

October 31, 2024

Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, NY 11978
attn.: Julie Hargrave, Policy and Planning Manager

Re: Lewis Road PRD, Compatible Growth Area Application

Dear Julie:

On behalf of the Applicant, the Discovery Land Company, this office hereby submits to the Central Pine Barrens Joint Planning & Policy Commission (the Commission) the Compatible Growth Area Application for the Lewis Road PRD project.

The Proposed Action is for minor site plan amendments to the approved Lewis Road PRD site plan.

The enclosed documentation details continued conformance with the Standards and Guidelines for Land use as per the Central Pine Barrens Comprehensive Land Use Plan.

Thank you for your attention to this matter and please contact me should you have any questions.

Very truly yours,

Nelson, Pope & Voorhis, LLC



Charles J. Voorhis, CEP, AICP
Partner

cc: Steven Barshov, Esq., DLC counsel

COMPATIBLE GROWTH AREA (CGA) APPLICATION

Central Pine Barrens Joint
Planning & Policy Commission

Lewis Road Planned Residential Development (PRD)

Hamlet of East Quogue, Town of Southampton
Suffolk County, New York

NPV #05105

Prepared for Submission to:

Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11798
Contact: Judy Jakobsen; Executive Director
(631) 288-1079

Prepared by:



NELSON POPE VOORHIS

environmental • land use • planning

70 Maxess Road
Melville, NY 11747
Contact: Charles J. Voorhis, CEP, AICP, Principal
office: 631.427.5665 | cvoorhis@nelsonpopevoorhis.com

October 2024

COMPATIBLE GROWTH AREA (CGA) APPLICATION
LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Hamlet of East Quogue, Town of Southampton
Suffolk County, New York

Applicant:

DLV Quogue, LLC
14605 North 73rd Street
Scottsdale, Arizona 85260
Contact: Joseph Arenson, Partner
(310) 859-0700

Discovery Land Company
14605 North 73rd Street
Scottsdale, Arizona 85260
Contact: Jessica Insalaco, VP
(917) 693-9406

For Submission to:

Central Pine Barrens Joint Planning & Policy Commission
624 Old Country Road (County Route 31)
Westhampton Beach, New York 11798
Contact: Judy Jakobsen; Executive Director
(631) 288-1079
director@pb.state.ny.us

Prepared by:

(Legal)

S Barshov Law, PLLC
20 Lagoon Lane
Haverstraw, New York 10927
Contact: Steven Barshov, Esq.
(917) 886-4328
wbruyn@omblaw.com

(Engineering)

Bohler Engineering
275 Broadhollow Road, Suite 100
Melville, NY 11747
Contact: Bryan Grogan, PE

(Environmental Planning & Analysis)

Nelson, Pope & Voorhis, LLC
70 Maxess Road
Melville, New York 11747
Contact: Charles Voorhis, CEP, AICP, Principal
(631) 427-5665
cvoorhis@nelsonpope.com

(Project Architect)

VITA Planning and Landscape Architecture
181 Third Street, Suite 250
San Rafael, CA 94901
Contact: Don Vita, Principal

October 2024

TABLE OF CONTENTS

COVERSHEET

TABLE OF CONTENTS

TRANSMITTAL LETTER

PROJECT DATA SHEET

PERMIT INFORMATION

STANDARDS AND GUIDELINES FOR LAND USE

ATTACHMENT

A Lewis Road PRD Technical Memorandum – Site Plan Changes, NPV, September 2024

TRANSMITTAL LETTER

COMPATIBLE GROWTH AREA APPLICATION TRANSMITTAL LETTER

Dear Commissioners:

Please accept this package as an application for development review of the project known as

submitted on _____ by _____
Date Applicant's Name

This project is located within the Compatible Growth Area of the Central Pine Barrens as described in Section 57-0107 of the New York State Environmental Conservation Law. I realize that this proposal must meet the Standards and Guidelines for Land Use as per the Central Pine Barrens Comprehensive Land Use Plan including the Final Generic Environmental Impact Statement filed June 12, 1995.

I believe that this project meets all of the standards and guidelines, and appropriate supporting documentation is included in this application. Please find below an explanation, and specific page references to the accompanying support materials, showing consistency with the standards and guidelines. I have also enclosed the required additional materials as noted below. I understand that it is important that I read the enclosed standards and guidelines thoroughly and that my application may be considered incomplete if an explanation is not provided for each of the items described therein and listed below.

