

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

655 Majors Path
Hamlet of North Sea
Town of Southampton, New York

SEQR Findings Statement



Prepared for:
Town of Southampton
Planning Board
(Lead Agency)

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TABLE OF CONTENTS

1.0 Introduction..... 1

1.1 Name of Proposed Action..... 1

1.2 SEQR Classification 1

1.3 Lead Agency 1

1.4 Applicant..... 1

1.5 Findings Statement Guidelines 1

1.6 Location 1

1.7 Description of Proposed Action..... 1

1.8 Project History and Background..... 3

1.9 Procedural History of the Applicant’s SEQR Review 5

1.10 Findings..... 7

1.10.1 SEQR Findings Statement 7

1.10.2 Discussion of Baseline Conditions 8

2.0 Summary of Facts and Conclusions Relied Upon to Support a Decision... 9

2.1 Soils and Geology 9

2.2 Groundwater Resources 10

2.3 Surface Waters 13

2.4 Ecology 15

2.5 Visual and Aesthetic Resources and Community Character 17

2.6 Transportation 18

2.7 Land Use and Zoning..... 20

2.7.1 Land Use 20

2.7.2 Zoning..... 21

2.8 Community Facilities and Resources..... 22

2.9 Noise 23

3.0 Alternatives..... 25

3.1 No Action..... 26

3.2 Residential Yield Plan..... 27

3.3 Planned Residential Development with 25-Percent Open Space 27

3.4 100-Foot Setback Alternative 28

3.5 Alternative Sanitary Technology 28

3.6 Reduced Scale Alternative..... 30

4.0 Conclusion 31

State Environmental Quality Review - Findings Statement Signature Sheet 32

1.0 INTRODUCTION

1.1 NAME OF PROPOSED ACTION

Southampton Country Day Camp

1.2 SEQR CLASSIFICATION

Type I pursuant to SEQR 6 NYCRR §617.4 (b) (11), *Type I Actions*

1.3 LEAD AGENCY

The Planning Board of the Town of Southampton is Lead Agency in this matter.

1.4 APPLICANT

Southampton Day Camp Realty, LLC

1.5 FINDINGS STATEMENT GUIDELINES

This Findings Statement has been prepared in accordance with Article 8 of the Environmental Conservation Law (SEQR) and its implementing regulations at 6 NYCRR Part 617.

1.6 LOCATION

The 17.28+/- acre subject parcel is located at 655 Majors Path, in the Hamlet of North Sea, Town of Southampton, Suffolk County, New York. The subject property is identified on the Suffolk County Tax Map (SCTM) as District 0900 – Section 097.00 – Block 03.00 – Lot 0017.001.

1.7 DESCRIPTION OF PROPOSED ACTION

The proposed action involves a change from one pre-existing, non-conforming use (tennis club and/or tennis camp) to another non-conforming use (a day camp and tennis club) on a residentially zoned parcel, and the demolition/reconstruction/relocation of existing structures and the addition of accessory pools and sport court/playgrounds. There would also be changes to the vehicular circulation. Parking capacity would be increased from 45 spaces, which are not formally marked, to 74 designated parking spaces.

The applicant, Southampton Day Camp Realty, LLC, is currently operating the existing tennis club and/or tennis camp in accordance with existing Certificates of Occupancy and Certificates of Compliance issued by the Town of Southampton.

The 17.28±-acre subject property is currently developed and in use as a tennis club and/or tennis camp and is improved with 12 cottages, a caretaker's office, a kitchen and dining hall, a one-and-one-half story residence, a clubhouse, a maintenance shed and a maintenance shop building, a basketball court, nine tennis courts, a swimming pool, gravel parking with capacity for approximately 45 vehicles, and decking and patios. The total square footage of all existing buildings is 11,990 +/- SF. While the proposal includes the elimination of certain buildings and the addition of new buildings to modernize the facility, the square footage of all buildings would be the same as that which currently exists. The area of buildings represents approximately 1.6 percent of the total lot area.

As with the existing Southampton Racquet Club and Camp operation, the proposed day camp and tennis club would be seasonal, with overnight accommodations used by employees and camp counselors. There would be no overnight accommodations for campers. As with the tennis camp element of the existing use, the proposed day camp would accommodate children ages 2.5 through 14 years old, and would operate for a ten-week period on weekdays between mid-June and early September. The tennis club activities would continue daily for a 22-week season, from early May through early October, between the hours of 8:00 a.m. and 6:00 p.m.

The subject property is adjacent to Little Fresh Pond, and contains associated freshwater wetlands within the northwest portion of the site. There are no improvements located in the vicinity of Little Fresh Pond, nor are any proposed.

Potable water would continue to be supplied by the Suffolk County Water Authority (SCWA). The subject property is currently served by an eight-inch water main connection to an existing main beneath Majors Path. Upon implementation of the proposed action, the subject property is expected to use an estimated 7,153 gallons per day (GPD) of potable water (including 353± GPD kitchen flow from the dining hall).

Sanitary waste would continue to be directed to several existing on-site septic systems, which were installed in 2013 to replace and upgrade the former substandard sewage disposal systems. The existing on-site sanitary systems utilize septic tank pretreatment

and a grease trap for kitchen waste meeting current Suffolk County Department of Health Services (SCDHS) standards. One sanitary system would be abandoned and an additional septic tank would be installed to service the new cottage. Upon implementation of the proposed action, the subject property is expected to generate approximately 6,800 GPD of sanitary waste, an increase of approximately 1,360 GPD from the current generation rate of approximately 5,440 GPD of sanitary waste, which is the permitted flow on the facility's current SPDES discharge permit.

Under existing conditions, the subject property contains 1.6± acres of impervious surface area (buildings, play courts, etc.), 1.18± acres of gravel-surfaced drives and parking areas, and 3.46± acres of lawn, mulch paths, and landscaped areas. There is currently no stormwater management infrastructure at the subject property. Upon implementation of the proposed action, a comprehensive stormwater management system consisting of leaching pools (and natural infiltration) would be installed. The proposed system is designed to meet and exceed all relevant requirements, such that 100 percent of all stormwater runoff generated at improved site areas from a two-inch rainfall event would be contained and recharged on-site.

1.8 PROJECT HISTORY AND BACKGROUND

The subject property has been in operation with a variety of recreational uses since the 1930's, and in 1965 is known to have been improved with numerous structures, including a dwelling, cottages and cabins, a dining hall, stable and riding facilities, tennis and other sports courts and playing fields, and a catwalk and a floating swimming raft in Little Fresh Pond. On June 8, 1995, the Town of Southampton Zoning Board of Appeals (ZBA) granted the then-owner of the property (New Horizons Camp, Inc.) variances for improvements made without a building permit, and permitted two additional tennis courts. On December 2, 1998, the Town of Southampton Building Department issued Certificates of Occupancy/Compliance for a tennis camp, based on the 1995 ZBA decision, for the several structures and facilities that existed on the subject property at that time.

The subject property was conveyed to the applicant (Southampton Day Camp Realty, LLC) on October 28, 2010. In 2011, the Applicant applied for a permit to renovate and expand the existing camp to offer a wider range of day camp activities. The Zoning Board met in order to make a determination whether or not these changes still constituted the same use - "tennis camp" - or if they were a different use - "day camp" - which would

require a variance, since a day camp use would be considered a different use than that currently on the site.

On March 15, 2012 the Town of Southampton Zoning Board of Appeals found that the proposed renovation and expansion of the facility from a “tennis club and/or tennis camp” to a “day camp” is a change from one nonconforming use to another nonconforming use; and therefore Southampton Day Camp Realty, LLC would be required to seek a variance from the ZBA, pursuant to Southampton Town Code 330-167(B)(3) for its proposed “day camp” use.

