

## FINAL SCOPE

### DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SRC HICKSVILLE REDEVELOPMENT

#### 195-225 NORTH BROADWAY HICKSVILLE, TOWN OF OYSTER BAY

June 1, 2018

#### Overview

This document is the Final Scope for the Draft Environmental Impact Statement (DEIS) for the proposed SRC Hicksville redevelopment. This Final Scope is based on the Draft Scope, dated March 12, 2018, and accounts for input received on the Draft Scope through the end of the public comment period on April 27, 2018, including written comments, as well as testimony received at the public scoping session conducted on April 10, 2018.

The proposed action involves redevelopment of the 26.49±-acre parcel designated on the Nassau County Land and Tax Map as Section 12 – Block B – Lot 185 (the “Subject Property” or the “Site”) under the existing General Business (GB) zoning district. The Subject Property is situated on the east side of North Broadway, south of Nevada Street, in the hamlet of Hicksville, Town of Oyster Bay, Nassau County, New York.

The Subject Property currently is developed with a 262,101-square foot (SF), two-story Sears department store, 45,615-SF, one story Sears Auto Center, two pads sites occupied by a bank with drive-through and restaurant, and associated paved parking. The land surface has little topographic relief, and is almost entirely covered with impervious surfaces (91 percent of the lot area), with the remaining area occupied with landscaping. The site is served by the Hicksville Water District for water supply and is connected to the Nassau County municipal sanitary sewer system. Solid waste collection is by private hauler. Natural gas is supplied by National Grid and electricity is supplied by PSEG Long Island. Existing site access occurs via all three frontage roadways: five curb cuts on North Broadway; two curb cuts on Nevada Street; and three curb cuts on Bay Avenue.

The area surrounding the Subject Property has moderate density development, primarily with commercial and residential uses. North Broadway (New York State Route 106/107 is the major north-south highway in the area, with commercial development situated along the corridor and residential development situated beyond. The Subject Property is located within walking distance, approximately 2,000 feet northeast of, Hicksville train station on Main Line of the Long Island Rail Road (LIRR), which is a major transportation hub.

To ensure that the DEIS will address all significant issues, the Town Board of the Town of Oyster Bay, as lead agency, has issued a Positive Declaration and has elected to conduct formal scoping in accordance with 6 NYCRR §617.8 of the implementing regulations of the New York State Environmental Quality Review Act (SEQRA). To initiate the public scoping process, the Applicant in the proposed action (Seritage Growth Properties, “Seritage”) prepared a Draft Scope

in accordance with 6 NYCRR §617.8(b) to outline the proposed content for the DEIS. To facilitate public commentary, copies of the Draft Scope were distributed to involved agencies and interested parties, and the Draft Scope was posted on the Town of Oyster Bay web site; and, as indicated previously, a public scoping session was conducted by the Town on April 10, 2018. In preparing this Final Scope, the Draft Scope has been amended to address substantive commentary received during the public scoping process.

Pursuant to the requirements of 6 NYCRR §617.8(f), this Final Scope includes the following:

- Brief description of the proposed action
- Potentially significant adverse impacts
- Extent and quality of information needed to adequately address potentially significant adverse impacts
- Initial identification of mitigation measures
- Reasonable alternatives to be considered
- Identification of information/data to be included in the appendices Issues that were raised during scoping and determined to be not relevant or not environmentally significant or that have been adequately addressed in a prior environmental review

### **Description of the Proposed Action**

The proposed action involves approvals for a special permit and variances to allow redevelopment of the 26.49±-acre Subject Property. Under the proposed action, the existing Sears department store and automobile repair shop would be demolished and replaced with a mix of uses in nine new buildings containing: 38,497± SF of office space, 126,771± SF of retail space, a 31,224± SF fitness center, 34,614± SF (1,386 seats) of restaurants, a 380±-seat specialty cinema, a 5,815± SF bank, and 596 rental apartments. The existing 4,384±-SF TD Bank with drive-through and 3,608±-SF Chipotle restaurant on pad sites on the subject property would remain. The adjacent 3.59±-acre parcel owned by Seritage to the north, across Nevada Street, is not part of the proposed action; the existing development on this parcel (i.e., Chase Bank, CitiBank and Red Lobster restaurant) is under lease and will remain.

