

The ENB SEQRA Notice Publication Form - Please check all that apply

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

- | | |
|---|--|
| <input type="checkbox"/> Negative Declaration - Type I | <input type="checkbox"/> Draft EIS |
| <input type="checkbox"/> Conditioned Negative Declaration | <input type="checkbox"/> with Public Hearing |
| <input checked="" type="checkbox"/> Positive Declaration | <input type="checkbox"/> Generic |
| <input type="checkbox"/> Draft Scope | <input type="checkbox"/> Supplemental |
| <input type="checkbox"/> with Public Scoping Session (optional) | <input type="checkbox"/> Final EIS |
| <input type="checkbox"/> Final Scope | <input type="checkbox"/> Generic |
| | <input type="checkbox"/> Supplemental |

DEC Region # 1 County: Suffolk Lead Agency: Southampton Town Planning Board

Project Title: 94 Dune Road Holding Corp

Brief Project Description: The action involves . . .

Application of 94 Dune Road Holding Corp is for a proposed change from one non-conforming use (restaurant/bar and marina) to another (25 condominium units) on an 8.61-acre property, situated in the R-80 Zoning District and located at 94 Dune Road in East Quogue, SCTM# 900-385-1-37.3.

Project Location (include street address/municipality):

Contact Person: Anthony Trezza

Address: 94 Dune Road City: East Quogue State: NY Zip: 11942
Phone: 631-702-1767 Fax: 631-287-5706 E-mail: atrezza@southamptontownny.gov

For Conditioned Negative Declaration / Draft Scope / Draft EIS: Public Comment Period ends: ___ / ___ / ___

For Public Hearing or Scoping Session: Date: ___ / ___ / ___ Time: ___:___ am/pm

Location:

A hard copy of the Draft Scope/Final Scope/DEIS/FEIS is available at the following locations:

The online version of the Draft Scope/Final Scope/DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:



Planning Board
Town Hall
Southampton, NY 11968

Meeting: 09/24/20 02:00 PM
Department: Planning
Category: Zoning Board Referrals
Prepared By: Anthony Trezza

ADOPTED

PLANNING BOARD RESOLUTION 2020-252

DOC ID: 34770

**94 Dune Road Holdings Corp - SEQRA Determination
(Positive Declaration)**

WHEREAS, the Southampton Town Planning Board received a referral for the Southampton Town Zoning Board of Appeals Application of 94 Dune Road Holding Corp for a proposed change from one non-conforming use (restaurant/bar and marina) to another (25 condominium units) on an 8.61-acre property, situated in the R-80 Zoning District and located at 94 Dune Road in East Quogue, SCTM# 900-385-1-37.3; and

WHEREAS, the project meets the criteria for classification as a Type I Action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and pursuant to Chapter 157 (Environmental Quality Review) of the Southampton Town Code, and

WHEREAS, the Zoning Board of Appeals coordinated the SEQRA review with all involved agencies and by resolution dated September 10, 2020, the Southampton Town Planning Board established itself as Lead Agency; and

WHEREAS, the applicant has submitted a Part I of the Environmental Assessment Form, and staff has completed a Part II and Part III of the Environmental Assessment Form, and

WHEREAS, the Planning Board reviewed said application and finds that due to the nature of the Proposed Action and existing site conditions, the Planning Board finds that the Proposed Action would result in significant adverse environmental impacts as evidenced in Parts II and III; now, therefore

BE IT RESOLVED, the Planning Board hereby adopts the Positive Declaration prepared for the Zoning Board of Appeals Application of 94 Dune Road Holding Corp and directs the applicant to prepare a Draft Scope as required pursuant to § 617.8 of 6 NYCRR Part 617 State Environmental Quality Review, to identify the issues to be addressed in the Draft EIS.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Zuccarelli, Board Member
SECONDER:	Robin Long, Board Member
AYES:	Finnerty, Blancy, Lofaro, Zuccarelli, Keith, Long, Berk

To: John Bennett

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : 94 Dune Road Holding Corp
 Date : September 24, 2020

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. NO YES
(See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) NO YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

