

December 19, 2022

VIA FEDEX & EMAIL

Judy Jakobsen
The Central Pine Barrens Commission Office
624 Old Riverhead Road (CR 31)
Westhampton Beach, NY 11978

**RE: New York Cancer & Blood Specialists Parking Lot Expansion (1 Research Road)
Core Preservation Area Hardship Application, dated December 14, 2022
NPV#20097**

Dear Ms. Jakobsen,

Please see the enclosed one (1) hard copy of the Core Preservation Area (CPA) Hardship Application dated December 14, 2022 for the above referenced project.

I will email you a copy of the same today. I would like to schedule a time to meet with Julie at the site prior to the hearing. Please contact me at your earliest convenience so that we may set up a time. I can be reached via cell phone at (631) 513-8594 or by email at cvoorhis@nelsonpopevoorhis.com.

Very Truly Yours,
Nelson, Pope & Voorhis, LLC



Charles Voorhis, CEP, AICP
Principal

cc: Julie Hargrave (CPBJPPC) (via email only)
John Milazzo (CPBJPPC) (via email only)
Herb Israel, Diamond Builders/Richmond Realty Corp (via email only)
Neil Foley (NYC&BS) (via email only)
Tim Shea, (CBAH) (via email only)
Yuliya Viola (CBAH) (via email only)
Brianna Sadoski (NPV) (via email only)

**CENTRAL PINE BARRENS JOINT PLANNING & POLICY
COMMISSION (CPBJPPC)**

**Core Preservation Area (CPA)
Hardship Application**

**New York Cancer & Blood Specialists
Parking Lot Expansion
1 Research Road**

Suffolk County Tax Map Number: 0200-459-01-1.4
Hamlet of Ridge, Town of Brookhaven, Suffolk County, New York

Applicant: Ascend Realty Partners
646 Main Street, Suite 105
Port Jefferson, New York 11777
Contact: Todd O'Connell, Principal
(402) 499-9252

For Submission To: Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11978
Contact: Judy Jakobsen; Executive Director
(631) 288-1079

Prepared by: Nelson, Pope & Voorhis, LLC
70 Maxess Road
Melville, New York 11747
Contact: Charles Voorhis, CEP, AICP; Principal
(631) 427-5665

NP&V #20097

December 14, 2022

CENTRAL PINE BARRENS JOINT PLANNING & POLICY COMMISSION (CPBJPPC)

Core Preservation Area (CPA) Hardship Application

NEW YORK CANCER & BLOOD SPECIALISTS PARKING LOT EXPANSION 1 Research Road

Suffolk County Tax Map Number: 0200-459-01-1.4
Hamlet of Ridge, Town of Brookhaven, Suffolk County, New York

Applicants: Ascend Realty Partners
646 Main Street, Suite 105
Port Jefferson, New York 11777
Contact: Todd O'Connell, Principal
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toconnell@nycancer.com

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December 14, 2022

TABLE OF CONTENTS

	<u>Page</u>
Coversheet	i
Table of Contents	ii
1.0 Description of the Proposed Project	1-1
1.1 Introduction	1-1
1.2 Site History and Prior Hardship Applications	1-1
1.3 Description of the Proposed Project	1-2
2.0 Demonstration of Extraordinary Hardship, ECL Article 57-0121 (10) (a)	2-1
3.0 Demonstration of Conformance to Additional Standards, ECL Article 57-0121 (10) (c)	3-1
4.0 Determination of Significance and Designation of Lead Agency	4-1
5.0 Approvals Granted	5-1

Tables

1. Site Coverages, Existing Conditions & Proposed Project	1-3
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Attachments (Plans)

Site Plan Set, Phronesis Engineering

Figures (immediately following text)

1. Location Map
2. Aerial Photograph

Appendices

- A. Owners Affidavits
- B. Environmental Assessment Form (EAF), Part 1, NP&V, LLC, *October 1, 2022*
- C. Prior Hardship Application Resolution, CPBJPPC, *July 21, 2010*
- D. Historical Aerial Photographs
- E. Site Photographs

SECTION 1.0

DESCRIPTION OF THE PROPOSED PROJECT

1.0 DESCRIPTION OF THE PROPOSED PROJECT

1.1 Introduction

This document has been prepared by Nelson, Pope & Voorhis, LLC (NPV) in support of an application before the Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC) for a Hardship Exemption from its standard for development within the Core Preservation Area (CPA) of the Central Pine Barrens zone. This document is intended to provide the required information documenting how the proposed exemption satisfies requirements for such an application, as listed in the New York State (NYS) Environmental Conservation Law (ECL) Article 57-0121(10). **Appendices 1 through 6** contain supporting materials. This document provides a description of the features of the proposal that justify the requested exemption, based upon the characteristics of the site and the mitigation measures that will be employed.

The proposed project involves the proposed expansion of an existing parking area for the New York Cancer & Blood Specialists (NYCBS) facility, which provides a centralized facility for the company's executive, administrative, and support services personnel to operate from. NYCBS provides diagnostic testing, oncology treatment, clinical trials, and comprehensive support services at additional off-site facilities. The existing building was originally constructed for commercial use on the subject property in 1979. The use, ownership and lease details for the subject property are explained further herein.

The subject site is situated on the tax lot designated District 0200, Section 459, Block 1, Lot 1.4. The parcel is five (5) acres in size and is owned by Ascend Realty Partners, LLC and Route 112 Realty Partners, LLC (see **Figure 1**). The entirety of the subject property is situated within the CPA of the Central Pine Barrens, wherein development is strictly limited and discouraged, by the Central Pine Barrens Comprehensive Land Use Plan (CLUP). As a result, the proposed project requires an exemption from these limitations, to be reviewed and decided upon by the CPBJPPC, which has jurisdiction over this request under NYS ECL Article 57 and the CLUP. There are unique circumstances associated with this lot that warrant the requested exemption.

The 5-acre subject site is located in the Town of Brookhaven L-Industrial-1 zoning district. **Appendix A** contains affidavits prepared by each of the two owners authorizing Charles J. Voorhis, CEP, AICP (NPV Principal) to make this Hardship application on their behalf. A Part 1 Environmental Assessment Form (EAF) has been prepared for the proposed project, and is presented in **Appendix B**.

1.2 Site History and Prior Hardship Applications

The original 12,500±-square-foot (SF) office building on the subject property was constructed in 1979 on a previously disturbed site as the first of what was intended to be a small office park. In 1985, American Physical Society (APS), an education and science organization dedicated to the advancement and diffusion of the knowledge of physics, expanded the building, operated

as their editorial office building, by approximately 5,500 SF added onto the north side of the original 1979 building. In 1994, subsequent to the enactment of the Long Island Pine Barrens Protection Act, APS applied for and was granted a Core Preservation Hardship Exemption to allow for a new 12,000± SF expansion of the building to accommodate its growing staff. The Pine Barrens Commission issued a Negative Declaration and indicated that the application met all of the requirements for extraordinary hardship. Anticipating the possibility of future expansion, the 1994 Resolution set forth two conditions:

1. There shall be a physical delineation in the field of the limit of clearing for the building and associated construction activities
2. The building addition shall be designed and constructed in a manner that any future expansion needs of the sponsors may be accommodated by vertical expansion above the new addition.

On February 17, 2010, APS submitted an application to the CPBJPPC for a CPA Hardship Waiver, for a 16,274 SF second-story expansion to an existing 31,062 SF commercial office building. The project required the removal of 0.06 acres of natural vegetation, provided 27 additional parking spaces, and included the reconfiguration of internal driveways and the site ingress/egress. The CPBJPPC granted APS a Core Hardship Waiver to authorize the expansion. The waiver was subject to the same two conditions from the 1994 Resolution:

3. There shall be a physical delineation in the field of the limit of clearing for the building and associated construction activities
4. The building addition shall be designed and constructed in a manner that any future expansion needs of the sponsors may be accommodated by vertical expansion above the new addition.

In response to the 2010 application, CPBJPPC indicated APS satisfied the conditions for and demonstrated extraordinary hardship as the site was originally developed in 1979, prior to the enactment of Article 57. **Appendix C** contains a copy of this Resolution.

While the currently proposed requested hardship is not related to previous hardship applications filed for the subject property, and is being submitted under a different applicant, it is important to note the CPBJPPC previous decisions in granting the hardship exemptions in 1994 and 2010 recognized the need for expansion of the facility. Additionally, this hardship exemption recognized and acknowledged the fact that the site was originally developed prior to the enactment of Article 57.

1.3 Description of the Proposed Project

The overall site is a 5-acre property at the northwest corner of William Floyd Parkway and Research Road, in the Hamlet of Ridge, Town of Brookhaven, Suffolk County, New York. The subject site is situated on the tax lot designated District 0200, Section 459, Block 1, Lot 1.4. The

subject property is presently developed with a 45,907± SF one and two-story commercial building that is presently owned by Ascend Realty Partners, LLC and Route 112 Realty Partners, LLC. NYCBS presently occupies the facility, which provides a centralized facility for the company's executive, administrative, and support services personnel to operate from. NYCBS provides diagnostic testing, oncology treatment, clinical trials, and comprehensive support services at additional off-site facilities. The remainder of the subject property consists of a 69,349± SF paved parking lot and associated driveways on the west side of the subject property, landscaped areas on the south and east sides of the subject building, and approximately 1.4 acres of natural, undisturbed areas along the northern, eastern, and southern parcel boundaries. Site access is provided via Research Road in the southern portion of the subject property.

Table 1 below details the types of surface coverages of the site, in its existing condition and after completion of the proposed project.

Table 1
SITE COVERAGES
Existing Conditions & Proposed Project

Coverage Type	Existing Conditions (Acres)	Proposed Project (Acres)
Impervious (roads, buildings, and other paved surfaces)	2.31	2.56
Landscaped	1.30	0.48
Wooded/Natural	1.39	1.96
Total	5.00	5.00

At the present time, an estimated 72% (3.61 acres) of the overall property is developed (i.e., building footprint, paved or lawn) and/or disturbed (i.e., compacted soil) surfaces, and 28% (1.39 acres) is wooded natural pine barrens vegetation.

The proposed project will increase paved surfaces but decrease landscaped surfaces by converting areas to wooded natural pine barrens vegetation. Therefore, the proposed project will decrease developed surfaces to 3.04 acres, which is 60.8% of the overall property (i.e., building footprint, paved, and lawn), thus leaving 1.96 acres, or 39% of the site as natural to establish in pine barrens vegetation.

Development in the CPA is generally prohibited, while commercial zone development in the Compatible Growth Area (CGA) is allowed but is subject to a maximum clearing (of natural vegetation) of 65% by the CLUP. It is important to note that if the property were located in the CGA rather than the CPA, 3.04 acres of developed surfaces of the proposed project would conform

to the CLUP standards regarding clearing in the CGA (the site would be 60.8% cleared/developed where up to 65% could be cleared/developed), and no Hardship Exemption would be necessary.

The proposed parking area expansion proposes to utilize an estimated 11,643 SF of the land immediately south of the existing building. This area was historically developed with a driveway and parking spaces until approximately 2014 when the parking area was reconfigured in connection with a former project conducted by the previous property owner, APS. Aerial photographs displaying historical development in this area are included in **Appendix D**.

The following changes are proposed as part of the proposed project:

- clearing of an existing landscaped area and concrete walkway on the south side of the existing building for the new parking area.
- installing a new 11,643± SF paved parking surface on the south side of the existing building with 46 additional parking stalls proposed (including 12 previously approved landbanked stalls).
- Installation of drainage structures in the proposed parking expansion area including three catch basins and eight drywells to accommodate the increase in impervious area.
- maintaining naturalized areas totaling 0.57± acres on the south and east sides of the existing building.

To offset the addition of impervious acreage and reduction of landscaped area in the CPA, the project will ensure that 0.57± acres remains unmaintained to naturalize these areas.

SECTION 2.0

DEMONSTRATION OF EXTRAORDINARY HARDSHIP, ECL ARTICLE 57-0121(10)(a)

2.0 DEMONSTRATION OF EXTRAORDINARY HARDSHIP

ECL ARTICLE 57-0121 (10) (a)

The following assessment outlines Section 57-0121(1) of the New York State ECL and the project's conformance to each of the applicable criteria. It is submitted that the applicant will experience an extraordinary hardship if the proposed expansion of the facility's parking area is not permitted. The preclusion of beneficial use of the property stems from the provisions of Article 57 for lands in the CPA, particularly given the fact that the subject site is developed and was developed prior to the adoption of Article 57 as well as other hardships as demonstrated herein. The inability to have a beneficial use results from these unique circumstances particular to the subject property.

"10. Any person, the state or a public corporation upon showing of hardship caused by the provisions of subdivision eight of this section on development in the core preservation area, may apply to the commission for a permit exempting such applicant from such subdivision eight in connection with any proposed development in the core preservation area. Such application for an exemption pursuant to the demonstration of hardship within the core preservation area shall be approved only if the person satisfies the following conditions and extraordinary hardship or compelling public need is determined to have been established under the following standards for development by the state or a public corporation or proposed for land owned by the state or a public corporation compelling public need is determined to have been established under the following standards:

(a) *The particular physical surroundings, shape or topographical conditions of the specific property involved would result in an extraordinary hardship, as distinguished from a mere inconvenience, if the provisions of this act are literally enforced. An applicant shall be deemed to have established the existence of extraordinary hardship only if he demonstrates, based on specific facts, that the subject property does not have any beneficial use if used for its present use or developed as authorized by the provisions of this article, ...*

The hardship is based on the physical surroundings of the property that limit the ability to function based on today's use of the NYCBS facility. The subject building has operated for commercial use on the subject site since 1979, predating the CLUP and Article 57. The CPA was established in the mid-1990s as a result of the Pine Barrens Act. Although the use and operation of the site has changed over time, the facility has been deficient in parking for a long time. The placement of the CPA boundary including the subject property foreclosed the ability of the facility to expand its parking lot, which creates a hardship on this business.

The hardship is not a mere inconvenience, it is a necessity to enable proper functioning of the existing facility on a site that has been developed since 1979. The property is

permitted to continue to be used in conformance with Town zoning. The deficiency in parking causes cars to park in areas along the access road, and within non-designated parking areas within the parking lot, with periodic overflow of parking on William Floyd Parkway. This condition is not sustainable and prevents the beneficial use of the property for office use in conformance with Town zoning. Parking in non-designated areas can cause safety concerns, as well as environmental damage to areas not intended for parking of vehicles. Unauthorized parking also results in roadside visual impairment in an area of natural woodland along William Floyd Parkway. **Appendix E** includes photographs showing these overflow parking conditions within the site. The photographs also depict the green wall on the west side of the building and native vegetation nearly to the building on the east side of the building which reflects the limited use of the site and maximum efforts to retain natural character of the property in keeping with its CPA designation.

...and that this inability to have a beneficial use results from unique circumstances peculiar to the subject property which:

- (i) *Do not apply to or affect other property in the immediate vicinity;*

The history and current use of the subject property in the CPA is unique and the site's history and current use do not apply to or affect other properties in the immediate vicinity of the site. The subject parcel is the only developed commercial parcel within an approximate ¼-mile radius of the perimeter of the property. There are no other roads, buildings, parking facilities or other infrastructure within this area (with the exception of William Floyd Parkway and undeveloped portions of the Brookhaven National Laboratory).

This is an extraordinary hardship as opposed to a mere inconvenience because NYCBS invested its funds to purchase, furnish, equip and maintain the existing building, intending it to be its permanent location as a centralized facility for the company's executive, administrative, and support services personnel to operate from. An increase in parking area will not affect the properties in the immediate vicinity, as no changes to the facility or use of the property as proposed. The increase of parking area will help ensure that the business can operate effectively, without vehicles parking illegally, parking along Research Road or William Floyd Parkway, or potentially parking in a manner that could disturb existing vegetation, cause safety concerns and visual impacts.

With the exception of the expansions that occurred by APS on the subject property as a result of the granting of the hardship exemptions in 1994 and 2010, no other development has occurred within the immediate vicinity of the site. Since no other properties in the immediate area are developed (as noted above and demonstrated

in **Figure 2**), the granting of such hardship exemption to this property should be considered in the context of these conditions as outlined herein:

- (a) The property was previously disturbed prior to the establishment of Article 57 and the CLUP for the CPA;
- (b) The property was further improved as a result of prior hardship exemptions granted in 1994 and 2010;
- (c) The property remains the only developed parcel within an approximately $\frac{1}{4}$ -mile radius, and
- (d) the use will comply with the conditions of future expansion set forth in the prior hardship exemptions, does not apply to or affect other properties in the immediate vicinity, does not relate to or arise out of the characteristics of the subject property, rather than the personal situation of the application, and is not the result of any action or inaction by the applicant or the owner or his predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1993.

As noted, a photograph log showing the current status of parking conditions, with vehicles parked in non-designated spaces and along Research Road and within the site is provided as **Appendix E**.

Further, the Pine Barrens Commission's previous decisions in granting the hardship exemptions anticipated the potential need for expansion in the future. As discussed above, in its second condition of approval in 1994 and 2010, the Pine Barrens Commission indicated that the building additions should be designed and constructed to permit any future expansion need of the sponsors to be accommodated by vertical expansion above the new addition. Therefore, the Pine Barrens Commission acknowledged the hardship experienced by the previous applicant with respect to this property. Further building expansion is not proposed and would be hindered by the existing need for additional parking based on the current building space. As noted, the facility has been deficient in parking for a long time. Moreover, the Pine Barrens Commission recognized that the facility's location within the CPA would restrict growth of the organization, and without specific allowance for future expansion its business operations are compromised.

- (ii) *Relate to or arise out of the characteristics of the subject property rather than the personal situation of the applicant; or*

The characteristics of the property are described above. The current commercial building, which occupies the site was originally constructed approximately 15 years prior to the Pine Barrens Act.

The character of the site is that of a partially-developed property in a commercial use that does not provide a sufficient number of parking spaces for the level of staff it employs to effectively provide diagnostic testing, oncology treatment, clinical trials, and comprehensive support services at additional off-site facilities. As a result, the use is not able to operate effectively on the site, or offer support for necessary medical care to patients that it otherwise would, if enough parking spaces were available. Additionally, the lack of sufficient parking inevitably results in vehicles parking in non-designated locations within the site, along Research Road and in the right-of-way of William Floyd Parkway, disturbing roadside vegetation, causing visual impairment and raising safety concerns with respect to vehicle movements and potential emergency access on the site, along William Floyd Parkway in the area of the facility. The Applicant seeks to provide addition parking on the site, which will be located in a previously disturbed area immediately south of the subject building.

In its existing condition, the site does not provide the minimum number of parking spaces required by the Town. For an “office,” Town Code Section 85-852 requires a minimum on-site parking provision of 1 space/150 SF of gross floor area. As the NYCBS facility has a building coverage of about 45,907 SF, a minimum of 306 spaces would be required. There are presently an estimated 153 parking spaces on the site. Thus, the site in its present condition requires that at least another 153 parking spaces be constructed. The proposed project would increase the total number of spaces to 199, which would more closely satisfy the Town Code minimum requirement, although the facility will still be deficient in parking by 107 parking spaces.

This Hardship application has been prepared for a specific site and the specific conditions of the NYCBS structure and operation thereon; it would not have been practicable for the Applicant to evaluate an alternative site, as such an effort would involve vacating the existing building and incurring the expense of constructing a new building, which is not feasible to the Applicant. The application seeks an expansion of the existing parking area to address the needs of the facility’s level of staff.

The proposed project will not clear any of the existing natural vegetation on the subject property. The proposed disturbance area had been previously disturbed and contained a parking and driveway area as recently as 2013. Additionally, the plan provide habitat improvement in connection with this hardship, as the Applicant proposes the natural revegetation of $0.57\pm$ acres of land on the subject property.

Thus, the hardship would improve the safety and operations of the existing NYCBS facility, including a building that has operated on-site for similar commercial uses for over 40 years. The hardship would allow improvement of the environmental

condition of the subject site by ensuring that portions of the subject property maintain natural conditions, and safety, visual and environmental conditions would also be beneficially improved.