Parking on the redeveloped site would consist of a total of 2,219 parking stalls, which is about 10.0 percent less than the approximately 2,456 parking spaces required under the Zoning Code based on the proposed uses. Parking would be provided in various locations on the site: card-keyed parking for exclusive use by residents and their guests would be placed in a single subgrade level beneath the residential buildings; the office and grocery store building would be served by two subgrade parking levels; and the remaining parking would be provided at-grade in surface lots and in parallel spaces along internal site roadways. The proposed development includes approximately 5.2 acres of green space, more than doubling the amount of landscaping on the Subject Property compared to existing conditions. Additionally, significant buffering and setbacks would be provided along the southerly edge of the proposed development, where the Subject Property adjoins an existing single-family residential community, in an area where there is essentially no buffering and minimal screening at present. The internal layout of the proposed development has been carefully designed to foster walkability in a pedestrian-friendly environment, modeled on the physical characteristics of existing successful downtowns.

The proposed development would connect to the Hicksville Water District for potable water. Sanitary wastewater would be discharged to the Nassau County sewer system for conveyance to the Cedar Creek sewage treatment plant in Wantagh and effluent discharge to the Atlantic Ocean. The proposed development would be served by National Grid for natural gas and PSEG Long Island for electricity. Stormwater runoff would be directed to a network of on-site leaching structures (e.g., catch basins and drywells). Site access would include curb cuts on all three frontage roadways:

- four curb cuts on North Broadway (two ingress/egress, one ingress-only and one egress-only), as compared to five existing curb cuts;
- two ingress/egress curb cuts on Nevada Street, equal to the number of existing curb cuts; and
- three curb cuts on Bay Avenue (two ingress/egress, and one ingress-only for the grocery store loading area), equal to the number of existing curb cuts.

The following approvals are required for the proposed action:

- Town of Oyster Bay Town Board – special use permit for fitness center use, movie theater, and residences at grade level and over parking; site plan approval
- Town of Oyster Bay Zoning Board of Appeals – variances for building height (the tallest buildings, at 50± feet, would be located in the interior of the site; buildings that are adjacent to existing residential development on the easterly and southerly sides of the site would be limited to a height of 40± feet), parallel parking on two-way streets (internal site roads), and parking capacity (10.0± percent relief from the parking requirement)
- Town of Oyster Bay Highway Department – highway work permit
- Hicksville Water District – water connection
- Nassau County Health Department – sanitary disposal; water supply
- Nassau County Department of Public Works – sewer connection (it has been confirmed that NCDPW does not have jurisdiction over roadways adjoining the Subject Property; and, therefore, 239-f review would not be required for the proposed action)
- Nassau County Planning Commission – 239-m referral
- New York State Department of Transportation – highway work permit
- New York State Department of Environmental Conservation – SPDES General Permit for Stormwater Discharges for Construction Activities (GP-0-15-002)

The applicant has undertaken extensive community outreach (including Midland Civic Association, Northwest Civic Association, Hicksville Community Council and Hicksville Chamber of Commerce), which has been instrumental in forming the process and prompting adjustments to key aspects of the proposed action to better meet the community's needs and desires. For example, in response to input received during the outreach meetings: an initial concept which included a "big-box" supermarket was abandoned in favor of a smaller grocery store, and the location of this use has been shifted to the north side of the Subject Property, further away from adjacent residences; and ground-floor commercial space was eliminated from proposed buildings facing existing residential neighborhoods (e.g., to the east and south, along

Bay Avenue and adjoining the rear of residences facing Lenox Avenue). This outreach is ongoing, and is expected to continue to guide the proposed action to its final form.

The section of the DEIS titled *Description of the Proposed Action* will provide a thorough description of the proposed action and a synopsis of existing conditions on the 26.49±-acre Site, including:

- Description of the proposed action, including:
  - Mix of housing types proposed, with details regarding the unit sizes, numbers of bedrooms, housing market segments that are being targeted for the various unit types, and anticipated rental prices.
  - Transit-oriented development (TOD) nature of the proposed development, based on proximity to the Hicksville station of the Long Island Rail Road (LIRR) and multiple public bus routes.
  - Non-residential uses (existing and proposed).
  - Land cover data for the proposed development (e.g., areas of buildings, pavement, landscaping, buffers, etc.).
  - Proposed traffic and circulation plan, encompassing on-site vehicular and pedestrian circulation, parking, and access and roadway information.
  - Infrastructure requirements, including water supply, wastewater treatment and disposal, stormwater management, and energy supply.
  - Demolition requirements and any hazardous materials related thereto.
  - Discussion of potential and/or required remediation needs and involved regulatory agencies.
  - Description of process for public input and methods for achieving any required cleanup actions.
  - Project schedule, phasing (if any), and construction activities.
  - Mechanism for effectively addressing any public concerns during construction activity
  - Site operations upon the completion of construction.
  
