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INC. VILLAGE OF FREEPORT

Department of Buildings

46 NORTH OCEAN AVENUE
FREEPORT, NEW YORK 11520

(516) 377-2242

FAX (516) 377-2493

E-MAIL BUILDINGDEPT@FREEPORTNY.GOV

ROBERT T. KENNEDY
MAYOR

2023 APR 12 P 12: 59
CLERK'S OFFICE
VILLAGE OF FREEPORT, NY
SERGIO A. MAURAS
SUPERINTENDENT OF BUILDINGS

April 6, 2023
AMENDED LETTER OF DENIAL

BOSFA Management Corp.
301A Central Avenue
Lawrence, NY 11559

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY 11520
Zoning District – Residence Apartment with a portion designated as a Golden Age Floating Zone
S/B/L 55—190-63 & S/B/L 55—190-51, 52, 53, 54, 55
Building Permit Application #20233192
Description - Renovate existing structure and add 2 stories at the property known as 17-33 Buffalo Ave.
(AKA 3 Buffalo Ave.) to create a total of 200 new apartment units and to construct stacked parking
on the parcel known as 80-84 Albany Ave

Dear Sir/Madam:

Please be advised that the above captioned Building Permit Application must be denied for the following reason(s):

Village Ordinance §210-6 (A) “Conformity required” No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located. The plans submitted indicate that the property will not be in conformity.

Village Ordinance §210-47 (A) “Building height” Generally. All buildings and structures shall be limited to 50 feet in height, except that no dwelling shall have a height of more than 35 feet nor have more than three stories, and apartment houses shall not exceed 32 feet in height nor have more than 2 ½ stories, including the basement. The proposed plans submitted indicate that you will be seeking a variance for 2 and ½ stories as the proposed shows 5 stories and that you will be seeking a variance for the building height as the submitted plans show the proposed structure at 58’.

Village Ordinance §210-48 (B) “Lot area; apartments” No one family dwelling shall be erected unless it conforms to all of the regulations contained in Article V, Residence A Districts; and no apartment house shall be erected on a lot whose area is less than 15,000 square feet or which provides less than 990 square feet of lot area per apartment unit. You will be seeking a variance for lot area per apartment as you are providing a lot area of 545.8 square feet when 990 square feet is required.

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

Village Ordinance §210-49 (B). "Lot coverage" Apartments. An apartment house shall not occupy more than 40% of the area of the lot, including accessory buildings or structures. The proposed plans indicate that the proposed lot coverage is 41.87%. You will be seeking a lot coverage variance of 1.87%

Village Ordinance §210-49 (C). "Lot coverage" Open Space: Open space, out-of-doors and uncovered, shall be provided at the ratio of at least one square foot of open space to each two square feet of residential floor area which excludes the basement or cellar. The total required open space required is 81,900 square feet. You are providing 63,450.7 square feet of open space. You will be seeking a variance of 18,449.3 square feet of open space.

Village Ordinance §210-50. Minimum Floor Area. There shall be a minimum floor area of 600 square feet per apartment unit in apartment houses. The proposed plan shows a total of 200 apartment units. 150 apartment units comply but you will be seeking a variance for ten (10) studio units that are less than 600 square feet and for forty (40) one bedroom units that are less than 600 square feet.

Village Ordinance §210-51. "Required yards"

- (A) Front yard depth: the average front yard depth of existing buildings on the same side of the street in the same block and within 200 feet of each side of the lot; if there are no existing buildings as aforesaid the average front yard depth of exiting building on the opposite side of the street in the same block and within 200 feet of the lines projected from each side of the lot; in no event, less than 25 feet. For the property known as 80-84 Albany Ave, The proposed plan shows a quad stacked parking area with a 2'4" setback. You will be seeking a variance for 22'8" front yard setback.
- (B) Side yard width: 20 feet. The proposed plans submitted for the property known as 80-84 Albany Ave, indicate that there is a side yard setback of 8'3" for the quad stacked parking area. You will be seeking a side yard setback variance of 11'9".

Village Ordinance §210-172(A). "Required parking spaces" The following number of parking spaces shall be provided and satisfactorily maintained for each building, lot or combination thereof which is hereafter lawfully erected, enlarged, altered, maintained and/or used for any of the following purposes:

210-172(A)2a: Apartment houses and multifamily residences. Apartment houses and multifamily residences: parking spaces accessible to all tenants shall be provided on the premises in accordance with the following schedule:

- Efficiency: 1 space per dwelling unit**
- One-Bedroom: 1.5 spaces per dwelling unit**
- Two or more Bedroom: 2 spaces per dwelling unit**

The application requires a total of 275 parking spaces for the Market and Veteran apartments

- 10 spaces for the 10 proposed studio apartments
- 105 spaces for the 70 proposed one bedroom apartments
- 130 spaces for the 65 proposed two bedroom apartments
- 30 spaces for the 15 proposed three bedroom apartments

§210-290(A). "Parking and Garage Facilities" This application also requires a total of 50 parking spaces for the Golden Age Floating Zone. There shall be provided off-street on-premises parking sufficient to accommodate five automobiles for each four apartments.

This application would require for a total of 50 parking spaces to be provided.

- This encompasses:
- 30 one bedroom units
 - 5 two bedroom units
 - 5 three bedroom units

A total of 325 parking spaces are required. This application indicates that there are 45 parking stalls provided and 132 parking spaces will be provided in the proposed quad stacked parking spaces for a total of 177 parking spaces provided. You will be seeking a parking variance of 148 parking spaces.

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RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

The Following Variances are required for the portion of the project designated as a Golden Age Floating Zone:

Village Ordinance §210-276K - General Site Criteria - Subject structure should provide for rooftop green space for not less than 1/2 the available space on said roof.

Village Ordinance §210-279 - Height. No building shall be greater than five stories and 50 feet in height, inclusive of parking garage, except that the height limitation shall not apply to rooftop bulkheads, mechanical equipment, elevator rooms, equipment rooms, similar installations, parapets, roof fences or skylights over rooftop pools. Your plans indicate a building height of 58 feet.

Village Ordinance §210-280 - Building Area. The building area shall not exceed 40% of the lot area, exclusive of accessory buildings and/or structures. The proposed plans indicate that the proposed lot coverage is 41.87%. You will be seeking a lot coverage variance of 1.87%

Village Ordinance §210-281 - Front Yards.

- A. The required front yard depth shall be a minimum of 25 feet.
- B. In the case of a corner lot, a front yard shall be required on each street.

Village Ordinance §210 282 - Side Yards.

- A. There shall be two side yards, one on each side of the main building, each having a minimum width of at least 20 feet, except that where there are two or more main buildings upon the plot, the minimum side yard requirement of 20 feet shall apply only along the side property lines of the entire plot.

Village Ordinance §210-283 - Rear Yards.

- A. There shall be a rear yard, the depth of which shall be at least 25 feet.

Village Ordinance §210-287A - Separation of Buildings The minimum open space between the exterior walls of residential buildings on the site shall be equivalent to the maximum height of the taller building but, in no case shall the distance between buildings be less than 20 feet.

Village Ordinance §210-288 - Floor Area. The minimum floor area for a dwelling unit in a Golden Age Zone shall be 600 square feet. Forty of the one bedroom apartments have a square footage of less than 600 square feet.

Village Ordinance §210-290A - Parking and Garage Facilities. There shall be provided off-street on-premises parking sufficient to accommodate five automobiles for each four apartments. As outline above, the total parking requirements for the project do not meet the required parking under the code.

Village Ordinance §210-291 - Population density. No multiple-family dwelling authorized hereby shall be erected or altered to accommodate or make provision for more than 50 dwelling units per acre; for the purpose of this section, a dwelling unit shall be such combination of rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family. In the case of fractional acreage the density shall be prorated.

Village Ordinance §210-294 - Supplemental development standards.

- J. The dwelling units may contain up to, but not more than, two bedrooms per unit. Rooms designated as dens, libraries and/or family rooms shall be deemed to be bedrooms.

Please be further advised that if you intend to appeal this decision you must file an application within sixty (60) days of the date of this letter. For your convenience, we have enclosed the instructions, application, Building Department letters/documents, the Environmental Assessment form, and the Negative Declaration page pertaining to your building application. Please call the Village Clerk's Office at 516-377-2202 to make an appointment, during normal business hours, to review the completed application. Changes or additional information may be required for the application; therefore, only ONE complete package of the twelve (12) sets should be brought in for the initial appointment with the

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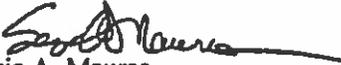
17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

Clerk's office. Only after this initial appointment should the additional copies be made.

Be further advised that you must submit an application to the Zoning Board of Appeals within sixty (60) days of the date of this letter. In the event that you do not file an application within the allotted sixty (60) days, this letter will expire and the Building Permit Application in conjunction with same will be cancelled. Subsequently, a new Building Permit Application and filing fees will be required.

If you should have any questions or require any additional information with reference to the Zoning Board of Appeals Application, please call the VILLAGE CLERK'S OFFICE at 377-2300.

Very truly yours,



Sergio A. Mauras
Superintendent of Buildings

c: Village Clerk
Jack M. Martins, Esq.
Emilio Susa, R.A.

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SITE PLAN APPROVAL NEEDED

Yes X No _____

VILLAGE OF FREEPORT
Department of Buildings
Recommendation

Notice

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Negative Declaration

Positive Declaration

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In accordance with Section 8-0113, Article 8 of the New York Environmental Conservation Law and Chapter 110 of the Village Code, this Department has conducted an initial review to determine whether the following project may have a significant effect on the environment and on the basis of that review hereby finds:

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VILLAGE OF FREEPORT, NY

- The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an Environmental Impact Statement.
- The proposed project may have a significant effect on the environment and therefore requires the preparation of an Environmental Impact Statement.
(See reasons below)

Project :

Building Permit App. 20233192

Location: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave. Freeport, NY 11520

Applicant: BOSFA Management Corp.

Description: Renovate existing structure and add 2 stories at the property known as 17-33 Buffalo Ave. (AKA 3 Buffalo Ave.) to create a total of 200 new apartment units and to construct stacked parking on the parcel known as 80-84 Albany Ave.

Lead Agency: Department of Buildings
for the Board of Trustees
Village of Freeport
46 North Ocean Avenue, Freeport, NY

Agency Contact Person
Superintendent of Buildings
(516) 377-2242

REASON(S) FOR DETERMINATION

This finding is based upon Section 617.10 of Article of the New York Environmental Conservation Law, the criteria for determining what actions may have a significant effect on the environment, as follows:

A) _____

B) Possible environment effects identified:
(only if positive determination)

Dated: April 4, 2023-Amended



Sergio A. Mauras
Superintendent of Buildings

IMPORTANT: This declaration and supporting attachments are open for inspection and public response at the office of the Superintendent of Buildings.



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SEC. 55 BLK. 190 LOT. 51, 55
63

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BOARD OF APPEALS OF THE VILLAGE OF FREEPORT

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

In the Matter
Of
the Application of
BOSFA Development LLC

To The Board of Appeals of the Village of Freeport, New York

Index No.

