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Ronkonkoma

Final Generic Environmental Impact Statement 2009 Portion Road Corridor Study and Land Use Plan for Lake Ronkonkoma & Farmingville

Location of Action: Lake Ronkonkoma & Farmingville, Town of Brookhaven, Suffolk County, New York

Lead Agency: The Town Board of the Town of Brookhaven

Mark Lesko, Supervisor

Steve Fiore-Rosenfeld, Councilman

Jane Bonner, Councilwoman

Kathleen Walsh, Councilwoman

Connie Kepert, Councilwoman

Timothy Mazzei, Councilman

Keith Romaine, Councilman

Town of Brookhaven Offices
One Independence Hill
Farmingville, NY 11738

Lead Agency Contact: **Brenda Prusinowski, AICP**, Deputy Commissioner
Dept. of Planning, Environment & Land Management
631-451-6400

Prepared by: Town of Brookhaven
Department of Planning, Environment & Land Management



December 14, 2009

Date of Acceptance: _____



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I. Introduction

This document is the Final Generic Environmental Impact Statement (FGEIS) for the proposal by the Brookhaven Town Board to adopt the *Portion Road (CR 16) Corridor Study and Land Use Plan for Lake Ronkonkoma & Farmingville*, and the proposed change of zones of 179 acres of land spread out over 126 distinct tax lots and categorized into four change of zone groupings.

This FGEIS has been prepared in compliance with Section 8-0109 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act, SEQRA) and the implementing regulations of SEQRA at 6 NYCRR Part 617, including the specific provisions which relate to the content of final environmental impact statements contained in 6 NYCRR §617.9(b)(8). Pursuant to 6 NYCRR §617.9(b)(8) the DGEIS is hereby incorporated and part of this FGEIS.

The Brookhaven Town Board is the lead agency for this action under SEQRA. There are no other “involved agencies” as defined by the SEQRA regulations (i.e., no other agencies having discretionary approval authority, funding involvement or responsibility, or that are actually undertaking of the action), although the proposed zoning changes are required to be referred for review to the Suffolk County Planning Commission.

A Draft Generic Environmental Impact Statement (DGEIS), dated October 27, 2009, was prepared for the proposed action. At its October 27, 2009 meeting, the Brookhaven Town Board accepted the DGEIS as complete with respect to its scope and content for the purposes of commencing public review, in accordance with 6 NYCRR §617.9(a)(2). The DGEIS subsequently was circulated for review and to solicit comments from interested agencies and the public, pursuant to 6 NYCRR §617.12.

A public hearing regarding the DGEIS was held by the Town Board on November 24, 2009, pursuant to 6 NYCRR §617.9(a)(4). The public comment period was held open until December 8, 2009 to allow the opportunity for further written commentary.

Following its official acceptance by the Brookhaven Town Board, this FGEIS is being circulated in accordance with the requirements of 6 NYCRR §617.12. Before issuing its findings and subsequently taking action on the proposed action, the Town Board will provide a minimum period of ten days for agencies and the public to consider the FGEIS.

A. Land Use Plan

The 2009 Portion Road Corridor Study and Land Use Plan for Lake Ronkonkoma & Farmingville is a broad, general blueprint upon which future land use decisions will be based. The Plan identifies important elements of the natural and cultural resource base and addresses these and other land use issues pertaining to Goals, Community Vision, Environmental Resources, Historic Preservation, Transportation and Existing Land Uses. In numerous areas the Land Use Plan suggests potential future zoning code changes, changes in permitted land uses within a specific zoning district, suggests potential broad future zoning changes and proposes numerous other non-zoning actions for land use. The Plan notes that most specific suggestions would need further environmental and planning analysis as well an opportunity for public input prior to implementation. .

The Plan itself does not, in and of itself, result in any direct physical activity or direct modification of the environment and therefore has no potential for significant adverse physical impacts. In addition, the Plan does not commit the Town to any one course of action. Instead the Plan presents, in the form of recommendations, mitigation measures or a range of mitigation measures that could be utilized in future land use decisions to minimize or avoid impacts identified in the Plan as caused by past development patterns.

The Plan provides a detailed discussion of the Town's existing conditions, natural and human resources and development patterns referenced above. The Plan then analyzes past development patterns and identifies various problems with those patterns. Finally, the Plan offers various solutions to the identified problems. Therefore, by its fundamental structure, the Land Use Plan identifies past impacts and proposes mitigation measures that could be implemented so that these impacts are avoided in the future.

B. Future Specific and Site Specific Actions

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

It would be inappropriate to predetermine the SEQRA review status of all potential future implementation programs due to the complex nature of the majority of the various implementation proposals contained in the Land Use Plan. Only when the necessary detailed SEQRA analysis is made of the specific future implementation proposal can a determination be made whether or not the specific future implementation action will have an adverse impact on the environment. Public comment on any future implementation proposal will be provided for as per SEQRA.