In addition to the information noted above, the following requisite material has also been included in this packet: *(please check those items that are included)*

_____ A copy of any and all approvals that have been received to date
(See appendices in Attachment A)

_____ Three copies of the final approved map or site plan including any required conditions or revisions.

_____ Copies of other maps or data that document and support the information presented in the attached forms.
(See Attachment A)

_____ A final State Environmental Quality Review Act or finding statement and supporting documentation (Environmental Assessment Form, Draft and Final Environmental Impact Statements)
(See Appendix B in Attachment A)

_____ A copy of the Suffolk County Planning Commission determination (if applicable). (Not Applicable - "Non-Action" by SCPC)

_____ Completed and Notarized Owner's Affidavit (form attached) - only required if the applicant does not own the property.

I understand that public hearing will be scheduled for this project once my application has been deemed complete.

Jessica Insalaco
(Applicant's Signature)

(Applicant's Name Printed)

I authorize the following individual to act as my agent throughout the review process for this application. Please contact them with all information pertaining to this matter.

Agent's Name, Address and Phone Number: _____

- Chris Brooks _____
- _____
(Agent's Signature)

OWNER'S AFFIDAVIT

(Use this form if property is owned by a corporation)

STATE OF Arizona)

)ss:

COUNTY OF Maricopa)

I, Schuyler Joyner, being duly sworn, deposes and says that I am the
(Authorized Officer's Name)

Partner of the DLV Quogue, LLC corporation
(Official Title) (Landowner's Name)

located at 14605 N. 73rd Street, Scottsdale, AZ 85260,
(Landowner's Address)

in the County of Maricopa, State of Arizona, and that

this corporation is the owner in fee of the property located at 55 Eden Path
(Property Address)

East Quogue, NY 11942, which is also designated as Suffolk County Tax

Map Number(s) 473689 250.000-0003-128, 129, 130 131, 132 and 473689 288.000-0001-170, and that

this corporation has been the owner of this property continuously since 2016,
(Date)

and that I have authorized Jessica Insalaco
(Applicant's Name)

to make a permit application to the Central Pine Barrens Joint Planning and Policy Commission

for this property. I make this Statement knowing that the Central Pine Barrens Joint Planning

and Policy Commission will rely upon the truth of the information contained herein.

(Authorized Officer's Signature)

Schuyler Joyner
(Officer's Name - Please Print)

10-31-2024
(Date)

Sworn to before me this
31 day of October 2024

(Notary Public)



PROJECT DATA SHEET

COMPATIBLE GROWTH AREA APPLICATION PROJECT DATA SHEET

Applicant Information	
Name (print)	DLV Quogue, LLC Joseph Arenson, Partner Discovery Land Company Jessica Insalaco, Vice President
Address	14605 North 73 rd Street Scottsdale, Arizona 85260
Phone/Fax	(917) 693-9406
Agent's Name	Charles J. Voorhis; CEP, AICP, Principal Nelson, Pope & Voorhis, LLC
Address	70 Maxess Road Melville, New York 11747
Phone/Fax	(631) 427-5665
Project Information	
Project Name	Lewis Road Planned Residential Development (PRD)
Tax Map Number(s)	(see Technical Memorandum – Attachment A)
Street Location	(see Figures in Appendix E of Technical Memorandum [Attachment A] and description of Project Site Location in Section 2.2. of Attachment A)
Hamlet & Town	East Quogue, Town of Southampton
Total Project Site Acreage	607.87 acres
Existing Land Use (vacant, residence, etc.)	Vacant and wooded (see Figure 2 in Attachment A). Construction of the Lewis Road PRD began in February 2023 based on the approved Site Plan/Subdivision (see Plans in Attachment A).
Present Zoning (if split please give areas within each zone)	CR-200
Project Description	(see Attachment A)

