ENVIRONMENTAL ASSESSMENT FORM (EAF) SUPPLEMENT

HICKSVILLE DOWNTOWN REVITALIZATION INITIATIVE

Adoption of Hicksville Downtown Zoning District and Associated Town Zoning Code and Zoning Map Amendments

Town of Oyster Bay, New York

NPV No. 18183

Prepared for Submission to:
Town Board, Town of Oyster Bay
Town Hall
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Oyster Bay, New York 11771

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1.0 INTRODUCTION

This document describes a set of revisions to the Oyster Bay Town Zoning Code to establish a new zoning district to be limited to a specific area surrounding the Hicksville LIRR station (see **Figure 1**). This document then provides an analysis of the anticipated environmental impacts (both adverse and beneficial) of the establishment of this district, as well as of the development or redevelopment of properties in this district responding to the standards and requirements of the district.

This proposed action involves the adoption of amendments to Chapter 246.5 of the Town of Oyster Bay ("Town") Zoning Code to implement the development standards for the new Hicksville Downtown ("HD") zoning district, amendments to the Town Zoning Map for the affected properties, and to adopt the Design Guidelines and Development Standards that will control and guide the ensuing development sought in the HD district. Additionally, the existing CB (Central Business) district will be removed from the Town Zoning Code, and properties zoned CB will be rezoned to HD, NB (Neighborhood Business) or GB (General Business). It is noteworthy that the CB District was established specifically for the Hicksville Downtown area, but has not proved to be an effective tool to revitalize this area. Additional strategic rezonings of properties contiguous to the CB district that are zoned LI (Light Industry), R1-7 and R1-6 (One-Family Residence), and GB will be made, to become HD or NB districts (see **Figure 2**). No changes to the standards of the NB or GB districts are proposed.

The purpose of the proposed zoning amendments is to provide for the type of attractive and appropriate redevelopment in a 168±-acre area around the Hicksville LIRR Station with viable and compatible uses that are consistent with Town and community goals, and the purpose and intent of the grant program of the New York State Regional Economic Development Council (REDC) Downtown Revitalization Initiative ("DRI"). As described below, this goal would be implemented by the proposed HD District and associated rezonings. A related goal is to implement traffic flow and pedestrian safety improvements as established in Nassau County's *Downtown Hicksville Complete Streets Project Final Report* to create a more walkable downtown environment.

This document evaluates both the potential environmental impacts from adding a new district to the Town Zoning Code, and the impacts anticipated from future development and redevelopment associated with this zoning district as compared to development associated with the current zoning districts.

2.0 BACKGROUND OF THE PROPOSED ACTION

In 2017, Hicksville was identified as the winner of the second round of the DRI to receive $10 million in funding to support revitalization. The proposed action to adopt new zoning for the Hicksville Downtown and amend the zoning map is a necessary component to lay the framework to support the mixed-use development. The process began as the Town's response to a June 2017 call for applications for grant funding to the Long Island REDC's DRI. As stated in the Town's grant application:

> Downtown Hicksville is on the verge of a major renaissance. The Downtown's prime location for Transit-Oriented Development (TOD) and public support for revitalization, coupled with a NYS investment of DRI funding, would align the stars of circumstance and allow for the downtown to achieve the type of revitalization which has benefitted a number of other communities on Long Island. The Town of Oyster Bay, after having received extensive public input, envisions a more walkable and bicycle-friendly environment within the Downtown. Creation of new sidewalks and improvement to preexisting pedestrian pathways, footpaths, bike paths, bike racks, cross walks and other features would provide for a safer pedestrian environment and incentivize walking and biking as viable transportation options. These improvements coupled with improvements to the streetscape such as decorative pavers, attractive lighting, newly planted trees, street art and a homogenous street and storefront signage program would create a strong sense of place intended to celebrate Hicksville's history and cultural diversity and to get people out of their cars and walking within the community.
>
> Currently, the Downtown Hicksville area lacks open space areas where the community can gather. The Town envisions the creation of a plaza area—large community gathering space to be used for events such as fairs, farmers markets, art exhibitions, food truck nights, classic car nights, concerts, etc. Creating opportunity for large community events will bolster economic development and job creation within the area as local merchants will benefit from the influx of the events' attendees into the downtown. Additionally the Town foresees the ability to create small "parklets" or small sidewalk scale open spaces within its properties or the right-of-way of Town, County or State roads within the downtown. These small areas would feature benches, landscaping, informational kiosks, and artwork. These sites would provide a place to rest, eat, relax, and obtain directions or information on community events.
>
> In close coordination with the Hicksville Community Council, the Hicksville Chamber of Commerce, the Hicksville Downtown Revitalization Committee, and the Hicksville community at large, the Town of Oyster Bay is considering amending the zoning code within of the Downtown Central Business District, thereby enhancing opportunities for commercial and residential development. Such zoning changes would encourage developers to capitalize on the ability to build in close proximity to the busiest LIRR station on Long Island. An anticipated benefit of applying such zoning changes is an increase in the diversity of the housing stock in and around the downtown area. An increase of multi-unit housing complexes would provide cost effective housing options for millennials, downsizers, empty nesters and senior citizens who may otherwise be deterred from buying or renting in the community due to a lack of affordable options.

The hamlet of Hicksville is a transit-rich and diverse community in central Nassau County. Located at the confluence of two LIRR branch lines, its train station is the busiest on Long Island, averaging 22,000 commuter trips/weekday in 2014. The Hicksville Downtown has strong physical suitability for revitalization and redevelopment as evidenced by high LIRR ridership, intensity of existing commercial land uses, infill-ready parcels, converging arterial roadways and ample sewer and utility infrastructure. Within the Downtown neighborhood exists a County-assessed fair market value of nearly $2.4m/acre for non-residential taxable parcels. This is a clear indication of the incredible amount of economic development potential, especially for properties that are currently vacant or underutilized/underperforming. Hicksville is poised to capitalize on the strong TOD market and LIRR Third Track improvements through the implementation of a strategic zoning initiative, walkability enhancements, parking management and storefront beautification.

Downtown Hicksville is further poised for revitalization due to a forthcoming New York State Brownfield Opportunity Area designation. With use of New York State grant funding the Town of Oyster Bay completed two separate Brownfield Opportunity Area Studies: one specific to the North West portion of the Hamlet of Hicksville and one specific to the South East. As a result of these studies, the NYS Department of State has recently informed the Town that these areas of Hicksville, which are inclusive of the Hicksville Downtown, qualify for a NYS Brownfield Opportunity Area Designation. Such a designation encourages development within Downtown Hicksville as it makes certain NYS tax credits available to developers that remediate and/or redevelop sites within the designated area. The formal BOA designation for Downtown Hicksville is anticipated to be finalized within 2018.

Downtown Hicksville has been the subject of intensive, community-based evaluation over recent years, culminating in the completion of the Downtown Hicksville Revitalization Action Plan. This plan was jointly prepared by the Community Council and Chamber of Commerce, as overseen by a Revitalization Committee whose membership was comprised of a broad cross-section of local leaders and involved residents. The Committee's endorsement of the Plan evidences public support for the revitalization of this community. An investment of DRI funding into Downtown Hicksville would allow for the advancement of projects to address the community's needs identified through the Hicksville Downtown Revitalization Action Plan and to be identified through the DRI Local Planning Committee. DRI funding would allow for the community to benefit from pedestrian safety improvements, addition of community amenities, and the beautification of the Downtown, creating a strong sense of place. These improvements to the Downtown, coupled with the Downtown's optimal location for TOD and forthcoming zoning amendments, would create an environment ripe for commercial and residential development, thereby bolstering housing diversity and economic development, resulting in a significant increase to the local tax base. A significant state investment coupled with zoning changes within the Downtown would also send a clear signal to the development community that Downtown Hicksville is primed to achieve the type of revitalization which has benefitted a number of other communities on Long Island.

In late 2017, the Town was awarded $10 million in DRI funding to improve the vitality of the Hicksville downtown area as generally described above. The DRI funding supports a planning and implementation process where the Town and Hicksville community develop the key ingredients needed for successful downtown revitalization: a clear vision for the downtown; goals and strategies to accomplish the vision; and a strategic plan to implement catalytic projects identified

in the plan. The program emphasizes using DRI investments to reinforce and secure additional public and private investment within and near downtowns. After the program is developed and adopted, the Town Zoning Code will be amended accordingly (see **Attachment A**), and ensuing development and re-development will be implemented under the overall control of the *Hicksville Downtown Design Guidelines and Development Standards* (see **Attachment B**).

3.0 DESCRIPTION OF THE PROPOSED ACTION

Refer to **Figure 2** and **Table 1** to assist in understanding the following description of the proposed action, change in zoning designation, and potential changes in development that could occur in the HD district, and compared with redevelopment under current zoning district provisions.

TABLE 1
REZONINGS

Existing Zoning	Proposed Zoning	Acres
LI	HD-I	8.97
CB	HD-I	47.37
R1-7	HD-I	1.36
GB	HD-I	2.54
CB	HD-II	54.87
CB	NB	16.73
GB	NB	1.19
CB	GB	25.06
GB	HD-II	2.79
GB	HD-III	3.24
R1-6	HD-III	2.97
CB	HD-III	0.99
Total		**168.08**

<u>Downtown Hicksville Complete Streets Project</u>
In addition to the DRI, further support for the proposed action was provided by the Downtown Hicksville Complete Streets Project (July 2020). The following description of the project and its goals has been taken from the Project's Final Report (see **Attachment C** for the Introduction section):

> The overall purpose of the Downtown Hicksville Complete Streets project is to improve the accessibility and safety for all modes of transportation in Downtown Hicksville. This work by the Nassau County Department of Public Works, in partnership with local stakeholders, comes as several transformative projects for the Hicksville community are already underway. They include a rezoning initiative by the Town of Oyster Bay, the Downtown Revitalization Initiative (DRI) by New York State, and the renovation of the Hicksville Station through the MTA's Long Island Rail Road Expansion Project. The County's Complete Streets Project serves as a critical link amongst all of these efforts, helping to make Downtown Hicksville a better connected and more economically resilient area for people to live, work and play.
>
> Throughout the course of the study, the Downtown Hicksville Complete Streets Project team coordinated with the above-mentioned agencies. The coordination and sharing of project data have been helpful in advancing the Town's downtown rezoning initiative, which utilized the County's traffic

analysis data. Additionally, the Complete Streets Project provided additional levels of testing and vetting of certain recommendations previously made in the DRI Plan.

The Downtown Hicksville Complete Streets Project is a multi-phased project and will require ongoing coordination between the Town, County, State, MTA and all local stakeholders. This Final Report summarizes the outcome of the Project's Planning Phase, which involved identifying design improvements for streets, intersections, and pedestrian areas that will improve the safety, circulation, and overall experience for those traveling through and within Downtown Hicksville. During the project's next phases – Design and Engineering, followed by Construction – the conceptual recommendations in this report will be studied further and additional public input will be solicited before moving forward with implementation.

The Downtown Hicksville Complete Streets Project included a number of general and site-specific recommendations. The following are the General Recommendations.

In addition to site-specific recommendations, there are some best practices that are applicable to Downtown Hicksville. These should be incorporated into future planning and design efforts, to ensure that improvements have the highest impact and provide the safest, most effective measures.

- **Curb Extensions:** NYSDOT does not allow curb extensions on their right-of-way, but other roadways may benefit from shortened crossing distance.

- **Narrowed moving lanes:** 11 foot moving lanes can accommodate bus and truck traffic, and has a traffic calming effect of slowing travel speeds. 10 foot moving lanes may be appropriate on secondary roads, that are mainly residential and/or have low traffic volumes.

- **ADA Compliance:** Many intersections are already ADA compliant and in a state of good repair. However, the majority are not. All pedestrian ramps, sidewalks and crossings should be made ADA compliant, which also entails smoothing surfaces, pedestrian signal upgrades and improving conditions for all pedestrians.

- **Prioritize sidewalk continuity through driveway aprons:** While some driveway aprons require pedestrians to cross the driveway entrance at the grade of the roadway, it is preferred to keep the sidewalk a consistent grade, with vehicles having to slow down to drive up to the sidewalk grade to enter a parking lot. This detail is missing from many new development models, but has a great impact on pedestrians, particularly people with disabilities and the elderly, which may need to use walkers and wheelchairs.

- **Provide landscaping and/or green infrastructure where possible:** Median islands, curb extensions and other geometric features offer an opportunity to build in landscaping. Provided that sight lines are maintained, traditional landscaping may be most practical. However, in areas that experience flooding, green infrastructure can easily be worked into many design alternatives. With any landscaping, maintenance can be a hurdle. There are many working examples of maintenance partnerships between local businesses and jurisdictional owners, where a simple

Memorandum of Understanding shifts the maintenance responsibility to local businesses that benefit from landscaped areas.

Removal of CB District from Town Zoning Code, and Rezoning to HD, GB and NB Districts

Presently, the CB Zoning District is found only in the area adjacent to the Hicksville LIRR station, and was intended to provide for the types of uses and yields appropriate and complementary to older, established commercial sites in this area. However, the regulations of this district have not proved sufficient to provide the development pattern sought by the Town or community. As a result and in consideration of emerging zoning and planning tools and strategies, it was decided to replace this zoning district with a more flexible zoning that would encourage and facilitate implementation of the type of development that the Town and community desire.

The CB District permits retail, office and service business uses in appropriate locations within downtown areas and concentrated areas of commercial development. The proposed action will replace most of the CB-zoned area with the HD district, though some of this area less proximate to the LIRR station will be rezoned to the NB or GB districts.

Hicksville Downtown (HD) District and Sub-Districts

The proposed action will replace nearly all of the CB-zoned land around the Hicksville LIRR Station with the HD district; the remaining CB-zoned area will be rezoned into the GB or NB districts. The HD District is further divided into sub-districts designated HD-I, HD-II, and HD-III. Implementing these sub-districts enables the flexibility in land use and density patterns that is being sought by the Town and community in the area of the station. The highest intensity development will be closest to the LIRR station.

Buildout Analysis

With the new HD Zoning District standards, there will be Design Guidelines and Development Standards enacted, which will guide the physical manifestation of new development in this district (see **Attachment B**). The standards will provide for the types and appearances of the new development desired by the Town and community for the area and intended to be provided for by the HD district.

In order to determine the differences in development that would occur from future development/redevelopment within the Downtown Area under the existing CB district as opposed to the proposed HD District, a buildout analysis was prepared. The buildout analysis also included the effect of the additional zone changes associated with the GB and NB zones.

The purpose of the buildout analysis is to compare the potential development yield that would be permitted under the existing CB zoning district to the potential yield of the proposed Hicksville Downtown Subdistricts and associated zoning changes. Specific zoning parameters, such as building coverage and height restrictions, were applied to the properties in the Study Area based

on the various zoning districts to determine the potential yields as the basis for the SEQR environmental analysis.

"Hard sites" that are not expected to be redeveloped in the short term were identified through consultation with the Town. For these 21 hard sites it was assumed that the existing conditions would remain the same under both the existing zoning and proposed zoning and therefore these sites were not included in the theoretical development scenarios. These included recently reconstructed areas, Town-owned properties and some religious use property. An additional nine (9) sites were considered too small to be developed, and so were not further evaluated.

The remaining 334 properties were analyzed under two different development scenarios: the existing zoning provisions ("Existing Zoning Buildout") and the proposed zoning standards for the HD District and other associated zone changes ("Proposed Zoning Buildout"). Potential yield was determined by the property size by applying the maximum building coverage and height requirements of the applicable zoning district to develop a conservative estimate of the yield allowed by the Code.

Table 2 outlines the specific assumptions used for the Existing Zoning Buildout based on the current maximum standards for building coverage and height. While most zoning districts regulate height based on the number of stories and maximum height in feet allowed, the existing zoning provisions for the GB and CB districts regulate maximum building height only in terms of height in feet. The GB and CB districts permit maximum heights of 35 feet and 60 feet respectively, which was converted into the number of stories for this buildout analysis as indicated in the table below.

TABLE 2
ASSUMPTIONS FOR BUILDOUT ANALYSIS UNDER EXISTING ZONING

Existing Zoning	**Building Coverage** (% of lot)	**Maximum Allowed Building Height** (Stories)
CB	70%	5
GB	80%	2
NB	60%	2
R1-6	28%	2
R1-7	25%	2
LI	50%	3

Table 3 outlines the specific assumptions used for the Proposed Zoning Buildout which includes the proposed HD District and the re-zoning of portions of the study area to other existing zoning districts. It is noted that the HD District regulates building height in stories based on street frontage of the property rather than lot size. Additionally, the HD-I and HD-II Subdistricts do not

include a maximum building coverage requirement, so a standard of 80% building coverage was utilized. This is a conservative estimate intended to overestimate the potential development since the building coverage would need to be reduced to accommodate required parking. The HD-III Subdistrict includes a maximum impervious coverage requirement of 65% which was used for the buildout analysis to represent the building coverage; however, it is noted that the actual building coverage would likely need to be reduced to accommodate other impervious surfaces (parking, walkways, patios) that would be included in any redevelopment. Therefore, utilizing a building coverage of 65% is a conservative estimate in order to ensure the development potential is not underestimated under the proposed code. Therefore, the buildout is conservative and represents a worst-case comparison. It is stressed here that the actual level of development would not occur. This analysis assumes that 100% of the properties in the downtown area that could be redeveloped are redeveloped. The purpose of this buildout was to compare the change in the development potential given the new zoning parameters. Individual developments will still be required to demonstrate that no significant adverse impacts will occur through the SEQR process.

TABLE 3
ASSUMPTIONS FOR BUILDOUT UNDER PROPOSED ZONING

Proposed Zoning	**Building Coverage** (% of lot)	**Street Frontage** (Feet)	**Maximum Allowed Building Height** (Stories)
HD-I*	80%	Less than 60	2
		Between 60 and 100	3
		Greater than 100	4
HD-II*	80%	Less than 60	2
		Between 60 and 100	3
		Greater than 100	3
HD-III*	65%	N/A	2
GB	80%	N/A	2
NB	60%	N/A	2

* Maximum height allowed in CB District (which the HD District will replace) is 5 stories (see **Table 2**). Thus, for most properties, this results in a reduction in permitted height.

The potential yield identified in the buildout overestimates the development density that could realistically be achieved once other factors are considered as outlined below:

- The buildout analysis assumes that every site (with the exception of hard sites) will be redeveloped, which is not likely or feasible in the short term. This assumption was constant for both the Existing Zoning buildout and Proposed Zoning buildout so, while it does not affect the relationship between the buildout scenarios, it does indicate that the analysis overestimates the potential development.

- The buildout analysis assumes that all redevelopment will be to the maximum extent allowed by Zoning Standards (maximum building coverage and maximum height) which is not likely for practical reasons. For example, many sites would not have adequate space to provide the parking spaces required if the building was the maximum coverage and height. Parking was not included in the buildout for the Existing Zoning or Proposed Zoning development scenarios and many buildings would need to be reduced in size to accommodate the required parking.

Based on the assumptions outlined above, it was determined that the potential development under the Proposed Zoning would result in a reduction of approximately 3.1 million SF of gross floor area (GFA) compared to the Existing Zoning Buildout. This comparison quantifies the amounts of future development that may occur under each zoning scenario, which enables a qualitative analysis of impacts on the character of downtown Hicksville from the proposed action (see **Table 4**).

<u>Town Transportation Information Request Addendum</u>

The Town Department of Environmental Resources (DER) requires that development projects be evaluated for their potential to cause adverse impacts in relation to traffic and transportation. As such, the DER prepared a Transportation Information Request Addendum, which states:

> **Overview**
>
> As stated in the updated NYSDEC EAF Workbooks, effective January 1, 2019, understanding the demands new development places on a community's street and road network is an important part of evaluating the overall impacts of that development. Several potential adverse impacts can result when traffic levels and parking demand increase in a community. More traffic can lead to congestion, which in turn has real economic, environmental, and safety impacts. Traffic congestion is not only annoying to motorists, but can increase economic costs because of extra fuel used, lost productivity, and time wasted. It can also result in higher air pollution emissions, increased traffic accident rates, difficulties for emergency responders, decreased accessibility to economic centers, and decreased road surface lifetimes. Potential adverse environmental impacts must be evaluated through a thorough analysis of all transportation related impacts as a result of the proposed project. This document has been prepared by DER to facilitate that process.
>
> The NYSDEC Workbooks provide guidance and a table regarding determining significance of trip generations directly as a result of an action. “This table assumes that a project generating fewer than 100 peak hour vehicle trips per day will not result in any significant increases in traffic. Note that even projects that do not result in a significant traffic increase may still negatively impact traffic in the area.” If the proposed project does add traffic and potentially affects public transportation or pedestrian facilities, then there may be an impact, and this impact must be evaluated in terms of scale and context. Therefore, DER respectfully requests that the applicant should indicate and substantiate their responses to the below enumerated considerations pursuant to SEQR as it pertains to overall transportation impacts (i.e., impacts must be discussed in terms of short-term, long-term, and cumulative impacts). Further, if there are any project-specific transportation-related impacts that may occur as a result of the proposed project, they should be included in the analysis and proposed mitigation measures provided as needed.

TABLE 4
BUILDOUT ANALYSIS, Summary

Build-Out Group	Potential Build-Out Under Existing Zoning			Potential Build-Out Under Proposed Zoning			Difference in Building Coverage	Difference in GFA
	Zoning	Building Coverage (SF)	GFA (SF)	Zoning	Building Coverage (SF)	GFA (SF)		
2	LI	150,790	452,371	HD-I	241,265	965,059	90,474	512,687
3	GB	177,950	355,900	HD-I, HD-II, & HD-III	161,700	391,243	(16,250)	353,42
7	CB	2,009,045	10,045,223	HD-I, HD-II, GB, & NB	2,231,558	6,358,932	222,513	(3,686,290)
4	R1-6	27,228	54,455	HD-III	63,207	126,414	35,979	71,959
5	R1-7	3,391	6,782	HD-I	10,852	27,354	7,461	20,571
6A	Split; GB/CB	35,665	178,324	NB	30570	61,140	(5,095)	(117,185)
6B	Split; GB/R1-7	43,156	86,312	HD-I	43,156	162,190	--	75,877
Totals	***--***	***2,447,225***	***11,179,369***	***--***	***1,782,308***	***8,092,331***	***335,083***	***(3,087,038)****

* This zoning modification results in a net reduction of over 3 million SF.

Traffic

A Traffic Impact Study should be prepared in accordance with the recommended guidelines and practices outlined by the Institute of Transportation Engineers (ITE) within Transportation Impact Analyses for Site Development and pursuant to all relevant SEQR considerations. Field investigations and data collection efforts should be completed as needed in order to identify the existing traffic volumes at the study intersections to serve as a base for the traffic analyses. Capacity analysis, a procedure used to estimate the traffic-carrying ability of roadway facilities over a range of defined operating conditions, should be performed using the 2000 Highway Capacity Manual, 2010 Highway Capacity Manual (HCM), and the Synchro 10 Software for all study conditions to assess the roadway operations (or the most recently updated/available versions).

Please ensure that a traffic engineer licensed in the State of New York undertakes a comprehensive analysis of the proposed action and provides any expert recommendations pertaining to mitigation measures that may be needed. NYSDEC SEQR guidance documents suggest that the applicant provide information regarding the following (DER requires substantiation and a reasoned elaboration for each response):

1. Will the proposed action result in any change in traffic?
2. If there will be new traffic added to the area, how much? Please be aware that providing information on truck traffic generation is also required as of January 1, 2019.
3. Do the roads have the capacity to hold the expected level of additional traffic?
4. Are there any roadway restrictions that would influence traffic flow patterns?
5. Are there any safety concerns?
    a. Are the existing and proposed sight distances adequate?
    b. Is there adequate emergency vehicle access?
    c. Are there any known or anticipated collision problems?

Parking

Please provide substantiation that the proposed project will not have any adverse direct or secondary environmental impacts. A discussion regarding same should be analyzed in terms of Town Code requirements and utilizing rates provided within the Institute of Transportation Engineers (ITE) Parking Generation, 4th Edition (or as amended). A comparison between the required parking supply according to the Town of Oyster Bay Ordinance and the anticipated parking demand as published by the ITE Manual clearly demonstrating the potential impacts and mitigation measures if needed should be provided.