COMPLY WITH
ORIGINAL NOTES

The application of BOSFA Development LLC

respectfully states and alleges:

Strike out
inapplicable
phrase

1. That the applicant ~~(resides at)~~ (has its principal office for the conducting of its business at)
301A Central Avenue, Lawrence, NY 11559

State whether
applicant is owner,
lessee, or has option
or contract. If other
than owner, state
briefly terms of
agreement.

2. That the premises affected by this application is located at Land Map of Nassau County
17-33 Buffalo Avenue (AKA 3 Buffalo Avenue & 80-84 Albany Avenue) Sec. 55 Blk. 190 Lot(s) 51-55, 63
and that the interest which the applicant has in the property concerned is that of Contract vendee

Obtain reason for
denial from
Department of
Buildings.

3. That (the applicant) ~~(the applicant's duly authorized)~~ _____ on or about the
22nd day of March, 2023, filed in the office of the Department of Buildings of the Village of
Freeport, New York, an application for a Building Permit. Documents filed with said application were
as follows:
To create 200 residential apartment units and required appurtenances.

Describe by
construction and
number of stories. If
none, so state.

4. That on or about the 6th day of April, 2023, the Department of Buildings denied said
application; upon information and belief that the reason for said denial was as follows: _____
Sections 210-6(A), 210-47(A), 210-48(B), 210-49(B), 210-49(C), 210-50, 210-51, 210-172(A), 210-172(A)2a, 210-290(A)
Golden Age Floating Zone: 210-276(K), 210-279, 210-280, 210-281, 210-282, 210-283, 210-287(A), 210-288, 210-290(A), 210-291, 210-294

State nature of use of
property. If a
business, give brief
description.

5. That the nature of the improvements now upon said premises is as follows: _____
Renovate existing structure and add 2 stories to create a total of 200 new apartment units and to construct stacked
parking on the adjacent parcel.

Describe fully and
clearly the use
desired.

6. That said premises are now being used as follows: _____
Abandoned and vacant residential apartments with ancillary warehouse.

7. That the applicant seeks authority to make use of said premises as follows: _____
Renovate existing structure and add 2 stories to create a total of 200 new apartment units

Strike out whichever
word is not
applicable. Follow
language in
ordinance.

8. Upon information and belief that a (permit) (variance) for such use may be granted by this Board by
virtue of the following sections of the said Zoning Code of The Village of Freeport or statutes of the
State of New York NYS Village Law 7-712 and Freeport Village Code Sections:
Sections 210-6(A), 210-47(A), 210-48(B), 210-49(B), 210-49(C), 210-50, 210-51, 210-172(A), 210-172(A)2a, 210-290(A)
Golden Age Floating Zone: 210-276(K), 210-279, 210-280, 210-281, 210-282, 210-283, 210-287(A), 210-288, 210-290(A), 210-291, 210-294

Refer where possible
to paragraphs and
section by numbers.

9. That the following is a statement of other factual information deemed pertinent by the applicant. If the
application involves a subdivision of property, describe the existing property: _____
The proposed building would be of high quality, provide modern amenities, increased parking and be in keeping with
the historic use of the property and recently approved nearby housing.

If more space is needed annex statement on separate sheet and refer to it here with following words: "See annexed statement which is made a part hereof." Save opinions for the hearing.

If non-conforming use is claimed, set forth uses made of premises and dates thereof in chronological order.

10. That the grounds for this application are as follows: There is a housing shortage in New York, including locally

The applicant wishes to develop housing options in a way that is respectful of the local community, provides a preference for seniors and veterans, and in a location which has historically been used for multifamily living with improved and updated units and increased off street parking.

11. That any deed restrictions running with the land prohibiting the desired use are as follows: N/A

12. That [the applicant has made no previous application to this Board for the authority sought herein] (upon information and belief a previous application was made for the same or similar authority sought herein and denied by this Board, but that this application contains facts not alleged or shown in any previous proceeding before this Board).

WHEREFORE, the applicant respectfully prays that the authority sought herein be granted.

Dated: April 12, 2023

BOSFA Development LLC

BY: [Signature] ITS: Member

If this verification is made by an officer of a corporation or an Association or by a legal representative of an estate, his name and office should be designated on the first line.

State of New York) County of Nassau) ss:

The applicant BOSFA Development LLC named in the foregoing application, being duly sworn, depose and say that He read the foregoing application subscribed by Aron Goldstein and know the contents thereof and that the same is true to His own knowledge except as to the matters therein stated to be alleged on information and belief, and that as to those matters believe to be true.

Sworn to before me this 12 day of April, 2023

Notary Public [Signature]

[Signature] Signature of Applicant

Paulo M. Coelho Notary Public, State of New York Reg. No. 02C0641772 Suffolk County Commission Exp. 05/24/2025

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Notice Conflict of Interest

I have read Section 809 of the General Municipal Law concerning disclosure of and conflict of interest and hereby certify that there are no conflicts in respect to this application requiring disclosure.

April 12, 2023 Date Year

[Signature] Signature

Affidavit of Owner To be completed only if the owner is not the applicant.

State of New York) County of Nassau) ss:

I [Signature] being duly sworn, depose and say:

That he/she (the owner of [Signature]) (is the Village Attorney of The Village of Freeport) the property concerned is correct to the best of the knowledge of deponent [Signature]

That the owner Village of Freeport consents to the granting of the authority sought in the above application.

Sworn to before me this 12th day of April, 2023

Notary Public [Signature]

[Signature] Signature

Paulo M. Coelho Notary Public, State of New York Reg. No. 02C0641772 Suffolk County Exp. 5/24/2025

**Full Environmental Assessment Form
Part 1 - Project and Setting**

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.

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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 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: BOSFA Development LLC Petition for Change of Zone		
Project Location (describe, and attach a general location map): Parcels bounded by Sunrise Highway, Buffalo Avenue, East Merrick Road, Albany Avenue and near Meadowbrook Parkway to the east		
Brief Description of Proposed Action (include purpose or need): Petition to the Board of Trustees of the Incorporated Village of Freeport for: 1. A change of zone of the real property known as Section 55, Block 190, Lots: 51, 52, 53, 54, 55, and 63 from "Industrial-B District" to "Residence Apartment District"; and 2. To classify the South Easterly corner/ portion of Section: 55, Block: 190, Section 63 as a "Golden Age Zone" overlay.		
Name of Applicant/Sponsor: BOSFA Development LLC	Telephone:	
	E-Mail:	
Address: 301A Central Avenue		
City/PO: Lawrence	State: New York	Zip Code: 11559
Project Contact (if not same as sponsor; give name and title/role): Jack M. Martins, Esq. / Harris Beach PLLC, Attorneys for Owner/Applicant	Telephone: (516) 880-8484	
	E-Mail: jmartins@harrisbeach.com	
Address: 333 Earle Ovington Boulevard, Suite 901		
City/PO: Uniondale	State: New York	Zip Code: 11553
Property Owner (if not same as sponsor): Incorporated Village of Freeport (Applicant/Sponsor is contract vendee)	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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 Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Board of Trustees, Incorporated Village of Freeport	
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Zoning Board of Appeals, Incorporated Village of Freeport	
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nassau County Planning Commission	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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):

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):

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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?
Industrial-B (Village Code, Chapter 210, Article XVI)

b. Is the use permitted or allowed by a special or conditional use permit? 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? Residence Apartment District (Village Code, Chapter 210, Article VI)

C.4. Existing community services.

a. In what school district is the project site located? Freeport Area School District

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

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

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multi-Family Residential, including a focus on housing for veterans and seniors for a portion of the project.

b. a. Total acreage of the site of the proposed action? _____ 2.8 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? _____ 2.8 acres

c. Is the proposed action an expansion of an existing project or use? 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? 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? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase I (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: _____

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f. Does the project include new residential uses?

If Yes, show numbers of units proposed.

Yes No

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase - as approved	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?

If Yes,

Yes No

- 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?

If yes, describe. _____

Yes No

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): _____

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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?

If Yes, describe: _____

Yes No

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

If Yes:

Yes No

- 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?

If Yes:

Yes No

i. Total anticipated water usage/demand per day: _____ TBD by environ. consultant _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

If Yes:

Yes No

- Name of district or service area: Freeport Water
- 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?

If Yes:

Yes No

- 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?

If, Yes:

Yes No

- 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?

If Yes:

Yes No

i. Total anticipated liquid waste generation per day: _____ TBD _____ 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):
ordinary residential wastewater. TBD by environmental consultant _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

If Yes:

Yes No

- Name of wastewater treatment plant to be used: As existing with Freeport Sanitary Sewer Department
- Name of district: Freeport Sanitary Sewer
- 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

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- 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? 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? 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? 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 (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? 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? 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? 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 1/2 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? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
 Ordinary residential use. TBD by environmental consultant

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

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.

i. During Construction:

- Monday - Friday: _____ TBD, as approved _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

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

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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? 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? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: standard safety lighting, as approved

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? 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? 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? 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: _____

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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

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): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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			

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c. Is the project site presently used by members of the community for public recreation? 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:
 unknown _____

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

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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? _____ 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: _____ %
 _____ %
 _____ %

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

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % 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: Sole Source Aquifer Names Nassau-Suffolk SSA

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

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): _____
Low Salt Marsh, High Salt Marsh, Salt Panne
ii Source(s) of description or evaluation: _____
iii Extent of community/habitat:
• Currently: _____ 168 0, 7242.0, 292.0 acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ no change proposed 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: _____

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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: Jones Beach State Park, Causeways and Parkways System

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 five 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.

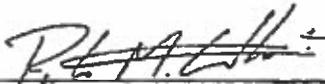
G. Verification

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

Applicant/Sponsor Name BOSFA Development LLC

Date 03/09/2023

Signature



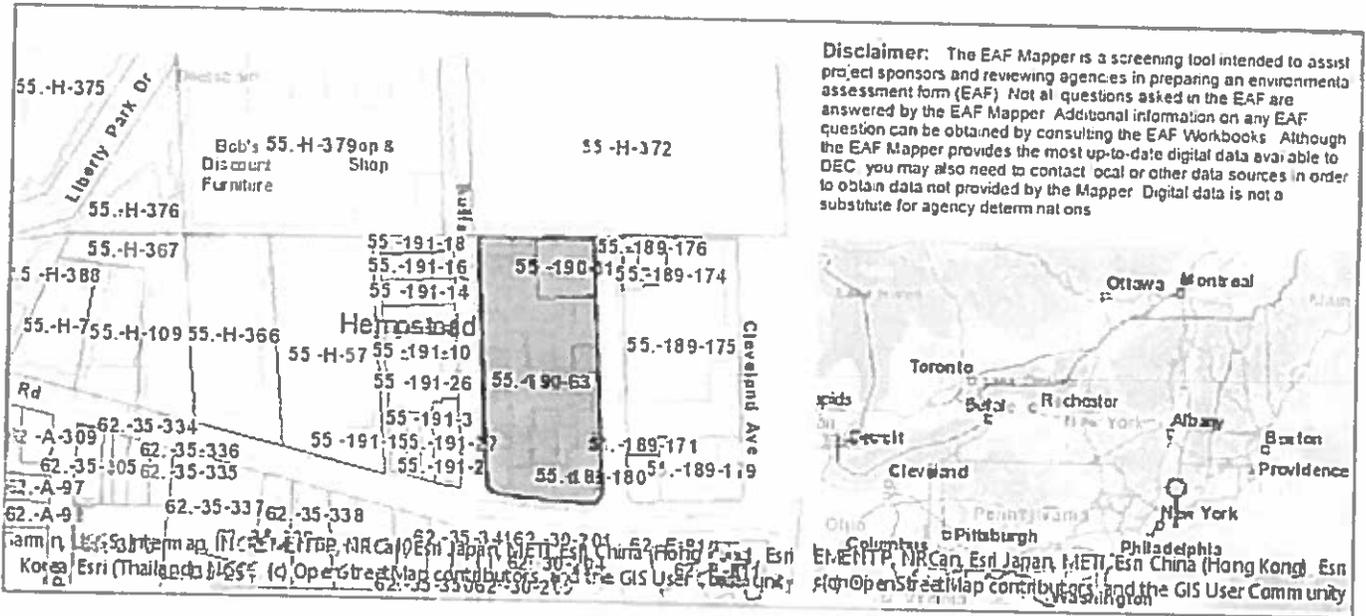
Title Paulo Coelho, attorney and agent for applicant

