



## **Construction & Development**

September 30, 2024

Ms. Julie Hargrave  
Policy and Planning Manager  
Central Pine Barrens Joint Planning & Policy Commission  
624 Old Riverhead Road  
West Hampton Beach, NY 11978

Dear Ms. Hargrave,

Thank you for meeting Long Island Rail Road (LIRR) in July to discuss our project to relocate the Yaphank Train Station. We appreciate your assistance with respect to coordination of our application to the Central Pine Barrens Joint Planning and Policy Commission.

As discussed at our meeting we are providing you with a copy of our application and supporting documents.

Section 1266(11) of New York Public Authorities Law (PAL) exempts certain transportation projects implemented by the MTA and its subsidiaries, including the LIRR, from certain sections of the New York Environmental Conservation Law, including SEQRA, if the project is constructed on property used for a transportation purpose, or has an insubstantial (generally considered less than 10 acres) and contiguous addition to that property, which will not change the general character of the prior transportation use in a material respect. MTA LIRR is choosing to assert that exemption from SEQRA for this project.

MTA LIRR has already coordinated with the State Historic Preservation Officer to obtain a finding of no effect in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law).

MTA LIRR is currently coordinating with New York State Department of Environmental Conservation (NYSDEC) to obtain its concurrence that the proposed Yaphank Train Station project will not affect any threatened or endangered species or habitat. A stormwater management pollution prevention plan has been reviewed by NYSDEC.

While MTA LIRR is not required to comply with the provisions of local land use regulations, we have reviewed the project against the standards codified at 85-723 of Town of Brookhaven Town Code, the relevant portion of Town Code implementing the standards of the Long Island Pine Barrens Commission. Specifically, the project would:

- Not generate any sanitary wastewater and thus would not generate any nitrate-nitrogen;
- Not generate significant discharges to groundwater in proximity to any public water supply wells;
- Not disturb any freshwater or tidal wetlands, or the buffer areas of any wetlands, nor affect any lands within the Carmans River wild and scenic rivers area;
- Provide on-site stormwater management such that all stormwater runoff originating from the station is recharged on-site;

- Minimize the areas of clearing on the site to those areas required for construction and operation of the access driveway, parking area, and station plaza and retention of unfragmented open space to the maximum extent practicable given the site's location adjacent to an industrial park and the Long Island Expressway right-of-way. Any new landscaping would be native plantings or species that are not fertilizer-dependent;
- Not result in significant adverse impacts upon habitat essential to any State or Federal rare, threatened, endangered, or species of special concern, or upon any natural communities classified by New York State Natural Heritage Program as G1, G2, G3 or S1, S2, or S3.
- Not be a commercial or industrial development to which Suffolk County Sanitary Code would apply.

MTA LIRR would own the property and would be the entity responsible for managing the property and maintaining compliance with the LIPBC standards.

Please let us know if the Central Pine Barrens Joint Planning & Policy Commission requires any further details on the proposed project.

You may reach me at (516) 523-0894.

Sincerely,



Albert S. Albano, Director, MTA C&D – LIRR Business Unit

On behalf of MTA LIRR, Corporate Safety:

Karlene Mayerhofer, Deputy Chief Safety Officer – Occupational Health and Environmental Safety (347-494-6029, kmayerh@lirr.org), and Magdalena Rychtecka, Director – Environmental Planning and Compliance (347-494-6034, mrychte@lirr.org).

cc: S. Lansdale (Suffolk County Department of Economic Planning & Development)  
 M. DiBrita (Town of Brookhaven PELM)  
 H. Garcia (LIRR)  
 N. Fasano (LIRR)  
 K. Mayerhofer (LIRR)  
 M. Rychtecka (LIRR)  
 D. Betty (MTA C&D)  
 R. Amanna (MTA C&D)  
 S. Calvagna (MTA C&D)

# COMPATIBLE GROWTH AREA APPLICATION

## MTA LIRR New Yaphank Station

Applicant Information	
Name	MTA Long Island Rail Road
Address	Long Island Rail Road - Corporate Safety Department 144-41 94th Avenue, Mail Code 1944 Jamaica, NY 11435
Phone/Fax	Office: (347) 494-6029 Cell: (929) 990-3439
Agent's Name	Karlene Mayerhofer Deputy Chief Safety Officer – Occupational and Environmental Safety
Address	Long Island Rail Road - Corporate Safety Department 144-41 94th Avenue, Mail Code 1944 Jamaica, NY 11435
Phone/Fax	Office – (347) 494-6029 Cell – (929) 990-3439