If “shared” parking has been factored into the estimated parking demand, please provide a comprehensive analysis of same, inclusive of a discussion pertaining to conclusions/recommendations. As shared parking is intended to take advantage of variation in the periods of maximum usage among different land uses, allowing different uses to share the same given parking spaces if they have different time-of-day or day-of-week usage patterns, the application of any shared parking should be substantiated by expert analysis of industry standards, and manuals/reference materials should be cited.

Public Transportation, Pedestrian Opportunities and Bicycle Routes Public Transportation, Pedestrian Opportunities and Bicycle Routes

1. Please provide additional information in the form of a separate attachment or within the context of the traffic and parking study regarding any public transportation service(s) available at or near the site of the proposed action, and any mitigation or improvements planned to enhance pedestrian opportunities.
2. Will the proposed action place new or different demands on public transportation?
3. Will the proposed action require new public transportation, or expansion of an existing public transportation system?
4. Describe the bus or rail services available at or near the project site; if the project can take advantage of existing public transportation services, please explain how that will be accomplished.
5. Are park and ride facilities or other infrastructure which will contribute to healthy communities, decreased reliance on automobiles, and reduce greenhouse gases incorporated into the project?
6. Will the proposed action include accommodations for use of hybrid, electric or other alternative fueled vehicles?
7. Will the proposed action result in added demand for bike or pedestrian infrastructure?
8. Does the proposed project include new bicycle or pedestrian infrastructure, or provide for connections to any existing facilities?
9. Explain if there are any pedestrian accommodations or bicycle routes (including signed shared roadways) available on or near site of the proposed action. If the project includes or can add to or link to existing pedestrian accommodations or bicycle routes (trails, paths, sidewalks, or bike lanes), please elaborate on the applicant's measures to enhance pedestrian connectivity and utilization of the aforementioned means of transportation.
10. Please include a discussion of the employee parking needs associated with the proposed project. Please incorporate this projection into the analysis as it pertains to parking needs during peak demand hours regarding employees and patrons (typically weekdays AM/PM, and weekend peak hours, if applicable).

Regulatory Agencies

Redevelopment projects often require a series of meetings, rounds of comments and revisions towards obtaining the approvals required from various transportation agencies in order for the project to proceed. The applicant should provide a summary with a reasonable amount of detail to describe the process completed to date, on-going, and planned for the proposed project. Any mitigation measures or improvements planned as part of the proposed project should be specifically stated in the report. Any conditional approvals, no objection letters, substantiating correspondence from agencies such as NYSDOT, Nassau County should be provided as an attachment to the report provided to DER.

The proposed action does not involve any physical development, but is limited to amendments of the Town Zoning Code and Zoning Map; no physical changes in the Hicksville Downtown area will occur, so that no impacts would result from the proposed action. In the future, as specific development applications in the HD district are submitted, the Town will evaluate the potential impacts of each proposal, as required by SEQR. These evaluations will include soils, topography, surface waters and groundwater, ecology, land use, zoning, land use plans, community character,

community facilities and services, and cultural resources. Potential impacts on transportation will also be evaluated on a case-by-case basis, as required by *Town Department of Environmental Resources Transportation Information Request Addendum - 2020.*

4.0 ASSESSMENT OF ENVIRONMENTAL IMPACTS

EAF Parts 1 and 2 have been prepared to assess potential environmental impacts from the proposed action (see **Attachments D and E**, respectively). As evaluated above and based on these initial analysis document, limited or no adverse impacts are expected from the proposed zoning amendments and potential redevelopment arising from the new zoning district. Potential impacts that have been identified can be avoided, mitigated, and/or are considered minor. The following narrative examines potential impacts of the proposed action following the impact categories of the EAF Part 2.

1. Impact on Land

   The proposed action involves amendments to the Town's Zoning Code removing the CB District and replacing it with a new HD District, and rezoning all of the existing CB land (which had only been found in the vicinity of the Hicksville LIRR Station) with HD, NB and GB-zoned land. Existing land uses in the CB District include light industry, and residential, commercial, business, and office uses. Adjacent and nearby land uses include the same uses. The subject area of the CB zone is generally flat or gently to moderately-sloping, so that topography does not significantly impede future development.

   Based on the values in **Table 4**, when comparing potential development yield resulting from the proposed HD District it could result in approximately 335,083 SF more coverage of land surface than would occur from potential development under the existing districts. This would result in a greater amount of land disturbance (e.g., clearing, grading, excavation) than otherwise would occur if the proposed action were not implemented. However, most of the area is currently impervious surfaces and the proposed zoning will encourage redevelopment that will, through site plan review, ensure that current stormwater requirements are met.

   Future construction activities in the proposed HD district may include demolition of existing structures and/or improvements and redevelopment or reuse of structures but the need for clearing and grading for future development is limited given the current developed conditions in the area. Essential infrastructure including streets, water, sewer, electric, etc. is present to serve existing and future uses. Redevelopment in the subject area will require site plan review by the Town and implementation of engineering controls including drainage system design, erosion and sedimentation controls, wastewater collection and management, etc. in conformance to applicable Town engineering and planning standards. The proposed uses are not expected to adversely impact the environment or adjacent land uses, as the uses that would be implemented under the proposed action are the same uses as presently exist under the existing zonings, though at lower yields and reduced bulk standards. The proposed HD District is not located within a state or locally designated coastal area, waterfront, inland waterway, LWRP boundary or coastal erosion area. Moderate or large impacts on land are not expected from the proposed action.

2. Impact on Geological Features

   The area is generally flat to gently sloping, and has been cleared, graded, paved, and developed. There are no unique, sensitive, or otherwise significant geologic features in or near the area. Based on the absence of such geological features, significant impacts are not anticipated.

3. Impact on Surface Waters and Wetlands

There are no surface water bodies or wetlands in or near the Hicksville LIRR Station or the proposed HD zoning district, so that no impacts would occur to these resources from implementing the proposed action.

Generally, significant impacts on adjacent or nearby sites are not expected from future redevelopment, as the Town would require that development must properly control stormwater, prevent erosion and sedimentation during construction, and connect to the public sewer system. Finally, as each of the sites is already developed, little if any additional site disturbance would be necessary.

Considering the absence of surface waters, and the adherence to Town requirements that minimize the potential for impacts from erosion or stormwater flow, moderate or large impacts on surface waters are not expected by the zoning amendments or redevelopment of the subject property.

4. Impact on Groundwater

The area affected by the proposed action is served by public sanitary sewers for wastewater treatment and disposal in a County-operated facility, and any future redevelopment would connect to this system, ensuring that groundwater impacts would not occur.

Based on the values in **Table 4**, potential development resulting from the proposed HD District is expected to result in approximately 3.1 million SF less GFA than would occur from potential development under the existing CB District. This would result in a lesser amount of sanitary wastewater generation than otherwise would occur if the proposed action were not implemented. However, as the Hicksville Downtown is served by public sanitary sewers, which treatment facility discharges to the ocean, and there is little potential for other types of impact to groundwater quality (other than spills or illicit discharges of toxic or hazardous substances ,which would be prevented by conformance to County standards and regulatory controls), this potential source of impact is not significant.

There is no record of any hazardous waste spills incidents or environmental remediation sites within the area subject to the proposed action, though six (6) NYSDEC Remediation Sites are within 2,000 feet of the subject area (Site Code numbers 130215, 130029, 130027, 130024, C130141, and 130078; see **Figure 3**) based on a review of the past five years of data from the NYSDEC's Environmental Remediation Sites and Spill Incidents databases.

The NYSDEC database (*https://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3)* was referenced to obtain information on the nature and status of these Remediation Sites (see **Attachment F**). This review indicates that all six of these spills have been or are being remediated. It is noted that the proposed rezoning has no bearing on any consent orders or remediation activity required by the designated regulatory authority, and applications for development of individual sites would undergo complete and thorough Town environmental review; if a specific site requires historical examination of potential contamination to ensure protection of the environment and human health and safety, all standard planning and review procedures would be conducted in accordance with the law and relevant, current guidance documents.

The data in **Table 4** shows that coverage under the potential development per the proposed action would exceed that under the existing CB zoning by an estimated 335,083 SF. At the present time, nearly the entire district consists of impervious surfaces such as buildings, and paved surfaces (streets, driveways, patios, parking areas, sidewalks, etc.), so that not all of this coverage excess would occur on surfaces that are presently open land surfaces. (i.e., much of the potential development/redevelopment would simply replace impervious surfaces with new impervious surfaces). As a result, a significant increase in the volume of stormwater runoff generated in the Hicksville Downtown area that would be handled in drainage systems would not be expected. Moderate or large impacts to groundwater are not expected from the proposed zoning amendments or redevelopment of the subject property, and improved drainage control and conditions would be achieved through site plan review.

5. Impact on Flooding
All of the area affected by the proposed action is within a Federal Emergency Management Agency (FEMA) "X" Flood Hazard Zone, which is an upland zone and has a minimal susceptibility to flooding from area surface waterbodies. Based on this FEMA flood zone designation, the fact that the area is already developed with impervious surfaces, and current requirements for installing drainage systems, it is not expected that flooding will be a significant issue if a site is redeveloped in the future and proper engineering can address such issues. Based on the preceding assessment, moderate or large impacts from flooding are not expected or can be addressed with proper engineering.

6. Impact on Air Resources
Generally, commercial and residential uses are not considered to be significant generators of potentially toxic or hazardous air emissions. Additionally, Town review of each site-specific development application in the area will ensure that, should such a use be allowed, it would be subject to strict controls to ensure that no adverse emission would occur. No moderate- or large-scale impacts to air resources were identified.

7. Impact on Plants and Animals
The area of the proposed action is and has long been entirely cleared of natural or naturalized vegetation, so that no habitat is available for wildlife other than limited use of landscaping and street trees by typical suburban species such as squirrels and birds. Additionally, there is no particularly sensitive or significant ecological habitat suitable present that could support sensitive, protected, endangered or threatened species. Since there are no significant ecological resources present, moderate or large scale impacts are not anticipated.

8. Impact on Agricultural Resources
The proposed action is a developed area that is primarily zoned for commercial and residential development. Soils have been significantly disturbed from past cutting, backfilling, and/or grading to provide suitable development sites and install essential surface and subsurface features such as parking lots; drainage systems and other underground utility connections; and building foundations, footings, or slabs. As a result, nearly the entire area is pavement or other types of impervious surfaces; only limited amounts of soil are still exposed at the surface, and then appear as lawn and landscaping. The soils present are categorized by the United States Department of Agriculture's

Natural Resource Conservation Service as primarily urban soils which are usually not well-suited for farming. The area of the proposed action is not in any agricultural districts and is not ideal for farming. There will be no impact on agricultural resources.

9. Impact on Aesthetic Resources
There are no significant aesthetic resources within the area of the proposed action for viewers outside the area to observe, or of locations outside the area that can be viewed from within it.

The proposed code amendments include a decrease in the maximum allowed building height from five (5) stories to two (2) through four (4) stories (see **Table 3**). This reduction in allowed building height will reduce potential impacts from a contrast in buildings heights, as well as reduce the reduction in the width and height of views of the open sky.

Given the absence of significant aesthetic resources in the area of the proposed action or in the surrounding community, and the reduction in maximum building heights in the HD district as compared to the prior CB district, no significant adverse impacts to aesthetic resources is anticipated.

10. Impact on Historic and Archaeological Resources
Based on a review of the New York State Office of Parks, Recreation and Historic Preservation's Cultural Resources Information System, there is one building adjacent to the area of the proposed action that is listed on the National Register of Historic Places (the Heitz Place Courthouse/Gregory Museum, at Heitz Place and Bay Avenue), and one building eligible for listing that is within the area of the proposed action (the Hicksville USPS Main Office, at the western boundary of the proposed action area). As any and all future development or redevelopment in the area of the proposed action will be subject to Town review, the presence and of and potential impacts on historic and archaeological resources will be evaluated and assessed, and potential adverse impacts would be mitigated.

With respect to subsurface evidences, soil within the area has already been significantly disturbed by past development including clearing, grading, installation of subsurface infrastructure and utilities, and building and parking area construction. This prior development would have removed any such resources (if such had been present).

In consideration of the above, moderate or large scale impacts are not anticipated.

11. Impact on Open Space and Recreation
There is a limited amount of commercial recreational space within the area of the proposed action. The only public park or open space within the area of the proposed action is Kennedy Park, in the triangle formed by the intersection of Broadway and Jerusalem Avenue, just north of the LIRR overpass. Cantiague Park is located to the west of the area, and Triangle Park is located to the east.

Since the proposed action does provide for residential development (and therefore, of residents), there will be an increased potential for usage of local public and commercial open spaces and recreational facilities. However, the proposed zoning amendments would cause only minimal changes in the potential number of residences that could be developed in the area, or of the number

of residents that would occupy these units, as compared to the existing CB district, so that there would be minimal change in the potential usage of local public open space and recreational sites.

12. Impact on Critical Environmental Areas
The proposed action is not located within any designated Critical Environmental Areas; therefore, no impact will occur to such a resource.

13. Impact on Transportation
Based on the values in **Table 4**, potential development from the proposed HD District is expected to result in approximately 3.1 million SF less than would occur from potential development under the existing CB District. This would result in a lower amount of additional vehicle trips in the Hicksville Downtown area than would otherwise occur under the existing CB zone. This would have correspondingly lower potential impacts on traffic congestion, parking usage, and general activity in the area, and lesser potential need of traffic-related mitigation measures.

The proposed action does not involve any physical development, but is limited to amendments of the Town Zoning Code and Zoning Map; no physical changes in the Hicksville Downtown area will occur, so that no impacts would result from the proposed action. In the future, as specific development applications in the HD district are submitted, the Town will evaluate the potential impacts of each proposal, as required by SEQR, and in an identical manner as they are under the current zoning. These evaluations will include soils, topography, surface waters and groundwater, ecology, land use, zoning, land use plans, community character, community facilities and services, and cultural resources. Potential impacts on transportation will also be evaluated on a case-by-case basis, as required by *Town Department of Environmental Resources Transportation Information Request Addendum - 2020.*

14. Impact on Energy
It is expected that the overall amount of development that may occur in the area of the proposed action would be decreased by the proposed action, as compared to development that could have occurred under the prior CB zoning (approximately 3.1 million SF, according to **Table 4**). As such, the corresponding non-renewable energy demands would likewise be decreased by the proposed action. The difference between these energy demands may be significant considering the total existing supply and demands on PSEG LI in the Long Island service area.

It is noteworthy that the Town of Oyster Bay is a registered Climate Smart Community and every project subject to Town Environmental Quality Review must demonstrate adherence to Climate Smart Community Principles.

Additionally, the new buildings will be new construction, and therefore will need to comply with current energy efficiency codes and utilize more efficient heating/cooling and lighting systems. Moderate or large energy related impacts are not expected from the proposed zoning code amendments.

15. Impacts from Noise, Odor and Light
Based on the values in **Table 4**, potential development resulting from the proposed HD District is expected to result in approximately 3.1 million SF less GFA than would occur from potential

development under the existing CB District. As such, this substantial reduction in future potential development will result in substantial reductions in potential impacts to the community from nuisance conditions associated with noise as well as smoke, gas, dust, odors, air pollutants, and outdoor lighting. Since the uses associated with the proposed action (e.g., residential, office and business uses) are not usually associated with these types of impacts, all buildings must comply with Town and State building, fire and zoning codes, and development in the subject area would take place in an already developed environment, it is anticipated that these standards can be met (and regardless will be evaluated during site plan review).

As with any project, some noise may be generated during building demolition and construction activities. Such noise would occur temporarily and intermittently during the development process and would have to comply with Chapter 156 of the Town Code ("Noise") including compliance to permissible construction times (e.g., Monday through Saturday 7:00 AM to 10:00 PM).

Regarding odors, the uses anticipated from the proposed action are not typically considered generators of odors. Like any land use, garbage and wastewater must be properly managed to prevent odors, loose litter, vectors, and other potential odor and other health related issues.

It is important to provide suitable exterior lighting to ensure a safe and secure environment; however, impacts can occur from improperly designed lighting, including nuisance glare, light trespass, sky glow, and unnecessary and/or excessive energy consumption. Section 246-4.8.1 of the Town Zoning Code requires that exterior lighting located in any zoning district be directed away from neighboring properties and from adjoining *streets* and public areas, and shall otherwise be designed so that it will not interfere with the reasonable use and enjoyment of any such neighboring property, street or public area. The Town may limit the hours and intensity of lighting so as to minimize the possibility of disturbance to nearby residential areas during site plan review. Exterior lighting will be designed to ensure a safe and secure environment, while minimizing lighting where not necessary. Perimeter buffering, fencing, and landscaping may be provided as part of development plans to further reduce the potential for light trespass, while providing considerable screening and aesthetic value.

Moderate or large impacts related to noise, odors or lighting are not expected from the proposed zoning code amendments.

16. <u>Impact on Human Health</u>
Hazardous conditions such as past contamination of soils or groundwater are sometimes present at development sites but based on a review of NYSDEC Environmental Remediation and Spills records over the past five years, there are no hazardous waste or contamination issues or concerns in the area of the proposed action. As noted in *4. Impact on Groundwater* above, implementing the proposed rezoning will not affect any established consent orders or remediation activity associated with any site, and applications for development of individual sites would undergo complete and thorough Town environmental review. If evaluation of a specific site for potential contamination, all standard planning and review procedures would be conducted in accordance with the law and relevant, current guidance documents.

As noted previously, stormwater, wastewater, and solid waste must be properly managed. With regard to the potential new development resulting from the proposed action, these uses are already represented in the area and are not considered to be hazardous waste generators, so that no new potential sources of health hazard will be introduced. Other potential impacts on human health such as noise are addressed in other sections of this document. Future redevelopment may involve demolition of buildings. Typically, activities associated with demolition of buildings are preceded by an assessment of the possible presence of asbestos, lead paint or other potential health-related contaminants and are remediated in accordance with applicable regulations prior to issuance of a building demolition permit.

17. Consistency with Community Plans

The proposed action represents the Town's response to expressed community input to provide for the type of attractive and appropriate development in the downtown area surrounding around the Hicksville LIRR Station with viable and compatible uses that are consistent with Town and community goals, and the purpose and intent of the grant program of the DRI. This goal would be implemented by the proposed HD District and associated rezonings. An additional goal is to implement needed traffic flow and pedestrian safety improvements as established in Nassau County's *Downtown Hicksville Complete Streets Project Final Report*. As indicated in this document, the uses allowed in the proposed action are not expected to create a significant impact on the natural and human built environments, and there are various existing development controls, standards, techniques, and requirements that help to prevent or suitably mitigate potential impacts.

The proposed action will provide for the same types of uses in the HD district as were provided for in the prior CB district, but at reduced yields and building heights, and will be consistent with the purpose and intent of the DRI, suitably compatible with nearby uses subject to compliance with applicable standards and regulations, and is considered a relatively low impact use. As such, no adverse impacts with respect to community planning are anticipated.

A portion of the proposed action is located within the Northwest Hicksville Brownfield Opportunity Area (BOA). No adverse impact to the integrity of this BOA or to potential development within it (that would be associated with the proposed action) is expected, as Town review of any such development applications will undergo detailed Town review.

18. Consistency with Community Character

There are no significant vistas or designated aesthetic resources in the area of the proposed action, and no views from the district of such resources. The proposed code amendments and anticipated redevelopment in the subject area are not anticipated to adversely affect the pattern of development, create overly dense development, create compatibility issues with other nearby uses or cause a nuisance or adverse health and safety issue. The proposed uses are consistent with those of the CB zoning district to be replaced, and so are similar to and compatible with the surrounding development into which new development would be set. As described under item #9, Impacts to Aesthetic Resources, there will not be a significant adverse impact on the views considering the absence of significant aesthetic resources and the reduction in maximum building heights in the HD district as compared to the prior CB district.

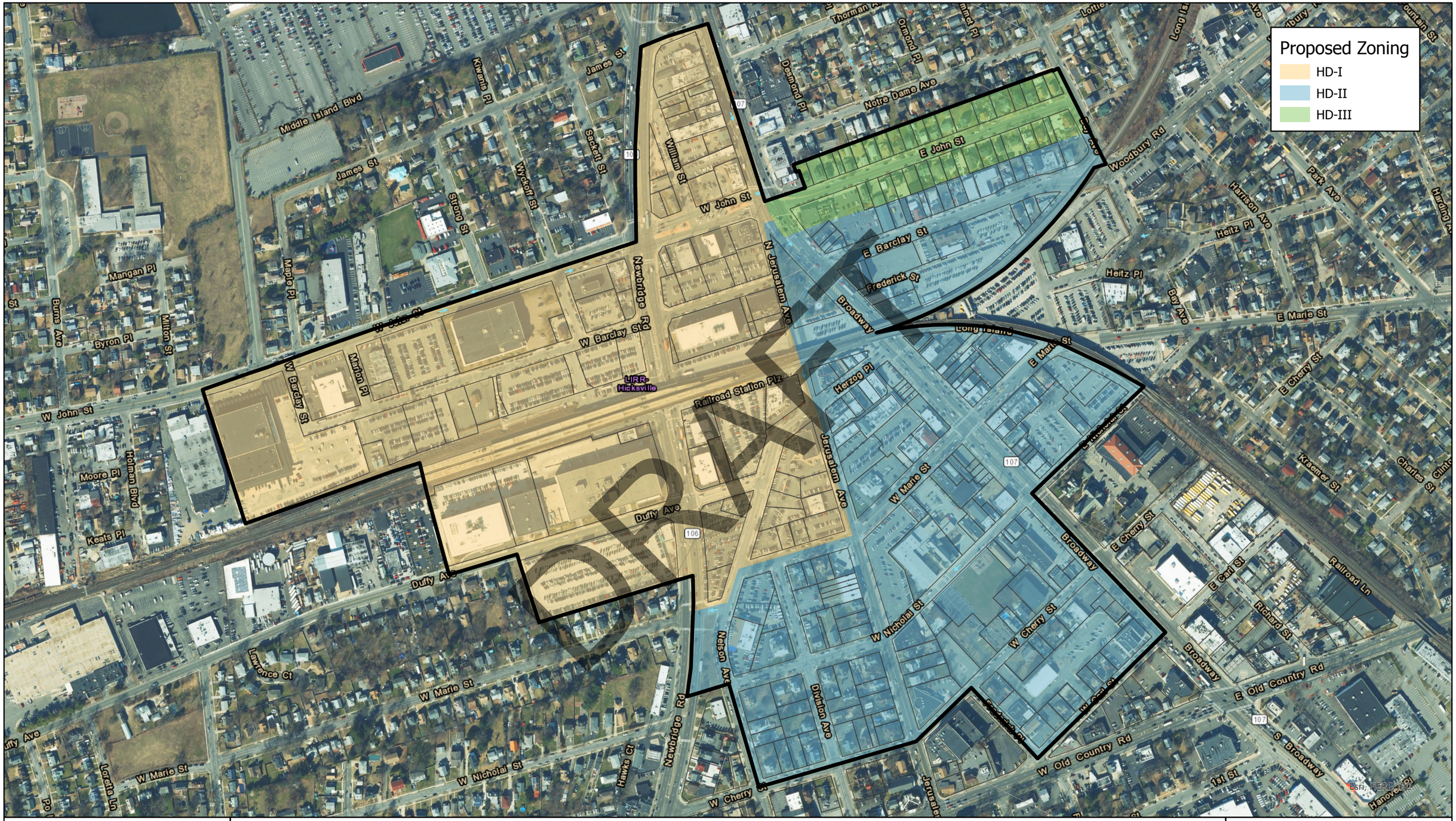
The zoning changes of the proposed action are intended and expected to improve the overall aesthetics of the downtown area, by providing building design standards that will better conform to the built environment, improve walkability in the downtown area, and provide a better pedestrian environment that could be achieved under the existing zonings.

Given that the proposed HD district would allow the same uses as the CB district but at a lower intensity, and would limit the height of the new buildings, no significant adverse impacts to community character are anticipated.