- (iii) Are not the result of any action or inaction by the applicant or the owner or his predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1, 1993.*

The hardship for which an exemption is sought is not the result of any action or inaction on the part of the Applicant (which is also the Owner); the Applicant has not altered the size or configuration of the building. Although the use of the site differs from the original occupancy by APS, the commercial use has remained unchanged since the facility was constructed in 1979. The hardship is the result of the CPA boundary being placed to include the pre-existing developed site in 1993, nearly 15 years after the site was initially developed. As the subject property is in the CPA, it requires a Hardship approval to allow for additional parking to be provided on-site. As noted, added parking will improve site operations and will address safety, visual and environmental issues associated with the current unsustainable parking conditions on the site.

SECTION 3.0

DEMONSTRATION OF CONFORMANCE TO ADDITIONAL STANDARDS, ECL ARTICLE 57-0121 (10) (C)

3.0 DEMONSTRATION OF CONFORMANCE TO ADDITIONAL STANDARDS ECL ARTICLE 57-0121 (10) (c)

c) An application for a permit in the core preservation area shall be approved only if it is determined that the following additional standards also are met:

(i) The granting of the permit will not be materially detrimental or injurious to other property or improvements in the area in which the subject property is located, increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the core preservation area;

The proposed parking improvements would be limited to a small previously disturbed area of the subject property, and would not impact the use or operation of any adjacent or nearby properties. The requested hardship will not be detrimental or injurious to the site or other properties, nor will it increase danger of fire or impair resources in the CPA. The proposed project will have no effect on environmental resources or other properties in the area other than beneficial impacts as noted in Section 2.0.

The proposed project will improve public safety by removing the constrained operations for staff supporting off-site medical care, and will improve the resources of the site through restoration of previously disturbed land to natural conditions.

The increase in parking is limited to only 46 spaces (to closer meet the Town Code minimum requirement), which would not be expected to significantly increase trips to and from the site from an increased availability of customer parking, so that no discernable impact to the substantial traffic flow on William Floyd Parkway would be expected.

(ii) The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this article; or

The nature and extent of the requested relief is not inconsistent with the purpose, objectives or general intent of Article 57-0121(10)(c), in that the parking expansion project has been designed to provide only enough spaces to closer meet Town Code requirements and enhance patient convenience and safety. In addition, 0.57 acres of area will be left to establish in natural vegetated condition.

(iii) The waiver is the minimum relief necessary to relieve the extraordinary hardship, which may include the granting of a residential development right to other lands in the compatible growth area that may be transferred or clustered to those lands to satisfy the compelling public need.



The proposed parking area expansion represents the minimum relief necessary to relieve the existing hardship on the NYCBS operation, as follows:

- 1) The NYCBS facility needs additional parking;
- 2) The additional spaces requested would ease the burden on parking at the facility for staff; however, would still not meet the minimum number of spaces to the minimum required by Town Code; and
- 3) The existing parking deficiency results in safety concerns with respect to vehicle movement as well as visual impairment and disturbance of roadside vegetation.

Thus, the parking expansion is necessary for the existing NYCBS facility to continue to operate on the site, which is entirely located within the CPA. The site is unique in that it stands alone as a pre-developed site dating back to 1979, well before the adoption of Article 57 and the CLUP.

SECTION 4.0

DETERMINATION OF SIGNIFICANCE AND DESIGNATION OF LEAD AGENCY

4.0 DETERMINATION OF SIGNIFICANCE AND DESIGNATION OF LEAD AGENCY

As the Town of Brookhaven site plan application was recently submitted, no SEQRA review has been completed, so no Determination of Significance is currently available. It is expected that the Town of Brookhaven Planning Board will assume lead agency for this project. A SEQRA Determination of Significance will be provided to the Commission once it is issued.

SECTION 5.0 APPROVALS GRANTED

5.0 APPROVALS GRANTED

Other applications for the proposed project are currently pending; however, to date, no other approvals have been granted.

FIGURES



FIGURE 1
LOCATION MAP

1 Research Road

EAF



NPV

Sources: ESRI WMS; Suffolk County GIS, 2016
Scale: 1 inch equals 1,000 feet





NPV

FIGURE 2
AERIAL MAP

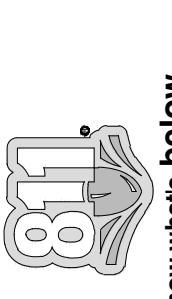
Sources: ESRI WMS; Suffolk County GIS, 2016
Scale: 1 inch equals 125 feet



1 Research Road

EAF

SITE PLAN



**Know what's below.
Call before you dig.
1-800-272-4480**

11. This Drawing is copyrighted and protected under the Laws of the United States of America. Any unauthorized use of reproduction of this document without written consent of Phronesis Engineering, is an infringement upon Copyright Laws. Violators will be subject to prosecution by the full extent of the Law.

PROJECT DATA

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ASCEND REALTY PARTNERS, LLC
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PORT JEFFERSON, NY 11777
(402) 499-9252

AGENT
CERTILMAN BALIN ADLER & HYMAN, LLP
100 MOTOR PARKWAY, SUITE 560
HAUPPAUGE, NY 11788
(631) 979-3000

REFERENCES

SURVEY
RLT ENGINEERING, GEOLOGY AND LAND SURVEYING, P.C.
235 EAST JERICHO TURNPIKE
MINEOLA, NY 11501
(516) 746-2350
DATED: 09/13/2022

APPROVED SITE PLAN
CAMERON ENGINEERING & ASSOCIATES, LLP
177 CROSSWAYS PARK DRIVE
WOODBURY, NY 11797
(516) 827-4900
LOG: 10SP0008

GOVERNING AGENCIES

MUNICIPALITY
TOWN OF BROOKHAVEN DIVISION OF PLANNING,
ENVIRONMENT & LAND MANAGEMENT
1 INDEPENDENCE HILL
FARMINGVILLE, NY 11738
(631) 451-8696

UTILITIES

WATER
SUFFOLK COUNTY WATER AUTHORITY
4060 SUNRISE HIGHWAY
OAKDALE, NY 11769
(631) 281-1148

WASTEWATER
SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
360 YAPHANK AVENUE, SUITE 2C
YAPHANK, NY 11980
(631) 852-5825

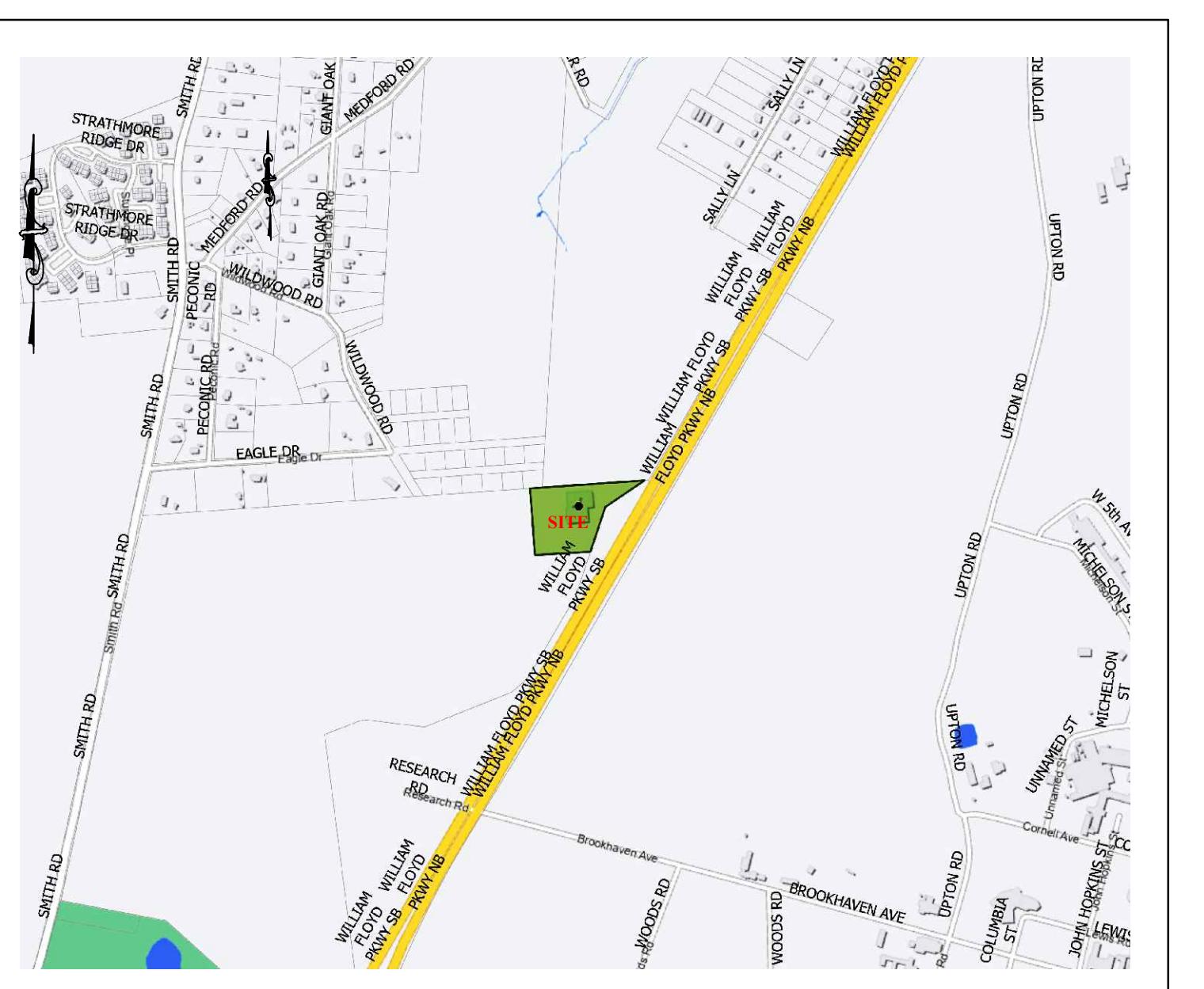
GAS
NATIONAL GRID
460 EAST MAIN STREET
PATCHOGUE, NY 11772

**ELECTRIC
PSEG
479 PARK AVENUE
LINDENHURST, NY 11757**

Site Plan Package for Proposed:



Ridge - Parking Lot Expansion



VICINITY MAP

N T S

1 Research Road
Ridge, Town of Brookhaven
New York, 11961
Tax Map ID: 200 - 459 - 1 - 1.4

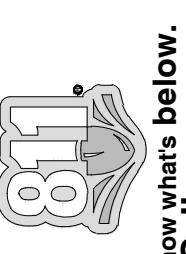
SHEET INDEX

- C0.0 Cover Sheet
- C1.0 Site Plan
- C2.0 Removals Plan
- C3.0 Grading & Drainage Plan
- C4.0 Soil Erosion & Sediment Control Plan
- C5.0 Lighting Plan
- C6.0 Detail Sheet

GENERAL NOTES

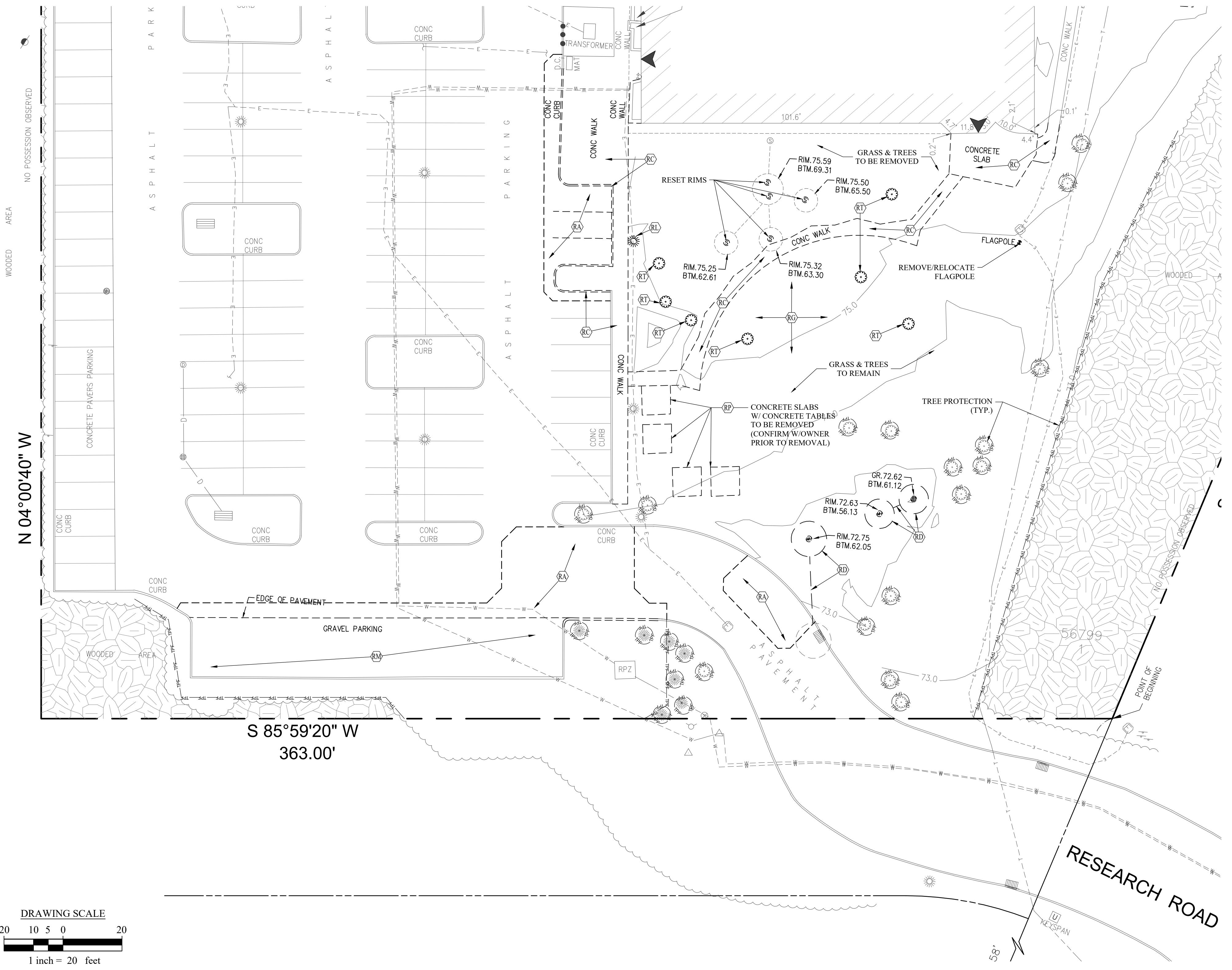
- 1. Prior to all activities, the contractor shall inspect and correlate all documents prepared for the project, the existing current conditions of the site and all applicable jurisdictional requirements. Any clarifications necessary shall be requested in writing to the Engineer of Record prior to construction.
- 2. All necessary precautions to protect the general public, R.O.W.s, adjacent property, site elements to remain, employees, etc., are the responsibility of the contractor including safety programs, procedures, fencing, traffic control, signing, etc. Should any of the above be damaged, the contractor shall repair/replace them at his own expense. All work shall be performed in accordance with OSHA and all other applicable codes.
- 3. Utility information shown hereon is a compilation of records, surveys, file documents, etc. available at the time of plan preparation. The contractor shall verify prior to all activities the accuracy and completeness of this information. Furthermore, the contractor shall contact all utilities as well as the local "One Call" system to ensure complete mark-out in the field and that all service has been terminated. Should any discrepancies or unclear information appear, the contractor shall contact the Engineer of Record immediately.
- 4. All unsuitable and/or deleterious materials, excess soil, construction debris, etc. excavated or removed from the site shall be disposed of off-site as required and as specified by the applicable jurisdictional agencies and their laws, codes or ordinances.
- 5. It is the contractor's responsibility to contact and coordinate the removal, relocation or adjustment of utility poles/facilities with the owning company.
- 6. Maintenance and protection of traffic is the responsibility of the contractor. Any and all measures necessary to ensure safe vehicular and pedestrian traffic during and after construction shall be provided by the contractor, including but not limited to pavement markings, signage, barrels, lights, guiderails, etc. Such methods and means shall be in accordance with the NYSDOT-MUTCD.
- 7. Methods and materials of construction shall conform to the standards and specifications of the associated jurisdictional agencies and OSHA unless otherwise specified herein.
- 8. Forty eight (48) hours prior to commencement of any work at the site, the contractor shall notify the Town Planning/Engineering Department.
- 9. All ADA accessible facilities (parking, ramps, sidewalks, travel paths, etc.) shall be in conformance with the NYSUBC, ICC/ANSI A117.1, and all local, state and federal agency requirements.
- 10. All Professional Certifications, Controlled Inspections and their coordination and scheduling are the responsibility of the owner/contractor.
 - 1. The contractor shall not substitute materials, make revisions or alterations to the plans, or deviate from the contract documents without prior written consent of the Engineer of Record.
 - 2. Due to deviations created by drawing reproduction methods, these documents shall not be scaled for determining unlabeled dimensions.
 - 3. The contractor shall have an appropriately Licensed Professional Geotechnical Engineer on-site to inspect, monitor and verify soil conditions and capacities and that they are adequate to support the proposed site elements depicted hereon. Should deviations or inconsistencies appear, he shall notify the Engineer of Record immediately.
 - 4. The contractor is responsible to ensure that approvals and permits have been procured and are current prior to construction activities. Moreover, he shall ensure that approved/permit documents from the various agencies correlate with each other as necessary for safe and proper construction of the project.
- 11. HVAC and associated equipment shall be installed on the building roof.
- 12. Building dimensions are to outside face of wall. Refer to Architectural Design drawings.
- 13. The Plans do not purport to indicate the suitability of items noted to remain on the subject property or in the fronting Right(s) of Way, inclusive of structural stability, adherence to the latest Building Code(s) or design criteria, etc. The property owner/contractor shall independently verify that existing items to remain are in good repair and are suitable for use prior to construction.



