

**A. INTRODUCTION**

This Response to Comments chapter of this FGEIS has been prepared to respond to public comments on the East Quogue Draft Generic Environmental Impact Statement (DGEIS), which was distributed for public review by the lead agency, the Town of Southampton Town Board, on March 11, 2008. These comments were made at four public hearing sessions held on the following dates: April 8, April 22, May 13, and May 27, 2008. All hearings commenced at 6 PM with the exception of the May 13 hearing which was held at 1 PM. The DGEIS period for submitting written comments was held open until June 10, 2008 to receive written and e-mail comments on the DGEIS.

Listed below are the names of individuals who commented, both orally and written, on the DGEIS. Where comments were made on the same subject by more than one person, they are summarized into a single comment. Following each comment is the name of the commenter.

**B. COMMENTERS ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT****COMMENTS MADE AT THE PUBLIC MEETINGS**

1. Elizabeth Haterer, East Quogue Citizens Advisory Committee (Haterer)
2. Wayne Bruyn, Esq., O'Shea, Marcincuk, and Bruyn LLC (Bruyn)
3. Randall Weichbrodt, Esq., Randall C Weichbrodt, Attorney at Law, (Weichbrodt)
4. Charles Voorhis, Nelson, Pope & Voorhis, LLC (Voorhis)
5. Al Algieri, President, East Quogue Civic Association (Algieri)
6. Ted Sklar, Esq., Esseks, Hefter & Angel, LLP (Sklar)
7. Marian Lindberg, The Nature Conservancy (Lindberg)
8. Michael Sacco (Sacco)
9. Charles Parlato, Atlanticville Development Co. (Parlato)
10. Carolyn Parlato, (C. Parlato)
11. Jennifer Hartnagel, Group for the East End (Hartnagel)
12. Larry Oxman (Oxman)
13. Edmund Densieski (Densieski)
14. Brian Frank (Frank)

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15. Richard Corey (Corey)
16. Ron Kass (Kass)
17. Jody Giglio (Giglio)
18. Wayne Steck (Steck)
19. Joseph Antonette (Antonette)
20. Joan Hughes, Citizens Advisory Committee (Hughes)

### **WRITTEN AND E-MAIL COMMENTS**

21. Zachary Alan Starr, East Quogue Citizens Advisory Committee, April 4, 2008 (Starr)
22. East Quogue Civic Association, April 7, 2008 (EQ Civic)
23. Brian Frank, April 7, 2008 (Frank)
24. Charles Parlato, Atlanticville Development Co., April 7, 2008 (Parlato)
25. Randall Weichbrodt, Esq., Randall Weichbrodt, Attorney at Law, April 8, 2008 (Weichbrodt)
26. Charles Voorhis, Nelson, Pope & Voorhis, LLC, April 8, 2008 (Voorhis)
27. Wayne Bruyn, Esq., O'Shea, Marcincuk, and Bruyn LLC, April 8, 2008 (Bruyn)
28. Jeffrey Seeman, April 9, 2008 (Seeman)
29. Al Algieri, President, East Quogue Civic Association, April 8, 2008 (Algieri)
30. Christopher Gobler, PhD, Associate Professor, School of Marine and Atmospheric Sciences, Stony Brook University, April 8, 2008 (Gobler)
31. Patrick Heaney, former Southampton Town Supervisor, April 8, 2008 (Heaney)
32. Shaik A. Saad, P.E. New York State Department of Transportation, April 11, 2008 (Saad)
33. Marian Lindberg, The Nature Conservancy, April 11, 2008 (Lindberg)
34. Charles Parlato, Atlanticville Development Co., April 15, 2008 (Parlato)
35. William Hillman, P.E. Suffolk County Department of Public Works, April 18, 2008 (Hillman)
36. Charles Parlato, Atlanticville Development Co., April 19, 2008 (Parlato)
37. Maria Daddino and Dick Morgan, Southampton Pines Homeowners Association, April 22, 2008 (Southampton Pines)
38. Town of Southampton Planning Board, Adopted Resolution, May 1, 2008 (Planning Board)
39. Andrew P. Freleng, AICP, Suffolk County Department of Planning, May 5, 2008 (Freleng)
40. Jennifer Hartnagel, Group for the East End, May 12, 2008 (Hartnagel)
41. Raymond Corwin, Central Pine Barrens Commission, May 23, 2008 (Pine Barrens)
42. Al Algieri, President, East Quogue Civic Association, June 6, 2008 (Algieri)
43. Thomas F. Neely, Public Transportation & Traffic Safety Director, June 9, 2008 (Neely)

44. Linda Kabot, Town of Southampton Town Supervisor, June 10, 2008 (Kabot)

**C. COMMENTS ON THE DRAFT GENERIC ENVIRONMENTAL  
IMPACT STATEMENT**

**PROCEDURAL**

**Comment 1:** The Advisory Board was biased, oppressive, and steered the GEIS, which is a violation of due process. Further, no landowners of private property were included on the board. Few people were in attendance at these meetings. All meeting minutes, dates, times, and attendees at the Advisory Board meetings should be made available to the public. (Parlato)

**Response:** The Advisory Committee was appointed by the Town to work with the Town's Department of Land Management and the consultant for the purpose of developing a land plan for East Quogue. This is a community-based planning process that is commonly practiced. The Advisory Committee was comprised of a cross-section of representatives of the East Quogue Community, including those knowledgeable in real estate, natural resources, and community service issues, including representatives from the school and fire districts. Hand-outs for each of the meetings are available on the Town's website. Meetings were held on August 23, October 18, November 13 and December 13, 2006; January 31, March 7, June 6, October 10, and December 13, 2007; and January 9 and March 5 prior to the release of the DGEIS. All meetings were regularly attended by the majority of the committee members. In addition, meetings were held with property owners affected by the plan during the course of preparing the plan.

**Comment 2:** Property owners had no input in the report. The Town Board should consider, either formally or informally, allowing the landowners to meet with members of the Town's professional staff, one or two representatives from East Quogue, and possibly the environmental consultants for the purpose of presenting a unified plan to the Town. The Group for the East End, The Nature Conservancy, The Town Transportation Advisory Committee, The Baykeeper, and other interested parties will also be asked for their input. (Giglio, Parlato)

**Response:** The Town Board initiated this project to develop a planning study that met the overall goals of achieving managed growth in East Quogue. Developers were invited to several meetings with the Town's consultant as well as individual meetings with Town staff to discuss the project. The process, including the preparation of the draft Recommended Plan

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presented in the DGEIS and the final Recommended Plan presented in this FGEIS, included input and meetings with an Advisory Committee (see discussion above); the landowners; Town, County, and regional (Pine Barrens) representatives; and included the outreach and comments received during the DGEIS public comment period.

**Comment 3:** The document is both a hamlet study and GEIS, which may be contrary to SEQRA. The Recommended Plan and GEIS should be two separate documents. (Seeman)

**Response:** Combining the plan with the GEIS is not contrary to the objectives of SEQRA. In fact, it is consistent with the objectives of SEQRA. Thus, the East Quogue GEIS provides an evaluation of the Recommended Plan and a number of alternatives.

**Comment 4:** The final Scope of Work should be included as Appendix I of this FGEIS. (Seeman)

**Response:** Comment noted. The Final Scope of Work is included as Appendix I of this FGEIS.

**Comment 5:** The report uses a great majority of its material from previous and out-of-date materials including the 2000 Census. (Parlato, Oxman)

**Response:** The DGEIS relied on currently available information, which included the 2000 Census with updates as necessary, which is common planning practice. In addition, information included in the DGEIS was confirmed with several organizations including the East Quogue Union Free School District (UFSD), Westhampton Beach UFSD, East Quogue Fire District, Suffolk County Water Authority (SCWA), and staff from various Town departments and was updated using current land uses and development projections.

**Comment 6:** The study area should be larger than the moratorium area. At a minimum, it should include the hamlet of East Quogue. Impacts should be assessed beyond the study area. (Frank, Parlato, Freleng, Oxman)

**Response:** The study area, some 4,000 acres in size, was based on the area defined by the moratorium and was established at the outset of the study. It was then finalized during scoping. The study area as established is adequate to assess cumulative impacts with respect to the impacts of the land plan. A larger study area would not identify new or greater impacts beyond those already disclosed by the plan.

- Comment 7:** Thresholds and/or specific conditions for subsequent future actions or SEQRA review of future projects should be provided. Thresholds for impacts should be provided in the document to determine what is considered a significant impact (e.g., what is significant to warrant storm water mitigation). Specific criteria should also be provided to assess the individual development projects when they occur in the future (e.g., amount of clearing, setbacks from habitat, sewage loading, dwelling density, traffic generations, compliance with regulatory standards). (EQ Civic, Seeman, Frank)
- Response:** This FGEIS includes thresholds to identify when additional studies are warranted for site-specific projects. Since all large subdivisions or site plans would require additional future discretionary actions, they would require either an Environmental Assessment Form (EAF) or an EIS to support the discretionary actions of subdivision or site plan approval.
- Comment 8:** If a project is not consistent with the Recommended Plan, a site-specific SEQRA analysis should be required. (Lindberg)
- Response:** As stated above, this FGEIS includes specific thresholds in Chapter 2 to identify when additional studies are warranted for site-specific projects, among them the requirement of additional environmental review for any plans that do not comply to the Recommended Plan.
- Comment 9:** If the landowners follow the plan, the review process should be expedited. (Steck)
- Response:** If site-specific projects meet the guidelines of the Recommended Plan, expedited review will be accommodated. This process is also described in Chapter 2 of this FGEIS.
- Comment 10:** The DGEIS does not include a separate section for mitigation. If identified thresholds for impacts are exceeded, mitigation may be warranted, especially with regard to cumulative impacts. (Seeman)
- Response:** The DGEIS included a mitigation section within Chapter 3, "Recommended Plan." The need for additional or expanded mitigation would depend on the site specific elements of future site-specific development proposals.
- Comment 11:** The Rosko Farms Subdivision should be exempt from the moratorium. (Bruyn, Algieri)

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**Response:** On May 13, 2008, the Town Board passed a resolution that this project was exempt from the moratorium. This exemption discussed in Chapter 2 and Appendix II of this FGEIS.

**Comment 12:** Many areas of the document are in need of specifics to accurately convey the planning and zoning recommendations. (Hartnagel)

**Response:** The DGEIS is a generic EIS and included specifics, as necessary, to evaluate the potential impacts of the Recommended Plan. To the extent that additional site-specific data is necessary to evaluate the impacts of a site-specific plan, the parameters for this presentation and review of that data are presented in this FGEIS. Additional details would be expected as each project is submitted for subdivision or site plan review to the Town.

**Comment 13:** The Compatible Growth Area was meant to be a receiving area. (Oxman)

**Response:** The Compatible Growth Area provides an area for balanced growth and development consistent with the natural resources and water protection objectives of the Central Pine Barrens Land Use Plan (CLUP). The Recommended Plan recognizes the development objectives of the Compatible Growth Area while minimizing environmental and social impacts.

### **EXECUTIVE SUMMARY**

**Comment S-1:** Add freshwater wetlands to the list of sensitive environmental features in study area. (Frank)

**Response S-1:** Freshwater wetlands were identified in the DGEIS and are recognized as a sensitive feature.

**Comment S-2:** Provide a description of the No Action condition. (EQ Civic)

**Response S-2:** Chapter 4 of the DGEIS includes a description of the No Action condition. The Executive Summary of this FGEIS also includes this description.

**Comment S-3:** Table S-1 in the DGEIS does not accurately reflect the bedroom units proposed with the Atlanticville project (i.e., 200 3-bedroom units and 100 2-bedroom units). The comparisons in this table should be revised so all alternatives are compared to the same baseline. This table should also provide a breakdown of estimated school children based on

housing type, not a blended average of students per unit. (EQ Civic, Weichbrodt, Voorhis)

**Response S-3:** Table S-1 in this FGEIS has been revised to reflect the 2- and 3-bedroom units proposed as part of Atlanticville development. The figures presented in Table S-1 are the contribution of each individual land use alternative based on local student data. Assumptions regarding housing types have been recognized in this FGEIS where appropriate, based on individual development proposals. Any limitations on housing type or use would need to be finalized as part of a development proposal with an implementing mechanism.

**Comment S-4:** Note 4 in Table S-1 in the DGEIS is unclear. Clarify whether wastewater generation is based on 300 gallons per day per acre applied or per single-family unit. Applying a 10 percent increase in sanitary flow across all proposed developments to account for water usage is flawed. For example, the proposed Atlanticville project, due to lot sizes and area of land requiring irrigation and commitment to Leadership in Energy and Environmental Design (LEED) green building practices is less than that of a single family residence. (Weichbrodt)

**Response S-4:** Table S-1 includes estimates of wastewater generation based on Suffolk County guidelines of 300 gallons per-day per-housing unit. The Atlanticville estimates were based on information provided by the applicant on September 6, 2006. This note has been clarified in Table S-1 of this FGEIS.

**Comment S-5:** Be consistent with regard to references to the East Quogue and Westhampton Beach Union Free School Districts. The abbreviations should be EQUFSD and WHBUFSD. (Kobot)

**Response S-5:** Comment noted. This FGEIS uses these abbreviations.

**Comment S-6:** The as-of-right yield for Atlanticville on Table S-2 is incorrect, it should be 91 lots. A yield map was prepared for the site. (Weichbrodt)

**Response S-6:** The as-of-right yield calculated for the DGEIS was based on the acreage included as part of the Atlanticville development proposal and the Town's yield factors for applicable zoning districts. An official yield map has not yet been submitted to the Town. The as-of-right yield for all developments would be subject to a yield map. Table 2-2 in Chapter 2 of this FGEIS shows the acreage and yield for each projected and potential development based on existing zoning, upzoning, and proposed zoning and the available site information.

**Comment S-7:** Land in the Pine Barrens CPA is not automatically preserved. Please clarify in the Executive Summary. The FGEIS should show the Core Preservation Area and indicate what portions are privately owned and have development rights that require transfer pursuant to the plan. A total number of development rights (Pine Barren Credits [PBCs] yet to be issued) should be indicated for potential transfer from the Core Preservation Area and where such PBCs are suggested to be absorbed into receiving areas outside of the Core Preservation Area. (Pine Barrens, Kabot)

**Response S-7:** This FGEIS clarifies that lands in the Core Preservation Area are intended for preservation, unless already dedicated for preservation. It is also clarified in this FGEIS that lands in the Core Preservation Area are not otherwise already preserved. The FGEIS also identifies mechanisms for the preservation of lands not already preserved including intra- and potential inter-parcel transfers within the study area. Lands in the Core Preservation Area may be developed if a hardship is granted. However, with the Recommended Plan, no such hardship is identified. Within the study area there are about 356 acres within the Core Preservation Area in the study area with just over 50 percent already preserved. This is also noted in this FGEIS. The DGEIS identified proposed intra-parcel transfers and additional data is provided in this FGEIS relative to these transfers. As a result of these transfers, land development would not occur in the Core Preservation Area under the recommended plan. In addition, the plan recognizes the potential for restoration of cleared or previously impacted parcels as a way of achieving the goals of the Pine Barrens CLUP with respect to habitat protection and preservation.