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EAF Mapper Summary Report

Monday, March 6, 2023 10:49 PM



B i i [Coastal or Waterfront Area]	Yes
B i i [Local Waterfront Revitalization Area]	No
C 2 b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E 1 h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E 1 h i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E 1 h i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E 1 h.iii [Within 2,000' of DEC Remediation Site]	No
E 2 g [Unique Geologic Features]	No
E 2 h i [Surface Water Features]	No
E 2 h ii [Surface Water Features]	Yes
E 2 h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E 2.h.v [Impaired Water Bodies]	No
E 2.i. [Floodway]	No
E 2.j. [100 Year Floodplain]	Yes
E 2.k. [500 Year Floodplain]	No
E 2.l. [Aquifers]	Yes
E 2.l. [Aquifer Names]	Sole Source Aquifer Names Nassau-Suffolk SSA
E 2.n. [Natural Communities]	Yes
E 2.n.i [Natural Communities - Name]	Low Salt Marsh, High Salt Marsh, Salt Panne

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E 2 n i [Natural Communities - Acres]	168 0, 7242 0, 292 0
E.2.o [Endangered or Threatened Species]	No
E 2 p [Rare Plants or Animals]	No
E.3 a [Agricultural District]	No
E.3 c [National Natural Landmark]	No
E 3 d [Critical Environmental Area]	No
E.3 e [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available Refer to EAF Workbook
E.3 e ii [National or State Register of Historic Places or State Eligible Sites - Name]	Jones Beach State Park, Causeways and Parkways System
E 3 f [Archeological Sites]	Yes
E 3 i [Designated River Corridor]	No

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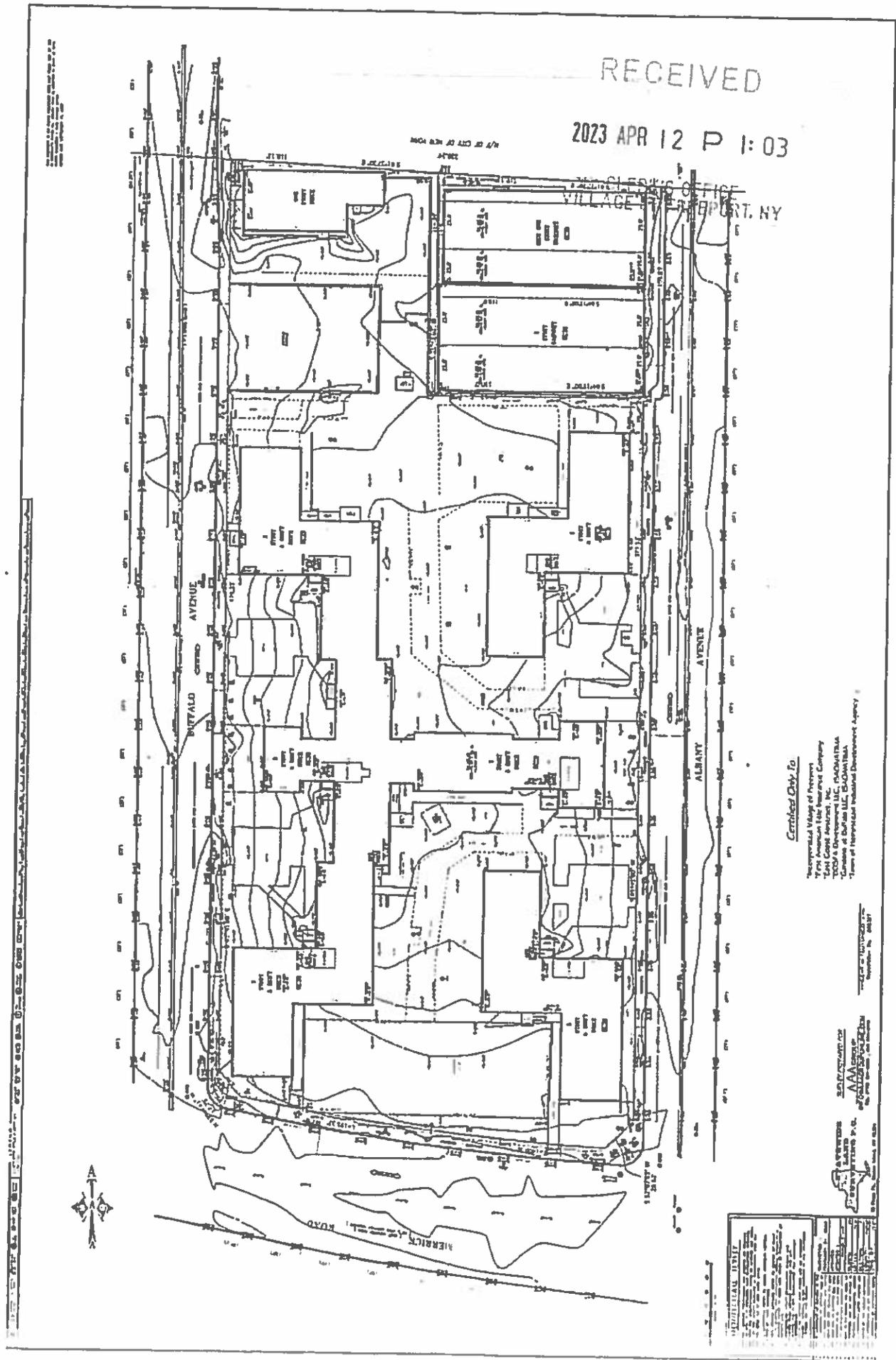
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PORT, NY



Certified Copy To

Incorporated Village of Port Jervis
 Port Jervis American Lake Park & Camp Company
 1000 Camp Street, Inc. 13000 ALBANY
 "Consent of Buffalo N.Y. 13000
 "Terms of Incorporation Industrial Development Agency