- Site and project history and current level of activities on the Site.
  
- Project purpose, need and benefits, including examples of benefits derived from mixed-use communities, including those on Long Island. In addition, the DEIS will discuss the applicants' goals and objectives regarding the specific mix of uses of the proposed development, both with respect to the internal interaction of these uses and in the context of the greater Hicksville community, including the nearby LIRR station (i.e., the transit-oriented nature of the proposed project). Discussion regarding the Hicksville Station upgrades and LIRR Expansion Project
  
- Physical characteristics of the site, such as the boundaries, size, and existing pervious and impervious areas.
  
- Utilities and existing on-site and adjacent infrastructure systems.

- Surrounding land uses and roadway/highway network (including connectivity to same). Discussion regarding mass transit and buses
- Public outreach conducted by the applicant, and amendments to the proposed development plan made in response to the input received.
- Required Local, County and State approvals and remediation oversight by responsible agencies if required.

### **Potentially Significant Adverse Impacts**

The DEIS will be prepared in accordance with this scoping document and 6 NYCRR §617.9(b). Based upon review of the site, the proposed plan and the Environmental Assessment Form (EAF), a Positive Declaration has been issued by the Town Board of the Town of Oyster Bay as lead agency under SEQRA. The identified potential adverse impacts, as well as other relevant issues, will be fully addressed in various DEIS sections, as outlined below.

#### Soils and Topography

The *Soil Survey of Nassau County* will be used to determine the soil types on the site, and the characteristics of such soils. This information will be supplemented with soil boring data, as available. The suitability of the soils (stability, quality, etc.) and potential engineering limitations for the proposed site alterations and proposed uses on the site will also be examined. The DEIS will also include topographic information obtained through review of relevant USGS maps and site-specific topographic surveys.

In addition, the DEIS will summarize and present the findings of Environmental Site Assessments (ESAs) that have been performed for the property, and any remedial actions that may be required.

A thorough narrative description of potential impacts to soils and topography and strategies to minimize such impacts will be included in the DEIS. A description of measures that will be implemented to mitigate impacts due to potential erosion and off-site sediment transport will be presented.

The DEIS will also discuss the changes in topography and provide estimates of cut and fill that would result from the proposed action.

The DEIS will present information regarding environmental conditions at the subject property, in the form of a Phase I Environmental Site Assessment (ESA), and a Phase II ESA as necessary. These documents will characterize the presence or potential presence of hazardous materials, particularly in relation to the long-term operation of an automotive repair facility on the site. Measures will be discussed for properly addressing any “Recognized Environmental Conditions” that are identified in the ESA investigation(s).

## Water Resources

Areas to be developed with impervious surfaces and planted with landscaping will be quantified. The extent of pervious surfaces (in landscaping) on the Subject Property would increase by approximately 2.65 acres under the proposed action, thereby decreasing the volume of stormwater runoff generated on-site as compared to existing conditions.

The use of low-maintenance versus fertilizer/irrigation-dependent vegetation will be discussed. Projections will then be made of post-development recharge and water budget to evaluate changes from the pre-development condition.

The existing stormwater management system on the site will be described. In addition, post-development stormwater management conditions will be evaluated. This evaluation will include calculations of stormwater volumes to be generated, description of proposed collection and management systems, proposed future maintenance practices for stormwater collection and leaching structures, discussion of anticipated changes in drainage patterns, and analysis of how the proposed stormwater management system would comply with applicable regulatory requirements, including prevailing Town, County and State regulations and standards for on-site storage volume and consideration of green infrastructure practices as required by the NYS Design Manual, January 2015 and NYS Standards and Specifications for Erosion and Sediment Control, November 2016.

Regional and local hydrogeological conditions and water quality will be discussed. Depth to groundwater will also be determined. In addition, this section of the DEIS will include a quantitative assessment of the loading of contaminants (e.g., nitrogen compounds) to the groundwater aquifer under existing and proposed conditions.

Water use and sanitary flow for both the residential and commercial portions of the proposed development will be projected. The redeveloped Site would be served by public water, and sanitary flow would be discharged to the Nassau County municipal sewer system. The DEIS will document consultations with the Hicksville Water District and the Nassau County Department of Public Works to determine service availability.

To adequately assess the potential impacts associated with the proposed development, a consistency analysis with the recommendations and standards for development within the relevant hydrogeologic zone, as set forth in the *208 Study*, will be performed. In addition, the consistency of the proposed action with the findings of the *Nationwide Urban Runoff Program (NURP)*, *Nonpoint Source Management Handbook* and *Special Groundwater Protection Area Plan* will be evaluated.