5.0 SEQR DETERMINATION OF SIGNIFICANCE AND REASONS SUPPORTING THIS DETERMINATION

Based on the EAF Parts 1 and 2, and this EAF Supplement, moderate or large scale impacts are not expected from the proposed action considering the zoning and development standards and controls that are in place and are proposed.

FIGURES



NPV

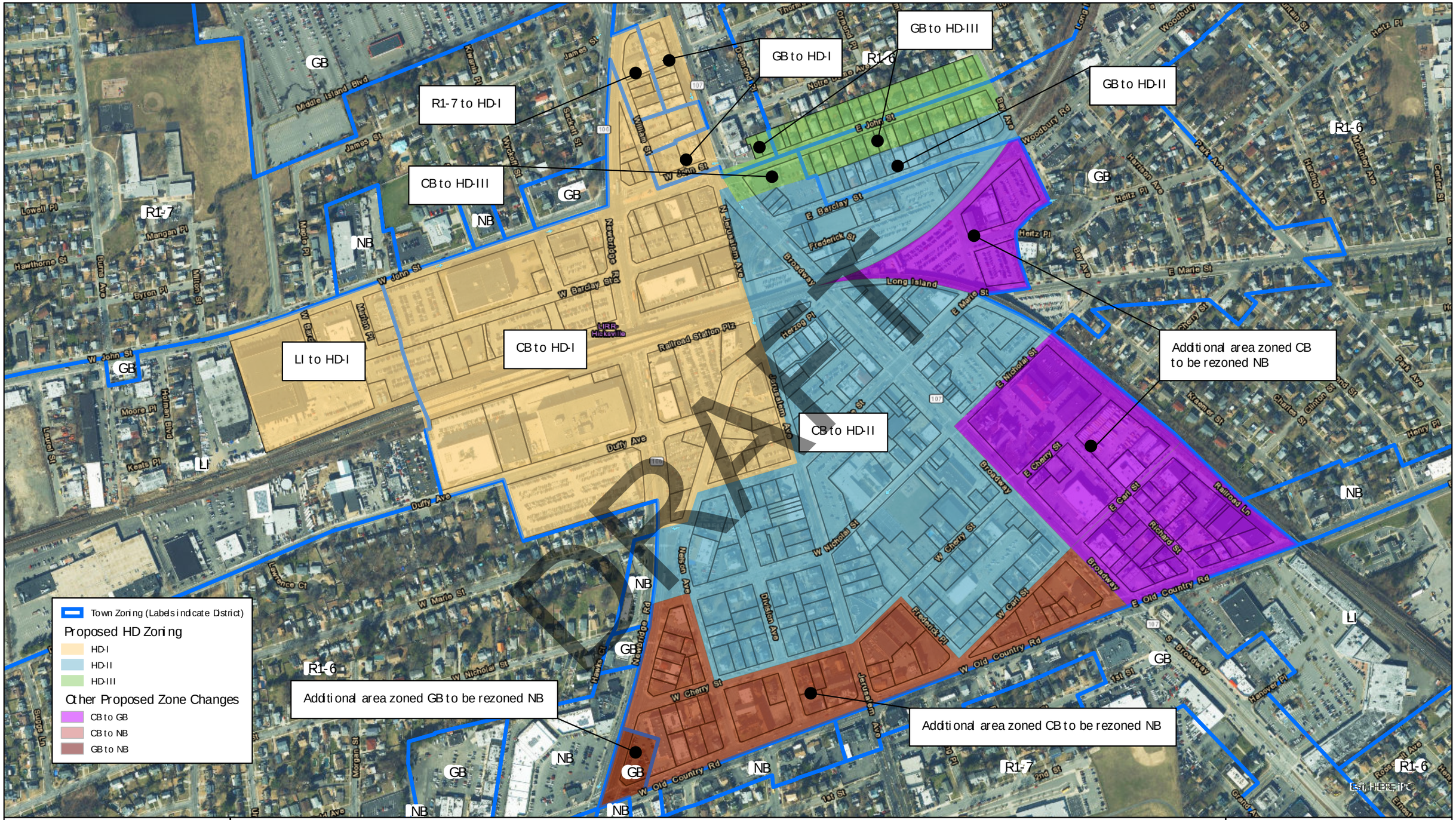
FIGURE 1
PROPOSED HICKSVILLE DOWNTOWN (HD) ZONING DISTRICT & SUBDISTRICTS

Source: ESRI WMS; Nassau County GIS, NYS Orthoimagery Program 2016
Scale: 1 inch = 350 feet

N

Adoption of HD Zoning District and Associated Town Zoning Code and Zoning Map Amendments

EAF Supplement



NPV

FIGURE 2
EXISTING AND PROPOSED ZONING

Source: ESRI WMS; Nassau County GIS, NYS Orthoimagery Program 2016, ESRI World Transportation
Scale: 1 inch = 400 feet

Adoption of HD Zoning District and Associated Town Zoning Code and Zoning Map Amendments

EAF Supplement

NPV

FIGURE 3
LOCATION MAP, REMEDIATION SITES

Source: NYS Orthoimagery Program 2016; Nassau County GIS, NYS Orthoimagery Program 2016; NYS DEC
Scale: 1 inch = 800 feet

Adoption of HD Zoning District and Associated Town Zoning Code and Zoning Map Amendments

EAF Supplement

ATTACHMENT A
PROPOSED TOWN ZONING CODE AMENDMENTS

Proposed New Section 246-5.9 - Chapter 246 Zoning
For the Hicksville Downtown District (HD)
October 2020

CONTENTS

1.0 BACKGROUND, PURPOSES AND LEGISLATIVE INTENT

1.1 Background and Purpose

Downtown Hicksville is home to one of the busiest train stations on Long Island and despite this convenience which is utilized by nearly 22,000 commuters a day, the area surrounding the train station has an opportunity for economic investment. Most LIRR passengers that access the Hicksville station come through the area without contributing to the economy of Downtown Hicksville.

In 2017, the Town of Oyster Bay was the recipient of the $10 million Downtown Revitalization Initiative (DRI) funding to improve the vitality of Downtown Hicksville. The funding supported a community planning process where the community developed the key ingredients needed for successful downtown revitalization which were finalized in the **Hicksville Downtown Revitalization Initiative Strategic Investment Plan** (the "DRI Plan"). These ingredients included a clear vision for the downtown; goals and strategies to accomplish the vision; and a strategic plan to implement catalytic projects identified in the Plan. Part of the implementation is the adoption of the Hicksville Downtown zoning district regulations. The Plan noted that the type of mixed-use development desired can be achieved with zoning that permits residential above ground-level commercial use, applies shared parking strategies and places parking in the rear of buildings. The Hicksville Downtown zoning provisions will allow the type of land uses desired and provides bulk regulations to achieve a uniform public realm. The affiliated **Hicksville Downtown Design Guidelines and Development Standards** ("HD Design Guidelines") is a document which is available from the Town Department of Planning and Development and which will be updated periodically at the direction of the Commissioner of the Department of Planning and Development and authorization by the Town Board. This document provides guidance on building styles, features, and site design that will result in development that maximizes livability through good design.

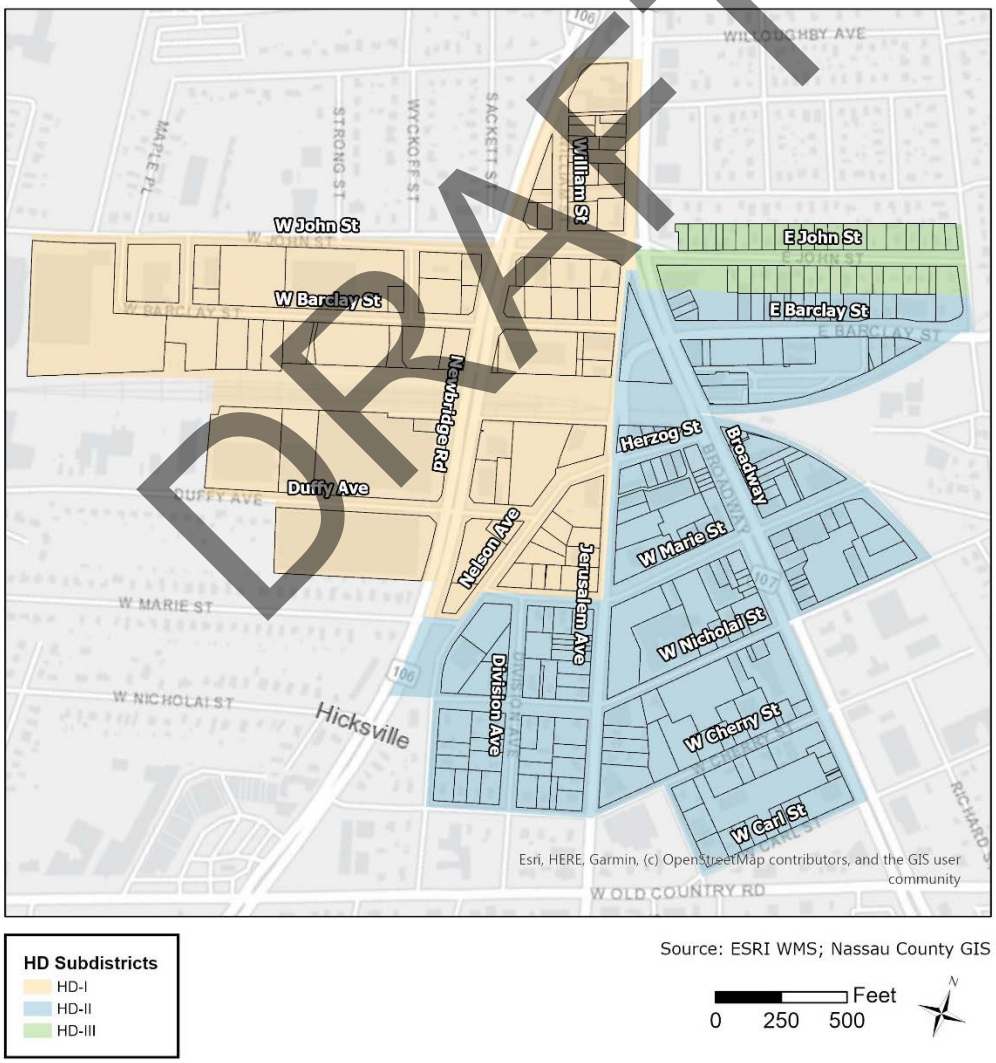
1.2 Legislative Intent

It is the intention that through the leadership of the Town of Oyster Bay and involvement of the Hicksville Community and with public and private investment, that Downtown Hicksville will become a vibrant community where people will want to live, work, shop, dine, and enjoy leisure time. The majority of the downtown was formerly zoned Central Business (CB), a district that has been eliminated entirely. The establishment of the Hicksville Downtown (HD) District establishes development rules and procedures for three subdistricts that will result in a walkable transit-oriented mixed-use area in the vicinity of the Hicksville Train Station.

2.0 ESTABLISHMENT OF THE HICKSVILLE DOWNTOWN SUBDISTRICTS

The HD Subdistrict boundaries are shown on the Town of Oyster Bay Zoning Map and in the image below. The Town of Oyster Bay Town Board, Zoning Board of Appeals, Planning Advisory Board and the Department of Planning and Development shall be guided by the provisions of this code and the HD Design Guidelines on file with the Department of Planning and Development in the review and approval of land use applications within the Hicksville Downtown.

The HD Subdistricts provide the foundation for redevelopment as identified in the DRI Strategic Investment Plan. These zoning provisions together with the Hicksville Downtown Design Guidelines and Development Standards provide the required framework and standards to encourage investment to achieve the type of mixed use development in the form desired for Downtown Hicksville consistent with the vision to create "a vibrant downtown that returns to its "main street" character while improving opportunities for local business owners and incorporating new housing markets to create a model community; with an emphasis on walkability, open space, places to congregate and engaging commuters to view Hicksville as a destination – not merely a transit hub".



3.0 INTERPRETATION, CONFLICTS AND AMENDMENTS

3.1 Interpretation

Wherever there is a variation or conflict between these Standards and other sections of Chapter 246, Zoning, these Standards shall prevail.

For development standards not regulated herein, the applicable sections of Chapter 246 and other development regulated by the Town Code shall apply. All development must comply with Federal, State or other local regulations and laws.

3.2 Amendments to the Hicksville Downtown Design Guidelines and Development Standards

The Town of Oyster Bay Town Board may amend the Design Guidelines and Development Standards by local law as set forth in Article I of the Town Code of the Town of Oyster Bay.

3.3 Area Variances

Any building permit, site plan, subdivision or special use permit application that does not meet the bulk and dimensional standards set forth in these Standards shall require an area variance from the Zoning Board of Appeals.

4.0 APPLICABILITY

4.1 Hicksville Downtown Subdistricts

The Hicksville Downtown District is comprised of the following three HD Subdistricts as plotted on the Official Zoning Map of the Town of Oyster Bay:

- HD-I "Hicksville Downtown Core Subdistrict";
- HD-II "Hicksville Downtown Gateway Transition Subdistrict"; and,
- HD-III "Hicksville Downtown Residential Subdistrict".

4.2 Descriptions of Subdistricts and Intent

Subdistrict	Intent
Hicksville Downtown – I Downtown Core Subdistrict (HD-I)	The HD-I Subdistrict is the Downtown Core District and is the most active area in the Downtown closest to the train station that allows up to four stories, depending on the size of the property. The intent of the HD-I Subdistrict is to allow transit-oriented development along primary roadways with a mix of residential and non-residential uses and an active pedestrian environment around the Hicksville Train Station. Overall design objectives include: creating a dynamic downtown area with numerous restaurants, shops, and services to support the residents, commuters and visitors; strengthening the pedestrian sidewalk environment; minimizing gaps in building walls created by parking lots and buildings that do not extend to both side lot lines; encouraging active sidewalk environments through ground-floor transparency and access; and encouraging civic spaces and outdoor seating areas for public use.
Hicksville Downtown – II Downtown Gateway Transition Subdistrict (HD-II)	The HD-II Subdistrict is the Downtown Gateway Transition District and allows up to three story buildings and a mix of uses. The intent of the subdistrict is to provide an active pedestrian environment with commercial and mixed-use along primary roadways while also preserving the existing neighborhood character along side streets in this subdistrict. The HD-II Subdistrict will act as a transitional area between the surrounding community and the HD-I Downtown Core Subdistrict. This subdistrict includes prominent entry corridors from surrounding neighborhoods to create attractive entry points to the Downtown Core. Development on these corridors will be less intensive than what is proposed in the HD-I Subdistrict, with a maximum of three stories. Townhouses are permitted on certain Street Types within this subdistrict.

Subdistrict	Intent
Hicksville Downtown – III Downtown Residential Subdistrict (HD-III)	This subdistrict is the Downtown Residential Subdistrict. The intent is to promote investment in the existing residential neighborhood along East John Street by permitting townhouse development. This subdistrict will provide an appropriate transition between the residential neighborhoods outside of Downtown Hicksville and the future mix of uses in the HD-I and HD-II subdistricts.

4.3 Definitions

The following definitions apply to the Hicksville Downtown District. For terms that are not defined in this article, then the definition in §246-2 shall apply. In the event that a definition in this article conflicts with a definition in another part of the Town Code, the definitions in this article shall control.

Build-to-Line: A line that is closest to the sidewalk at which construction of a building façade can occur on a lot. The Build-to-Line runs parallel to the existing front property line with the setback from the Curbline determined by Public Frontage standards based upon the Street Type. See Section 8.3, Table of Public Frontage Requirements by Street Type.

Brewpub/Distillery: A bar and/or eating establishment that produces beverages and sells its product to consumers on-site.

Community Garden: A piece of land or area that is gardened collectively by a group of people utilizing either individual or shared plots on public or private land. A Community Garden can produce fruit, vegetables, and/or plants grown for their attractiveness, and when located on building rooftops, must comply with applicable municipal building codes.

Curbline: A line at the face of the curb nearest to the street.

Liner building: A building designed to screen another building or use of less active frontage from a public view.

Outdoor Dining: An accessory use to a restaurant, Brewpub, or other food establishment. See provisions in Section 5.4.

Public Frontage: An area located between the Curbline and the Build-to-Line. See Section 6.0 Public Frontage Requirements.

Shopfront: Facade located on the street level of a building, creating an inviting pedestrian street environment by providing great transparency and visual attention to an activity inside of the building.

Street Type: A classification assigned to a street denoting the standards of Public Frontage zones. See Section 8.2 Diagram of Street Types Locations for a map designating Street Types in the HD Subdistricts. The Street Types in Downtown Hicksville are as follows:

- "A" Street Types: Downtown Mixed-Use
- "B" Street Types: Downtown Commercial
- "C" Street Types: Boulevard
- "D" Street Types: Neighborhood Connector
- "N/S" Street Types: Neighborhood Residential & Secondary Access Streets

Zone, "Build-to": An area between the Build-to-Line and the maximum building setback, determined by Public Frontage standards based upon the Street Type. See Section 6.2.1.

Zone, Landscape, Utility, and Infrastructure: An area between the Curbline and the Sidewalk Zone, as determined by the Public Frontage Standards. See Section 6.2.2.

Zone, Sidewalk: An area designed to accommodate for minimum unobstructed pedestrian passage. See Section 6.2.3.

Zone, Transition*:* An area of the Public Frontage that abuts the Build-to-Line and provides a transition between the building and public realm. See Section 6.2.4.

5.0 PERMITTED USES

5.1 Permitted Uses

Permitted uses within the Hicksville Downtown Subdistricts are provided in Table 1.

Table 1
Schedule of Use Regulations – HD Subdistricts

Uses	HD-I	HD-II	HD-III
Residential			
One-family dwellings			PP
Two-family dwellings (§ 246-5.5.28)			SP (ZBA)
Multifamily dwellings	PP	PP	
Townhouses		PP[1]	PP
Rooming or boarding *houses* (§ 246-5.5.23)			
Congregate-care assisted living facilities		PP	
Parent-child residences (§ 246-5.5.18)			
Accessory apartments			
Apartments over restaurants or personal services	PP	PP	
Apartments over stores or offices (§ 246-5.5.5)	PP	PP	
Domestic employees' residences (§ 246-5.5.12)			
Conversion of garage (§ 246-5.5.20.3)			
Keeping of domestic animals (§ 246-5.5.15)	PA	PA	PA
Private garages and carports (§ 246-5.5.20)			
Home businesses (§ 246-5.5.14.2)			
Home offices (§ 246-5.5.14.3)	PA	PA	PA
Recreation			
Country clubs (§ 246-5.5.10)			
Game rooms	SP (TB)	SP (TB)	
Active recreation uses, including bowling, tennis, golf driving ranges, miniature golf, batting ranges, skating and similar uses	SP (TB)	SP (TB)	
Fitness centers, 3,001 square feet and larger	SP (TB)	SP (TB)	
Fitness centers, 3,000 square feet or less	PP	PP	
Marinas			
Private membership clubs (§ 246-5.5.21)	SP (TB)	SP (TB)	
Public parks	PP	PP	PP
Swimming pools (§ 246-5.5.26)	PA	PA	PA
Tennis courts (§ 246-5.5.27)	PA	PA	PA
Theaters	SP (ZBA)	SP (ZBA)	
Public/Semi-Public			
Cemeteries			
Colleges or universities or *private schools* (§ 246- 5.5.8)	PP	PP	
Day care, play care, nursery schools and similar facilities (§ 246-5.5.11)	PP	PP	
Eleemosynary institutions	PP	PP	
Hospitals, convalescent or nursing homes	PP	PP	
Marine educational institutions			
Municipal uses of Town of Oyster Bay (§ 246- 4.1.4.1)	PP	PP	PP
Museums	PP	PP	

Uses	HD-I	HD-II	HD-III
Other governmental uses of federal, state or county agencies, or special purpose districts thereof (§ 246-4.1.4.2)	PP (TB)	PP (TB)	PP (TB)
Places of worship (§ 246-5.5.19)	PP	PP	
Public schools	PP	PP	
Technical or trade schools	PP	PP	
Business			
Accessory outdoor sales and display (§ 246-5.5.1)	SP (ZBA)	SP (ZBA)	
Agriculture (§ 246-5.5.2)			
Animal boarding facility			
Animal hospitals (§ 246-5.5.3)			
Banks	PP	PP	
Bars (§ 246-5.5.6)	SP (ZBA)	SP (ZBA)	
Boatyards			
Brewpub/Distillery	SP (ZBA)	SP (ZBA)	
Business services	PP	PP	
Catering services (§ 246-5.5.7)	SP (TB)	SP (TB)	
Collateral loan brokers (§ 246-5.5.32)			
Commercial greenhouses			
Community garden	PP	PP	PP
Cabarets, discotheques, dance halls, night clubs (§ 246-5.5.30)	SP (TB)	SP (TB)	
Drive-through services, fast food (§ 246-5.5.13)		SP (TB)	
Drive-through services, other (§ 246- 5.5.13)		PA	
Landscape nursery, garden center			
Public markets (§ 246-5.5.22)			
Fast-food restaurants (in multiple-use building)	PP	PP	
Fast-food restaurants (in freestanding building)	SP (TB)	SP (TB)	
Fishing stations			
Fish markets			
Keeping of farm animals (§ 246-5.5.16)			
Lodging places	SP (TB)	SP (TB)	
Mariculture			
Mariculture research and development facilities			
Marine-retail business complexes			
Office	PP	PP	
Personal services	PP	PP	
Professional, real estate and insurance *offices*	PP	PP	
Restaurants (maximum permitted occupancy of 75 persons)	PP	PP	
Restaurants (maximum occupancy of 76 or more persons)	PP	SP (TB)	
Restaurants, Sidewalk seating	PA[2]	PA[2]	
Retail stores	PP	PP	
Self-service storage facility			
Undertaking establishments (§ 246-5.5.29)	PP	PP	
Veterinary offices		PP	
Water-dependent uses found to be beneficial and harmonious with the special permit requirements of the Waterfront-A-District			
Automotive			
Motor vehicle fuel sales and service, motor vehicle repair, auto body, tow car operations, car washing establishments and public garages (§ 246-5.5.17)			
Motor vehicle rental facilities		PP	

Uses	HD-I	HD-II	HD-III
Motor vehicle dealership			
Parking structures (§ 246-7.5.3)	PA	PA	
Outdoor motor vehicle sales			
Storage of registered commercial vehicles			
Storage of unregistered vehicles (§ 246-5.5.24)			
Taxi or limousine service[3]	PP	PP	
Industrial			
Helipads			
Light manufacturing uses			
Lumber yards			
Research and development uses			
Warehouse, distribution and storage uses			
Utility			
Antennas (§ 246-5.5.4)	SP (ZBA)	SP (ZBA)	SP (ZBA)
Electric substations			
Public utility buildings or structures			
Radio and television broadcasting studios			
Solid waste management facilities			
Wireless telecommunications facilities	SP (ZBA)	SP (ZBA)	SP(ZBA)

KEY: PP: Permitted Principal Use; PA: Permitted Accessory Use; SP: Special Permit Use; (TB): Town Board Approval; (ZBA): Zoning Board of Appeals

Notes:

1. Townhouses permitted on Street Types "D" Neighborhood Connector and "N" Neighborhood Residential (See Section 8.0 for Street Types and Section 6.5 for Townhouse development standards/bulk regulation requirements in the HD-II subdistrict).
2. See Section 5.4 for locations where sidewalk dining is permitted and for provisions.
3. Taxi or limousine service shall not include storage or maintenance of vehicles. Offices related to a taxi or limousine services and a drop-off/pick-up area or booth are permitted.

5.2 Permitted Rooftop Uses in the HD-I and HD-II Subdistricts

For commercial/mixed use or apartments, the following rooftop uses are permitted accessory uses in the HD-I and HD-II Subdistricts:

a. Gardens, Community Gardens, green roofs or vegetated roofs
b. Outdoor swimming pools
c. Rooftop decks and seating areas
d. Enclosed rooms, including restrooms on the roof will be considered an additional story if exceeding the maximum encroachment limits established in Section 6.1.2.
e. Rooftop uses that would result in an active use of the rooftop by residents or the public will require a Public Assembly license.