PERMIT INFORMATION

Permit Information <p>(please note which permits or plans are required and why, if they have been received and as of what date)</p>	
State Environmental Quality Review Act (SEQRA) (please note if positive declaration, date of DEIS and FEIS, etc.	<ul style="list-style-type: none"> • <i>The Hills at Southampton MUPDD: Positive Declaration (April 14, 2015); DEIS (September 2016); FEIS (September 2017); Findings to Approve (November 27, 2017)</i> • <i>Lewis Road PRD: SEQRA Compliance Analysis (December 2018); Town Planning Board SEQRA Findings to Approve (October 24, 2019)</i> • <i>SEQRA Compliance Analysis (December 2021); Final Subdivision and Site Plan approvals by Planning Board (December 8, 2022; see Attachment A.)</i> • <i>Technical Memorandum – Proposed Overlay Zoning, Commercial Membership Golf Club, Site Plan Changes and Partial Spinney Road Abandonment (September 2024)</i>
Town Permits - subdivision, site plan, tree clearing, variance, special permit (please note from which board)	<ul style="list-style-type: none"> • <i>Town Planning Board - SEQRA Approval, Final Subdivision and Site Plan Approvals; Subdivision Approval (Conditional Preliminary Plat Approval Granted, October 24, 2019; see Attachment A)</i> • <i>Town Building Department - Building Permit</i> • <i>Town Highway Department - Road Access Permit; Emergency Access Curb Cut</i> • <i>Town Planning Board – Final Subdivision and Site Plan Approvals (December 8, 2022; see Attachment A)</i>
Project Plans Enclosed (site plan, subdivision, etc.) Including drainage or landscape plans	<ul style="list-style-type: none"> • <i>See plans included in Attachment A</i>
NYS DEC - wetlands, WSR, mining, SPDES, etc.	<ul style="list-style-type: none"> • <i>Mining Permit (for pond),</i> • <i>Pond Stocking Approval,</i> • <i>Long Island Well Permit,</i> • <i>SWPPP Approval,</i> • <i>SPDES Permits</i>
Suffolk County Department of Health Services - Article 6, 7, 12	<ul style="list-style-type: none"> • <i>SCSC Article 4 Permit; SCSC Article 6 Permit; SCSC Article 12 Permit</i> • <i>SCWA - Water Supply Connection Approval</i>
Suffolk County Planning Commission	<ul style="list-style-type: none"> • <i>SCPC Staff Report (October 2, 2019)</i> • <i>Project Sponsor Comments on the SCPC Staff Report (October 10, 2019)</i> • <i>(Default) Project Approval (October 2, 2019)</i>

