pond. **[H7-4, H18-5, H22-1, H23-3, H37-2]**

Response No. ALT-1

The Final Scope required that the DEIS evaluate an alternative to the proposed action where the subject property would be developed in accordance with the zoning regulations for the Town of Southampton's R-20 Residence District, among other alternatives. This alternative is evaluated in Section 4.2 of the DEIS, and a *Sketch Plan of R-20 Yield* is provided in Appendix I. The residential yield alternative would result in lesser trip generation than the proposed action, although trips would be generated year-round, as opposed to only during the tennis and camp season under the proposed action. However, as suggested by this comment, the results of the DEIS analysis indicate that this residential alternative to the proposed action would result in greater environmental impacts with respect to land disturbance (10.05± acres vs. 3.06± acres), grading (installation of residential foundations, driveways, pools, tennis courts, roadways, underground stormwater containment piping and structures, etc.), construction impacts (increased truck traffic and a longer construction period, greater potential for noise and erosion and sedimentation impacts), water use and sanitary generation (the year-round occupancy of single-family residences, factoring in the seasonal nature of homes in the area, would lead to approximately 1.67 million gallons per year [MGY] of water use/sanitary discharge, compared to an annualized water use of 500,710± gallons per year [GPY] and sanitary discharge of 476,000± GPY for the proposed action), cleared area (10.05± acres vs. 6.96± acres), impervious surface area (5.08± acres vs. a proposed combined impervious, deck and gravel surface area of 3.19± acres), marginally greater ecological impacts associated with increased clearing, aesthetics, removal of an established recreational resource, and school-age children generation.

Comment No. ALT-2

The Board should consider Red Creek Park in Hampton Bays as a better alternative with an aquatic center and tennis courts, and let the camp stay within its boundaries. **[H26-2]**

Response No. ALT-2

The presence of other recreational facilities within the Town does not negate the need for the tennis club and day camp contemplated within the DEIS. A demonstrated trend of increasing enrollment since the current owner began operations at the subject property indicates that the use is commercially viable. Furthermore, as explained in detail and Section 2.3 and throughout the DEIS, the proposed project is not an expansion of the existing use, but a change from one non-conforming use to another with no expansion. Red Creek Park amenities identified by the commenter are not a substitute for the existing or proposed facility at the subject property, and would also not be a valid alternative site for analysis as part of the SEQRA review of the proposed action.

The SEQRA regulations, at §617.9(b)(5)(v), specify that the alternatives discussion in a DEIS should include:

> *a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor… For private project sponsors, any alternative for which no discretionary approvals are needed may be described. Site alternatives may be limited to parcels owned by, or under option to, a private project sponsor.*

As set forth above, the intent of SEQRA regarding the evaluation of alternative sites for a DEIS for a private development application is very narrow, and does not contemplate evaluating sites not presently owned by, or under option to, the applicant.

Comment No. ALT-3

There are several alternatives that should be considered to prevent impacts to Little Fresh Pond and the neighborhood, including a tax on the camp that would be used to clean up the pond if it becomes contaminated, the community development fund, housing, or relocating the camp to a commercial area. **[H41-2, C37-2]**

Response No. ALT-3

The analyses in the DEIS have demonstrated that the proposed action would not result in adverse impacts on Little Fresh Pond (see Sections 3.2.2 and 3.3.2). Therefore, there is no basis for penalties such as a tax on the subject property to pay for cleanup of Little Fresh Pond.

The comment also appears to be referencing the Town of Southampton's Community Preservation Fund, the purposes of which, as set forth at §140-3(A) of the Town Code are:

(1) To implement a plan for the preservation of community character as required by §64-e, Subdivision (6), of the Town Law.
(2) To acquire interests or rights in real property for the preservation of the community within the Town, including any village, in accordance with said plan.
(3) To establish a bank pursuant to a transfer of development rights program consistent with § 261-a of the Town Law, at the sole discretion of the Town Board.
(4) To provide a management and stewardship program for such rights and interests acquired by the fund, consistent with this article and in accordance with said plan.
(5) To make payments to school, fire, fire protection and ambulance districts in connection with lands owned by the State of New York or any municipal corporation (the PILOT Program), consistent with § 64-e of Town Law.