5.3 Shopfronts Required

Shopfronts are required along the following streets within the Hicksville Subdistricts:

a. Broadway
b. Herzog Place (with the exception of townhouse developments)
c. Nelson Avenue (north of West Marie Street)
d. West Barclay Street

Design standards for Shopfronts are provided in the HD Design Guidelines.

5.4 Outdoor Dining

5.4.1 Outdoor dining is permitted on the following roadways:

- Division Avenue (between West Nicholai Street and West Marie Street)
- East Barclay Street
- East John Street (Only on B Street section)
- East Marie Street
- East Nicholai Street
- Frederick Place (Only on D Street section)
- Herzog Place
- Jerusalem Avenue
- Nelson Avenue (north of West Nicholai Street)
- West Barclay Street
- West Carl Street (Only on D Street section)
- West Cherry Street (between Jerusalem Avenue and Broadway) (Only on D Street section)
- West John Street
- West Marie Street (between Jerusalem Avenue and Broadway)
- West Marie Street (between Nelson Avenue and Jerusalem Avenue)
- West Nicholai Street (between Jerusalem Avenue and Broadway)
- West Nicholai Street (between Nelson Avenue and Jerusalem Avenue)

5.4.2 Outdoor dining shall meet the following requirements:

a. Maximum occupancy shall be per NYS Building Code.
b. Any outdoor dining shall be limited in area to 20% or less of the indoor dining seats.
c. Any outdoor dining shall not require additional parking spaces over what is required for the indoor uses.
d. Any outdoor dining must provide a sidewalk clearway of 6 feet.
e. Outdoor dining requires Planning and Development Department approval.
f. Outdoor dining shall be approved for a period from May 1 to October 31 each year, subject to renewal by the Department of Planning and Development.
g. All tables and chairs utilized for outdoor dining shall be removed nightly and seasonally when not in active and continuous use on private property.
h. Hours of operation of an outdoor dining area shall not be later than 11 pm.
i. Any outdoor congregational area accessory use other than outdoor dining (i.e., brewpub/distillery or bar) shall be clearly defined. Any outdoor congregational area shall be

subject to specific conditions determined by the Planning Advisory Board and will require Planning and Development Department approval during Site Plan review.

j. No private trash or refuse bins permitted in any outdoor dining area or outdoor congregation area.

6.0 BULK REQUIREMENTS AND OTHER DEVELOPMENT STANDARDS

6.1 Height

6.1.1 Maximum building height within the HD Subdistricts.

Table 2 identifies maximum building heights by HD Subdistrict based upon lot width. No building or structure shall exceed the maximum height permitted in the HD Subdistricts prescribed for the property size. Additional flexibility in height at the reviewing agency's discretion is permitted for rooftop uses and decorative architectural details as described in Sections 6.1.2, 6.1.3 and 6.1.4 and in the HD Design Guidelines. The permitted encroachments described herein supplement permitted encroachments included in Section 246-4.5 of Town Code.

Table 2
Hicksville Downtown Subdistrict
Maximum Building Heights by Lot Frontage

<table>
<tr><th rowspan="2">HD Subdistrict</th><th colspan="3">Building Height (Maximum Permitted) by Lot Frontage</th></tr>
<tr><th>Up to 60 Feet</th><th>Greater than 60 Feet and less than 100 feet</th><th>100 Feet and greater</th></tr>
<tr><td>HD-I</td><td rowspan="2">2 Stories/30 Feet Max.</td><td>3 Stories/40 Feet Max.</td><td>4 Stories/50 Feet Max.</td></tr>
<tr><td>HD-II</td><td colspan="2">3 Stories/40 Feet Max.</td></tr>
<tr><td>HD-III</td><td colspan="3">2 Stories/30 Feet Max.</td></tr>
</table>

6.1.2 Exception for Permitted Encroachment for Rooftop Use

For mixed use and apartment buildings, the reviewing agency has discretion to permit an enclosed space to supplement outdoor rooftop uses that may exceed the maximum height by up to 15 feet as long as the enclosed portion is no more than 10% of the horizontal roof area, to a maximum of 600 square feet (excluding stairwells, elevator shafts but including restrooms and elevator lobby areas) and be limited to passive gathering space; no cooking facilities or wet bar fixtures permitted in this space.

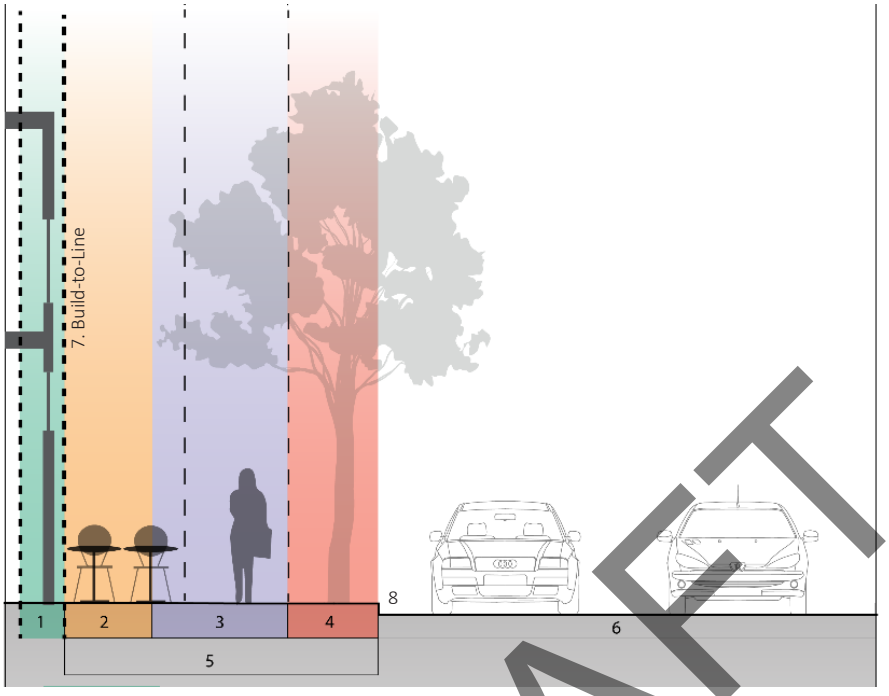
6.1.3 Exception for Significant Architectural Features

The reviewing agency has discretion to permit additional height up to 15 feet for no more than 10% of the horizontal roof area for an architectural feature, including but not limited to, clocktowers and cupolas.

6.1.4 Maximum Rooftop Encroachment

The total area of all rooftop encroachments, including encroachments permitted in Section 6.1.2 and 6.1.3 shall not exceed 10% of the horizontal roof area. Rooftop encroachments greater than 10% of the horizontal roof area shall be considered a story.

6.2 Public Frontage Requirements



1. Build-to-Zone
2. Transition Zone
3. Sidewalk Zone
4. Landscape, Utility, and Infrastructure Zone
5. Public Frontage
6. Travel and Parking Lanes
7. Build-to-Line
8. Curbline

6.2.1 Build-to-Zone

a. An area between the Build-to-Line and the maximum building setback, determined by Public Frontage standards based upon the Street Type. See Section 8.0.
b. The location of a building's façade can vary within this zone in order to allow design flexibility.
c. A partial or full front building façade can be located outside of the Build-to-Zone only to allow for public open spaces, plazas with outdoor dining or landscaping areas, while maintaining a strong visual and pedestrian connection with adjoining public frontage.

6.2.2 Transition Zone

a. An area of the public frontage that abuts the Build-to-Line. See Section 8.0.
a. Provides transition between the building and public realm, and allows for typical encroachments including awnings, balconies on upper floors, planters, and outdoor seating (where permitted).
b. The surface of the sidewalk constructed within this zone shall seamlessly join the sidewalk within the sidewalk zone.

6.2.3 Sidewalk Zone

a. An area designed to accommodate for minimum unobstructed pedestrian passage. See Section 8.0.
b. In areas where outdoor seating is permitted, seating may encroach into the sidewalk zone as long as there is at least 6 feet of unobstructed clear width for pedestrians.

6.2.4 Landscape, Utility, and Infrastructure Zone

a. An area between the Curbline and the Sidewalk Zone, as determined by the Public Frontage Standards. See Section 8.0.
b. Allows placement of lighting, street and outdoor dining furniture and pedestrian amenities.
c. When located along roadways with vehicle traffic that frequently travel at faster speeds, this zone provides for additional separation and protection for pedestrians.

6.3 Yard Requirements

6.3.1 Rear Yard Requirements

Properties in the HD-I and HD-II that are adjacent to residential zoning districts are required to provide a rear yard of 20'.

6.3.2 Side Yard Requirements

The minimum side yard within the HD Districts is 0', except for when a side yard is provided in which case the minimum shall be 5'. For townhouse units, see Section 6.6 for yard requirements.

6.4 Maximum Building Width

The maximum building uninterrupted building façade, regardless of ownership, shall be 60'.

6.5 Minimum Apartment Unit Size

Minimum size of residential units constructed in the HD Subdistrict shall be 500 square feet.

6.6 Standards for Townhouses

6.6.1 Townhouse standards for the HD-II Subdistrict

a. In order to permit the construction of townhouses in HD-II a minimum of four (4) townhouses must be proposed in any development scenario.

b. The minimum width for a townhouse shall be 25 feet.

c. For townhouse end units, the minimum side yard shall be 10'.

d. Any property or properties developed with townhouses shall have a minimum of 125' of frontage along a roadway.

e. Townhouses shall be oriented towards the street with the front façade (including porches, if proposed) within the Build-to-Zone of the corresponding Street Type with a narrow area in front of the townhouse for landscaping. I.e. the façade of townhouses should be located at the maximum setback from the Curbline within the build-to-zone to allow for an area of landscaping.

f. Parking for the townhouses shall be shared, located behind the units, and accessible via alleyways or side streets.

6.6.2 Townhouse standards within the HD-III Subdistrict

a. Townhouses in HD-III Subdistrict must contain a minimum of four (4) attached townhouses and up to a maximum of eight (8) attached units.

b. The minimum width for a townhouse shall be 25 feet.

c. For townhouse end units, the minimum side yard shall be 10'.

d. Any property or properties developed with townhouses shall have a minimum of 125' of frontage along a roadway.

e. Townhouses should be set back from the Curbline at 20' with landscaped front yards and individual driveways. However, the placement of townhouses should not result in a front yard setback that is significantly larger than the surrounding properties. In instances where inconsistent setbacks would result due to existing developments, as determined by the Department of Planning and Development, the average setback may be utilized to determine the building placement as per §246.4.4.2.3.

f. Parking is permitted in driveways in the front yard (or side yards for end units).

g. Shared driveways between adjacent units are permitted to maximize efficiency and reduce the number of curb cuts.

h. The maximum impervious coverage permitted for townhouse development in HD-III shall be 65%.

i. Townhouse developments shall provide a rear yard of 25 feet.

7.0 PARKING STANDARDS

7.1 Minimum Off-Street Parking Requirements

Within the HD Subdistricts, all *structures* and uses shall be provided with a sufficient amount of off-street parking and loading spaces for employees, residents, visitors, clients, patrons and other *persons* who are likely or expected to be at such *structures* or uses, but not less than the minimum requirements provided in Table 3. Where the use is not provided in Table 1, see Chapter 246-8.2.1 Schedule of Off-Street Parking and Loading Requirements.

Table 3
HICKSVILLE DOWNTOWN DISTRICT PARKING REQUIREMENTS

PARKING REQUIREMENTS BY LAND USE		PARKING REQUIREMENTS
Townhouses		2 spaces/dwelling
Multifamily Housing****	**Efficiency Unit (studio)**	1.25 space/unit*
	1-Bedroom	1.25 space/unit*
	2-Bedroom	1.5 space/unit*
	3- Bedroom	2.0 space/unit*
	4+ Bedrooms	2.5 space/unit
Retail and personal service establishment		1 space/300 sf GFA
Mixed Use with Residential		1.25 space/residential unit; 25% reduction of required commercial spaces for restaurant, office and retail uses with parking provisions **
Restaurant		HD-I: 1 space/4 persons occupancy or 1 space/300 sf GFA whichever is greater HD-II: 1 space/3 persons occupancy or 1 space/200 sf GFA whichever is greater
Office		1 space/200 sf GFA
Hotel		1 space/guest room and 1 space/employee
Theater		HD-I: 1 space/50 persons and 1 space/employee*** HD-II: 1 space/3 seats

*At least one residential parking space must be dedicated for each unit.

** See Section 7.3 for eligibility criteria for the 25% reduction in required commercial parking.

*** Required unless it can be demonstrated that adequate available parking is located within 1/4 mile of the theater during peak hours.

****Where additional rooms are proposed in addition to a living room that may be uses as bedrooms (i.e. as studies, dens, offices, playrooms); these will be treated as bedrooms for the purpose of calculating required parking.

7.2 Loading Spaces

Loading Spaces to be provided based upon the requirements contained in §246-8.2.1.

7.3 Regulations for Shared Parking Areas

Certain mixed uses may qualify for a reduction in required parking stalls. When such reductions are granted, the following requirements shall apply:

a. In order for a mixed-use development to qualify for a 25% reduction in the required commercial parking stalls, at least 10% of the gross floor area of the development must be utilized for commercial uses.

b. Signage denoting the shared parking area and any parking stalls reserved for residential uses must be installed on the property.

c. Alleyways and access to the shared parking area shall contain appropriate lighting for the safety and security of pedestrians.

7.4 Screening for Ground Level Parking

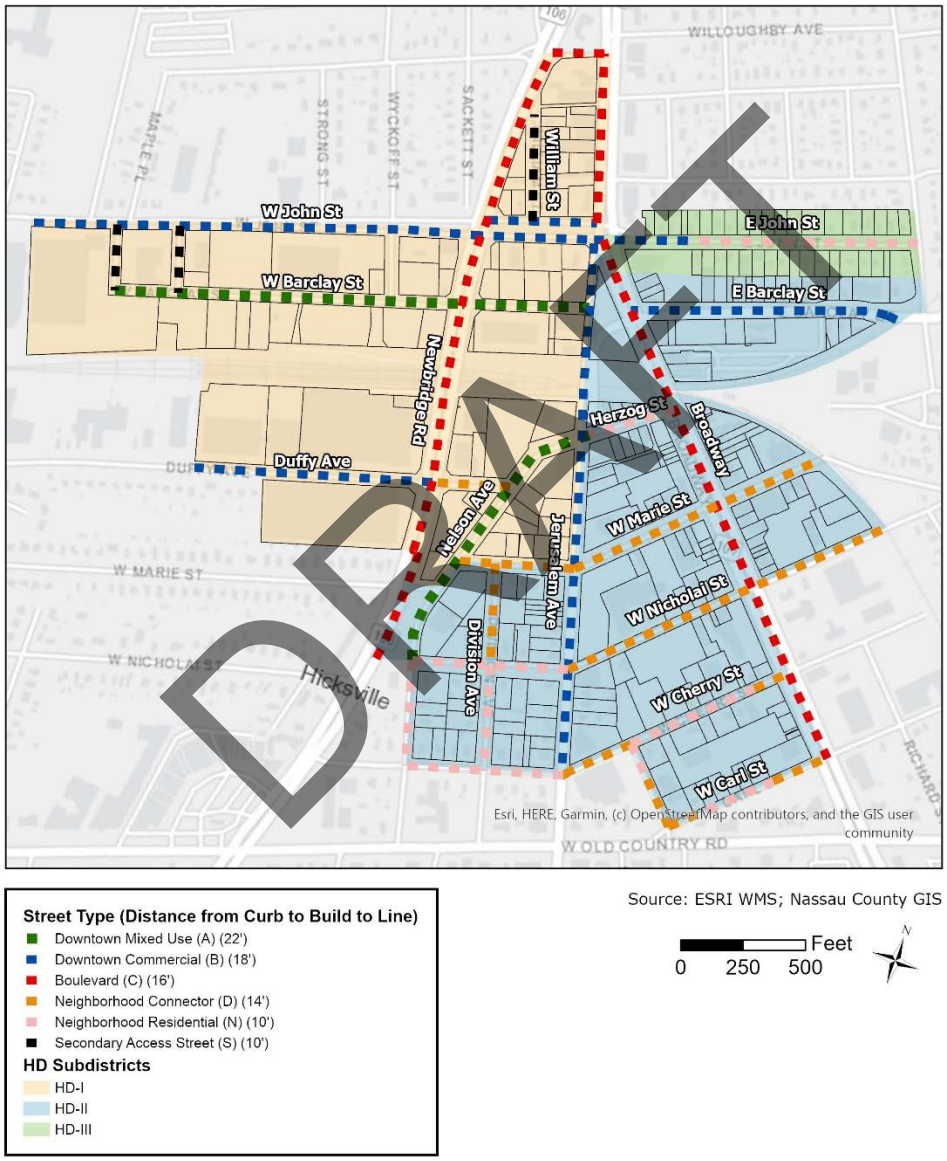
a. Liner buildings, green walls, false facades or other appropriate screening, as approved by the reviewing agency, is required for ground level parking to ensure that the parking areas are not visible from the street.

b. Parking standards are provided in the HD Design Guidelines.

8.0 STREET TYPES

The intent of designating street types is to create uniformity in the public realm. Whereas in other districts (outside of the HD Districts), building setbacks are measured from the property line, in the HD District, to create this uniform pedestrian zone – a Build-to-Line is established which is measured from the existing Curbline at the edge of the street. The Street Types within the HD Subdistricts identify standards for the required Public Frontage, including setbacks from the Curbline and various zone widths within the pedestrian realm.

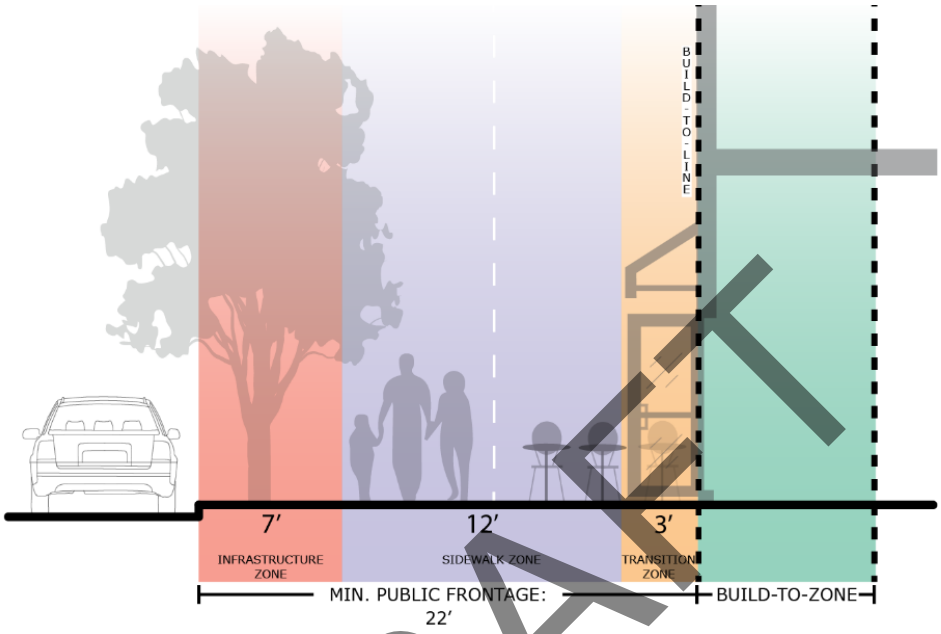
8.1 Diagram of Street Types Locations



8.2 Street Types Regulations

8.2.1 Downtown Mixed Use (A-Street)

a. Downtown Commercial Frontage Diagram



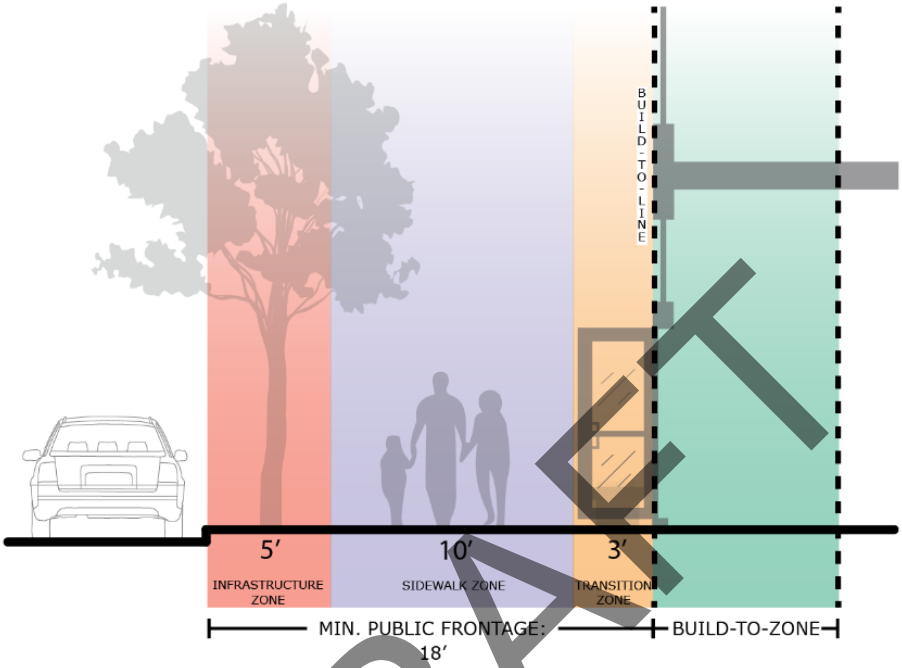
b. Downtown Mixed Use, A- Streets, are characterized by high pedestrian volumes which benefit from vibrant shopfronts and wide sidewalks intended to encourage pedestrians to linger and interact, while still providing ample room for pedestrian traffic.

c. Transition Zone character varies based on use (chairs and tables at restaurants or cafes, planted areas or stoops at residential entrances and sidewalk retail for stores).

d. The amenities provided in the Transition Zone are permitted to encroach into the Sidewalk Zone, as long as an unobstructed pedestrian clearway of at least 6 feet is provided.

8.2.2 Downtown Commercial (B-Street)

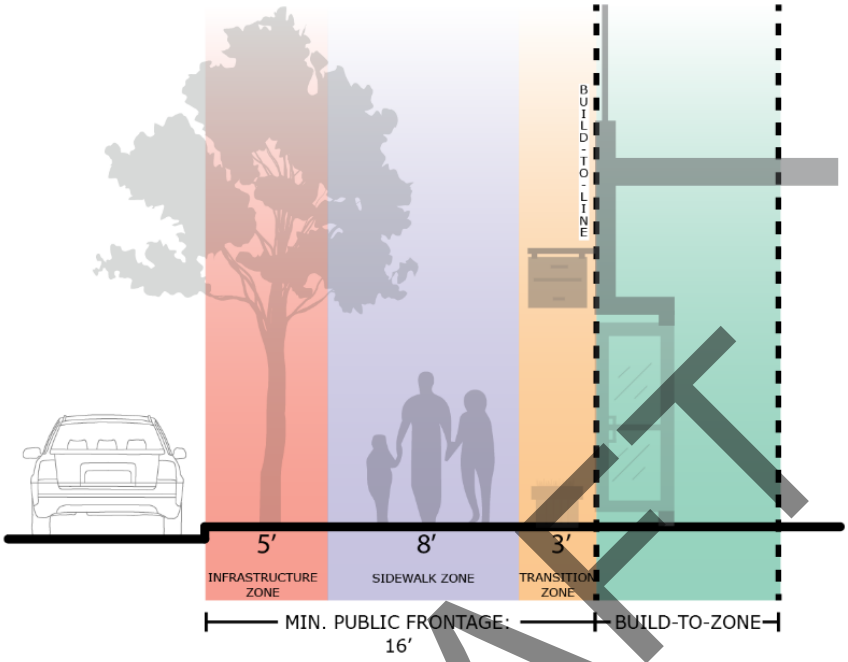
a. Downtown Commercial Frontage Diagram



b. Downtown Commercial, B- Streets, are categorized by high volumes of pedestrian activity, and a mix of commercial uses with Shopfront frontages.
c. The overall scale of these streets is slightly smaller than Downtown Mixed-Use, A- Streets, and have somewhat narrower sidewalks.
d. The focus is on providing active frontages and many entrances to Shopfronts featuring small businesses lining the street.
e. Amenities provided in the Transition Zone are permitted to encroach into the Sidewalk Zone as long as an unobstructed pedestrian clearway of at least 6 feet is provided.

