

State Environmental Quality Review
**Notice of Completion of Draft Generic Environmental Impact Statement and
Public Hearing**

Date: *April 14, 2009*

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

An Environmental Impact Statement has been completed and accepted by the Town Board of the Town of Islip, as lead agency, for the proposed action described below. **There remain technical differences between the applicants and the Town of Islip with respect to the accuracy of the traffic generation presented, sewer discharge, etc. These differences are outlined in Section 12.0 of the DGEIS, and are included as Attachment “A” to this notice.**

Comments on the Draft Generic Environmental Impact Statement (“DGEIS”) are requested and will be accepted by the contact person until **July 28, 2009**. A public hearing will be held on the DGEIS and the change of zone application for the proposed action on **Thursday, May 28, 2009, at 6:30 pm**, at Brentwood High School in the Sonderling Center, 52 3rd Avenue in Brentwood, Town of Islip, NY

Name of Action:

Amended Application for Amendments to the Zoning Chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), Including the Building Zone Map, to Establish a Pilgrim State Planned Redevelopment District (“PSPRD”) and to Change the Zoning Classification of Certain Parcels, Now Classified in the “Residence AAA,” so as to Include Such Parcels in the Newly-Established PSPRD and for Adoption of a Conceptual Master Plan for the proposed Heartland Town Square.

SEQR Status: Type 1

Lead Agency: Town Board of the Town of Islip

655 Main Street
Islip, New York 11751
(631)224-5500

Project Location:

Portion of Former Pilgrim State Psychiatric Center Property, Located on East and West Sides of Sagtikos State Parkway, and “Islip Gateway Community Improvement Area,” Located along Crooked Hill Road, South of Long Island Expressway, in the Hamlet of Brentwood, Town of Islip

Description of Action:

The Proposed Action consists of (1) Adoption of a proposed Conceptual Master Plan for the “Heartland Town Square” that has been submitted to the Town Board for approval by the Town Board as part of the “Amended Support Petition,” dated March 3, 2009 and a further Amended

Support Petition dated March 10, 2009 for 452 acres owned by 22-50 Jackson Avenue Assoc. L.P. and Pilgrim East L.P. which were formerly part of the Pilgrim State Psychiatric Center Property and approximately 23.9 acres of blighted land known as the "Islip Gateway Community Improvement Area" which lies along Crooked Hill Road, south of the Long Island Expressway and proximate to the aforementioned approximately 452 acres of land owned by 22-50 Jackson Avenue Assoc. L.P. and Pilgrim East L.P. for a total of 476 acres, (2) the establishment of the PSPRD, (3) the zoning reclassification of approximately 452 acres of land -- consisting of two parcels owned by 22-50 Jackson Avenue Associates, L.P., and Pilgrim East, L.P., aggregating approximately 452 acres---which were formerly part of the Pilgrim State Psychiatric Center property into the PSPRD.

The proposed amended action involves the redevelopment of approximately 450 acres of land on a portion of the former Pilgrim State Psychiatric Center Property, located on the east and west Sides of Sagtikos State Parkway, and the "Islip Gateway Community Improvement Area," located along Crooked Hill Road, South of Long Island Expressway, in the Hamlet of Brentwood, Town of Islip. The project sponsor proposes a unique mixed-use development of approximately 9,130 residential units, 105,000 square feet of civic space, 1,030,000 square feet of retail space and 4,150,000 square feet of office space to be built over a 15-year period in three distinct phases.

Potential Environmental Impacts:

1. Implementation of the Amended Proposed Action would alter land use on the subject parcels and greatly increase the intensity of use thereon, and the impacts to land use and zoning must be assessed. 6 NYCRR §617.4(c)(1)(viii).
2. The Amended Proposed Action includes the redevelopment of a portion of the former Pilgrim State Psychiatric Center Property Complex, and the proximate "Islip Gateway Community Improvement Area" and the suitability of the site conditions (e.g., subsurface environmental conditions) must be evaluated. 6 NYCRR §617.7.
3. The Amended Proposed Action would result in increases in traffic and the impacts on the transportation system must be evaluated. 6 NYCRR §617.7(c)(1)(i).
4. Portions of the subject properties are situated within the Oak Brush Plains Special Groundwater Protection Area (SGPA), which is a Critical Environmental Area (CEA). The impacts of development within this SGPA must be assessed. 6 NYCRR §617.7(c)(1)(iii).
5. The Amended Proposed Action will result in the removal of woodland and the ecological impacts of same must be evaluated. 6 NYCRR §617.7(c)(1)(ii).
6. The Amended Proposed Action will generate sanitary flow that is proposed to be handled by the Southwest Sewer District, and the ability of the District to handle such sanitary discharge must be assessed. 6 NYCRR §617.7(c)(1)(i).
7. The Amended Proposed Action will utilize public water, and the ability of the Suffolk County Water Authority to provide such water must be assessed. 6 NYCRR