The goals of enabling legislation of the Community Preservation Fund, at §64-e.4 of the New York State Town Law, as reiterated in the Town's *Community Preservation Project Plan* (2015), are:

(a) Establishment of parks, nature preserves, or recreation areas;
(b) Preservation of open space, including agricultural lands provided;
(c) Preservation of lands of exceptional scenic value;
(d) Preservation of fresh and saltwater marshes or other wetlands;
(e) Preservation of aquifer recharge areas;
(f) Preservation of undeveloped beachlands or shoreline;
(g) Establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened or endangered species;
(h) Preservation of pine barrens consisting of such biota as pitch pine and scrub oak;
(i) Preservation of unique or threatened ecological areas;
(j) Preservation of rivers and river areas in a natural, free-flowing condition;
(k) Preservation of forested land;
(l) Preservation of public access to lands for public use including stream rights and waterways;
(m) Preservation of historic places and properties listed on the New York State Register of Historic Places and/or protected under a municipal historic preservation ordinance or law; and
(n) Undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.

The *Community Preservation Project Plan* (2015) is the Town's guiding document for implementation of its land preservation and acquisition goals. This document, which is updated every five years, identifies all lands within the Town that are considered priorities for preservation, either through fee simple acquisition, zoning regulations, transfer of development rights, purchase of development rights, or scenic and

conservation easements. There is a total of 19,279 acres of land identified within the *Community Preservation Project Plan* as priorities for preservation.

The DEIS discusses the 2005 version of the *Community Preservation Project Plan* in Section 3.7.2.3. It was noted that the subject property is located within the North Sea Atlantic White Cedar Swamp Open Space/Greenbelt Area, and that "the Town has indicated that some form of preservation of the subject property should be part of a broader overall strategy to protect valuable natural resources throughout the Town. However, it is also noted:

> *As discussed in Section 3.4 of [the] DEIS, neither Atlantic white cedar trees nor the Atlantic White Cedar Swamp ecological community were observed at the subject property during field inspection. The locations provided in NYNHP correspondence indicate that off-site records for this community are from the northern side of Little Fresh Pond. The Hessel's Hairstreak butterfly occurs exclusively within the Atlantic White Cedar Swamp ecological community, where larvae feed exclusively on Atlantic white cedar trees. Accordingly, given that the aforementioned ecological community and tree species were not observed during field inspection, it is not expected that Hessel's Hairstreak occurs at the subject property.*

Appendix A of the *Community Preservation Project Plan* lists the community preservation target areas, projects, parcels and priorities of the Town. The subject property is not listed as a priority parcel in this list.

The comment also suggests housing as a preferable alternative to the proposed action. As discussed in Response No. ALT-1 above, the DEIS evaluated residential development in accordance with the R-20 zoning district, and determined that it would result in generally greater adverse impacts that the proposed action.

With respect to relocation of the camp to a commercial area, the SEQRA regulations, at §617.9(b)(5)(v), specify that the alternatives discussion in a DEIS should include:

> *a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor… For private project sponsors, any alternative for which no discretionary approvals are needed may be described. Site alternatives may be limited to parcels owned by, or under option to, a private project sponsor.*

As set forth above, the intent of SEQRA regarding the evaluation of alternative sites for a DEIS for a private development application is very narrow, and does not contemplate evaluating sites not presently owned by, or under option to, the applicant. It is not within the scope of the DEIS to inventory all available land within commercially zoned portions of the Town to identify, and evaluate the potential environmental impacts to alternative sites for a facility that has existed at the subject property, in one form or another, for several decades.

Comment No. ALT-4

The DEIS does not provide any analysis that would allow the Town to responsibly evaluate just how a treatment plant (or multiple advanced treatment systems) may or may not be able to mitigate the project's wastewater impacts. Without such an assessment, the Town can only evaluate the applicant's statement about wastewater treatment plants as the applicant's opinion and not use this opinion as a basis for determining practicable environmental mitigation requirements. The DEIS should include the following information with respect to alternative sanitary technology:

- A discussion and analysis focusing on nitrogen loading:
  - How many pounds of nitrogen (on an annual basis) will the project generate if an advanced wastewater treatment system is employed?
  - How much total nitrogen will be reduced by one or more wastewater management alternatives?
  - How might this impact groundwater quality and eventually surface water quality in nearby Little Fresh Pond?

- An analysis with sufficient detail to provide a comparative assessment between the nitrogen impacts of the existing standard sanitary systems versus those associated with an advanced wastewater treatment plant/system. This analysis should provide the following comparatives:
  - The site's Article 6 population density gpd versus existing gpd versus anticipated gpd versus maximum permitted gpd. **[C5-3]**

Response No. ALT-4

The comment purports that the proposed action would result in significant adverse impacts requiring mitigation due to wastewater discharge. However, the DEIS thoroughly analyzed the potential for such impacts and concluded that no significant adverse impacts requiring mitigation are anticipated. These conclusions are discussed in Section 3.2.2 and 3.3.2 of the DEIS, as well as in the responses to comments in Section 4.1 of this FEIS.