On June 15, 2012, the applicant applied to the ZBA for a change from one nonconforming use (i.e., a tennis club and/or tennis camp) to another nonconforming use (i.e., a day camp and tennis club). The Town of Southampton Planning Board, as lead agency, adopted a Positive Declaration on October 11, 2012, requiring the preparation of a Draft Environmental Impact Statement (DEIS) to analyze potential significant environmental impacts of the proposed change from one nonconforming use to another

Since that time, several enhancements have been made to the existing facility to improve, from an environmental (e.g., groundwater quality) perspective, the impacts of operation of the existing facility. These improvements have included the abandonment of all existing sanitary systems in accordance with SCDHS protocols, and replacement of same with modern systems with septic tank pretreatment (where none existed previously), and a grease trap for kitchen waste, in accordance with current SCDHS standards. Additionally, public water service was extended onto the subject property, replacing private wells (which remain for irrigation purposes), and existing oil storage tanks were removed (with the exception of a 235-gallon tank within the on-site residence).

Other improvements have been undertaken at the subject property, which has continued to operate as a tennis club and/or tennis camp, to maintain its existing structures, as well as to install a 1,445-SF swimming pool in place of an existing tennis court. All necessary approvals were obtained for same, which was determined to be a customary accessory structure and use to the tennis camp and tennis club. This determination by the Building Inspector was affirmed by the ZBA in its decision of December 20, 2012 (Decision No. D013123).

The applicant has continued to operate the subject property as a tennis club/camp in accordance with all existing permits and approvals.

As indicated in the DEIS, camp enrollment has increased as follows:

2013: 104 campers, 44 staff, 35 tennis club members
2014: 182 campers, 57 staff, 55 tennis club members
2015: 215 campers, 65 staff, 90 tennis club members
2016: 280 campers, 66 staff, 90 tennis club members

1.9 PROCEDURAL HISTORY OF THE APPLICANT'S SEQR REVIEW

- (i) SEQR Positive Declaration October 11, 2012
- (ii) Applicant revised plan (see below)
- (iii) A public scoping session for the DEIS was held on February 26, 2015, after which written comments were accepted until March 20, 2015.
- (iv) The Planning Board adopted a final scope for the DEIS on March 26, 2015, based on the public comments received at the public hearing and during the provided comment period.
- (v) The Applicant, through its consultant, VHB, submitted a preliminary Draft Environmental Impact Statement (DEIS), dated April 2016.
- (vi) Based on a review and comments received by the Lead Agency's consultant, Cashin Associates, P.C., the Applicant submitted a revised DEIS dated September 2016
- (vii) DEIS accepted by Planning Board as complete and adequate for public review, circulated to all involved agencies and interested parties, made available to the public via the Town of Southampton's website and at two local public libraries (Rogers Memorial Library and Hampton Library – Bridgehampton)
- (viii) Public hearings were held on 12/8/16 and 1/26/17
- (ix) The DEIS comment period was held open until March 7, 2017
- (x) The Applicant submitted its Final Environmental Impact Statement (FEIS), prepared by its consultant, VHB in April 2018. The FEIS addressed all substantive comments made on the DEIS during the review period. In addition to responding to comments on the DEIS, the FEIS also described project revisions as provided by the Applicant and described below.
- (xi) The review of the FEIS by the Lead Agency's consultant, Cashin Associates, P.C., determined that the FEIS document satisfied the essential elements of the SEQRA regulatory requirements contained in §617.9(b) 7 & 8 by:

- a. Incorporating the DEIS by reference (and describing site plan revisions, as described below), subject to the comments received during the public hearings held on December 8, 2016 and January 26, 2017, and the written comments received through March 7, 2017;
- b. Including in the main body of the FEIS, a description of the Applicant's Proposed Project subject to the underlying DEIS;
- c. Providing copies of the Public Hearing Transcript and written correspondence, containing substantive comments received regarding the DEIS as appendices to the FEIS;
- d. Providing summaries of the substantive comments received, referenced to the original sources contained in the Public Hearing Transcript and written correspondence documents appended to the FEIS; and
- e. Providing responses to the referenced substantive comments prepared by the Applicant's consultant, subject to adoption by the Lead Agency, which are summarized in the main body of the FEIS, and are related to the DEIS comments, which are also summarized and included as part the FEIS responses.

(xii) After the review and approval by the Lead Agency, through its consultant, Cashin Associates, P.C., the FEIS was deemed acceptable on April 26, 2018 and filed on April 26, 2018.

It is noted that the proposed action was scaled down since the Town of Southampton Planning Board, as lead agency, issued a Positive Declaration for the "2012 Renovation Plan" on October 11, 2012 requiring the preparation of a DEIS. These plan changes included: (1) fewer existing tennis courts to be removed; (2) the new plan no longer proposed a swimming pool, patio and changing shed complex near adjoining residences at the north-northwest portion of the site; and no longer contained a new internal driveway through a wooded portion of the site joining the southern parking area to the main driveway loop; and (3) several enhancements were made to the existing facility to improve operations from an environmental perspective (e.g., abandonment of aged sanitary systems and replacement with modern sanitary systems with septic tank pretreatment, installation of public water supplies, and removal of oil storage tanks). The

DEIS was prepared in accordance with the Positive Declaration and Final Scope issued for the prior plan, despite the reduction in scope of the proposed action.

In response to comments raised by neighboring homeowners whose properties border the site to the north, and in response to feedback received from the Planning Board during its December 14, 2017 work session, a revised Site Plan has been prepared by the applicant. The revised Site Plan proposes to remove the northern tennis court and basketball court from their current locations, thereby removing an existing noise source associated with the existing facility, and maximizing the buffer to the neighboring residences to the north of the subject property. In lieu of these existing courts, and in response to feedback from the Planning Board, a new sport court would be constructed in an interior site within the western portion of the subject property. As part of the revised Site Plan, the area immediately adjacent to the northern property line, currently occupied by the tennis court, would be largely revegetated with native species and retained as a natural buffer between the camp and the neighboring residential properties. To facilitate this modification, a net additional area of clearing of 7,373+/- sf or approximately one-percent of the total site area would be required. This is discussed in the FEIS.

An updated Noise Impact Analysis was prepared to evaluate potential noise impacts from the revised site plan and is included in the FEIS.

In addition, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (6,800 gpd for 80 days). Based on information provided by the applicant in the DEIS, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day.

1.10 Findings

All comments received from the public and from involved agencies were carefully considered during the DEIS and FEIS preparation processes and in preparing this Statement of Findings.

1.10.1 SEQR Findings Statement

This findings statement, pursuant to the requirements of 6 NYCRR Part 617 (SEQR):

- lists the facts and findings of the review and outlines the processes and procedures followed during environmental evaluation of the proposed action;
- certifies, as applicable, that the requirements of SEQR have been fulfilled;
- indicates whether consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures and safeguards that were identified as practicable; and
- serves as one of the bases for final lead agency decision-making in the matter.

Based on the preceding process, the action has been reviewed and processed in accordance with the requirements of SEQR.

1.10.2 Discussion of Baseline Conditions

For the purposes of the DEIS and FEIS, the following baseline (existing) conditions were used as the basis for analysis:

- Camp enrollment was presented for 2013-2016, as follows
 - 2013: 104 campers, 44 staff, 35 tennis club members
 - 2014: 182 campers, 57 staff, 55 tennis club members
 - 2015: 215 campers, 65 staff, 90 tennis club members
 - 2016: 280 campers, 66 staff, 90 tennis club members
- Noise measurements were taken at the camp in 2013 and 2015
- Sanitary waste generation was based on the facility's current SPDES permit
- Groundwater monitoring was conducted in 2015 and additional groundwater level data was collected in 2017
- Surface water sampling was conducted in 2015
- A field inspection of the property was conducted in June 2015 to assess ecological field conditions and this was also the basis of the description of the visual character of the site
- Traffic – ATR data was used from August 2013 and 2015 traffic volumes were projected utilizing a 2% per year growth factor utilized by NYSDOT for the Southampton area. Accident records for 2007-2010 were used in the DEIS and were updated in the FEIS to include accident records from January 1, 2012 through September 15, 2016.