§617.7(c)(1)(i).

8. The Amended Proposed Action is for a unique development of approximately 9,000 residential units, 105,000 square feet of civic uses, 1,030,000 square feet of retail space and 4,150,000 square feet of office space, and the socioeconomic, community character and community service impacts of the Amended Proposed Action must be evaluated. 6 NYCRR and §617.7(c)(1)(viii).

9. The Amended Proposed Action will result in a substantial increase in solid waste production, the impacts of which must be analyzed. 6 NYCRR §617.7(c)(1)(i).

10. The Amended Proposed Action will have impacts upon architectural and aesthetic resources which must be analyzed. 6 NYCRR §617.7(c)(1)(v).

11. The Amended Proposed Action will involve a major change in the quantity of energy consumed, the impacts of which must be analyzed. 6 NYCRR §617.7(c)(1)(vi).

12. The Amended Proposed Action will involve a substantial change in the intensity of use of land, the impacts of which must be analyzed. 6 NYCRR §617.7(c)(1)(viii).

13. The Amended Proposed Action will attract a large number of people compared to the number who would come to this location absent the Action and the impacts of this condition must be assessed. 6 NYCRR §617.7(c)(1)(ix).

14. Since the Amended Proposed Action is to be developed in phases, the review of the DGEIS will set forth specific conditions and criteria under which future actions, including approval for each phase, will be undertaken or approved, as well as the requirements for any future actions or phases of development. 6 NYCRR §617.10(c).

A copy of the DGEIS may be obtained from:

Contact Person: Mr. Eugene Murphy, Commissioner

Address: Town of Islip Department of Planning and Development
655 Main Street
Islip, NY 11751

Telephone #: (631) 224-5450

A copy of this Notice and DGEIS has been Sent to:

Attachment “B”

A copy of this Notice has also been published in the Environmental Notice Bulletin and on the web at <http://www.vhb.com/Heartland/DraftGEIS>.

Attachment A

AREAS OF DISAGREEMENT BETWEEN THE APPLICANTS AND THE LEAD AGENCY

Pages 1-1 to 1-3 acknowledge that based on the Town's analysis thus far, there currently are fundamental disagreements between the Applicants and the Town as to the technical information contained in the DGEIS. A list of those areas is provided in this section. The Town in no way limits the review and comment on the DGEIS or the Proposed Action by way of this list.

General

The Town disagrees with the entire Section 11.0, Conditions and Criteria for Determining Future SEQRA Requirements, and will prepare more appropriate conditions and criteria in the FGEIS.

Traffic and Parking

1. The Town disagrees with the method used to analyze the impacts to the regional road network beyond the area evaluated in the DGEIS. Further evaluation of major roads outside the study area must be undertaken, including the LIE, Northern State Parkway, Sagtikos Parkway and the Southern State Parkway.

2. The Town disagrees with the modeling performed which evaluates the Sagtikos Parkway but excludes other key roadways. With regard to the LIE interchange, only two ramps appear to be included. The DGEIS states, "expanding the model to include them (other ramps) will not provide additional knowledge useful to the project evaluation process". The fact that the DGEIS states that the two ramps modeled will handle the largest amount of the site traffic compared to others does not eliminate the possibility of significant impacts on the others. Further, the analysis only examines one end of the ramp and does not address the ramp connections to the LIE. There are existing operational problems in the LIE Sagtikos Pkwy interchange and the addition of the traffic due to this proposed action should not go without evaluation. It also indicates that the southbound exit to the site was not modeled but does not indicate why. The modeling should include the entire LIE/Sagtikos Parkway interchange.