The DEIS, in Section 4.5, also includes an analysis of "the impacts and benefits of an alternative to the proposed action that incorporates an active denitrification system or an alternative sanitary technology (acceptable to the SCDHS) to address potential impacts to groundwater impacts and/or Little Fresh Pond," (page 175) in accordance with the Final Scope.

The key findings from the alternative analysis in Section 4.5 of the DEIS were:

> *Compliance with these separation distances would limit the available locations on the subject property where an alternative system could be located… In order to construct and install a system that meets the relevant separation distances required by the SCDHS, the clearing of naturally-vegetated areas may be required. Any such clearing would reduce the available ecological habitat at the site, also potentially reducing the vegetated buffers that currently screen the facility from view from surrounding residential development. Additionally, grading activities and excavation associated with the system installation and the establishment of necessary service access would result in impacts to soils and topography. While not necessarily significant (particularly assuming that all required separation distances are met), the operation of an active denitrification system at the site may have the potential to generate noise and odors.* (page 176)

> *…there is the potential for practical difficulties associated with the seasonal nature* [of the proposed action] *that may preclude the reasonable use of the alternative systems that are acceptable to SCDHS (e.g., there is little-to-no sanitary waste flow occurring at the subject property in the spring, fall and winter). The systems take approximately two-to-three months to achieve a steady state, and the proposed facility is only open for approximately 90 days, such that the system would likely only treat sewage for a period of 30 days or less.* (page 176)

> *…based on groundwater flow direction, the results of groundwater and surface water quality investigations on-site and in Little Fresh Pond, and a water budget analysis of the pond, groundwater discharges at the subject property do not adversely impact water quality at Little Fresh Pond. Moreover, the results of the analyses performed indicate that groundwater quality beneath the site is of excellent quality. Accordingly, the use of a permeable reactive barrier as a means of reducing nitrogen in groundwater would not provide any measurable benefit, and therefore, the benefits would not justify the cost associated with installing such a system.* (page 177)

SCDHS's "Standards Promulgated under Article 19 for the Approval and Management of Innovative and Alternative Onsite Wastewater Treatment Systems," adopted September 21, 2016, defines "Innovative and Alternative Onsite Wastewater Treatment Systems" (I/A OWTS) as "onsite decentralized wastewater treatment system that, at a minimum, is designed to reduce total nitrogen in treated effluent to 19 mg/l".[3]

As of April 24, 2017, there are four I/A OWTS residential technologies approved for provisional use by SCDHS, and none approved for general use.[4] According to the Article 19 Standards referenced above, I/A OWTS approved for provisional use

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[3] http://www.suffolkcountyny.gov/Portals/0/Documents%20and%20Forms/Health%20Services/Wastewater%20Management/Standards/Article%2019%20IA%20OWTS%20STDS%20Final%2020160921.pdf

[4] http://www.suffolkcountyny.gov/Portals/0/health/pdf/Article19ApprovalList-4-17.pdf

require "[evaluation] every two months for at least 24 months prior to a technology becoming eligible for General Use Approval. The 20 systems must be occupied year round in order for the Department to accept the data" (page 7). The earliest I/A OWTS approved for provisional use is the Hydro-Action AN Series, which was approved in September 2016, meaning that earliest this system could be approved for general use is September 2018. The proposed action (and existing condition) is a seasonal use, where peak operations only occur for approximately 10 weeks during the summer. The subject property is not occupied at all from the end of the tennis season in October to the start of the tennis season in May. As such, in accordance with the standards adopted by SCDHS, the subject property is not a suitable location for installation of an I/A OWTS that has been approved for provisional use.