In addition, provided below as Table 1-1, is a preliminary Pine Barrens credit analysis performed by the Town of Southampton in 2005. As shown in that table, no receiving area districts were identified for the East Quogue Union Free School District and therefore the plan would not impact the intended use of Pine Barren credits for the area.

## **CHAPTER 1: PROJECT BACKGROUND**

**Comment 1-1:** Figure 1-1 should show the hamlet boundary. The analysis should establish the relationship of the study area to East Quogue. (Weichbrodt)

**Response 1-1:** Comment noted. This boundary is shown on Figure 1-1 in Appendix II of this FGEIS. With the exception of the southeastern most part of the hamlet, a small sliver of land north of Sunrise Highway, and a band of land within the western portion of the hamlet, the study area and hamlet boundaries are the same.



**Table 1-1  
Pine Barrens Credits Receiving Capacity Analysis**

| School District   | Potential # Pine Barrens Credits |                           | Potential Absorption Capacity |               |                                     |                 |                          |                    |
|-------------------|----------------------------------|---------------------------|-------------------------------|---------------|-------------------------------------|-----------------|--------------------------|--------------------|
|                   | Acres                            | # of Pine Barrens Credits | As-of-Right <sup>1</sup>      |               | Discretionary                       | Total           | Ratios                   |                    |
|                   |                                  |                           | Receiving Area District (RAD) | PDDs          | 330-9 Density Incentive Subdivision |                 | As-of-Right <sup>2</sup> | Total <sup>3</sup> |
| Riverhead         | 307.74                           | 68.20                     | 94.62                         | 0.00          | 123.34                              | 217.96          | 1.39                     | 3.20               |
| Remsenburg-Speonk | 150.00                           | 21.07                     | 512.00                        | 0.00          | 87.42                               | 599.42          | 24.30                    | 28.45              |
| Westhampton Beach | 834.49                           | 455.86                    | 231.46                        | 292.96        | 108.08                              | 632.50          | 1.15                     | 1.39               |
| Hampton Bays      | 109.55                           | 7.27                      | 163.46                        | 0.00          | 240.62                              | 404.08          | 22.48                    | 55.58              |
| Eastport          | 97.60                            | 15.62                     | 127.58                        | 0.00          | 61.22                               | 188.80          | 8.17                     | 12.09              |
| East Quogue       | 65.13                            | 10.42                     | 0.00                          | 0.00          | 131.27                              | 131.27          | 0.00                     | 12.60              |
| <b>Totals</b>     | <b>1,564.50</b>                  | <b>578.44</b>             | <b>1,129.10</b>               | <b>292.96</b> | <b>751.95</b>                       | <b>2,174.30</b> | <b>2.46</b>              | <b>3.76</b>        |

**Notes:**

<sup>1</sup>6.4.1.1 As-of-right Pine Barrens Credit redemption: "As-of-right" means that the redemption of Pine Barrens Credit entitles a person to an increase in intensity or density in accordance with the Central Pine Barrens Land Use Plan (CLUP). Town Planning Boards may determine compliance with the plan as part of the subdivision or site plan review procedures, and shall approve such use of Pine Barrens Credits with no additional special permit required.

<sup>2</sup>6.5.2.1 One-to-one receiving capacity to sending credit ratio requirement: Each town shall include enough absorption capacity in receiving districts that meet the as-of-right definition set forth in Section 6.4 of the CLUP so as to absorb all of the Pine Barrens Credits on a **one-to-one (1:1) ratio** that the Commission estimates it may allocate in that town pursuant to the plan.

<sup>3</sup>6.5.2 Establishment of a receiving capacity plan by each town: Pine Barrens Credit uses of sufficient quantity and quality within such town shall be provided to accommodate at least **two and one half (2.5) times** the number of Pine Barrens Credits available for allocation within the town at that time.

**Sources:** Chapter 6, Pine Barrens Credit Program, Central Pine Barrens Land Use Plan and Town of Southampton Department of Land Management, Planning Division, 2005.

**Comment 1-2:** Add a statement of the proposed action in the Executive Summary. (Seeman)

**Response 1-2:** A statement of the proposed action is included in the Executive Summary of this FGEIS.

**Comment 1-3:** Discuss the 1994 Town of Southampton *Golf Course Feasibility Study*. (Bruyn)

**Response 1-3:** This document has been summarized in Appendix II of this FGEIS. Phase I of the 1994 golf course study did not include specific site recommendations for golf courses within the East Quogue study area, but does recognize a need for such recreation uses west of the Shinnecock Canal within the Town of Southampton.

**Comment 1-4:** Figure 1-4, revise with different colors to distinguish the CPA and Critical Resource Area. (Pine Barrens)

**Response 1-4:** Figure 1-4 has been revised and is included in Appendix II of this FGEIS.

**Comment 1-5:** Table 1-4 in the DGEIS, revise to indicate that the credit factor will be based on the zoning of the parcel in 1995. (Pine Barrens)

**Response 1-5:** Table 1-4 has been revised and is included in Appendix II of this FGEIS.

**Comment 1-6:** Page 1-18 in the DGEIS, revise to reference the Town Code Chapter 247, Open Space (e.g., §247-8(H)), which requires a minimum amount of open space to be shown on a Planned Residential Development Plan. (Pine Barrens)

**Response 1-6:** Chapter 247 was summarized on page 2-30 in the DGEIS.

## **CHAPTER 2: EXISTING CONDITIONS**

### *LAND USE, PUBLIC POLICY, NEIGHBORHOOD CHARACTER*

**Comment 2-1:** What is the zoning status of a marina on the west side of Josiah Foster Path and Head of Lots Road? (Algieri)

**Response 2-1:** That property is zoned R40 (see Figure 1-4 of the DGEIS).

**Comment 2-2:** Prepare a new figure of existing zoning that includes the acreage and percentage of land in each zoning district and the acreage and percentage of land that remains vacant and developable in the Compatible Growth Area. (Pine Barrens)

**Response 2-2:** Table 1-2 in the DGEIS presents the acreage of each zoning district within the study area as well as the percentage of total land (both developed and vacant) within each district.

### *POPULATION AND HOUSING*

**Comment 2-3:** Assess availability of existing and future need for senior and affordable housing in East Quogue. Affordable housing recommendations were not adequately described in the DGEIS. The FGEIS should identify existing affordable housing (e.g., mobile home parks and areas where accessory apartments are permitted as well as two-family homes, three-family homes, four-family homes in HO/HC zoning). Identify potential opportunities for affordable housing including the motel conversion of

the Best Eastern into multi-unit housing with a percent set aside for income eligible households. The Town's draft Housing Needs Analysis should be cited in the FGEIS. (Weichbrodt, Bruyn, Kabot)

Consider the old Freedom Nightclub property located outside of the study area as a potential site for a small multi-unit apartment complex. (Kabot)

**Response 2-3:** This FGEIS has been modified to identify the existing affordable housing opportunities within the study areas as well the potential future opportunities suggested in the comment (see Appendix II of this FGEIS). It has also been modified to describe the Workforce Housing Act of the State of New York. Within the study area, the Recommended Plan identifies second story apartments in the proposed Hamlet Office (HO) district that are intended to provide affordable housing, in addition to the existing inventory of affordable housing. Based on the recommendations of the Advisory Committee, the Best Eastern property would not be an appropriate location for affordable housing.

The Town's draft Housing Needs Analysis has also been summarized in this FGEIS (see Appendix II.).

**Comment 2-4:** Is there a market for new homes? (Corey)

**Response 2-4:** It is expected that new development would be market driven, recognizing that the local housing market does experience fluctuations. However, the build-out analysis year for the DGEIS was 2015, which recognizes these fluctuations. It is fully expected that there will be a market for residential homes through that time.

*COMMUNITY FACILITIES AND SERVICES*

**Comment 2-5:** Figure 2-3 should include the following facilities: the Bay Avenue Town trustee public dock and boat ramp; the Bay Avenue Town marina; the Town-owned office of the East Quogue Historical Society on Bay Avenue; the East Quogue Village Green, toddler park and public restrooms; Damascus Avenue ball fields; and the Pine Neck Preserve. (Heaney)

**Response 2-5:** Figure 2-3 has been revised to reflect the above comment and is included in Appendix II of this FGEIS. These resources were also discussed in the Open Space section of the DGEIS and Figure 2-6 depicts the location of the resources.

*ECONOMIC AND FISCAL CONSIDERATIONS*

**Comment 2-6:** Table 2-16 in the DGEIS: The Hamptons Bays Park District and the Hampton Bays Parking District should be removed from the list of applicable districts. (Heaney)

**Response 2-6:** According to the Town's tax files and GIS data, certain lots within the study area pay taxes to the above-mentioned districts.

**Comment 2-7:** Table 2-19 in the DGEIS: The table has only a partial listing of East Quogue businesses located on Main Street, which does not accurately depict all uses. Either rename this table to "A List of Known Main Street Businesses" or prepare a comprehensive list with all entities. (Heaney)

**Response 2-7:** Table 2-19 provides a comprehensive list of known businesses along the Main Street area of East Quogue between West Side Avenue and East End Avenue on Montauk Highway as well as select businesses located just off of Montauk Highway. In addition, the title has been modified as suggested.

**Comment 2-8:** The section on open space should instead be called Open Space and Parks. Damascus Avenue Park was not purchased through Community Preservation Funds. It is a municipal property that was a former animal control site and other government uses such as a highway department brush dump. It is slated for reclamation into athletic fields. The cemetery behind the East Quogue Methodist Church is a Town-maintained historic burial ground (e.g., abandoned cemeteries are required to be maintained by the Town under Town Law). The Thomas Sullivan Memorial Park is no longer a Town Park as the Town discontinued the recreational agreement with the EQUFSD when Damascus Avenue Park was proposed. (Kabot)

**Response 2-8:** In response to this comment, information on Damascus Park, the historic cemetery, and Thomas Sullivan Memorial Park have been clarified in this FGEIS (see Appendix II).

*NATURAL RESOURCES*

**Comment 2-9:** The habitat map and list of flora and fauna species should be revised and local naturalists, the Town's environmental division, and conservation organizations should be consulted to accurately document East Quogue's natural communities. The description and acreage of natural communities (page 2-34 and Figure 2-9a) should include areas

that are unmapped, including pine or pine-oak woods, which include a variety of native and protected plants and provide wildlife corridors for red fox, wild turkey, forage and nesting areas for resident and migratory birds, as well as contributes to the rural and scenic attributes, and groundwater quality. (Frank)

**Response 2-9:** The natural communities presented in the DGEIS were described based on data from the Town as well as the New York State Department of Environmental Conservation Natural Heritage Program. Portions of the study area that are unmapped are residentially developed and therefore have not been described with regard to natural communities. Additional data has also been provided in this FGEIS relative to avian species (see Appendix II).

**Comment 2-10:** The habitat and open space maps should be revised to include Reserved Areas established during subdivision review and other privately conserved lands. (Frank)

**Response 2-10:** The habitat and open space maps included in the DGEIS depict those areas known to the Town as protected or reserved areas.

**Comment 2-11:** Include discussion on the possible or potential return of the gray fox. The list of bird species is lacking and doesn't include conspicuous species of birds (wild turkey, screech owl, etc.) or some uncommon nesting birds (Chuck-wills' widow) and wading and shore birds are not listed at all. (Frank)

**Response 2-11:** Gray fox, once common on Long Island, is now believed to be present in low numbers, or perhaps extirpated. It has been many decades since the gray fox, originally a common native fox on Long Island, was believed to be present in any sizable numbers. Growth and development have eradicated much of this mammal's habitat and there have been only scattered sightings over the latter half of the 20th century. Gray fox was found primarily in the scrub oak and pine habitats of the Island. If the gray fox is still present, it would be found in the less developed areas of eastern Long Island, in particular the large easternmost parks of the South Fork.

Appendix B of the DGEIS includes a comprehensive list of possible, probable, and confirmed breeders within the vicinity of the study area as identified in the New York State 2000 Breeding Bird Atlas. Data sources included the Eastern Long Island Audubon Society, which was contacted to confirm the list of bird species identified as being present or potentially present in the study area. Based on their review, the species list of birds that breed or migrate to the study area has been modified for this FGEIS (see Appendix II).

**Comment 2-12:** The FGEIS should include a reference to the Western GEIS regarding existing forest interior avian species and forest interior habitat in the area. (Pine Barrens)

**Response 2-12:** Chapter 1 of the DGEIS references the Western GEIS. This FGEIS also includes specific reference to the forest interior species listed in the Western GEIS.

*PHYSICAL FEATURES AND WATER RESOURCES*

**Comment 2-13:** The DGEIS recognizes that groundwater in East Quogue is contaminated with nitrate, but it does not recognize that groundwater underlying the undeveloped regions of East Quogue is pristine and has low levels of nitrate. (Gobler)

**Response 2-13:** Comment noted. It is recommended in this plan that existing SCWA well fields be supplemented with a northern location in the less developed portion of East Quogue.

**Comment 2-14:** Maps should include groundwater thickness, direction of flow, watershed boundaries, and impaired and declining surface water quality locations. (Frank)

**Response 2-14:** A cross section of the aquifer was provided in the DGEIS. The direction of groundwater flow is south towards the bay, as discussed in Chapter 2 of the DGEIS. The watershed is part of the larger Pine Barrens groundwater aquifer and the Long Island sole source aquifer. The DGEIS also presented information on water quality in Weesuck Creek.

**Comment 2-15:** Figures 2-11a and 2-11b do not depict wetland areas as indicated on page 2-38. (Weichbrodt)

**Response 2-15:** Figures 2-11a and 2-11b do reflect the text on page 2-38.

**Comment 2-16:** Figure 2-11a should include a freshwater wetland (0900-339-1-10) located on Lakewood Avenue. (Heaney)

**Response 2-16:** These wetlands are shown in the DGEIS as part of a parcel identified for priority preservation. Wetlands depicted in Figure 2-11a of the DGEIS are mapped by either the New York State Department of Environmental Conservation, U.S. Fish and Wildlife Services or the National Wetlands Inventory map for this area. The above mentioned wetland is not mapped by these agencies. However, Figure 2-7 of the DGEIS shows this freshwater wetland parcel as a priority for preservation as identified by the Town's Community Preservation Project Plan.

**Comment 2-17:** Public water does not service all Lewis Road. A gap in the water main distribution system exists between Fox Hollow Road and Spinney Road. Thus, there is a gap in fire hydrants and availability for public water to these local residents. (Seeman)

**Response 2-17:** Comment noted. The need for expanded water service along Lewis Road is a determination of the SCWA and will be identified in the plan.

**Comment 2-18:** A Suffolk County Department of Health Services (SCDHS) study found that private wells show pesticide levels at similar concentrations to SCWA wells. (Seeman)

**Response 2-18:** Comment noted. SCWA will test private wells at the homeowner's request. The DGEIS provides a summary of SCWA laboratory analytical data for five wells located in the project area. Organic contaminants found in excess of the Maximum Contaminant Levels and/or Ambient Water Quality Standards included aldicarb sulfone, and aldicarb sulfoxide in the Spinney Road well field.