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- The analyses which were conducted in the DEIS (and FEIS), and which are the basis of this findings statement are based on a maximum of camp enrollment of 360 campers and 90 staff, including 65 overnight staff.

2.0 SUMMARY OF FACTS AND CONCLUSIONS RELIED UPON TO SUPPORT A DECISION

2.1 SOILS AND GEOLOGY

According to the *Soil Survey of Suffolk County, New York* (USDA, 1975), the soils at the subject property include Plymouth loamy sand, 3 to 8 percent slopes (PIB); Carver and Plymouth sands, with 15 to 35 percent slopes (CpE); and Swansea muck, with 0 to 1 percent slopes, coastal lowland (Mu) Mu soils are located at the extreme northwest corner of the subject property, represent le, which represent less than one percent of the soil profile.

On-site geological soil investigations show that the geology of the site consists mainly of granular material (sands and some sand with silt) with a minimal layer of clay in a small localized section of the site. This clay later is located above the groundwater table.

Elevations at the subject property range from 10± to 60± feet above mean sea level, generally sloping down from the eastern portion of the site, northwest toward Little Fresh Pond. Approximately 85 percent of the subject property includes slopes ranging from zero to 10 percent, and 15 percent of the subject property includes slopes ranging from 10 to 15 percent.

No changes to existing site elevations are being considered as part of the proposed action. No areas of steep slope at the subject property would be affected by the proposed improvements. The project engineer has confirmed, based on the results of soil test holes, that the on-site soils are suitable for the proposed improvements. Topsoil would be applied to disturbed land surfaces, as needed, to support the establishment of vegetation in accordance with the *Planting Plan*.

The disturbance of soils for construction activities increases the potential for erosion and sedimentation. In order to minimize the potential for adverse erosion and sedimentation impacts during construction, an Erosion and Sediment Control Plan would be

implemented at the subject property. A NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit will be required as well as an approved NYSDEC Stormwater Pollution Prevention Plan (SWPPP). Construction must also conform to all Town Engineering inspection requirements.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to soils, topography, or important geologic or geomorphic features are anticipated from the proposed action.

2.2 GROUNDWATER RESOURCES

Site-specific groundwater monitoring was conducted to analyze groundwater quality and to determine localized groundwater flow direction. Surface water elevation data was also collected for Little Fresh Pond. Additional groundwater level data were collected during the months of January and March 2017 for inclusion in the FEIS. The additional groundwater measurements on these two dates were consistent with the results obtained during the summer and fall of 2015 which showed that the surface water elevation of Little Fresh Pond is higher than the groundwater elevations of all of the monitoring wells.

Since Little Fresh Pond has no surface water outlets to discharge the incoming stormwater and runoff, the higher surface water elevation of the pond creates a vertical hydraulic gradient that recharges vertically and hydraulically to groundwater.

A groundwater budget analysis was performed based on the area of Little Fresh Pond, average precipitation for the area, the tributary drainage area for the pond, an evaporation transpiration rate of approximately 34 inches per year and a conservative estimate that only 10 percent of precipitation in the drainage area reaches Little Fresh Pond. The results indicated that Little Fresh Pond provides a net recharge to the groundwater system of 19 million gallons per year, and that the net yearly groundwater flow is away from the pond.

Sanitary waste would continue to be directed to several existing on-site septic systems, which were installed in 2013 to replace and upgrade the former substandard sewage disposal systems. The existing on-site sanitary systems utilize septic tank pretreatment and a grease trap for kitchen waste meeting current Suffolk County Department of Health Services (SCDHS) standards. One sanitary system would be abandoned and an additional septic tank would be installed to service the new cottage.

The subject property has a “grandfathered” sanitary flow of 9,450 gpd. Based on the existing and expected future levels of site occupancy at the subject property, sanitary waste generation is expected to increase from 5,440 gpd (existing) to 6,800 in the future, which is below the maximum permitted “grandfathered” flow established by the SCDHS Office of Wastewater Management for the previously developed property. However, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (6,800 gpd for 80 days). Based on information provided by the applicant in the FEIS, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day. Increased flow will require approval from the Suffolk County Department of Health Services.

The determination of grandfathered flow for the site was provided by the site engineer, and is shown on a plan in Appendix C of the DEIS, which was stamped approved by the Suffolk County Department of Health Services (SCDHS) as part of its review of the upgrade to the on-site sanitary systems, which has been completed.

As depicted thereon, the cottages (for which Certificates of Occupancy exist – see Appendix C of the DEIS) are assigned occupancies based on the applicable provisions of the Building Code of New York State, which was converted to a total grandfathered flow using the applicable flow rates assigned by SCDHS.

As provided by the site engineer, and acknowledged by SCDHS, the grandfathered flow of 9,450 was calculated based on the maximum available use of the permitted structures on the site. Based on the grandfathered flow rate of 9,450 gpd, assuming a 365-day-per-year activity at the site, which is not being proposed or contemplated, the annual allowable sanitary flow would be 3,449,250 gallons per year (gpy). Since the proposed action would operate for approximately 80 days per year, it would generate approximately 6,800 gpd of sanitary flow, based to an average of 360 campers and 90 staff (including 65 overnight) per day. This would yield a total annual sanitary flow of 544,000 gpy.

An analysis of the nitrogen loading of the proposed day camp and tennis club use was performed to compare same with what would be permitted pursuant to Article 6. The results indicate that the estimated future nitrogen loading generated from the proposed use would equate to only 25 percent of the nitrogen that would otherwise be allowed under Article 6 density criteria, and 14 percent of that allowed by the facility’s

grandfathered flow. The increase of flow as per the proposed site improvements is not expected to produce any significant effect on the regional or local groundwater quality.

To further evaluate the potential groundwater-related impacts of the proposed action with respect to nitrogen inputs (including nitrogen in sanitary waste discharge, fertilizers, and various other sources), a Nitrogen Load Model was developed and a BURBS model computation was performed for existing and proposed conditions at the subject property. The modeling results indicate that the proposed action would increase the mass of nitrogen recharged to groundwater by approximately 34.28 pounds per year, and that the concentration of nitrogen in recharge would increase minimally from 2.06 mg/L to 2.39 mg/L. The expected concentration is below the US Environmental Protection Agency maximum concentration limit of 10 mg/L, and is below the unofficial concentration of 2.5 mg/L for protection of the waters of Peconic Bay from nitrogen loadings.

The subject property is currently supplied potable water by the SCWA. There are three SCWA community supply well fields near Little Fresh Pond, the closest of which is located 0.6 mile east of the subject property (Edge of Woods Road well field). No influence on the water table elevation or direction of flow is expected in the vicinity of the subject property due to the operation of these supply wells. The minimal incremental increased demand for potable water that would result upon reaching the maximum anticipated future occupancy of the proposed day camp and tennis club would not be expected to result in a significant adverse impact upon community water supplies, and no new connections are proposed.

Analyses of potential groundwater-related impacts of swimming pool water, including increased pool water discharge due to the addition of two new pools, conclude that the continued use of calcium hypochlorite (a chlorine derivative) for pool disinfection and normal maintenance in accordance with all relevant regulations (e.g., New York State Department of Health Sanitary Code Part 6, Subpart 6-1) would not be expected to adversely affect the environment. With respect to the potential impacts of fertilizers, pesticides and other chemicals, the applicant would closely monitor the landscaping subcontractors to incorporate the relevant requirements and restrictions of New York State law with respect to fertilization practices, and the continued treatment of the property with a cedar oil-based pesticide for mosquito and tick control would not be expected to produce any harmful effect on the regional or local groundwater quality.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to groundwater resources are anticipated from the proposed action.