STATE OF NEW YORK
 COUNTY OF ALBANY
 OFFICE OF THE CLERK
 100 STATE STREET
 ALBANY, N.Y. 12207

100 STATE STREET
 ALBANY, N.Y. 12207

NO.	DATE	DESCRIPTION	AMOUNT
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2	12/15/22
3	12/15/22
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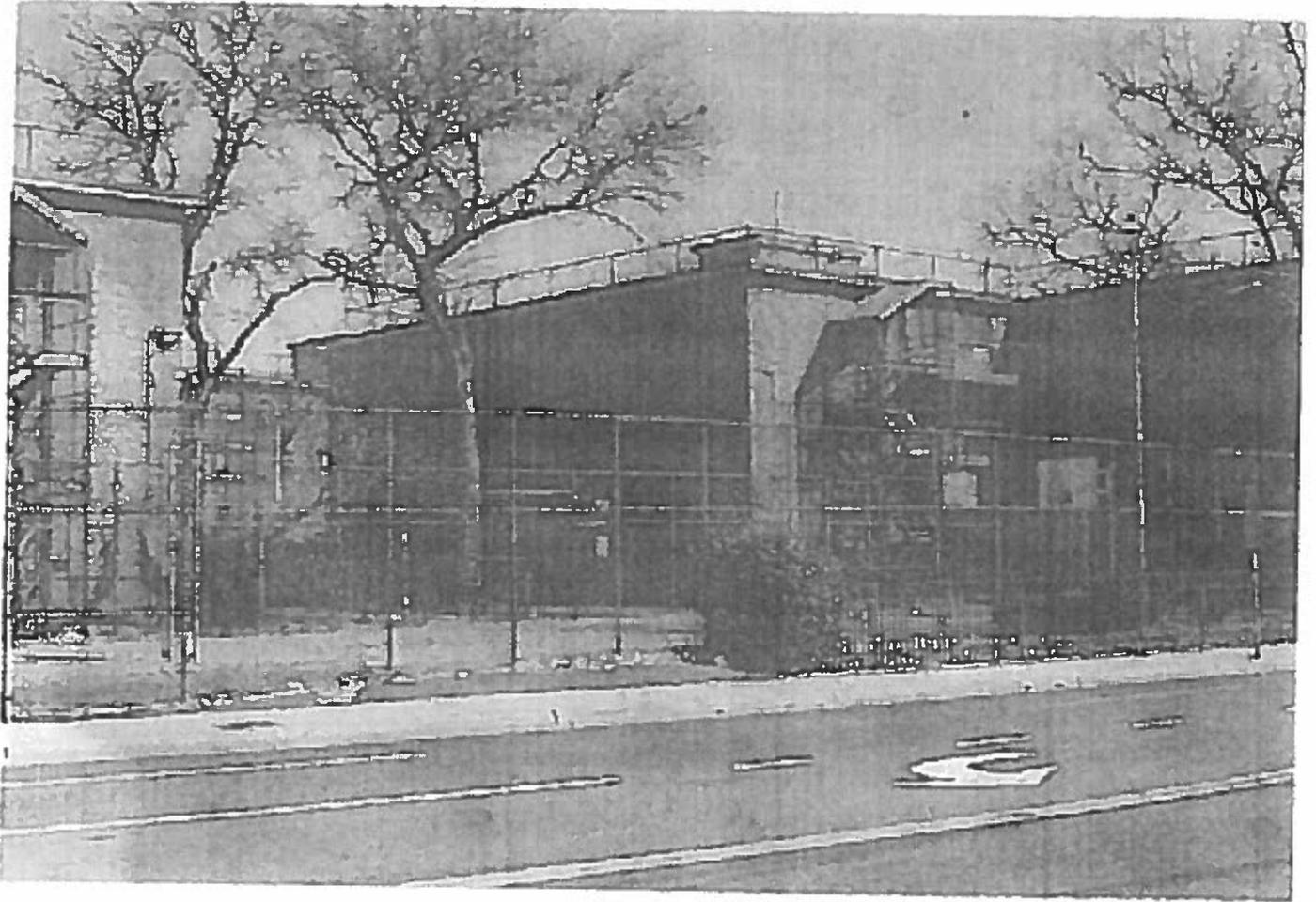
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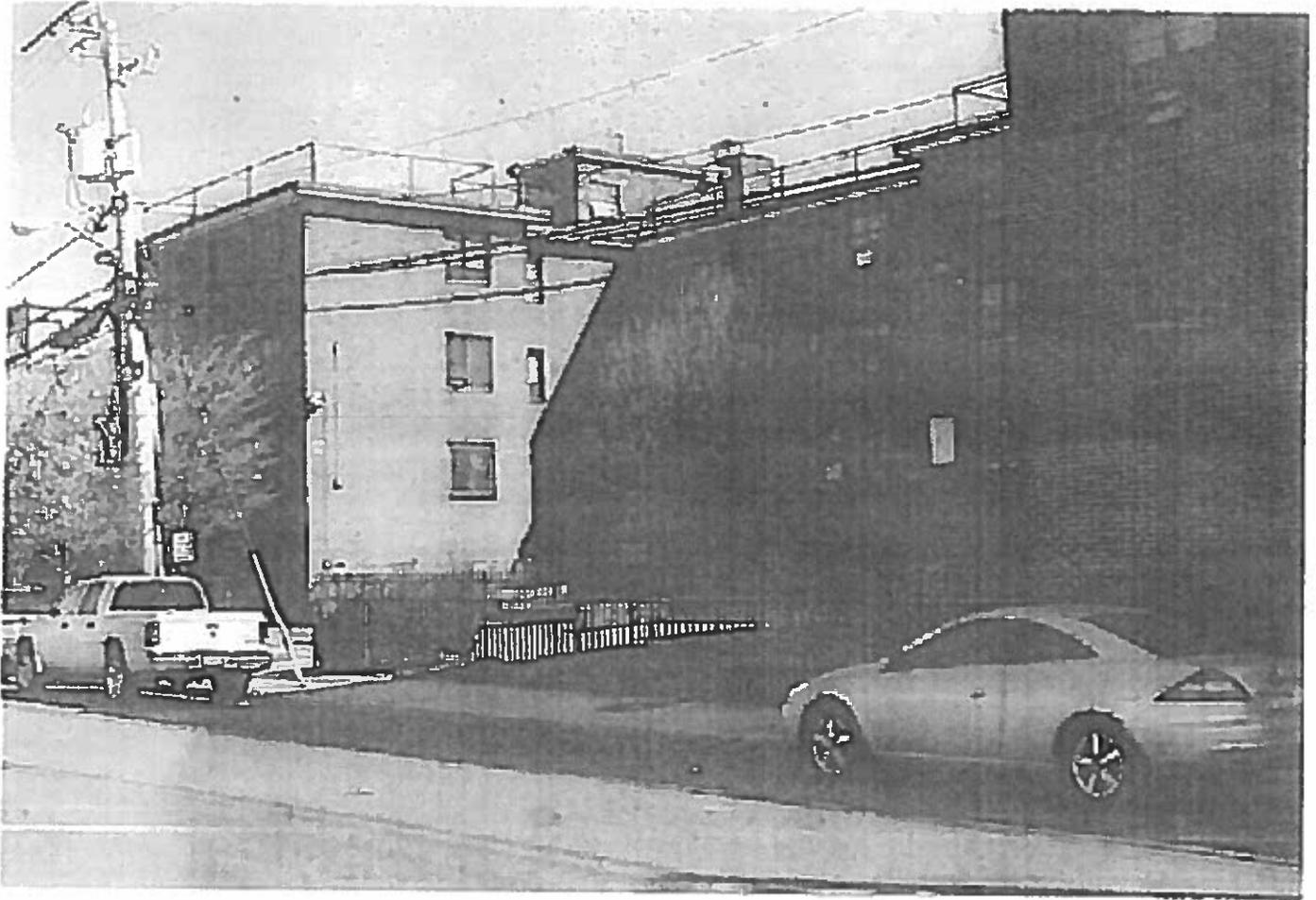
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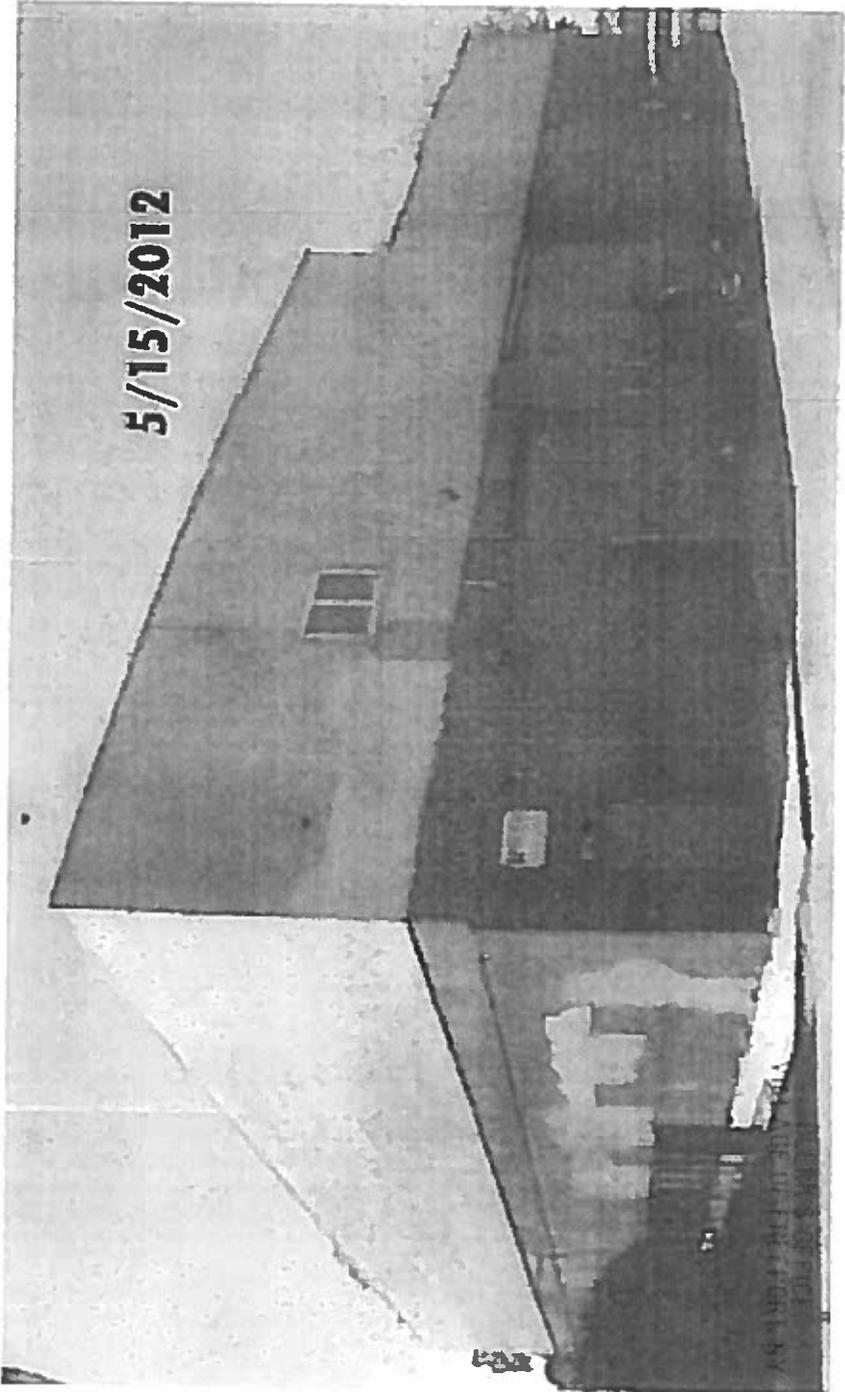
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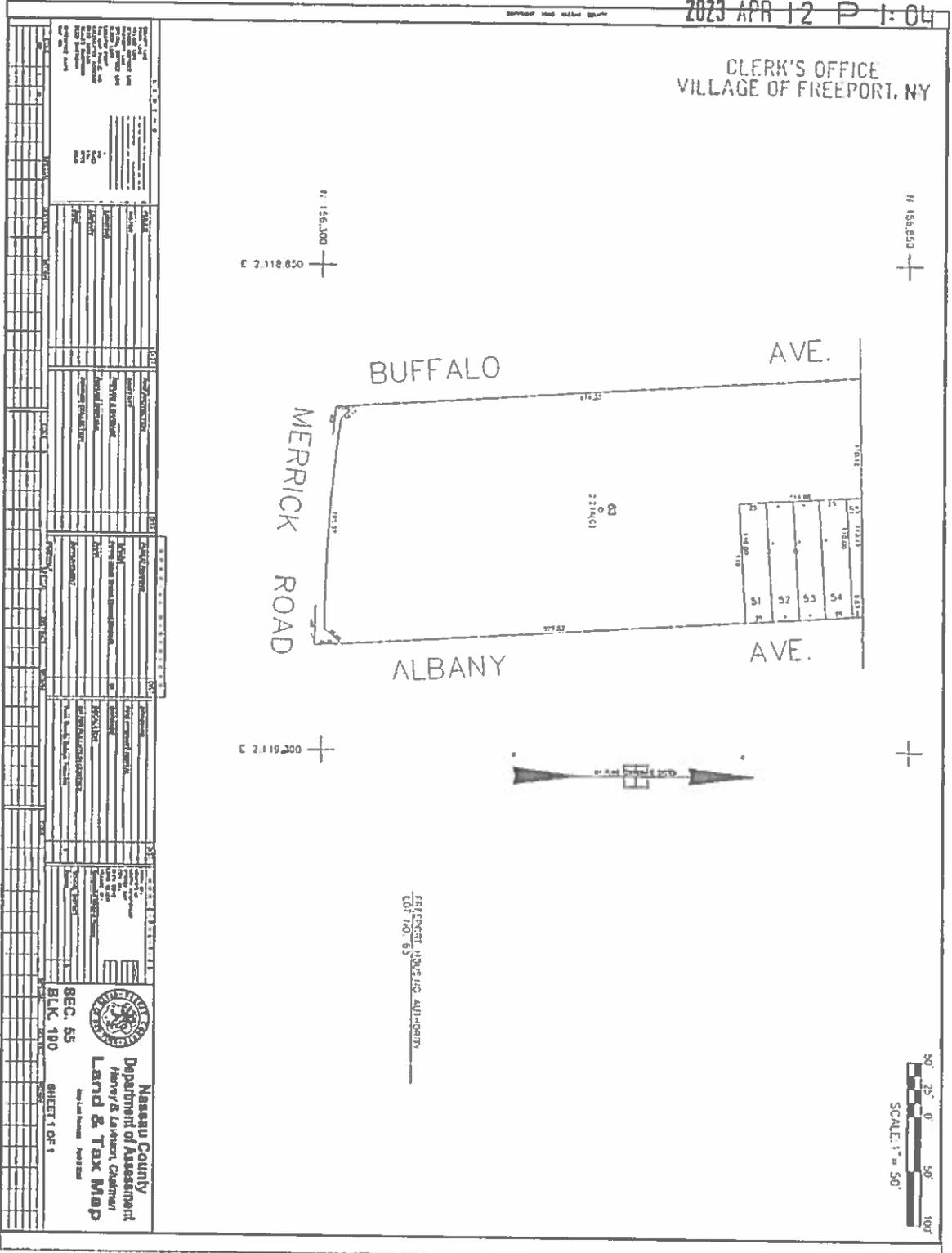
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FREEPORT, NY, NYS, LLC, AUTHORITY
LOT NO. 63

Nassau County
 Department of Assessment
 Henry D. Lavigne, Chairman
 Land & Tax Map
 Map Last Revised: April 2022
 REC. 55
 BLK. 100
 SHEET 1 OF 1

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

Agency Use Only [If applicable]
 Project: _____
 Date: _____

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

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2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1, E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

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

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1, D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

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

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(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.