**Comment 2-19:** Revise to reference CLUP Guidelines under Section 5.3.3.8 and the Town Code Chapter 292, Subdivision Regulations, Section 292-10(b)(5), which refers to excluding areas, such as steep slopes, that contribute to lot yield, Subdivision and development of parcels in the study area would be subject to this regulation which states, "*Horizontal areas of slopes which exceed a grade of 20% when considered for lots of less size than 40,000 square feet or a grade of 30% when considered for lots of less size than 80,000 square feet.*" (Pine Barrens)

**Response 2-19:** The DGEIS recognized and described Chapter 292 on page 2-31. As part of site-specific approvals, each development project would be required to comply with Town slope standards and also the Pine Barrens standards under Section 5.3.3.8, for those properties that are located within the jurisdiction of the Central Pine Barrens. It is the conclusion of the Central Pine Barrens that these standards could be applied when developing a site specific yield map.

*UTILITIES*

**Comment 2-20:** The FGEIS should provide quantifiable baseline data of existing conditions for utilities. (Seeman)

**Response 2-20:** The DGEIS includes a range of quantifiable environmental, planning, and social data, including water demand and sanitary sewage generation. Where data is available, regarding usage of public utilities, it is presented in the DGEIS (e.g., SCWA data on current pumping and

service areas as well as water quality data was provided in the DGEIS on pages 2-55 through 2-57).

*TRAFFIC, AIR, AND NOISE*

**Comment 2-21:** Are traffic counts performed in 2006 (from January through October) still valid (e.g., traffic counts at Lewis Road at Box Tree Road/Old Country Road and Lewis Road at Old Country Road were analyzed on January 13, 2006)? Seasonal traffic increases during spring and summer months and increase in the frequency of LIRR trains to and from the East End during this period were not considered. Also the seasonal adjustment factor (1.17) is too low for this area because this factor is based on a statewide standardized formula and doesn't reflect resort communities. (Haterer, Starr, Frank)

**Response 2-21:** Traffic counts conducted for the DGEIS were performed in October 2006 when the study commenced after completion of scoping, while traffic counts specific to proposed projects from January 2006 (e.g., the Hills at Southampton) were submitted by applicants and used as backup in the DGEIS. Ultimately these traffic data were grown by 2.04 percent per year or a total of 18.36 percent to create a projected traffic condition in the year 2015, which is the EIS analysis year. The Town's traffic and transportation staff reviewed the traffic analysis and concurred with the adjustment factors, which were taken from New York State Department of Transportation (NYSDOT) growth factors for the Town of Southampton. These factors are therefore applicable to this analysis. In addition, Suffolk County Department of Public Works and NYSDOT reviewed the DGEIS.

It is not expected that the limited number of train trips that pass through the study area during the peak period would significantly contribute to traffic impacts. Based on a summer LIRR schedule, about 2 trains pass through the study area during the AM peak period (one eastbound and one westbound) and 1 train passes through during the PM peak period (westbound).

**Comment 2-22:** Lewis Road at Old Country Road/Box Tree Road should not be divided into two separate intersections. This intersection is a highly complicated intersection where Old Country crosses both Lewis Road and the LIRR tracks. Individually, these intersections have lowest possible levels of service. Thus when assessed together, the level of service is even worse. (Haterer, Starr)

**Response 2-22:** These intersections are physically and geometrically two separate intersections, one north of the railroad tracks and one south of the



railroad tracks, and in accordance with the practice of traffic impact analysis, were analyzed as separate intersections. Analyzing these locations as two separate intersections is completely acceptable as per the Highway Capacity Manual methodology. It is important to note that standard methodology does not permit simple addition of delay values at two separate intersections to generate a combined delay value, as the comment suggests. In addition, as suggested by the comment and presented in the DGEIS, potential improvement measures presented for these intersections in Table 4-12 were identified together, and are presented in the Recommended Plan. The analysis of conditions at these intersections shows that in the 2015 No Action condition, as well as with the Proposed Projects Alternative, and Recommended Plan there would be congestion at this intersection. This congestion occurs primarily because the intersections are stop controlled in any direction. The Recommended Plan identifies ways to improve the flow of traffic through these intersections including an analysis to determine if signalization is warranted.

**Comment 2-23:** Pedestrian conditions should note minimal road shoulders on single lane road. (Frank)

**Response 2-23:** Comment noted. This revision has been added to this FGEIS and the Recommended Plan.

*SCENIC RESOURCES*

**Comment 2-24:** What were the criteria used to identify scenic roads? Should Old Country Road, Josiah Fosters Path also be included? (Frank)

**Response 2-24:** Scenic roads identified in the DGEIS include those recommended in the Town's Comprehensive Plan. Old Country Road and Josiah Fosters Path were not identified in the Town's Comprehensive Plan as roadways that should be designated as scenic. However, the DGEIS recognizes these roads as local scenic roads.

**Comment 2-25:** With regards to scenic and cultural resources, (pages 2-60 through 2-63) include reference to compliance with CLUP Guideline 5.3.3.11. (Pine Barrens)

**Response 2-25:** Comment noted. This modification has been made for this FGEIS (see Appendix II).

**CHAPTER 3: RECOMMENDED PLAN**

*GENERAL*

**Comment 3-1:** Provide a summary matrix of existing and proposed zoning of each Recommended Area and reference the parcel's existing and proposed zoning district when describing the proposed land use in text. (Pine Barrens, Hartnagel)

**Response 3-1:** Table 2-2 in Chapter 2 of this FGEIS provides the existing and proposed zoning for each of the projected and potential developments sites examined. Existing and proposed zoning for each Recommendation Area is also presented in Chapter 2 of this FGEIS.

**Comment 3-2:** The statement on page 3-1 "This plan recognizes that managed, low-impact growth would occur on these lands..." is confusing. Does this statement refer to growth under the Recommended Plan or under existing land use controls? (Weichbrodt)

**Response 3-2:** This statement refers to growth under the Recommended Plan.

**Comment 3-3:** Do not state No Impact from the plan. There will be some impact, thus instead compare impacts of the plan to the baseline and alternatives. (Frank, Lindberg)

**Response 3-3:** The DGEIS identified the Recommended Plan as low impact growth not as impact growth (see above). This FGEIS also differentiates between a significant adverse impact requiring mitigation and no impacts when comparing the Recommended Plan to the No Action condition and the alternatives (e.g., Proposed Projects, and Zoning Build-Out).

**Comment 3-4:** The FGEIS should include an analysis that compares the proposed and possible development to the entire hamlet of East Quogue and the immediately surrounding area (including the Pine Neck subdivision). Not including the outlying areas skews the impact of new development within the study area. (Parlato, Freleng, Oxman)

**Response 3-4:** Areas within the hamlet that were excluded from the study area (e.g., Pine Neck) are built-out and/or limited additional land is available for development. Within the study area, including the partially developed Pines Subdivision, it is assumed that the developable vacant lots that currently exist would be developed in the No Action condition, since this would only require a building permit. The incremental changes of the Recommended Plan and the alternatives are then compared to this condition for the purposed of assessing impacts.

- Comment 3-5:** The Recommended Plan diminishes private property, limits the quantity of new units, and limits new residents to the affluent with no children. (Parlato, C. Parlato, Steck)
- Response 3-5:** The Recommended Plan provides a diversity of uses and mix of development opportunities, including housing, office, and resort/recreation uses, which is housing consistent with the goals and objectives of this study. The Recommended Plan provides a balance of residential units, increased tax ratables, and open space preservation. It makes no requirement as to the ultimate value or affordability of those units, and assumes that approximately 123 new school children would be generated under the Recommended Plan. It also identifies current affordable housing opportunities in the study area and recommends the provision of additional affordable housing above office uses along Montauk Highway.
- Comment 3-6:** The DGEIS gives lip service to “smart growth” but the plan does not include any recommendations to meet smart growth principles (e.g. affordable housing, energy usage, etc) and is actually contradictory to such principles. LEED standards should be included in the Recommended Plan. (Parlato, Weichbrodt, Oxman)
- Response 3-6:** The Recommended Plan is consistent with many smart growth principles including consultation with the local community, preserving open space and working farms, strengthening existing communities by encouraging “Main Street” preservation, creating a mix of uses as well as providing a variety of housing choices (including apartments over office), as well as clustering and allowing the Planned Development District [PDD] to provide varied uses and housing). Chapter 2 of this FGEIS also includes additional goals relative to LEED objectives for future developments.
- Comment 3-7:** The rationale for the recommendations should be more clearly defined. The plan as a whole seems sound from the standpoint of Countywide or inter-municipal impacts. (Freleng)
- Response 3-7:** Chapter 1, “Project Background,” of the DGEIS provided the goals and objectives for the plan, which were developed in conjunction with the Advisory Committee. The Recommended Plan provides low impact development consistent with available resources while also recognizing a need for increased tax ratables and mix of uses as well as preservation of open space for passive recreation and preservation of active farmland for the protection of the sense of place and history within the hamlet.

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- Comment 3-8:** The Recommended Plan should be consistent with historic development in East Quogue, which allowed for mostly 0.5 acre lots. (C. Parlato)
- Response 3-8:** The Recommended Plan would not materially change zoning south of the LIRR tracks which is a combination of R20 and R40 residential. With respect to density and diversity of uses, the plan largely addresses areas north of the railroad tracks and east of Lewis Road, where proposed projects could conflict with the goals of water quality protection, Pine Barrens preservation, and natural features, and result in significant impacts on local schools and fire services. To avoid those impacts, the proposed plan provides a mix of uses.
- Comment 3-9:** The FGEIS should include a breakdown (parcel by parcel) of as-of-right units versus what would be allowed with the Recommended Plan, including open space, density, water usage, and school district populations. (Hartnagel)
- Response 3-9:** This FGEIS includes tables that summarize the as-of-right units as compared to the units allowed with the Recommended Plan for each development area (see Table 2-2 in Chapter 2 of this FGEIS). In addition, the Executive Summary of the DGEIS and FGEIS includes a matrix that compares the impacts on environmental resources from the Recommended Plan and alternatives.
- Comment 3-10:** A more detailed action plan should be provided in the FGEIS. (Hartnagel)
- Response 3-10:** The DGEIS included an action plan that identified ways to achieve each of the goals for each of the Recommendation Areas. That action plan has been modified for this FGEIS and also no includes a section on capital projects and further studies.
- Comment 3-11:** Action items: bullets 7 and 8 are lacking specificity and seem more like policy statements. (Heaney)
- Response 3-11:** This FGEIS now identifies that expedited review should be given to those developments that meet the goals of the plan, including clustering, a mix of uses, open space preservation, construction of trails, public access, and traffic improvements.
- Comment 3-12:** Action items: the plan should consider the establishment of a Drainage Fund for the western part of the study area. (Heaney)
- Response 3-12:** It is not anticipated that the Town would need a drainage fund for the western part of the study area, in particular the Lewis Road corridor,

although capital projects may be appropriate to address flooding conditions. The plan does recommend an analysis of these flooding conditions in conjunction with a needs assessment for the existing Town property dedicated to stormwater control and sited along Lewis Road.

**Comment 3-13:** Recommended zone changes should be finalized before the moratorium expires. (Planning Board)

**Response 3-13:** Recommended zoning changes were presented in the DGEIS. Next, the Town Board may adopt this FGEIS as complete and then will make a determination on the proposed zoning changes. Should the Town Board decide to adopt zoning changes, they would affect any subdivision or site plan in review. It would be expected that the review of those plans would take into account the recommendations of the plan, should it be adopted.

**Comment 3-14:** Implementation and feasibility of the plan is not clearly identified in the plan. (Lindberg)

**Response 3-14:** The DGEIS identified action items necessary to implement the plan (see Chapter 3 of the DGEIS). Chapter 2 of this FGEIS also includes action items for implementation. The primary form of implementation would be zoning code changes, acquisition of property, and transfer of development rights as well as development guidelines for future projects.

*LAND USE, PUBLIC POLICY, AND NEIGHBORHOOD CHARACTER*

**Comment 3-15:** Discuss justification of upzoning lands north of the LIRR tracks and impacts of existing zoning. The text recommendations do not specifically state to upzone the Hills at Southampton parcel. Outright upzoning would threaten the economic viability of land use and eliminate the potential for greater benefit to the overall community. There is no rational basis for this upzoning and it is not consistent with existing land use policy. This upzoning needs to be evaluated to disclose the cumulative impact on other areas of the Town since most the land is located within the Compatible Growth Area, which could undermine the CLUP. Discuss the Recommended Plan's consistency with the land use plans mentioned in Chapters 1 and 2 of the DGEIS, including the Central Pine Barrens Overlay District, the Aquifer Protection Overlay District, CLUP, Western GEIS including regulations pertaining to golf courses in the Compatible Growth Area as well as clearing restrictions, fertilizer dependent vegetation, disturbance of steep slopes etc. These plans do not recommend or support upzoning to

5 acre zoning. The Recommended Plan needs to generically determine the feasibility of the golf course to be sited in the study area in conformance with stated land use policies. (Algieri, EQ Civic, Sklar, Weichbrodt, Voorhis, Bruyn, Hartnagel)

**Response 3-15:** Figure 3-2 of the DGEIS identified the areas for upzoning. Upzoning, along with cluster development and providing a diversity of uses is recommended in the plan for the purposes of managed growth while preserving the character of the study area, protecting open space and natural resources, and minimizing fiscal impacts and impacts to community facilities. In addition, the proposed draft plan has been developed to be consistent with the planning goals of the Central Pine Barrens, the Town's overlay districts, and precedent planning documents for the area including the Western GEIS. Moreover, presentations and meetings were held during the DGEIS review process with the Central Pine Barrens Commission. While a golf course and proposed development that is identified in the plan would be subject to site-specific review, it has been determined that a mixed use development as recommended in the plan can be implemented. Such a recommendation is also consistent with historical planning goals for this area as identified in the Western GEIS and by the Central Pine Barrens Commission.

**Comment 3-16:** The DGEIS does not address key regulations that would limit or negate the ability to carry out the action or alternatives, including the Pine Barrens regulations and SCDHS regulations. The current Recommended Plan can not meet existing standards and requirements of other agencies. The DGEIS should be revised to assess the impacts associated with the apparent violations. Recommendations from the Central Pine Barrens Commission and SCDHS should be reviewed before final recommendations for development are proposed. (EQ Civic, Sklar, Hartnagel, Planning Board)

**Response 3-16:** As stated above, although subject to further review by the above referenced agencies, the Recommended Plan can meet these requirements. The Recommended Plan has been reviewed by the Central Pine Barrens Commission for consistency with its goals and objectives of the CLUP and has submitted comments that are summarized and addressed in this chapter. SCDHS has not submitted comments on the DGEIS, although a copy was provided. It is noted however, that the plan has also been supported by the Suffolk County Planning Department. Overall, the Recommended Plan would allow for appropriate development while providing open space and recreation opportunities that are encouraged by the CLUP and other regional planning studies for the study area. The plan would also provide

protection of the Core Preservation Area and waterfront parcels consistent with regional planning studies. This FGEIS further identifies how the Recommended Plan is consistent with the pertinent polices and why reviewing this plan in the context of regional planning meets both local and regional planning goals and objectives.

**Comment 3-17:** The DGEIS cannot rely on statements that other agencies will be responsible for reducing impacts from the proposed action. (EQ Civic)

**Response 3-17:** The Recommended Plan and DGEIS did not rely on these agencies for review of impacts. Rather, the plan and DGEIS recognize that site plan approval for individual projects would require the approval of agencies such as SCDHS, the Central Pine Barrens Commission, and Town Building Department. It also identifies a full range of mitigation measures that were presented in Chapter 3 of the DGEIS.