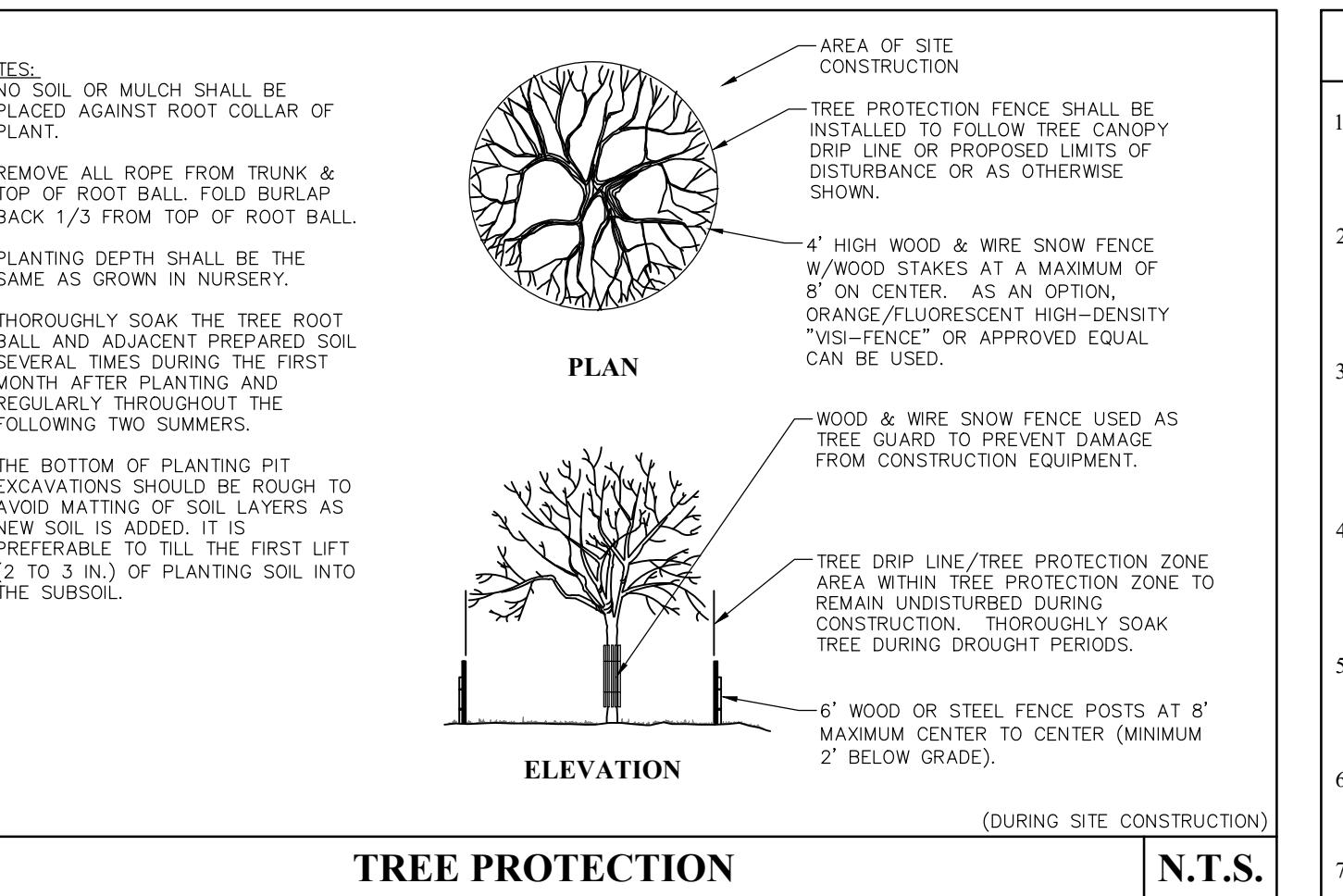


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4. All elevations in the State of New York published by any person shall be deemed to be the property of Phronesis Engineering, Inc. When such alterations are made in the Professional Engineer's name, Client shall describe the full extent of the alteration on the drawings and/or in the specifications. (NYS Education Law Section 7-292)



DRAWING SCALE
20 10 5 0 20
1 inch = 20 feet



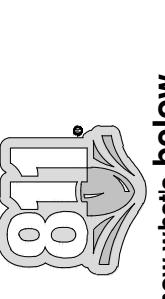
TREE PROTECTION (DURING SITE CONSTRUCTION) N.T.S.

REMOVALS NOTES

- The General Notes shall be part of this entire document package and are part of the contract documents. The contractor is to familiarize himself with all the general notes and each of the sheets within this document package.
- Removals shall include, but not be limited to buildings (walls, slabs, foundations, etc.), pavements, curbs, signs, and other items indicated on the drawings that are obstructions to the proposed site. Unidentified items encountered shall be brought to the attention of the owner and Engineer of Record prior to its disturbance.
- Sawcut lines shall be along the depicted line with a straight edge. Where sawcut lines are not designated, the line shall be set so that the least amount of ground to be removed is removed but still allows for the safe and proper installation of the proposed site element. Proposed pavement shall meet existing pavement along the sawcut line flush with no trip hazard unless otherwise noted.
- All existing ACMs (Asbestos Containing Materials) within the proposed work area shall be removed from the work area prior to removal activities and disposed of according to local, state, and federal guidelines. The contractor shall be responsible for any required postings and/or notifications as may be required.
- The Contractor shall refer to the Geotechnical Report (if available) and/or retain a Geotechnical Engineer for proper, site specific backfilling requirements and/or any required certifications and inspections.
- Buildings denoted on these plans to be removed shall include the building foundations, associated underground piping/conduits, footings, etc. unless otherwise noted.
- The Contractor shall exercise extreme caution when performing removal activities and/or proposed work adjacent to existing structures, specifically structures to remain. The contractor shall be responsible for ensuring the structural stability of adjacent structures prior to performing work in the vicinity.
- The contractor shall be responsible to repair/replace any items that are damaged/removed that are not within the subject removals workscope. Contractor shall contact the Engineer of Record of any questionable items prior to their removal.
- The Contractor shall be responsible for maintaining a safe work environment for his workers, sub-contractors, inspectors, utility workers, the general public, etc.
- The Contractor shall maintain a safe work site for pedestrians and vehicular traffic utilizing rights of way adjacent to the subject parcel(s). Maintenance and protection of vehicular and pedestrian traffic during all phases of construction shall be the contractor's responsibility.
- The means and methods of construction, inclusive of proposed removals, are the responsibility of the Contractor and shall conform to pertinent sections of latest edition of the State Building Code and local codes as may be required.
- The contractor shall install a temporary work fence around the subject work area in accordance with State Building Code and local codes.
- The contractor shall be responsible for verifying the exact location, size, and depth of any existing utility/storm drain lines, structures, walls, etc. within the subject parcel(s). Existing items shown herein depict only their approximate location and are a compilation of visual evidence, record documents made available at the time of the preparation of the plans, evidence of above ground structures, etc. and may not depict all existing above ground or below ground items on site.
- The contractor must call the local One Call number prior to any disturbances, as required. However, the contractor is advised that any numbers from the One Call number and information depicted on these plans may be incomplete and/or imprecise.
- Underground storage tanks (USTs), if encountered, shall be completely emptied, cleaned and removed from the subject parcel in accordance with federal, state, county and local requirements prior to other removal activities.

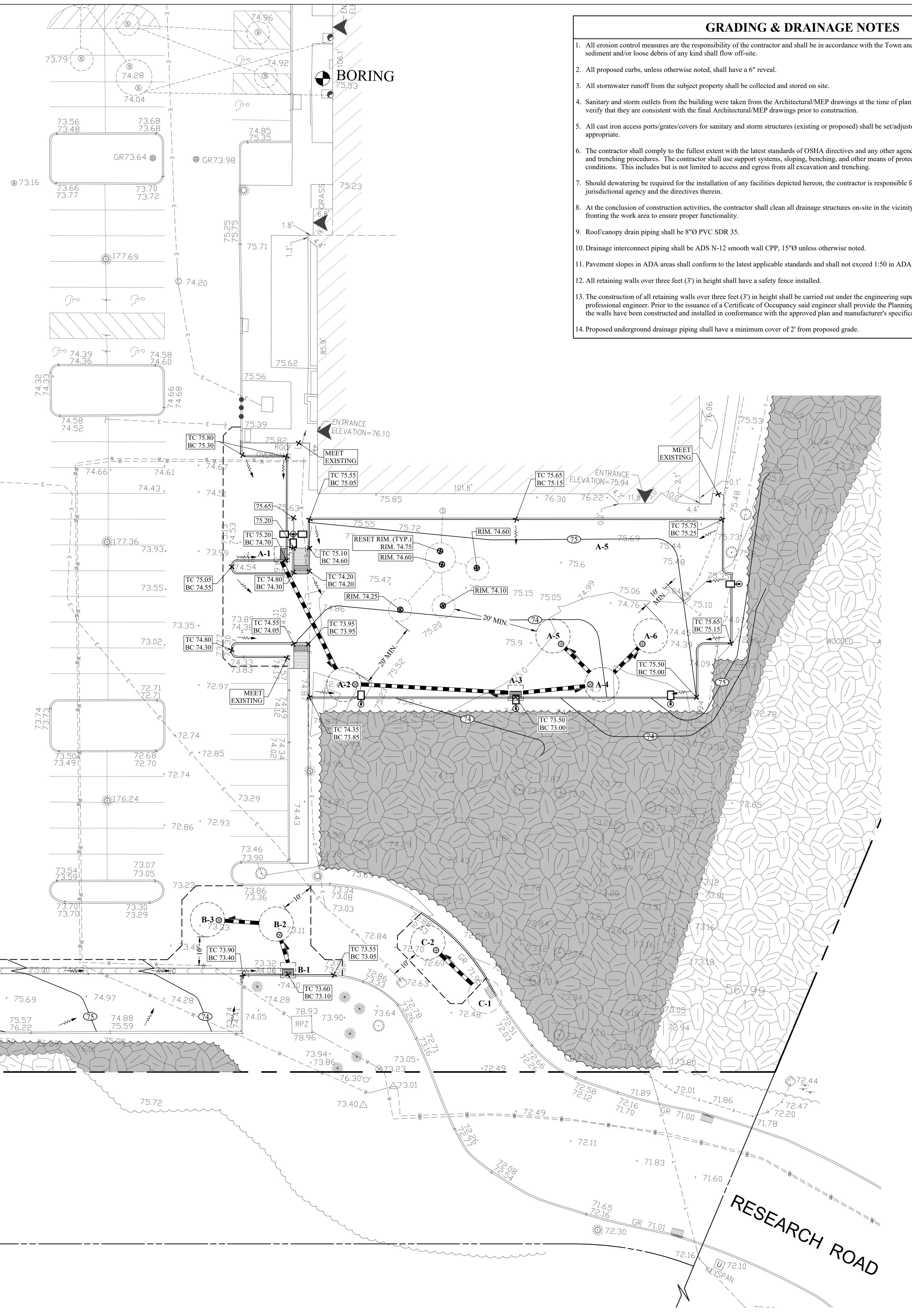
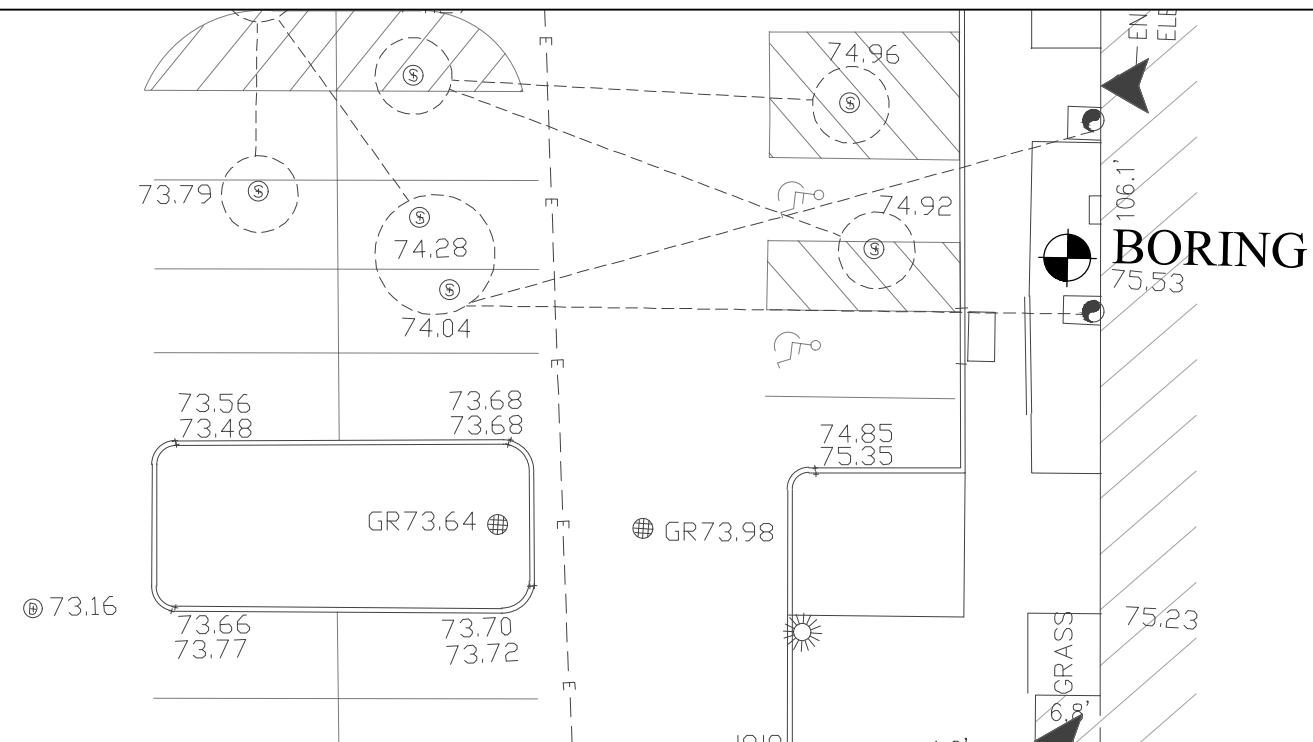
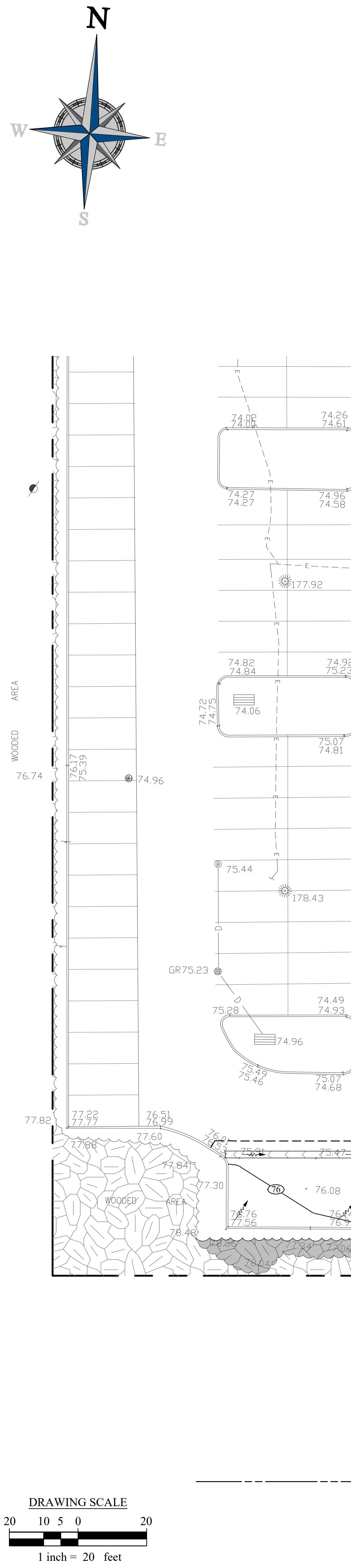
REMOVALS PLAN KEYNOTES		
Item	Note	
(RA)	Asphalt Pavement	
(RC)	Concrete Curb / Sidewalk	
(RD)	Drainage Structure / Drainage Piping	
(RG)	Ground Cover/Shrubs/Hedges/Landscaped area	
(RL)	Site Lighting	
(RM)	Gravel	
(RP)	Concrete Pavement	
(RT)	Tree	

LEGEND		
Existing	Item	Removal
	Building	
	Sawcut Line	
	Property Line	
	Hydrant	
	Curb	
	Area Light	
	Utility Pole/Light Pole	
	Sign	
	Overhead Wires	
	Parking Count	
	Keynotes	
	Manhole Cover	
	Inlet	
	Sanitary Cover	
	Tree Line	



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3. The elevation in the State of New York published by any person shall be governed by the accompanying specifications, unless it is under the direction of licensed Professional Engineers. Where such alterations are made in Professional Engineers' sign and date and describe the full extent of the alteration on the drawings and/or in the specifications. (NYS Education Law Section 7-2902)



GRADING & DRAINAGE NOTES		
1. All erosion control measures are the responsibility of the contractor and shall be in accordance with the Town and NYSDEC requirements. No sediment and/or loose debris of any kind shall flow off-site.		
2. All proposed curbs, unless otherwise noted, shall have a 6" reveal.		
3. All stormwater runoff from the subject property shall be collected and stored on site.		
4. Sanitary and storm outlets from the building were taken from the Architectural/MEP drawings at the time of plan preparation. The contractor shall verify that they are consistent with the final Architectural/MEP drawings prior to construction.		
5. All cast iron access ports/grates/covers for sanitary and storm structures (existing or proposed) shall be set/adjusted flush with the pavement or grade, as appropriate.		
6. The contractor shall comply to the fullest extent with the latest standards of OSHA directives and any other agency having jurisdiction for excavation and trenching procedures. The contractor shall use support systems, sloping, benching, and other means of protection as appropriate for the prevailing conditions. This includes but is not limited to access and egress from all excavation and trenching.		
7. Should dewatering be required for the installation of any facilities depicted hereon, the contractor is responsible for any/all permits from the appropriate jurisdictional agency and the directives therein.		
8. At the conclusion of construction activities, the contractor shall clean all drainage structures on-site in the vicinity of the work area and in ROW fronting the work area to ensure proper functionality.		
9. Roof/canopy drain piping shall be 8" PVC SDR 35.		
10. Drainage interconnect piping shall be ADS N-12 smooth wall CPP, 15"O unless otherwise noted.		
11. Pavement slopes in ADA areas shall conform to the latest applicable standards and shall not exceed 1:50 in ADA parking and loading areas.		
12. All retaining walls over three feet (3') in height shall have a safety fence installed.		
13. The construction of all retaining walls over three feet (3') in height shall be carried out under the engineering supervision of a New York State licensed professional engineer. Prior to the issuance of a Certificate of Occupancy said engineer shall provide the Planning Board with a certification stating that the walls have been constructed and installed in conformance with the approved plan and manufacturer's specifications.		
14. Proposed underground drainage piping shall have a minimum cover of 2' from proposed grade.		