Comment No. ALT-5

Each of the six alternatives in the DEIS depends entirely on the purported "grandfathered" sanitary capacity. This grandfathered capacity was reverse-engineered to permit a commercial capacity sanitary system and operate a children's camp, contrary to the Town Code. **[C18-1]**

Response No. ALT-5

As discussed in Section 3.2.2.3 of the DEIS, under the standard Article 6 density limits, based on the population density equivalent, the subject property would be allowed a sanitary flow of 5,184 GPD. The grandfathered sanitary flow of 9,450 GPD is available at the subject property currently, in accordance with an approval by SCDHS (see Appendix C of the DEIS). This represents the upper limit of sanitary flow that is allowed to occur at the subject property, based upon the existing improvements at the time of the approval by SCDHS (i.e., 12 cottages and one residence, with a total occupancy load of 122 occupants). The proposed action is expected to result in 6,800 gpd of sanitary flow, which is above the standard Article 6 limit of 5,184 GPD, but below the approved grandfathered rate of 9,450 GPD. As shown in Table 9 (page 61) of the DEIS, the annualized sanitary flow under the proposed action would be 544,000 gallons per year, which is less than one-third of what would be allowed over a one-year period when applying the standard Article 6 rate (1,892,160 gallons per year). Even though not required by any regulatory agency, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gpy (averaging 6,800 gpd for 80 days).

The grandfathered sanitary flow was not reverse engineered to permit a commercial capacity sanitary system and operate a children's camp. As shown on the *Neighboring Well Site Plan* in Appendix C of the DEIS, which is stamped approved by the SCDHS, the grandfathered sanitary flow was determined by taking all pre-existing sanitary generating structures (i.e., 12 cottages and one residence), and applying the SCDHS density load factors, based on maximum occupancy of the cottages in accordance with the New York State Building Code. As discussed in Response No. LUZ-11, the definition of "dormitories" in the Building Code, is "A space in a building where

group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses". This definition is in line with the pre-existing uses of the cottages, both as summer vacation rentals and as accommodations for camp counselors.

The DEIS evaluated six alternatives pursuant to the Final Scope: No-Action, Residential Yield Plan, Planned Residential Development with 25-Percent Open Space, 100-Foot Setback, Alternative Sanitary Technology, and Reduced Scale. Each alternative was evaluated to provide a comparison to the anticipated impacts from the proposed action. Following is a summary of the anticipated sanitary discharge rates for each alternative and the proposed action.

Table 5 – Existing and Proposed Density Flow Calculation

EXISTING CONDITIONS (i.e., 2016 Occupancy)[A]				
STRUCTURE USE	SF, # SEATS, OR # UNITS	POPULATION DENSITY LOAD		
		GPD/SEAT/UNIT		
CAMPERS + DAY STAFF	293	5	1,465	GPD
OVERNIGHT STAFF	49	75	3,675	GPD
RESIDENCE / DWELLING	1 (4 OVERNIGHT STAFF)	300	300	GPD
		TOTAL	5,440	GPD
PROPOSED CONDITIONS				
STRUCTURE USE	SF, # SEATS, OR # UNITS	POPULATION DENSITY LOAD		
		GPD/SEAT/UNIT		
CAMPERS + DAY STAFF	385	5	1,925	GPD
OVERNIGHT STAFF	61	75	4,575	GPD
RESIDENCE / DWELLING	1 (4 OVERNIGHT STAFF)	300	300	GPD
		TOTAL	6,800	GPD
NO-ACTION (SAME AS PROPOSED CONDITIONS)[B]				
RESIDENTIAL YIELD PLAN[C]				
STRUCTURE USE	SF, # SEATS, OR # UNITS	POPULATION DENSITY LOAD		
		GPD/UNIT		
RESIDENCE/DWELLING	22	300	6,600	GPD
		TOTAL	6,600	GPD
RESIDENTIAL DEVELOPMENT WITH 25-PERCENT OPEN SPACE				
STRUCTURE USE	SF, # SEATS, OR # UNITS	POPULATION DENSITY LOAD		
		GPD/UNIT		
RESIDENCE/DWELLING	21	300	6,300	GPD
		TOTAL	6,300	GPD
100-FOOT SETBACK (SAME AS PROPOSED CONDITIONS)[D]				
ALTERNATIVE SANITARY TECHNOLOGY (SAME AS PROPOSED CONDITIONS)[E]				
REDUCED SCALE (25 PERCENT)				
EXISTING GRANDFATHRED SANITARY FLOW		REDUCED BY 25 PERCENT		
9,450	GPD	7,087.5		GPD

Note: (A) Existing sanitary waste generation could increase, even absent the proposed action, while remaining compliant with the SCDHS grandfathered flow of 9,450 GPD.

(B) While the precise ultimate occupancy absent the proposed action cannot be determined, it is expected that there would be little or no significant difference, and water use/sanitary waste generation would thus be nearly the same as with the proposed action.

(C) The projected sanitary flow from 22 single-family residences would exceed the Article 6 limit of 5,184 GPD, but is less than the grandfathered flow rate of 9,450 GPD.