8.2.3 Boulevard (C-Street)

a. Boulevard Frontage Diagram

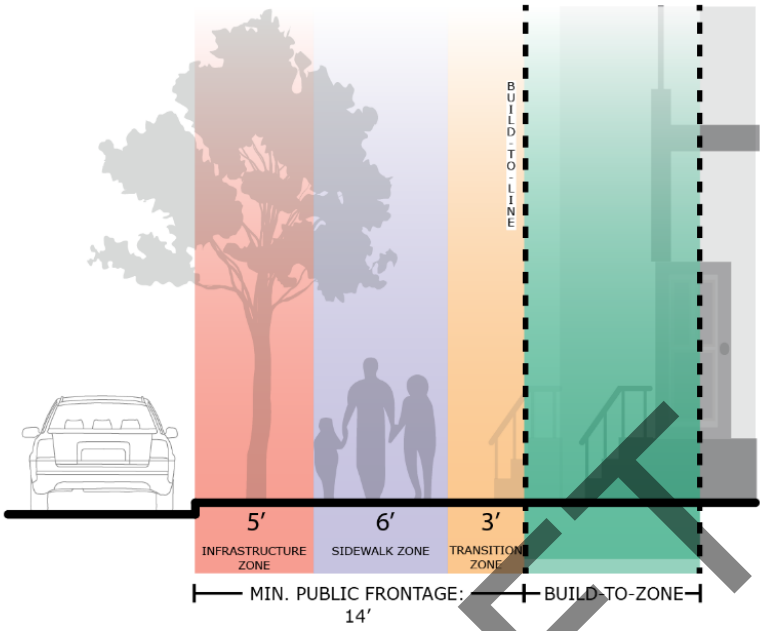


b. Boulevards, C-Streets, (Newbridge Road and Broadway) are New York State roadways (NY SR 106 and NY SR 107) are characterized by a strong building edge and continuous rows of trees to provide a buffer between pedestrians and high-speed traffic.

c. Along Boulevards, the Landscape, Utility and Infrastructure Zone provides an area where green infrastructure may be appropriate to reduce stress on the existing stormwater infrastructure

8.2.4 Neighborhood Connector (D-Street)

a. Neighborhood Connector Frontage Diagram

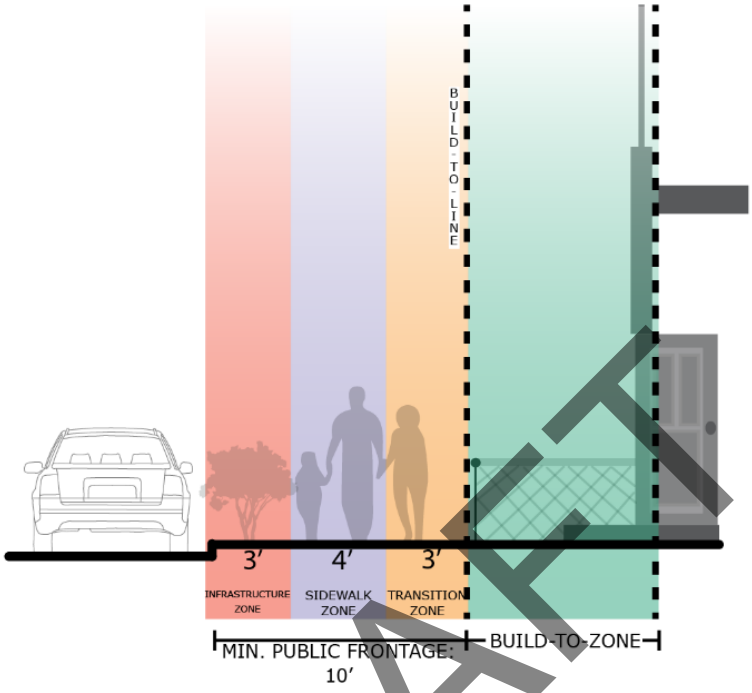


b. Neighborhood Connector, D-Street, balances the needs of visitors passing through the area with residents who live and work along the street.

c. Regularly spaced trees and lighting in the Landscape, Utility and Infrastructure Zone provide unifying elements on streets.

8.2.5 Neighborhood Residential/Secondary Access (N &S -Streets)

a. Neighborhood Residential/Secondary Access Frontage Diagram



b. Neighborhood Residential/Secondary Access, N&S Streets, are intended for slower speeds, less frequented/activated sidewalks and narrow public frontage.

c. The Landscape, Utility and Infrastructure Zone can accommodate street trees, utilities, and a relatively narrow, but unobstructed sidewalk.

8.3 Table of Public Frontage Requirements by Street Type

Street Type		Public Frontage				Build-to-Zone (Feet)
		Total Width Minimum (Feet)	Landscape, Utility, and Infrastructure Zone (Feet)	Sidewalk Zone Minimum (Feet)	Transition Zone (Feet)	
A	Downtown Mixed Use (A-Street)	22’	6’ – 8’	10’ minimum (12’ preferred)	3’	5’
B	Downtown Commercial (B-Street)	18’	5’ - 8’	8’ minimum (10’ preferred)	3’	5’
C	Boulevard (C-Street)	16’	5’ – 8’	6’ minimum (8’ preferred)	3’	5’
D	Neighborhood Connector (D-Street)	14’	5’	5’ minimum (6’ preferred)	3’	8’
N	Neighborhood Residential (N-Street)	10’	3’	4’	3’	8’
S	Secondary Access Street (S-Street)	10’	3’	4’	3’	8’

9.0 ADDITIONAL DEVELOPMENT REQUIREMENTS

9.1 Hicksville Downtown Design Guidelines and Development Standards

New development and redevelopments shall follow the Hicksville Downtown Design Guidelines and Development Standards which are provided as a supplement to this Article.

9.2 Signage

Signs shall be consistent with see Section §246-11, with the following clarification and guidelines.

1. For development within the HD-I and HD-II (other than for townhouses) signs may be permitted to encroach within the transition zone as designated by its Street Type.
2. Lettering on awnings are treated as signs. The lettering shall be less than or equal to 12 inches in height and not cover more than 10 square feet. Only the name/logo and address/phone number of the business may be printed on the awning.

9.3 Landscaping

On-site irrigation systems, including watering systems and timers, are required to ensure proper maintenance and upkeep of landscaped areas.

ATTACHMENT B
PROPOSED HICKSVILLE DOWNTOWN DESIGN GUIDELINES & DEVELOPMENT STANDARDS

Hicksville Downtown
Design Guidelines & Development Standards
"HD Design Guidelines"

NOVEMBER 2020

Contents

1.0 OVERVIEW

This document shall be known as the Hicksville Downtown Design Guidelines and Development Standards (also known as "HD Design Guidelines" or "Design Guidelines") as referenced in the Hicksville Downtown Zoning District (see Chapter 246-5.9) of the Town of Oyster Bay Zoning Code (referred to herein as the "Zoning Chapter").

The Design Guidelines provided in this document shall apply to development of properties within the Hicksville Downtown Districts:

- HD-I: Hicksville Downtown Core District;
- HD-II: Hicksville Downtown Gateway Transition District; and,
- HD-III: Hicksville Downtown Residential District.

The HD Zoning Districts are shown on the Town of Oyster Bay Zoning Map. The Town of Oyster Bay Town Board, Zoning Board of Appeals, Planning Advisory Board and the Department of Planning and Development shall be guided by the provisions of the Code and these Design Guidelines in the review and approval of land use applications within the Hicksville Downtown Subdistricts.

1.1 Background

Downtown Hicksville was the recipient of the $10 million New York State Downtown Revitalization Initiative (DRI) funding in 2017 to improve the vitality of the downtown. The DRI funding supports a planning and implementation process where the community develops the key ingredients needed for successful downtown revitalization: a clear vision for the downtown; goals and strategies to accomplish the vision; and a strategic plan to implement catalytic projects identified in the plan. The program emphasizes using DRI investments to reinforce and secure additional public and private investment within and near downtowns.

1.2 Purpose of this Document

A. The HD Subdistricts provide the foundation for redevelopment as identified in the Hicksville DRI Strategic Investment Plan (the "Plan"). Chapter 246-5.9 of the Town of Oyster Bay Code together with these Design Guidelines provide the foundation necessary to achieve a built environment that is unique to downtown Hicksville, responds to local planning goals, and will result in the implementation of the vision expressed as part of the development of the DRI Plan to create a revitalized downtown Hicksville surrounding the train station with a mix of uses and an active pedestrian environment.

B. The Town of Oyster Bay seeks redevelopment with high quality architecture, and which creates a public realm that encourages walking between uses and an active sidewalk zone. The following expresses the overall quality and character desired for the Hicksville Downtown by Subdistrict. This document provides guidance for

applicants to achieve successful development projects which are consistent with the vision for downtown Hicksville.

C. The provisions which define the public realm including the sidewalk area and building form to create the small-scale character desired for downtown Hicksville include:

a. Sidewalk feature design (note that build-to lines for building are determined by Street Type as defined in Chapter 246-5.9.8)
b. Design, placement and access to off-street parking areas and structures
c. Controls for the architectural treatment of new development and redevelopment
d. Guidance for buffers, signage, lighting

In general, within the HD-I and HD-II Subdistricts (other than where townhouses are implemented), any proposed development shall have the following general design qualities:

- Mixed-use development
- Mix of housing styles, types, and sizes,
- Build-to lines for commercial and mixed-use areas
- Human-scale building design and configuration
- Orientation of buildings to the street
- Activated sidewalks with pedestrian amenities and connectivity
- Quality landscape design and landscaping of parking lots/structures and public spaces
- Wherever possible, outdoor gathering spaces are to be introduced in order to activate and enliven the district, with spaces such as outdoor cafes, seating areas, and other public gathering spaces.

The amended Official Zoning Map of the Town of Oyster Bay will include the HD Subdistricts and designate a series of zoning standards, Street Types and elements to regulate the building forms most appropriate for each HD Subdistrict and Street Type. This Article is further intended to implement a streamlined process of application review and approval based on compliance with this Article in order to expedite economic development that fulfills the purposes of this Article.

2.0 GENERAL DESIGN GUIDANCE

The Town of Oyster Bay seeks redevelopment with high quality architecture, and which creates a public realm that encourages walking between uses and an active sidewalk zone. The following expresses the overall quality and character desired for the Hicksville Downtown by Subdistrict organized by the Public Frontage Zone and Architectural Character. This section provides images and graphics that support the intended character and placement of proposed development within the Hicksville Downtown Subdistricts.

1. Build-to-Zone
2. Transition Zone
3. Sidewalk Zone
4. Landscape, Utility, and Infrastructure Zone
5. Public Frontage
6. Travel and Parking Lanes
7. Build-to-Line
8. Curbline

3.0 GUIDANCE FOR FEATURES WITHIN THE PUBLIC FRONTAGE

This section sets forth the Design Guidelines for the area between the building face and the curbline (noting that the placement of the building face has some flexibility within the build-to-zone). The intent is to create uniformity in the pedestrian environment with generally consistent sidewalk widths and building faces in line. Within the sidewalk zone, some encroachments will be permitted (such as shingle signs, awnings, upper floor bay windows and balconies and outdoor seating where permitted – as long as a clear sidewalk area remains as designated by the Street Type).

3.1 Landscaping

Plantings should be designed in a manner that is complimentary to surrounding buildings and the context of the block street and district in which the site is located. The use of repetition and structured patterns for plantings, combined with complementary textures and colors and other design approaches, should reinforce the overall character of the area.

Use of repetition and structured patterns for plantings.

Planters with complementary textures and colors.

3.2 Street Furniture

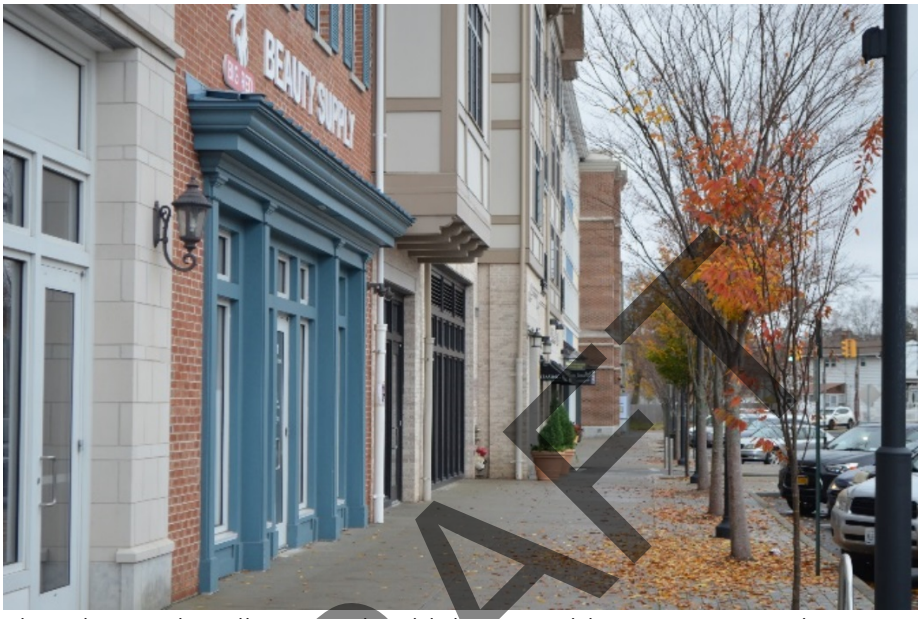
Elements of street furniture, such as benches, waste containers, planters, phone booths, kiosks, bicycle racks and bollards should be carefully selected to ensure the overall character is appropriate as shown in the reference images.

Benches and street furniture to create an inviting street environment for pedestrians.

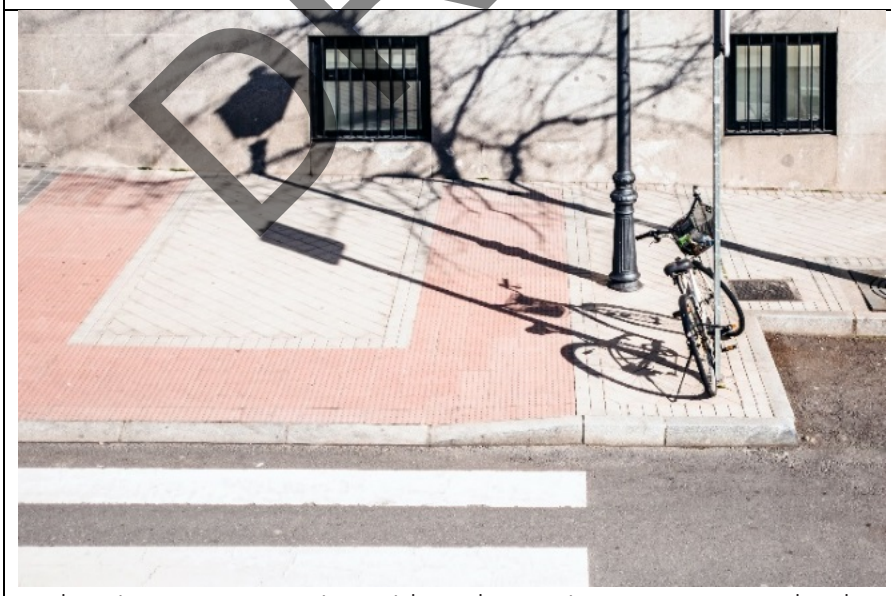
Bicycle racks available along the street to encourage alternate modes of transportation.

3.3 Paving Materials

The qualities of paving materials on sidewalks, pedestrian walkways and pathways, plazas and courtyards shall be appropriate to the proposed pedestrian circulation function. Asphalt should be avoided. Stamped concrete is recommended where possible. Pedestrian street crossings should be clearly delineated through a change in pavement color and/or texture.



The clear sidewalk area should have width to accommodate pedestrian without obstacles



Pedestrian street crossing with a change in pavement to clearly delineate the crossing.

3.4 Outdoor Dining

Outdoor dining is permitted on specific roadways as outlined in Section 5.4.1 of the Hicksville Downtown Code. Outdoor dining may consist of tables and chairs outside in the Transition Zone as long as a sidewalk clearway of 6 feet is provided.

Outdoor restaurant seating helps activate the use of public space.

Outdoor dining with a pedestrian clearway.

3.5 Awnings

Awnings are encouraged for commercial, apartment and mixed-use buildings in the HD-I and HD-II Subdistricts to provide shade and shelter from precipitation as well as to provide visual interest on the building façade. Fixed or retractable awnings are permitted at ground floor level and on upper levels where appropriate, provided they complement a building's architectural style, materials, colors and details and do not conceal significant architectural features, such as cornices, columns or pilasters. In design of awnings, the following are encouraged:

<u>Awning Designs that are Encouraged</u>

- Awnings that are appropriately fitted to window openings which add to the overall visual appearance of the building façade.
- Long awnings that extend a majority of the building width tend to cover the façade and are thus discouraged.
- For sidewalk dining, retractable awnings are encouraged to avoid a long expanse of awning which is discouraged.
- Use colors/patterns, materials, and styles that are consistent with and enhance the architecture of the building façade.
- In buildings with multiple storefronts, compatible awnings may be used as a means of unifying the structure.
- Lettering on awnings are treated as signs. The lettering shall be less than or equal to 12 inches in height and not cover more than 10 square feet.

Only the name/logo and address/phone number of the business may be printed on the awning.

Retractable awning used for sidewalk seating area

For corner buildings, multiple depths are encouraged to provide visual interest and provide adequate shade for corner areas.

Discouraged or Prohibited Awnings

- Use of awning for corporate advertising is not permitted.

Use of awning for corporate advertising is **not permitted.**

3.6 Signs

Encouraged design guidelines for building signs:

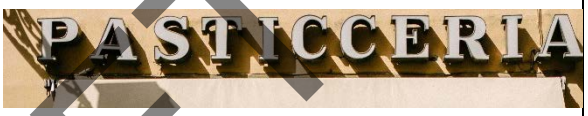
- Materials of sign shall be wood, metal or composite as determined by the reviewing agency.
- Hanging signs shall be affixed to withstand extreme wind conditions.
- Building signs shall be in scale with the building façade and appropriately placed on the building.
- Signs shall be compatible with the style of the building in consideration of materials used, color, shape and fonts utilized.
- Sign messages should be simple and sized to be legible.
- If illumination is required, signs should be lit from the exterior in a downward direction and shielded to minimize glare.
- Animated signs are not permitted.

Wall Signs:

- Multiple storefronts within one building shall coordinate the design and alignment of signs to achieve a cohesive appearance to the base of the building.
- Signs shall not obscure architectural elements such as windows nor span across structural bays or columns.
- The size of signs and letters on signs shall be in scale and in proportion to the space in which they are located.
- Sign illumination by bare floodlight, blinking or flashing bulbs or any animated sign is prohibited.
- Hours of illumination shall be restricted from 5 am to 11 pm or half hour past close of business.
- Incidental window signs displaying pertinent business information such as business hours of operation and credit card accepted shall be excluded from area calculated for window signs.

Carefully detailed externally lit signage.

Hanging or projecting sign attached to a façade improves the sign visibility.



Pin mounted sign of appropriate text size in proportion to the sign board

Freestanding Sign:

- Freestanding sign shall be consistent in design, material, and color used for principal building.
- Freestanding sign should be scaled appropriately for the purpose of its use. Lollipop style of sign is prohibited. Monument style of freestanding sign is recommended.

Example of preferred style of freestanding monument sign.

Prohibited lollipop style sign.

3.7 Streetscape Lighting

- Streetscape lighting should be pedestrian-scaled and architecturally compatible with lighting installed in adjoining areas.

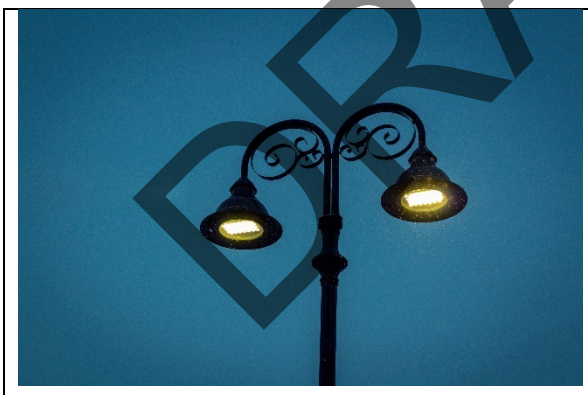
- Lighting should be limited to the amount and intensity necessary for safety, security and to compliment architectural character. Lighting is not permitted which would interfere with the character of the surrounding neighborhood.

- Lighting which is visible from adjacent properties or roads should be positioned or screened to avoid direct glare on the street.

- Service area lighting should be designed to avoid spillover onto adjacent areas.

- Site lighting fixtures should be selected and designed to focus lighting downward into the zone of pedestrian activity without excessive illumination of the upper residential stories of buildings or of the night sky.

- The uplighting of civic art (e.g. statues, flagpoles), or prominent building is permissible provided glare and light pollution are limited.

3.8 Building Lighting:

- Direct lighting should be provided to illuminate the building facade, signs, architectural elements/ornamentation, storefront displays, the public sidewalk and entrances for the interest, security and the comfort of pedestrians at nigh time.

- Traditionally styled fixtures or appropriately scaled contemporary fixtures

are recommended. Lighting should be in the form of gooseneck fixtures attached to the facade, or by means of accent pendants or sconces and should be coordinated with the building design to be in keeping with the style of architecture.

- ‘After-hours’ lighting which illuminates the front of the storefront while contributing to a comfortable nighttime pedestrian experience is encouraged.

- Fixtures used for architectural lighting, such as facade, feature, and landscape lighting, should be aimed or directed to minimize light projection beyond immediate objects intended to be illuminated.

- Visible florescent bulbs exposed exterior neon lighting, any blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color are prohibited.

Lighting fixture should be consistent with signage and storefront style and material.

Creative design, indirect spotlight, and use of high-quality materials.

Illuminating a display window helps give light to the street.

3.9 Shopfront Design

Shopfront design is critical to creating a visually interesting pedestrian environment and an architecturally expressive building, and to visually connect the pedestrian with the interior. Shopfronts should be designed with elements such as large horizontal display windows, recessed front entries, and appropriate awnings and signs.

- The storefront should be framed by piers on either side and capped with a cornice and possibly a signage band. The storefront should vertically relate to the windows of the façade above.

- Multiple storefronts within the same building should be visually compatible in terms of scale, alignment and general storefront design. Maintain the continuity of the building as a whole, while allowing variations in signage, awnings, and storefront color as appropriate.

- Maintain a typical rhythm of 25 to 50 ft. wide storefronts at ground level, each with its own recessed entry.

- Entrance doors shall generally be clear glass in wood or metal frames. Ground floor entrance doors shall be clearly distinguished with those serving floors above.

- Align the height of windows, transoms, signage bands, upper floor windows and cornices where possible.

- Additional elements that can contribute to interesting storefront or building design at the ground level are lighting, medallion, belt courses, piers or pilasters, projecting sills, tilework, stone or concrete masonry, pedestrian scaled signs, and planter boxes.

- Commercial ground floors should have between 60% and 85% glazing, as measured from grade to the interior ceiling level. Storefront windows shall typically consist of large plate glass set in wood or metal frames.

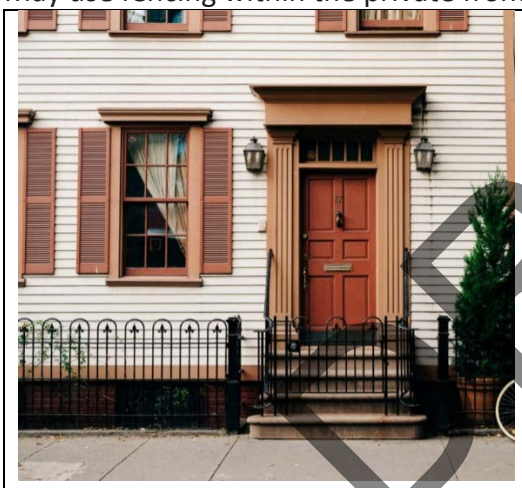
Integration of different types of architectural elements

Full length windows, bright colors and recessed doorway emphasize the entry

3.10 Landscaping and Fencing for Townhouses

a. Fences for Townhomes in HD-II

May use fencing within the private frontage.