2.3 SURFACE WATERS

Little Fresh Pond is a 19.3±-acre surface water body located adjacent to the northwest of the subject property. There is no use of the pond related to the existing facility operations, and no changes are proposed. No improvements are proposed within the pond, associated wetlands, or the regulated 100-foot buffer surrounding same. The pond has no surface water contributors (e.g., streams) and its surface level is directly influenced by rainwater and runoff from the watershed. It is designated as a Class B wetland, identified as wetland "SH-4" on the NYSDEC Freshwater Wetland Map. The USFWS NWI Map identifies Little Fresh Pond as a Freshwater Pond and defines it as a Palustrine, Unconsolidated Bottom, Permanently Flooded (PUBH) water body. It is also listed on the 2014 New York State Section 303(d) Lists of Impaired/Total Maximum Daily Load (TMDL) Waters. It has been listed in the NYS 303(d) list (Part 3a) for high concentrations of phosphorus since 2012. Part 3a designation is a subcategory that defers the development of TMDLs until verification of impairment.

Surface waters of Little Fresh Pond were sampled in July 2015. The samples were analyzed for common water chemistry and the results were compared to the New York State Ambient Water Quality Standards (AWQS) – Class B. The data collected as part of the surface water quality investigation of Little Fresh Pond reveals a concentration of phosphorous higher than the guidance value (20 ug/l). High concentration of phosphorus in the pond may be responsible for the algae growth typical in summer months. Historical data obtained from the CSLAP 2011 report shows that there have been multiple occasions since the availability of the data (1989) that the pond has had similar or higher concentrations. Those higher than the guidance value concentrations appear to be cyclical and reoccurring mainly around the summer months (May – September). Pesticide concentrations were non-detect.

Based on the various groundwater and surface water analyses, water budget calculations and other information described within the DEIS, groundwater discharges at the subject property (e.g., sanitary waste discharge to on-site sanitary systems) do not reach or adversely affect water quality in Little Fresh Pond. As such, no adverse effects of the

continued use of on-site sanitary systems would be expected to adversely impact this surface water resource.

The revised Site Plan proposed 12,183+/- sf of additional clearing (prior to revegetation in other areas) to accommodate the new sport court location on the western portion of the subject property. After revegetation of portions of the existing tennis and basketball courts to be removed, the net increase in total clearing above what was proposed in the DEIS is 7,373+/- sf, or approximately one-percent of the total site area. In general, increases in impervious surface area increase stormwater runoff potential. However, the proposed action includes the installation of a comprehensive stormwater management system, where currently no on-site controls or infrastructure exist. The proposed system, which would consist of drywells strategically located at low points throughout the improved portion of the site, are designed to accommodate all stormwater runoff from a two-inch rainfall event. With the proposed stormwater management system installed, no significant adverse impacts to surface water resources associated with stormwater runoff are expected to result from implementation of the proposed action. This represents an improvement over the existing condition, since no stormwater management system currently exists on the site.

Stormwater runoff during construction could have the potential to convey sediments toward low-lying areas, and to generate soil erosions with construction-related pollutants that could ultimately end-up in surface waters. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) would be required prior the commencement of construction activities. Various erosion and sediment control measures would be implemented during construction, as part of an approved SWPPP, to minimize or preclude any potential relevant impacts upon surface waters, including Little Fresh Pond.

A jurisdictional determination regarding the proposed action was requested from NYSDEC. A letter of No Jurisdiction was issued, confirming that no Freshwater Wetlands permit would be required for the proposed action. As indicated in the letter of No Jurisdiction, "all construction, clearing and/or ground disturbance must remain more than 100 feet from the freshwater wetland boundary." There are no improvements existing or proposed within 100 feet of the wetland, and no construction, clearing and/or ground disturbance is proposed within these regulated areas.

A Water Quality Impact Evaluation was prepared by Lombardo Associates, Inc. to evaluate, among other things, potential impacts to Little Fresh Pond. The analysis concluded that the subject property does not contribute to the degraded condition of Little Fresh Pond (e.g., via sanitary waste discharges to groundwater at the subject property). Lombardo Associates, Inc. indicated that future recommendations regarding nitrogen or phosphorus reduction efforts would require further investigation of off-site contributing sources. Overall, based on the foregoing, no significant adverse impacts on surface waters are expected to result from implementation of the proposed action.

New York State has passed the NYS Dishwasher Detergent and Nutrient Runoff Law which restricts the quantity of phosphorus in fertilizers and limits the time and location where fertilizers can be used. The facility's management closely monitors the application of fertilizers that are compliant with the state and federal laws. Additionally, the application of fertilizer is restricted to only the playing fields (lawn areas) which are located more than 600 feet away from the pond surface waters.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to surface water or wetlands are anticipated from the proposed action.

2.4 ECOLOGY

Existing ecological conditions at the 17.28±-acre subject property were assessed through a review of US Fish & Wildlife Service (USFWS) and NYSDEC maps and records. In addition, a field inspection of the subject property was performed for the entire site, with a specific focus on those areas that are proposed to be impacted by the proposed action.

Wooded habitats on the subject property, as identified in the New York Natural Heritage Program (NYNHP) publication "Ecological Communities of New York State" (ECNYS) include Pitch Pine-Oak Forest, Coastal Oak-Hickory Forest and Coastal Oak-Beech Forest ecological communities. Those woodland communities within or adjacent to the developed portions of the subject property have been disturbed through anthropogenic activities (e.g., tree removal, clearing of understory vegetation, establishment of pathways, etc.) associated with historic and ongoing site usage. The freshwater wetlands adjacent to Little Fresh Pond at the northern portion of the subject property are representative of the Red Maple-Black Gum Swamp and Shallow Emergent Marsh ecological communities. The developed portions of the subject property include the

Mowed Lawn, Mowed Lawn with Trees, Unpaved Road/Path, Paved Road/Path and Urban Structure Exterior ecological communities. Those portions of the subject property where clearing and associated disturbance are proposed comprise four vegetated and one unvegetated ECNYS communities located within and adjacent to the developed portions of the site.

The revised site plan results in the vegetated area of the subject property to be 7,373+/- sf less than proposed in the DEIS Site Plan. This area represents approximately one percent of the total site area, and a 2.4+/- percent increase above the total cleared area evaluated in the DEIS.

In order to mitigate for the proposed clearing of vegetation and wildlife habitat at the subject property, a Planting Plan has been prepared. Areas to be revegetated throughout the subject property, including portions of the tennis and basketball courts to be removed, would be planted with native species to provide natural habitat and to minimize the potential ecological impact of the proposed action to the maximum extent practicable.

It is anticipated that the native plantings would create or enhance existing wildlife habitat at the subject property, while also maintaining or improving the existing natural buffers along the subject property boundaries with Majors Path and adjacent residential uses.

As the proposed limits of clearing are located 388± feet from the limits of delineated wetlands at the northern portion of the subject, no significant adverse impacts to wetlands are anticipated, and no federal, New York State or local wetland permits would be required.

No federally-listed or New York State endangered, threatened or special concern plants or wildlife, or significant natural communities were observed on the subject property.

Regarding wildlife populations, the subject property represents habitat for a variety of avian, mammal and herpetofauna species. The proposed clearing for the proposed improvements would occur within and adjacent to the existing tennis club and camp facilities rather than within the undisturbed forested or wetland habitats of the subject property. In addition, the revegetation plan would serve as mitigation for the clearing that is required for the improvements.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to ecological resources are anticipated from the proposed action.

2.5 VISUAL AND AESTHETIC RESOURCES AND COMMUNITY CHARACTER

As presently developed, the subject property includes several structures, tennis courts, a basketball court, swimming pool, gravel parking areas, lawns, landscaping and natural areas. The existing improvements are situated on the subject property such that they are primarily obscured from view by the existing wooded areas that occupy the perimeter of the subject property. The proposed improvements have been designed such that the overall aesthetic character of the developed portions of the subject property would not be altered.