(D) The 100-foot setback alternative involves a nature and level of activity of the use of the subject property that would be the same as under the proposed action.

(E) Alternative sanitary treatment technology would reduce the amount of total nitrogen in effluent, but would not reduce the total volume of sanitary wastewater.

4.7 Miscellaneous Comments

Comment No. MISC-1

The Town's consultant did not confirm the results of the traffic study, only that it was deemed ready for comment. **[H1-5]**

Response No. MISC-1

The DEIS was reviewed by the Town's professional consultants, Cashin Associates, P.C., and KLD Engineering, P.C., for the purpose of determining the document's completeness and adequacy for public review in accordance with 6 NYCRR 617.9(a)(2). As part of that review, substantive comments were also offered by the Town's consultants with respect to the various issues analyzed, including traffic impacts. With regard to traffic, within its letter dated June 8, 2016, several comments were offered by KLD Engineering on the initially submitted DEIS (April 2016) and the TIS contained therein as Appendix H. A meeting was held on July 12, 2016 among the applicant, its consultants, the Town of Southampton Planning Department, Cashin Associates and KLD Engineering, to further review the substance of the application and the DEIS content. The DEIS (and TIS) were subsequently revised to address the completeness and substantive comments of the Town and its consultants. The comment letter from KLD Engineering, dated September 22, 2016, (see Appendix G of this FEIS), issued upon review of the revised (September 2016) DEIS and TIS, concludes substantively that "there seems to be no potential for major adverse impacts to traffic associated with the proposed improvements related to the Southampton Day Camp Realty, LLC projects."

The public comment period was initiated with the issuance of a Notice of Completion by the Planning Board, as Lead Agency. During the public comment period, written and oral comments were received from various parties as listed in Section 4.0 of this FEIS. No further substantive comments were issued by the Planning Board or its consultants with respect to potential traffic impacts.

Based on the TIS (see Appendix H of the DEIS), and the review and conclusion of the Town's traffic consultant, no significant adverse traffic impacts are expected to occur. Moreover, the proposed action would improve safety along Majors Path as a result of increased sight distance from the proposed movement of existing site driveways, as described in the TIS.

Comment No. MISC-2

The proposed action illustrates an intensification of use on a site that is located in a critical area of environmental concern (Town Code 157-10.B(3)), a residentially-zoned neighborhood and located adjacent to wetlands and the surface waters of Little Fresh Pond. The DEIS is showing significant adverse impacts to these areas without any

mitigation. There needs to be additional analysis and discussion in order to determine appropriate environmental mitigation should this proposal, or an alternative, move forward. **[H1-24, C5-1]**

Response No. MISC-2

As discussed in Section 3.3.1.1 of the DEIS, the subject property is partially located within a critical area of environmental concern, as defined by the Town, due to its proximity to "freshwater wetlands and adjacent areas currently subject to regulations by NYSDEC…" The portion of the subject property considered a critical area of environmental concern is limited to the portion within NYSDEC Freshwater Wetland SH-4 and its 100-foot adjacent area. The DEIS did not identify any significant adverse impacts to Little Fresh Pond or its adjacent wetlands (see Sections 3.3.2 and 3.4.2), based upon the analyses presented therein. The proposed action avoids significant adverse impacts to Little Fresh Pond and its associated wetlands by:

- limiting the potential for new stormwater runoff generation by creating only 0.03± acre of net new impervious surface (and 0.25± acre of gravel surface);
- installing a comprehensive stormwater management system;
- implementation of erosion and sediment control measures during construction;
- avoiding disturbance within 100-feet of wetlands, and limiting the amount of natural habitat to be cleared (0.58±-acre net clearance after revegetation).

As discussed in detail in Section 3.2 of the DEIS, based on the various groundwater and surface water analyses, water budget calculations and other information described therein, groundwater discharges at the subject property (e.g., sanitary waste discharge to on-site sanitary systems) do not reach or adversely affect water quality in Little Fresh Pond. As such, no adverse effects of the continued use of on-site sanitary systems would be expected to adversely impact Little Fresh Pond. As no significant adverse impacts to Little Fresh Pond are anticipated, no mitigation is required. It is also noted that the proposed comprehensive stormwater management system represents an improvement over existing conditions, as stormwater is not currently managed at the subject property.