PLEASE SEE ATTACHED FOR FULL NARRATIVE SUPPORTING POSITIVE DECLARATION

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: 94 Dune Road Holding Corp

Name of Lead Agency: Southampton Town Planning Board

Name of Responsible Officer in Lead Agency: Jacqueline Lofaro

Title of Responsible Officer: Chairperson

Signature of Responsible Officer in Lead Agency:

Date: September 24, 2020

Signature of Preparer (if different from Responsible Officer)

Date: September 24, 2020

For Further Information:

Contact Person: Anthony Trezza, Principal Planner

Address: 116 Hampton Road, Southampton, NY 11968

Telephone Number: 631-287-5735

E-mail: atrezza@southamptontownny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

EAF Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Application of 94 Dune Road Holding Corp 94 Dune Road, East Quogue SCTM#: 900-385-1-37.3

September 24, 2020

Application is for a change from one non-conforming use (restaurant/bar and marina) to another (25-unit condominium development) on an 8.61-acre property, situated in the R-80 Zoning District and located at 94 Dune Road in East Quogue, SCTM# 900-385-1-37.3. The adjacent and surrounding properties on the north side of Dune Road are vacant, while the lots on the south side of Dune Road are improved with single-family residences and a pre-existing, multi-family development. The boundary line with the Village of Quogue is approximately 1000 feet to the west.

The parcel fronts on Shinnecock Bay, which is part of the larger state designated Long Island South Shore Estuary Reserve and one of the premier ecological features of the Town. The westerly portion of this estuarine ecosystem, where the project is located, has a history of poor water quality, which has been documented as being directly linked to surrounding land use. To counter these effects, the Town has included the subject premises within the High Priority Water Quality Improvement Zone. Further, approximately half of the site is encumbered by wetlands, which is part of a much larger interconnected system of State and Town regulated tidal wetlands that extends well beyond the subject property. The lot is located within FEMA flood zones VE elevation 10, AE elevation 11 and AE elevation 12, as well as within the Limit of Moderate Wave Action (LimWA). The proposed development will be situated within FEMA flood zone AE elevation 12.

The Planning Board has reviewed the following information as part of this SEQRA review in order to make a determination of significance:

1. ZBA Application submitted by the applicant
2. Full EAF Form Part 1 submitted by the applicant
3. Project Narrative submitted by the applicant and prepared by Land Use Ecological Service, Inc. dated September 20, 2019.
4. Memorandum prepared by the Southampton Town Conservation Board dated February 26, 2020
5. Site Plan prepared by P.W. Grosser Consulting Engineering and Hydrogeologist, PC dated November 8, 2018:
 - a. Sheet C-002 Overall Site Plan
 - b. Sheet C-003 Grading and Drainage Plan
 - c. Sheet C-004 Drainage Plan
 - d. Sheet C005 Sewage Treatment Plan

- e. Sheet C-006 Landscape Plan
- f. Sheet C-007 Lighting Plan
- g. Sheet C-008 Sediment and Erosion Control Plan
- h. Sheet C-009 Sediment and Erosion Control Plan
- i. Sheet C-010 Civil Site Plan Details 1
- j. Sheet C-011 Civil Site Plan Details 2

Based on a review of the above items, the Planning Board has completed the EAF Part 2 - Identification of Potential Project Impact – and has identified the following potentially large environmental impacts:

Impacts on Land

The Planning Board finds the proposed project may have potentially large impacts to land resources based on the following:

- The subject property is located on a barrier island between Shinnecock Bay and the Atlantic Ocean. The project site contains expansive tidal wetlands and the depth to groundwater is shallow based upon test hole data provided. There is statewide and Town initiatives for development and infrastructure to retreat from the Atlantic Ocean and to comply with Coastal Erosion Hazard Areas requirements and to relocate development landward or away from these areas that are subject to hurricane storm damage and coastal flooding. This parcel is located in the NYS SLOSH Zone and needs to incorporate information on future storm resiliency for the Planning Board to further evaluate.
- While the application indicates a reduction in the overall footprint of the development area from approximately 2.2 acres to 1.5 acres, the Planning Board finds the proposed project plan still requires town approval of a Stormwater Pollution Prevention Plan (SWPPP) given that site disturbance will be over an acre.
- The Planning Board finds the project may have significant impacts on land by establishing a precedent by which commercial uses are converted to residential uses, at a scale and density that may not be appropriate, especially given the sensitive environmental conditions and constraints that exist at this specific location.
- The applicant has not submitted any information as it pertains to the construction details/timing for this project. Construction that takes more than a year or that has multiple phases can cause impacts related to, but not limited to: ongoing traffic disruptions, use of heavy equipment which may cause damage to the existing Town Road, and impact the adjacent residential community with high noise levels, stockpiles of soils and materials and other visual signs of construction that result in longer-term visual changes to the character of the area, or other ongoing noise or odor nuisances.
- The northern side of Dune Road is predominantly preserved by public and conservation entities. The current restaurant is a one story restaurant and the proposed condos are to be

2 stories in height, which is in vast contrast with the land uses immediately adjacent to the subject site and will impact residents, visitors and neighbors' enjoyment of this otherwise beautiful area.

Impacts to Surface Waters

The Planning Board finds the proposed project may have potentially large impacts to surface water resources based on the following:

- The Planning Board finds the intensity of proposed site redevelopment may have potentially significant impacts to surface waters, given the extensive network of tidal wetlands that extends well beyond the boundaries of the subject site, combined with the area being prone to flooding during rainstorms and ocean breakthrough during extreme storms such as Nor'easters and Hurricanes. Specifically, the construction of 25 residential units may be excessive for a nine (9) acre parcel, at a site where greater than half of the lot is encumbered by tidal wetlands, and falls far short of demonstrating that wetland impacts will be satisfactorily mitigated. Currently the applicant has not demonstrated overall compliance with Chapter 325 for wetland preservation, structure and sanitary disposal setbacks.
- Habitat and climate changes pose the potential for significant land use impacts, as sea level is expected to rise one to two (1-2) feet over the next 20 to 50 years. More frequent and intense downpours may threaten and degrade source water quality. A major storm event with significant flooding, as this region is prone to, can overwhelm the design capacity of the stormwater management and sewage disposal systems. When this occurs, the sewer system may discharge untreated or partially treated stormwater and sewage directly into nearby Shinnecock Bay, which is part of the larger state designated Long Island South Shore Estuary Reserve water bodies, resulting in human health and water quality threats. Any increased impacts on an already impaired water body needs to be further evaluated to ensure the most efficient and cutting edge technology is utilized to treat the sewage disposal generated by the subject use.
- The site plan calls for construction of the dwelling units and swimming pool at setbacks of 75 feet and 50 feet from wetlands, respectively, where 100 feet is required by Chapter 325 (Wetlands) of the Town Code. Construction of 25 residential units and accessory structures at less than the required setbacks is a great concern, as such action may have large adverse impacts to wetlands, marine and aquatic life, nearby fisheries, upland wildlife and habitat and surface water and groundwater quality.
- The Planning Board finds the project may require dewatering, particularly for swimming pool construction. There are a wide range of potential impacts from dewatering and groundwater lowering, such as geotechnical impacts, contamination impacts, water dependent feature impacts and water resource impacts. Groundwater rise is a natural occurrence and when installing an in-ground swimming pool, groundwater rise can cause damage to the pool and result in unanticipated environmental impacts, such as pool

chemicals and filtration systems leaching into the nearby wetlands and adjacent water bodies.