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

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

NO YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

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

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

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

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

NO YES

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

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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

11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) NO YES
If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

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

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

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

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

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

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

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Project: _____

Date: _____

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

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Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
This project is a renovation of a residential structure that existed at the premises for over 70 years. The facts show that this project will have no significant impact upon the environment.

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

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

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

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

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

Name of Action: Redevelopment of the Old Moxey Rigby Property

Name of Lead Agency: Incorporated Village of Freeport

Name of Responsible Officer in Lead Agency: Howard E. Colton, Village Attorney

Title of Responsible Officer: Village Attorney

Signature of Responsible Officer in Lead Agency: _____

Date: 4/7/2023

Signature of Preparer (if different from Responsible Officer) _____

Date: _____

For Further Information:

Contact Person: Howard Colton

Address: 46 North Ocean Avenue, Freeport, New York 11520

Telephone Number: 516-377-2249

E-mail: _____

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

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

Applicant (if any)

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

VILLAGE OF FREEPORT, NY
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Page 2 of 2

PRINT FULL FORM

DEPARTMENT OF BUILDINGS

OF THE VILLAGE OF FREEPORT, N.Y. APPLICATION NO. _____

Filing Date March 16th, 2023

Application for Erection of Buildings or Alterations

IMPORTANT - Applicant to complete all items in sections: I, II, III, IV, V

I. LOCATION OF BUILDING

LOCATION: 17:33 Buffalo Avenue (AKA 3 Buffalo Avenue & 80-84 Albany Avenue) Freeport, NY 11520 ZONING DISTRICT: Industrial B

BETWEEN Buffalo Avenue AND Albany Avenue

(Cross Street) (Cross Street)

SECTION 55 BLOCK 190 LOT 51.63 APPROX. LOT SIZE 487.35' x 220.24' LOT AREA 109,162.7 SF

II. TYPE AND COST OF BUILDING - All applicants complete Parts A - D.

A. TYPE OF IMPROVEMENT

New building

Addition/Alteration (If residential, enter number of new housing units added. If non-residential, enter _____)

Substituting Part

Repair (replacement)

Sidewalk (New, Repair)

Fence

Moving (relocation)

B. PROPOSED OR EXISTING USE

RESIDENTIAL

11 One Family

12 Two families

13 Apartments - Enter No. of Units 200

14 Transient hotel, motel, or dormitory - Enter No. of Units _____

15 Garage or Accessory Structure

16 Other - Specify _____

NON-RESIDENTIAL - Complete Part "E"

17 Industrial

18 Office, bank, professional

19 Store, mercantile

20 Church, other religious

21 Hospital, institutional

22 Other - Specify _____

C. COST

10 TOTAL COST OF IMPROVEMENT \$ _____

D. DESCRIPTION OF PROJECT

Proposed 200 new apartment units

III. IDENTIFICATION - To be completed by all applicants

	NAME	MAILING ADDRESS - Number, street, city and state, Zip	TEL. NO.
1. Owner or Lessee	BOSFA Management (Aron Goldstein)	301A Central Avenue, Lawrence, NY 11559	917-680-7312
2. Contractor			
3. Architect or Engineer	Emilio Susa Architect PC	25 South Service Road, Suite 200, Jericho, NY 11753	516-354-5609

IV. OWNER - CONTRACTOR STATEMENT

Building permit is issued subject to the provisions of Section 67 of the Workmen's Compensation Law.

Workmen's Compensation Certificate No. _____ Company _____ Exp. Date _____

ARI MITTELMANN Contractor or Owner
 Notary Public, State of New York
 No. 01M16402752
 Qualified in Kings County
 Commission Expires January 13, 2024
 State of New York

County of Name: Aron Goldstein being duly sworn, says that He is the contractor or owner of the above mentioned building. That the terms of the above application and the estimated cost of said building or alteration, is correct to the best of His knowledge and belief and agrees to conform to all applicable laws of this jurisdiction.

Sworn to before me this 16th day of March, 2023

Ari Mittelmann
 Notary Public, County, N.Y.

[Signature]
 Applicant Signature

V. FLOOD ZONE

IS PROJECT LOCATED WITHIN A DESIGNATED FLOOD HAZARD ZONE?
 YES NO
 IF YES, WHICH ZONE? AE

IS PROJECT TO REPAIR FLOOD DAMAGE?
 YES NO

PROJECT DESCRIPTION

Total/First Flr Square Feet 1,699 SF

Upper Flr Square Feet 163,800 SF

of Fixtures 1,200

of Floors 5

Occup. Type R-2

VI. VALUATION (Behind the Seal)

Building Permit Number _____

Building Permit Issued _____

Building Permit Fee \$ _____

Approved by: _____

Superintendent of Buildings

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April 11, 2023

Inc. Village of Freeport
Building Department
46 North Ocean Avenue
Freeport, New York 11520

Attn: Sergio A. Mauras
Superintendent

Re: Board of Appeals of the Village of Freeport
17-33 Buffalo Avenue (a/k/a 3 Buffalo Avenue & 80-84 Albany Avenue)
Freeport, NY 11520

Dear Mr. Mauras,

We are the architects engaged by BOSFA Development LLC (the "Applicant") concerning the Project known as and located at 17-33 Buffalo Avenue (a/k/a 3 Buffalo Avenue & 80-84 Albany Avenue) in the Village of Freeport and 3 Buffalo Avenue & 80-84 Albany Avenue) in the Village of Freeport.

We respectfully submit this letter pursuant to §§86-6(E)(1),(2) of the Village Code. This section allows the Superintendent of Buildings to modify provisions of the Village Code when strict adherence thereto would result in practical difficulty and unnecessary hardship on that part of the Applicant.

It is submitted that, as detailed herein, such practical difficulty and unnecessary hardships are present.

In addition to this letter, the Applicant is applying to the Zoning Board of Appeals to request variances for these items that meet the criteria codified in §87-21(F) of the Village Code.

As noted in the denial letter dated April 6, 2023, the building permit application submitted on behalf of the Applicant was denied for the following reasons:

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VILLAGE OF FREEPORT, NY

1. Alleged Violation of §210-6(A) based on general nonconformity.
2. Alleged Violation of §210-47(A) based on (i) excessive building stories and (ii) excessive building height.
3. Alleged Violation of §210-48(B) based on inadequate lot area per apartment unit.
4. Alleged Violation of §210-49(B) based on excessive lot coverage.
5. Alleged Violation of §210-49(C) based on inadequate open space.
6. Alleged Violation of §210-50 based on inadequate minimum floor area.
7. Alleged Violation of §210-51 based on (i) inadequate front yard setback and (ii) inadequate side yard setback.
8. Alleged Violation of §210-172(A) based on inadequate off-street parking spaces.
9. Alleged Violation of §210-172(A)2a based on inadequate ratio of units to on-premise accessible parking to all tenants.
10. Alleged Violation of §210-276(K) based on inadequate rooftop green space.
11. Alleged Violation of §210-279 based on excessive height.
12. Alleged Violation of §210-280 based on excessive lot coverage.
13. Alleged Violation of §210-281 based on inadequate front yard setback.
14. Alleged Violation of §210-282 based on inadequate side yard setback.
15. Alleged Violation of §210-283 based on inadequate rear yard setback.
16. Alleged Violation of §210-287(A) based on inadequate open space between buildings.
17. Alleged Violation of §210-288 based on inadequate minimum floor area.
18. Alleged Violation of §210-290(A) based on inadequate off-street parking spaces.
19. Alleged Violation of §210-291 based on excessive population density.
20. Alleged Violation of §210-294 based on excessive bedrooms.

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The right to develop the Project was awarded to the Applicant by the Board of Trustees of the Village of Freeport. The Village's governing body endorsed the Applicant's concept of rehabilitating and improving the existing property so that 200 apartments could be provided to a resident constituency of Veterans, Seniors and young people. The Project as designed by the Applicant, as presented to the Village and as endorsed by the Village's Mayor and Board of Trustees cannot be rehabilitated and constructed if blanket, austere, and rigid compliance with the Village Code is mandated.

It is respectfully submitted that the development concept that has been presented and subsequently endorsed is a new concept not contemplated by the Village when the Building Code sections referenced herein were adopted.

It is also respectfully submitted that the Applicant's development concept serves the articulated vision of the Mayor and the Board of Trustees. It will provide the Village with much-needed and desired housing for its Veterans, Seniors and Young People. It will provide revenue from a property that has been off the tax rolls since 1957. It will provide jobs and opportunities to construction workers. Lastly, it will become a safe and desirable place for its residents to call home.

While the Applicant is seeking a variance from the Village Zoning Board of Appeals, a waiver of the Building Code Requirements is requested for the following items:

1. Alleged Violation of §210-6(A) based on general nonconformity.
2. Alleged Violation of §210-48(B) based on inadequate lot area per apartment unit.
3. Alleged Violation of §210-50 based on inadequate minimum floor area.
4. Alleged Violation of §210-51 based on (i) inadequate front yard setback and (ii) inadequate side yard setback.
5. Alleged Violation of §210-172(A) based on inadequate off-street parking spaces.
6. Alleged Violation of §210-172(A)2a based on inadequate ratio of units to on-premise accessible parking to all tenants.

VILLAGE OF FREEPORT, NY
ZONING BOARD OF APPEALS

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7. Alleged Violation of §210-276(K) based on inadequate rooftop green space.
8. Alleged Violation of §210-281 based on inadequate front yard setback.
9. Alleged Violation of §210-282 based on inadequate side yard setback.
10. Alleged Violation of §210-283 based on inadequate rear yard setback.
11. Alleged Violation of §210-288 based on inadequate minimum floor area.
12. Alleged Violation of §210-290(A) based on inadequate off-street parking spaces.
13. Alleged Violation of §210-291 based on excessive population density.
14. Alleged Violation of §210-294 based on excessive bedrooms.

In addition, the Applicant requests that the Superintendent waive the requirement of §210-294(L) of the Building Code that requires the Golden Units be "for sale".

Lastly, it is requested that the waivers requested herein be set forth in a written decision; that the waivers be deemed granted as of the date of request; that the waivers be deemed established as the factual record for any Board of Zoning application, Site Plan Application, Architectural Review Application, Village Board Application, or any other governmental or agency review; and that the Superintendent grant such other and refilled that, in his discretion is fitting, proper and reasonable to effectuate the development of the Project contemplated by the Applicant.

Thank you for your assistance herein. If there should be any questions, please contact me at my office.