Regarding the intensification of use mentioned in the comment, the proposed action is intended to diversify and upgrade various amenities at the existing tennis club and/or tennis camp. The action specifically includes a change from one non-conforming use to another, and does not equate to an intensification in use. Section 2.3 of the DEIS details that there would be no expansion. Moreover, with respect to site occupancy, Section 3.7.2.1, explains:

> *…enrollment would continue to increase absent the proposed action. While the precise future enrollment that could be achieved cannot be accurately predicted, it is important to note that an increase in enrollment up to the projected future enrollment of 360 campers under the proposed action would not be entirely attributable to the proposed change in use or site improvements. Any increase in enrollment that could*

be attributed to the proposed action would be incremental to the enrollment increases already occurring, absent the proposed action. (page 126)

Comment MISC-3

The camp offers scholarships to help those in need, and service providers such as the families of those in the Fire Department, Police Department and ambulance corps. The camp provides benefits to the community including child care, preparation for the school year, encouraging healthy habits and self-confidence, summer employment for young people, benefits to local businesses, etc. [**H7-2, H15-4, H17-1, H18-4, H29-1, H35-1, C31-1, C31-2, C32-3, C33-3, C34-3, C35-1]**

Response No. MISC-3

The comment is noted.

Comment MISC-4

The Board can and should require a supplemental EIS as necessary to obtain additional important information and data (e.g., additional well sampling and comprehensive mapping of on-site soil profiles to determine groundwater flow, and extend the review timeframe if additional studies need to be done during the summer). **[C1-23]**

Response No. MISC-4

The SEQR Handbook[5] explains the content and purpose of a supplemental EIS:

A supplemental EIS provides an analysis of one or more significant adverse environmental impacts which were not addressed, or inadequately addressed, in a draft of final EIS…

A supplemental EIS may be required if:

- *the project sponsor proposes project changes which may result in one or more significant adverse environmental impacts not addressed in the original EIS;*
- *the lead agency discovers new information, not previously available, concerning significant adverse impacts;*
- *a change in circumstances arises which may result in a significant adverse environmental impact(s); or*
- *site-specific or project-specific analysis of potential adverse environmental impact(s) is needed for actions following a generic EIS.*

Based on the guidance in the *SEQR Handbook*, a supplemental EIS would not be appropriate for the proposed action. There have been no significant changes in the

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[5] http://www.dec.ny.gov/permits/56546.html

proposed action which may result in one or more significant adverse environmental impacts not addressed in the DEIS; there has been no new revelatory information discovered concerning significant adverse impacts; and there has been no change in circumstances that may result in a significant environmental impact(s).

It appears that the commenter is not satisfied with the conclusions of the DEIS that there would be no significant adverse impacts with respect to water resources, specifically Little Fresh Pond. It is noted that the Planning Board hired an outside consultant to review the DEIS for completeness, pursuant to 6 NYCRR 617.9(2). By letter dated October 20, 2016 (see Appendix H of this FEIS), Cashin Associates determined,

> *…the Applicant substantially addresses the Lead Agency's earlier comments and concerns relating to certain aspects contained in the earlier version of the document; and that this recent version of the DEIS substantially conforms with the DEIS Scoping Document, dated March 26. 2016. Therefore, it is recommended that the revised DEIS, with the inclusion of statements responsive to KLD's attached review letter, be considered complete, and subject to the appropriate publication of notice, and presentation to the public for review and comment, pursuant to the requirements in the State Environmental Quality Review (SEQR) regulations, specifically those provisions contained in 6NYCRR §619.12.*

Nonetheless, after receipt of public comments regarding persisting concerns about potential impacts of the proposed action upon Little Fresh Pond, additional groundwater monitoring was conducted, the results of which are fully discussed in Section 4.1 of this FEIS. The additional groundwater monitoring was conducted in January and March 2017, when groundwater is expected to be at its highest level of the year. The results of this monitoring indicate that the surface water elevation of Little Fresh Pond is higher than adjacent groundwater levels, even in periods of high groundwater. These conclusions are consistent with that of the DEIS, and further validate the analyses and conclusions set forth therein. Thus, there is no evidence that suggests groundwater from beneath the subject property flows into Little Fresh Pond, and supplemental or additional analyses would not be warranted.

Comment No. MISC-5

The claim that campers arrive, screaming and shouting at 7:30 a.m. is false. The camp operates between 9:00 a.m. and 4:00 p.m., and children are not permitted to be dropped off before this time. Any families that do arrive before 9:00 a.m. are asked to wait in front of the welcome center in an orderly fashion so the staff can safely escort the campers to their designated meeting areas before beginning activities at 9:30 a.m. There is also a strict midnight curfew for overnight counselors. **[C32-2, C33-2]**

Response No. MISC-5

The comment is noted.

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April 2018