**Comment 3-18:** The GEIS must include a separate and distinct discussion and impact analysis on the potential impacts on Article 57 and the CLUP. The Town must ensure compliance with the CLUP and confirm that no significant adverse impacts would occur on the Pine Barrens (Standards, credit ratios etc.) as a result of implementation of the GEIS. (Pine Barrens)

**Response 3-18:** Chapter 2 of this FGEIS discusses how the Recommended Plan is consistent with the CLUP and Article 57, the implementing regulation for the Central Pine Barrens.

**Comment 3-19:** The Recommended Plan in the DGEIS (including proposed uses such as industrial, golf course, banquet facility) needs to comply with the CLUP, including Chapter 5, “Standards and Guidelines for Land Use,” Chapter 6, “Pine Barrens Credit Program,” and the sending to receiving ratio. Specifically, the CLUP states that *“Each Town shall include enough adsorption capacity in receiving districts that meet the as-of-right definition set forth in Section 6.4 of this Plan so as to absorb all of the Pine Barrens Credits on a one to one (1:1) ratio that the Commission estimates it may allocate in that town pursuant to this Plan. The Commission recognizes that a change in zoning upon a town board’s won motion that would decrease the receiving capacity so as to reduce this ration below 1:1 would have an adverse effect on the Pine Barrens Credit program.”* Confirm compliance with Chapter 6 of CLUP for all proposed rezoning including LI200, CR80, and CR120 to CR200. (Pine Barrens)

**Response 3-19:** This FGEIS identifies how the Recommended Plan is compatible with the CLUP including the sending to receiving ratio and clearing restrictions.

Upzoning parcels within the study area would not conflict with Chapter 6 of the CLUP. There are no identified as-of-right receiving areas within the East Quogue Union Free School District in the CLUP, see Table 1-1. However, the CLUP identifies potential receiving areas within the study area to show that ample lands exist to accommodate the minimum receiving to sending ratios required by the CLUP. Thus, the Recommended Plan would not prohibit the redemption of Pine Barren credits. In addition, the Recommended Plan recognizes the transfer of development credits within commonly owned lots and also provides for inter-parcel transfers in Recommendation Areas 6 and 7 where a resort/recreation/residential PDD is recommended and in Recommendation Areas 8 and 9 where residential uses are proposed.

Compliance with the Central Pine Barrens Plan could also be achieved through a number of creative tools that allow flexibility in recognizing that density reduction through rezoning, and acquisition of land within the study area, would be attributed toward compliance of the identified use goals of the Recommended Plan. For example, the vegetative clearing and fertilization limitations of the underlying zoning, as it existed at the time of adoption of the Central Pine Barrens Land Use Plan, would apply to the overall study area. (Table 2-3 of the FGEIS provides the approximate allowable clearing that would be permitted within those parcels of the study area located within the Central Pine Barrens). Under this assumption, no net increase of clearing, contiguous open space or fertilizer dependent vegetation would occur. Any increase in commercial or quasi-commercial use (i.e. golf course, clubhouse, banquet or conference facilities, restaurant, spa, etc.), must comply with Article 6 of the Suffolk County sanitary code for wastewater discharge as well as the nitrate-nitrogen contained in Section 5.3.3.1 of the Central Pine Barrens Comprehensive Land Use Plan. As discussed in Chapter 2, flexibility will be necessary on individual parcels within the study area to meet the overall objectives of the plan; however, balancing of impacts by allocation of pine barrens conformance parameters within the study area would also serve to achieve overall conformance to the CLUP.

**Comment 3-20:** Consider redemption of development rights (Pine Barrens credits or Transfer of Development Rights [TDR]), as applicable. (Pine Barrens)

**Response 3-20:** Since redemption of development rights would occur within the same school district, and the study area encompasses almost the entire East



Quogue School District boundary, it is not expected that credits could be transferred into the study area from properties outside the study area (see also Table 1-1, above). However, as stated above, transfers with commonly held lots and intra-parcel transfers are recommended in the plan.

**Comment 3-21:** Develop a standard methodology (e.g., redemption schedule that captures mixed uses) to prepare a preliminary calculation of the baseline minimum number of pine barrens credits and/or Town TDRs warranted for redemption in a PDD scenario that includes proposed increases in density and/or intensity of uses, specifically mixed uses. (Pine Barrens)

**Response 3-21:** The Recommended Plan uses TDR to transfer development rights from those properties in the Core Preservation Area within the study area to the Compatible Growth Area within the study area.

**Comment 3-22:** Projects that involve an increase in density and/or intensity of land use shall be required to redeem Pine Barrens credits or TDRs to ensure continued compliance with the CLUP. (Pine Barrens)

**Response 3-22:** The Recommended Plan does not propose an increase in density for any development within the study area. However, the Recommended Plan does include intra- and inter-parcel transfers of development and changes in use for the purposes of providing a mix of uses in the area.

**Comment 3-23:** The recommendations are not supported with evidence of a significant impact that warrants stripping properties as-of-right development potential. The recommended TDR should include as-of-right units before upzoning. (Weichbrodt)

**Response 3-23:** As described in the DGEIS, the Zoning Build-Out Alternative analysis identifies a number of density-related impacts including impacts to both the school and fire districts, potential natural resources impacts related to fragmentation and development on the waterfront, potential impacts to surface water quality related to stormwater runoff, and scenic resources along scenic roads and the coast. The Recommended Plan provides the opportunity for growth while meeting the goals and objectives of the local community and minimizing these impacts. The plan also recommends that TDR be used to preserve the Josiah Fosters Path parcels at its current as-of-right density.

**Comment 3-24:** Rezoning all property north of the LIRR tracks will create hundreds of non-conforming residential properties that are already developed. This action will also impose unnecessary hardship on property owners. This

action item should be clarified if the plan didn't intend to literally upzone all lands north of the track. (Heaney)

**Response 3-24:** The change in zoning will be drawn to minimize impacts on existing developed lots and to minimize creating non-conforming lots.

**Comment 3-25:** Consistent with the Town's 1990 Farmland Preservation strategy, the recommendation to upzone agricultural land (including Densieski and Noble Farms) should be eliminated as it would have a negative financial impact on farming property owners. If upzoning is imposed on agricultural lands, the plan needs to offer a means to reconcile future conflicts over yield and value. The study omits discussion of agricultural properties where a portion of development rights is acquired. This action also will impose unnecessary hardship on property owners. (Heaney)

**Response 3-25:** The Recommended Plan was modified from the DGEIS to remove the potential upzoning of the Densieski Farm parcels.

**Comment 3-26:** Explore the possibility of a small market within the hamlet center (e.g., adaptive reuse of the former Porch & Patio location). Does existing zoning restrict such retail from this location - even in pre-existing built spaces? (Kabot)

**Response 3-26:** Three zoning districts are present along Montauk Highway (aka Main Street) west of Weesuck Avenue—Hamlet Commercial (HC), Hamlet Office/Residential (HO), and Village Business (VB). Markets are permitted in the HC and VB districts but not the HO district. The former Porch & Patio location appears to be in the HO district, which does not permit general retail uses. However, the Recommended Plan presented in this FGEIS now includes Recommendation Area 14, which provides for the possibility of such a use to meet local goods and service needs.

**Comment 3-27:** Recommendation Area 1, what uses would be allowed as part of the resort/recreation use? What is the suitability of this site for this type of use (e.g., will there be a need to substantial fill and grade alterations)? Is a continuation or extension of the existing mining expected? What impact would a renewal have on the recommendation for a resort/recreation use as a transition from the CPA and more intensively developed lands to the south? What is the feasibility of converting a sand mine to the recommended use and how would it compete with the other proposed uses at the Hills? (Weichbrodt, Bruyn, Hartnagel, Frank, Kabot)

- Response 3-27:** As stated in the DGEIS, it is suggested that Recommendation Area 1 would either continue operating as a sand mine or could be restored as a resort/recreation use. As a condition of the sand mine permits, the applicants are responsible for reclaiming the land once the permit is abandoned. In fact, a suggestion in the Mined Land Use Plan for East Coast Mines is the possibility of a public golf course, which is one example of a potential recreational use. Thus, some sort of recreation/resort use would be compatible with this site should mining cease at the site. In accordance with the Western GEIS, a resort/recreation use (e.g., trails, biking, hiking, eco tourism type facilities etc) would also be encouraged at this site. Given current uses, it is heavily disturbed and cleared. However, at this time there is no indication that the sand mining operations are being discontinued and no proposal has been put forth by that property owner. This FGEIS further clarifies that a resort/recreation use could be accomplished through implementation of a PDD, including a recreation/tourism PDD which would allow community or recreation facilities, spa facilities, parks, playground and trails, theaters, museums, hotels, motels, bed and breakfasts, and conference centers. Also, at this site would be restoration of the cleared areas, particularly in the Core Preservation Area. This clarification has been added to this FGEIS.
- Comment 3-28:** Proposals for redevelopment of existing sand mines are subject to review and compliance with Article 57 and the CLUP. (Pine Barrens)
- Response 3-28:** Comment noted. This requirement is identified in this FGEIS.
- Comment 3-29:** Recommendation Area 2 (the proposed fire station), describe the history of the 2-acre dedication to the Town as well as current status. If the parcel was dedicated to the Town for future drainage improvements on Lewis Road, where will necessary drainage improvements be provided? This recommendation seems to contradict the “zero increase in off-site runoff policy for drainage to Lewis Road.” How will the Lewis Road drainage and flooding problems affect the recommendation for a fire house and helipad? Is there a need for a helipad with Gabreski Airport nearby? Further, Town Law 64 prohibits the Town from dedicating land to a fire district for less than the actual value of such property. It is believed that for the Town to transfer this property, it would have to be deemed useless for drainage and all other municipal purposes. Alternative sites should be identified for the fire substation since the recommended site may have structures that only allow use of the site for highway department use as drainage sumps. (Weichbrodt, Heaney, Bruyn, Kabot, Planning Board)

**Response 3-29:** The East Quogue Fire Department identified a need for a site in the northern portion of the study area that could house a substation and helipad. They currently use the East Quogue Elementary School for emergency helicopter transfers, which has safety and access concerns. Due to restrictions at the site identified for use as a fire substation in the DGEIS, this FGEIS recognizes that a site-specific study would need to be undertaken to determine the most appropriate site for this use. However, consistent with the needs of the fire district, this FGEIS recognizes that a site along Lewis Road would be appropriate and that the site identified in the DGEIS may be suitable subject to further study including the need of that site for drainage.

**Comment 3-30:** What zoning mechanism will be used to establish a golf course/resort and residential uses? The Hills property should not be rezoned to CR200 but should be rezoned to allow the golf course and resort development. Discuss how the 90 unit yield for Recommendation Area 7 was established. The plan does not decipher how the yield for residential units and the proposed golf course and banquet facilities would be allocated between the two separate properties. There is also no explanation as to how the combination of these two properties would be achieved and what the plan would be if they are not combined. The plan does not provide incentives for this to occur. The plan should consider a golf course with residential units solely on the Hills property. Consider if a golf course and high end residences are feasible on one site with the golf course located at the northerly end of the Compatible Growth Area instead of near Lewis Road. The action items should discuss how a golf course would be implemented through the Town Code. If a PDD is recommended, the plan should identify specific public benefits and amenities that will be derived and exacted from the landowner to the rezoning. If the property is not feasible, economically or otherwise for a golf course, how can the site be developed? Also, the FGEIS needs to consider if the golf course plan can meet the clearing restrictions of the Central Pine Barrens Land Use Plan and identify any mitigation necessary to conform to the standards as to covenants and restrictions. Accessory uses to the golf course need to be defined, including parameters of a catering facility and any hospitality housing units. (Voorhis, Weichbrodt, Bruyn, Frank, Kabot).

**Response 3-30:** The golf course/resort/recreation and residential uses would be achieved through a PDD that would be applied by the developer. Public benefits for such a proposal could include limited public access to the golf course for recreation, as well as the development of a restaurant/banquet facility/spa oriented toward private events and conferences as part of a resort/recreation area, land for a new SCWA well field, and public open

space and trails. The developable residential yield was preliminary and was calculated based on the proposed residential zoning for the area and taking into account the land that would be occupied by the recommended golf course and banquet facility/restaurant uses. Table 2-2 in this FGEIS shows the calculated yield for the development projects based on existing zoning, upzoning, and the Recommended Plan. Final allocation of units may vary based on site-specific development plans that would be drafted by each individual applicant as the projects move forward which can also take into account different housing types, including villas that would be part of the resort/recreation use as well as accessory uses.

If the Recommended Plan could not be achieved by individual site-specific development of the parcels, the goals of the Recommended Plan would need to be achieved through the combined development of various parcels. In response to comments on the draft Recommended Plan, the recommended land use map was also modified to show the golf course/recreation uses on the western property (referred to as the Hills at Southampton) and residential uses on the eastern property (referred to as the Links). This modification was made to reflect the potential that the properties could be developed independently and the site conditions on the Hills at Southampton property, which include greater width and more clearing, would make it more conducive to the mixed use development presented in the Recommended Plan. It is the conclusion of the plan that the development of such a use is feasible, both from the perspective of site design and economic feasibility. This FGEIS also identified some preliminary clearing estimates and guidelines for development of a low-impact golf course and mitigation measures.

In addition, this FGEIS also includes an alternative that assumes no golf course within Recommendation Area 7. As stated in the draft plan, it was not the intention of the plan that these uses be developed independently, but that they be developed together to achieve the goals of the plan. Recognizing that the sites are separately and independently owned, this final Recommended Plan identifies the potential for separate development of the two lots. In the event of separate developments, the plan has also been modified to show the proposed golf course on the western (the Hills at Southampton) parcels since that land is larger, wider, and has more prior clearing that would make it conducive to development as a golf course/resort development. It is the conclusion of both the draft and final Recommended Plans that such a use, along with residential uses, would result in an economically viable development project.

For the final Recommended Plan, the land area dedicated to golf course and resort areas has been increased. In addition, the land area dedicated to industrial uses has been eliminated.

**Comment 3-31:** Define what a multi-use banquet facility would entail. (Hartnagel)

**Response 3-31:** The multi-use banquet facility would include a restaurant/catering space with available rooms for conferences and private/public events. It could also hold public events such as local fundraisers, weddings, and other special events in the community. The resort/recreation/residential PDD would include this use as part of the country club and golf course uses.

**Comment 3-32:** There is no analysis on the feasibility of developing a golf course on 125 acres, with 23 of those acres to remain natural. At least 175 to 200 acres would be needed. A market analysis or economic feasibility study of the construction and operation of a golf course is needed. Until more specific site analysis, the siting of the golf course and associated conference center facilities should not be limited to any one location on the map. As currently proposed, it appears that the Hills property can be developed as single-family residences under current zoning. (Bruyn)

**Response 3-32:** The recommended area in the draft plan integrated the Hills and Links properties as a single land plan. Table 1-2 below presents a breakdown of the acreage requirements for this recommendation area. The land allocation of the final plan is based on applicable studies and proposals for local golf courses. This FGEIS proposes about 200 acres be dedicated to the golf course and its accessory uses (e.g., clubhouse) with about 10 to 15 acres for a resort/recreation uses, 130 acres dedicated to residential uses, 265 acres preserved as open space including approximately 38 acres that are currently Town owned that could be used for multi-purposes including recreation, preservation, restoration, and public access. In addition, restoration of already cleared areas and habitat enhancement in areas proposed for preservation could be considered as mitigation. These allocations would vary depending on a site specific project design.