STANDARDS AND GUIDELINES FOR LAND USE

STANDARDS AND GUIDELINES FOR LAND USE
LEWIS ROAD PRD CONFORMANCE ASSESSMENT
October 31, 2024

Standard (S)/Guideline (G)		Explanation and Document Page Reference <i>(Attach additional sheets if necessary)</i>
S 5.3.3.1.1	Suffolk County Sanitary Code Article 6 compliance	<p>The project continues to be 1/5 of the density permitted under Article 6 of the Suffolk County Sanitary Code (SCSC) for a site in Groundwater Management Zone (GMZ) 3 and therefore conforms with this Standard through conformance with Article 6. In GMZ 3, Article 6 would allow a yield based on 1 unit per 40,000 SF of the site. For the subject 607.87-acre site, this would imply an allowed yield of approximately 661 units. In contrast, the proposed project seeks a yield of 118 units, or 0.19 units per acre. The project density involves residential units based on 1 unit per 5 acres, as well as a clubhouse, and through a PRD, provides a golf course as an accessory recreational amenity for use for by site residents.</p> <p>The Proposed Action continues to be well within SCSC Article 6 requirements for the treatment, handling and disposal of its sanitary wastewater. Nevertheless, the Proposed Action will include a Sewage Treatment Plant (STP) for the treatment of sanitary waste for the completed project. The completed project will ensure that all structures will connect to the STP. Appropriate County approvals and permits for this facility will be obtained.</p> <p>The occupancy pattern of the units is such that annual sanitary flow will be substantially reduced given the actual utilization of units on the order of 60 days per year. Nitrogen loading to groundwater due to sanitary wastewater recharge will be reduced to the maximum extent practicable.</p> <p>The project is demonstrated to conform with the density requirements of Article 6 and will provide the added benefit of sewage treatment. SCDHS has issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard. In consideration of the above, the project will comply with Article 6 and therefore complies with this Standard.</p>
S 5.3.3.1.2	Sewage treatment plant discharge	<p>The proposed project will continue to conform to SCSC Article 6 requirements. Based on Article 6, conventional septic systems would be allowed for the proposed project, so that an STP is not required under SCSC Article 6. However, as a result of a voluntary and costly initiative by the applicant to reduce total nitrogen within the Weesuck Creek/western Shinnecock Bay watershed, all wastewater generated will be treated and recharged to groundwater through an advanced, tertiary STP. The STP will reduce the nitrogen load from over 50-65 milligrams per liter (mg/l)¹ to less than 10 mg/l. As a result, the proposed project will reduce nitrogen load by more than 80% from the load that would occur if no STP were proposed. The proposed STP will operate under the jurisdiction of the SCDHS and in conformance with SCSC Article 6 and applicable design, installation and operational requirements.</p> <p>It is not practical to locate the project's STP outside of or downgradient of the Pine Barrens Zone. There are no existing STPs within 2 miles of the property to which the project could connect; the nearest existing STP is at Gabreski Airport, over 2 miles to the west and is, like the proposed project, within the Compatible Growth Area (CGA) of the Pine Barrens. Locating the STP or its discharge outside the Pine Barrens would move it closer to surface water associated with Weesuck Creek or western Shinnecock Bay, which is the resource intended to be protected. The overall benefit is reduced nitrogen load which is a critically important goal of the environmental community and the Town and therefore, the project is consistent with the intent of this Standard.</p> <p>As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.1.3	Nitrate-nitrogen goal	<p>This Guideline addresses nitrate-nitrogen in several ways, specifically referencing the following:</p> <ol style="list-style-type: none"> 1. A maximum residential density averaging one (1) unit per two (2) acres, and 2. Use of clustering to protect surface water quality for projects containing ponds and wetlands proximate to development. <p>The density of the proposed project continues to be 1 unit per 5 acres of the site, which is well below the maximum allowed density that would conform to this Guideline.</p> <p>Based on the measures incorporated into the project that would tend to minimize potential nitrogen impacts to groundwater and surface water features (i.e., conformance to SCSC Article 6, minimization of fertilization for the golf course recreational amenity, and use of groundwater impacted by agricultural practices from locales in the upgradient direction for the project's irrigation), the project will generate an overall nitrogen concentration in recharge of less than 1 mg/l and therefore is well below the 2.5 mg/l standard.</p> <p>Additionally, the project will reduce existing elevated groundwater nitrogen by pumping shallow groundwater flow (that is impacted by upgradient farming activities) and reusing it for golf course irrigation such that the project will have a net negative nitrogen load, and nitrogen laden groundwater that would otherwise flow to Weesuck Creek and western Shinnecock Bay will be removed from the aquifer.</p>

¹ Suffolk County Department of Health Services (SCDHS) uses 50-65 mg/l as working concentrations of nitrogen in residential wastewater (see Guidance Memorandum 28 and Reclaim Our Water website: <https://suffolkcountyny.gov/Departments/Public-Works/Septic-Improvement-Program>).