Fences separating townhouses from the Public Frontage in the HD-II.

b. Fences for Townhomes in HD-III

Fences will be architecturally compatible with the design, materials, details, and colors of the principle structure on the same lot. All fences and walls will be designed so that a finished side faces outward from the property on which it is located. Chain link fencing is not permitted.

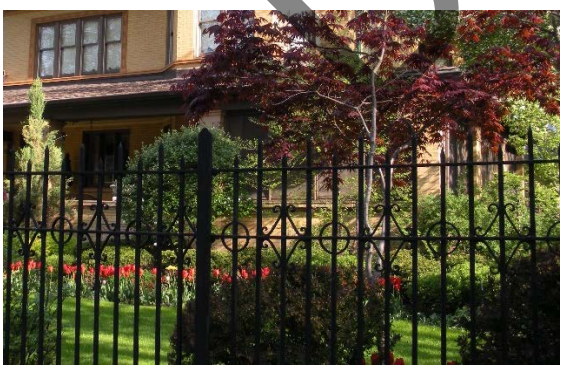
- All wood fences will be stained and sealed or painted on both sides. All fasteners used to construct fences shall be hot dipped galvanized or stainless steel.

- Front yards, corner lots, and yards addressing common open space may have a non-solid fence provided that its height does not exceed 3 feet 6 inches and its location is a minimum of 18 inches behind the sidewalk edge. Fence posts and gateways may have a maximum height of 4 feet 0 inches.

- Typical shadow box fences, chain link fences, overly detailed or awkwardly detailed fences are inappropriate. Vinyl fence material is not allowed in front of the primary facade.

- Side yard fences adjacent to streets or common open space will maintain the style and quality standards of the front yard fence. The good side of the fence shall face out to the streets or common open space.

- Rear yard fences along a lane will be complimentary but may be simplified in design compared to the front and side yard fences and shall not exceed 6 feet total height. Solid fences shall have decorative cap detailing. The "good side" of the fence will face the lane or neighbor.



Sample of appropriate fencing materials.

Example of potential fencing in HD-III along front yard with townhouses set back from the roadway.

3.11 Service Areas

- Loading docks, solid waste facilities, recycling facilities and other service elements should be placed to the rear or side yard of the building in visually unobtrusive locations with minimum impacts on view.

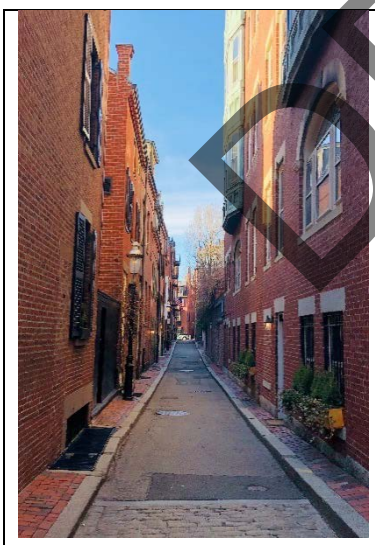
- Screening should be achieved using walls and/or fences and supplemented with landscaping.

- Refuse containers and facilities should be hidden by an opaque wall or fence of sufficient height to screen the bin and any building appurtenances, but not less than 6 feet in height.

- Walls and fences should be constructed to match the architectural detail of the principal structure and contain a securable gate to minimize blowing refuse. Trash containers serving non-residential uses should not be located abutting residential property.

- Recesses in the building and/or depressed access ramps should also be used for service areas.

- Businesses are encouraged to consolidate and share refuse areas and equipment.

 Rear entrance should be attractive but clearly secondary to the store fronts on streets and public spaces.	 Service areas and dumpsters should be clear of graffiti and they should not be visible from the street. When visible, dumpsters should be appropriately screened.

4.0 ARCHITECTURAL CHARACTER

4.1 Scale & Massing

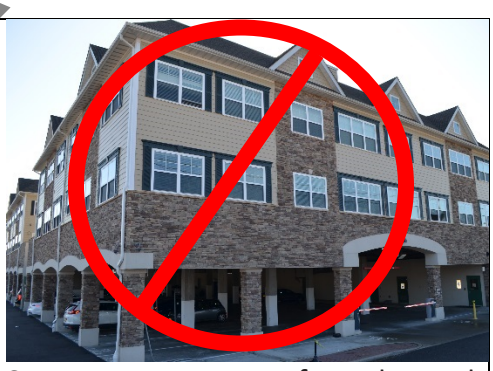
The overall scale, massing and basic proportions of new buildings or additions shall be compatible with existing structures. Changes in scale and massing should be accomplished through gradual increments such as a wall offset, roof line variation or shift in the height of a wall or cap line.

Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Offset or any architectural element shall be provided at least every 50 feet. Building wall offsets, including projections, recesses, and changes in facade height, shall be used to add interest and variety, reducing the visual effect of a single, long wall. Similarly, roof line offsets, cross gables and dormers may help vary the massing of a building and relieve the effect of a single, long roof.

4.1.1 Raised Buildings

Buildings may be raised to accommodate parking or other uses on the ground level as long as the parking or other use is screened from the street either by a façade wall or landscaping. Under no circumstance shall the elevated building result in the appearance of a "building on stilts" from the street.

Ground level parking is screened from view by a decorative façade.



Support structures for elevated buildings shall not be visible. Facades or other screening is required in to ensure an active street.

4.1.2 Roofs

Roof form and architectural embellishments such as cross gables, dormers, belvederes, masonry chimneys, cupolas and other similar elements shall be appropriate to the architectural design of a building. Both gable and hipped roofs should have overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall. Flat roofs or gambrel roofs shall generally be avoided on one (1) story and one-and-one half (1½) story buildings. Mansard roofs are discouraged.

Example of varying rooflines with interesting architectural elements.

4.1.3 Significant Architectural Features

Architectural features, on rooftops including but not limited to, clocktowers and cupolas are encouraged to provide additional variation and design flexibility.

Example of an appropriate significant rooftop architectural feature.

4.1.3 Facades

The front facade of a building shall face a street or other public space and be emphasized through window pattern appropriately proportioned to the building mass, entrance treatments and details. Entrances, windows and details shall be architecturally compatible with the style, materials, colors and details of a building. Windows shall be vertically proportioned. The location of windows on the upper stories of a building shall be vertically aligned with the location of windows and doors on the ground level, including storefronts or display windows. The design of visibly exposed side and rear elevations shall be compatible with the design of the front facade.

Example of facades with good fenestration, glazing, mix of materials, and rooflines.

4.1.4 Base and Cap

All visibly exposed sides of a building shall have a defined base and cap. The base and cap shall be conveyed through clearly defined horizontal elements along the bottom and top of the building. The base may align with the finished floor height, sill level of the first story and/or consist of foundation plantings. The cap shall consist of a cornice, frieze, parapet, or eave at the top of a building wall and project out horizontally from the vertical wall plane.

Horizontal elements to clearly define the base and cap of a building.

4.2 Preferred Architecture

In addition to these design guidelines, please refer to Section 246-5.9.8 on Street Type Standards which for certain streets will influence the architecture and use of buildings.

4.2.1 HD-I Subdistrict

The HD-I Subdistrict is the Downtown Core District and is the most active area in the downtown closest to the train station that allows up to four stories. The intent of the HD-I District is to allow transit-oriented development with a mix of residential and non-residential uses and an active pedestrian environment. In general, architecture for new

buildings should:

- Be *traditional* in style,
- Be generally rectangular in shape, with potential variations at significant corners;
- use high quality materials and
- include windows and doors (fenestrations) that are appropriately proportioned to the building façade.

Example of good fenestration, mix of materials, and aesthetically appealing roofline.

Example of mixed-use development with large windows, awnings, outdoor dining and signage suitable for HD-I and HD-II Subdistricts.

4.2.2 HD-II Subdistrict

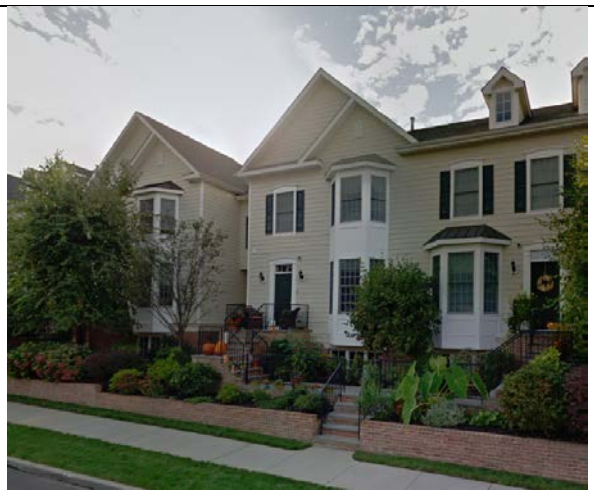
Within the HD-II Subdistrict, properties are intended to be developed with a mix of uses, but in smaller scale buildings with a maximum of three stories, although single use buildings are still permitted. Within the HD-II Subdistrict, the same standards apply as for the HD-I Subdistrict for commercial, apartment and mixed-use buildings; however, the maximum number of stories is limited to three stories (with permitted encroachments identified in the code).

Townhouses up to three stories in height are permitted within the HD-II Subdistrict on "D" and "N" Street Types.

Example of three-story mixed-use building suitable for the HD-II Subdistrict.

Example of infill development suitable for HD-II and example of adjacent buildings with varying heights.

Example of three-story building suitable for the HD-II Subdistrict.




Examples of three-story townhouses suitable for the HD-II Subdistrict.

4.2.3 HD-III – Hicksville Downtown Residential:

Properties within the HD-III Subdistrict are intended to feature townhouse developments set back from the roadway with a landscaped area.

Sample of preferred HD-III Subdistrict townhouse development.

4.3 Building Materials

While materials are not regulated, high quality building facades will be required and materials suitable for the proposed architecture. The intent is to provide a sense of investment in the downtown for the long term.

Preferred Building Materials

- Cultured stone
- Brick

- Wood frame/shingled or architecturally similar (including textured vinyl siding)
- Mix of complimentary façade materials (or change in window style) between ground floor and upper floors to visually convey mix of uses in a commercial/residential mixed-use building.
- Buildings shall be constructed using quality building materials appropriately applied to create aesthetically pleasing and enduring structures that contribute positively to the overall character of downtown Hicksville.

Discouraged Building Materials

- Building solely constructed of glass and concrete
- Metal siding
- EIFS stucco
- Mirrored glass (prohibited on ground floor)

5.0 PARKING

5.1 Off Street Parking Lot and Structures

- To maintain an attractive and pedestrian oriented sidewalk environment, ideally, parking and loading areas should be located in the rear of buildings and accessed from an alley or jointly accessed with an adjacent site.

- With the exception of townhouses, parking will be provided behind buildings or within structures so as not to dominate the viewshed of public streets.

- Access to parking lots and structures will be limited to Street Types N, except where no alternative option exists and then the access shall be located away from the streets with highest pedestrian activity, with the hierarchy from least desirable access point being "A" Streets; "B" Streets; "C" Streets; "D" Streets; "N" Streets; and "S" Streets (most desirable).

- When parking in the rear of the building is not feasible, parking shall be provided on the side and for corner lots, a fence (or vegetated buffer) provided between the sidewalk and parking lot.

- Driveways shall be located away from intersections. Shared driveways shall be utilized to the maximum extent practicable.

- No new curb cuts shall be approved along "C" Streets: Boulevards (Broadway and Newbridge Road)

- Parking lots shall be interconnected with parking lots on adjacent properties by cross-access easements. Common, shared parking facilities are encouraged where possible.

5.2 Parking Lot Screening

- The perimeter of all parking lots shall be visually screened through the use of landscaping with an emphasis on any portions fronting a street.

- The screening of parking lots shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties, especially when near residential uses.

- Parking lots exposed to view shall be surrounded by a minimum four (4) foot high year-round screen, such as an evergreen hedge or wall. The height of the screen shall decrease where appropriate to meet clear sight triangle requirements.

5.3 Parking Lot Landscaping

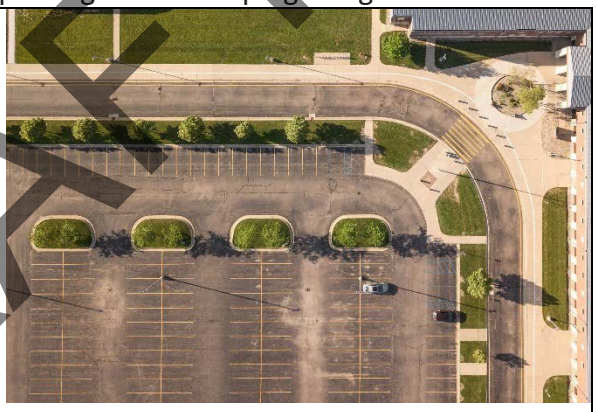
- Parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the parking lot.

- Parking lots with ten (10) spaces or less may not require interior landscaping if the Township determines there is adequate perimeter landscaping.

- Parking lots with eleven or more spaces shall provide landscaping islands within the parking lot. Such landscaping islands shall be at least 10% of the parking lot area and shall be planted with a minimum of one (1) deciduous shade tree for every five (5) parking spaces.

- Green infrastructure, including rain gardens and bioswales, are encouraged as part of the overall parking lot landscaping design.

Parking lot with perimeter landscaping, landscaped islands, and shared parking between two commercial uses to minimize curb cuts.



Parking lot with landscaping islands.

5.4 Ridesharing Drop Off/Pick Up Zones

It is recommended that commercial or mixed-use developments with a parking requirement greater than 10 stalls designate a loading and unloading zone for rideshares, carshares, and taxis. When a loading/unloading space is provided, it is suggested that pavement marking and/or a sign be used to demarcate the use of the area.

5.5 Off-Street Parking Location

- Off-street parking access should be from alleys or secondary streets to minimize curb cuts on more active streets.

- Parking behind buildings in lots or structured parking is required where feasible.
- Off-street surface parking at the property line is prohibited. Where no alternative is feasible, parking at the property line must be buffered using a wall or landscaping.
- Off-street parking should be designed utilizing the best engineering practices in order to avoid queuing of cars in roadways and prevent conflicts between motorists.

ATTACHMENT C
DOWNTOWN HICKSVILLE COMPLETE STREETS PROJECT

Final Report
July 2020

NPV

Downtown Hicksville **Complete Streets Project**

FINAL REPORT

JULY 2020


NYCB PLAZA
100
Town of Oyster Bay
Hicksville Parking Facility

CONTENTS

ACKNOWLEDGMENTS

The Downtown Hicksville Complete Streets Project is being led by the Nassau County Department of Public Works (NCDPW). A consultant team led by NV5 (Melville, NY) and supported by LKMA and Vision Long Island, performed the work involved in the Planning Phase of this project under the direction of NCDPW, which this report summarizes.

Technical Advisory Committee

The Nassau County Department of Public Works would like to thank the members of the Technical Committee for their participation in this phase of the project. The following is a list of organizations and their respective representatives who participated in the Technical Advisory Committee.

County Legislator Laura Schaefer *(District 14)*
County Legislator Arnold Drucker *(District 16)*
County Legislator Rose Marie Walker *(District 17)*
Leslie Maccarone *Town of Oyster Bay Planning & Development*
Jim McCaffrey *Town of Oyster Bay Planning & Development*
Julie Schneider *Town of Oyster Bay Environmental Resources*
Lionel Chitty *Nassau County Office of Minority Affairs, Hicksville Chamber of Commerce*
Jack Khzouz *NICE Bus*
Paul Molinari *Duffy Park Civic Association*

Hector Garcia, Scott Howell, Donna Betty, Jennifer A. Uihlein
Long Island Rail Road

Alex Mirsakov, Vijay Yijayendran, Gene Smith, Ying Miao, Shaik Shaad, Ed Guerrero, Peter Heuschneider, Lanny Wexler, Steven Belkin
New York State DOT

Sean Sallie, Harold Lutz, David Viana, Aryeh Lemberger, Mary Studdert, Mike Hagan *Nassau County Department of Public Works*

Public Participation

The Nassau County Department of Public Works also would like to thank the residents and other members of the public who participated in the public meetings dedicated toward this project, in addition to those who submitted comments, questions, and suggestions through the project website.

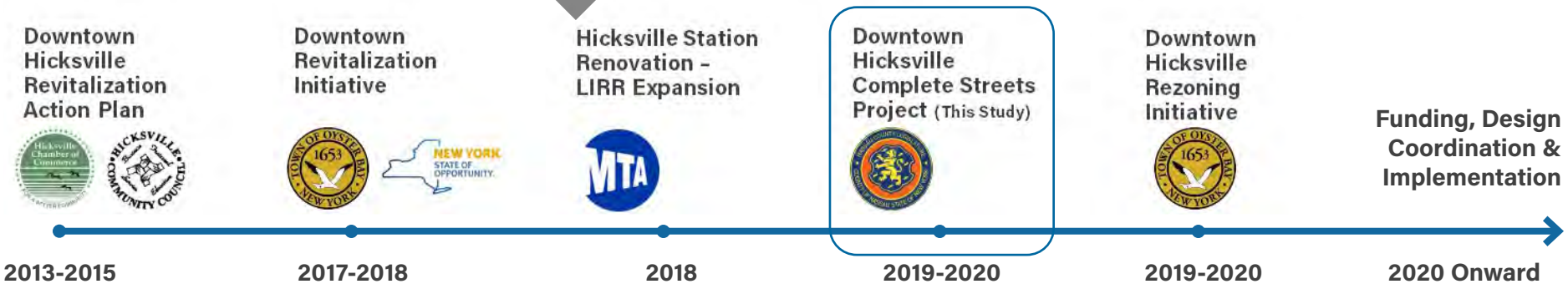
1.0 INTRODUCTION

The overall purpose of the Downtown Hicksville Complete Streets project is to improve the accessibility and safety for all modes of transportation in Downtown Hicksville. This work by the Nassau County Department of Public Works, in partnership with local stakeholders, comes as several transformative projects for the Hicksville community are already underway. They include a rezoning initiative by the Town of Oyster Bay, the Downtown Revitalization Initiative (DRI) by New York State, and the renovation of the Hicksville Station through the MTA's Long Island Rail Road Expansion Project. The County's Complete Streets Project serves as a critical link amongst all of these efforts, helping to make Downtown Hicksville a better connected and more economically resilient area for people to live, work and play.

Throughout the course of the study, the Downtown Hicksville Complete Streets Project team coordinated with the above-mentioned agencies. The coordination and sharing of project data have been helpful in advancing the Town's downtown rezoning initiative, which utilized the County's traffic analysis data.

Additionally, the Complete Streets Project provided additional levels of testing and vetting of certain recommendations previously made in the DRI Plan.

The Downtown Hicksville Complete Streets Project is a multi-phased project and will require ongoing coordination between the Town, County, State, MTA and all local stakeholders. This Final Report summarizes the outcome of the Project's Planning Phase, which involved identifying design improvements for streets, intersections, and pedestrian areas that will improve the safety, circulation, and overall experience for those traveling through and within Downtown Hicksville. During the project's next phases – Design and Engineering, followed by Construction – the conceptual recommendations in this report will be studied further and additional public input will be solicited before moving forward with implementation.



1.1 Project Area

The focus of the project is on the area around the Long Island Rail Road (LIRR) Hicksville Station, shown on the map below.

1.2 Project Goals

The following Project Goals were developed in consultation with the Technical Advisory Committee (TAC):

- **Improve Safety**. Improve safety for all users in Downtown Hicksville including motorists, pedestrians, and bicyclists.
- **Support Pedestrian Activity in the Downtown Area**. Improve sidewalks and pedestrian crossings to provide direct, safe access between parking areas, the LIRR station and Downtown Hicksville area.
- **Enhance Commuter Connections**. Improve vehicular, pedestrian, transit and bicycle access to the LIRR station and between commuter parking lots.
- **Improve Non-Motorized Transportation.** Improve pedestrian and bike connectivity along and across major corridors: Broadway, Jerusalem Avenue, and Newbridge Road.
- **Accommodate Future Residential Developments**. Support and complement the Town of Oyster Bay's Downtown Rezoning Initiative efforts and new mixed-use developments.

What are "Complete Streets"?

"Complete Streets" is a transportation policy and design approach that makes streets more safe, convenient, comfortable, and accessible for users of all ages and abilities, regardless of their mode of transportation. This is accomplished through design improvements along sidewalks, lane re-configurations, additional and improved pedestrian road crossings, transit treatments, traffic calming measures, and a range of other pedestrian, non-motorized, and vehicular improvements. For more information about "Complete Streets" in New York State, visit the NYS Department of Transportation's website at www.dot.ny.gov/programs/completestreets

1.3 Project Recommendations

Based on the Project Goals, detailed recommendations resulted from input received from the public as well as the TAC. A high-level summary of these recommendations is provided below and on the following pages.

- **5 - 10 Curb Extensions**. To shorten crossing distances.
- **3 Expanded Center Medians.** Where median refuge islands can be expanded to shorten crossing distances and provide greater refuge area for pedestrians that cannot cross the entire intersection in a single signal cycle.
- **3 Commuter-Specific Crossings.** The Underline provides an east-west corridor for non-motorized transportation, which means that each of the 3 street crossings included in the Underline will be designed to their unique contexts.
- **1.75 Miles of Bike Lanes, 1.0 Mile of Shared Lanes.** A bike network will provide connectivity from east to west and to the station from residential areas.
- **Upgrade the Downtown Streetscape.** In order to focus the retail corridor along Broadway with infill retail development and eventually new retail/commercial development, the streetscape requires upgrades to provide clear pedestrian space as well as supporting amenities.
- **All sidewalks and curb ramps ADA Compliant.** ADA Compliance also ensures that there is a comprehensive pedestrian network in an adequate state of repair.
- **Accommodate Future Residential Developments**. A walkable, safe and thriving downtown area is appealing to developers. This study shared its traffic analysis with the Town of Oyster Bay for use in their Rezoning Initiative.

1 Broadway Downtown Streetscaping

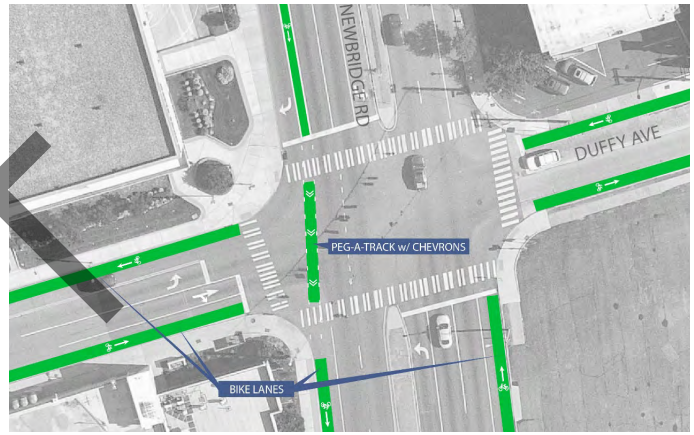
This project may have the highest level of impact for retail and local economic health. As the designated downtown retail area for Hicksville, the current condition does not invite businesses or patrons. Upgrading and making sidewalks and crosswalks accessible would promote pedestrian access from on-street parking as well as centralized parking areas that already exist. Funding for this may be allocated from DRI funds, or may be sought on behalf of NYSDOT which owns the roadway. With the right-of-way in place, this is a relatively simple construction project along a critical corridor.

2 Bike Routes and Facilities

These shared lanes and bike racks could be installed relatively quickly, particularly if there are other marking installations taking place in the Downtown Hicksville area.