While no significant adverse impacts to visual and aesthetic resources and community character have been identified, the following mitigation measures have been incorporated into the design of the proposed action to minimize or preclude potential impacts:

- Natural buffers would be retained along the perimeter of the subject property to obscure views of the facility, including the revegetation of areas along Majors Path.
- All proposed lighting fixtures would be shielded and downward-facing to prevent light spillover.
- Existing exterior wall sconce lighting would be replaced with full cut-off fixtures
- Exterior lighting would be installed in accordance with a final lighting plan to be submitted or the Town's review and approval as part of Site Plan review, in accordance with Article XXIX of the Town Code.

Visually, the removal of the northern tennis and basketball courts, as proposed in the revised Site Plan, and the increased vegetative buffer would reduce the visibility of camp activities from neighboring residences to the north. A 126-foot 8+/- inch natural buffer would remain between the new sport court and the western property line. While the sport court would potentially be visible from the adjacent residential properties, the tree cover within the natural buffer would mitigate the visual impact.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to visual

and aesthetic resources and community character are anticipated from the proposed action.

2.6 TRANSPORTATION

A Traffic Impact Study (TIS) was completed by the Applicant to provide a comprehensive evaluation of the potential traffic impacts associated with the proposed action. The TIS projects a maximum enrollment at the camp of 360 campers with 90 staff members (including 65 overnight staff), and 90 tennis club members. A copy of this study, dated September 2015, and revised September 2016, is included in Appendix H of the DEIS. The TIS was reviewed by the Engineering Consultant for the Town of Southampton, who determined that, based on this traffic report, there seems to be no potential for major adverse impacts to traffic associated with the proposed improvements related to the proposed action. The results of the TIS determined that traffic generated by the proposed action would have a minimal impact on the surrounding roadway network. The proposed action would generate traffic during a two-month period from late June until early September, and only on weekdays. Weekend traffic would be limited to that generated by the staff living on the property.

The subject property is on the west side of Major's Path, north of North Sea Mecox Road and south of Little Fresh Pond Road. Major's Path currently provides direct access to the existing site.

Under the proposed action, the site would be served by three access driveways along Major's Path. Sight distance availability measurements were performed for safety and efficiency during operations. Field measurements indicated that sufficient site distance would be available at the north driveway to meet AASHTO guidelines. At the center (exit only) driveway, sight distance to the north was found to be somewhat lower than recommended. Therefore, the center driveway would be relocated 50+ feet to the south to provide adequate site distance in both directions. At the southernmost driveway, which was previously intended to provide access and egress for camp employee vehicles and tennis club patrons, sight distance to the north was found to satisfy the guidelines. However, due to the existing horizontal and vertical curvature on Major's Path, sight distance to the south is somewhat limited, to approximately 250 feet. Relocation of this driveway to the south by 100 feet results in significant improvement to the available stopping sight distance to the south. Overall, the proposed changes to the site access driveways would improve the safety and operating efficiency of the site.

With respect to accidents, the very small estimated increase in traffic due to the proposed action is not expected to result in any increase in accident experience at this location, and the recommended access arrangement should further enhance the safe operation of the roadway. Accident data collected and presented in the DEIS indicated that there were no reported accidents related to the camp operations. At the request of numerous comments, updated accident data was provided in the FEIS, which also indicated that there were no reported accidents related to camp operations.

The proposed Site Plan provides a total of 74 parking spaces. The site currently provides parking for 45 vehicles, however, there are no formally marked spaces. The Town Code does not provide a relevant parking requirement for the existing or proposed use of the subject property. If applied to the proposed action, the parking requirements that are most similar to the proposed use (i.e., for “school” and “golf course”) would require 111 parking spaces. Based on actual and expected facility operation, and a review of various published parking factors for similar uses, the 74 proposed spaces are expected to accommodate the demand for parking adequately. The remaining 37 spaces would be landbanked (i.e., the spaces would not be improved) within areas currently containing lawn and gravel.

Further efforts to mitigate impacts on local traffic include the incorporation of bussing into each campers’ tuition, which assures that most campers arrive at camp via bus (16-to-24 passenger school buses). Transportation via the campers’ caregivers is discouraged, although it is recognized that individuals may occasionally be picked up or dropped off due to unforeseen circumstances or scheduling. The bus operation reduces the number of vehicles entering and exiting the site, reduces the number of parking spaces and queuing space required, and eases the process of loading and unloading children, making for a safer operation. In addition, staff is either transported by van to the facility or lives at the site to minimize the number of employee trips. To further mitigate the potential for increased traffic the Applicant has agreed to limit the number of busses (16-to-24 passenger school busses) to 25, which is the number of vehicles required with an average of 360 campers and 90 staff with 65 staff being housed on-site.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to traffic and transportation are anticipated from the proposed action.

2.7 LAND USE AND ZONING

2.7.1 Land Use

The 17.28±-acre subject property, located on the west side of Majors Path, is currently improved with several structures associated with the preexisting non-conforming use as a tennis club and/or tennis camp. The existing improvements include 12 cottages, a caretaker's office, a kitchen and dining hall, a one-and-one half story residence, a clubhouse, a maintenance shed and a maintenance shop building, a basketball court, nine tennis courts, a swimming pool, gravel parking, and decking and patios (both attached to buildings and freestanding).

As presently constituted, the majority of the subject property (i.e., 10.91± acres, or 63±-percent) is unimproved, and consists of wooded areas and wetlands associated with Little Fresh Pond. A trail runs generally west-northwest from the northern limit of clearing at the subject property toward Little Fresh Pond.

According to the Table of Use Regulations for Residence Districts in Section 330-10 of the Town Code, the current use of the subject property, as a tennis club and/or tennis camp, is not permitted within the underlying R-20 zoning district. However, the current use and development of the subject property is considered a nonconforming use, as it predates the adoption of the zoning regulations, pursuant to Section 330-113 and 115 of the Town Code. As such, the ongoing use of the subject property, as well as the various improvements which have taken place, have been granted Certificates of Occupancy and Compliance from the Town

Land uses within a one-half-mile radius surrounding the subject property include a mixture of single-family residential, open space, commercial, recreational, agricultural, utility, and community services.

Upon implementation of the proposed action, site operations would be substantially similar to the use that has occupied the subject property for over four decades. Southampton Racquet Club and Camp would continue to offer seasonal recreational opportunities to the community as a day camp and tennis club. The application for a change in nonconforming use would enable the applicant to address the demand for a greater variety of day camp activities. The proposed changes to recreational amenities at the subject property include the construction of two swimming pools to replace an

existing tennis court, addition of a sports court and addition of a play area. The existing row of seven tennis courts, located on the southern portion of the subject property would remain for use by the tennis club as well as the day camp. No significant change in the nature or level of off-hours activity (e.g., associated with seasonal staff residing at the site) would result from the proposed action.

Based on the foregoing, the proposed action does not represent a significant increase in the intensity of the land use, as there are no net increases in floor area, deck area or court area, only a minor amount of clearing of existing natural area is proposed, and any increased camper enrollment attributable to the proposed action would be incremental to the enrollment increases already occurring and expected absent the proposed action. However, since the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (6,800 gpd for 80 days), based on information provided by the applicant in the DEIS, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day. The wooded character of the site and the presence of perimeter vegetative buffers would be retained. The physical characteristics and general operations associated with the proposed use are very similar to the existing use, and the proposed use is an established element of the surrounding community.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to land use are anticipated from the proposed action.

2.7.2 Zoning

With respect to zoning, the proposed action requires a variance for a change from one non-conforming use (i.e., a tennis club and/or tennis camp) to another (i.e., a day camp and tennis club), which will require zoning board approval. The criteria for granting of the requested variance are set forth in the Town Code at Section 330-166(B), as well as Section 330-167(B)(3); the Board of Appeals determines that the requested change is not detrimental to the surrounding neighborhood and will be beneficial to the general neighborhood. The proposed change from one non-conforming use to another would not adversely affect the general neighborhood, as demonstrated by the impact analyses, mitigation measures and cap in enrollment presented in the DEIS and Findings Statement.