TEST BORING DATA		
Top soil	0.0'	0.5'
light brown gravel medium sand, trace gravel (SP)	5.0'	
light brown well graded sand with silt and gravel (SW-SM)	10.0'	
light brown gravel medium to coarse sand (SP)	15.0'	
light brown fine to coarse sand, trace gravel (SW)	25.0'	
light brown fine to coarse sand (SW)	30.0'	
light brown fine to coarse sand, trace gravel (SP)	35.0'	

Boring Prepared By:
RA Consultants LLC
136 Aristotle Way, Cranbury, NJ 08512
Ph: (609) 918-9612
Date: 11/05/2009

LEGEND		
Existing	Item	Proposed
Building	Sawcut Line	—
Property Line	Hydrant	—
Utility Pole/Light Pole	Curb	—
Sign	Area Light	—
Overhead Wires	Inlet	—
Manhole Cover	Sanitary Cover	—
Tree Line	Entrance Elevation	—
Spot Elevation	First Floor Elevation	—
ENTRANCE ELEVATION = 65.34	Top & Bottom of Curb Elevation	TC 100.50 BC 100.00
+ BC 65.50	Top & Bottom of Curb Elevation	TC 100.50 BC 100.00
— E	UG Electric Service	—
— G	UG Gas Service	—
— W	UG Water Service	—
— T	UG Telephone Service	—
—	Sanitary Line	—
— D	Drainage Line	—
—	Drywell	—
—	Catch Basin	—
—	Sanitary Structure	—
— 75.0	Contour Line	— 75
—	Flow Arrow	—

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One Suffolk Square, 601 Veterans Memorial Hwy, Suite 330, Islip, NY 11749
(631) 430-7065 Project # P22-082-CPL

Project # P22-082 Drawn by: MB Drawing #: P22-082-CPL Date: 09/01/22

STATE OF NEW YORK
PROFESSIONAL ENGINEERING
LICENSING BOARD
094691



Site Plan Package for Proposed:
NYCB8
Parking Lot Expansion
I Research Road
Ridge, NY 11749
SCM #: 163157065 Section 459, Block 1, Lot 14

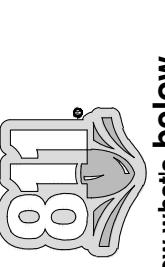
GRADING & DRAINAGE PLAN
SHEET C3.0

1" = 100'

DRAINAGE AREAS

Site Plan Package for Proposed:
NYCB8
Parking Lot Expansion
I Research Road
Ridge, NY 11749
SCM #: 163157065 Section 459, Block 1, Lot 14

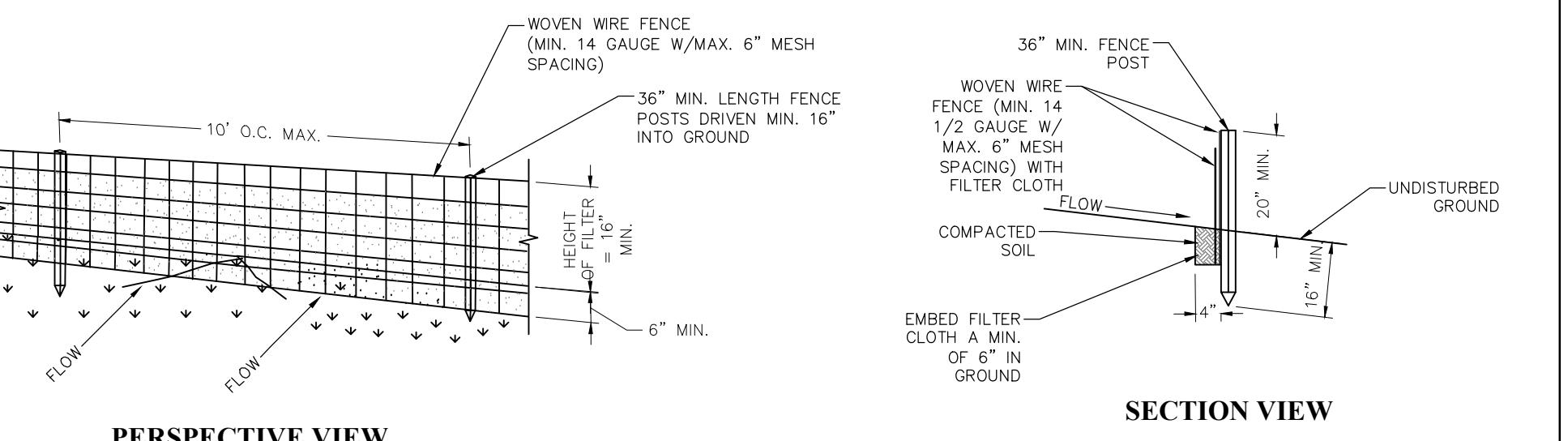
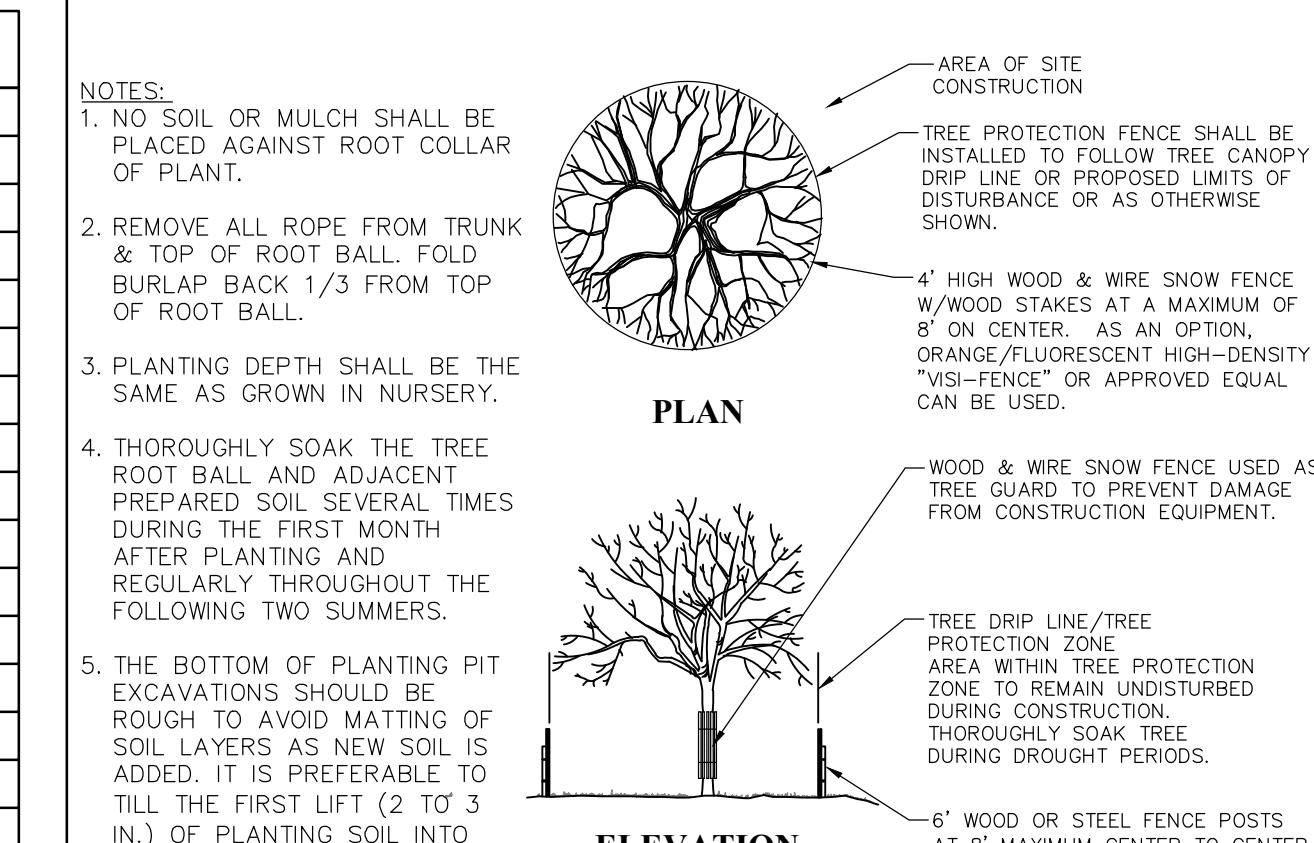
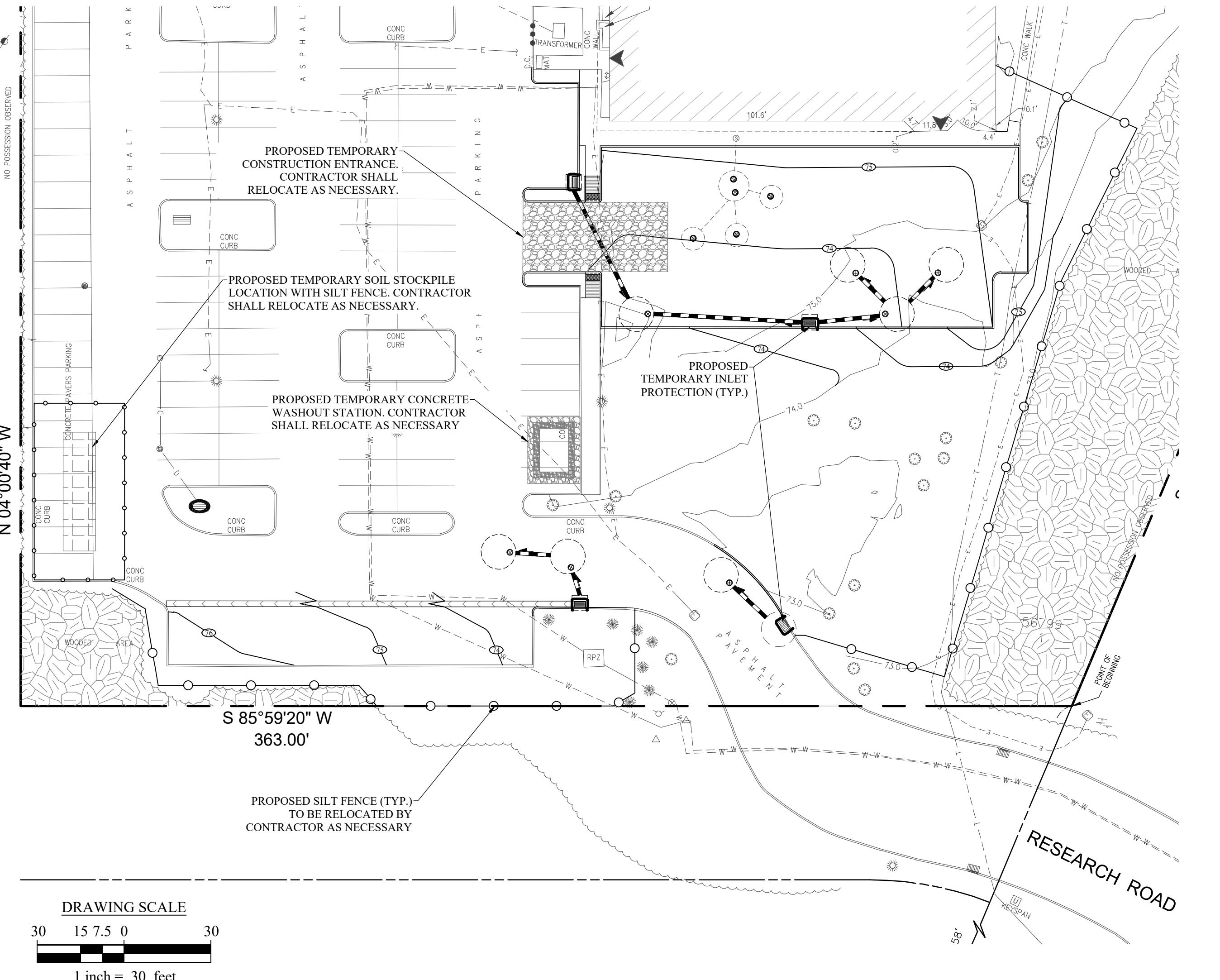
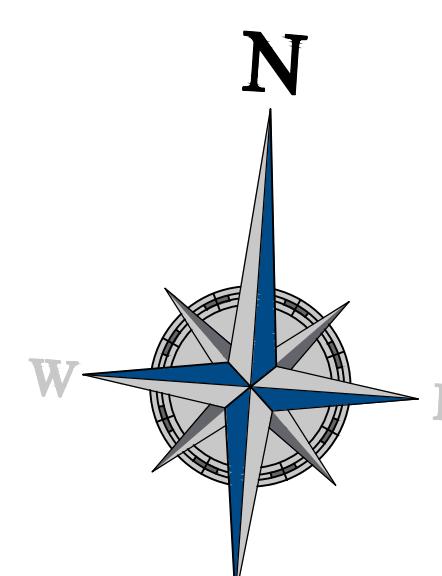
1" = 100'
SHEET C3.0



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LEGEND		
Existing	Item	Proposed
Building		
SawCut Line	— — —	— — —
Property Line		
Hydrant		
Curb	— — —	— — —
Area Light		
Utility Pole/Light Pole		
Sign	○	○
Overhead Wires	— — —	— — —
Manhole Cover	○ ○ ○	○ ○ ○
Sanitary Cover	○	○
Tree Line		
U/G Electric Service	— — —	— — —
U/G Gas Service	— — —	— — —
U/G Water Service	— — —	— — —
U/G Telephone Service	— — —	— — —
Sanitary Line		
Drainage Line	— — —	— — —
Drywell	○ ○ ○	○ ○ ○
Catch Basin	■	■
Sanitary Structure		
Contour Line	— — —	— — —
Inlet Protection	○ U	○ U
Silt Fence	○ ○ ○	○ ○ ○



PERSPECTIVE VIEW

CONSTRUCTION SPECIFICATIONS:

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE SECURED TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA 140X OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIRONFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

TREE PROTECTION

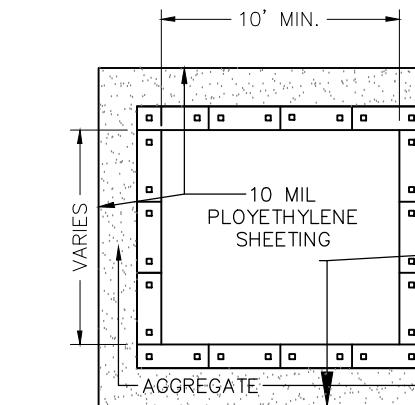
N.T.S.

NYSDEC SILT FENCE

N.T.S.

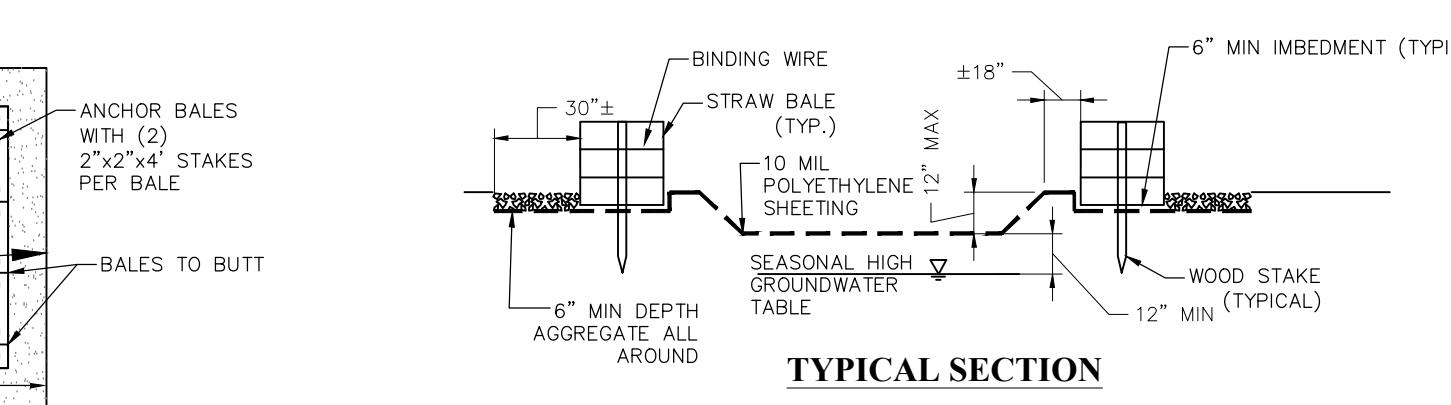
SECTION VIEW

PLAN



SECTION VIEW

PLAN



TYPICAL SECTION

NOTES:

1. CONTAINMENT MUST BE STRUCTURALLY SOUND AND LEAK FREE AND CONTAIN ALL LIQUID WASTES.
2. CONTAINMENT DEVICES MUST BE OF SUFFICIENT QUANTITY OR VOLUME TO COMPLETELY CONTAIN THE LIQUID WASTES GENERATED.
3. WASHOUT MUST BE CLEANED OR NEW FACILITIES CONSTRUCTED AND READY TO USE WHEN WASHOUT IS 75% FULL.
4. WASHOUT AREA(S) SHALL BE INSTALLED IN A LOCATION EASILY ACCESSIBLE BY CONCRETE TRUCKS.
5. ONE OR MORE AREAS MAY BE INSTALLED ON THE CONSTRUCTION SITE AND MAY BE RELOCATED AS CONSTRUCTION PROGRESSES.
6. AT LEAST WEEKLY REMOVE ACCUMULATION OF SAND AND AGGREGATE AND DISPOSE OF PROPERLY.

WASHOUT SIGN

N.T.S.

CONCRETE WASHOUT STATION

N.T.S.

CONCRETE WASHOUT STATION

N.T.S.

CONSTRUCTION SPECIFICATIONS:

1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE DISTANCE FROM POINTS WHERE INGRESS OR EGRESS OCCURS TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER OR SURFACE WATER FLOWING OR DROPPING TOWARD CONCRETE ENTRANCES SHALL BE PIPED BEHIND THE ENTRANCE, IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF FILTER CLOTH AND SEDIMENT INTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHERE WASHOUT IS REQUIRED, PROTECTION SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

PROFILE

PLAN VIEW

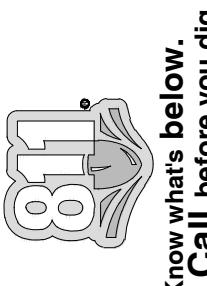
EXCAVATED MATERIAL STOCK PILE

N.T.S.

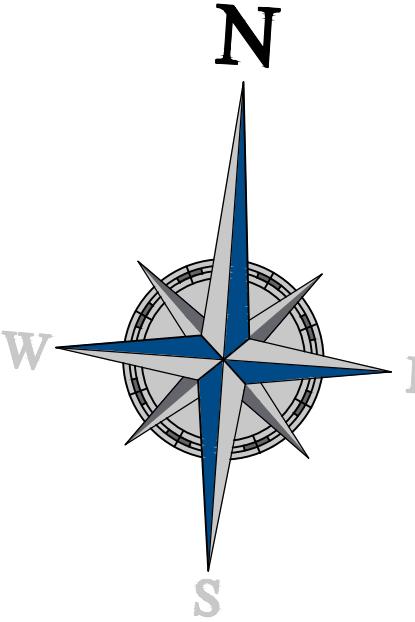
EXCAVATED MATERIAL STOCK PILE

N.T.S.

CONSTRUCTION STABILIZED CONSTRUCTION ENTRANCE



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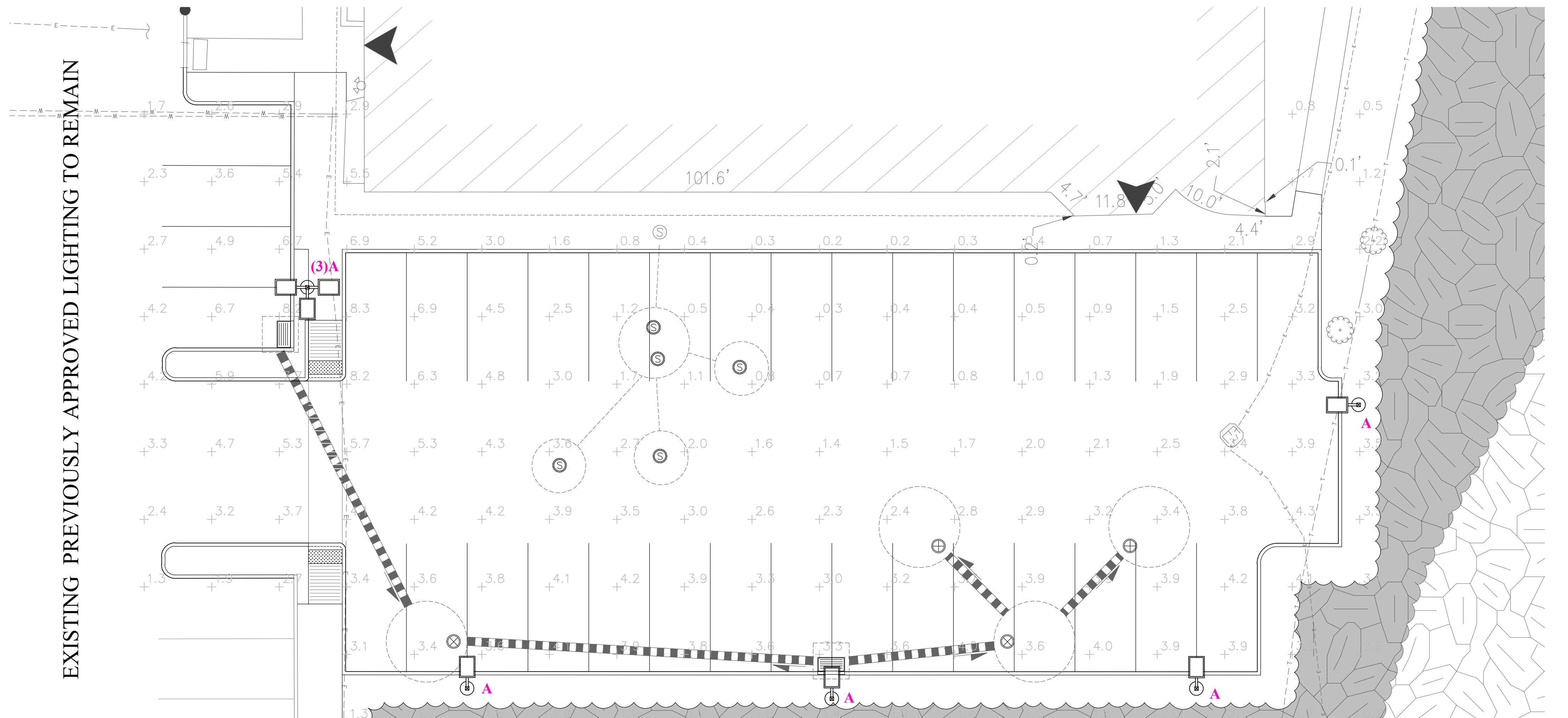