In consideration of the preceding discussion, it should be noted that the SEQRA regulations state that “GEIS’s and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance.” Therefore, specific implementation segments of the Plan, including site-specific and program-specific actions, will undergo SEQRA review which will be conducted pursuant to the GEIS procedures for future actions as follows:

SEQRA Regulations Section 617.10 (d)

- 1. No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS or its findings statement;*
- 2. An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the GEIS but was not addressed or was not adequately addressed in the findings statement for the GEIS;*

3. *A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the GEIS and the subsequent action will not result in any significant environmental impacts;*
4. *A supplemental to the final GEIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the GEIS and the subsequent action may have one or more significant adverse environmental impacts.*
5. *A supplement to the final EIS must be prepared if the subsequent proposed action is not in conformance with the goals and the underlying intent of the Land Use Plan.*

C. Incorporation of DGEIS into FGEIS Document

The DGEIS document is hereby incorporated into this FGEIS by reference and interested parties should request a copy of the October 27, 2009 *Draft Generic Environmental Impact Statement: 2009 Portion Road Corridor Study and Land Use Plan for Lake Ronkonkoma & Farmingville* from the Lead Agency contact person identified on the inside cover page of this document.

D. Content and Findings of DGEIS

The DGEIS was prepared by the Town of Brookhaven and consists of eleven distinct sections and an executive summary. The distinct sections of the DGEIS were:

1. Introduction
2. Community Driven Process
3. Land Use Goals
4. Existing Conditions
5. Economics
6. Existing Infrastructure
7. Land Use

8. Natural Resources
9. Transportation
10. Incentives
11. Implementation

In addition, there is a table of rezoning parcels that provides relevant data and describes existing land use, zoning, and the locations of proposed zoning changes.

The DGEIS concluded that the proposed zoning revisions entail no significant environmental impacts, and will actually decrease the potential for impacts that could otherwise occur under the corridors existing condition. No mitigation measures were proposed in connection with the proposed action.

E. Purpose of the FGEIS

This FGEIS, in conjunction with the October 27, 2009 DGEIS on which it is based, is intended to provide the Brookhaven Town Board, as the lead agency and primary decision-making body relative to the proposed action, with an understanding of the potential environmental impacts (beneficial or adverse) associated with adoption of the 2009 Portion Road Corridor Study and land Use Plan for Lake Ronkonkoma & Farmingville. This information will facilitate the determination by the Brookhaven Town Board as to whether the actions should be approved.

F. Scope and Content of the FGEIS

The primary objective of this FGEIS is to address substantive comments that were raised during the public review of the DGEIS. Chapter 2 of this FGEIS identifies such comments and provides a response to each, conforming to the specific requirements set forth under 6 NYCRR §617.9(b)(8). The comments that are addressed in this FGEIS are

contained in the transcripts of the public hearing held by the Town Board on November 24, 2009, as well as several letters received by the Town prior to the end of the comment period on December 08, 2009. Copies of the comment documents are provided in the FGEIS Appendix.

Pursuant to 6 NYCRR §617.9(b)(8), the October 27, 2009 DGEIS in its entirety is incorporated by reference into this FGEIS.



II. RESPONSES TO SUBSTANTIVE COMMENTS

A. Introduction

Comments received by the Town of Brookhaven regarding the DGEIS included verbal statements made at the public hearing before the Town Board on November 24, 2009, as well as several letters and other documents received by the Town prior to the end of the comment period on December 8, 2009. Copies of the Comment documents are provided in Appendix of this FGEIS

In total, there are 5 comments documented that correspond to the Appendix letter assigned:

- A. Transcript of the public hearing held on November 24, 2009;
- B. Suffolk County Planning Commission;
- C. Lake Ronkonkoma Civic Organization.
 1. Steve Brown
 2. Julia & Ray Plume
 3. Lake Ronkonkoma Civic Organization (George Schramm)
 4. Lake Ronkonkoma Civic Organization (George Schramm)

In order to facilitate review of the FGEIS by interested parties, each comment document was assigned an identifying letter, as indicated in the above list.

In accordance with the provisions of SEQR regarding the content of final EIS's, at 6 NYCRR §617.9(b)(8), this FGEIS addresses only comments that are considered to be "substantive". The FGEIS generally does not attempt to address minor comments that do not have relevance to the evaluation of impacts and formulation of suitable mitigation measures which are essential to the decision-making process for the proposed action, or comments which concur with or object to the proposed action without elaboration. Such minor comments have been incorporated into the SEQR record, however, by virtue of the inclusion of copies of the original comment documents in the FGEIS Appendix.

B. Response to Comments

A.1. COMMENT (November 24, 2009 Public Hearing Transcript)

A.1. RESPONSE:

Review of the public hearing record finds that there were not substantive comments.