**Table 1-2  
Breakdown of Potential Acreage in Recommendation Areas 6 and 7: Final Plan**

| Use               | Acreage | Notes   |
|-------------------|---------|---|
| Golf Course       | 200     | Includes clubhouse.   |
| Resort/Recreation | 10-15   | Spa, resort, banquet facilities, equestrian   |
| Residential       | 130     | 1 to 2 acre lots (clustered)  |
| SCWA              | 4       | Well field  |
| Open Space        | 265     | Restoration of disturbed areas in CPA and CGA identified for open space preservation. Includes 38 acres of Town land. |
| Total             | ~614    |   |

**Comment 3-33:** In regards to the proposed golf course, what is meant by "...potentially with the some limited public use?" The original proposal was a privately owned, public access course. (Heaney)

**Response 3-33:** Through the GEIS process, it was decided that a private golf course would be a viable land use that would meet the goals of the Recommended Plan with respect to providing a diversity of land uses and open space/recreation. Public use could include access to trails for hiking, jogging, or cross country skiing and quasi-public access is assumed for the banquet facility.

**Comment 3-34:** Consider requiring any new golf course to meet Audubon Golf Signature Program and follow organic management protocol. (Frank, Hartnagel)

**Response 3-34:** The principal requirements of the Audubon Signature Program include:

- Water: drain pipes can not enter any water body before going through a filter.
- Golf Course: the maintenance facility must include separate pesticide storage, a covered contained fuel island, and rinse water recycling. The superintendent must be hired prior to construction.
- Agronomics: turf grass should be appropriate for the region. Allowable acreage of irrigated turf grass will be based on site slope, soils, type of golf course (private, public, and resort) and type of irrigation water being uses.

The plan encourages the proposed golf course to follow best management practices as well as in Integrated Pest Management Program. The Town would ensure that the proposed course would present the least environmental impacts as possible. Design measures relative to the golf course and environmental protection are presented in Chapter 2 of this FGEIS. This FGEIS identifies the golf course design

objectives of the Audubon Signature Program, the Suffolk County Planning Department, and Leadership in Energy and Environmental Design objectives for creating a low-impact course.

**Comment 3-35:** The Recommended Plan should provide analysis of old filed map development rights that will be available to be extinguished, banked, or converted for use elsewhere within the school district. (Heaney)

**Response 3-35:** The development of old filed map lots was assumed to occur in the No Action condition since that opportunity already exists in the study area. It is estimated that there are about 100 old filed map lots in the study area.

**Comment 3-36:** Siting the proposed industrial park next to newly created low density residential areas, within the Aquifer Protection Overlay District, on steep slopes without existing utilities is inappropriate as is directing truck traffic through a residential street down a long driveway. Locating a use with the potential for storage of hazardous materials up gradient from the SCWA well site and within the Compatible Growth Area should be avoided. Discuss how this use would conform to the CLUP. Provide basis for this recommendation, including the need and mix of uses warranted to create a more diverse tax base. The plan should revisit the 1983-84 Town-wide rezonings of industrial lands and determine the need for such in East Quogue. The plan should consider moving the industrial use to the sand mine site or alternative location if the golf course is not constructed. Other tax ratable uses should be considered, e.g., resort-tourism opportunities. Could the light industrial park be located adjacent to the LIRR at the Old Country Road intersection with Lewis Road? (Weichbrodt, Bruyn, Voorhis, Heaney, Kabot, Planning Board)

**Response 3-36:** As part of the planning process, a number of options were considered for siting the industrial park. It was determined that the alternative locations, such as adjacent to the LIRR and Old Country Road would be problematic from a land use perspective due to the proximity of existing residential uses on the south side of the tracks and a light industrial park at this location could also conflict with the proposed golf course/resort/recreation use since these uses would potentially be located at the entrance to these properties. During the DGEIS review, there was no expression of interest or a proposal put forth that would indicate a market or demand for such a use in the study area. For these reasons, and given potential conflicts with the CLUP, the Recommended Plan has been modified to allow resort/recreation



opportunities in lieu of the industrial uses presented in the draft Recommended Plan.

**Comment 3-37:** Ensure the proposed industrial site conforms to the CLUP. Rezoning the site from CR200 and CR120 to LI40 would increase the allowable clearing and thus be in conflict with the CLUP. The location of the proposed industrial site is in close proximity to the CPA and SCWA well field, which is generally not recommended where feasible to avoid and minimize potential impacts to the CPA to the greatest extent practicable. (Pine Barrens)

**Response 3-37:** The Recommended Plan does not propose to rezone any portion of the study area to LI40. In addition, based on comments received during the DGEIS review period, the proposed industrial use has been eliminated from the plan. This use has been replaced with a resort/recreation use that would be within the recommendation area.

**Comment 3-38:** There is no action item to rezone Recommendation Area 6 to light industrial and therefore it should be eliminated from the plan. (Bruyn)

**Response 3-38:** The Recommended Plan does not propose to rezone any portion of the study area to LI40. In addition, based on comments received during the DGEIS review period, the proposed industrial use has been eliminated from the plan. This use has been replaced with a multi-use banquet facility that would be included as part of Recommendation Areas 6 and 7.

**Comment 3-39:** Since the SCWA is exempt from zoning, the Recommended Plan should recommend the authority to voluntarily submit a site plan and landscape plan to the Planning Board. (Heaney)

**Response 3-39:** Comment noted. This FGEIS contains that recommendation.

**Comment 3-40:** Would the proposed well field replace the existing well field along Spinney Road? If so, what is the future use of the old site? The plan should include the feasibility and best location for relocating the existing well field. The analysis should include a study of the costs and benefits of the relocation. The Hills property may be a better site. (Heaney, Bruyn)

**Response 3-40:** The proposed well field is assumed to supplement the existing well field on Spinney Road. SCWA has indicated that the need for the new location of the proposed well field closer to the Core Preservation Area at higher elevations in the service area. Final site selection, design, and cost/benefit would be a determination of the SCWA.

**Comment 3-41:** Regarding Recommendation Area 8, 10 and 11, how was the yield of 47 units calculated. The yield for properties north of Montauk Highway (less 5 acres to be rezoned to Hamlet Office [HO]) should be about 56 units. With respect to Atlanticville and a Mixed Use PDD, the FGEIS should clearly indicate the existing yield under existing and proposed zoning. The sending and receiving areas need to be mapped with specificity if this is being proposed as a mandatory TDR site to preserve more ecologically sensitive parcels and concentrate onto the property that can accept greater development densities. The FGEIS should further detail the recommended business uses such as professional office etc. – similar to Hampton Atrium on the east side of Route 24 in Hampton Bays. (Kabot, Weichbrodt)

**Response 3-41:** Yield data for all properties in the study area was developed based on preliminary data provided by the Town and is subject to site specific yield maps. Table 2-2 of this FGEIS clarifies the preliminary existing yield, and yield under the Recommended Plan for the Atlanticville parcels, which is preliminarily determined to be 80 and 71 units, respectively. The change in yield is related to the proposed upzoning north of the LIRR tracks. The TDR would accommodate approximately 16 units from the parcels along and adjacent to Weesuck Creek and transfer them to the parcel between Montauk Highway and the LIRR track. This modification has been presented in this FGEIS. The TDR is a recommendation of the plan and would only be mandatory should the Town allow the transfer. This FGEIS also further identifies the uses that would be permitted in the HO district including: single- and two-family residential houses; places of worship; parks, playgrounds, or recreation area; municipal offices or fire stations; schools; bus passenger shelters; agriculture, excluding animal husbandry; paint, glass, and wallpaper store; antique store; office business; funeral service, art galleries; and accessory uses.

Within these two areas (Recommendation Areas 8 and 10), there are an estimated 133 acres available for development. With the Recommended Plan, based on CR200, R40, and R20 zoning, this is the equivalent of about 55 units north and south of the LIRR track and excludes the 5 acres for office/commercial development. With the waterfront parcels along Weesuck Creek, about 71 units would be allowed within Recommendation Areas 8 and 10

**Comment 3-42:** The DGEIS does not analyze the feasibility of rezoning to HO. Zoning along Montauk Highway is dominated by HO. Thus, the economic viability of adding additional offices should be addressed. The recommended text does not discuss changing the zoning of this site.

Hamlet Commercial (HC) would allow a wider range of uses and should be considered. (Weichbrodt)

**Response 3-42:** It was recognized through the DGEIS process and development of the Recommended Plan that extending the HC zoning could compete with existing businesses in East Quogue, and thus be in conflict with the current Main Street businesses. Therefore, the plan recommends rezoning to HO to avoid such conflicts. Any proposal to modify the plan to an HC use or more general commercial uses would need to demonstrate consistency with the plan's objectives, i.e., to avoid impacts on the existing "Main Street" hamlet center.

**Comment 3-43:** Regarding Recommendation Area 13, the upzoning seems contradictory, since the Recommended Plan would increase density allowed with 5 acre zoning on lands north of the LIRR tracks. Also provide an evaluation of the impact of the 28-acre Josiah Fosters Path parcels that warrants clustering in the north since no significant impacts were identified as part of the Proposed Projects Alternative. (Weichbrodt)

**Response 3-43:** The Josiah Fosters Path parcels have long been identified by the Town and the South Shore Estuary Reserve project as a significant parcel for preservation that would create a contiguous open space corridor with Pine Neck Preserve along the east coast of the Weesuck Creek waterfront. In addition, the South Shore Estuary Reserve Plan also recognizes Weesuck Creek as an impaired water body and recommends adjacent land uses to be low-impact with limited contributions of pollutants to surface waters. These potential impacts are recognized in the alternatives analysis for both the proposed projects and as-of-right alternatives.

**Comment 3-44:** The proposed upzoning of the Atlanticville properties is illegal and/or inappropriate zoning. This upzoning would reduce property rights. These changes are unfair in light of recent subdivisions and are not consistent with neighboring lots. The Recommended Plan does not address the inappropriate zoning for those areas south of Old Country Road, which should be 0.5 acres or less. Recommending TDR from a waterfront parcel with private docking rights to a parcel without similar attributes is in violation of the landowner's rights. (Parlato)

**Response 3-44:** The recommended upzoning is for properties north of the LIRR tracks and would not impact properties south of the track. The DGEIS provides the basis for this zoning proposal. Such proposed zoning changes are within the authority of the Town of Southampton Town Board under the New York State Town Law. The proposed zoning

changes are therefore neither illegal, inappropriate, nor would they take property rights. In addition, the most recent subdivision within the study area that was granted approval by the Central Pine Barrens Commission would meet the upzoning criteria due to the proposed low yield design (Rosko Farms), which, based on the review of the Central Pine Barrens Commission, also has jurisdiction over a large portion of the study area and the majority of the lands that are vacant.

**Comment 3-45:** Clarify acreage on Weesuck Creek (Josiah Fosters Path) parcels. Clarify whether just the waterfront parcel would be preserved or would this parcel and the adjacent 4.9 acre parcel be preserved? (Lindberg)

**Response 3-45:** The Josiah Fosters Path parcels are approximately 28 acres and include Suffolk County Tax Map numbers 900-317-1-23, 25, 26, 27, which encompass the adjacent 4.9 acre parcel. Preservation would include the above mentioned parcels.

**Comment 3-46:** Discuss the Recommended Plan's consistency with the SCDHS regulations including the established cap on the density that may be achieved through TDR, transfer between hydrogeologic zones, and non-residential wastewater generation. (EQ Civic, Weichbrodt, Bruyn, Hartnagel)

**Response 3-46:** The Recommended Plan does not propose the transfer of development rights across groundwater management zones. All transfers from the Core Preservation Area would occur within the same groundwater management zone (III). Further, the transfer of development rights from the Josiah Fosters Path parcels to north of Montauk Highway would also remain in the same groundwater management zone (IV). Moreover, the Recommended Plan does not call for increased overall density and therefore the cap does not apply. For the Atlanticville parcel south of the railroad track, the Recommended Plan proposes the development of about 52 residential units on approximately 38 acres, a density of about 20,000 square foot lots between the LIRR and Montauk Highway. Approximately 5 additional acres would be allocated to an office/commercial use. This development pattern is consistent with what is allowed in groundwater management zone IV.

Final determinate allocation of units may vary based on site-specific development plans that would be drafted by each individual applicant as the projects move forward.

**Comment 3-47:** Cluster or open space subdivisions should be used whenever appropriate regardless of zoning changes to minimize natural resource impacts,

protect unfragmented open space and to retain the character of the hamlet. (Frank, Pine Barrens)

**Response 3-47:** For all of the above reasons, the Recommended Plan includes cluster developments for all projects north of the LIRR tracks.

**Comment 3-48:** Provide the number of residential units that can be built in the study area and list by name and location. (Algieri)

**Response 3-48:** Based on current zoning, approximately 399 residential units can be built under current zoning. Table 2-2 in Chapter 2 of this FGEIS presents that allocation for each projected and potential development site in the study area. Chapter 3 of this FGEIS further defines the Zoning Build-Out Alternative and examines the impacts of this alternative as compared to the Recommended Plan.

**Comment 3-49:** What uses would be allowed at the Turtle Bay property with the recommended change of zone to Resort Waterfront Business (RWB)? What is the justification of this recommendation? Waterfront access would be extremely limited considering the conditions at this location (e.g., narrow and shallow brackish to tidal creek). Compare the RWB district to a Maritime Planned Development District (MPDD) to determine which zoning category would allow planning flexibility and public benefits. There may be a need for a study on the MPDD by the Town. (Algieri, Heaney, Frank, Hartnagel)

**Response 3-49:** Uses permitted as-of-right in the RWB district include parks, playground, or recreational area; place of worship; public library or museum; municipal office or fire station; school; bus passenger shelter; agriculture, excluding animal husbandry; and restaurant, standard or take-out. Uses permitted by special exception include conversion into residential condominium or residential cooperative, beach club, yacht club, marina, public utility, wireless communication tower, bar tavern or nightclub, noncommercial educational or research organization, bowling alley or billiard hall, indoor fitness activities, waterfront business complex, fresh or frozen packaged fish or commercial fishing facilities, and ship and boat building and repairing and boatyards as well as accessory uses. Certain uses allowed by special exception in the RWB district (e.g., a bar or tavern, nightclub, dry storage, boat repair, and fish packing) are not recommended at this site. Since the water depth at this site is limited, the vision in the plan is to utilize the site for small kayak or sail craft and passive activities along the waterfront (including birding) that would be linked to a waterfront commercial use, such as a restaurant. The MPDD allows similar uses as the RWB district, but allows additional uses as-of-right including marinas and beach clubs

and waterfront business complex where the RWB allows these uses by special exception. Both districts could achieve public access to the waterfront while operating a viable business. The MPDD would help to achieve the goals of the Recommended Plan to provide ratables, public access to the waterfront, and a restaurant use at this site while eliminating the nonconforming use that exists at the site (the Turtle Bay nightclub).

**Comment 3-50:** Community Preservation Funds (CPF) should be used to purchase the entire Lar Sal property to reduce overall residential development. (Algieri)

**Response 3-50:** CPF can only be used to purchase property for the purpose of farmland and open space preservation. CPF can not be used to reduce development density. Since the Lar Sal property is largely vacant and not disturbed, CPF can be utilized to purchase the site for open space preservation. The Recommended Plans identifies the preservation of the Lar Sal property as an action item with an alternative for cluster development.