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EXISTING PREVIOUSLY APPROVED LIGHTING TO REMAIN



LUMINAIRE SCHEDULE

SYMBOL	LABEL	QTY.	DESCRIPTION	KELVIN RATING	MTG. HT.	WATTS
	A	7	ASI-LED-42C-700-30K-SR4-MVOLT	3000 K	20'	97

CATALOG NUMBER:
A) ASI-LED-42C-700-30K-SR4-MVOLT

AS1 LED
LED Area Luminaire

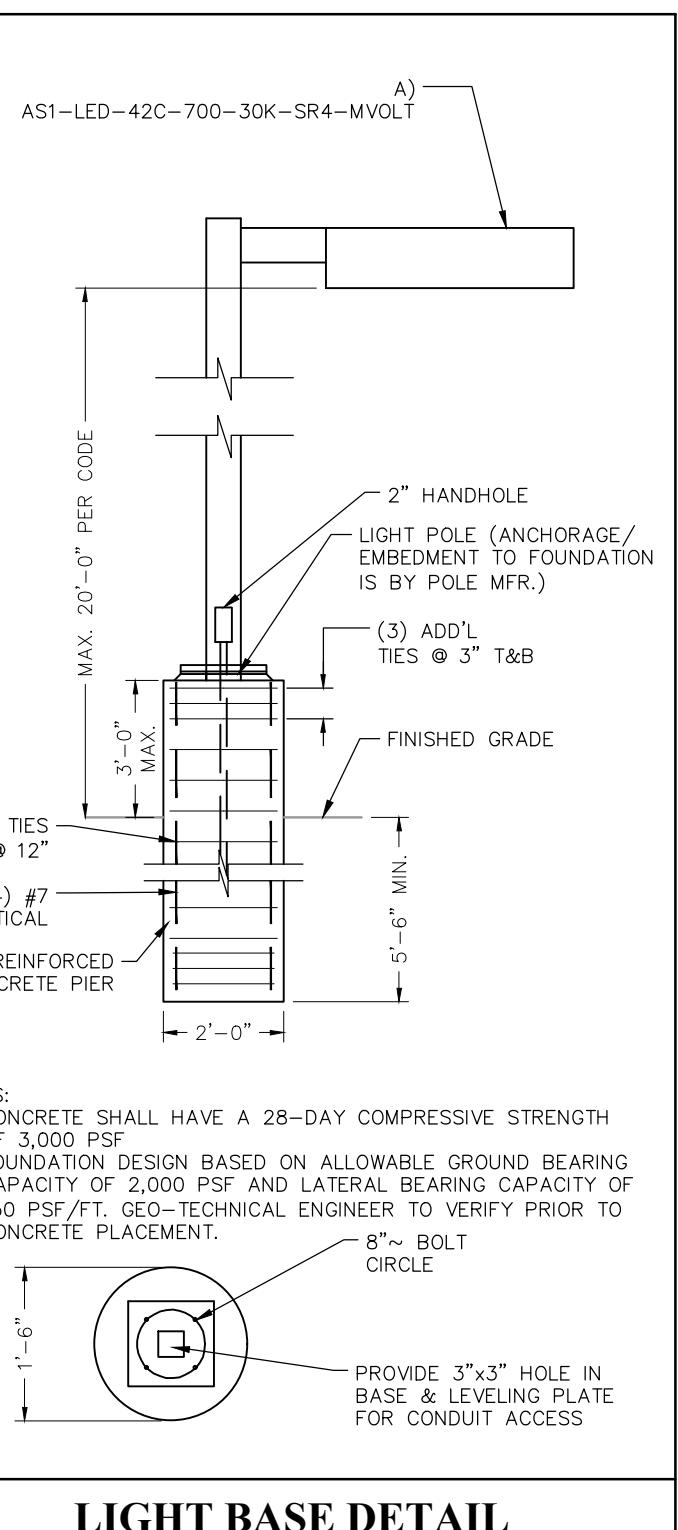
AS1 LED
LED Area Luminaire
AERIX
Specifications
EPA: 237 W
Length: 22.61" (574 mm)
Width: 13" (330 mm)
Height: 3.39" (85 mm)
Weight (max): 15.8 lbs (7.2 kg)

DETAILED LIGHTING SPECIFICATION, FIELD TEST, MANUFACTURER'S CUT SHEETS.
*OR APPROVED EQUIVALENT

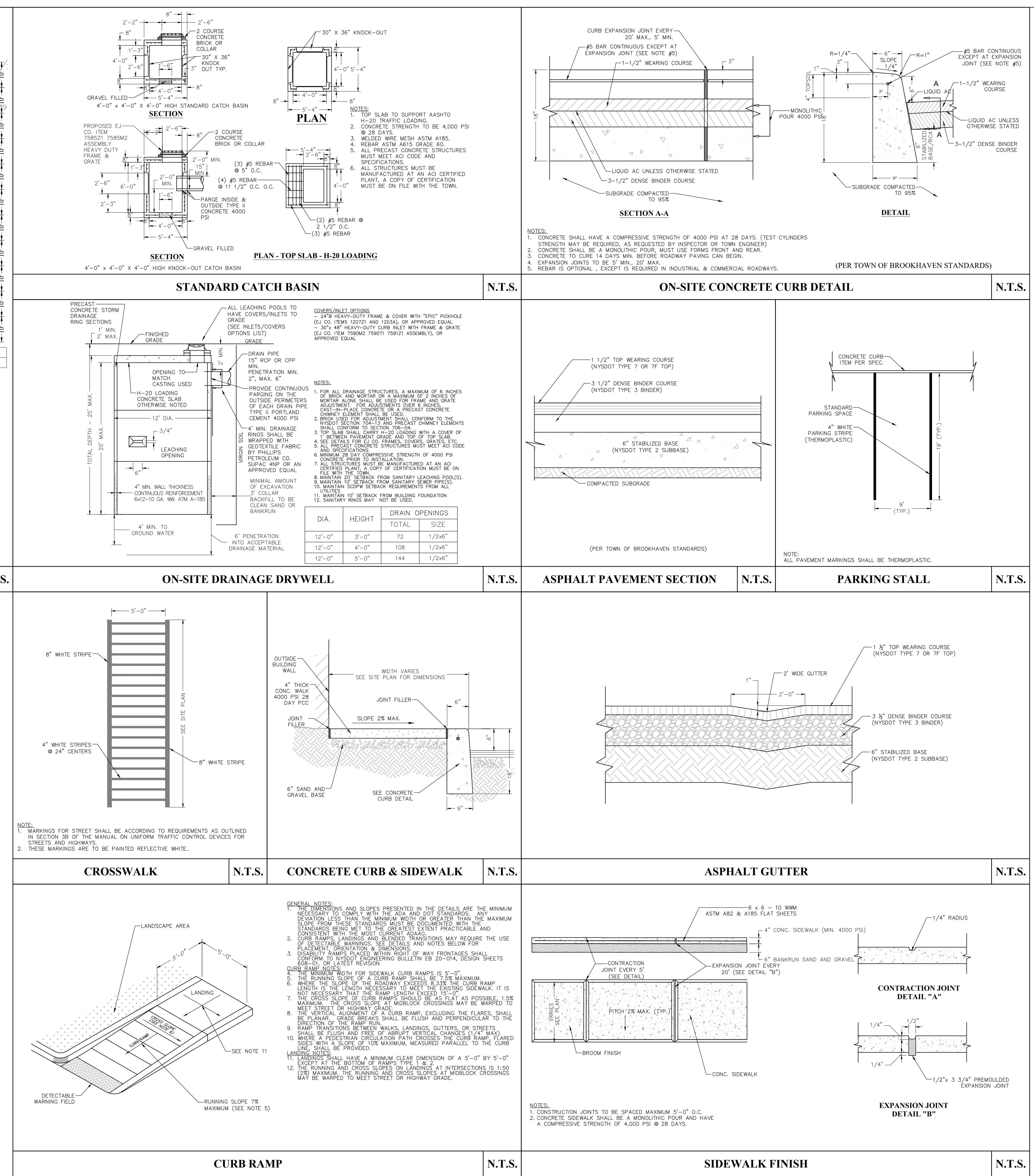
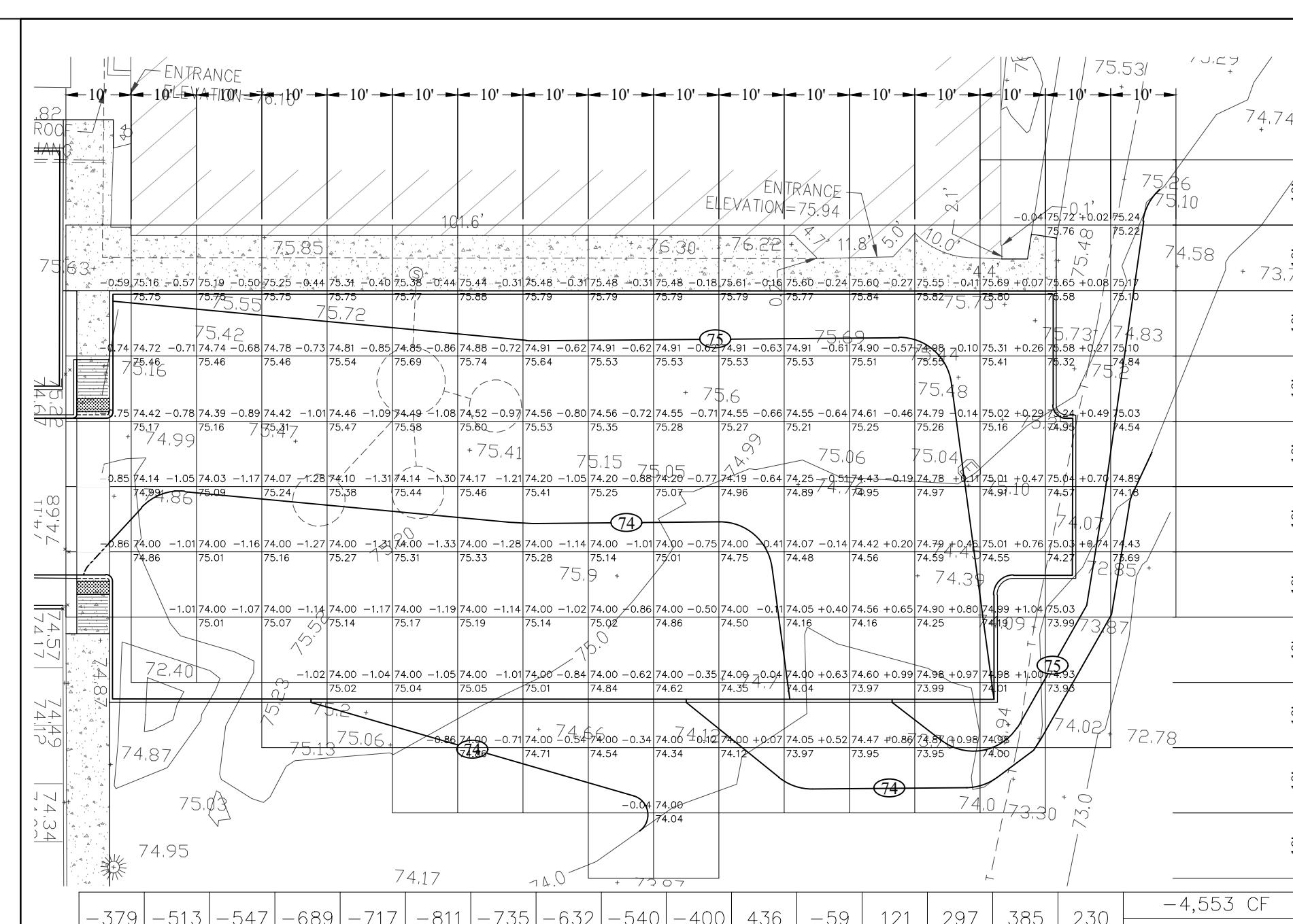
Lithonia Lighting: AS1 LED

LIGHTING NOTES

- All luminaires shall be positioned to shine directly on the subject property and/or R.O.W., away from neighboring properties. No more than 1.0 footcandle of light shall spill onto adjacent property.
- Since actual lighting levels can vary from the design calculations as a result of several factors (landscaping, ambient light sources, etc.), the contractor shall measure/verify the resulting illumination post construction and effect any adjustments necessary to achieve the design intent.
- Light levels depicted are calculated at grade.
- No residential or nonresidential luminaires shall be taller than 20 feet from the natural grade to the lowest light-emitting part of the fixture. Parking area lights are required to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level.
- Privately owned or leased light fixtures located on public utility poles or located in the public right-of-way are prohibited.
- All exterior lighting rated or lamped at 1,800 lumens (100 watts incandescent and greater) shall be flood off the ground, as determined by a luminaire test or verified by the manufacturer, and installed as designed with the light source directed downward. All exterior lighting 1,800 lumens (100 watts incandescent) and less shall use fully shielded fixtures and shall be installed as designed.
- All residential and nonresidential exterior lighting shall not cause light trespass and shall protect adjacent properties from glare and excessive lighting. No exterior lighting shall be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.
- The maximum illuminance at or beyond the property line that adjoins a residential parcel or public right-of-way may not exceed 0.05 fc horizontal on the ground, unless another applicable law supersedes. Maximum horizontal and vertical illumination allowed between adjacent commercial properties is 0.1 fc.
- High-pressure sodium, compact fluorescent, or low-pressure sodium shall be used for all light sources rated over 1,800 lumens (100 watts incandescent). Metal halide (MH) rated over 3,000K and mercury vapor (MV) light sources are not permitted.
- Illuminance level measurements depicted herein include light contributions from proposed building mounted wallpacks/lighting.
- All area exterior lights shall be full cutoff luminaires.
- Unshielded wall packs and floodlights are prohibited.
- No exterior lighting shall be installed, replaced, altered, changed, repaired, relocated, enlarged, moved, improved, or converted unless it conforms to a lighting plan approved by the applicable reviewing board, department, division or agency of the Town of Brookhaven.
- Exterior lighting shall be turned off within 1/2 hour after the close of business and no later than 11:00 pm for those businesses that are closed to the public on or before 9:00 p.m.
- Motion sensor lighting, photocells and timers will be incorporated for after hours reducing energy and light levels, but shall also provide for safety on emergency purposes.



LIGHT BASE DETAIL



APPENDICES

APPENDIX A OWNERS AFFIDAVITS

OWNER'S AFFIDAVIT

(Use this form if property is owned by an individual or a partnership)

STATE OF NEW YORK)
COUNTY OF Suffolk)ss:

Ascend Realty Partners LLC, being duly sworn, deposes
(Owner's Name(s))
and says that I/we reside at 646 Main Street Suite 106
(Owner's Address)
Port Jefferson, in the County of Suffolk,
State of New York, and that I/we am/are the owner in fee of the
property located at 1 Research Road Ridge New York 11961
(Property Address)
which is also designated as Suffolk County Tax Map Number(s)
0200489000100001004, and that I/we have been the
owner(s) of this property continuously since 2/11/2022, and that I/we
(Date)
have authorized Diamond Builders Inc to make a
(Applicant's Name)
permit application to the Central Pine Barrens Joint Planning and Policy Commission for this
property. I/we make this Statement knowing that the Central Pine Barrens Joint Planning and
Policy Commission will rely upon the truth of the information contained herein.

Jeff Vacirca
(Owner's Signature)

12/5/22
(Date)

Sworn to before me this
2nd day of December 2002
Dawn C. Savarese
(Notary Public)

Todd O'Connell
(2nd Owner's Signature)

12/5/22
(Date)

Sworn to before me this
3rd day of January, 2002
Dawn C. Savarese
(Notary Public)

COUNTY OF SUFFOLK
DAWN C. SAVARESE
REG. # 018AG060891
TERM EXPIRES 7/24/23

APPENDIX B

ENVIRONMENTAL ASSESSMENT FORM (EAF)

PART 1

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.

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:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		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 Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input 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 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 type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input 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 Yes No only approval(s) which must be granted to enable the proposed action to proceed?

- **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 Yes No where the proposed action would be located?

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

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

If Yes, identify the plan(s):

Central Pine Barrens Core Preservation Area (CPA)

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

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? _____

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site? _____

c. Which fire protection and emergency medical services serve the project site? _____

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)? _____

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

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? 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: _____ *Expansion of parking area only - 46 additional stalls

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 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses?

Yes No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

At completion

Initial Phase

Yes No

If Yes, *Expansion to existing parking lot only

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? Yes No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): _____

• Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

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

If Yes, describe: _____

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

If Yes:

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

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

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

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

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

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

If Yes:

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

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

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____ Yes No

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

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

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

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

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

If Yes:

- Name of wastewater treatment plant to be used: _____ Yes No
- Name of district: _____ Yes No
- 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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> 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)? _____	
<ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify:	
<ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) 	
<ul style="list-style-type: none"> ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) 	
<ul style="list-style-type: none"> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
<ul style="list-style-type: none"> 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) <input type="checkbox"/> Yes <input type="checkbox"/> No ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ 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) 	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	
<input type="checkbox"/> Yes <input type="checkbox"/> 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?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend	
<input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:	
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Estimate annual electricity demand during operation of the proposed action: _____	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	
ii. During Operations:	
<ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: _____	
n. Will the proposed action have outdoor lighting?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	_____
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe proposed treatment(s):	_____
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	_____
• Construction: _____ tons per _____ (unit of time)	_____
• Operation : _____ tons per _____ (unit of time)	_____
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	_____
• Construction: _____	_____
• Operation: _____	_____
iii. Proposed disposal methods/facilities for solid waste generated on-site:	_____
• Construction: _____	_____
• Operation: _____	_____

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

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

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

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 Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? If Yes, i. Identify Facilities: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? If Yes: i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No • If yes, cite sources/documentation: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? 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: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? If yes, provide DEC ID number(s): _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • 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? 		<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site		
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site		
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> 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)? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____		
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No		
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No		
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No		
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Name of aquifer: _____		

m. Identify the predominant wildlife species that occupy or use the project site:	
n. Does the project site contain a designated significant natural community?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation):	
ii. Source(s) of description or evaluation:	
iii. Extent of community/habitat:	
• Currently: _____ acres	
• Following completion of project as proposed: _____ acres	
• Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Species and listing:	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, provide county plus district name/number:	
b. Are agricultural lands consisting of highly productive soils present?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. CEA name: _____	
ii. Basis for designation: _____	
iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