Sincerely,

Emilio Susa
Architect



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RESOLUTION NO. 10521-23

MAR 30 2023

RECEIVED

WHEREAS, the NASSAU COUNTY PLANNING COMMISSION, at its regular meeting held on March 30, 2023, reviewed as provided by law, the following zoning matters:

<u>MUNICIPALITY</u>	<u>LOCAL CASE NO.</u>	<u>APPLICANT</u>	<u>SEC.</u>	<u>BLK.</u>	<u>LOT(S)</u>
Freeport		El Balcon Properties Corp.	55	234	48, 50
Freeport		Bosfa Development, LLC	55	190	51-55, 63
Freeport		Peace Family Worship Center	62	80	6

THEREFORE, BE IT RESOLVED, that the NASSAU COUNTY PLANNING COMMISSION recommends that the referring agency take action as it deems appropriate, the Commission having no modifications.

Pursuant to Section 239-m of the General Municipal Law, the referring municipality shall file a report indicating its decision with the NASSAU COUNTY PLANNING COMMISSION within thirty (30) days of final action.

The resolution herein was, in accordance with all applicable laws, duly considered moved and adopted by the following vote:

Leonard Shapiro, <i>Chair</i>	Aye
Jeffrey Greenfield, <i>1st Vice Chair</i>	Aye
Neal Lewis, <i>3rd Vice Chair</i>	Excused
Dana Durso	Aye
Ronald Ellerbe	Not Participating/Not Voting
Murray Forman	Aye
Denise Gold	Aye
Khandan Kalaty	Aye
Reid Sakowich	Aye

The Chair declared the resolution duly adopted.

Resolution of the NASSAU COUNTY PLANNING COMMISSION adopted: 3/30/23

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MAR 30 2023

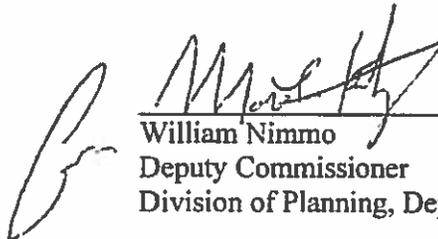
STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

I, William Nimmo, Deputy Commissioner of the NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS, Division of Planning, do hereby certify that I have compared the proceeding with the original resolution passed by the PLANNING COMMISSION of Nassau County, New York on 3/30/23

on file in my office and recorded in the record of proceeding of the PLANNING COMMISSION of the County of Nassau and do certify the same to be a correct transcript therefrom and the whole said original.

I further certify that the Resolution herein above-mentioned was passed by the concurring affirmative vote of the PLANNING COMMISSION of the County of Nassau.

IN WITNESS WHEREOF, I have hereunto set my hand,
This 31st day of March
In the year two thousand and twenty-three



William Nimmo
Deputy Commissioner
Division of Planning, Department of Public Works



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APR 17 2023

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

INC. VILLAGE OF FREEPORT

Department of Buildings

46 NORTH OCEAN AVENUE
FREEPORT, NEW YORK 11520
(516) 377-2242
FAX (516) 377-2493

ROBERT T. KENNEDY
MAYOR

E-MAIL BUILDINGDEPT@FREEPORTNY.GOV

SERGIO A. MAURAS
SUPERINTENDENT OF BUILDINGS

April 13, 2023

BOSFA Management Corp.
301A Central Avenue
Lawrence, NY 11559
Attn: Emilio Susa - Architect

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY 11520
Zoning District – Residence Apartment with a portion designated as a Golden Age Floating Zone S/B/L
55—190-63 & S/B/L 55—190-51, 52, 53, 54, 55
Building Permit Application #20233192
Description - Renovate existing structure and add 2 stories at the property known as 17-33 Buffalo Ave.
(AKA 3 Buffalo Ave.) to create a total of 200 new apartment units and to construct stacked parking
on the parcel known as 80-84 Albany Ave

Dear Mr. Susa.

I am in receipt of notice dated April 11, 2023 in which a waiver is being requested for the following items. I have reviewed your request and am responding accordingly below.

In reference to: Village Ordinance §210-6 (A). “Conformity required” No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.

This Ordinance is general in nature as to the conformity of land and structures and cannot be waived.

In reference to: Village Ordinance §210-48 (B). “Lot area; apartments” No one family dwelling shall be erected unless it conforms to all of the regulations contained in Article V, Residence A Districts; and no apartment house shall be erected on a lot whose area is less than 15,000 square feet or which provides less than 990 square feet of lot area per apartment unit. You will be seeking a variance for lot area per apartment as you are providing a lot area of 545.8 square feet when 990 square feet is required.

The proposed project is to renovate a structure which has been in existence in excess of 70 years. It would not be technically feasible to relocate the existing buildings, therefore as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

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APR 17 2023

In reference to: Village Ordinance §210-50. Minimum Floor Area. There shall be a minimum floor area of 600 square feet per apartment unit in apartment houses. The proposed plan shows a total of 200 apartment units. 150 apartment units comply but you will be seeking a variance for ten (10) studio units that are less than 600 square feet and for forty (40) one bedroom units that are less than 600 square feet.

I have reviewed the proposed project and being that 150 units do conform and as this project does provide housing for seniors and veterans and being that the alterations proposed do comply with ADA requirements, as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

In reference to: Village Ordinance §210-51. "Required yards"

- (A) Front yard depth: the average front yard depth of existing buildings on the same side of the street in the same block and within 200 feet of each side of the lot; if there are no existing buildings as aforesaid the average front yard depth of exiting building on the opposite side of the street in the same block and within 200 feet of the lines projected from each side of the lot; in no event, less than 25 feet. For the property known as 80-84 Albany Ave, The proposed plan shows a quad stacked parking area with a 2'4" setback. You will be seeking a variance for 22'8" front yard setback.
- (B) Side yard width: 20 feet. The proposed plans submitted for the property known as 80-84 Albany Ave, indicate that there is a side yard setback of 8'3" for the quad stacked parking area. You will be seeking a side yard setback variance of 11'9".

This request for a waiver is relevant to the construction of a quad stacked parking area which will provide for 132 parking spaces for the occupants of the proposed redevelopment. Previously, only 30 parking spaces ever existed. Based upon the increase of proposed parking spaces, as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

In reference to: Village Ordinance §210-172(A). "Required parking spaces" The following number of parking spaces shall be provided and satisfactorily maintained for each building, lot or combination thereof which is hereafter lawfully erected, enlarged, altered, maintained and/or used for any of the following purposes:

and

In reference to: Village Ordinance §210-172(A)2a: Apartment houses and multifamily residences. Apartment houses and multifamily residences: parking spaces accessible to all tenants shall be provided on the premises in accordance with the following schedule:

- Efficiency: 1 space per dwelling unit
- One-Bedroom: 1.5 spaces per dwelling unit
- Two or more Bedroom: 2 spaces per dwelling unit

The application requires a total of 275 parking spaces for the Market and Veteran apartments
10 spaces for the 10 proposed studio apartments
105 spaces for the 70 proposed one bedroom apartments
130 spaces for the 65 proposed two bedroom apartments
30 spaces for the 15 proposed three bedroom apartments

Although a total of 177 parking spaces are being provided for the proposed redevelopment, a total of 325 parking spaces are required. 275 parking spaces for the Market and Veteran apartments and 50 parking spaces for the Golden Age Floating Zone. Due to the deficiency of parking spaces provided, I cannot approve your request for a waiver.

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

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In reference to the following variances which are required for the portion of the project designated as a Golden Age Floating Zone:

Village Ordinance §210-276K. - General Site Criteria - Subject structure should provide for rooftop green space for not less than 1/2 the available space on said roof.

Green space provides for the environment and improves the quality of life of the occupants of the proposed project, therefore I cannot approve your request for a waiver.

In reference to the following Ordinances:

Village Ordinance §210-281. - Front Yards.

- A. The required front yard depth shall be a minimum of 25 feet.
- B. In the case of a corner lot, a front yard shall be required on each street.

Village Ordinance §210 282. - Side Yards.

- A. There shall be two side yards, one on each side of the main building, each having a minimum width of at least 20 feet, except that where there are two or more main buildings upon the plot, the minimum side yard requirement of 20 feet shall apply only along the side property lines of the entire plot.

Village Ordinance §210-283. - Rear Yards.

- A. There shall be a rear yard, the depth of which shall be at least 25 feet.

The proposed project is to renovate a structure which has been in existence in excess of 70 years. It would not be technically feasible to relocate the existing buildings, therefore as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

In reference to: Village Ordinance §210-288. - Floor Area. The minimum floor area for a dwelling unit in a Golden Age Zone shall be 600 square feet. Forty of the one bedroom apartments have a square footage of less than 600 square feet.

A review of the submitted Architectural plans detailing the layout of the proposed apartments indicate that the Building Codes applicable to ensuring the public safety are being satisfied. Additionally, the ability to provide for the housing of seniors and veterans has also been taken into consideration, therefore as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

RE: 17-33 Buffalo Ave (AKA 3 Buffalo Ave) & 80-84 Albany Ave, Freeport, NY

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In reference to: Village Ordinance §210-290(A), "Parking and Garage Facilities" This application also requires a total of 50 parking spaces for the Golden Age Floating Zone. There shall be provided off-street on-premises parking sufficient to accommodate five automobiles for each four apartments.

This application would require for a total of 50 parking spaces to be provided.

This encompasses:
30 one bedroom units
5 two bedroom units
5 three bedroom units

Although a total of 177 parking spaces are being provided for the proposed redevelopment, a total of 325 parking spaces are required. 275 parking spaces for the Market and Veteran apartments and 50 parking spaces for the Golden Age Floating Zone. Due to the deficiency of parking spaces provided, I cannot approve your request for a waiver.

In reference to: Village Ordinance §210-291. - Population density. No multiple-family dwelling authorized hereby shall be erected or altered to accommodate or make provision for more than 50 dwelling units per acre; for the purpose of this section, a dwelling unit shall be such combination of rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family. In the case of fractional acreage the density shall be prorated.

The proposed redevelopment does allow for the housing of seniors and veterans and does ensure for their safety as per the applicable Building Codes, therefore as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

In reference to: Village Ordinance §210-294. – Supplemental development standards.

J. The dwelling units may contain up to, but not more than, two bedrooms per unit. Rooms designated as dens, libraries and/or family rooms shall be deemed to be bedrooms.

There are a total of 40 units being proposed in the Golden Age Floating Zone. 35 of the units comply and 5 of the units are 3 bedroom units. The 5 (five) units with the 3rd bedrooms do not negatively impact the safety of its occupants, therefore as per Village Ordinance 86-6(E)2, I approve of the request for a waiver.