The proposed improvements would not result in an increase in the degree of non-conformity with existing zoning, and all proposed improvements would be consistent with the bulk and dimensional requirements of the prevailing R20 Residence District of the Town of Southampton.

The proposed action is consistent with the relevant goals and objectives of the Town of Southampton Master Plan (1970), the Southampton Tomorrow – Comprehensive Plan Update Implementation Strategies (1999), and the Southampton 400+ Sustainability Element (2013).

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to zoning are anticipated from the proposed action.

2.8 COMMUNITY FACILITIES AND SERVICES

The subject property is within the service areas of the North Sea Fire Department (NSFD), the Southampton Volunteer Ambulance (SVA), and the Southampton Town Police Department (STPD). The proposed action involves a change from one nonconforming use (a tennis club/camp) to another non-conforming use (a day camp and tennis club), and would not substantially alter the existing site operations. It is noted that enrollment has been increasing at the camp since 2013 and would continue to increase incrementally above the existing enrollment, even absent the implementation of the proposed action. The incremental increase in camp enrollment would result in a negligible increase in demand for emergency services. Notwithstanding the existing, active use at the subject property, the proposed single day camp and tennis club facility would be situated within a well-established community already containing similar uses and with approximately 3,276 housing units (i.e., the North Sea Census Designated Place), such that the demand for community-provided services would not be substantial.

Additionally, as the use of the subject property would continue to be non-residential, no school-aged children would be introduced to the population of the Southampton Union Free School District as a result of the proposed action. Overall, the proposed action would not result in significant adverse impacts to the fire protection, ambulance service, police protection or educational facilities that serve the subject property.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, no significant adverse impacts to community facilities and services are anticipated from the proposed action.

2.9 NOISE

Existing noise sources at the facility include outdoor camp activities such as swimming at the outdoor pool, basketball and other outdoor and playground activities. A noise study was conducted to determine the potential increase in noise levels due to increased enrollment to a maximum of 360 campers as well as due to proposed improvements. The results of this noise study were presented in the DEIS. The results of the impact assessment showed that future with-action sound levels did not exceed Southampton Noise ordinance daytime limit of 65 dBA for residential land use and, therefore, there would be no significant adverse impact. Additionally, the increase in sound would be less than six decibels at all receptors and, therefore, noise mitigation would not be needed for residential receptors, according to NYSDEC program policy.

However, in response to concerns raised by residential neighbors regarding noise generated by existing basketball and tennis activities proximate to the property line at the northern portion of the property, and in response to feedback received from the Planning Board during its December 14, 2017 work session, the applicant has prepared a revised Site Plan to address these concerns. As initially proposed and described in the DEIS a basketball court would have been located within this portion of the subject property and would have involved the conversion of part of an existing tennis court. The portion of the tennis court to be removed partially encroaches upon the northern property line under existing conditions. This area was proposed to be revegetated as part of the DEIS plan, providing a minimum vegetated setback of 20-feet-8±-inches for the converted basketball court to the nearest property boundary.

The revised *Site Plan* proposes to remove the northern tennis court and basketball court from their current locations, thereby removing an existing noise source associated with the existing facility, and maximizing the buffer to the neighboring residences to the north of the subject property. In lieu of these existing courts, and generally in response to feedback from the Planning Board, a new “sport court” would be constructed in an interior site area within the western portion of the subject property, maintaining a minimum setback of 131-feet-6±-inches from the nearest property boundary and a buffer of natural vegetation a minimum of 126-feet-8±- inches in depth.

As part of the revised *Site Plan* the area immediately adjacent to the northern property line, currently occupied by the tennis court, would be largely revegetated with native species and retained as a natural buffer between the camp and the neighboring residential properties.

The modifications proposed by this revised *Site Plan* are intended to address a concern raised by residential neighbors regarding noise generated by existing basketball and tennis activities proximate to the property line.

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

As the revised *Site Plan* would locate a new sport court on the western portion of the subject property, the updated Noise Impact Analysis shows a two-to-four-decibel increase above the existing condition at the residential receptors nearest to the new sport court as measured at the nearest property boundary. Under the previous *Site Plan*, these receptors were expected to experience up to a one-decibel increase. While noise levels are anticipated to increase at these receptors, it is noted that the future sound level is expected to reach a maximum of 62 decibels, which is below the Southampton Noise Ordinance daytime limit of 65 decibels for residential land use. Furthermore, the sound level increase would be less than the threshold of six decibels above the existing condition at all receptors, such that noise mitigation is not needed for residential receptors according to the NYSDEC program policy.

Accordingly, the change to the *Site Plan* would minimize potential noise impacts to the residential neighbors closest to the existing northern basketball and tennis courts, while

only moderately increasing noise levels (within Town and State policy limits) for the residential neighbors closest to the new sport court.

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

The revised Site Plan mitigates potential noise impacts which could result from the proposed project by relocation of a sports field and increasing the vegetated buffer between the property line and residences to the north. Based on the results of the noise study, decibel levels at noise receptors that result from the proposed action are below the Southampton Noise Ordinance daytime limit of 65 decibels for residential land use. Furthermore, the sound level increase would be less than the threshold of six decibels above the existing condition at all receptors, such that noise mitigation is not needed for residential receptors according to the NYSDEC program policy.

Based on the environmental review and in consideration of all mitigations and controls described by the EIS and this Findings Statement, including a cap on enrollment to an average of 360 campers (420 maximum), no significant adverse impacts to noise are anticipated from the proposed action.

3.0 ALTERNATIVES

An assessment and overall comparative evaluation of six project alternatives are provided in Section 4 of the DEIS. "Appendix I" of the DEIS contains site plans for each alternative. The investigation of alternatives consisted of SEQR's requisite "No-Action" alternative and five others, including two residential alternatives, a Reduced Scale Alternative, a 100-Foot Setback Alternative and an alternative using Alternative Sanitary Technology.

3.1 No Action

The “No Action” Alternative is a required alternative under SEQRA when preparing an EIS (NYCRR 617.9(b)(5)(v)). SEQRA states that *“The substance of the “no action” discussion should be a description of the likely circumstances at the project site if the project does not proceed.”*

In this case, since the proposed action is for a change from one nonconforming use to another non-conforming use - from the existing tennis club/camp to a day camp and tennis club (scoping document March 26, 2015), absent the proposed action, the subject property would continue to operate as it currently is and has been. The current operation is a non-conforming use, operating in compliance with all current permits and certificate of compliance. As shown by enrollment information in the DEIS, the camp has experienced some increase in enrollment since 2013, absent the proposed action. This is part of the “no-action”, i.e., operation absent the proposed action. Such increases may naturally occur in the future absent the proposed action.

Therefore, the “No Action” Alternative would involve leaving the subject property in its present state whereby it would remain in its current and ongoing use as a seasonal tennis club and/or tennis camp without the proposed improvements and modifications. Under this alternative, camp enrollment could be expected to increase above its current level as has been observed in recent years. No disturbances to existing soils, ecological resources, land use or aesthetic character would occur. Transportation, water resources (potable water usage and sanitary generation), noise and community facilities may experience the same effects under the no action alternative due to probable enrollment increases. This alternative would not include the proposed drainage improvements at the subject property, which are part of the proposed project, which would contain and recharge stormwater runoff at the subject property. As part of the proposed action, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (6,800 gpd for 80 days). Based on information provided by the applicant in the FEIS, this equates to an average of 360 campers and 90 staff (including 65 overnight) per day.

The No-Action Alternative does not include the removal of a tennis court along the northern property boundary and the establishment of a vegetative buffer, as does the proposed project.

3.2 Residential Yield Plan

The Residential Yield Plan is an alternative development, whereby the subject property would be developed in accordance with the prevailing R-20 Residence zoning district. This allows for the development of a 22-lot single family residential family subdivision, which would entail demolition of all existing structures on the site and clearing the site to a greater extent than that required by the proposed action.