Project Information	
Project Name	LIRR New Yaphank Station
Tax Map Number(s)	0200-554.00-01.00-002.001
Street Location	Precision Drive
Hamlet & Town	Upton, Town of Brookhaven
Total Project Site Acreage	Lot Size – 5.36 acres Project Footprint – 2.78 acres
Existing Land Use (vacant, residence, etc)	Vacant lot within an industrial subdivision

Present Zoning (if split please give areas within each zone)	Light Industrial 1 (L1)
Project Description	The MTA Long Island Rail Road (LIRR) is relocating its existing Yaphank Station to a new site east of the present station to better meet current and future transit demands associated with existing and future commercial and residential economic development projects in Central and Eastern Suffolk County. The new station site is located on a 5.36-acre parcel, owned by MTA LIRR, at the eastern end of the Brookhaven Technology Center between the existing LIRR right-of-way and the Long Island Expressway. The basic elements of the new station are a single, elevated two-car platform; parking area with approximately 50 parking stalls; bus loop; a “kiss and ride” facility and connection to an existing road for vehicular and pedestrian access.

Permit Information	
State Environmental Quality Review Act (SEQRA) (please note if positive declaration, date of DEIS and FEIS, etc)	The project is exempt from SEQRA as per New York State Public Authorities Law 1266(11). Please refer to the cover letter for additional information.
Town Permits - subdivision, site plan, tree clearing, variance, special permit (please note from which board)	As a State Agency, MTA Long Island Rail Road is not subject to Town permits.
Project Plans Enclosed (site plan, subdivision, etc.) Including drainage or landscape plans	Project plans, including a site plan, drainage plan, and landscape plan are included in Attachment A.
NYS DEC - wetlands, WSR, mining, SPDES, etc.	<p>There are no wetlands within or adjacent to the project site.</p> <p>The project site is not within the Carmans River wild or scenic recreational area.</p> <p>The proposed project does not require any mining permit from NYSDEC.</p> <p>See Attachment B Acknowledgement of Notice of Intent for Coverage Under SPDES General Permit for Storm Water Discharges from Construction Activity – General Permit No. GP-0-20-001 for SPDES Permit.</p>
Suffolk County Department of Health Services - Article 6, 7, 12	The project does not generate any sanitary sewer discharges.
Suffolk County Planning Commission	As a State Agency, MTA Long Island Rail Road is not subject to local land use regulations.

<b>Standard (S)/Guideline (G)</b>		<b>Explanation and Document Page Reference (attach additional sheets if necessary)</b>
S 5.3.3.1.1	Suffolk County Sanitary Code Article 6 compliance	The project does not generate any sanitary sewer discharges.
S 5.3.3.1.2	Sewage treatment plant discharge	The project does not generate any sanitary sewer discharges.
S 5.3.3.1.3	Suffolk County Sanitary Code Articles 7 and 12 Compliance	The project does not generate any sanitary sewer discharges; thus, no on-site sanitary sewer systems are proposed. There is no potential for discharge of industrial wastes, toxic or hazardous materials, or sewage into a disposal system associated with the project. The project does not include the use, storage, or handling of toxic or hazardous materials.
S 5.3.3.1.4	Commercial and industrial compliance with the Suffolk County Sanitary Code	The project is not a commercial or industrial land use.
G 5.3.3.1.5	Nitrate-nitrogen	The project does not generate any sanitary wastewater and thus does not generate nitrate-nitrogen.
S 5.3.3.3.1	Significant discharges and public supply well locations	The project does not generate significant discharges to groundwater in proximity to any public water supply wells.
G 5.3.3.3.2	Private well protection	The project does not include the installation of any wells.
S 5.3.3.4.1	Nondisturbance buffers	The project does not disturb any freshwater or tidal wetlands, or the buffer areas of any wetlands, nor affect any lands within the Carmans River wild and scenic areas.
S 5.3.3.4.2	Buffer delineations, covenants and conservation easements	Not applicable.
S 5.3.3.4.3	Wild, Scenic and Recreational Rivers Act compliance	The project is not within the Carmans River wild and scenic area.
G 5.3.3.4.4	Additional nondisturbance buffers	Not applicable.
S 5.3.3.5.1	Stormwater recharge	All stormwater runoff originating from the project is recharged on site. See Drawing Nos. 01-C-200 and 01-C-201 in Attachment A for Grading and Drainage Plans.
S 5.3.3.5.2	Natural recharge and drainage	The stormwater management design for the project relies on natural recharge to the extent possible. Due to the relatively flat topography, a retention pond above natural soils is proposed. See Drawing Nos. 01-