**Comment 3-51:** The Town should purchase the development rights for the remaining farms in the study area and not reduce their property value by upzoning. (Algieri)

**Response 3-51:** The Town is working to purchase the development rights at Densieski Farm. The Recommended Plans identifies use of CPF for the purchase of the Densieski Farm as an action item. In addition, consistent with the recommendations of the Town's Comprehensive Plan relative to preservation of large agricultural tracts, no rezoning of this agricultural land is proposed. This modification has been made in the FGEIS.

**Comment 3-52:** The Town had not made a good faith effort to purchase the Densieski Farm. (Antonette)

**Response 3-52:** The Recommended Plans identifies use of CPF for the purchase of the Densieski Farm as an important action item.

**Comment 3-53:** Figure 3-1 should be consistent with the text. This figure should be broken out into several figures because it shows too much information and is confusing. (Bruyn, Freleng)

**Response 3-53:** Comment noted. The text in this FGEIS was clarified to better reflect the uses shown in Figure 3-1 (revised as Figure 2-1 in this FGEIS). Figure 3-1 (Figure 2-1 in this FGEIS) presents the proposed land uses

with a brief explanation of proposed uses for each Recommendation Area, which is fully described in the text.

**Comment 3-54:** In Figure 3-2, two zoning categories are shown for Densieski (CR80 and LI200), but the text states that there are three (CR120, CR80, and LI200). Clarify. (Heaney)

**Response 3-54:** Figure 3-2 shows three zoning categories for Densieski (CR120, CR80, and LI200). This property also extends north of Lewis Road in the CR120 district.

*POPULATION AND HOUSING*

**Comment 3-55:** The assumption of 3- and 4-bedroom units for single family dwellings is low because the recommended upzoning would typically result in larger homes with 4 to 5 bedrooms. (Weichbrodt)

**Response 3-55:** Based on the 2000 US Census block groups, the majority of the study area comprises 3 bedroom units (45 percent) while 2 bedroom units represent 24 percent of the study area and 4 bedroom units represent 19 percent for a total of 88 percent. Five bedroom units account for about 7 percent of the study area while 1 bedroom units account for about 5 percent. The Recommended Plan proposes upzoning, but also proposes the clustering of units on about 1 acre lots, consistent with lots north of the LIRR track. Therefore, the estimate of 3 to 4 bedroom units is justified.

**Comment 3-56:** The population and housing tables in Chapters 3 and 4 of the DGEIS use different baselines as a comparison of alternatives. (EQ Civic)

**Response 3-56:** The Recommended Plan was compared to the No Action condition, which, consistent with SEQRA guidelines, is used as a baseline for measuring the impacts of the Recommended Plan. This FGEIS compares all alternatives to the Recommended Plan for consistency in addressing and comparing impacts of all alternatives. The DGEIS and this FGEIS provide a table in the Executive Summary that compares each alternative to each other for an understanding of impacts.

**Comment 3-57:** The Recommended Plan should include a component of workforce housing. Provide discussion that supports the claim that affordable housing will attract new residents, which will in turn increase volunteer service. How is this addressed in the plan? The Recommended Plan largely ignored affordable housing. What is the impact of the recommended upzoning on affordable housing? The plan needs to

develop land for the middle class. (EQ Civic, Weichbrodt, Parlato, C. Parlato, Oxman, Hartnagel)

**Response 3-57:** According to the East Quogue Fire Department, and in discussions with the Advisory Committee, their typical volunteer tends to be younger residents, with a demographic and socioeconomic profile that is more associated with, and in need of local affordable housing. The Recommended Plan includes the development of six residential units in second story space above the proposed commercial uses that would provide affordable housing. This would slightly expand the local affordable housing option in the hamlet (i.e., in addition to mobile homes and other potential affordable housing opportunities including accessory apartments). Further, consistent with the Long Island Workforce Housing Act, any development of five residential units or more or mixed-use development, unless proposing less density than what is allowed as-of-right, would have to either allocate 10 percent of the proposed units to affordable housing, dedicate land to affordable housing, or contribute money to a fund for affordable housing in the municipality where the proposed development would occur or within the county where the development is proposed, based on the discretion of the local government.

**Comment 3-58:** The GEIS needs a better breakdown of populations to compare the No Action condition, the plan, and alternatives. (Frank)

**Response 3-58:** The Executive Summary of this FGEIS provides a matrix that compares each alternative. The DGEIS included a similar comparison as depicted in Table S-1 in the Executive Summary. As shown in that table, the Proposed Projects Alternative would add the most residents (ranging between 1,585 to 1,770 depending on 2, 3, and 4 bedroom units) while the Recommended Plan would add the least number of new residents (between 625 and 778 depending on 3 to 4 bedroom units).

#### *COMMUNITY FACILITIES AND SERVICES*

**Comment 3-59:** Identify method of calculating number of school children. Using a blended rate is not appropriate. The Recommended Plan should provide recommendations on how the school district should obtain additional space to address future needs and identify additional parcels available for public dedication. Public benefits can be provided through public-private partnerships, which are not addressed in the DGEIS. Costs should be provided for options suggested in the DGEIS, including acquisition of property and construction of a new administration



building. In addition, how could the costs be met and what would be the impact on taxes? (Voorhis, Haterer, Starr, Weichbrodt)

**Response 3-59:**

The method for estimating the number of school children was based on data received from East Quogue Union Free School District (EQUFSD). This included the number of students living in select subdivisions for the 2007-2008 school year and then the number of students within that subdivision was divided by the number of units. For example, there are 36 students who attend EQUFSD and 29 students who attend Westhampton Beach Union Free School District (WHBUFSD) from the Pine Subdivision (which has 118 housing units). Thus, the student generation rate based solely on the Pines Subdivision is 0.55 students per housing unit. Additional subdivisions considered are Bennett Drive, Amy's Path, and Corbett-Gleason Drive. Based on an average of these subdivisions, the assumed student generation rate utilized in the GEIS is 0.58 students per housing unit. It is recognized in the DGEIS that under the No Action condition, it is expected that the local elementary school will be operating at 91 percent capacity with 498 students. The DGEIS recommends that the school district undertake a detailed study to examine the future needs to the community and how the district can equitably and economically meet those needs. This type of comprehensive study, including cost, is outside the scope of this GEIS process, but the recommendation is contained in the plan. The alternatives section of the DGEIS does contain preliminary data on the tax implications of the draft Recommended Plan and the alternatives based on projected ratables, student generation rates, and current costs per student.

**Comment 3-60:**

The plan lacks detail with regard to the capacity of the school. A better plan is needed for the future of the school. (Weichbrodt)

**Response 3-60:**

As stated in the DGEIS, based on EQUFSD data and interviews with the district superintendent, the East Quogue Elementary School is operating at 82 percent capacity (current enrollment is 449 and maximum capacity is 550). Based on historic data between 2000 and 2008, the elementary school has grown at a rate of about 0.8 percent per year. Thus, it is expected that in the year 2015 (the GEIS build year) without any new development or material changes beyond historic growth over the past 8 years, the school would be operating at about 86 percent capacity. This background growth added to the No Action condition would cause the school to operate at about 95 percent capacity. As stated above, the DGEIS also presents data on projected enrollment in the No Action condition and with the Recommended Plan and alternatives. With the Recommended Plan, it is recognized that the local school would operate at 104 percent capacity.

**Comment 3-61:** Provide practical implementation of capital improvements needed to accommodate growth. Analyze costs associated with educating students including capital costs, special education costs, and use numbers provided by the Southampton Press on March 20, 2008. The numbers provided in the DGEIS do not include special education costs. The cost per student of \$17,919 is low. The estimated operating deficit to the school district imposed by the Recommended Plan needs to be addressed. In addition, estimated revenues from other uses in the plan should be provided. (Haterer, Starr, Weichbrodt, Voorhis)

**Response 3-61:** Based on data provided by EQUFSD, the cost per student attending East Quogue Elementary School for the 2007-2008 school year is \$20,264. This number is only an estimate. The final number was not available at the time the DGEIS or FGEIS was published. Based on conversations with representatives at the EQUFSD, it was recommended that the final cost for the 2006-2007 school year (\$17,919) be used to determine the cost of new students to the school district as compared to using an estimate. These figures do not include costs for special education students, which are typically more than double the cost for regular education students. The school district looks at these costs separately. As clarified in this FGEIS, with the residential and mixed use components as proposed under the Recommended Plan, the EQUFSD would not have an adverse fiscal impact due to the Recommended Plan.

**Comment 3-62:** Community service correspondence, as referenced, is not provided. (Weichbrodt)

**Response 3-62:** Correspondence with WHBUFSD was through telephone communication. The information provided in that correspondence is presented in the DGEIS. Throughout the GEIS process, other community service entities were relied upon for data and information including the EQUFSD, SCWA, and the East Quogue Fire District. Appendix II of this FGEIS includes the dates of meetings with these entities.

**Comment 3-63:** The DGEIS does not address the adequacy of existing fire services or need for the recommended expansion.

**Response 3-63:** According to the East Quogue Fire Department, the current facility is adequate to meet the existing need. However, a new station would be necessary to access the northern portion of the study area, in particular, the proposed new developments. New equipment is already ordered and thus, only a new facility is warranted.

**Comment 3-64:** Is there a typo on page 3-9 regarding the school population where it mentions “no action” condition and school operating at 92 percent capacity? (Frank)

**Response 3-64:** There is not a typo on page 3-9. It was projected that the No Action condition would add 81 new students to the school district, with about 60 percent attending EQUFSD and thus, East Quogue Elementary School would operate at 91 percent capacity.

**Comment 3-65:** The Recommended Plan should include a discussion of future re-adaptive uses for the East Quogue Fire District Head of Lots substation as a community and visitors center. Also additional consideration of the location of a new fire substation (e.g., a land swap for a larger parcel [0900-291-9, 10, 5] along Montauk Highway, southeast of the entry to the Pines Subdivision). This location would eliminate the need for a new substation on Lewis Road. (Heaney)

**Response 3-65:** This location is outside the study area. A site-specific study for siting of a new substation is recommended in this FGEIS. Based on conversations with the local fire district, the preferred location is along Lewis Road.

**Comment 3-66:** The location of the proposed fire substation should be reevaluated considering the adjacent equestrian facility due to noise during emergency activities and the possible helipad. Provide an analysis to justify siting the new facility at this location. Alternative locations should be identified. (Heaney, Bruyn)

**Response 3-66:** The proposed site for the fire substation was recommended by the East Quogue Fire Department due to its prime location for emergency access along Lewis Road and access to the western portion of the study area. In addition, the site would be closer to volunteer homes. It is not expected that this facility would significantly impact the adjacent land uses because the expected noise is infrequent (emergencies only) and short-term. However, the Town has since determined that this site was dedicated for use as a drainage basin. This FGEIS recommends that a site-specific study be conducted to determine the best location for a fire substation, likely along Lewis Road. That analysis could include this site if it is no longer needed for drainage purposes, or another site along Lewis Road that can meet the access requirements of the fire district.

*ECONOMIC AND FISCAL CONSIDERATIONS*

**Comment 3-67:** Identify method for determining taxes generated by the Recommended Plan and include the industrial park, golf course, and entire study area.

Use 2008 dollars. The study should back up its ratable premise based on proposed uses. (Weichbrodt, Voorhis, Heaney)

**Response 3-67:** The DGEIS projections of tax revenue were based on data provided by the Town of Southampton and the 2007-2008 property tax rate for the study area with projections and assumptions of value based on other examples in the Town. The 2007-2008 tax rate was applied to the projected number of housing units under the Recommended Plan, which were assumed to have a property and improvement value of \$1 million. The projection of revenues under the Recommended Plan in the DGEIS did not conservatively take into account revenue from non-residential uses (e.g., golf courses) or the reduced student generation from specialized housing (e.g., senior housing). This FGEIS presents that data.

**Comment 3-68:** The discussion of the acquisition of development rights fails to recognize the ability of the Town to require developers to participate. (Heaney)

**Response 3-68:** The Recommended Plan includes proposed acquisition through the CPF, which is a voluntary property sale. No eminent domain is proposed under the Recommended Plan.

**Comment 3-69:** Regarding the CPF, capital operating budgets do not exist and the premise that local government typically uses property tax revenues for acquisition purposes is erroneous. (Heaney)

**Response 3-69:** The DGEIS states that the Town's capital operating budget would not be used for acquisition of property since the CPF, which accumulates monies based on the 2 percent real property transfer tax, would be utilized. This text has been clarified in this FGEIS.

**Comment 3-70:** The plan should include a discussion of the economic and societal role of historic preservation for a community that still thrives on farming and fishing? (Heaney)

**Response 3-70:** Both the DGEIS and this FGEIS recognize that through preservation of active agricultural lands and waterfront properties and access, the Recommended Plan preserves the history and character in the hamlet with respect to those uses and activities.

**Comment 3-71:** General property tax consequences of the do-nothing alternative should be compared to the Recommended Plan. (Heaney)

- Response 3-71:** The DGEIS provided a discussion of the operating deficit expected at EQUFSD with the Recommended Plan as well as the No Action Condition. As stated in this FGEIS, the EQUFSD would not be adversely impacted under the Recommended Plan due to the proposed mix of uses. However, under the No Action condition, EQUFSD would operate at a deficit. This deficit is due to an assumed continued residential build-out of the minor residential projects and approved subdivisions.
- Comment 3-72:** Discuss special districts to understand the truer costs to residents as development increases the demand for public services. (Heaney)
- Response 3-72:** The two principal special districts within the study area are EQUFSD and the East Quogue Fire District. This FGEIS contains data on the service and fiscal impact to those special districts. As shown on Table 2-16 of the DGEIS, a third special district is the Lighting District, however, this represents only about 0.5 percent of the total taxes paid from the study area.
- Comment 3-73:** Provide some information regarding types of Town-sponsored capital improvements anticipated as a result of the Recommended Plan. (Heaney)
- Response 3-73:** Implementation of the Recommended Plan requires little capital investment on the part of the Town. It is expected that improvements related to open space, trails, roads, intersections, and on-site drainage would be implemented by the property developers. Potential capital projects that may be implemented at the Town level are presented in Chapter 2 of this FGEIS and include
- Detailed alternative analysis, site design, and capital project for siting a Lewis Road fire substation;
  - Detailed analysis of drainage conditions and mitigation along Lewis Road;
  - Detailed analysis of Main Street parking and circulation, and design and capital project for Main Street off-street parking facility;
  - Possible trail connections to complete trail loops and access;
  - Detailed analysis of local school district projections; and
  - Analysis of local traffic circulation patterns, and potential alternative connections to Lewis Road and Montauk Highway.

*OPEN SPACE AND RECREATIONAL FACILITIES*

**Comment 3-74:** The plan should recommend usage of waterfront properties as entrance points for kayaks and canoes. This could be accommodated in Recommendation Area 12 or at the end of Bay Street. (Starr)

**Response 3-74:** The Recommended Plan identifies the use of available waterfront sites for public access to the waterfront, including the Josiah Fosters Path parcels as well as the Turtle Bay parcel.