3. The Town disagrees with the method of analysis of traffic volume flow maps and trip distribution flow diagrams. The Town Board will require analysis for the build-out of each of the three individual phases of development. Also, the phasing information given on page 7 of the “Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square” originally submitted by the applicant in May 2008 and included in the Appendix of the DGEIS only refers to the total number of vehicle trips associated with Phase I of the proposed action, and the document is silent on any projections for Phases II and III. Traffic volume flow maps and trip distribution flow diagrams must be provided for each proposed phase of build-out.

4. The Town disagrees with the method of analysis of the parking facilities on the site and requires further detail, including the total number of spaces to be constructed in various areas of the site. All office/commercial space is treated, in terms of Town Code requirements, as requiring one per 200 square feet. Retail is treated similarly as monolithic. A detailed shared parking analysis should be performed, if that is the method chosen to prove that the parking provided will be adequate. The size of the development in geographic terms and the fact that it is split by the Sagtikos Parkway may not allow for efficient sharing of spaces. Details of the shared parking analysis and where these stalls are to be located in reference to the site uses must be performed. If this analysis is to include credits for LIRR, bus, transit, car sharing, etc, these factors and assumptions need to be reasonable and supported.

5. A number of the improvements identified as specific to the Heartland development appear as if they may require property to construct them. The DGEIS should identify for each improvement, whether a right-of-way is required, and how the developer intends to obtain it if it is not owned by the Applicants. This information is provided for some mitigation items but not all. Others indicate property is required and suggest impact fees to the County to take the land under eminent domain. The feasibility of this approach needs to be examined in detail.

6. The Town disagrees with the analysis of roadway intersections. The data tables are presented without any explanation. For example, the existing condition analysis must discuss

general operations and analyze the worst peak conditions. Discussion is limited to improvements necessary absent development of the Proposed Action, which are unsubstantiated. A significant amount of accident data is presented without any discussion or analysis.

7. There is no discussion of the No-Build and Build intersection and ramp queuing results.

8. The DGEIS does not present conclusions regarding the effects of the development on the transportation system.

9. The Trip Generation Model indicates that the base unadjusted trip generation for all “commercial” uses were performed using the General Office land use in ITE. For example, elsewhere in the DGEIS references are made to specific uses in the proposal, such as hotel. The hotel land use trip generation characteristics are very dissimilar from those of office trip generation. The correct land uses proposed should be utilized for the Trip Generation Model or the argument made that the approach used was conservative. However, even the arrival and departure patterns for a hotel are very different than office space; this requires further clarification.

10. Appendix A of the DGEIS states that traffic mitigation measures for the DGEIS were based on full-year (15-year) build-out of the site and internal capture rates ranging from 40.2 percent for the AM peak hour to 57 percent for Saturdays (page 6 and Table 1, page 7), and “approximately 25 percent transit utilization.” Another mitigation plan was developed assuming internal capture rates of 28.0 to 31.8 percent and transit mode share of 2.8 to 3.7 percent (Table 1). The Town Board believes the calculation and application of “internal capture credits” and transit utilization for the development appears to result in an overstated rate of internal trips and cannot adequately be evaluated based on the explanation presently provided. The following findings are relevant to this issue:

- (a) Data contained within ITE's Trip Generation, including the NCHRP study, cited in the text of the DGEIS does not support internal traffic capture rates to the levels utilized in the DGEIS.

- (b) Where data on a particular aspect of the analysis is not available from published source, a conservative assumption must be made to err on the high side. A series of studies is currently underway to evaluate travel behavior and internal capture rates in mixed-use developments. Comparing a wide variety of mixed-use projects in several metropolitan areas, the studies found internal capture rates varying from 8 to 28 percent (Atlanta 8%; Boston 9.4%; Houston 28.3% Portland 13% Sacramento 15.1% Seattle 11.2%). In addition, a recent EPA-funded nationwide study conducted by the National Center for Smart Growth Research and Education at the University of Maryland revealed an average internal capture rate of 17.8% for mixed-use, transit-oriented projects. Finally, a major soon-to-be-published study funded by the Transportation Research Board involved trip counts and interviews at Atlantic Station in Atlanta, Mockingbird Station in Dallas and Legacy Town Center in Plano, Texas. Preliminary findings, published in Urban Land, suggest that such projects internalize "as much as 20 to 40% of their peak period travel." The internal traffic capture rate used in the DGEIS of 30 to 57 percent does not appear to be realistic based on these findings