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

ii. Name: _____

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

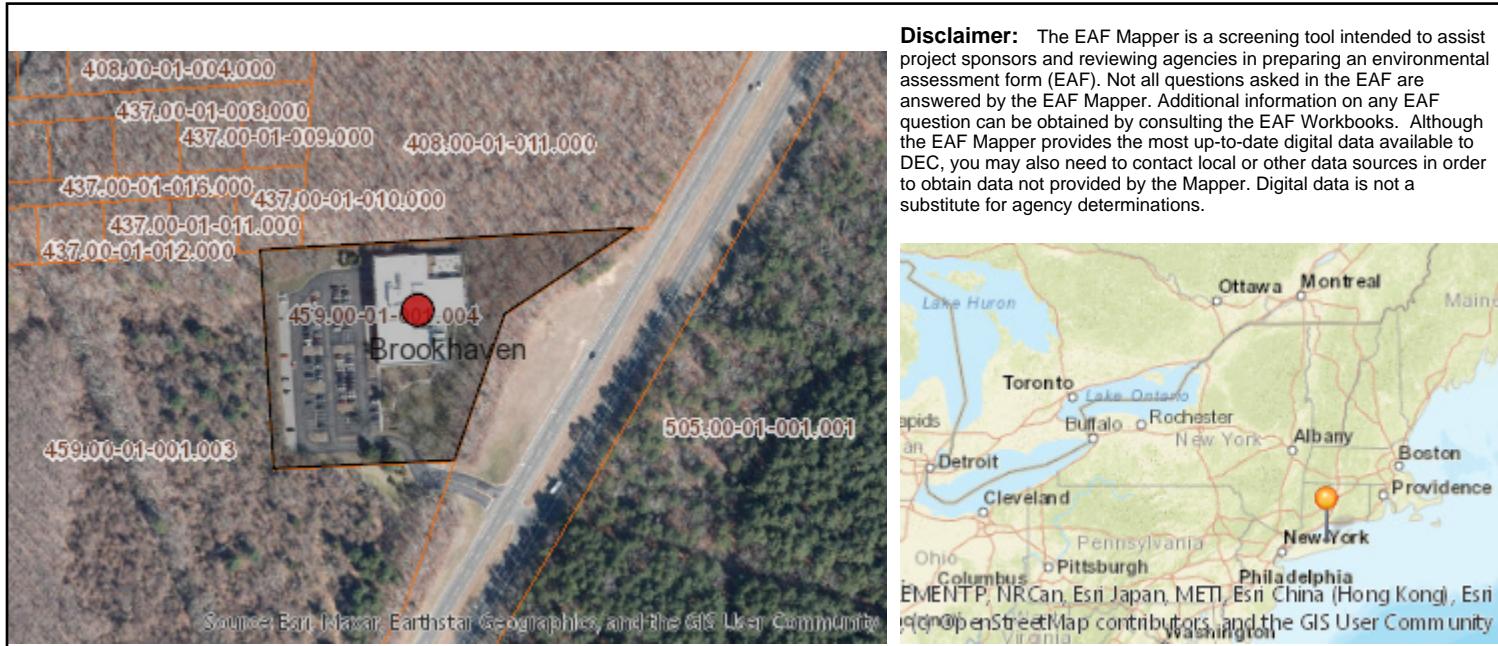
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____



Title _____



B.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: LI North Shore Heritage Area
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]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	152009
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]	No
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]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	Eastern Spadefoot
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	SGPA, Central Suffolk Pine Barrens
E.3.d.ii [Critical Environmental Area - Reason]	Protect groundwater, Benefit to human health & protect drinking water
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Long Island Regional Planning, Agency:Suffolk County, Date:3-19-93, Date:2-10-88
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	Yes
E.3.i.i. [Designated River Corridor - Name]	Peconic River

APPENDIX C PRIOR HARDSHIP APPLICATION RESOLUTION



**Commission Meeting of July 21, 2010
SCWA Training Center, Coram, New York**

Present: Peter Scully (State of New York), Mark Lesko (Town of Brookhaven), Carrie Meek Gallagher (Suffolk County), Jill Lewis (Town of Riverhead), Anna Throne-Holst (Town of Southampton)

**Adopted Resolution on the Core Preservation Area Extraordinary Hardship
Application of the American Physical Society
Ridge, Town of Brookhaven
SCTM No. 200-459-1-1.4**

Whereas, the American Physical Society (the “APS”), by its attorneys, the Weber Law Group, filed an application by letter dated February 17, 2010 for a Core Preservation Area Extraordinary Hardship exemption permit for a 16,274 square foot second-story expansion to an existing 31,062 square foot commercial office building (the “Project”) in the Core Preservation Area of the Central Pine Barrens; and

Whereas, APS has owned since 1979, a five (5.0) acre project site located on the west side of William Floyd Parkway (County Route 46), in the Core Preservation Area of the Central Pine Barrens, SCTM No. 200-459-1-1.4 containing an existing 31,062 square foot commercial office building, 133 parking spaces, and associated infrastructure; 1.55 acres of existing natural area; and

Whereas, APS’ February 17, 2010 petition included an analysis of the hardship criteria contained in ECL §57-0121(10) in support of its Waiver application; APS submitted additional information to the Commission by letters dated May 14, 2010, June 10, 2010, and July 8, 2010; and

Whereas, the Commission held a hearing on the Project on April 21, 2010; and

Whereas, the Commission, by resolution dated December 12, 1994 granted APS a Core Hardship Waiver to authorize a 12,000 square foot expansion of the building on site, which was then 18,000 square feet (the 1994 Waiver); the Waiver was subject to two conditions: “1. There shall be a physical delineation in the field of the limit of clearing for the building and associated construction activities; and 2. The building addition shall be designed and constructed in such a manner that any future expansion needs of the sponsors may be accommodated by vertical expansion above the new addition;” and

Whereas, the Commission by resolution dated March 16, 2006 issued APS a “non-development” determination authorizing the removal of six trees “in order to permit emergency vehicle access, improve employee safety, and to protect APS’ services and assets;” and

Whereas, the Project requires APS’ on site septic system be expanded and upgraded to accommodate an additional 985.5 gallons per day (gpd) increase in sanitary flow, for a total of 2,748.5 gpd, which exceeds the as of right sanitary flow of 1,500 gpd and current flow of 1,762 gpd, which the current flow rate was granted a Waiver in 1997 by the Suffolk County Department of Health; and

Peter A. Scully
Chair

Mark Lesko
Member

Steve A. Levy
Member

Anna E. Throne-Holst
Member

Sean M. Walter
Member

P.O. Box 587
3525 Sunrise Highway
2nd Floor
Great River, NY
11739-0587

Phone (631) 224-2604
Fax (631) 224-7653
www.pb.state.ny.us

Whereas, the Project requires the removal of 2,613.6 square feet or 0.06 acres of natural vegetation (1.2 percent of the site area); 27 additional parking spaces, for a total of 160 spaces on site; and the reconfiguration of internal driveways and the site ingress/egress access on CR 46; and

Whereas, APS' Proposed Vegetation Plan prepared by Cameron Engineering dated June 2010, proposes the restoration of an estimated 1.14 acres (49,658.4 square feet) from developed to vegetated, of which 0.41 acres will be revegetated with native plant species and 0.73 acres will be maintained as managed landscape vegetation; and

Whereas, the Project requires a New York State Department of Environmental Conservation (DEC) Wild Scenic and Recreational Rivers (WSRR) Permit; Town of Brookhaven Site Plan approval and relief from the Town Code of the Town of Brookhaven for a 41.5 percent parking variance; relief from the Suffolk County Sanitary Code for the increase in 985.5 gpd sanitary flow over the existing flow of 1,762 gpd for a total projected flow of 2,748.5 gpd and retirement of 3.29 sanitary wastewater credits; and Suffolk County Department of Public Works review and approval for modifications to the existing curb cut and driveway on a County Road 46; and

Whereas, the DEC, by letter dated July 8, 2010, stated, “[o]n April 1, 2010, we advised this property owner that a DEC permit was necessary. However, we have not received an application from the landowner. At this time we have no comments regarding their proposal due to the lack of sufficient information about the project;” and

Whereas, the Suffolk County Department of Health Services (SCDHS) Office of Wastewater Management has issued APS a “Notice of Incomplete Application” dated April 30, 2010 for the Project; and

Whereas, the SCDHS Notice of Incomplete Application referenced the use of Pine Barrens Credits (PBCs) to exceed the allowable on site density; however, the Commission finds that the redemption of PBCs on a project site in the Core Preservation Area is contrary to the spirit and intent of the Act and the Comprehensive Land Use Plan and recommends that APS purchase and retire a minimum of 3.29 sanitary wastewater credits to comply with Article 6; and

Whereas, the Commission has indicated in policy preference that PBCs not be redeemed in the Core in Section 6.5.3.2.3 of the CLUP, which states, “No ROD may include any land within the Core Preservation Area or any Critical Resource Area;” and

Whereas, pursuant to the Town of Brookhaven Town Code Article XXXVII Central Pine Barrens District §85-451, Incentive Zoning (B)(2), “The redemption of Pine Barrens development credits may be utilized to obtain an increase in density or intensity of development in connection with development proposals for parcels, lots and assemblages located outside of the Core Preservation Area subject to the review and approval by the Town Board or Planning Board as the case may be;” and

Whereas, APS' attorney stated during the public hearing on the Project, “[w]e are well aware of the question of Pine Barrens credits. We have had conversations with the Health Department and County with regard to the ability to find other sanitary credits in hydrological zone three. We're attempting to do so that so the issue of Pine Barrens Credits as a redemption would not have to be considered. We have not been able to find them yet, but that does not mean

we won't still try so that the additional septic sewage expansion can be done in a way that meets the criteria of the Health Department yet does not force the Commission to issue a ruling on something that may have a precedent. We don't want to have to set a precedent if we don't have to," and

Whereas, APS, in its June 10, 2010 letter, stated that they acknowledged the position of the Pine Barrens Credit Clearinghouse and were actively pursuing sanitary credits under the SCDHS Division of Environmental Quality TDR program; and

Whereas, the Project is an Unlisted Action pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act, SEQRA), and the Commission performed a coordinated review for Lead Agency status; and

Whereas, no objections were raised by Involved Agencies concerning the Commission's desire to assume Lead Agency status; and

Whereas, the Commission has considered the application and all related documents, including the Full Environmental Assessment Form (EAF) submitted by APS and the EAF Part II; and

Whereas, pursuant to the criteria contained in ECL §57-0121(10), APS has satisfied the conditions for and has demonstrated extraordinary hardship as the Project is unique as the site contains a pre-existing commercial building continuously occupied by the same owner since prior to the enactment of ECL Article 57; and

Whereas, pursuant to APS' demonstration of extraordinary hardship as per ECL §57-0121(10)(a), APS has satisfied the conditions for demonstrating extraordinary hardship as APS designed the proposal in harmony with the project site's physical surroundings and boundary constraints due to the site's location in the Core Preservation Area, with the objective to minimize disturbance to existing natural vegetation to the greatest extent practicable, and in accordance with the condition imposed by the Commission in its December 14, 1994 resolution to accommodate future expansions of the building on a vertical plane rather than expanding the existing building laterally, which would result in a greater amount of disturbance and adverse impacts to the site than the current proposal; and

Whereas, the Project is consistent with the Act which contemplated continuation of pre-existing uses within the Core Preservation Area, and pursuant to ECL §57-0121(10)(a)(i) through (iii), APS has satisfied the conditions for and has demonstrated extraordinary hardship as the project site was originally developed in 1979 with subsequent expansions, including one since the enactment of Article 57, for which APS was granted the 1994 Waiver; APS has owned and occupied the facility since 1979, APS, a publisher of physics journals, has invested more than 30 years in this location as their headquarters, established their editorial staff in proximity to and close association with nearby Brookhaven National Laboratory, a major physics research facility, and the surrounding community, and employs skilled scientists with an objective toward the dispersion of the findings of scientific research to the benefit the knowledge and awareness of the scientific community and others; and

Whereas, pursuant to ECL §57-0121(10)(iii), the Commission granted the 1994 Waiver which stated that any future additions be accommodated by vertical expansion; and therefore the inability to have a beneficial use was not the result of action or inaction by APS or prior owners; and

Whereas, pursuant to ECL §57-0121(10)(c), the Project will not be materially detrimental or injurious to other property or improvements in the area or result in endangering public safety or substantial impairment of the resources of the Core; APS has met these additional standards for granting a hardship permit in the Core due to the concentration of the majority of disturbance in areas of the site which were already developed, the containment of all physical activity within the subject site, and the minimal amount of on site disturbance in areas not formerly disturbed, and

Whereas, pursuant to ECL §57-0121(10)(c)(ii), the waiver is not inconsistent with the purposes, objectives or general spirit and intent of this title; the waiver is consistent with the purposes, objectives, and general spirit of Article 57 as the project site was developed prior to the Act and the current plan preserves existing natural vegetation, ecologic, and hydrologic functions of the Pine Barrens through the restoration of 0.41 acres, which is more than six times the 0.06 acres area that is proposed for disturbance, and the additional septic flow as a result of the expansion is offset and mitigated through a no net increase in flow upon the sterilization of 3.29 sanitary wastewater credits in the region; and

Whereas, pursuant to ECL §57-0121(10)(iii), the waiver is the minimum relief necessary to relieve the extraordinary hardship on behalf of APS to meet their needs and minimize adverse impacts on the project site in the Core Preservation Area to the greatest extent practicable and in accordance with the condition previously established by the Commission in the grant of the 1994 Waiver; and

Whereas, the Commission has considered all materials submitted in connection with the application, now, therefore, be it,

Resolved, that pursuant to the New York State Environmental Conservation Law (ECL) Article 8 (State Environmental Quality Review Act (SEQRA)) 6 NYCRR Part 617, the Commission hereby adopts a Negative Declaration pursuant to SEQRA for the Project, and be it further

Resolved, that the Commission hereby determines the application, as submitted, meets the criteria for Core Preservation Area Hardship based on extraordinary hardship pursuant to New York State ECL §57-0121 (10) (a) and (c) and be it further

Resolved, the Commission finds that based on the 1994 Waiver, which identified and contemplated the potential for future vertical expansion, the instant Waiver is not inconsistent with the purposes, objectives, or general spirit and intent of ECL Article 57; and be it further

Resolved, the Commission finds that APS has designed the proposal in harmony with the project site's physical surroundings and boundary constraints, with minimal disturbance to existing natural vegetation to the greatest extent practicable, and in accordance with the condition imposed by the Commission in its 1994 Waiver resolution to accommodate future expansions of the building on a vertical plane rather than expanding the existing building laterally; and be it further

Resolved, pursuant to ECL §57-0121(10)(a)(i) through (iii), the Commission finds that APS has satisfied the conditions for and has demonstrated extraordinary hardship as the project site was developed in 1979, owned, and operated by one continuous owner, APS, a publisher of scientific journals, which has established their headquarters and scientific staff in proximity to

Brookhaven National Laboratory, a major physics research facility, employs scientists with the objective to maintain awareness of emerging and important scientific research to the scientific community, and desires to continue to maintain their presence and close ties to BNL and the community from their pre-existing and current location in the Core, which is consistent with this title; and be it further

Resolved, pursuant to ECL §57-0121(10)(c), the Commission finds that APS has satisfied the conditions for and has demonstrated extraordinary hardship as the majority of proposed minimal site disturbance is in areas of the project site that are formerly disturbed and were planned to be developed under prior approvals, therefore, the project will not be materially detrimental or injurious to other property or improvements in the area or result in endangering public safety or substantial impairment of the resources of the Core; and

Resolved, pursuant to ECL §57-0121(10)(c)(ii), the Commission finds that APS has satisfied the conditions for and has demonstrated extraordinary hardship as the pre-existing nature of development on the project site and the current proposal aim to preserve existing natural resources and hydrologic functions of the Pine Barrens through the restoration of 0.41 acres of previously disturbed area and the sterilization of 3.29 sanitary wastewater credits resulting in no net groundwater impacts in Hydrogeologic Zone III, the waiver is not inconsistent with the purposes, objectives or general spirit and intent of this title; and be it further

Resolved, pursuant to ECL §57-0121(10)(iii), the waiver is the minimum relief necessary to relieve the extraordinary hardship on behalf of APS to meet the needs of the existing American Physical Society headquarters and to minimize adverse impacts on the Core and in accordance with the condition previously established by the grant of the 1994 Waiver; and

Resolved, that APS plans to minimize the impact on the resources of the Core Preservation Area to the maximum extent practicable and mitigates such impacts by the implementation of a restoration plan; and

Now therefore be it resolved

Resolved, that the application is for a Core Preservation Area hardship exemption based on extraordinary hardship approved by the Commission, on this day, July 21, 2010, in accordance with the Vegetation Plan prepared by Cameron Engineering dated June 2010 and date stamped received July 12, 2010, subject to the following specific conditions:

1. Obtain a DEC WSRR Permit and forward a copy to the Commission prior to site disturbance; and
2. Obtain SCDHS approval prior to site disturbance and forward a copy to the Commission prior to site disturbance and include proof of the retirement of 3.29 sanitary credits; and
3. APS must implement mitigation measures identified in this decision as conditions to the Waiver granted herein and APS must adopt, implement, and strictly comply with the same; and
4. APS shall purchase and retire a minimum of 3.29 sanitary wastewater credits, which must not be in the form of Pine Barrens Credits, at the Suffolk County Department of Health Services, to comply with Suffolk County Sanitary Code Article 6. Submit proof of this transaction to the Commission prior to site disturbance; and
5. The project site is not eligible for a credit allocation in the Pine Barrens Credit Program; and

6. Submit to the Commission for review and receive Commission approval of a restoration plan for 0.41 acres with specifications for planting including native species, spacing, maintenance, and irrigation requirements; and
7. Submit for Commission approval a draft Declaration of Covenants and Restrictions (C & Rs) to protect a minimum of a total of 1.96 acres of the project site, which APS proposed as the total area to remain natural (i.e., 1.55 acres of existing natural area and 0.41 acres of restored area). The C & Rs shall include a requirement for APS to ensure the survivability and maintenance of the restored area for a minimum of three years, at which time the Commission will perform a compliance inspection of the restored area; and
8. Notify the Commission within 48 hours in advance of the commencement of site disturbance activity on the project site to provide for Commission inspection of the site disturbance limits; and
9. Restore 0.41 acres of the project site, excluding the existing 1.55 acres to remain natural; and
10. Upon completion of the restoration work, notify the Commission to allow the Commission to perform a compliance inspection of the restored area; and
11. Record the C & Rs after the Commission approves the same.

now therefore be it

Resolved, if any changes occur in the elements of the project including, but not limited to, the proposal to sterilize 3.29 sanitary credits at the Health Department to exceed the current wastewater flow, APS must notify the Commission and submit an amended application, subject to review and approval; and be it further

Resolved, a copy of this resolution shall be filed with the Suffolk County Clerk indexed against the property; and be it further

Record of Motion:

Motion by: M. Lesko
Seconded by: C. Gallagher
In Favor: 4
Opposed: 0
Abstention: 1 (P. Scully)

State Environmental Quality Review Act
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

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.

The Central Pine Barrens Joint Planning & Policy Commission, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

LEAD AGENCY: The Central Pine Barrens Joint Planning & Policy Commission
P.O. Box 587
3525 Sunrise Highway, 2nd Floor
Great River, New York 11739

TITLE OF ACTION: American Physical Society
Core Preservation Area Hardship Exemption

APPLICANT: American Physical Society

LOCATION: 1 Research Road, Ridge, Town of Brookhaven, Suffolk County

TAX MAP: 200-459-1-1.4

REQUEST: Second-story expansion

SEQR STATUS: Unlisted Action

PROPOSED PROJECT

The project consists of a second-story expansion, 16,274 square foot addition, on an existing 31,062 square foot commercial office building. The project site is 5.0 acres and contains approximately 1.5 acres of existing natural vegetation and 3.5 acres of developed and landscaped area. The project includes the upgrade and expansion of the on site septic system, modifications to the existing site ingress/egress, and expansion of the parking facilities for an additional 27 parking spaces. Restoration of 0.41 acres of the site is proposed in addition to the 1.55 acres of existing natural area to remain. Approximately 0.73 acres of the site will be maintained vegetation.

REASONS SUPPORTING THIS DETERMINATION:

The Commission reviewed the Environmental Assessment Form Parts I and II that were prepared for the project.

The project site was developed with structures in 1979, which pre-dates the 1993 adoption of NYS ECL Article 57. In 1994, the Commission granted a Hardship Waiver for an expansion of the building on site, which was subject to a condition to design the building for a second story vertical expansion in the future. The second story expansion is the subject of the current application.

The proposed project is within the Core Preservation Area of the Central Pine Barrens as defined in the Long Island Pine Barrens Protection Act (Environmental Conservation Law Article 57). The proposed action is classified as an Unlisted Action. A 30-day coordinated review occurred with other involved agencies including the New York State Department of Environmental Conservation, Suffolk County Department of Health, Suffolk County Department of Public Works, and the Town of Brookhaven. No substantive comments were received from any involved agencies during this period in regard to the project.

As the proposed project is classified as development as per NYS ECL Article 57-0107(13), it requires a Core Hardship Waiver. The applicant is a private entity, therefore, the application is an Extraordinary Hardship and the Commission must consider the criteria for Hardship as per ECL Article 57-0121(10).