## Ecology

The DEIS will discuss the fact that the Subject Property is essentially fully developed under existing conditions and does not contain natural vegetation or even significant areas of landscaping. Notwithstanding these known conditions, flora and fauna on the site will be documented by field survey and existing information sources. The New York

State Department of Environmental Conservation (NYSDEC) Natural Heritage Program (NHP) will be consulted regarding the potential presence of significant ecological resources on the site and in the surrounding area.

NYSDEC Freshwater wetland maps and National Wetland Inventory maps will be reviewed as to the presence of wetlands on and adjacent to the Site.

This section of the DEIS will describe the proposed landscaping plan, in reference to the existing vegetation on the site, to define any changes (anticipated to be positive, at least to a small degree, overall) regarding the ecological resources on the site.

### Zoning, Land Use and Community Character

This section of the DEIS will describe and provide maps depicting the existing zoning and land uses on the Subject Property and in the surrounding area. A physical description of the Site – i.e., size, boundaries, landscaping (including tree plantings), buildings and other improvements, areas of pavement, etc. – will be provided. The character of the surrounding community will be described in terms of specific uses and land use patterns, zoning, socioeconomic characteristics, and other relevant factors.

This section of the DEIS also will review and analyze any pertinent land use plans and similar documents, including those related to the Town of Oyster Bay’s initiative to revitalize the nearby Central Business District (CBD) in Downtown Hicksville, particularly: (a) the Town’s proposal to consider possible revisions to the Zoning Code for the CBD; and (b) the “Downtown Revitalization Initiative” involving a \$10 million New York State grant to develop a strategic investment plan for the Downtown. During the DEIS scoping process, the community also highlighted recent improvements at the Broadway Mall located directly to the west of the subject property, after a period of decline; and concerns were expressed regarding actions that could work counter to this progress.

The DEIS will describe the demographic market that is being targeted by the residential component of the proposed development. The DEIS will also discuss the current market demand for the types of commercial facilities that are included in the proposed plan (i.e., specialty cinema, fitness center, retail, and office).

Based on the foregoing information, the DEIS will assess the impacts and compatibility of the proposed mixed-use development in reference to the existing pattern of land use and zoning (including bulk requirements), and will examine the established development policies, patterns and neighborhood character, especially regarding the existing single-family residential neighborhood to the east and south of the Site.

The DEIS will discuss the internal compatibility of the proposed mix of uses on the Subject Property, as well as their integration into the surrounding community. The interaction between the residential component of the proposed development and the transit asset at nearby Hicksville LIRR station and the wider Hicksville community also will be discussed. Additionally, the DEIS will examine the degree to which the proposed development would be compatible with and help to advance the goals and objectives of

applicable land use/comprehensive plans, particularly with respect to ongoing efforts to upgrade the Downtown and adjacent areas.

### Transportation and Parking

A separate Traffic Impact Study (TIS) will be prepared to evaluate the proposed action's potential traffic-related impacts on the surrounding roadway system. The TIS will be included in its entirety as an appendix in the DEIS and will be summarized in the main body of the DEIS.

The TIS will include the following components:

- Existing roadway features in the study area, including the number, direction and width of travel lanes, posted speed limits, maintenance jurisdiction, parking regulations, signs and traffic control devices, will be identified.
- Manual turning movement counts will be conducted when school is in session on one typical weekday during the a.m. peak period (7:00 a.m. to 9:00 a.m.) and the p.m. peak period (4:00 p.m. to 6:00 p.m.), as well as on a Saturday during the midday peak period (11:00 a.m. to 2:00 p.m.) at the following intersections:
  - Long Island Expressway (LIE) North Service Road at North Broadway (NY 107)
  - LIE South Marginal Road at NY 107
  - 17<sup>th</sup> Street/Burke Avenue at NY 107
  - Bethpage Road at NY 107
  - Nevada Street at NY 107
  - Newbridge Road (NY 106) at NY 107
  - East John Street at NY 107
  - East John Street at NY 106
  - Bethpage Road at Nevada Street/Bay Avenue
  - Bethpage Road at Woodbury Road
  - Woodbury Road at Bay Avenue
  - Existing Sears Auto Center/Broadway Mall at NY 107

In addition to the single-day counts on weekdays at the 12 intersections listed above, a second day of counts will be recorded at two key intersections to verify the accuracy of the initial counts.

In addition to the above intersections, driveway counts will be conducted at the eight unsignalized site driveways serving the proposed development.