		C-200 and 01-C-201 in Attachment A for Grading and Drainage Plans.
S 5.3.3.5.3	Ponds	No permanent ponds are proposed as part of the project.
S 5.3.3.5.4	Natural topography in lieu of recharge basins	Natural swales and depressions are used to the maximum extent possible. Two outfalls emanating from the limits of disturbance will direct runoff into existing swales and depressions. See Drawing Nos. 01-C-200 and 01-C-201 in Attachment A for Grading and Drainage Plans.
S 5.3.3.5.5	Soil erosion and stormwater runoff control during construction	All New York State Department of Environmental Conservation standards and guidelines regarding soil erosion and stormwater runoff will be followed during construction.
S 5.3.3.6.1	Vegetation clearance limits	The project is located on a parcel zoned as Light Industrial 1 (L1) and is subject to a maximum overall development project site clearance of 60% as per Figure 5-1 of the Central Pine Barrens Comprehensive Land Use Plan, Volume 1: Policies, Programs and Standards. The total parcel area of the project site is 233,359 SF and an area of 121,038 SF (51.87%) is proposed to be cleared as part of the project. See Attachment C for a Site Clearing Plan.
S 5.3.3.6.2	Open space standard requirement, unfragmented open space and habitat	The project has been designed to recognize abutting open space areas to the west and east. While clearing of land is required, remaining undeveloped space will be located adjacent to open space areas on abutting properties.
S 5.3.3.6.3	Fertilizer-dependent vegetation limit	As per Specification 32 91 01 – Topsoil and Seeding in Attachment D, fertilizer is only called for immediately following the seeding of landscaped areas. No fertilizer will be used during the routine maintenance of the site.
S 5.3.3.6.4	Native plantings	See Specification 32 91 01 – Topsoil and Seeding in Attachment D which includes the seed mixtures specified for the landscaped areas.
S 5.3.3.6.5	Receiving entity and protection for open space areas	MTA LIRR will own the entirety of the parcel and will manage open space areas consistent with Pine Barrens standards.
S 5.3.3.7.1	Special species and ecological communities	MTA LIRR is consulting with NYSDEC regarding potential habitat for any special species and ecological communities.
S 5.3.3.7.2	Bird conservation and protection	No enclosed structures are proposed as part of the project, reducing the potential for any bird strikes.
G 5.3.3.8.1	Clearing envelopes	All clearing for the proposed project will occur in areas with existing slopes of less than ten percent (10%).

G 5.3.3.8.2	Stabilization and erosion control	All construction occurs in areas with existing slopes less than ten percent (10%). Proposed slopes greater than 10% are utilized in the design to facilitate the stormwater management design and minimize the overall project footprint. Slope stabilization details for slopes steeper than 3:1 are shown on Drawing 01-C-403 in Attachment A.
G 5.3.3.8.3	Slope analyses	Site plan drawings include existing and proposed topography. See Drawing No. 01-C-200 in Attachment A
G 5.3.3.8.4	Erosion and sediment control plans	See Drawing Nos. 01-C-401, 01-C-402, and 01-C-403 in Attachment A for Erosion and Sediment Control Plans and Details. No construction activity is proposed in areas of existing slopes greater than fifteen percent (15%).
G 5.3.3.8.5	Placement of roadways	No project roadways traverse a slope greater than ten percent (10%).
G 5.3.3.8.6	Retaining walls and control structures	See Drawing No. 01-S-201 in Attachment A for retaining wall plan and details.
S 5.3.3.9.1	Light pollution prevention	All lighting fixtures direct light downwards and eliminate spill light and direct upward light. See Drawings 01-E-100 and 01-E-200 in Attachment A for Site Lighting Plans. Proposed Luminaire Cutsheets are shown in Attachment E.
S 5.3.3.11.1	Tall structures and scenic resources	There are no structures over 75 feet in height included in the proposed project.
G 5.3.3.11.2	Cultural resource consideration	<p>There are no established recreation and educational trails and trail corridors; active recreation sites; scenic corridors, roads, vistas and viewpoints located in Critical Resource Areas and undisturbed portions of the roadsides of the Long Island Expressway, Sunrise Highway, County Road 111 and William Floyd Parkway; sites on the State or National Register of Historic Places, and historic structures and landmarks recognized by municipal law or statute, or listed on the State or National Registers of Historic Places; and sensitive archaeological areas as identified by the New York State Historic Preservation Office or the New York State Museum within a five hundred (500) foot radius of the outside perimeter of the project site.</p> <p>A Phase 1A/1B report has been prepared for the project site. MTA LIRR has coordinated with the State Historic Preservation Office to obtain concurrence that the project site is not sensitive for archaeological resources (see Attachment F).</p>

G 5.3.3.11.3	Inclusion of cultural resources in applications	Not applicable.
G 5.3.3.11.4	Protection of scenic and recreational resources	Not applicable.
G 5.3.3.11.5	Roadside design and management	Not applicable.