The Commission held a public hearing on the application on April 21, 2010 at Brookhaven Town Hall. Testimony was heard from the applicant, Commission Members and Staff, and the public. The Commission reviewed the Staff Report prepared for the project, which is in the file record along with hearing exhibits. The applicant submitted additional information to support the application on May 14, 2010, June 10, 2010, and July 12, 2010.

The project site contains a commercial office use in an area without sewer services, therefore, sanitary wastewater is treated in individual on site septic systems. The project includes the upgrade and expansion of the on site septic system to accommodate an additional 985.5 gallons per day (gpd) of sanitary wastewater flow for a total of 2,748.5 gpd. To comply with Suffolk County Article 6 Sanitary Code requirements for a parcel in Hydrogeologic Zone III and mitigate potential adverse impacts to groundwater resources relative to the proposed increase in sanitary wastewater on the project site, the applicant proposes to purchase and retire 3.29 development rights or sanitary wastewater credits. The upgrading of the sanitary system will conform to current Suffolk County Health Standards designed to further minimize groundwater impacts. To avoid setting a precedent for retiring credits for increase in intensity of land use in the Core, the applicant has agreed to not retire Pine Barrens Credits. The TDRs or credits to be retired and proof must be provided to the Commission prior to site disturbance.

The project involves a minimal amount of clearing of 0.06 acres of existing natural vegetation, which is located on the forest edge as opposed to interior and therefore less significant as wooded habitat. The applicant proposes to mitigate proposed clearing through the restoration of 0.41 acres of natural vegetation. The existing natural vegetation, 1.55 acres, and the restored area, 0.41 acres, totals 1.96 acres that will be protected through the filing of covenants and restrictions with the Commission and recorded in the Office of the Suffolk County Clerk.

The project site is partially developed with an existing building and related structures, originally built in 1979, prior to the 1993 enactment of Environmental Conservation Law Article 57. The project does not establish a new land use on an undeveloped project site in the Core Preservation Area. Although the Comprehensive Land Use Plan aims to prohibit or redirect development in the Core, the project site contains an existing commercial office building, which pre-dates the adoption of ECL Article 57 in 1993. In addition, the project is a second-story vertical expansion of an existing building instead of a lateral expansion, which would likely involve greater disturbance. Furthermore, during the project review process, the applicant reduced the amount of site disturbance from 0.24 to 0.06 acres.

The project aims to minimize disturbance to the Central Pine Barrens Critical Environmental Area (CEA) to the greatest extent practicable. Therefore, the proposed project will not result in

the significant impairment of the environmental characteristics of the CEA, and no significant adverse impacts on the CEA are expected as a result of the proposed project.

The project aims to incorporate “green building” standards to the greatest extent practicable. Therefore, the project will not result in a major change in the use of either the quantity or type of energy.

Although the project site is in a Scenic Corridor as defined in the Central Pine Barrens Comprehensive Land Use Plan, the existing building and proposed second-story addition will continue to be partially obstructed from the road by an existing mature vegetated buffer along the site’s frontage on CR 46, which will remain intact under the project.

The proposed project is expected to be constructed and designed with minimal disturbance and appealing design features that enhance the view of the site. The existing circular driveway on the south side of the site currently visible from the County Road, will be revegetated under the proposed project. Furthermore, any ground disturbance will occur in areas that were previously disturbed. Any subsurface resources present originally are no longer extant. Therefore, the project does not result in the impairment of the character or quality or important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

No substantial adverse change in air quality, traffic, flooding, or erosion is expected as a result of the proposed project.

The project will not encourage or attract large numbers of people to the site, other than the employees of the American Physical Society.

No significant adverse environmental impacts in the short- or long-term, or adverse direct or indirect impacts were identified in the SEQRA process.