**Comment 3-75:** Discuss precise contours of any trail system with the Southampton Trail Society. A detailed trail plan should be developed to identify specific trails. The Trails Advisory Board should provide input. (Haterer, Starr, Hartnagel)

**Response 3-75:** Comment noted. It is anticipated that precise contours for the trail system as well as a detail trail plan would be developed through site-specific review of each development proposal.

*NATURAL RESOURCES*

**Comment 3-76:** The Recommended Plan will have a greater negative impact on wildlife due to habitat fragmentation than a plan with more continuous open space. (Gobler)

**Response 3-76:** The Recommended Plan includes large scale preservation in accordance with the Pine Barrens as well as cluster development to minimize fragmentation and create contiguous open space. In addition, the preservation of the Josiah Fosters Path parcels would provide a contiguous swath of coastal open space from the southernmost part of the study area at Pine Neck Preserve northeast to just north of Montauk Highway totaling about 160 acres. With the exception of the sand mine property, the Recommended Plan preserves all vacant land within the Pine Barrens Core Preservation Area and within the northern portions of the Compatible Growth Area providing for a contiguous east west band of open space as well as a buffer between development and the Core Preservation Area. Without this plan, residential developments could potentially occur up to Core Preservation Area.

**Comment 3-77:** Due to natural resource impacts, the proposed east-west roadway should be omitted from the plan. (Hughes)

**Response 3-77:** The east-west roadway connection has been recognized within the study area as early as the Town's 1970 Master Plan. Prior subdivisions such as the Pines were laid out to allow for this connection. It is believed that

this roadway connection can be integrated into the proposed developments with minimal impacts on the natural environment, while providing improved circulation for traffic traveling east-west across the study area north of the physical barrier presented by the LIRR track.

**Comment 3-78:** Estimate the amount of vegetation loss due to clearing allowed under the existing zoning, proposed zoning, and upzoning alternative in the CPA and CGA. (Pine Barrens)

**Response 3-78:** Table 2-3 in Chapter 2 of this FGEIS presents allowed clearing for the projected and potential development sites per existing zoning and the proposed zoning with the Recommended Plan.

*PHYSICAL FEATURES AND WATER RESOURCES*

**Comment 3-79:** Provide more information on potential impacts to groundwater and surface water in TDR receiving areas, which are close to sensitive habitats including freshwater and tidal wetlands. Stormwater and groundwater analyses should be included in final recommendations. (EQ Civic, Planning Board)

**Response 3-79:** Overall, the Recommended Plan would actually reduce potential impacts to groundwater and surface water since the plan would move potential development away from the adjacent waterfront parcel along Weesuck Creek and transfer development outside of the Core Preservation Area. Recognizing that these transfer of development rights would occur at less sensitive locations within the study area, the Recommended Plan with the TDR does not increase density beyond what would be allowed under current zoning or upzoning. Thus, the impacts in comparison to these alternative conditions are positive. Detailed stormwater or groundwater analyses would be provided with site-specific development.

**Comment 3-80:** There are at least three species of toxic or otherwise harmful algae in Shinnecock Canal and Weesuck Creek. The DGEIS only recognizes one species (*Alexandrium*). The Recommended Plan would increase development and therefore the nitrate entering surface waters from groundwater and thus increase the density of these species. The continuous flow of contaminated groundwater into Weesuck Creek and Shinnecock Bay from the study area would be enriched with nitrate due to the Recommended Plan. This increased nitrate will simulate growth of phytoplankton in Shinnecock and Weesuck Creek and will also harm marine life and fisheries in the Town including the best clam beds in the Town. (Gobler, Corey)

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**Response 3-80:** In recognition of the need to protect Shinnecock Bay, the Recommended Plan would shift development away from the coastline and towards less sensitive parcels on the interior of the study area and the hamlet proper. The Recommended Plan would not, as stated in the plan, increase development in the study area. The plan also recommends the restoration of wetlands along Weesuck Creek to improve natural habitats and surface water quality.

**Comment 3-81:** Restore the stream corridor that extends from Weesuck Creek northwest past Spinney Road and restore the wetlands in the Pine Neck area. (Lindberg)

**Response 3-81:** A recommendation to restore wetlands in the Pine Neck area has been added to this FGEIS and Recommended Plan. However, the only reach of these wetlands that is suitable for restoration is south of Main Street (Montauk Highway).

**Comment 3-82:** The SCWA should analyze groundwater at the existing well field before the moratorium ends to establish a baseline against which impacts from future developments can be measured. (Hughes)

**Response 3-82:** The SCWA has an ongoing monitoring program for that well field. Data on that well was presented in the DGEIS.

### *UTILITIES*

**Comment 3-83:** The potable water and wastewater calculations should include the residential portion as well as other specific uses such as golf course, industrial park, banquet facility and other proposed uses. (Weichbrodt, Voorhis)

**Response 3-83:** This FGEIS includes potable and wastewater calculations that include the mix of uses presented in the Recommended Plan (see Table 2-5 in Chapter 2 of this FGEIS). Additional data has also been added to this FGEIS relative to the golf course uses.

**Comment 3-84:** What is the estimated amount of solid waste to be generated as a result of the plan? Would the Town's facility be able to accommodate the residential portion of the plan should residents self-haul to local centers? (Weichbrodt)

**Response 3-84:** The estimates of solid waste in the DGEIS are that the residential component of the Recommended Plan would generate between 2,200 and 2,700 pounds per day based on 3- to 4-bedroom housing units. It is assumed that the Town and private carters would be able to



accommodate this increase, which would occur incrementally over time. Municipalities and private industry can typically respond to such limited increases in demands for solid waste management services.

**Comment 3-85:** Does the Recommended Plan provide for public water service for the entire hamlet or only new developments? Will new public water mains on Lewis Road trigger other infrastructure improvements? (Seeman)

**Response 3-85:** It is assumed that SCWA would provide service for new developments within the study area. The Recommended Plan would not change private well service. The SCWA would likely work with the residents of private wells who are interested in converting to their system. It is not recommended in the plan that new water mains be constructed along Lewis Road.

**Comment 3-86:** The Recommended Plan should include the creation of a sewage treatment plant for new development in East Quogue to prevent contamination and related problems. (Gobler)

**Response 3-86:** Developments under the Recommended Plan would be required to be consistent with SCDHS requirements for sanitary wastewater disposal. Sewage treatment plants may be necessary for developments at densities of less than 40,000 square feet in Groundwater Management Zone III, which is the zone north of the LIRR tracks in the study area. Under the Recommended Plan, no development is proposed at densities less than 40,000 square feet in this portion of the study area. Thus a sewage treatment plant is not expected to be necessary to meet SCDHS requirements. Development between Montauk Highway and Old Country Road is recommended to be developed at a higher density (approximately 20,000 square feet per lot), but this area is within Groundwater Management Zone IV, where this density is allowed and is appropriate.

**Comment 3-87:** The plan should balance the goals of farmland preservation with stormwater abatement policy and identify additional locations for recharge basins along Lewis Road to help reduce levels of runoff. The Town should take this opportunity to develop an official law and regulations on stormwater runoff. (Heaney, Bruyn)

**Response 3-87:** The plan recognizes first and foremost the need to preserve farmland along Lewis Road. To that end, the plan also recognizes the need for adequate stormwater management along Lewis Road. The need for a new Town law to address drainage management has not been expressed by Town officials during this review process.

*TRAFFIC, AIR, NOISE*

**Comment 3-88:** An independent hamlet-wide traffic study should be completed that includes evaluation of improvements (including sidewalks linking Damascus Park to Lewis Road, signage and signalization, etc.) and justification for a multi-year capital project that provides officials and residents with a sense of per capita costs of development. The financial analysis would provide a rationale for establishing a planning-related reserve fund that could be used to receive contributions from developments that may be required to satisfy public benefits. (Heaney, Weichbrodt, Voorhis, Seeman)

**Response 3-88:** The Recommended Plan identifies the need for additional traffic studies as part of development proposals and a parking plan for Main Street. The above described comments could be addressed as part of that plan.

**Comment 3-89:** Due to the existing poor levels of service, it is unacceptable to funnel additional residential units, a golf course, and banquet facility traffic onto Lewis Road just north of the Lewis Road at Old Country Road/Box Tree Road intersection. The Traffic Circulation Plan will greatly exacerbate congestion and delay due to the presence of existing traffic and proposed additional roadways and traffic, and will not divert traffic from the Lewis Road at Old Country Road intersection, but will actually direct traffic to this portion of the study area. The Traffic Circulation Plan recommends new roadways north of the LIRR tracks but these roadways would not alleviate traffic volumes from anticipated new development projects especially at Lewis Road and Old Country Road intersections. These are local residential streets “country lanes” (Malloy, Candice, and Clara Drives) with children at play and were not designed for high traffic volume from the new developments and golf course. These roadways would create additional traffic and safety concerns. Several impacts conclude that no traffic will enter or exit Spinney Road. Examine projected traffic on Spinney Road from north to south terminus with Lewis Road. The characteristics of the Spinney Road intersection at Lewis Road, and proximity to traffic moving north and south along Lewis Road, Old Country Road, as well as Box Tree Road where signalization is proposed could contribute a further deterioration of traffic flow in the future. This should be examined. Examine other points along Lewis Road where a new intersection (three-way) may be created. Table 4-12 of the DGEIS concludes that no measureable improvements will be necessary at the intersection of Spinney Road and Lewis Road, even though it’s argued elsewhere that an east/west system is necessary to move traffic. (Haterer, Starr, Heaney, Southampton Pines, Saad)

The use of the bridge on Emmett Drive for additional traffic is of concern because it is a narrow bridge with ascending and descending curves and a blind spot. There is also no walkway for pedestrians. (Southampton Pines)

**Response 3-89:**

The Recommended Plan identifies these uses as preferred over other potential uses, such as zoning build-out or proposed projects, for a number of purposes including minimizing impacts on natural resources, community facilities, and traffic, and reduced fiscal impact. The plan and this FGEIS also recognize that site-specific traffic studies and intersection improvements would be necessary to ensure proper levels of service throughout the study area as individual development projects move forward.

The roadways within Southampton Pines were designed as Town roads with the intention of allowing the connection of new developments to the west. Further, the Town and LIRR entered into an agreement not to allow any new bridges or at-grade crossings over the LIRR track. The Recommended Plan would split the traffic from the new developments with some heading west to Lewis Road and some heading east to Emmett Drive. As stated above, the site specific traffic studies would need to be performed as proposed developments move forward. The Recommended Plan also recognizes some of the limitations of the local street geometries that would occur with the new intersections that would be necessary at Lewis Road and given the existing traffic conditions and the presence of the railroad. However, a new east-west road north of the LIRR track is necessary for the purposes of providing an alternative to Montauk Highway/Old Country Road for east-west travel as well as emergency access to this area. As stated above, such a connection has also been envisioned since the 1970 Master Plan and is partially implemented in the Pines through its current street configuration.

Alternate connections to improve traffic circulation were considered during the planning process. Alternatives connecting with Sunrise Highway to the north were dropped due to potential impacts on the Pine Barrens Core Preservation Area and also the limitations on access to the State Highway and that access would only be provided in an eastbound direction. Alternative connections through the northern portion of the study area could also have impacts on existing residential neighborhoods or farmland and would also require a capital project by the Town or County to design and construct those road alignments as well as to acquire the lands along a lengthy right-of-way.

One possible alternate connection would be within the proposed Noble Farms subdivision. This potential alignment is presented in this FGEIS along with other elements of the Recommended Plan that address

potential future intersection design issues that would need to be addressed by future development projects.

Lastly, recognizing that road connections to the Southampton Pines subdivision (e.g., Malloy Drive Extension) would occur in the future if it is recommended in the plan that traffic calming techniques be employed in that area to ensure proper conditions in that area. It is anticipated that the Emmet Drive bridge would be sufficient to carry the added future traffic; however, it is recognized that future residents associated with this Recommended Plan would not be expected to use the bridge as a pedestrian crossing given the walking distance between those development sites and the bridge.

The Recommended plan identifies a need for an area-wide traffic/circulation study that would further examine these issues as development moves forward in the study area.

**Comment 3-90:** The traffic analysis limits its traffic observations to certain intersections and introduces potential improvements as more or less optional. (Heaney)

**Response 3-90:** The traffic analysis studied 12 key intersections to provide a representation of the traffic issues within the study area under the Recommended Plan and with different alternative scenarios, including the Proposed Projects Alternative. The DGEIS also identified potential improvement measures that should be considered as part of development proposals. As stated in this FGEIS and the Recommended Plan, site-specific traffic studies would need to be performed as part of the development review process to ensure that traffic impacts are minimized and proper traffic circulation is achieved, and mitigation is presented and implemented by individual development projects, where necessary. However, that mitigation is best refined and advanced as part of a site-specific project and not as part of a FGEIS.

**Comment 3-91:** The proposed new east-west roadway is a good idea, but residents along Malloy Drive may not agree with their roadway becoming a bypass to Old Country Road and Montauk Highway. (Freleng)

**Response 3-91:** The Pines Subdivision was designed with the intent that the roadways within the subdivision would accommodate an east-west connection to properties to the west. As stated above, the Recommended Plan also identifies the need for traffic calming measures and other techniques that would be appropriate to avoid impacts on the local streets through this community.

**Comment 3-92:** The Recommended Plan should not direct traffic to Lewis Road and not create the additional roadways north of the LIRR tracks as the sole alternative to funneling traffic. These new roadways would not divert new traffic away from the Lewis Road at Old Country Road intersection. In fact, the bulk of the traffic to the new developments and golf course will likely use this intersection. Further, the approach to Emmet Drive at Montauk Highway intersection from Malloy Street rises over the LIRR and is curved and a dangerous road and thus not a good alternative to diverting traffic. The FGEIS should consider alternatives to, or modifications of the Traffic Circulation Plan that will not funnel additional traffic onto Lewis Road, and will not use Malloy Drive and local roadways as the sole alternative to such funneling. The GEIS should consider diverting traffic to the north by creating a service road along Sunrise Highway where traffic could be directed to the Route 104 interchange or a new interchange to be constructed. Further, instead of east/west roadways, new northbound roadways should be constructed to link Recommendation Areas 6, 7, 8, and 9 to Sunrise Highway and divert traffic from the hamlet. A road could be built from Noble Farms that connects to Recommendation Area 6 to access Sunrise Highway. (Starr)

**Response 3-92:** As stated above, the Recommended Plan has been developed to minimize traffic and circulation impacts that might otherwise occur under the Zoning Build-Out or Proposed Project Alternatives. However, the Recommended Plan must also work within the existing constraints for site access to Lewis Road while recognizing the need for an east-west connection street linking the development properties north of the LIRR track. In the absence of such a connection, traffic from the northern portion of the study area would, in fact, need to travel south and then use either Old Country Road or Montauk Highway (Main Street) which would further congest those roadways.

As also stated above, a northerly connection to Sunrise Highway was dismissed due to potential impacts on natural resources and the Pine Barrens as well as limitations on access to Sunrise Highway. Thus, the northerly alternative alignment suggested in the comment was not recommended in the plan. Further, if access is made to Sunrise Highway, all traffic would have to head east to Hampton Bays, unless a new interchange was constructed. Thus, traffic heading west would continue to use Lewis Road. As also stated above, an alternative connection to Noble Farms has been added to this FGEIS and Recommended Plan.