Very truly yours,



Sergio A. Mauras
Superintendent of Buildings

cc: Village Clerk

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APR 17 2023

INCORPORATED VILLAGE OF FREEPORT, NY



April 14, 2023

Ref: 22193.00

Rosa Rhoden, Chairperson
Incorporated Village of Freeport
Zoning Board of Appeals
46 North Ocean Avenue
Freeport, NY 11520

Re: Traffic and Parking Evaluation
Proposed Multifamily Building
17 Buffalo Avenue
Freeport, NY

Dear Chairperson Rhoden and Members of the Board:

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. (VHB) has conducted a traffic and parking evaluation for the above referenced application. The property is currently occupied by a existing 3-story multifamily buildings with 102 apartment units and the proposed application would see those buildings renovated and increased to 5-stories in height. Also, two proposed 5-story additions on new footprints would be constructed to provide a total of 200 apartment units. Presently, the existing multifamily building property provides limited on-site parking (12 spaces) for the residential use, thereby relying almost entirely on on-street parking to satisfy the parking demand when it was previously occupied. Upon the completion of this development, 177 parking stalls will be provided on-site which, in conjunction with the available on-street parking in the area, will satisfy the demand for the development. As detailed in the analysis below, the operation of the proposed residential use will not result in a significant impact to area traffic or parking conditions.

Proposed Project

The proposed project is depicted on the Plans prepared by Emilio Susa Architect dated revised March 22, 2023. The property is fronted to the south by Merrick Road, to the west by Buffalo Avenue, and to the east by Albany Avenue. The proposed parking area, to be located at the north end of the site, would be accessed via two driveways on Buffalo Avenue and another three on Albany Avenue. The action will involve the renovation/expansion of the existing apartment buildings on the site, as well as the construction of two additions to the buildings, to provide a total of 200 dwelling units. Upon the completion of the project, the building would provide 120 market rate units, 40 veteran units, and 40 age-restricted senior units.

Review of the site plan shows that parking would be provided for 177 vehicles on-site. This includes 33 Quad Stacker Systems which accommodate 4 vehicles per stacker. To accommodate this system the facility would provide an attendant to provide residents access their vehicles. Based on the Incorporated Village of Freeport Zoning Code, the proposed mix of studio (10 total), one-bedroom (100 total), two-bedroom (70 total) and three-bedroom (20 total) units would require 325 parking spaces, as shown on the Plans. Based on this requirement, a variance of 148 spaces will be required for the application.

Engineers | Scientists | Planners | Designers

100 Motor Parkway, Suite 350, Hauppauge, New York 11788

P 631.787.3400 F 631.813.2545 www.vhb.com

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Area Traffic Volumes

Review of the study area shows that there are two primary arterial highways in the area; Sunrise Highway (NY 27) is a Principal Arterial Highway Other under the jurisdiction of the NYSDOT and Merrick Road is a Minor Arterial Highway under the jurisdiction of the Nassau County Department of Public Works (NCDPW). Based on traffic volume data published by the New York State Department of Transportation (NYSDOT) on its Traffic Data Viewer (TDV) website, the average annual daily traffic (AADT) for Sunrise Highway (NY 27) is 55,467 vehicles per day (vpd). On an average weekday, the a.m. peak hour was from 7:00 a.m. to 8:00 a.m. with a total of 4,314 vehicles in both directions combined and the p.m. peak hour was from 5:00 to 6:00 p.m. with a total of 4,839 vehicles in both directions combined.

At the same time, based on the NYSDOT TDV, the AADT for Merrick Road in the study area is 23,918 vpd with 1,430 vehicles in both directions combined during the a.m. peak hour from 7:00 a.m. to 8:00 a.m. and 2,064 vehicles in both directions combined during the p.m. peak hour from 5:00 p.m. to 6:00 p.m.

Site Parking Generation

To estimate the parking demand associated with the application, the Institute of Transportation Engineers (ITE) *Parking Generation, 5th Edition*¹ was referenced. This publication is a widely accepted source of parking demand data for various land uses. It is noted that the peak parking demand for residential land uses occurs in the overnight period when the largest portion of residents are home. The peak parking demand for the proposed market rate and veteran units was estimated using Land Use Code (LUC) 221 – Multifamily Housing (Mid-Rise), and the peak parking demand for the proposed senior units was estimated using Land Use Code (LUC) 252 – Senior Adult Housing-Attached. The following rates were utilized for the weekday and Saturday peaks:

Multifamily Housing (Mid-Rise) Weekday:	1.31 parked vehicles per dwelling unit
Multifamily Housing (Mid-Rise) Saturday:	1.22 parked vehicles per dwelling unit
Senior Adult Housing - Attached Weekday:	0.61 parked vehicles per dwelling unit

It is noted that LUC 221 does not include separate data for a Saturday, so the weekday rates were applied. Based on this information, the proposed use would generate 234 parked vehicles on a weekday and 220 parked vehicles on a Saturday.

It is noted that the rates above refer specifically to housing in General Urban/Suburban environments. These environments are generally defined by a reliance of residents on personal vehicles for transportation. There are separate rates, as follows, for Dense Multi-Use Urban Environments which are defined as fully developed areas with diverse and complementary land uses and convenient/frequent mass transit options without reaching city center levels of density:

¹ Parking Generation Manual, 5th Edition, Institute of Transportation Engineers, Washington D.C., January 2019

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Multifamily Housing (Mid-Rise) Weekday:	0.90 parked vehicles per dwelling unit
Multifamily Housing (Mid-Rise) Saturday:	0.85 parked vehicles per dwelling unit
Senior Adult Housing - Attached Weekday:	0.61 parked vehicles per dwelling unit

Based on these rates, the proposed development would generate a peak demand of 168 parked vehicles on a weekday and 160 parked vehicles on a Saturday.

From a review of the definitions, Freeport appears to be a transitional area between the General Urban/Suburban communities and the Dense Multi-Use Urban Communities. Therefore, it would be expected that the peak parking demand for the development would be between 160 parked vehicles and 234 parked vehicles.

It is noted that the demand based on higher estimates represents a shortfall of 57 parking stalls relative to the parking provided on-site. While it is unlikely for this shortfall to be present based on the underlying characteristics of the area, if it were it would be expected that the proposed overflow parking would be satisfied by the on-street areas available within the immediate study area. Spot observations conducted during the overnight period observed 66 open spaces in the immediate vicinity on Buffalo Avenue and Albany Avenue, which would be more than adequate to satisfy the overflow demand in the 'worst-case scenario'. As noted above, this peak demand would occur during the overnight period.

It is also noted that the existing residential development, the former Moxey Rigby Apartments, which provided 102 apartment units when it was open and occupied, relied almost entirely on parking on-street to satisfy the demand as the limited on-site parking (12 spaces) that was available during the previous occupation was also used to service an on-site office space. Those 102 units, if reoccupied, would generate overflow parking demands in excess of 90 vehicles in comparison with the maximum overflow of 57 vehicles as detailed for the proposed project above. As a result, the proposed development, by way of providing a significant volume of on-site parking which did not exist previously, would represent an improvement over the previous condition of the site. Furthermore, any on-street parking would only occur on the adjacent roadways.

Site Trip Generation

To estimate the site-generated traffic associated with the proposed use, the ITE publication *Trip Generation, 11th Edition*² was utilized. The number of vehicle trips generated was estimated using LUC 221 – Multifamily Housing (Mid-Rise) and LUC 252 – Senior Adult Housing-Multifamily. The trip generation estimate for the proposed use is summarized in Table 1.

² Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, Washington D.C., September 2021

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Table 1 Trip Generation Estimate

Land Use	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Multifamily Housing (Mid-Rise) ^a	14	45	59	38	25	63
Senior Adult Housing-Multifamily ^b	3	6	9	6	4	10
Total	17	51	68	44	29	73

a Trip generation estimate based on ITE LUC 221 – Multifamily Housing (Low Rise) for 160 units
b Trip generation estimate based on ITE LUC 252 – Senior Adult Housing- Multifamily for 40 units

As shown in Table 1, the proposed project would generate 68 trips (17 entering, 51 exiting) during the weekday a.m. peak hour, and 73 trips (44 entering, 29 exiting) during the weekday p.m. peak hour.

In comparing the trip generation estimates for the proposed project to the area traffic volumes, during the morning peak hour, an increase in 73 trips relative to the 5,744 vehicles traveling in both directions on Sunrise Highway (NY 27) and Merrick Road combined amounts to an increase in area traffic of 1.3 percent. Similarly, during the p.m. peak hour, the increase of 73 trips relative to 6,900 vehicles travelling in both directions on Sunrise Highway (NY 27) and Merrick Road combined represents an increase in area traffic of 1.1 percent. These increases in traffic volumes are modest and well below the typical daily traffic fluctuations of ±10 percent. It is also noted that this trip generation does not account or take credit for the existing 102 apartment units and the trips those units previously generated. Traffic increases in this range will not result in any noticeable impacts to traffic conditions in the area.

Conclusions

VHB has conducted a traffic and parking assessment associated with the renovation and expansion of the apartment complex located at 17 Buffalo Avenue in Freeport, NY. The proposed action involves the renovation and expansion of the complex to a total of 200 apartment units.

- In accordance with the Village Code and as noted on the Plans, the 200 apartment units require 325 parking stalls. As parking for only 177 vehicles is to be provided on-site, a variance will be required for the proposed action.
- Review of industry standard parking generation data for multifamily residences shows that the development will generate a peak parking demand of between 160 and 234 parked vehicles.. As a result, and as detailed above, any parking overflow would be satisfied by the on-street area in the immediate vicinity of the site. Observations in the study area during the overnight period show that there is sufficient capacity available on Buffalo Avenue and Albany Avenue to satisfy this demand.
- The site will generate 68 and 73 trips during the weekday a.m. and weekday p.m. peak hours, respectively. This represents a less than 1.5 percent increase in peak hour traffic volumes on the two primary arterial highways in the study area. This increase is well below the ±10 percent typical daily fluctuations in traffic and will not result in any impacts to area traffic conditions.

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The proposed redevelopment will be adequately serviced by the existing roadway network and no off-site mitigation is necessary or recommended.

Please call with any questions regarding the above evaluation.

Sincerely,

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.

A handwritten signature in black ink that reads "Aaron Machtay".