### **ATTACHMENTS**

Attachment A – Project Plans

Attachment B – Acknowledgement of Notice of Intent for Coverage Under SPEDES General Permit

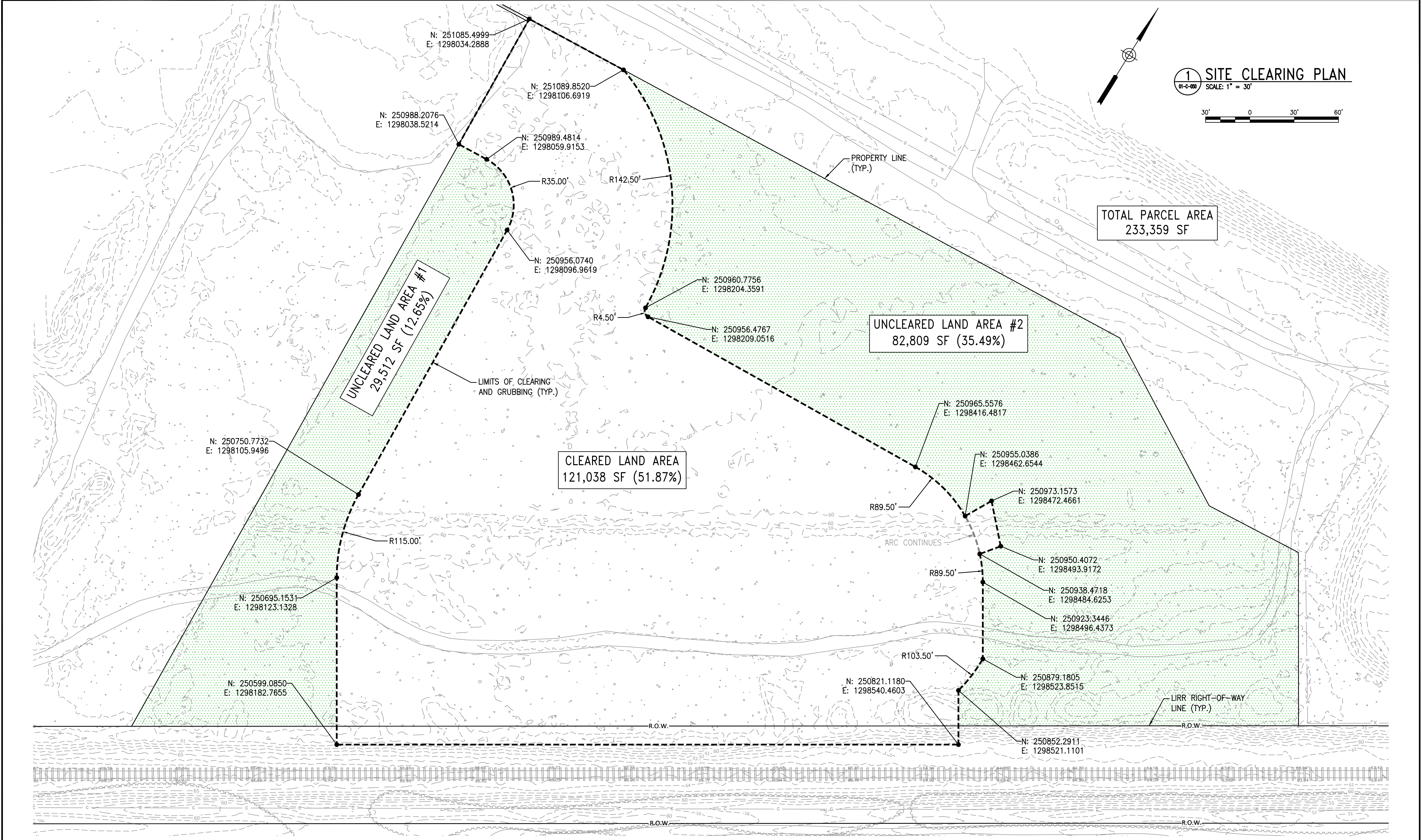
Attachment C – Site Clearing Plan

Attachment D – Topsoil and Seeding Specification

Attachment E – Luminaire Cut Sheets

Attachment F – SHPO Correspondence





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LIRR New Yaphank Station Project Site  
SCTM # 200-554-1-2.1