Impacts on Groundwater

The Planning Board finds the proposed project may have potentially large impacts to groundwater resources based on the following:

- The project plans rely on outdated baseline groundwater data, as the test holes were completed in 2016. Based on meteorological data from Brookhaven National Laboratory, this data was collected during drought like conditions, which persisted for nearly a decade. As precipitation and groundwater levels have since begun to return to normal, the test hole data needs to be updated, and properly analyzed, to ensure the depth to groundwater is accurately reflected and that the project has been designed to minimize potential significant environmental impacts. It is recommended that the applicant provide multiple test holes in relation to the location of the proposed development and within close proximity to the regulated tidal wetlands, with accompanying data results, as the groundwater level and water table levels of this property need to be very carefully reviewed to analyze any future impacts.
- The Planning Board has concerns about the planned creation of a storm water overflow drainage swale, approximately (5) feet from the wetlands along the easterly lot line, as this will require significant excavation and re-grading and create a direct impact the regulated tidal wetlands. This action will result in a nearly direct conduit of water that will funnel contaminant-laden stormwater nearby or directly into the wetlands and surface waters, as the base of the proposed sandy drainage swale is less than two (2) feet above the groundwater table, as demonstrated by test holes completed in 2016.
- The applicant has not demonstrated that the proposed sewage treatment plant leaching structures will comply with the minimum two (2) foot separation to the groundwater table, as required by the Suffolk County Department of Health Services (SCDHS), nor does the site plan provide a cross section of the leaching field along with the required retaining walls and fill deposition calculations. Nevertheless, it is clear the water table is high and that a major storm event with significant flooding can overwhelm the design capacity of the stormwater management and sewage disposal systems resulting in untreated or partially treated stormwater and sewage feeding directly into the groundwater.

Impacts on Flooding

The Planning Board finds the proposed project may have potentially large impacts on flooding based on the following:

- The site plan fails to acknowledge the potential vulnerability of the site to flooding, as the lot is located within FEMA flood zones VE elevation 10, AE elevation 11 and AE elevation 12, as well as within the Limit of Moderate Wave Action (LiMWA). The proposed

development will be situated within FEMA flood zone AE elevation 12, but is required to comply with VE building standards, inclusive of structural elevation on pilings.

- The applicant has not provided a detailed analysis on how the proposed project will accommodate the necessary drainage capacity, and that the sewage treatment will be designed to not be impacted by future rising groundwater levels, daily high tides, and normal storm events; as the property's location currently experiences a shallow depth to groundwater, may be severely impacted by heavy rain events, is subject to coastal flooding and hurricane wave action and surges. Cross sections showing the depth to groundwater and the soil/sand quality in locations where drainage or galley field are proposed is needed for further review.

Impacts on Plants and Animals

The Planning Board finds the proposed project may have potentially large impacts on plant and animal resources based on the following:

- Based on the information submitted by the applicant, significant natural communities have been documented at the project site or in its vicinity pursuant to a letter from the New York State Natural Heritage Program, including 1) low salt marsh; 2) marine back-barrier lagoon; and 3) marine eelgrass meadow.
- Based on the information submitted by the applicant, there are documented endangered species at the project site or in its vicinity pursuant to a letter from the New York State Natural Heritage Program, including 1) common tern; 2) least tern; and 3) piping plover.

Impacts on Open Space, Recreation and Aesthetic Resources

The Planning Board finds the proposed project may have potentially large impacts on open space, recreation and aesthetic resources based on the following:

- The subject re-development is proposed on properties with frontage on Dune Road in Hampton Bays, which is classified as a 'Scenic Road' in the 1999 Comprehensive Plan Update. This scenic road designation means the Town has reviewed and found that this specific section of road has an "*exceptional example(s) of historic, agricultural, natural and cultural features.*" It further states that the purpose of a scenic roadway is to "*protect the high quality of scenic characteristics in the Town.*" Dune Road runs along the entirety of the barrier island from the Shinnecock Inlet leading westward all the way to Moriches Inlet. When residents or visitors travel down this stretch of road, the northern side provides an un-interrupted view of Shinnecock Bay with scattering of residences and Town facilities along the southern portion along the ocean. This roadway provides an important scenic resource and sense of place.

- With Dune Road having such exceptional scenic importance, it is integral the Planning Board be provided with more information on the visual impacts a 2 story residential condominium complex for persons traveling the roadway. Further, although insufficient information has been provided with respect to the proposed height and number of stories of the units, it appears that additional height variances may be required, as the units must be elevated at least seven (7) feet above the existing grade, potentially resulting in a three (3) story building.
- Further examination is also needed for the visual impacts that a 2 story building will have on the communities and public view from north of Shinnecock Bay. The one story restaurant does not currently cause a disruption in the natural scenic landscape and blends in with the surrounding native vegetation and scale. Full visual assessments and renderings are needed from all directions, so that the Planning Board may fully review the possible overall visual and scenic impacts of this re-development.