Article 6 of the Suffolk County Sanitary Code would normally limit sanitary waste discharge from on-site systems to 300 gpd per acre or a total of 5,184 for the 17.28 acre subject property. However, since the subject property has a “grandfathered” sanitary flow of 9,450 gpd, it is possible that future development of the property could achieve full yield of the site.

This alternative would result in greater disturbance and clearing of land as compared to the proposed action, altering the visual character of the site. The proposed action was determined to be less impactful on water resources and sanitary waste generation than this alternative. Overall, no significant adverse traffic-related impacts would be expected to result from either this alternative or the proposed action. This alternative would not be out of character with the surrounding neighborhood, and noise would be expected to be generally consistent with the surrounding area. Community facilities and services would be able to provide services to the proposed single family residences proposed under this alternative. Approximately 18 school age children could be generated by this alternative, whereas the proposed action would not generate any school aged children.

3.3 Planned Residential Development with 25-Percent Open Space

An additional residential yield alternative has been created which increases the amount of open space to be preserved at the subject property to 25 percent of the overall subject property. As compared to the R-20 Yield alternative, this alternative would reduce the number of potential single-family residences from 22 to 21, to comply with the R-20 Residence zoning district regulations while maintaining 25-percent open space. This alternative would result in an increase in impervious surfaces and lawns/landscaping as compared to the proposed action while reducing the amount of natural (wooded) area at the site (i.e., there would be greater clearing under this alternative). However, by maintaining a 25-percent contiguous open space area, this alternative would be marginally less impactful to soils and topography, water use, sanitary waste discharge, ecology, aesthetics, transportation, land use, community facilities and services and noise, than the full residential build-out (i.e., with 22 single family residences).

Compared to the proposed action, this 25-percent open space residential yield alternative would result in greater disturbances to soils and topography, year-round water use and sanitary waste generation and clearing of natural areas. Additionally, this alternative would alter the existing visual character of the site and would remove the established seasonal recreational use. With regard to trip generation, this alternative would result in year-round trips for a portion of the homes, whereas trip generation related to the proposed action would be seasonal. This alternative would not place an increased burden on police, fire and ambulance services, but would be expected to generate school-age children, whereas the proposed action would generate none.

3.4 100- Foot Setback Alternative

The Town Code includes Special Permit standards that apply to campgrounds, summer camps, day camps or health camps. Among the requirements is that all buildings would be set back 100 feet from any property line, and that a minimum 100 foot landscape buffer be provided adjacent to any property line. The existing camp and tennis club at the subject property is an established non-conforming use that has occupied the site for decades. The proposed action does not contemplate the need for a Special Exception permit from the Town of Southampton. Nonetheless, a 100-foot setback alternative was analyzed in the DEIS. In order to meet these two requirements, a substantial amount of overall site disturbance would be necessary, as several of the existing and proposed site improvements fall within the 100-foot setback and would require relocation or removal.

The various amenities that would require relocation out of the 100-foot buffer would likely be moved to areas that are currently vegetated, including wooded areas that currently buffer the site from adjacent residential development and Little Fresh Pond. The planting that would be required within the 100-foot buffer would be offset by the additional clearing that would likely be required within the interior of the site to maintain the current and proposed level of amenities. Due to the extensive site disturbance (and cost) that would be involved in establishing a 100-foot landscaped buffer around the perimeter of the subject property, while maintaining a high standard of day camp and tennis club amenities, it is not feasible for the project sponsor to implement this alternative.

3.5 Alternative Sanitary Technology

The impacts and benefits of an Alternative Sanitary Technology that incorporates an active denitrification system or an alternative sanitary technology (acceptable to the

SCDHS) to address potential impacts to groundwater impacts and/or Little Fresh Pond were analyzed in this DEIS.

Aside from the typical on-site sanitary systems (i.e., septic tanks and leaching pools), the SCDHS also currently approves sanitary treatment technologies capable of achieving a nitrogen discharge concentration of 10 mg/L for systems discharging between 1,000 and 15,000 GPD. Pursuant to Article 6 of the SCSC, community sewerage systems are required under certain conditions, such as where a project is located within GMZ-V and the population density equivalent is greater than 300 GPD per acre. Modified subsurface sewage disposal systems, as a method of sewage disposal, may be approved by SCDHS for such projects, subject to the several conditions enumerated at §760-607.C of the SCSC.

The subject property is allowed a “grandfathered” flow of 9,450 GPD of sanitary waste, which exceeds the anticipated future sanitary flow of 6,800 GPD under the proposed action. Therefore, the requirement for a community method of sewage disposal, based on population density equivalent, would not apply to the proposed action.

The SCDHS sets forth various standards that would apply to the design of a modified subsurface sewage disposal system, such as an active denitrification system. These standards include a wide range of design considerations, several of which relate to the minimum setbacks of system components from development and environmental features. Compliance with these separation distances would limit the available locations on the subject property where an alternative system could be located. The seasonal nature of the use also presents practical difficulties that may preclude the reasonable use of such alternative systems. There is little-to-no sanitary waste flow occurring at the subject property in the spring, fall and winter. The systems take approximately two-to-three months to achieve a steady state, and the proposed facility is only open for approximately 90 days, such that the system would likely only treat sewage for a period of 30 days or less.

Depending on the particular features of the active denitrification system that would be installed under this alternative, a number of environmental impacts could result, including disturbance of vegetated areas and additional grading and excavation of the site

The various groundwater and surface water quality investigations confirm that sanitary waste discharges at the subject property do not adversely impact water quality at Little

Fresh Pond. Groundwater beneath the subject property was found to be of excellent quality, and, when adjusting for the seasonal nature of the day camp and tennis club use, the proposed action would discharge only 25 percent of the nitrogen that would be allowed under Article 6, and only 17 percent of what would be allowed under the maximum grandfathered sanitary flow. Therefore, there is no significant adverse impact for which mitigation – in the form of an active denitrification system, alternative sanitary waste treatment system, or permeable reactive barrier – would be necessary.

3.6 Reduced Scale Alternative (25 Percent)

The reduced scale alternative evaluated a scenario whereby the population potential of the subject property is reduced by 25 percent. The occupancy of the site is technically limited by the allowable discharge to on-site sanitary systems, for which a grandfathered flow rate of 9,450 GPD was calculated for the existing sanitary systems (based on the pre-existing development of the subject property). A 25 percent reduction in the allowable sanitary flow would be 7,085.5 GPD.

The anticipated occupancy of the subject property in accordance with the proposed action (i.e., by an enrollment of 360 campers and 90 staff [including 65 overnight staff]) would result in a sanitary flow of 6,800 GPD. Therefore, a 25-percent reduction of the maximum allowable sanitary flow of 9,450 GPD (i.e., 7,087.5 GPD) would, in fact, allow a greater occupancy than that proposed.

Overall, the implementation of this alternative would not reduce or eliminate any of the expected impacts of the proposed action. In fact, this alternative would have slightly greater impacts related to occupancy, as the proposed action anticipates a future occupancy that is more than 25 percent less than the maximum occupancy that would be permitted on the site.

(Since the time of the close of the public comment period on the DEIS, the applicant has agreed to limit the sanitary flow associated with the proposed action to 544,000 gallons per year (6,800 gpd for 80 days). Based on information provided by the applicant in the FEIS, this equates to an average of 360 campers and 90 staff (including 65 overnight per day.)