At the request of the Nassau County Department of Public Works Traffic Engineering unit, the following additional intersections will be included in the Traffic Impact Study:

- Old Country Road at NY 106
- Old Country Road at NY Route 107

- Old Country Road at Jerusalem Avenue
- Bay Street at East John Street (including a signal warrant analysis)

At the request of the Midland Civic Association, potential project-related impacts at the unsignalized intersections along Bay Avenue directly to the east of the subject property (i.e., Grove Street, Prospect Street, and Franklin Street) also will be investigated.

- The collected data, as described above, will be analyzed under existing operating conditions during the peak weekday a.m. and p.m. and Saturday midday periods using the appropriate methodology presented in the latest edition of the Highway Capacity Manual.
- Current traffic accident data for the most-recent three-year period available for the study intersections and roadway segments between these intersections will be obtained from the New York State Department of Transportation (NYSDOT). These data will be summarized, any significant trends/patterns that might be impacted by the proposed development will be identified, and the need for corrective measures will be evaluated.
- The latest available information from appropriate governmental agencies will be obtained regarding any planned development projects or roadway/intersection improvements within the area of potential project influence that may contribute to cumulative adverse impacts. Any such improvements, based upon responses received, will be incorporated into the future "No-Build" and "Build" analyses.
- The "No-Build" base traffic conditions will be estimated by applying NYSDOT's area-specific traffic growth rate to the existing traffic volumes. The project build year is assumed to be 2020. As Syosset Park buildout is planned for 2025, projections for 2025 will also be provided to consider and address potential cumulative impacts. In addition, traffic generated by other proposed or pending developments in the vicinity of the site will be included in the "No-Build" base condition, using information provided by the Town of Oyster Bay.
- Trip generation estimates for project-generated traffic will be estimated using empirical data outlined in the *Trip Generation Manual* (10<sup>th</sup> Edition) published by the Institute of Transportation Engineers (ITE). This is a nationally recognized source for estimating the number of site-generated trips for uses such as those proposed. Since this site is within a half mile of the LIRR's Hicksville station (and adjacent to multiple public bus routes), and would therefore be considered a transit-oriented development (TOD), appropriate credit will be applied to reduce the number of vehicle trips generated by the proposed development and distributed to the surrounding roadway network. Appropriate credit also will be taken for "internal capture" involving trips among the different uses in the proposed development (e.g., residents patronizing the on-site businesses) which would not leave the Subject Property.

- Trip distribution patterns will be determined and site-generated traffic will be assigned to the roadway network in the study area using previous studies, market research provided by the applicant, census data, population distribution in the vicinity of the Site, and existing travel patterns.
- Based on the directional distribution assignments, project-generated traffic will be added to the “No-Build” volumes at each of the study intersections to determine the “Build” condition and assess the relative impacts of the proposed project on potentially impacted roadways. All intersection capacity analyses in the TIS will utilize the latest version of the Synchro software program.
- An evaluation of the proposed driveway configuration, parking layout and overall site layout will be conducted with respect to access and internal circulation.
- The adequacy of the proposed parking capacity on the project site will be evaluated in the context of Town of Oyster Bay code requirements, as well as actual anticipated demand based on the latest edition of ITE’s *Parking Generation* manual.
- The TIS will evaluate the potential construction-related impacts associated with the proposed development, considering the construction schedule and phasing anticipated for the project.
- Public transportation options available in proximity to the Site will be evaluated and appropriate credits will be applied regarding the number of project-generated trips and/or the amount of off-street parking provided.
- Pedestrian and bicycle utilization related to operation of the proposed development will be evaluated, and measures to optimize such non-motorized forms of transportation will be discussed. This analysis will examine anticipated project-related pedestrian traffic to and from the nearby Hicksville LIRR station.
- The contribution of the proposed development to ridership at Hicksville LIRR station will be assessed, along with potential impacts associated with same.
- The need for mitigation measures will be determined based upon the results of the analysis including, as appropriate, roadway and intersection modifications, as well as pedestrian enhancements between the project site and the LIRR station.
- An assessment of impacts related to construction traffic will be performed. A discussion of proposed mitigation measures to be utilized and criteria for selection of the best management practice will be provided.
- The results of Nassau County’s Downtown Hicksville Revitalization Traffic Impact and Complete Streets Assessment, if available, will be analyzed and incorporated/addressed in the DEIS.