Impact on Transportation

The Planning Board finds the proposed project may have potentially large impacts on transportation/traffic based on the following:

- The addition of 25 condominium units will add vehicular trips to the subject property on a year round basis. With an average of two cars per household, at least 50 trips in and out of the site may be anticipated. With the low lying elevation of the property it is important that line of sight be evaluated, as well as stopping distances for cars traveling on Dune Road. Dune Road is relatively flat but there are areas with limited line of sight and all safety standards and design and locations for ingress and egress should be explored for this site.

Impacts on Human Health

The Planning Board finds the proposed project may have potentially large impacts on human health based on the following:

- Careful consideration needs to be given to a sewage treatment facility that may fail due to unanticipated storm and flooding events. When effluent enters the waterways, humans and animals health can be at risk.
- It should also be noted that the condominium shall have an evacuation route in place which informs residents of the best route to safety. With increasing storm events and powerful hurricanes residents who need to evacuate need to be aware of the possible risk if evacuation is not possible due to flooding or other unforeseen circumstances.

Consistency with Community Plans

The Planning Board finds the proposed project may have potentially large impacts as it pertains to the consistency with community plans based on the following:

- The Planning Board finds the project is not consistent with the Southampton Town Coastal Resources and Water Protection Plan (2016) as it pertains to coastal waters and water-dependent uses and activities where such water-dependent and enhanced uses are generally preferred to other uses. The Plan seeks to manage development and redevelopment consistent with the vision of the Comprehensive Plan by adhering to *“the Town Zoning Law standards for uses, densities, and siting of development.”* Further, the Plan seeks to *“minimize or avoid potential adverse land use, environmental, and economic impacts that would result from proposed development.”* As proposed, the project will result in density that far exceeds what is permitted under the Zoning Code, to be located on an environmentally sensitive property surrounded by wetlands. Further, the project will result in the loss of a water-dependent use (restaurant and marina), which currently provides access to the waterfront. No practical alternatives have been presented for the Town’s consideration.
- The Planning Board finds the project does not address the Town’s long range planning goals and objectives of addressing affordable housing. The applicant has not indicated how the project will conform to the Town’s affordable housing requirement as mandated by New York State. Absent providing affordable housing, the project is in direct conflict with both the State-adopted Long Island Workforce Housing Act and Town Code §216-9.
- One of the underlying goals of the Zoning Code is to bring non-conforming properties into compliance with the Town Code to the maximum extent possible. It is not clear how 25 units was determined to be appropriate for this site, particularly given the need for an STP system in order to accommodate the density per the Suffolk County Health Department regulations. With approximately 4 acres of upland area, the property would likely yield only 2 lots per the Town’s Zoning Code, which is far less than the 25 units proposed by the applicant. As such, the project does not comply with the density standards set forth in the Town Zoning Code.

Visual Impacts and Consistency with Community Character

The Planning Board finds the proposed project may have potentially large impacts on visual/aesthetic resources and community character based on the following:

- The applicant has not submitted any information regarding visual impacts nor have any elevations been provided. Further, insufficient information has been provided with respect to the proposed height and number of stories of the units, as the units must be elevated at least seven (7) feet above the existing grade, potentially resulting in a three (3) story building.
- The redevelopment of the subject site with 25 elevated condominium units and associated improvements covering an area approximately 1.5 acres in size will be visible from Dune Road. The surrounding properties on the north side of Dune Road are vacant and highly exposed, further

reducing the ability to lessen the visual impacts of this project. Further, the Planning Board is concerned the project may result in a loss or significant reduction in open vistas that the community currently enjoys.

Public Controversy of Environmental Impacts

The Planning Board finds that there may be significant public controversy regarding the Proposed Action.

Prepared by:

Anthony P. Trezza, Principal Planner