B.1. COMMENT (Suffolk County Planning Commission)

It is recommended that the Town consider amendment of the study in order to insure that the recommendations of the study successfully advance the stated goals of reducing sprawl, the development of downtowns that are controlled and compact and a reduction in the approximately 207,244 square feet of excess retail supply identified within the study area.

B.1. RESPONSE:

The Draft Land Use Plan provides the recommendations for future land use within the study area. These recommendations include the establishment of non-retail land uses including residential transitional use and office uses. As stated in the Land Use Plan the entire corridor was strip (J2 Business) commercially zoned in 1937, thereby overwhelming the study area with the potential for strip commercial retail development.

An analysis of the draft Land Use Plan reveals that with the implementation of the land use plan an overall decrease in potential retail development would be achieved. An analysis of the proposed rezoning package as examined in the Draft Generic Environmental Impact Statement finds that this phase of rezoning would yield a dramatic reduction of over 120,000 square feet of potential retail development. Further analysis of future rezoning phases along the Portion Road corridor finds that the future rezoning would yield an additional reduction 206,000 square feet of potential retail development.

Thereby achieving a total of 326,000 square foot reduction in the potential for future retail development within the entire study area.

This analysis was preformed using the information provided in the Land Use Plan including the existing land use inventory and existing zoning. A standard assumption of 16% lot occupancy was used for the future build out examination. This percentage is assumed based on

potential build out of a commercially zoned parcel which would include all site alterations such as structures, parking facilities and landscaping/buffering requirements.

Within the proposed Hawkins Avenue Main Street an analysis of the potential for future retail development was also examined. Although the recommended J6 Business District allows for 60% Floor to Area Ratio (FAR), this ratio is based on the total square footage of all stories of a proposed building. Furthermore Town Code provides that only the first floor can be utilized for retail land use, the second or even third floors of any structure can only be used for office or residential land uses. In addition, the allowable FAR does not relieve the land developer for basic land development standards such as parking and landscaping/buffering. As a result approximately 20-30% lot occupancy can be assumed for the proposed J6 Business District areas of the land use plan.

Pages 27 through 31 of the Land Use Plan fully examine the existing land use and inventory of the study area including the Hawkins Avenue Main Street. Based on existing conditions approximately 118,000 square feet of retail space currently exists along the Hawkins Avenue Main Street. The potential for future first floor retail land use along this section is limited based on these existing conditions. The above assumption that only 20% lot occupancy can be achieved within a J6 Business District parcel would yield approximately 102,000 square feet of first floor retail. Considering this amount is less than the existing conditions revealed it could be assumed that 30% lot occupancy may be appropriate which would yield an additional 34,000 square feet of potential first floor retail land use.

In summary the market analysis identified an excess of 207,244 square feet of retail space. The proposed land use plan would decrease the potential retail development by 326,000 square feet. A possible increase in first floor retail of 34,000 square feet could be realized within the Main Street area. Thereby providing for a decrease of over 84,000 square feet of retail development within the study area.

Based on this analysis and the market study provided in the land use plan it is anticipated that the adoption and implementation of the 2009 Portion Road Land Use Plan for Lake Ronkonkoma and Farmingville will have a positive impact on the environment.

As a result of this comment the above response shall be incorporated into the Land Use Plan.

C.1. COMMENT (Steve Brown)

The Chamber favors expedited services to property owners for any projects in the future. This should be in writing and TOB [Town of Brookhaven] should have to abide by this timeline!

C.1. RESPONSE

The Comment is noted. Page 134 of the Land Use Plan recommends that a “**streamlined administrative approval will minimize permitting delays associated with scheduled hearings and coordinated reviews.**” However, it must be noted that the Land Use Plan cannot anticipate any development, engineering, or environmental constraints of each parcel of land within the study area. Therefore, applications will be reviewed on a case by case basis and expedited to the greatest extent practical.

C.2. COMMENT (Julia & Ray Plume)

Does the plan include a trolley service through town?

C.2. RESPONSE

The Draft Land Use Plan does not recommend a trolley service through the town.

C.3. COMMENT (George Schramm)

The Design Guidelines for Residential Transition Districts should include the requirement for an accessible pedestrian walkway leading from the public right-of-way or sidewalk to the front entrance of the building, in keeping with typical residential characteristics.

C.3. RESPONSE

The Comment is noted. Page 97 of the Land Use Plan has been amended to reflect the commentator’s request.

C.4. COMMENT(George Schramm)

TDR or TDV incentive programs should prioritize sending and receiving properties so that it is clear that the preferred receiving properties are Downtown Lake Ronkonkoma and the Morris Neighborhood Center; and that sending properties within the Land Use Plan study area have priority over properties outside the Land Use Plan study area. In this way it may be possible to increase density in downtown areas and create parks and open space in other areas along the corridor.

C.4. RESPONSE