**Comment 3-93:** The GEIS should address the possibility of using the unbuilt Sunrise Highway South Service Road. There are a number of north-south local

roads (both existing and paper) that intersect the service road. Use of this road can reduce congestion on Montauk Highway and Old Country Road. Consideration should be given to the development of a utility corridor outside of the service road right-of-way, as the Federal Highway Administration does not encourage placement of utilities within federally funded road right-of-ways. (Saad)

**Response 3-93:**

As stated above, it is not likely that new roadways would be constructed through the Pine Barren Core Preservation Area, which would be required to achieve the north connection to Sunrise Highway. Further, if access is made to Sunrise Highway, all traffic would have to head east to Hampton Bays, unless a new bridge was constructed. Thus, traffic heading west would continue to use Lewis Road. The Recommended Plan contains no suggestion for additional utilities or utility relocation in this area.

**Comment 3-94:**

What is the total number of trips generated by the entire plan and what is the breakdown for the various components? Also the traffic volumes provided by Nelson Pope & Voorhis (2006) are not consistent with the volumes presented in Appendix C. Provide all adjustment factors/methods and delete reference to Nelson Pope & Voorhis in Appendix C. A traffic analysis should be performed for the Recommended Plan and proposed mitigation measures should be compared to the Proposed Projects Alternative. Comparing the Recommended Plan to this alternative is confusing since it's not discussed until Chapter 4 of the DGEIS. A more detailed traffic assessment should include traffic diagrams at key intersections for summer AM and PM peak hours through 2015. (Weichbrodt, Voorhis, Seeman, Heaney)

**Response 3-94:**

As shown in Table 2-6 of this FGEIS, all proposed uses under the Recommended Plan would generate about 302 vehicle trips in the AM peak hour and 466 in the PM peak hour, but this would only occur on days were the banquet facility is operational and open to the public. Otherwise the PM peak hour trips would be 376.

As stated in the DGEIS, a growth factor of 2.04 percent was applied to the traffic analysis, which is a NYSDOT growth factor of the Town of Southampton. In addition, a seasonal adjustment factor of 1.17 (as recommended by NYSDOT) was applied to the existing volumes to reflect peak summer conditions (August). It is recognized that the traffic analysis presented in the DGEIS is a comparative analysis to the higher impact condition (e.g. the proposed projects). It is also recognized that the DGEIS and Recommended Plan identify the need for site-specific traffic impact studies as the Recommended Plan is implemented.

- Comment 3-95:** The study should discuss the sight distance issue from the north at the Y intersection of Spinney Road at Lewis Road. The study appears to minimize and sometimes omits information about generated trips in the future if Spinney Road becomes a collector road. (Heaney)
- Response 3-95:** To avoid impacts on this residential community, the Recommended Plan does not propose the use of Spinney Road as a collector road. The plan does propose a new street connection to the south. This would be a new intersection that would complete the east-west road connection on the north side of the LIRR track between Lewis Road on the west and Emmett Drive on the east.
- Comment 3-96:** Will traffic patterns experience significant changes during major storm events, especially along Lewis Road and its intersection of Route 104? (Seeman)
- Response 3-96:** Traffic analyses for an EIS examine a reasonable worst case condition, and do not consider unique or extreme storm event conditions.
- Comment 3-97:** Regarding the yellow blinking light proposed at the fire house, is this the best traffic calming method for this area? Other mitigation for traffic calming should be assessed. (Seeman)
- Response 3-97:** Traffic calming measures are part of the Recommended Plan and would be examined on a case-by-case basis with the future proposed projects.
- Comment 3-98:** More study is needed to consider future municipal parking requirements at multiple locations near Main Street for parking. Also, the plan should consider the need for a municipal parking plan and district. (Heaney)
- Response 3-98:** The Recommended Plan identifies the need for a local parking plan and identifies a possible location for a municipal parking lot adjacent to the existing East Quogue Post Office. One recommendation of the local plan could be a local parking district.
- Comment 3-99:** It is unclear if the new road (within Noble Farms) will lead to a dead end or provide a possible leg in the proposed roadway intended to eventually link Lewis Road to Montauk Highway at Emmet Drive. If the intersection is planned to serve as the terminus of a connector road, the study should include the proposed intersection in the traffic analysis, offer some estimation of trips, and depict results on the appropriate trips generated tables and figures. (Heaney)
- Response 3-99:** It is not proposed that the new road within the Noble Farms development would connect to developments to the east. It is proposed

that the roadway from Noble Farms would serve this development and connect to the Kijowski Farms subdivision. However, it is recognized that future development could consider this as an alternative or secondary connection to relieve some of the traffic burden at the proposed intersection of the east-west road connector and Lewis Road (see the discussion above). In either scenario, it is recommended that detailed site-specific traffic studies be performed to fully evaluate the potential impacts at all intersections based on future site-specific development plans and programs.

**Comment 3-100:** Road design plans and Traffic Impact Studies should be submitted to Suffolk County Department of Public Works. (Hillman)

**Response 3-100:** Comment noted. The Suffolk County Department of Public Works has reviewed and commented on the plan. It is expected that future site-specific development plans would also require review by the Department of Public Works.

**Comment 3-101:** The Transportation Commission advises the Town Board to meet with Zachary Starr to discuss his concerns with the traffic analysis. The Transportation Commission would support a moratorium extension to allow for the meeting and follow-up to occur. (Neely)

**Response 3-101:** The consultants met with Zachary Starr on July 10, 2008 and reviewed his concerns and comments relative to the proposed circulation plan. As a result of that meeting, alternative road alignments were considered as a way to reduce potential traffic impacts on Lewis Road. This includes potential connections to the proposed road at Noble Farms.

*SCENIC RESOURCES*

**Comment 3-102:** Regarding scenic resources, confirm consistency with the Town Master Plan and CLUP Volume 2, Chapter 8. (Pine Barrens)

**Response 3-102:** Chapter 3 of the DGEIS discusses the impacts of the Recommended Plan on scenic resources. The analysis of scenic resources was consistent with the Town's Comprehensive Master Plan and used that document as a guide. In addition, since the majority of the Recommended Plan proposes development north of the LIRR tracks and away from scenic resources, no significant adverse impacts are expected, and no scenic resources identified in the CLUP exist within the study area.



*GROWTH INDUCING IMPACTS*

**Comment 3-103:** The plan should elaborate on the effects of redevelopment, in-fill construction in older residential neighborhoods, and growth related to the HO/HC mixed uses on Main Street. (Heaney)

**Response 3-103:** The No Action condition presented in the DGEIS and this FGEIS assumes build-out of the study area vacant and underutilized lots for properties where only building department approvals are necessary. The plan also examined the impacts of growth related to the HO/HC mixed uses where they are proposed under the plan (see Recommendation Areas 11 and 14).

**CHAPTER 4: ALTERNATIVES**

**Comment 4-1:** The No Action condition is incorrect because it's based on development on individual lots as well as within those areas that are exempted from the moratorium and assumes that the Town would not render any decisions on actions in the future. This alternative should be revised to consider what would occur without the plan (i.e., the build-out of the study area based on existing zoning and regulations including SCDHS and Central Pine Barrens Commission). The Recommended Plan should be compared against the No Action condition. (EQ Civic)

**Response 4-1:** The No Action condition, as presented in the DGEIS, presents future conditions assuming infill development and development on properties with only limited ministerial approvals from the Town (e.g., building department). As stated in the comment, the DGEIS also presents, in Chapter 4, "Alternatives," a Zoning Build-Out Alternative that considers the impacts on the study area if it were built-out per current zoning regulations. Other alternatives that were examined in the DGEIS include build-out under the proposed projects and clustering. All alternatives and the Recommended Plan were evaluated against the future No Action condition. That evaluation and comparison has been expanded for this FGEIS.

**Comment 4-2:** School age estimates for the No Action condition seem ultra conservative and warrant an elaboration. (Frank)

**Response 4-2:** As sated above, estimates for school age children per housing unit were determined based on student registration data provided by EQUFSD. Using this information, it was estimated that there are approximately 0.58 students per study area housing unit in the study area. This estimate is based on students attending both EQUFSD as well as WHBUFSD. Since it was estimated that the No Action condition would

add 140 new housing units, approximately 81 students would be added to the study area, assuming no additional discretionary approval of developments.

**Comment 4-3:** More feasible alternatives should be provided (e.g., the Recommended Plan without the golf course). Some alternatives could occur individually or in conjunction with other stated alternatives. Thus, some of these alternatives should be moved to a discussion in existing conditions. (EQ Civic)

**Response 4-3:** Based on this comment, an additional alternative has been analyzed in this FGEIS that considers the Recommended Plan without the golf course or resort/recreation uses. It is not appropriate to move a discussion of alternatives to existing conditions. If that were done, the analysis would not fully examine the impacts of the plan.

**Comment 4-4:** Provide traffic and trip generation estimates for the various components of all the alternatives. (Voorhis)

**Response 4-4:** The Executive Summary provided in this FGEIS includes a summary table of trip generation for each of the alternatives.

**Comment 4-5:** A new alternative should be analyzed that evaluates no new development. This alternative should examine the cost for this preservation as compared to the avoided service costs and impairments to quality of life. (Lindberg, Sacco)

**Response 4-5:** An alternative that considers no new development is not realistic in determining what future impacts would occur to the study area with new development. There is no practical mechanism that would eliminate all development rights within the study area to prohibit development in the future, short of land acquisition of all developable properties, which is not feasible. However, for the purpose of comparison, this would be the No Action Condition presented in the DGEIS.

**Comment 4-6:** The alternatives impact assessment should provide a detailed calculation for number of residents, school children, cost to educate students, community services, economic fiscal considerations, water and sanitary calculations as well as impacts to these resources. Also, use consistency in comparative analysis for all the alternatives. An impact matrix would be useful. (Weichbrodt)

**Response 4-6:** The DGEIS included this analysis and this FGEIS includes as Table S-1 of the Executive Summary, a table that presents the impact of each

alternative on the resource areas. This FGEIS also compares each alternative to the Recommended Plan and No Action condition.

**Comment 4-7:** Table 4-9 of the DGEIS does not accurately reflect the proposed Atlanticville project. The breakdown of the allocation of 3 and 4 bedroom units should be provided. The project proposes 200 3-bedroom units and 100 2-bedroom units of varied type. This table should also provide a breakdown of estimated school children based on housing type, not a blended average of students per unit. (Weichbrodt)

**Response 4-7:** Table 4-9 includes the housing and population data for the Proposed Projects Alternative, which includes Noble Farms, the Hills at Southampton, the Links, Atlanticville, Rosko Farms, and build-out of the Lar Sal Realty property. The estimate of school age children is based on an average home in East Quogue. This FGEIS has been updated to discuss the estimated number of students based on data provided by the Atlanticville project relative to specialized housing types (e.g., senior housing).

**Comment 4-8:** Provide economic analysis to support the statement “expanded retail uses could also adversely impact Main Street businesses to the west.” (Weichbrodt)

**Response 4-8:** It is possible that by providing significant increases in general retail goods and services similar in nature to the existing Main Street core that could compete with the current businesses would conflict with sustaining the hamlet’s viable Main Street. However, it is recognized that a greater mix of uses coupled with local growth would not result in this impact. Such analysis would need to be the subject of a site-specific development plan. As stated in the Recommended Plan, a hamlet office district is presented in the Recommended Plan to avoid this impact on the existing Main Street, which is characterized by small businesses that provide local goods and services.

**Comment 4-9:** Development of the Atlanticville project, if it includes similar retail uses as the existing downtown could threaten the stability and viability of the existing downtown. (Freleng)

**Response 4-9:** See the discussion above.

**Comment 4-10:** Provide zoning build-out methodology used to determine yield. (Weichbrodt)

**Response 4-10:** The methodology for determining development potential under the Zoning Build-Out Alternative involved calculating the acreage of all

vacant and underutilized lands for each projected and potential developable property in the study area within each zoning district and then applying the Town's yield factor. Table 2-2 of this FGEIS provides the Zoning Build-Out yield of potential and proposed sites while Chapter 3 details the assumptions made for this alternative. It is recognized that this yield was determined based on general data and did not in all cases involve the use of site-specific survey information. Thus, site-specific analyses in accordance with all local code requirements for determining yield and incorporating factors such as water coverages, wetlands, and slopes may vary somewhat from the data presented in the DGEIS and FGEIS.

**Comment 4-11:** Figure 4-5: show outline of all proposed project boundaries. (Weichbrodt)

**Response 4-11:** Figure 1-3 of the DGEIS shows the properties included as part of the proposed projects.

**Comment 4-12:** Provide a wetland impact assessment for Weesuck parcel. (Weichbrodt)

**Response 4-12:** A generic wetland impact assessment is presented in the DGEIS alternatives analysis.

**Comment 4-13:** The summary of alternatives does not adequately explain why none of the alternatives are feasible and why the Recommended Plan is considered the most appropriate for the study area. (Weichbrodt)

**Response 4-13:** As stated in the DGEIS, the alternatives to the Recommended Plan do not meet the study's principal goals and objectives (see page 1-7 of the DGEIS) or the community concerns in the way that the Recommended Plan addresses these issues. As stated in the DGEIS, a principal goal of the plan is to meet the community objectives while allowing for economic growth, an increase in the tax base and diversity in ratables, and providing natural resources protection and recreation.

**Comment 4-14:** Explain the Upzoning Density Alternative compared to the Build-out (No Action or Recommended Plan). (Frank)

**Response 4-14:** The Upzoning Density Alternative includes many of the same assumptions as the Build-Out Alternative, but assumes that all the vacant lands north of the LIRR tracks and east of Lewis Road are upzoned to CR200. The Build-Out Alternative assumes development under the under zoning.

- Comment 4-15:** Workforce Housing Alternative may project a skewed total number of housing units and does not reflect reality based on the allocation of 10 percent to workforce and senior housing. Senior housing units use a lower total resident multiplier and therefore generate fewer residents. Thus, this alternative would not generate the same number of residences as the Recommended Plan. (EQ Civic, Weichbrodt)
- Response 4-15:** This FGEIS explains that the population and housing numbers for this alternative are conservative because it was based on single family residential rates. Again, the analysis presents a worst case estimate of population and housing.
- Comment 4-16:** Evaluate the economic feasibility of the TDR Alternative that transfers development rights from 800+ acres to a 35-acre parcel. This alternative would be cost prohibitive and unrealistic. This would be a viable option if the Town and other entities would purchase these development rights and transfer them to Atlanticville free of charge. (Parlato)
- Response 4-16:** This alternative is a transfer that is economically feasible. This alternative would add about 60 new units to the proposed Atlanticville project while protecting about 950 acres from development on the Noble Farms, the Hills at Southampton, the Links, Rosko Farms, Lar Sal Realty, Gibbs, and the sand mining properties. It is expected that additional units could be accommodated in a cluster development on lands north of the LIRR tracks. The alternative would potentially require amendment to the Town code were it to be implemented to allow such a TDR plan to move forward. However, this alternative is presented for comparison only and is not part of the Recommended Plan.
- Comment 4-17:** For the Hamlet Transfer of Development Rights Alternative, revise to clarify that the yield would be based on the zoning of the parcel in 1995, when Article 57 was enacted. (Pine Barrens)
- Response 4-17:** Zoning in the study area in 1995 is the same as current zoning. \*