## Air Quality

The proposed action will increase the development intensity of the Subject Property. Air quality, which is a general term used to describe pollutant levels in the atmosphere, may be affected by these changes. The key issues that will be addressed are:

- The potential for the proposed development to result in significant mobile source (vehicular-related) air quality impacts due to changes in vehicular travel volumes and patterns;
- The potential impact on localized carbon monoxide (CO) levels due to the exhaust of parking garages associated with the proposed development;
- The potential for impacts to nearby sensitive receptors due to emissions from the heating, ventilation, and air conditioning (HVAC) systems of the proposed buildings;
- An analysis of the proposed project's effects on energy usage and greenhouse gas (GHG) emissions; and
- A qualitative assessment of the project's potential construction impacts.

The air quality, greenhouse gas, and energy analyses will be conducted as follows:

- Existing ambient air quality, climate, and meteorological data for the project area will be collected, using available information, and summarized. The project area's current status with regard to the National Ambient Air Quality Standards (NAAQS) – i.e., whether the affected areas are designated as being attainment (complying with the NAAQS), nonattainment (not complying with the NAAQS), or maintenance (currently complying with the NAAQS, but previously designated as nonattainment – will be identified.
- An air quality analyses using U.S. Environmental Protection Agency (EPA) AERMOD model with the most recent five years of meteorological data available will be conducted to estimate total pollutant concentrations. Total pollutant levels will be compared to the NAAQS, for one-hour standard for nitrogen dioxide (NO<sub>2</sub>) and sulfur dioxide (SO<sub>2</sub>), and the annual and 24-hour PM<sub>2.5</sub>. Additional analysis will be conducted for the project alternatives based on changes to the equipment and emission release points for the project's HVAC systems.
- Energy (direct and indirect) and GHG estimates will be developed for the Build and No Build conditions for Expected Time of Completion (ETC) and either ETC +10 or ETC +20 for the Proposed Action and the two project alternatives. The procedures used to assess and quantify the energy consumption impacts of the project will be based on NYSDEC's "Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impacts Statements" and projected increases in project-related electrical energy requirements and decreases in vehicle miles traveled (VMT). Energy consumption will be quantified in British thermal units (BTUs) and in

equivalent barrels of crude oil (Bbl); changes in GHG emissions carbon dioxide equivalent carbon dioxide equivalents (CO<sub>2</sub>e).

- A technical narrative will be developed describing both the methodology and results for the air quality analysis for incorporation into the DEIS for both during construction and post construction.
- The need for mitigation measures will be determined based upon the results of the analysis. Explanation of how the community and/or Town will be informed of air quality issues.
- An assessment of air quality impacts during construction will be performed. Provide discussion of methodology for determining effectiveness and plans for addressing any violations/exceedances of air quality standards/guidelines.

#### Community Facilities and Services

The DEIS will assess the impacts of the proposed action on the educational facilities of Hicksville School District, public recreational resources, solid waste management, Hicksville Water District, the Nassau County Department of Public Works (for sewage disposal), utilities (gas and electric), and Hicksville Fire Department and Nassau County Police Department for emergency services. The impact assessment will address potential impacts on emergency response time due to project-related increases in traffic congestion, if any, as well as the accessibility of the site to emergency response vehicles (including the subsurface parking facilities). Consultation will occur with the various service providers to identify the existing facilities and resources serving the Subject Property, and to determine the capacity to serve the proposed development. The DEIS will also include a discussion of the impacts to the Hicksville Community Center, Hicksville Athletic Center and other Town Facilities and Services.

#### Socioeconomics

This section of the DEIS will provide the following information, and will briefly describe the various methodologies used to conduct these analyses:

##### Existing Demographics

- Existing demographic characteristics of the proposed development, including the size and age composition of the population, number, type and average size of households.
- Existing characteristics of the housing stock, including mix of owner versus renter units.
- Existing employment information, including employment by industry and employment by occupation.

### Projected Demographics Following Development of the Site

- Demographic breakdown (including projected population size, age distribution, and number of households) at completion of the proposed project. The DEIS will discuss the demand and need for the type of housing units to be provided by the proposed development.
- Projected number of project-generated public school enrollments in kindergarten through twelfth grade, and the schools likely to be affected by these enrollment increases.

### Projected Employment

- Projected job creation during the construction phase of the proposed development.
- Projected number of permanent jobs and types of jobs likely to be provided during operation of the proposed development.

### Tax Analysis

- Estimated property taxes to be generated by each component of the proposed development.
- Allocation of estimated property taxes generated by the proposed development to all relevant taxing districts.
- Discuss any tax abatements that will be sought by the developer and provide analyses of impacts regarding same.

### Cost of Services

- Additional costs to the school district and other relevant taxing districts caused by the proposed development. Comparison of additional costs versus additional property taxes generated by the proposed development for all relevant taxing districts.