4.0 CONCLUSION

Having considered the FEIS (including the DEIS), and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- 1) The requirements of 6 NYCRR Part 617 have been met by the EIS process for the proposed action; and
- 2) This statement of Findings has considered the relevant environmental impacts, facts and conclusions disclosed in the DEIS, FEIS, as summarized herein; and
- 3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the current proposed action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- 4) Incorporates those mitigation measures identified as practicable during the SEQR process.
- 5) Required mitigation measures are discussed in Section 3.0 and include:
 - a. Camp enrollment will be limited to an average of 360 campers and 90 staff (including 65 overnight) per day; during limited weeks, peak weekly enrollment may exceed that average up to a maximum of 420 campers.
 - b. Tennis club membership will be limited to 90 members.
 - c. Applicant is mandated to include bussing of campers as part of camp tuition; since one-week only enrollment does not include bussing, enrollment of one-week only campers will be limited to 10 percent.
 - d. Applicant will limit the number of busses used to transport campers and staff to a maximum of 25 (16-to-24 passenger school busses)
 - e. Applicant will remove the northern tennis court and basketball court from their current locations and construct a new sport court in an interior site within the western portion of the property.
 - f. Applicant will be required to obtain approval from Suffolk County Department of Health Services (SCDHS) for increased sanitary waste flow.
 - g. Applicant will be required to landbank 37 parking spaces.
 - h. In order to ensure that the enrollment limitations are adhered to by the applicant it is recommended that the Planning Board and/or ZBA develop a practical method of enforcement, such as requesting camp records to verify camp enrollment.

State Environmental Quality Review

FINDINGS STATEMENT SIGNATURE SHEET

Certification to Approve/Undertake

Having considered the Draft and Final Environmental Impact Statements for the Southampton Day Camp Realty, LLC proposed change from one non-conforming use to another, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met.
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures and safeguards that were identified as practicable.

Lead Agency: Town of Southampton Planning Board, Southampton, New York

David Finnerty
Signature of Responsible Official

Chair
Title of Responsible Official

Dennis Finnerty
Name of Responsible Official

September 13, 2018
Date

Town of Southampton

PLANNING BOARD

116 Hampton Road
Southampton, NY 11968



ADOPTED

PLANNING BOARD RESOLUTION 2018-287

DOC ID: 30079

Southampton Country Day Camp

WHEREAS, a site plan application entitled Southampton Country Day Camp was received by the Town of Southampton Planning Board on August 24, 2011 with additional information received on August 1, 2012;

WHEREAS, the subject project is a site plan application for the change of use from a tennis camp to a tennis club/day camp and the renovation of the facility located on a 17.28-acre parcel in the R-20 Zoning District at 665 Majors Path, Hamlet of North (SCTM No. 900-97-3-17.1);

WHEREAS, the project is classified as a Type I Action pursuant to the Town Code Chapter 157 due to the number of parking space over 50;

WHEREAS, the Planning Board, after coordination from the Zoning Board of Appeals, assumed lead agency on September 27, 2012;

WHEREAS, on October 11, 2012, the Planning Board found the site plan application for Southampton Country Day Camp for the change of use from a tennis camp to a tennis club/day camp and the renovation of the facility located on a 17.28-acre parcel may result in significant adverse environmental impacts and adopted a **POSITIVE DECLARATION** pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act);

WHEREAS, the Planning Board adopted a scoping document on March 26, 2015;

WHEREAS, on May 12, 2016, the Planning Board retained the consulting firm of Cashin Associates, PC, to assist the Department of Land Management, with the environmental review pursuant to State Environmental Quality Review Act (SEQRA);

WHEREAS, the Planning Board deemed the DEIS adequate on October 27, 2016;

WHEREAS, public hearings were held on the DEIS on December 8, 2016 and January 26, 2017;

WHEREAS, on April 26, 2018, the Planning Board accepted the Final Environmental Impact Statement (FEIS) as adequate;

WHEREAS, the Planning Board has requested that a Findings Statement be prepared which summarizes the facts and conclusions of the Draft and Final EIS's and Planning Board finds that the action meets the SEQR requirements and is consistent with social, economic and

other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures and safeguards that were identified as practicable; now therefore,

BE IT RESOLVED, the Planning Board of the Town of Southampton hereby accepts and adopts the Findings Statement prepared on its behalf by the Town’s consultants, Cashin Associates, PC in conjunction with the Town of Southampton Department of Land Management, dated September 13, 2018, pursuant to the State Environmental Quality Review Act and Chapter 157 of the Town Code; and

BE IT FURTHER RESOLVED, as required by SEQRA and its implementing regulations, copies of the Findings statement shall be sent to all required parties listed under §6 NYCRR 617.12 (b) (1) and notice is given that the Findings Statement is available to access on the Town website.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Philip A. Keith, Secretary
SECONDER:	John Zuccarelli, Board Member
AYES:	Dennis Finnerty, John Blaney, John Zuccarelli, Philip A. Keith
NAYS:	Jacqui Lofaro, Robin Long, Glorian Berk

State Environmental Quality Review

FINDINGS STATEMENT SIGNATURE SHEET

Certification to Approve/Undertake

Having considered the Draft and Final Environmental Impact Statements for the Southampton Day Camp Realty, LLC proposed change from one non-conforming use to another, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met.
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures and safeguards that were identified as practicable.

Lead Agency: Town of Southampton Planning Board, Southampton, New York

Paul Finerty
Signature of Responsible Official

Chair
Title of Responsible Official

Dennis Finerty
Name of Responsible Official

September 13, 2018
Date

Town of Southampton

PLANNING BOARD

116 Hampton Road
Southampton, NY 11968



ADOPTED

PLANNING BOARD RESOLUTION 2018-287

DOC ID: 30079

Southampton Country Day Camp

WHEREAS, a site plan application entitled Southampton Country Day Camp was received by the Town of Southampton Planning Board on August 24, 2011 with additional information received on August 1, 2012;

WHEREAS, the subject project is a site plan application for the change of use from a tennis camp to a tennis club/day camp and the renovation of the facility located on a 17.28-acre parcel in the R-20 Zoning District at 665 Majors Path, Hamlet of North (SCTM No. 900-97-3-17.1);

WHEREAS, the project is classified as a Type I Action pursuant to the Town Code Chapter 157 due to the number of parking space over 50;

WHEREAS, the Planning Board, after coordination from the Zoning Board of Appeals, assumed lead agency on September 27, 2012;

WHEREAS, on October 11, 2012, the Planning Board found the site plan application for Southampton Country Day Camp for the change of use from a tennis camp to a tennis club/day camp and the renovation of the facility located on a 17.28-acre parcel may result in significant adverse environmental impacts and adopted a POSITIVE DECLARATION pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act);

WHEREAS, the Planning Board adopted a scoping document on March 26, 2015;

WHEREAS, on May 12, 2016, the Planning Board retained the consulting firm of Cashin Associates, PC, to assist the Department of Land Management, with the environmental review pursuant to State Environmental Quality Review Act (SEQRA);

WHEREAS, the Planning Board deemed the DEIS adequate on October 27, 2016;

WHEREAS, public hearings were held on the DEIS on December 8, 2016 and January 26, 2017;

WHEREAS, on April 26, 2018, the Planning Board accepted the Final Environmental Impact Statement (FEIS) as adequate;

WHEREAS, the Planning Board has requested that a Findings Statement be prepared which summarizes the facts and conclusions of the Draft and Final EIS's and Planning Board finds that the action meets the SEQR requirements and is consistent with social, economic and

other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures and safeguards that were identified as practicable; now therefore,

BE IT RESOLVED, the Planning Board of the Town of Southampton hereby accepts and adopts the Findings Statement prepared on its behalf by the Town’s consultants, Cashin Associates, PC in conjunction with the Town of Southampton Department of Land Management, dated September 13, 2018, pursuant to the State Environmental Quality Review Act and Chapter 157 of the Town Code; and

BE IT FURTHER RESOLVED, as required by SEQRA and its implementing regulations, copies of the Findings statement shall be sent to all required parties listed under §6 NYCRR 617.12 (b) (1) and notice is given that the Findings Statement is available to access on the Town website.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Philip A. Keith, Secretary
SECONDER:	John Zuccarelli, Board Member
AYES:	Dennis Finnerty, John Blaney, John Zuccarelli, Philip A. Keith
NAYS:	Jacqui Lofaro, Robin Long, Glorian Berk