Aaron Machtay, PE
Transportation Project Manager



1 TYPICAL FLOORS 1 - 5

SCALE: 1/8" = 1'-0"

SITE LOCATION:
GARDENS AT BUFFALO
 17-33 Buffalo Avenue (AKA 3 Buffalo Avenue & B084 Albany Avenue)
 FREEPORT, NY



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DRAWING TITLE:
FIRST-FIFTH FLOOR PLANS

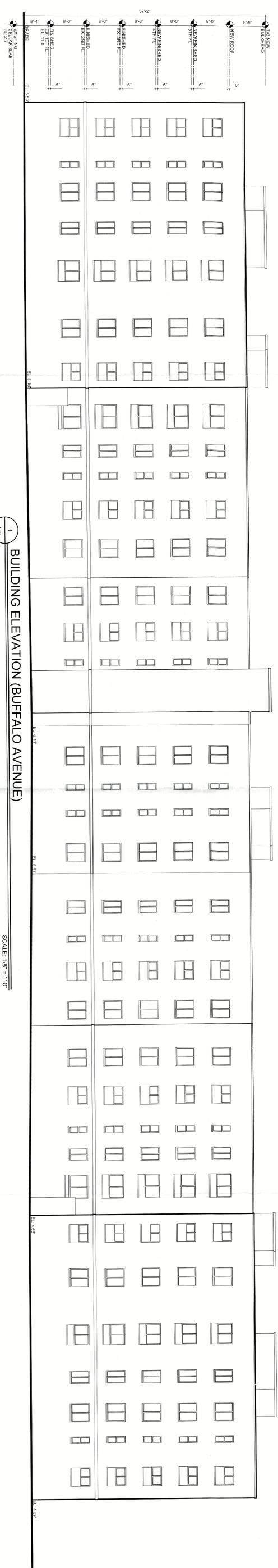
Emilio SUSA Architect
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REVISIONS:	PROJECT NO.:
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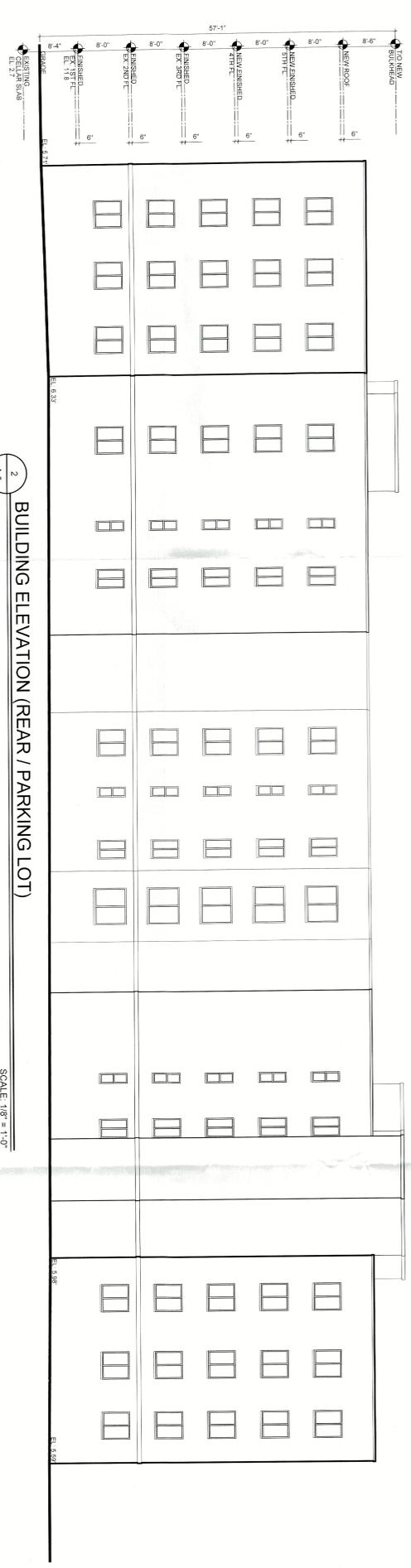
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A-2



1 BUILDING ELEVATION (BUFFALO AVENUE)

SCALE: 1/8" = 1'-0"



2 BUILDING ELEVATION (REAR / PARKING LOT)

SCALE: 1/8" = 1'-0"

SITE LOCATION:
GARDENS AT BUFFALO
 17-99 Buffalo Avenue (aka 3 Buffalo Avenue & 80-94 Albany Avenue)
 FREEPORT, NY



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 EXTERIOR ELEVATIONS

E M SUSA
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 Fax: 516.276.9988
 Website: esarchitect.com

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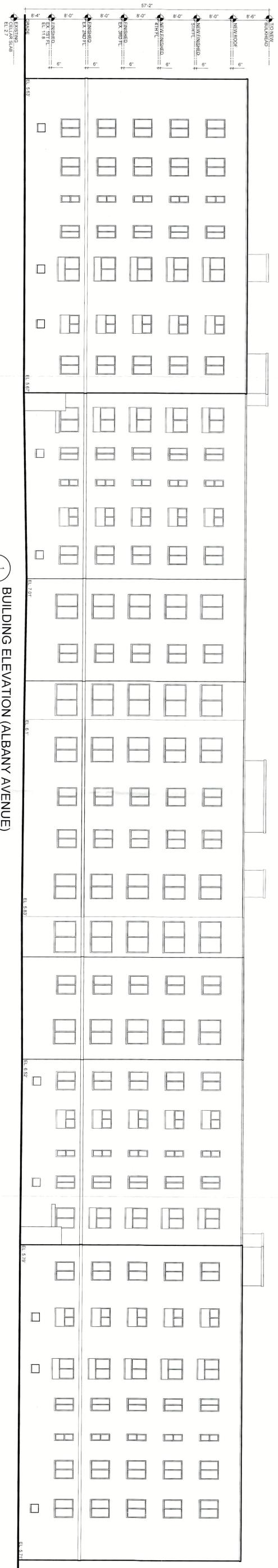
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NO.	DESCRIPTION	DATE
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2	SUBMITTED TO ZONING DEPARTMENT 3-28-23	
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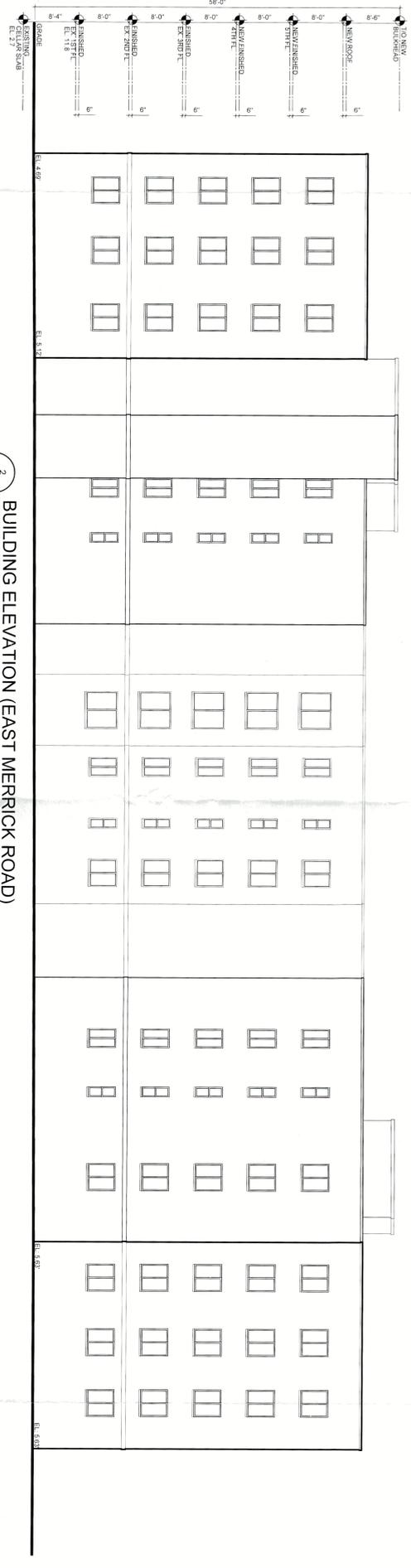
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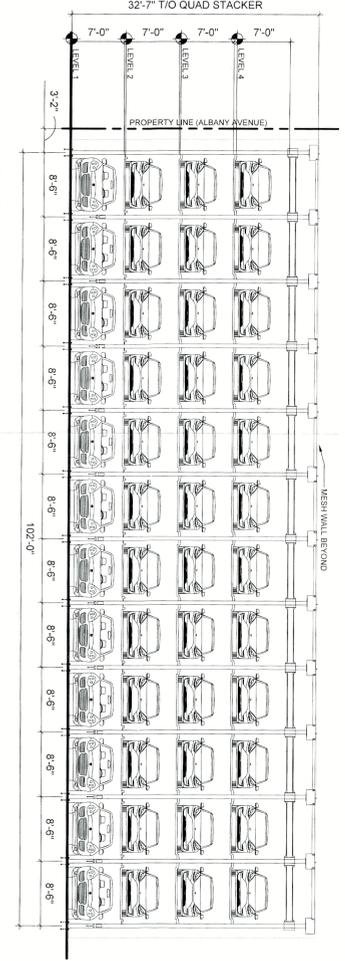
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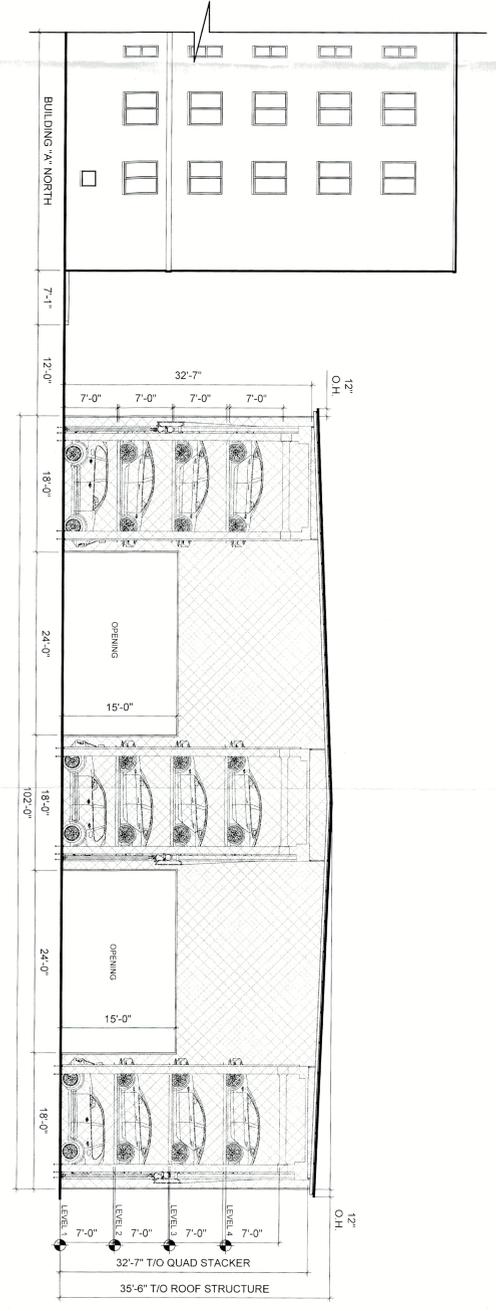
1 BUILDING ELEVATION (ALBANY AVENUE)
SCALE: 1/8" = 1'-0"



2 BUILDING ELEVATION (EAST MERRICK ROAD)
SCALE: 1/8" = 1'-0"



3 "PARKPLUS" QUAD STACKER ELEVATION (INTERIOR) (TYPICAL)
SCALE: 1/8" = 1'-0"



4 "PARKPLUS" QUAD STACKER ELEVATION (ALBANY AVENUE) (PARTIAL)
SCALE: 1/8" = 1'-0"

SITE LOCATION:
GARDENS AT BUFFALO
1733 Buffalo Avenue (aka 3 Buffalo Avenue & 8094 Albany Avenue)
FREEPORT, NY



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DRAWING TITLE:
EXTERIOR ELEVATIONS, QUAD STACKER ELEVATIONS

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NO.	REVISIONS	DATE
1	SUBMITTED TO BUILDING DEPARTMENT 3/21/23	
2	SUBMITTED TO ZONING BOARD OF APPEALS 4/1/23	
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PROJECT NO.: NC
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SCALE: AS NOTED
DATE: 2023 APR 12 P 08
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PLANS OF FREEPORT, NY

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