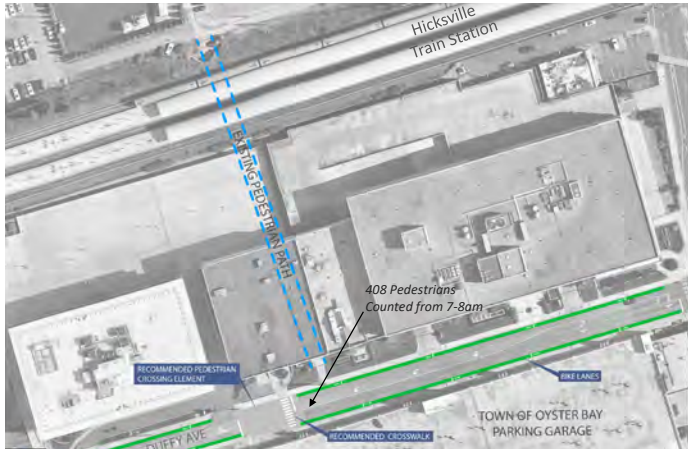
3 Duffy Ave & Newbridge Rd

With the space mostly available to install bike lanes on both Duffy Ave and Newbridge Ave, these could be installed immediately. Coordination with NYSDOT is required in order to implement these bike lanes.



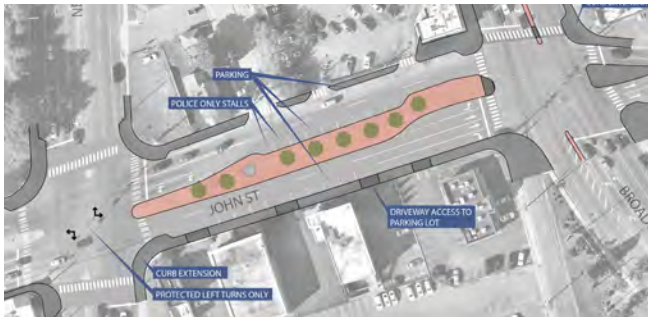
4 Duffy Ave Mid-Block Crossing

A signal warrant analysis is required to justify a pedestrian crossing element at this location. Preliminary counts taken as part of this study indicate that there are likely a sufficient number of pedestrians crossing at this location to warrant a traffic signal or flashing beacon.



5 John St Improvements

As a larger capital project, this full block reconstruction will require coordination between various agencies. Funding for this process needs to be identified, and should be the next step in the process. A full design process, including traffic analysis, will be required to finalize the design and produce construction documents to secure the appropriate amount of funding.



6 Train Station Circulation & Ped Safety Improvements

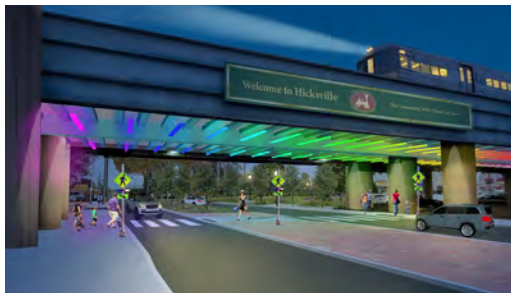
The recommendations for this area respond to the commuter circulation needs present at the station. Private drop-off, pedestrian waiting areas, limited lanes surrounding the train station and enlarged pedestrian queue spaces will not only be beneficial to future developments, they are critical to the current functioning of this area. The next step is to coordinate with the LIRR and Town of Oyster Bay on these improvements.

7 Barclay Triangle & Kennedy Park Expansion

This project should be undertaken in two phases. The critical change is to reduce Jerusalem Ave to one lane southbound from Broadway. The lane will also be shifted west to widen the center median at the pedestrian crossing location. Widening the median with paint will provide some short-term relief, but the critical upgrade is a built median with a proper ADA Compliant pedestrian crossing, including Rectangular Rapid Flashing Beacons and gateway signage.

8 "Underline" Connection Under the LIRR Overpass

The Underline is, in some locations, already in tact and wide enough to separate bike and pedestrian movements. Additional work would be required to get a continuous pathway. In the meantime, a low-cost, low-maintenance LED lighting arrangement could be installed to provide the high-impact visual attention grabber, which would come to define Downtown Hicksville as a place, not just a commuter center.

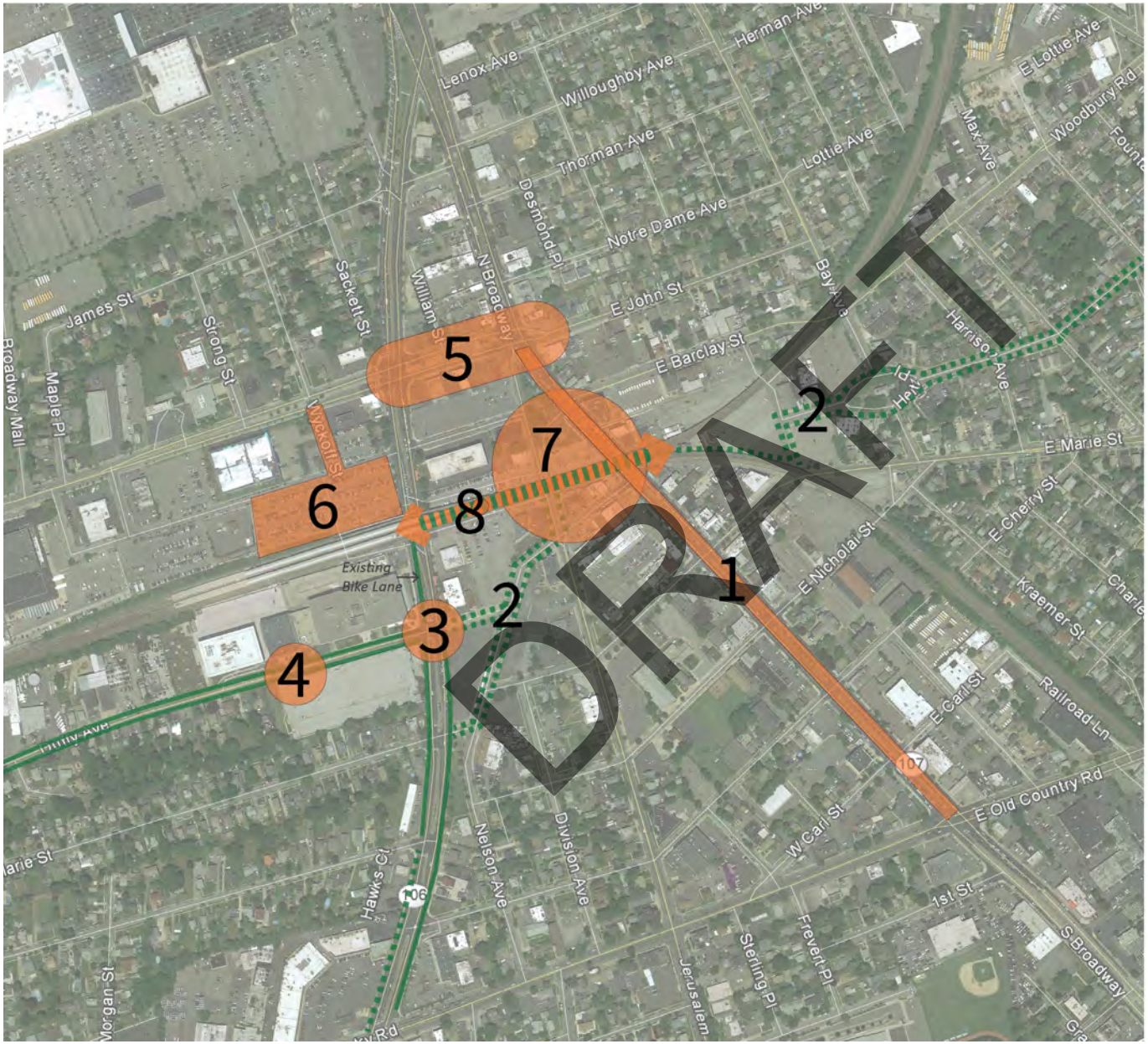


Overview of Recommendations

The summary below provides an overview of the recommendations resulting from this project. These recommendations correspond to the map on the next page, which shows the general location and area of each recommendation.

	Recommendation	Location	Overview	Cost Estimate	Timeframe	Involved Agencies
1	Broadway Downtown Streetscaping	Broadway from John St to Old Country Road	Improve sidewalk and ped ramp conditions; provide clear walking space; bike parking	$5,941,675	2-5 years	NYSDOT, Town of Oyster Bay
2	Bike Routes and Facilities	Heitz Pl, Nelson Ave, Duffy Ave, Newbridge Rd, Jerusalem Ave	Bike Lanes with buffers where space allows, shared lanes on narrow streets	$189,800	1 year	NYSDOT, Town of Oyster Bay, NCDPW, LIRR
3	Duffy Ave & Newbridge Rd	Duffy Ave & Newbridge Rd	Duffy Ave: Bike Lanes west of Newbridge Rd, Shared lanes east; Buffered bike lanes south of Duffy Ave	$96,100	1 year	NYSDOT, Town of Oyster Bay
4	Duffy Ave Mid-Block Crossing	Duffy Ave, 500' west of Newbridge Rd	Pedestrian crossing element at high crossing location	$408,100	1 year	Town of Oyster Bay
5	John Street Improvements	John St from Newbridge Rd to Broadway	Roadway reconstruction to median removing angled parking and adding landscaping; curb extensions	$2,219,600	2-5 years	Town of Oyster Bay, NYSDOT
6	Train Station Circulation & Ped Safety Improvements	Barclay St to Train Station from Newbridge Rd to 800 feet east; Wyckoff St	Create plaza for ped circulation; Private vehicle drop-off area; Align parking exit with Wyckoff St	$5,250,050	2-5 years	Town of Oyster Bay, LIRR
7	Barclay Triangle & Park Expansion	Broadway to Jerusalmen Ave from John St to Herzog Pl	Remove one southbound travel lane on Jerusalem Ave and improve alignment from Broadway southbound	$1,495,900 (Roadway) $4,000,000 (Park)	1-3 years (Roadway) 3-10 years (Park)	NCDPW, LIRR, Town of Oyster Bay
8	"Underline" Connection Under the LIRR Overpass	East side of Broadway to West side of Newbridge Rd, under the LIRR tracks/station	Continuous separate bike and ped paths with enhanced crossings at intersections	$2,445,900	2-5 years	Town of Oyster Bay, LIRR

Map of Recommendations



Recommendations

1. Broadway Downtown Streetscaping

2. Bike Routes and Facilities

   Dedicated Bike Lane or Buffered Bike Lane

   Shared Lane Markings

3. Duffy Ave & Newbridge Road

4. Duffy Ave Mid-Block Crossing

5. John St Improvements

6. Train Station Circulation and Pedestrian Safety Improvements

7. Barclay Triangle & Park Expansion

   Option A — DRI-based

   Option B — Preferred Alternative

8. Underline Connection Under the LIRR Overpass (Broadway to Newbridge Rd)

   Underline Bike-Ped Path

ATTACHMENT D
ENVIRONMENTAL ASSESSMENT FORM (EAF) PART I

Nelson Pope Voorhis
October 5, 2020

NPV

Instructions for Completing Part 1

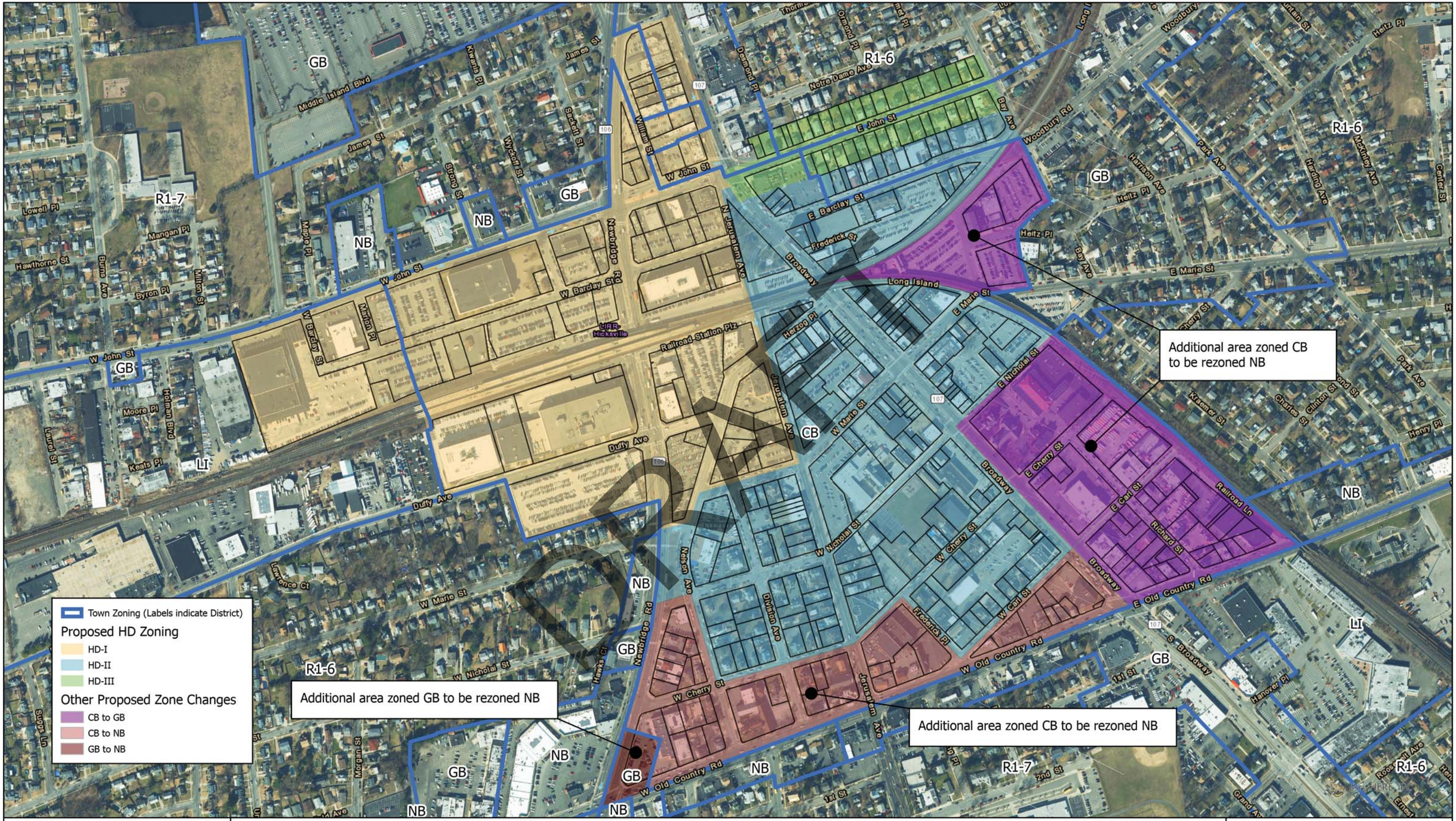
Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Adoption of HD Zoning District and Associated Town Zoning Code & Zoning Map Amendments		
Project Location (describe, and attach a general location map): 168± acre area around the LIRR Station; in Hicksville, presently zoned Commercial Business (CB); see attached Location Map.		
Brief Description of Proposed Action (include purpose or need): (See attached)		
Name of Applicant/Sponsor: Town Board, Town of Oyster Bay	Telephone: (516) 624-6350 E-Mail:	
Address: Town Hall, 54 Audrey Avenue		
City/PO: Oyster Bay	State: New York	Zip Code: 11771
Project Contact (if not same as sponsor; give name and title/role): Joseph Saladino, Town Supervisor	Telephone: (same) E-Mail:	
Address: (same)		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): N/A	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:



NPV

LOCATION MAP

Source: ESRI WMS; Nassau County GIS, NYS Orthoimagery Program 2016
Scale: 1 inch = 400 feet

Adoption of HD Zoning District and Associated Town Zoning Code and Zoning Map Amendments

EAF Part 1

Brief Description of Proposed Action

This proposed action involves the adoption of amendments to Chapter 246.5 of the Town of Oyster Bay Zoning Code to implement the development standards for the new Hicksville Downtown ("HD") zoning district, to adopt the Design Guidelines and Development Standards that will control the ensuing development sought in the HD district, and amend the Town Zoning Map. In addition, the existing CB (Central Business) district will be removed from the Town Zoning Code, and properties zoned CB will be rezoned to HD, NB (Neighborhood Business) or GB (General Business). It is noteworthy that the CB District was established specifically for the Hicksville Downtown area, but has not proved to be an effective tool to revitalize this area. Additional strategic rezonings of properties contiguous to the CB district that are zoned LI (Light Industry), R1-6 (One-Family Residence), R1-7 (One-Family Residence), and GB will be made, to become HD or NB districts. No changes to the standards of the NB or GB districts are proposed.

The purpose of the proposed zoning amendments is to provide for the type of attractive and appropriate redevelopment in a 168±-acre area around the Hicksville LIRR Station with viable and compatible uses that are consistent with Town and community goals, and the purpose and intent of the grant program of the New York State Regional Economic Development Council Downtown Revitalization Initiative ("DRI"). This goal would be addressed by the proposed HD District and associated rezonings. An additional goal is to implement needed traffic flow and pedestrian safety improvements as established in Nassau County's *Downtown Hicksville Complete Streets Project Final Report*.

The proposed action does not involve any physical development, but is limited to amendments of the Town Zoning Code and Zoning Map; no physical changes in the Hicksville Downtown area will occur, so that no impacts would result from the proposed action. In the future, as specific development applications in the HD district are submitted, the Town will evaluate the potential impacts of each proposal, as required by SEQR. These evaluations will include soils, topography, surface waters and groundwater, ecology, land use, zoning, land use plans, community character, community facilities and services, and cultural resources. Potential impacts on transportation will also be evaluated on a case-by-case basis, as required by *Town Department of Environmental Resources Transportation Information Request Addendum - 2020.*

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Zoning Code Change Approval and Zoning Map Amendments	Pending
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	NCPC Review	Pending
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes ☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

Northwest Hicksville BOA

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
CB, GB, NB, LI, R1-7, R1-6

b. Is the use permitted or allowed by a special or conditional use permit? N/A ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Hicksville Downtown (HD) - I, II, III and GB, NB

C.4. Existing community services.

a. In what school district is the project site located? Hicksville UFSD

b. What police or other public protection forces serve the project site?
Nassau County Police Department

c. Which fire protection and emergency medical services serve the project site?
Hicksville Fire Department

d. What parks serve the project site?
Cantiague Park

D. Project Details

D.1. Proposed and Potential Development Proposed Action is Adoption of Zoning Amendments; resulting density will be reviewed on a case-by-case basis, and impacts will be evaluated during Town Site Plan review.

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed Uses: residential, commercial, industrial

b. a. Total acreage of the site of the proposed action? 168± acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? N/A ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? N/A ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? N/A ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? N/A ☐Yes☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? N/A ☐Yes☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☑No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes☑No
If Yes:
i .What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

  _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? Proposed Action involves zoning amendment; resulting density as compared to existing zoning is decreased. ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

  _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Proposed Action involves zoning amendment; resulting density as compared to existing zoning is decreased. ☐ Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

  _____

  _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? N/A ☐Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

  _____

  _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? N/A ☐Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? N/A ☐Yes ☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? N/A ☐Yes☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? N/A ☐Yes☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? N/A ☐Yes☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? N/A ☐Yes☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes☐No

l. Hours of operation. Answer all items which apply. N/A

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? N/A ☐ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

_____

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

n. Will the proposed action have outdoor lighting? N/A ☐ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

_____

o. Does the proposed action have the potential to produce odors for more than one hour per day? N/A ☐ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

_____

_____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? N/A ☐ Yes ☐ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:_____

_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? N/A ☐ Yes ☐ No

If Yes:

i. Describe proposed treatment(s):

_____

_____

_____

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____

  _____
- Operation: _____

  _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

  _____
- Operation: _____

  _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

N/A

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Transportation (LIRR)

ii. If mix of uses, generally describe:

Commercial along major roadways and around LIRR Hicksville Station; residential in surrounding area; industrial along West John Street and Duffy Avenue.

b. Land uses and covertypes on the project site. N/A

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? N/A ☐ Yes ☐ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑ Yes ☐ No

If Yes,

i. Identify Facilities:

Burns Avenue Elementary School

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): 130024, 130029, 130027, 130078, C130141

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

All five Remediation Sites have been or are in the process of remediation.

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 1,200± feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

(Ug) Urban Land	40± %
(Uh) Urban Land-Hempstead Complex	60± %
	%

d. What is the average depth to the water table on the project site? Average: 70± feet

e. Drainage status of project site soils:
- ☑ Well Drained: 100 % of site
- ☐ Moderately Well Drained: _____% of site
- ☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 100 % of site
- ☐ 10-15%: _____% of site
- ☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☑ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☑ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Upper Glacial & Magothy

m. Identify the predominant wildlife species that occupy or use the project site: _____

N/A

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Heitz Place Courthouse; Hicksville USPS Main Office

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Kathryn J. Eiseman, AICP; Nelson Pope Voorhis Date October 5, 2020

Signature_____ Title Partner/Division Manager

PRINT FORM

ATTACHMENT E
ENVIRONMENTAL ASSESSMENT FORM
PART 2

Nelson Pope Voorhis
Form completed October 5, 2020

NPV

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

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
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	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	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: Proposed project will encourage transit oriented development to revitalize the downtown with anticipated positive impacts.		☑	☐

In addition, the density permitted under the proposed code amendments is less than under the current zoning and any development will be evaluated on a site by site basis as it is under the current zoning.

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.

No significant geological features are present	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	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

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.

No surface water bodies are present	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	☐	☐
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	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
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	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
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	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	**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	☐	☐
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	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
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	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
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	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

The proposed action is not in a flood zone.	**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	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

The proposed action does not provide for facilities that would involve State regulated emission review.	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)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
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	☐	☐
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	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

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.

No significant habitat or wildlife is present	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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐

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	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
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	☐	☐
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	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

No agricultural uses or activity is present	**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	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
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	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

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.)

☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	**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	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
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	☐ ☐	☐ ☐
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	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: Action will encourage redevelopment in the Hicksville Downtown with new development and design standards which are expected to have a positive impact.		☑	☐

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.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	**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	☑	☐
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	☐	☐
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	☐	☐

d. Other impacts: _____		☐	☐
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	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
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	☐	☐

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.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☐ NO ☑ YES

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	**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	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: Action includes requirements for public space and supports new park and plaza areas recommended by the DRI plan, which provide a positive impact.		☑	☐

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)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

No Critical Environmental Areas present	**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	☐	☐
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	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☐ NO ☑ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	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	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: Action to encourage redevelopment in Hicksville with associated impacts on transportation which have been evaluated through the County Safe Streets study. In addition, the density permitted under the proposed code amendments is less than under the current zoning and thus, traffic will be evaluated on a site by site basis as it is under the current zoning.		☑	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	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	☐	☐
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	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☐ NO ☑ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

Proposed Action is Adoption of the HD District, which would decrease potential development in the Hicksville Downtown area compared to what could be developed absent the Proposed Action (i.e., under the existing CB District). Individual applications will be subject to Town review on a case-by-case basis.	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	☐	☐
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	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

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.