APPENDIX D

HISTORICAL AERIAL PHOTOGRAPHS

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix**

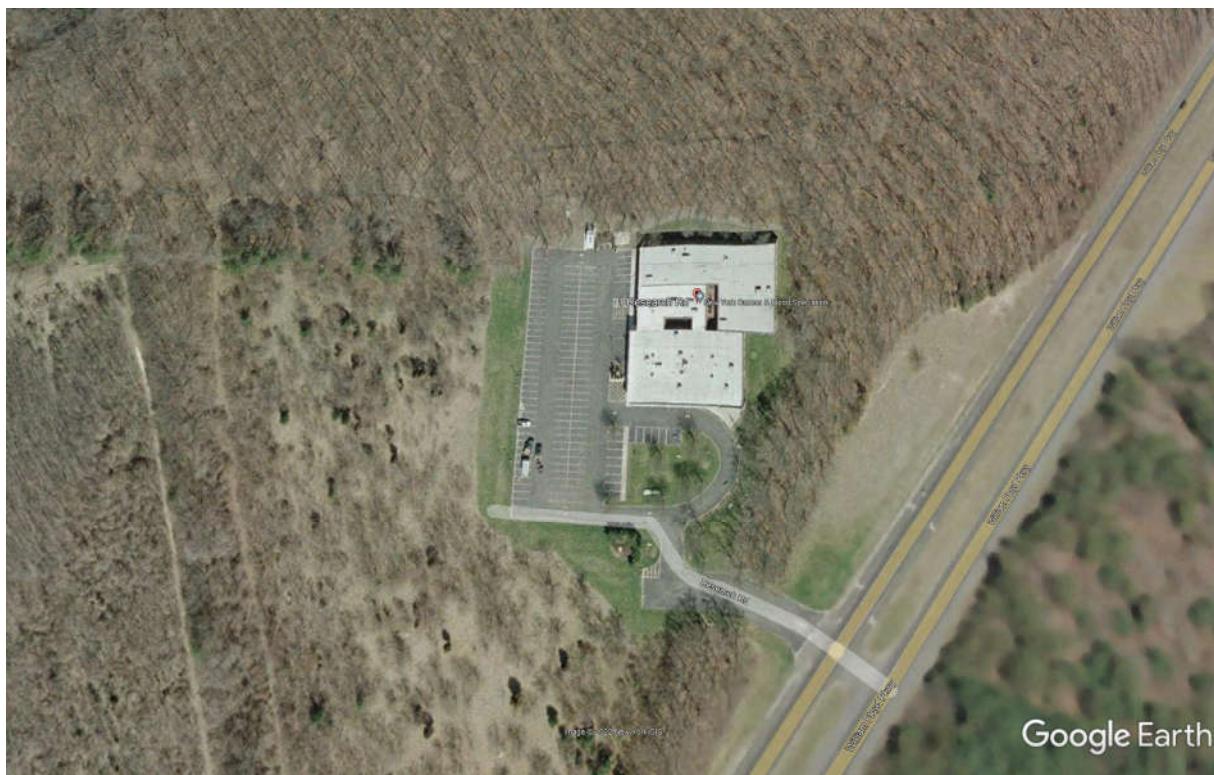


Aerial Photograph Year: 1994



Aerial Photograph Year: 2003

NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix

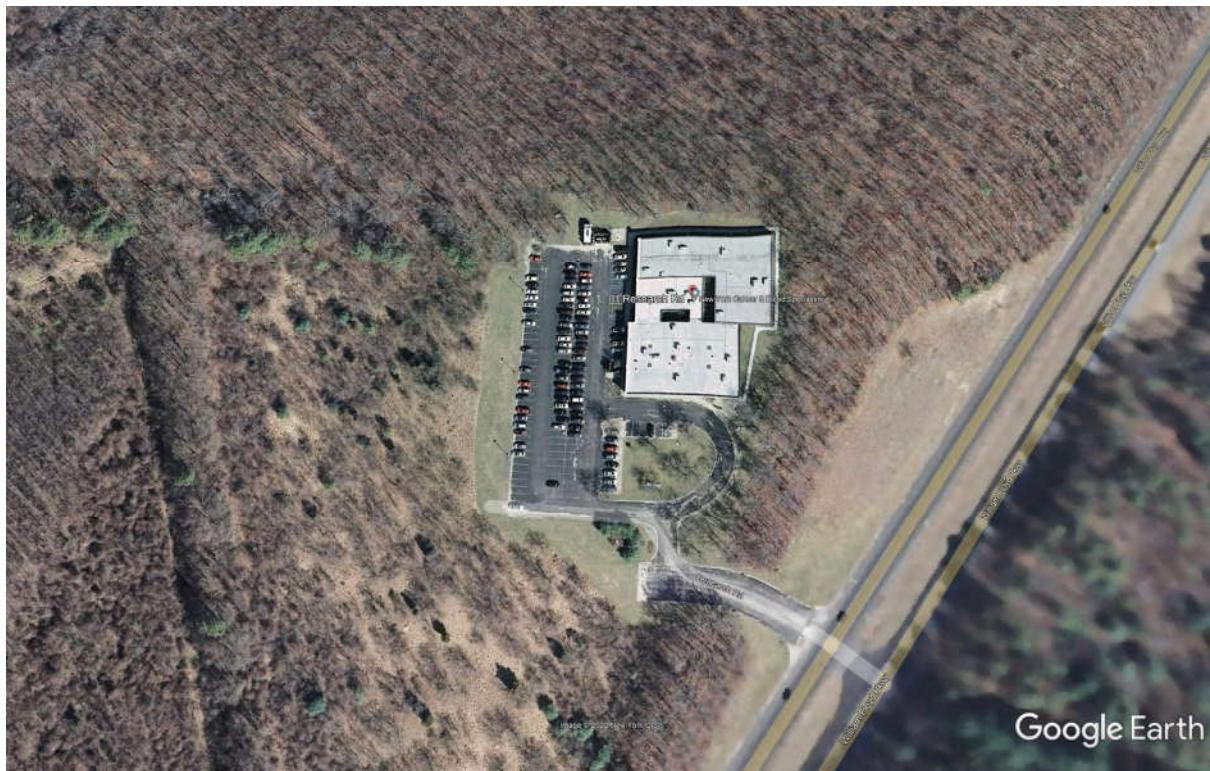


Aerial Photograph Year: 2004

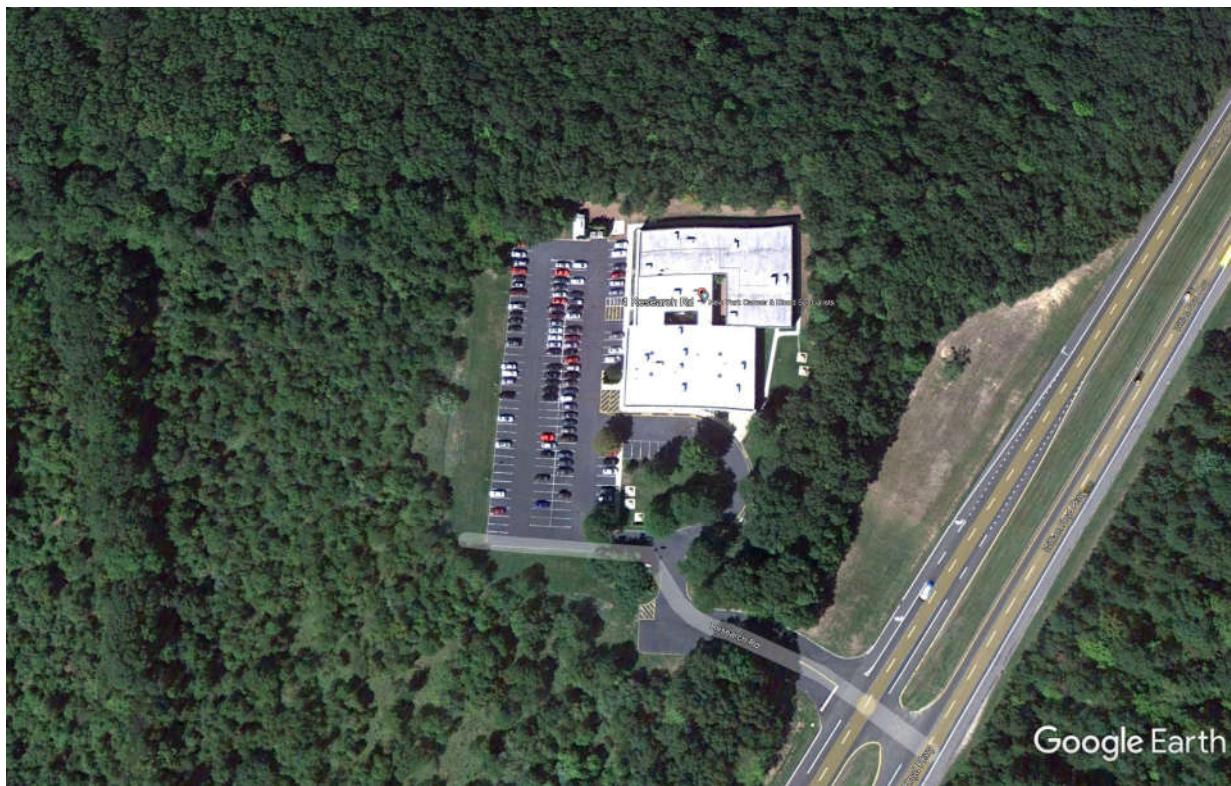


Aerial Photograph Year: 2005

NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix



Aerial Photograph Year: 2007

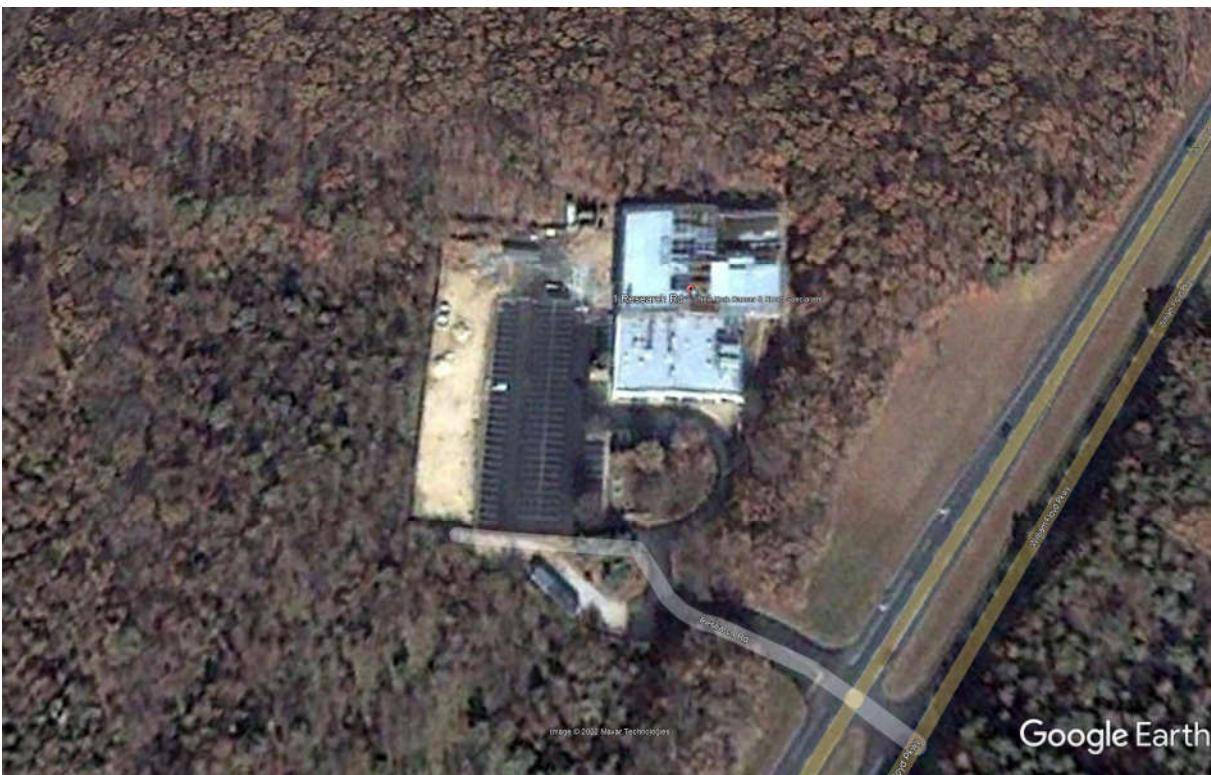


Aerial Photograph Year: 2010

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix**

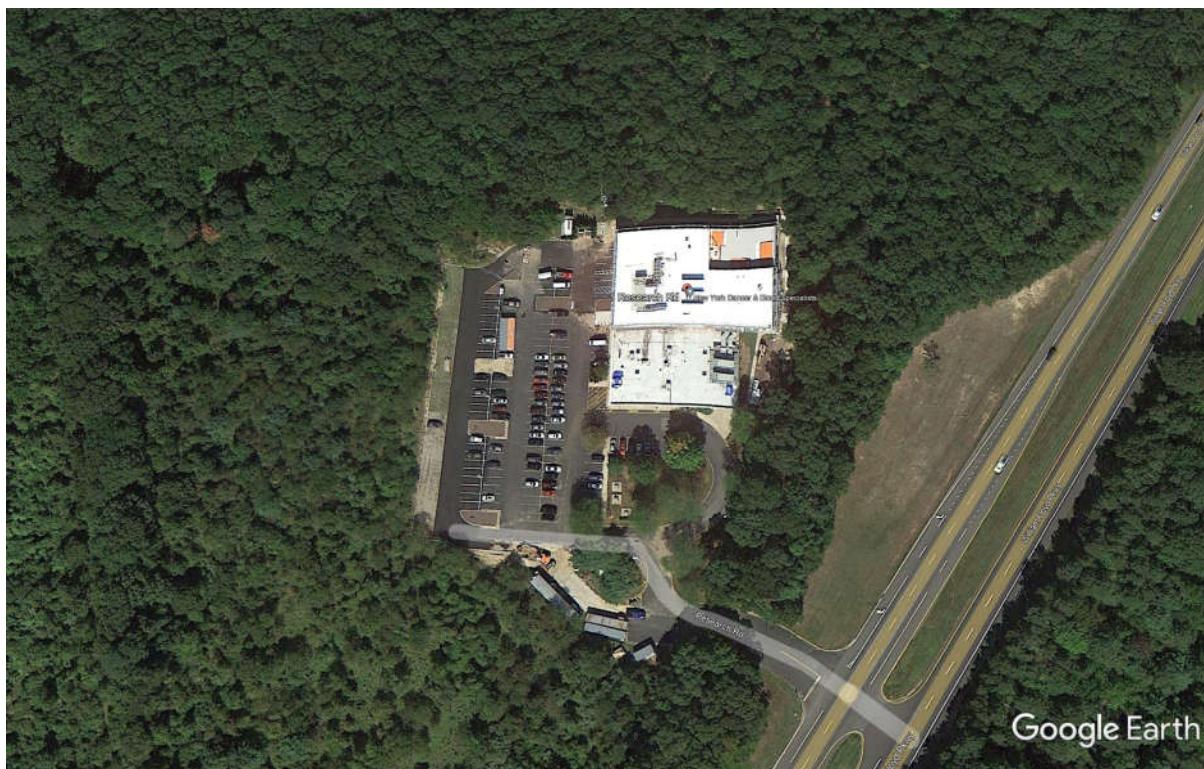


Aerial Photograph Year: March 2012

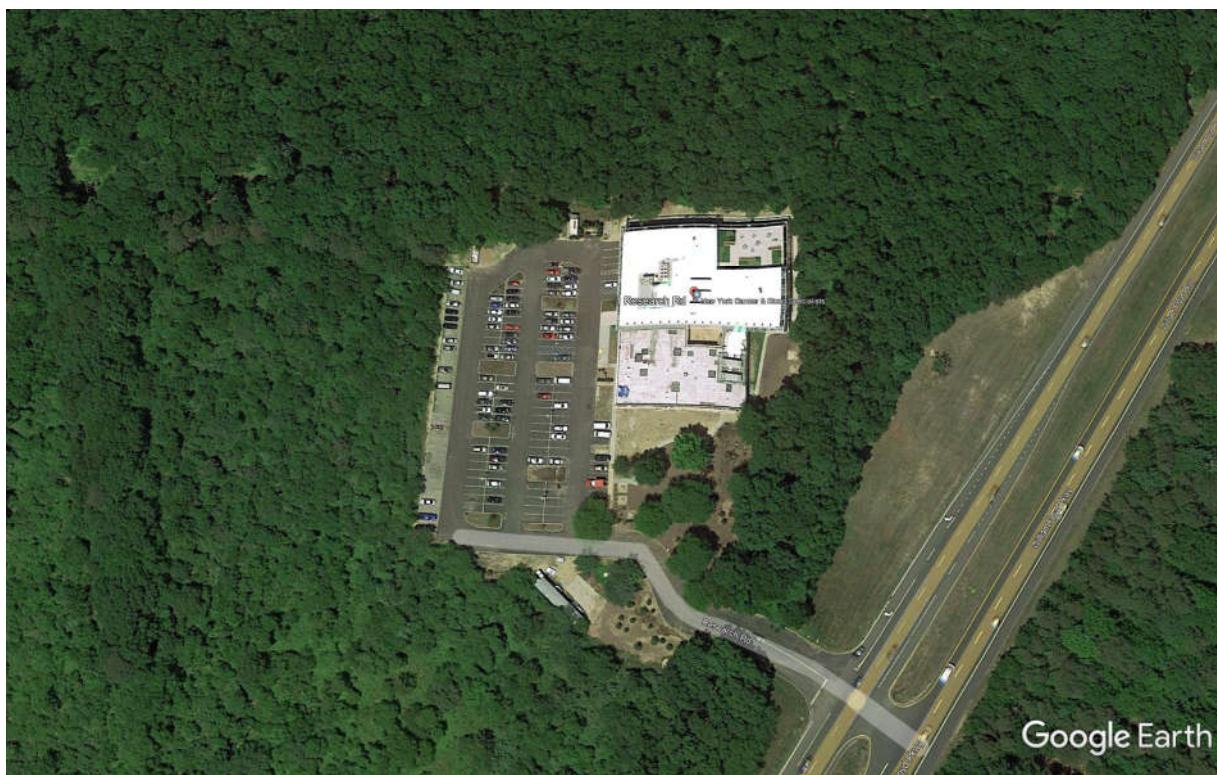


Aerial Photograph Year: November 2012

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix**

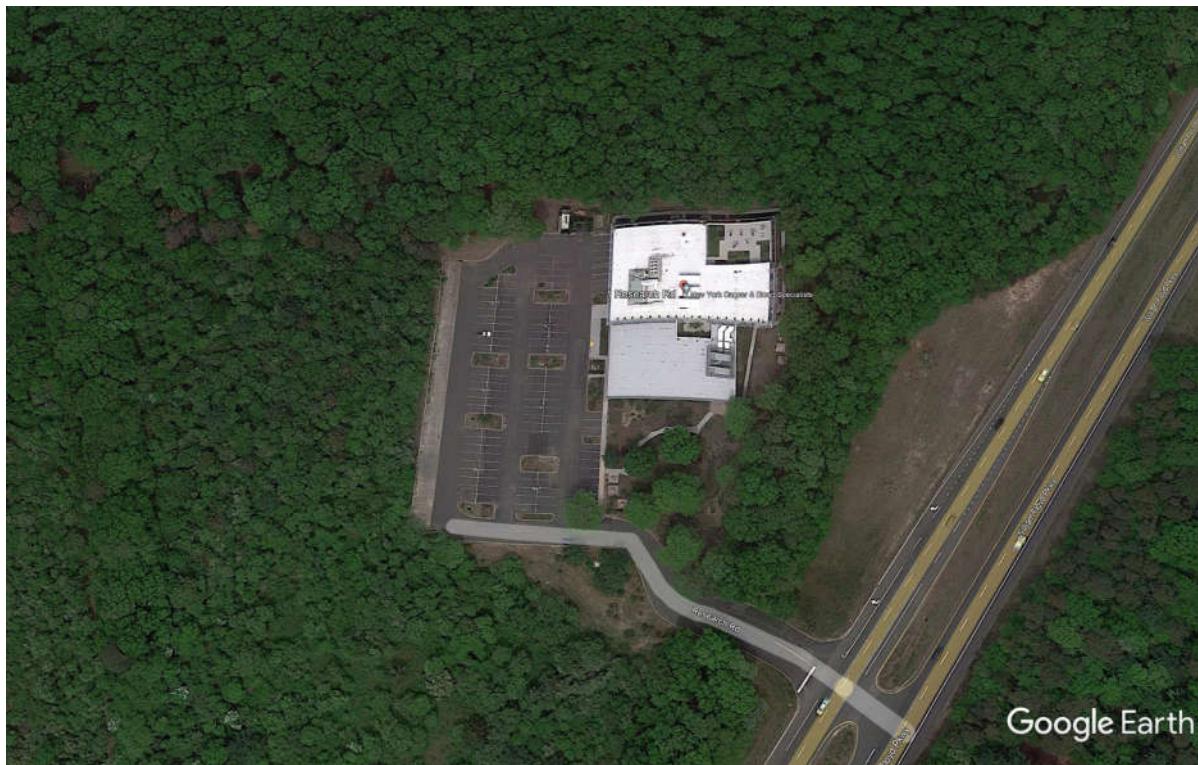


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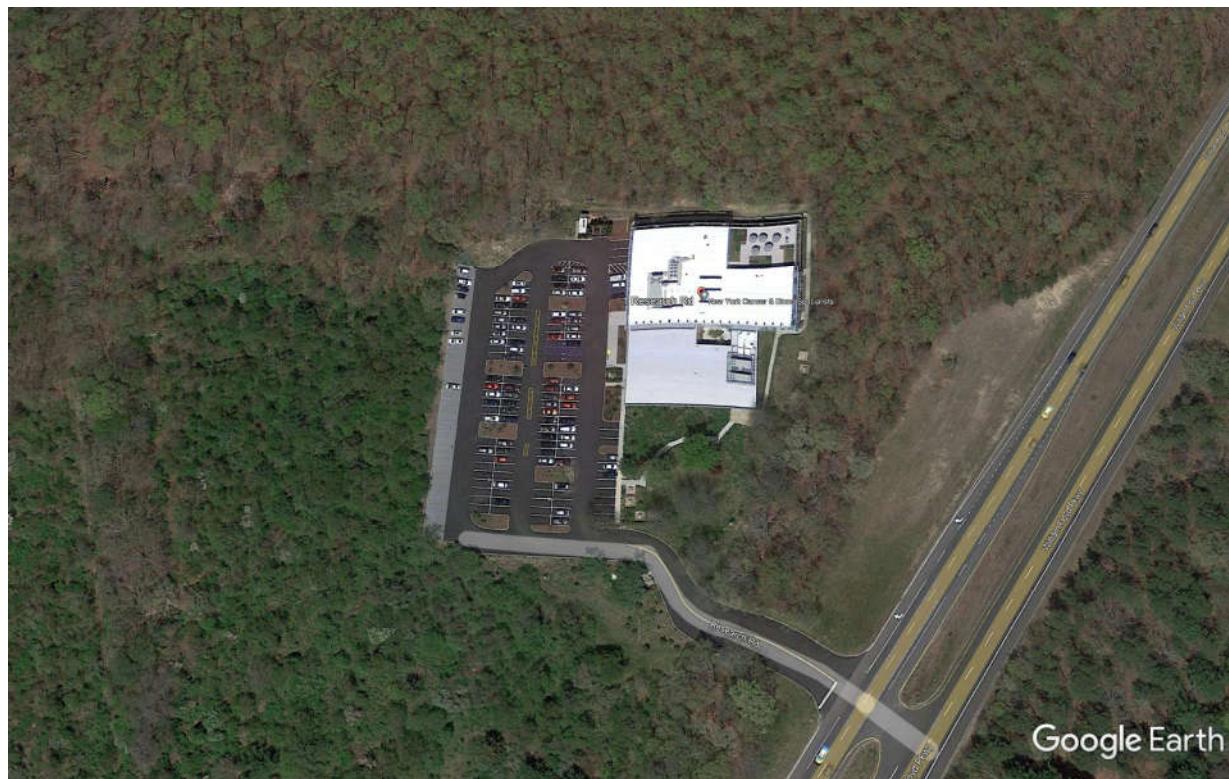


Aerial Photograph Year: 2014

NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix

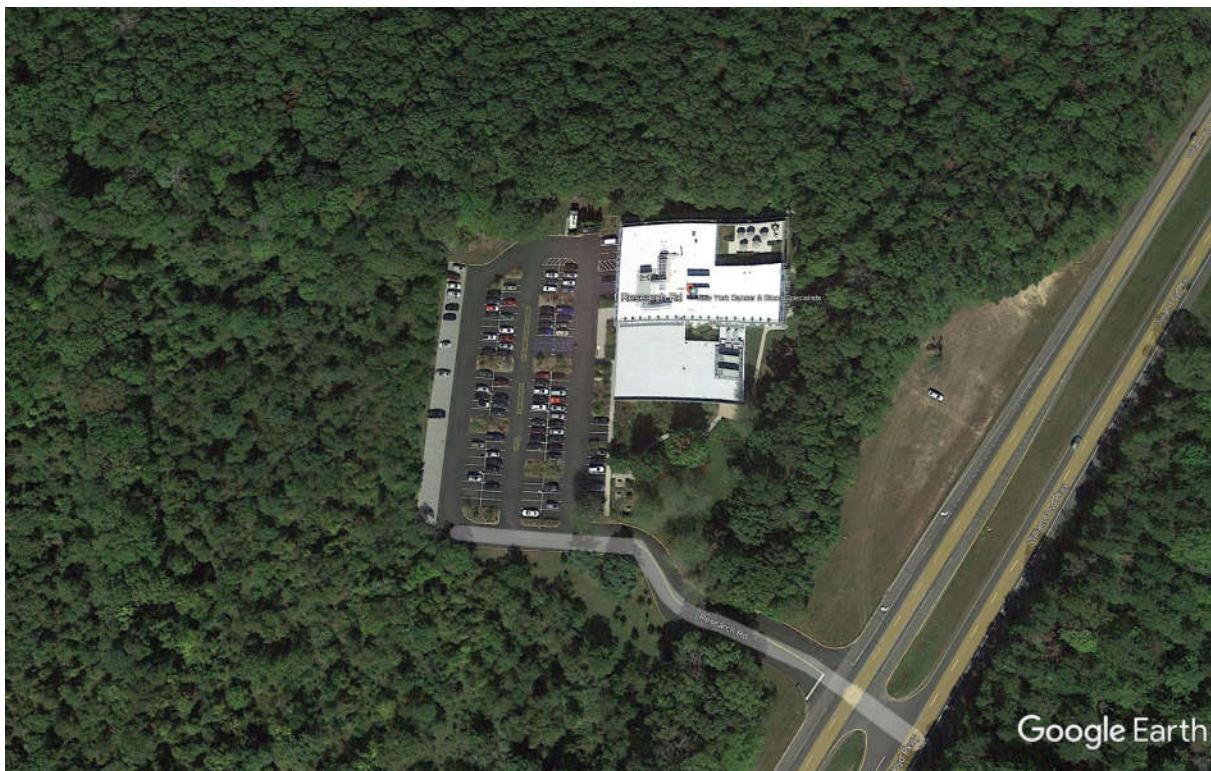


Aerial Photograph Year: 2015



Aerial Photograph Year: 2016

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix**

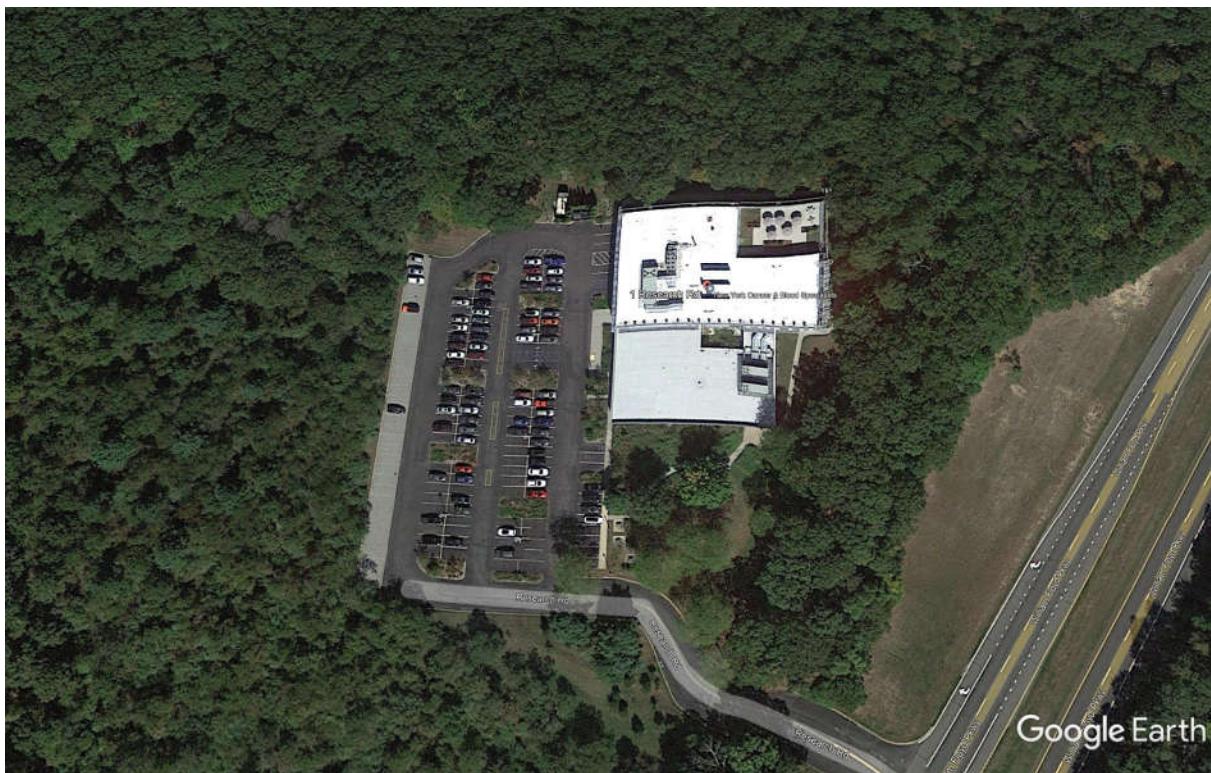


Aerial Photograph Year: 2017

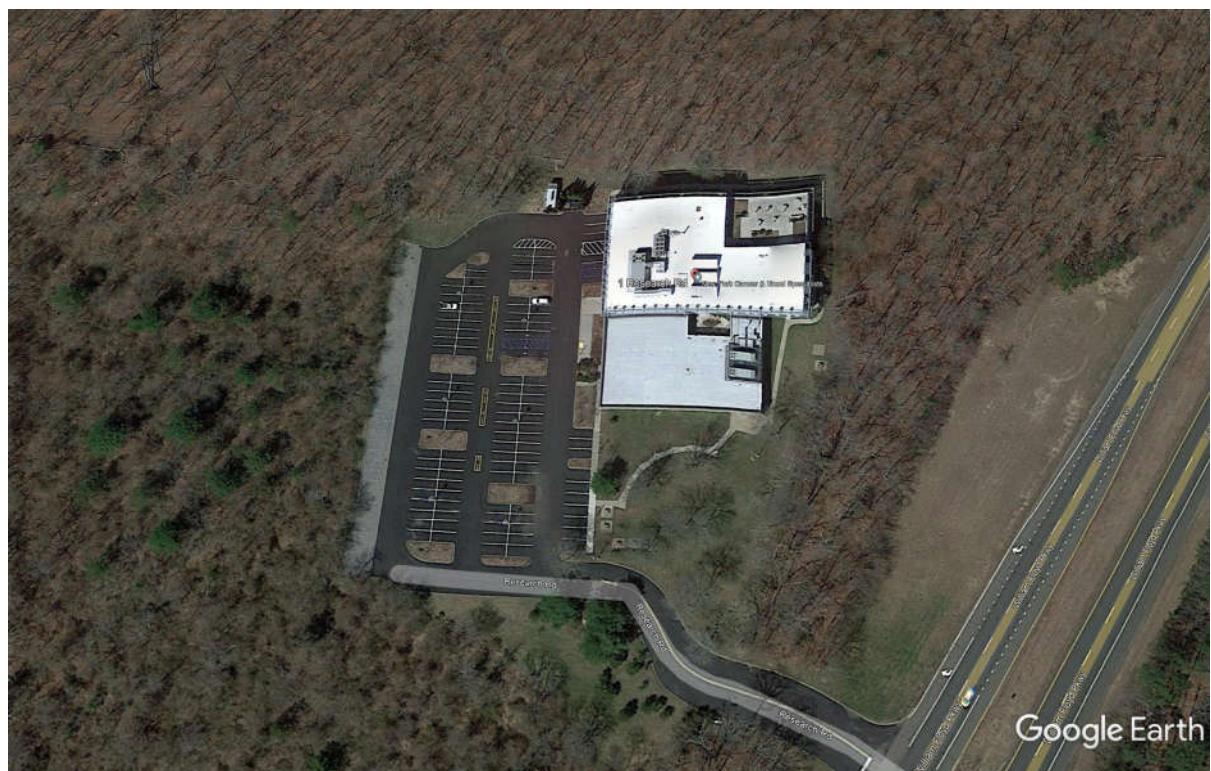


Aerial Photograph Year: 2018

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Historical Aerial Photograph Appendix**



Aerial Photograph Year: 2019



Aerial Photograph Year: 2021

APPENDIX E SITE PHOTOGRAPHS

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 1: View of overflow vehicles parked on Research Road



Photo 2: View of overflow vehicles parked on Research Road

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 3: View of overflow vehicles parked on Research Road



Photo 4: Exterior of subject building and landscaped area on south side of subject building

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 5: Exterior of subject building and landscaped area on south side of subject building



Photo 6: Excess parking along Research Road

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 7: Vehicles parked illegally in parking lot



Photo 8: Vehicles parked illegally in parking lot

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 9: Parking area



Photo 10: Vehicles parked illegally in parking lot

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 11: Exterior of subject building and vehicles parked illegally in parking lot



Photo 12: Exterior of subject building

NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022



Photo 13: Exterior of subject building



Photo 14: North side of subject building

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 15: North side of subject building



Photo 16: East side of subject building

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**



Photo 17: East side of subject building



Photo 18: East side of subject building

**NY Cancer & Blood Specialists, 1 Research Road, Ridge
Site Photographs Taken September 13, 2022**

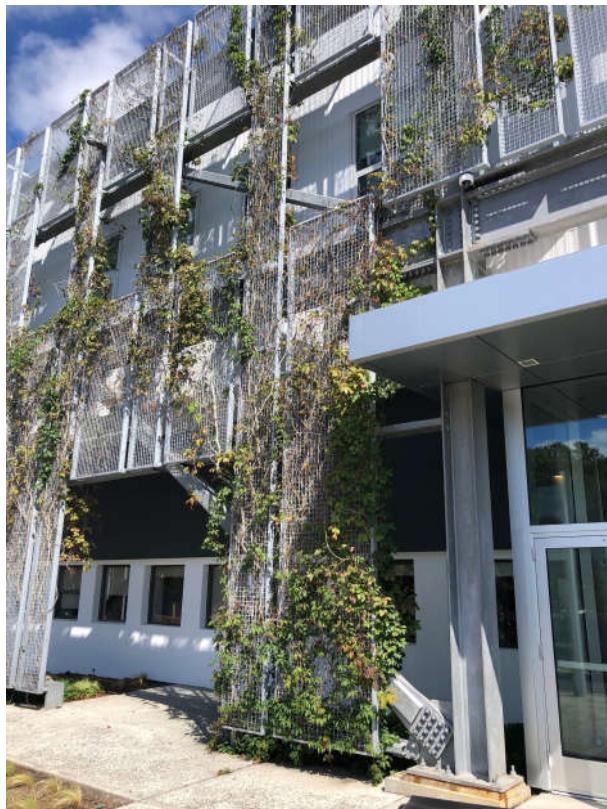


Photo 19: Exterior of subject building