### Aesthetics and Cultural Resources

This section of the DEIS will discuss the aesthetic character of the site and surrounding area by means of descriptive text and representative photographs. Potential changes to visual character from various off-site vantage points will be evaluated through the provision of post-development depictions and accompanying narrative descriptions. Elevations and perspectives of the proposed development will be presented, as provided by the project architect, to assess visual impacts. Visual architectural renderings will be provided. Debris management will be addressed as it pertains to maintaining the aesthetic goals of Downtown Hicksville Revitalization Initiatives.

A preliminary review of the database and maps of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) indicates that the Subject Property is not within an area of potential cultural sensitivity (i.e., state or federally-identified archaeological or historic resources). The Town of Oyster Bay List of Landmarks also will be reviewed with respect to the presence of local historic landmarks, and impacts to same will be analyzed as necessary.

#### Use and Conservation of Energy

This section of the DEIS will describe the energy sources to be used during the construction and operational phases of the proposed project. Anticipated levels of demand will be estimated.

The DEIS will also analyze energy consumption by the proposed development, including conformance with the standards of the Town's EnergyStar legislation<sup>1</sup>, as well as mitigation measures proposed to minimize energy consumption.

Finally, this section of the DEIS will summarize the GHG emissions analysis provided in the Air Quality section of the DEIS, in accordance with NYSDEC policy and protocols. The NYSDEC policy requires projects to evaluate their GHG emissions and to identify measures to avoid, minimize, and mitigate those emissions. The DEIS will include an estimate of the GHG emissions following the NYSDEC guidance, by reviewing traffic and emissions data and performing mobile source and stationary source GHG analyses.

#### **Extent and Quality of Information Needed to Adequately Address Potentially Significant Adverse Impacts**

In order to conduct the analyses of potential adverse impacts, available information will be collected and reviewed and empirical information will be developed. While it is not possible to determine all information sources to be used, the following represent sources/research that have been preliminarily identified as necessary to perform the required analyses in the DEIS.

#### Impact on Soils and Topography

- Existing reports regarding subsurface conditions and demolition activities
- *Soil Survey of Nassau County*
- Soil borings, as available
- USGS Maps and site-specific topographic surveys
- Phase I/Phase II ESAs

#### Impact on Water

- *Long Island Comprehensive Waste Treatment Management Plan*
- *Nationwide Urban Runoff Program (NURP)*
- *Nonpoint Source Management Handbook*
- *Long Island Comprehensive Special Groundwater Protection Area Plan*

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<sup>1</sup> Section 93-27.1 of the Town Code.

- Consultations with the Nassau County Department of Public Works (NCDPW) and Hicksville Water District

#### Impact on Ecology

- Site inspections by a qualified biologist/ecologist
- Consultations with the NYSDEC Natural Heritage Program

#### Impact on Land Use and Zoning

- Available and relevant zoning codes and maps and comprehensive plans (master plans, planning documents, including, but not limited to the *Nassau County Comprehensive Plan* and *Nassau County Open Space Plan*) of the Town of Oyster Bay and Nassau County
- Nassau County Complete Streets documents, Hicksville Downtown Parking Study, Town of Oyster Bay DRI Grant and Rezoning Initiatives for the CB District, Nassau County's Downtown Hicksville Revitalization Traffic Impact and Complete Streets Assessment (if available)
- Site and area inspections and photographs
- Aerial photography

#### Impact on Transportation and Parking

- Traffic counts
- Accident data review
- Projections of site-generated traffic using the ITE publication *Trip Generation*, 9<sup>th</sup> Edition
- ITE Shared Parking Guidelines
- Available data for similar uses
- *Highway Capacity Manual*, latest edition
- Synchro 7
- American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets
- New York Metropolitan Transportation Council (NYMTC) 2010 to 2035 Regional Transportation Plan
- Consultations with NCDPW, Town of Oyster Bay, NYSDOT, LIRR/MTA, and Hicksville DRI Committee

#### Impacts to Air Quality and Noise

- Local air quality data
- Air Quality Emissions and Dispersion Models and data from NYSDEC regarding analytical protocols
- Traffic analyses
- Regulatory standards

### Impact Community Facilities and Services

- Consultations with community service providers (police, fire departments/districts, ambulance services, water purveyors, sanitary and solid waste facilities, school district, utility providers, and parks and recreation departments)

### Impact on Socioeconomics

- The most recent available *Census of Population and Housing*
- The most recent available U.S. Census Data
- Consultations with Nassau County Assessor's Office, Town Receiver of Taxes
- Market Analysis demonstrating need for the proposed project

### Impact on Aesthetics and Cultural Resources

- Site and area inspections and photographs
- Correspondence from OPRHP, including review of OPRHP's online Cultural Resources Information System (CRIS)

### **Initial Identification of Mitigation Measures**

As the DEIS analyses have not yet been conducted, no specific mitigation measures have yet been developed. Nonetheless, where the impact analyses in the DEIS indicate the potential for significant adverse impacts, this section of the DEIS will set forth measures to mitigate those impacts.