- (c) The Town disagrees with the traffic capture analysis and believes further research is needed to determine if the projects studied are similar to Heartland Town Center in terms of regional location, transit access, regional employment patterns, and other factors. For example, the 2000 Census indicates that only 11% of those employed who reside in the Brentwood CDP also work in the Brentwood CDP, a much larger area than the Heartland site. The rest of these employees leave the CDP to travel elsewhere for work. Work trips represent a large percentage of trips during the AM and PM peak periods. Persons residing in Heartland will leave the site to go to work in high percentages, and those arriving at work will do so from outside the site in high percentages. As office trips represent more than

half of all the gross trips predicted in the AM peak period (Table T-14) it would seem very difficult to eliminate over 40% of the total trips to and from the site.

- (d) It should also be noted that just 2% of the total retail will be “neighborhood support”; the rest is destination-type comparison retail, a cinema and restaurants. In fact, the study trumpets the idea that existing Brentwood retailers and service providers will benefit from the spill-over effect from new residents shopping in the local community. This provides further basis to question the proposed capture rate.
- (e) The DGEIS acknowledges that internal capture rates in the early phases of the project will be lower, until a more balanced mix of uses and critical mass is achieved. Phases 1 and 2 focus on construction of housing and retail, while the bulk of office development is built within the 2nd and 3rd phase, i.e. after the housing. To better evaluate these claims, comparable projects for short-term and long-term internal capture rates should be reviewed, compared and cited. Such research should also focus on the question of whether people will move to be near their jobs, or do they choose the housing location based on other factors. Even if the project will be more balanced in the long run, in the short run sufficient parking and road improvements will be necessary to accommodate all the driving.

11. The intersection analysis and limited ramp analysis that is provided is presented in tabular form without any analysis of the results. The Town Board disagrees with this approach. These results need to be discussed with the impacts of the project clearly stated. There are numerous locations where the intersection’s operations are adversely affected by the Proposed Action traffic and where there was either no mitigation proposed or the mitigation proposed was insufficient. The results of the analysis need to be discussed in the text and any unmitigated impacts made clear.

12. The DGEIS contains discussions of some results but the Town believes it is limited to locations where degraded level of service as delay are experienced and physical

constraints limit further mitigation. However, the tables indicate a number of degradations due to site traffic that are not discussed at all. The discussion of project impacts must be included. Clear statements need to be made regarding the degree and locations of unmitigated impacts.

13. The evaluation of the length of the Sagtikos Parkway is presented in the text in the form of queue length and travel times only. The analysis of the Parkway should include and present level of service and other relevant measures of effectiveness for the segments, ramps and weaves on the parkway. This includes the existing condition, no-build, build, and build with modifications.

14. The DGEIS now includes tables that indicate travel speed and LOS. However, the reported flow rate is shown and noted as “capped” at 2,100 veh./hr. The need to include this data requires further explanation. The DGEIS appears to mask the incremental site traffic volume in the peak periods, giving the appearance of no site volume being added. The results in the table should have been discussed in the text. The travel times reported increase in all cases where the build condition is compared to the no-build, often significantly.

15. The DGEIS states that it is expected that improvements by others will be performed over time by government with private involvement. The Town disagrees with this level of analysis. Are any of these improvements planned? Are any of the other developments implementing any of these improvements? What will be done by the Intermodal Facility, Tanger, and the other developments? As these projects are either under construction or along in their planning stages, the improvements for each should be identified, along with when they will be performed and compared to a list of improvements recommended in this study. A list of improvements needed w/o Heartland without any analysis to support it is inappropriate. The report now indicates only a limited amount of improvement underway due to Tanger that is assumed in the study network. However, it still indicates a list of improvements necessary to address existing deficiencies that may be true but are not supported by analysis.

16. The report indicates that there are proposed ramp junctions on Sagtikos Parkway that create new weaving sections that were not analyzed. The Town believes that all weaving sections existing and proposed must be analyzed.

Wastewater

17. The estimated wastewater flow projections for residential uses in the DGEIS are overly conservative. The Applicants includes a 50% reduction in residential flow based on its intent to use water saving devices. The Town Board disagrees with this analysis because according to the Suffolk County Department of Health Services the hydraulic load rates account for water saving devices and no further reductions are warranted.