The proposed action does not provide for facilities that would involve potential impacts to human health for contamination.	**Relevant Part I Question(s)**	**No,or small impact may cccur**	**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	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
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	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

The proposed action represents the Town Board and community efforts to provide for proper future growth in the Hicksville Downtown area, and conforms to plans and planning goals.	**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	☐	☐
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	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
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, Elb	☐	☐
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	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

The proposed action represents the Town Board and community efforts to provide for proper future growth in the Hicksville Downtown area, and conforms to goals to support and enhance community character.	**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	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
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	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

ATTACHMENT F
ENVIRONMENTAL SITE REMEDIATION DATABASE DETAILS

NYSDEC
Accepted September 17, 2020

NPV

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: Mattiace Petrochemicals-MEK Spill
Site Code: 130024
Program: State Superfund Program
Classification: C
EPA ID Number:

Location

DEC Region: 1
Address: West John Street
City: Hicksville Zip: 11801
County: Nassau
Latitude: 40.7652972
Longitude: -73.54337893
Site Type: STRUCTURE
Estimated Size: 1 Acres

Site Owner(s) and Operator(s)

Current Owner Name: JERRY SPIEGEL ASSOC.
Current Owner(s) Address: 530 W. JOHN ST.
HICKSVILLE,NY, 11801
Current Owner Name: Jerry Spiegel Assoc.
Current Owner(s) Address: 530 West John Street
Hicksville,NY, 11801

Site Description

This site is a paved truck parking lot that is located behind the Austin Drug Co. warehouse. On February 17, 1983 a parked tank truck containing 7,170 gallons of pure methyl ethyl ketone

(MEK) tipped over after the asphalt pavement beneath it gave way. Approximately 4,783 gallons spilled out of the truck and onto the surrounding parking lot. Much of the MEK found its way into four dry well catch basins. The Hicksville Fire Department responded to this spill and attempted to contain it within a sand dike. An estimated 1,455 gallons of pure MEK was recovered, also an estimated 3,328 gallons of MEK seeped into the sandy soil at the bottom of the dry wells and into the 15 foot crack created when the tank truck broke thru the pavement. This accident caused a massive release of MEK into an aquifer that is used as a public drinking water supply. There are seven water wells downgradient from the site. A federally funded partial clean-up was conducted in 1984. The last round of sampling done by the EPA has indicated that there is no longer any MEK in the groundwater. Public wells downgradient of the site are being monitored.Remediation is completed and the treatment system is in operation.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

2-BUTANONE (FOO5)}
METHYL ETHYL KETONE {(MEK) ALSO KNOWN AS

Site Environmental Assessment

Groundwater problems and soil contamination caused by the MEK spill.

Site Health Assessment

In 1982 groundwater was contaminated with methyl ethyl ketone (MEK). The United States Enivironmental Protection Agency remediation reduced MEK concentrations on-site. Westbury, Bowling Green, and Hicksville Water Supply District water supply wells are 1000-2000 meters downgradient, south and southwest of the spill site. MEK has not been detected in these wells. On-site groundwater is no longer contaminated; the MEK contaminant plume has moved entirely off-site has dissipated or no longer exists. The possibility exists that the highly mobile MEK is still present in the aquifer. Nearby public water supply wells are drilled deep into the Magothy and Lloyd Aquifers and it is not suspected that the MEK, which is less dense than water, will reach the well intakes. Historic sampling of these wells has not shown MEK contamination.

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: Alsy Manufacturing, Inc.
Site Code: 130027
Program: State Superfund Program
Classification: 04
EPA ID Number:

Location

DEC Region: 1
Address: 270/280 Duffy Avenue
City: Hicksville Zip: 11801
County: Nassau
Latitude: 40.76310211
Longitude: -73.54067306
Site Type: STRUCTURE
Estimated Size: 4 Acres

Institutional And Engineering Controls

Control Type:
Environmental Notice

Control Elements:
Ground Water Use Restriction
Vapor Mitigation
Soil Management Plan
Landuse Restriction
Monitoring Plan
Site Management Plan

Site Owner(s) and Operator(s)

Current Owner Name: Long Island Industrial Property Management
Current Owner(s) Address: 575 Underhill Boulevard - Suite 125
Syosset,NY, 11791
Current Owner Name: Long Island Industrial
Current Owner(s) Address: 575 Underhill Boulevard - Suite 125
Syosset,NY, 11791
Current On-Site Operator: Alsy Manufacturing, Inc.
Stated Operator(s) Address: 270/280 Duffy Avenue
Hicksville,NY 11801
Current On-Site Operator: BALATEM CORPORATION
Stated Operator(s) Address: 270 DUFFY AVENUE
HICKSVILLE,NY 11801

Hazardous Waste Disposal Period

From: 7/1/77 **To:** 8/1/84

Site Description

Location: The ALSY site is a 4-acre site located in an urban/suburban portion of Nassau County. The site is located approximately 4000 feet east of the Wantaugh State Parkway at 270/280 Duffy Avenue in Hicksville. Site Features: The main Site features include several large one-story buildings surrounded by asphalt parking areas. The Site is bounded on the north by the Long Island Railroad and a construction and demolition (C&D) debris reclaimer; on the south by Duffy Avenue and a residential neighborhood; and on the east and west by active and vacant industrial or commercial operations. Current Zoning and Land Use: The Site buildings are presently used for commercial business. Surrounding land uses include residential, commercial and industrial uses. Past Use of the Site: Prior to 1975, Metalab, a laboratory furniture manufacturer, conducted operations at the Site. ALSY Manufacturing manufactured electric lamps and lampshades at this facility from 1975 through 1991. ALSY¿s manufacturing processes included bronze plating, electroplating, and antiquing. Waste material that was generated included metals plating waste, wastewater treatment sludge, paint thinner, acidic paint stripper, alkaline paint stripper, and 1,1,1-trichloroethane. Site Geology and Hydrogeology: The site is underlain by glacially derived sand and gravel deposits. Groundwater is found approximately 50 feet below ground surface, and flow is in a southerly direction.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

methylene chloride

CYANIDE, NICKEL (FOO1) (FOO2) (DOO4) (DOO6)
ETHYL BENZENE, 1,2-DICHLOROPROPANE
(DOO7) (DOO8)
1,1,1-TRICHLOROETHANE, TOLUENE, XYLENE,
LEAD, 1,1- DICHLOROETHENE, ETHANE AND ZINC
ALUMINUM, ARSENIC, COPPER, CADMIUM, CHROMIUM,

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were arsenic, chromium, copper, nickel and zinc in the soil and nickel in the groundwater. Chlorinated solvents were also found in soil vapor on-site, triggering mitigation of overlying structures. Remedial actions have successfully achieved soil cleanup objectives for commercial use. Residual contamination in the soil and groundwater is being managed under a Site Management Plan.

Site Health Assessment

Access to the site is unrestricted and a majority of the site is covered by buildings and pavement. However, contact with contaminated soil or groundwater is unlikely unless they dig below the surface materials. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the groundwater and/or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Subslab depressurization systems (systems that ventilate/remove the air beneath the building) have been installed in both of the on-site buildings to prevent the indoor air quality from being affected by the contamination in soil vapor beneath the building. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: AGO Associates
Site Code: 130029
Program: State Superfund Program
Classification: N *
EPA ID Number:

Location

DEC Region: 1
Address: 499 West John Street
City: Hicksville Zip: 11801
County: Nassau
Latitude: 40.76402224
Longitude: -73.542492693
Site Type:
Estimated Size: 14.4 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Twin County resource recovery inc
Current Owner(s) Address: 499 West John Street
Hicksville,NY, 11801
Owner(s) during disposal: AGO ASSOCIATES
Current On-Site Operator: Bay Crane Service of Long Island, Inc
Stated Operator(s) Address: 411 West John St
Hicksville,NY 11801
Current On-Site Operator: First Student Inc.
Stated Operator(s) Address: 455 West John St
Hicksville,NY 11801
Current On-Site Operator: Trinon Devel. c/o Twin Co. Asphalt
Stated Operator(s) Address: 449 West John Street
Hicksville,NY 11801

Site Description

Location: AGO Associates (Site No. 130029) is a 14.4 acre site in Hicksville, Nassau County. It is located approximately 0.6 mile south of the Northern State Parkway on West John Street and 0.5 mile east of the Wantaugh Parkway. Site Features: The northern portion of the site is generally flat and has 2 large buildings, most likely used for vehicle maintenance and storage. Those buildings are surrounded by paved parking lots. The southern part of the site has several large mounds of gravel or asphalt from the asphalt facility on site. There is no surface water on the site. Current Zoning & Land Use: The site is industrially zoned and made up of five parcels: a private drive, a school bus storage garage and fuel station, a construction company, an Agway storage yard, and an asphalt company. The surrounding parcels to the south, east, and west are industrial, including several State Superfund Sites. To the north is a golf course and a residential neighborhood. Past Use of the Site: Prior to 1963, the site was a 35 to 45-foot deep sand pit covering about 10 acres. In 1963, AGO Associates purchased this property and utilized it as a construction and demolition debris landfill. The site was brought to DEC¿s attention in October 1974 when approximately 100 drums containing lacquers, thinners, and solvents were discovered at the site at grade. No odors or chemicals were noted during the Nassau County Department of Health (NCDH) visit. By January 1975, all the drums and any spillage were removed and disposed of by order of the NCDH. The landfill was closed in 1979 after a layer of topsoil was added. DEC conducted investigations in 1986 (Regonal Groundwater Study), 1989 (¿Phase 1¿ on-site soil investigation), and 1992 (¿Phase 2¿ downgradient groundwater investigation). Geology: The geology is generally sands with some gravel and discontinuous clay layers. Groundwater is approximately 40 feet below ground surface and flows generally to the south-southeast.

Site Environmental Assessment

A 1986 investigation downgradient of the site showed significant concentrations of 1,1,1-TCA, PCE, and TCE in groundwater. A subsequent soil investigation on-site showed pesticides and methylene chloride in exceedance of the unrestricted SCO but not the applicable industrial SCO. The on-site groundwater investigation showed metals (including Chromium and Cadmium) in exceedance of the groundwater standard and DCE only slightly exceeding the groundwater standard at the top of the water table. There are several State Superfund Sites in the immediate vicinity of the AGO Associates site including two with high 1,1,1-TCA and PCE

concentrations in groundwater that lie between the site and the wells sampled in the 1986 investigation. No connection can be established between the past activities at the AGO Associates landfill operation and the contamination found in the wells downgradient, therefore the site has been reclassified to N.

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* **Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: Hicksville Operations Center
Site Code: 130078
Program: Resource Conservation and Recovery
Classification: A
EPA ID Number:

Location

DEC Region: 1
Address: 175 EAST OLD COUNTRY ROAD
City:HICKSVILLE Zip: 11801
County: Nassau
Latitude: 40.763935
Longitude: -73.511081
Site Type:
Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: PSEG Services Corporation
Current Owner(s) Address: 175 East Old Country Road
Hicksville,NY, 11801

Site Description

This site is currently owned by KEYSPAN. The Hicksville Operation Center was established in 1951 as the Long Island Lighting Company?s (LILCO) main repair service facility. The site covers an area approximately 78 acres. It is bound on the north by Old Country Road, on the east by New South Road and numerous industrial properties, on the west by the Long Island

Railroad right-of-way, and on the south by industrial property. The facility maintains a RCRA permit to store hazardous waste at the facility.

Site Environmental Assessment

There are no known environmental problems associated with the disposal of hazardous waste at this site.

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: New Cassel/Hicksville Ground Water Contamination
Site Code: 130215
Program: State Superfund Program
Classification: 02
EPA ID Number:

Location

DEC Region: 1
Address: Southern End of Iris Place
City: New Cassel Zip: 11590
County: Nassau
Latitude: 40.745376554
Longitude: -73.549536256
Site Type:
Estimated Size: 2200 Acres

Site Owner(s) and Operator(s)

Site Description

Location: The New Cassel/Hicksville Ground Water Contamination site is located in a suburban area. Site Features: The site consists of a groundwater contamination plume located beneath a mixed-use area. The Bowling Green and Hicksville Plant 5 public water supply well fields draw from the groundwater within the site area. Both well fields have wellhead treatment to remove site-related contaminants from the drinking water prior to distribution. Current Zoning and Land Use: The land use mostly consists of single family homes, suburban

shopping and other commercial buildings. The zoning is consistent with the varied land use. Past Use of Site: The groundwater contamination originates from several sites within the New Cassel Industrial Area, the General Instruments site, the Former Sylvania site, and other upgradient properties. The sources of the plume are generally current and former industrial properties. Operable Units: The site has been divided into three operable units. An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately to investigate, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination. Operable Unit 1 (OU1) is the groundwater contamination directly south of the New Cassel Industrial Area sites. OU2 consists of the contaminated groundwater from General Instruments Corp. (Site No. 130020) and 70-140 Cantiague Rock Rd/Former Sylvania (Site No. V00089). OU3 is defined as the far afield groundwater contamination. Site Geology and Hydrogeology: The subsurface generally consists of sand and gravel with silt and clay lenses. The water table is approximately 70 feet deep and flows southwest.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
tetrachloroethene (PCE)
trichloroethene (TCE)

Site Environmental Assessment

Based on investigations conducted to date, the primary contaminants of concern are tetrachloroethylene (PCE), trichloroethylene (TCE) and their breakdown products. Groundwater - PCE, TCE and their associated breakdown products were detected in the groundwater located downgradient of the source areas. PCE and TCE concentrations exceed 1,000 parts-per-billion (ppb) in the groundwater plume, exceeding the New York State groundwater standard of 5 ppb for both contaminants.

Site Health Assessment

People are not drinking contaminated groundwater because the public water supply wells that serve the area are either monitored to verify compliance with New York State drinking water standards, or treated to remove contaminants before the water is distributed to consumers. Volatile organic compounds in the groundwater and/or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface

into the indoor air of buildings, is referred to as soil vapor intrusion. The potential for soil vapor intrusion to occur within the designated site area needs to be evaluated.

For more Information: E-mail Us

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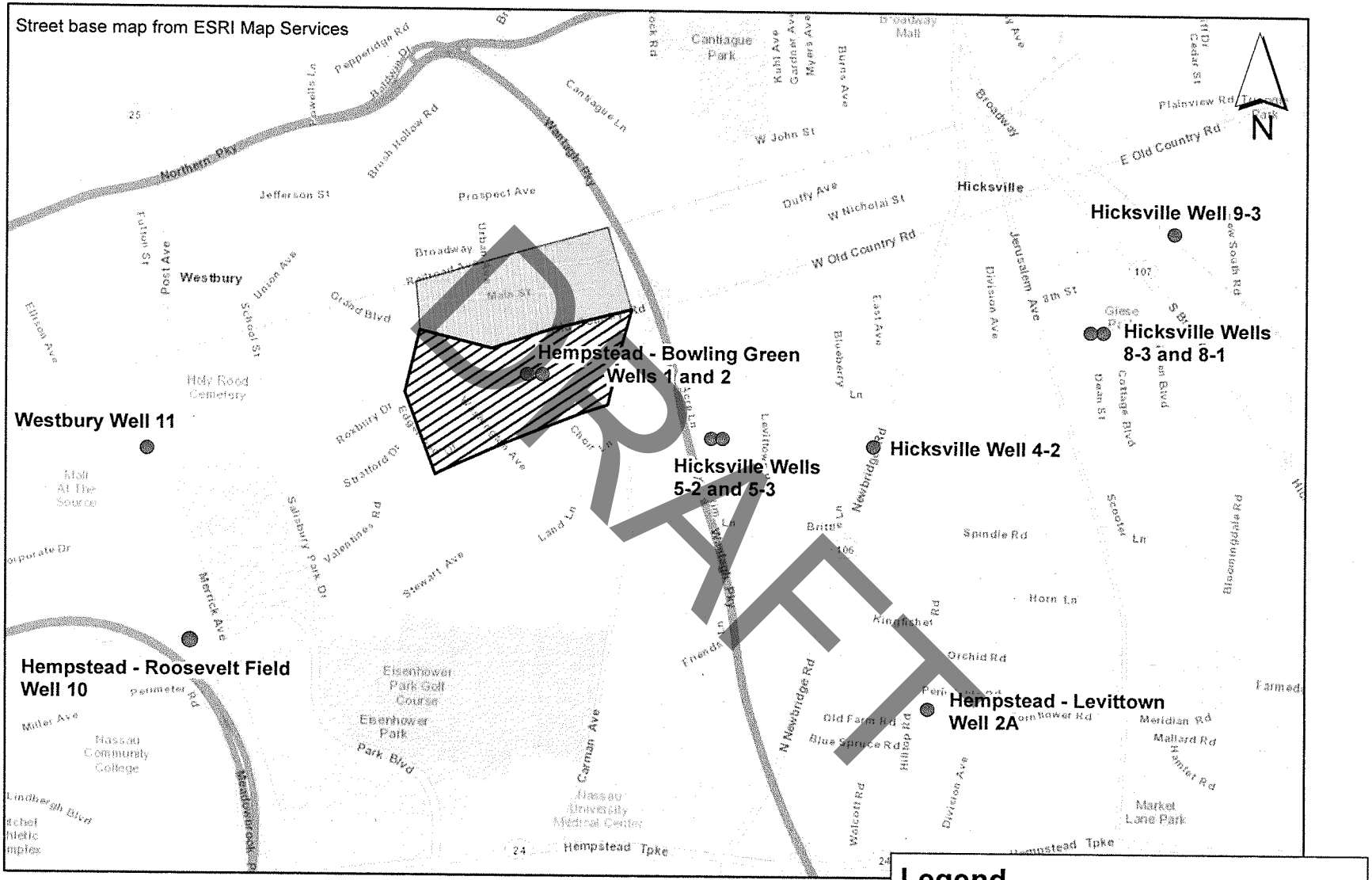

EPA

0 0.25 0.5 1 Mile

Legend

- Water District Public Supply Well
- Operable Unit 1
- New Cassel Industrial Area

Figure 1 - Site Location
New Cassel/Hicksville Ground Water Contamination Site

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

Site Name: 230 Duffy Avenue
Site Code: C130141
Program: Brownfield Cleanup Program
Classification: A
EPA ID Number:

Location

DEC Region: 1
Address: 230 Duffy Avenue
City: Hicksville Zip: 11801
County: Nassau
Latitude: 40.76458363
Longitude: -73.536399079
Site Type:
Estimated Size: 6.7 Acres

Institutional And Engineering Controls

Control Type:
Environmental Easement

Control Elements:
Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
O&M Plan
IC/EC Plan

Site Owner(s) and Operator(s)

Current Owner Name: LONG ISLAND INDUSTRIAL GROUP ONE, LLC
Current Owner(s) Address: 575 UNDERHILL BLVD., SUITE 125
SYOSSET,NY, 11791
Current On-Site Operator: LONG ISLAND INDUSTRIAL GROUP ONE, LLC
Stated Operator(s) Address: 575 UNDERHILL BLVD., SUITE 125
SYOSSET,NY 11791

Site Document Repository

Name: Hicksville Public Library
Address: 169 Jerusalem Avenue
Hicksville,NY 11801

Site Description

Site Location: The site is located at 230 Duffy Avenue in Hicksville, Nassau County. Site Features: The site occupies approximately 6.76 acres of land. The main site feature is a 122,900 square foot one- and two-story building. The remainder of the site consists of an asphalt parking areas with some limited area of grass cover. The site is bounded on the north by the Long Island Railroad; on the south by Duffy Avenue and a residential neighborhood; and to the east and west by industrial or commercial facilities. The site building is presently used for warehouse/retail. Surrounding land uses include residential, commercial and industrial. Current Zoning/Use: The property, which is located in an urban/suburban area, is currently zoned for industrial use. The site is currently used for office and warehouse operations. Past Use (s) of the Site: Philips Electronics North America Corporation (Philips) formerly owned the site, which was operated by Amperex Electronics Corporation (Amperex), a subsidiary of Philips. Amperex purchased the property in 1951 and its primary business was the manufacture of electron tubes, consisting of receiving and transmitting tubes for high power radio frequency and microwave applications. Manufacturing operations included machining, heat treating, chemical cleaning, metal and glass working, cathode coating and metal plating processes. Former site operations include prior use of approximately seven industrial outfall pits; a former sanitary leach field; former hazardous materials storage area; former waste water treatment plant; one 275-gallon gasoline tank; one former underground isopropanol tank; and one 15,000-gallon underground fuel oil tank. In the early 1990s, the plant was closed and all manufacturing and process equipment was removed from the site. The site was purchased by First Industrial in 1993 and remained vacant with some warehouse operations. In December 2000, the property was purchased by the Applicant and used mainly as warehouse operations. Currently it is still used for warehouse operations as well as several commercial establishments, such as a window retail company. Site Geology/Hydrogeology:

The soils in the area of the Site are classified by the US Department of Agriculture as consisting mostly of urban land soils, which contain a mix of sand, silt, clay and fill material. The depth to groundwater at the Site varies from approximately 55 to 65 feet below grade. The site-specific groundwater flow direction is to the south-southeast. January 2020: The project's Remedial Action Work Plan is currently being modified and finalized.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

arsenic
sodium
tetrachloroethene (PCE)
lead
1,1-dichloroethane
trichloroethene (TCE)
manganese
carbon tetrachloride
1,1,1-Trichloroethane(TCA)
chromium
mercury

Site Environmental Assessment

Nature and Extent of Contamination: Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals during the Remedial Investigation. Polychlorinated biphenyls (PCBs) and pesticides were also analyzed for during the preliminary investigation and were not found to exceed standards. Soil vapor was analyzed for VOCs. Based on the environmental data collected during the RI and supplemental RI that was conducted at the site, the primary contaminants of concern at this site include volatile organic compounds (VOCs) and metals in soil and groundwater. Soils - Several VOCs were detected in site soils but below their respective soil cleanup objectives (SCOs) for industrial use. Only benzene was detected above its respective soil cleanup objective for protection of groundwater at one location, SB-65 at 200 parts per billion (ppb). Two metals, arsenic and mercury, were detected in site soils slightly exceeding the SCOs in a limited area. Mercury was detected at 9 ppm, which is above the standard of 5.7 ppm. Arsenic was detected at 40 ppm at SB-67 at a depth of 5 to 7 feet below grade which is above the standard of 16 ppm. Based on the limited area of impacts, the elevated detections will not require remediation. Groundwater ¿ Several VOCs were detected in site groundwater above the ambient water quality standards. Tetrachloroethene (PCE) was detected at 2 locations slightly above its

standard at OW-10 and OW-12 with concentrations of 7.3 ppb and 6.2 ppb, respectively, trichloroethene was detected at one location OW-9 at 25 ppb, 1,1-dichloroethane (1,1-DCA) was detected at one location, OW-12 at 13 ppb, and 1,1,1-trichloroethane (1,1,1-TCA) was detected at two locations OW-12 and OW-9 at 330 ppb and 5.8 ppb, respectively. COC metals, including arsenic and chromium, were also detected in site groundwater above their ambient standards at limited locations. Arsenic was detected at OW-1 with a concentration of 43 ppb and chromium was detected at OW-12 with a concentration of 210 ppb. Both samples were unfiltered. Arsenic and chromium were not detected in filtered samples, indicating the detections in the unfiltered samples occurred as absorbed species on fine particles, rather than being dissolved in groundwater. Given the location of the highest concentrations VOC contamination in groundwater on the downgradient side of the site, these contaminants are potentially migrating off-site. Soil vapor intrusion into structures on-site is also a concern. Sub-slab and soil vapor samples collected in 2008 and in 2014 revealed elevated levels of VOCs. Ten soil vapor points were sampled throughout the parking lot areas of the site. 1,1,1 TCA values ranged from 117 micrograms per cubic meter (ug/m3) to 7,310 ug/m3. Carbon tetrachloride was detected at levels ranging from 21 ug/m3 to 1,990 ug/m3, PCE values ranged from 173 ug/m3 to 14,600 ug/m3 and TCE values ranged from 6.4 ug/m3 to 355 ug/m3. Sub-slab samples that were collected from beneath the building¿s foundation slab, detected 1,1,1 TCA and PCE were detected in five of the six sub-slab samples collected, ranging from 7.1 ug/m3 to 23,000 ug/m3 and 2.0 ug/m3 to 8,100 ug/m3, respectively. TCE was found in two of the six sub-slab vapor samples ranging from 1.1 ug/m3 to 93.0 ug/m3. Follow up indoor air sampling event was conducted in March 2017. A total of 5 indoor samples were collected throughout the occupied areas of the site building. The highest value of compounds detected was TCE at one location at 1.18 ug/m3. The Guideline value for TCE is 2.0 ug/m3. Based on a comparison of the 2014 and 2017 sampling event results, actions are needed to address potential exposure from soil vapor intrusion. As a result, a mitigation system will be installed in the existing site building

Site Health Assessment

Direct contact with contaminants in the soil is unlikely because the majority of the site is covered with buildings and pavement. Contaminated groundwater at the site is not used for drinking or other purposes. The site is served by a public water supply that has a treatment system in place to remove contamination prior to distribution to the public. Volatile organic compounds in the groundwater and/or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air

of buildings, is referred to as soil vapor intrusion. The potential exists for inhalation of site contaminants via soil vapor intrusion within the on-site building. Also, the potential exists for off-site migration of contaminated soil vapor toward downgradient residences.

For more Information: E-mail Us

Refine This Search