A preliminary evaluation has indicated the following: under the soils and topography section there will be a discussion of erosion and sediment control; under the visual resources section there will be a discussion of landscaping and architectural treatments; and under the water resources section there will be a discussion of stormwater management measures and adherence to the applicable local regulations regarding on-site stormwater volume storage requirements. Energy conservation measures and the use of "green" technologies will also be discussed. Measures necessary to mitigate project-related impacts on transportation resources, including roadway and intersection operation, as well as pedestrian activity (including methods to enhance safety for project-generated foot traffic across North Broadway). Actions required and parties responsible to implement the mitigation measures will be identified.

### **Reasonable Alternatives to Be Considered**

Pursuant to 6 NYCRR Part 617, the DEIS must contain a description and evaluation of reasonable alternatives to the proposed action. Thus, the DEIS will analyze the impacts of the following alternatives and quantitatively and qualitatively, as appropriate, compare these impacts to those associated with implementation of the proposed action, based upon the specific issues outlined above:

- No-Action (site remains as it currently exists)

- Development of the Subject Property without a Special Use Permit or variances
- Reduced Residential Density Alternative – Decrease in proposed number of residences by 47 units (to 549 apartments), and adjustment of other components of proposed development accordingly, while maintaining the same site plan layout as under the proposed action
- Original Mixed-Use Development Concept – During its initial outreach to the community, starting in April 2016, the applicant presented a mixed-use development concept for the subject property which included 396 residential units, among other components. This prior proposal will be discussed and analyzed in the DEIS for comparison purposes.

## Organization of DEIS

Although not required as part of a Final Scope, a proposed table of contents is provided, below, so that involved agencies and interested parties can comment on the proposed sections of the DEIS:

- 1.0 Executive Summary
- 2.0 Description of the Proposed Action
  - 2.1 Introduction
  - 2.2 Project Description
  - 2.3 Brief History of the Property and Summary of Existing Conditions
  - 2.4 Purpose, Need and Benefits of the Proposed Project
  - 2.5 Demolition and Construction
  - 2.6 Required Permits and Approvals
- 3.0 Existing Environmental Conditions
  - 3.1 Soils and Topography
  - 3.2 Water Resources
  - 3.3 Ecology
  - 3.4 Zoning, Land Use and Community Character
  - 3.5 Transportation and Parking
  - 3.6 Air Quality
  - 3.7 Community Facilities and Services
  - 3.8 Socioeconomics
  - 3.9 Aesthetics and Cultural Resources
- 4.0 Probable Impacts of the Proposed Action
  - 4.1 Soils and Topography
  - 4.2 Water Resources
  - 4.3 Ecology
  - 4.4 Zoning, Land Use and Community Character
  - 4.5 Transportation and Parking
  - 4.6 Air Quality
  - 4.7 Community Facilities and Services
  - 4.8 Socioeconomics
  - 4.9 Aesthetics and Cultural Resources
- 5.0 Mitigation Measures
- 6.0 Unavoidable Adverse Effects
- 7.0 Alternatives and Their Impacts
  - 7.1 No-Action
  - 7.2 Development of the Subject Property without a Special Use Permit or Variances
  - 7.3 Reduced Density Alternative

7.4	Original Mixed-Use Development Concept
8.0	Irretrievable and Irreversible Commitment of Resources
9.0	Growth-Inducing Aspects and Cumulative Impacts
10.0	Use and Conservation of Energy
11.0	References

**Identification of Information/Data to be Included in the DEIS Appendix**

The DEIS will include, as an appendix, relevant supporting studies, correspondence and data used to prepare the analyses in the DEIS. The information to be contained in appendices includes, but is not limited to:

- Positive Declaration and Final Scope
- Project plans
- Documentation regarding Environmental Site Assessments
- Soil boring logs, as available
- Documentation of NYSDEC NHP records consultation
- Traffic Impact Study
- Data supporting air quality analyses
- Site and area photographs, and Visual Architectural Renderings
- Consultations with service providers
- Documentation of OPRHP's CRIS database findings