Outdoor Recreation

18. The Town Board disagrees with the analysis with respect to outdoor recreational facilities. The DGEIS has not provided sufficient detail of the need for outdoor recreational facilities generated by the project—especially for the 2,100 school-age population – or the provision of such facilities within the project. The number and types of facilities, and their size and location within the project, needs to be specified. The idea that facilities such as baseball/softball fields and soccer fields can double as stormwater detention/retention facilities is not acceptable to the Town Board.

Market Study

19. The Town Board disagrees with the market study provided in the DGEIS and believes it is outdated: it projects a market gap of 450,000 square feet of retail space. However, this study did not include the Tanger Arches development (800,000 square foot “lifestyle center” in primary market area) which more than fills this gap. The market study must be updated.

Employment

20. The project is estimated to result in a gain of 26,000 full-time equivalent jobs at completion. However, it is not clear to the Town Board whether these jobs which will result from companies relocating from elsewhere in Suffolk County and thus may not represent such a gain in employment.

Attachment B

Involved and Interested Agencies

New York State Department of Environmental Conservation
Roger Evans, Regional Permit Administrator

Suffolk County Department of Public Works Division of Highways
Justin Hipperling, Director of Permits

Suffolk County Department of Public Works, Division of Sanitation
Ben Wright, P.E., Chief Engineer

New York State Department of Transportation Region 10 Office
Karen Taylor, Civil Engineer

Suffolk County Department of Health Services, Office of Wastewater Management
Walter J. Hilbert, P.E., Chief

Suffolk County Planning Commission
Andrew P. Freleng, AICP, Chief Planner

Federal Highway Administration
Mr. Jeffrey W. Kolb, PE

New York State Assemblyman Philip Ramos

Suffolk County Legislator Steven H. Stern

Suffolk County Legislator Ricardo Montano

Suffolk County Water Authority
Kim Kennedy, Assistant to General Council

New York State Office of Parks, Recreation and Historic Preservation
Carol Ash, Commissioner

New York State Office of Mental Health, Administrative Support Services Group
A. Scott Bard, Environmental Compliance Officer

Pilgrim Psychiatric Center
Dean Weinstock, Executive Director

Long Island Power Authority
Linda Bianculli, Manager of Government Relations

National Grid
Dominic Abbatiello, Director of Business Development

Long Island Rail Road, Strategic Investments Department
Kyle McGraw, Regional Transportation Planner

Suffolk County Department of Public Works/Suffolk County Transit
Robert Shinnick, Director of Transportation Operations

Brentwood Union Free School District
Donna Jones, Superintendent of Schools

Brentwood Fire Department
Paul DeGennaro, Chief

Brentwood Fire District Board of Fire Commissioners
William F. Feeley, Chairman

Deer Park Fire District No. 14 Board of Fire Commissioners
Anthony N. Macaluso, Commissioner

Town of Smithtown Department of Planning and Community Development
Frank DeRubeis, Director

Town of Huntington Department of Planning and Environment
Anthony J. Aloisio, Director of Planning and Environment

Town of Babylon Department of Planning and Development
Anne Marie Jones, Commissioner

Town of Babylon Department of Environmental Control
Rich Groh, Director

Adelante of Suffolk County
Miriam Garcia, Executive Director

Brentwood Civic Association
Margaret Toal, President

Brentwood Chamber of Commerce
Modestro Romero, President

Long Island Housing Partnership
Peter Elkowitz, CEO and President

The Wicks Gardens Homeowners Association
Michael Edler, President

Old South Islip Civic Association
Barbara Vouris, President

Long Island Pines Barren Society
Richard Amper, Executive Director

Lakers Association, Inc.
Marie Petter, Committees Chairman

C.A.R.E.N.O.W.
Patricia Conroy

Long Island Coalition for Democracy
Peter Quinn

Borda, Kennedy, Alsen & Gold, LLP
Richard E. Borda

Vision Long Island
Eric Alexander, Executive Director

Brentwood-Bayshore Breast Cancer Coalition
Elsa Ford, President

Robert Roedig

Friends of the Edgewood Preserve
Denis Byrne, President

The Four Towns Civic Association
Laura Mansi

Bayshore-Brightwaters Public Library
Eileen Kavanaugh, Director

Brentwood Public Library
Thomas Tarantowitz, Director