		Finally, review of the DEIS/FEIS for the Hills at Southampton MUPDD finds that the project total nitrogen (which would be greater than the nitrate-nitrogen component of total nitrogen) was analyzed for both concentration in recharge over the entire property, and for nitrogen load. Nitrogen concentration was consistently less than 1 mg/l (see DEIS Table 1-8a and Table 5; FEIS Table 1-1a), and the nitrogen load was net negative due to removal of nitrogen-laden groundwater from upgradient farming (see FEIS Appendix R-7), and using this for irrigation-fertigation under an Integrated Turf Health Management Plan (ITHMP) (see DEIS Appendix J). ² Given these factors, the project complies with this Guideline. Updates to the nitrogen budget analysis for the Lewis Road PRD continued to demonstrate a nitrogen in recharge concentration of less than 1 mg/l, and a net negative nitrogen load for the project (see 2018 SEQRA Compliance Analysis, Section 3.2 and Appendix C-1). As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.2.1	Suffolk County Sanitary Code Articles 7 & 12 compliance	<p>These regulations concern water pollution control (SCSC Article 7) and storage of hazardous or toxic materials associated with industrial use (SCSC Article 12). The proposed project is consistent with Article 7 in that it does not involve an industrial process, will not store or use hazardous or toxic materials in excess of the quantities allowed. Further, the project is not within a water supply sensitive area as defined under Article 7.</p> <p>As the proposed project is not an industrial operation, Article 12 would only apply to tank storage, and any such storage, if proposed would conform to Article 12. The proposed golf course recreational amenity will include the use, storage and handling of various landscape chemicals (e.g., fertilizers, pesticides, etc.) in connection with the on-site maintenance area. The project will provide for proper storage and handling facilities for these substances in conformance with Article 12.</p> <p>An Article 12 permit has been obtained for the maintenance area. The project will comply with this Standard through proper handling and permitting of restricted materials. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
S 5.3.3.3.1	Significant discharges and public supply well locations	<p>This standard restricts activities that could degrade the public water supply within a 200-foot radius of a public supply well. However, the existing Spinney Road Wellfield is well beyond 200 feet of any such activity, and the proposed project will not have a “significant discharge” such that it would have the potential to impact public water supply. As part of the SEQRA processing of the Hills PDD application, the Suffolk County Water Authority (SCWA) indicated that that project was not expected to result in any impact to well fields in the area of the subject site. As the proposed Lewis Road PRD is similar to the Hills PDD in terms of uses (other than the removal of outside golf memberships which reduces the intensity of use), yields and layout, it is expected that it would likewise not represent any significant adverse impact on the wellfields in the area.</p> <p>Mapping provided by the SCWA found that the proposed project is substantially not within the Malloy Drive or Spinney Road well field contributing areas (see DEIS Figure 2-6) and SCWA provided a letter indicating the project would not adversely impact wellfields (see DEIS Appendix A-17). The project therefore conforms to this Standard. It is noted that the applicant transferred property within the Parlato property holdings to the Suffolk County Water Authority for a future well site. It is further noted that SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.3.2	Private well protection	The DEIS found “...there are several small areas located to the south and southeast of the subject property that are not within the distribution network of the SCWA and likely utilize private wells for potable water supply.” (see DEIS Page 2-20). Potential groundwater impacts were analyzed in the EIS for the Lewis Road PRD (see DEIS Section 2.2.2; FEIS Section 2.2), the December 2017 SEQRA Compliance Analysis (see Section 3.2), and the September 2024 Technical Memorandum (see Section 3.2). There are no uses, discharges or applications that will occur on the subject site that would adversely impact these wells. The proposed project conforms to SCSC Articles 6 and 7, which will minimize potential impacts to private wells down-gradient of the site, by minimizing potential spillage or leakage of chemicals that could impact groundwater quality. The project also has the lowest nitrogen load of all alternative uses for the site, and is demonstrated to be less than 1 mg/l ³ (see DEIS Section 2.2.2; FEIS Section 2.2), the December 2018 SEQRA Compliance Analysis (see Section 3.2), and the September 2024 Technical Memorandum (see Section 3.2). The proposed project and therefore will ensure private well protection and is consistent with this Standard. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.4.1	Nondisturbance buffers	<p>There are two areas of Town-regulated freshwater wetlands on the Hills North Parcel that total about 1.40 acres. However, because this parcel will not be disturbed or developed for the proposed project (this parcel is in the Core Preservation Area [CPA] and has been dedicated to the Town in its entirety for public open space preservation), no impacts to these resources are expected. There are no wetlands within 200 feet of the Hills South Parcel or the Kracke Property where development is proposed and in fact, the nearest wetlands are approximately 1,500 feet southeast of the south part of the project site.</p> <p>The proposed ponds will be manmade and will be used for utility (stormwater storage and irrigation water re-use) purposes. Appropriate non-disturbance buffers have been established for terrestrial/Pine Barrens habitat protection, and no wetlands or wetlands buffers will be affected by the project. Conservation Easements have been filed and as a result, the proposed project is consistent with this Standard. Minor site plan changes do not change the recorded easements. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
S 5.3.3.4.2	Buffer delineations,	No encroachment on the estimated 1.40 acres of Town and State regulated freshwater wetlands on the Hills North Parcel are proposed, so that no buffers are necessary or proposed. The entire 86.92-acre Hills North Parcel has been dedicated to the Town of Southampton for public open space preservation along with open space retention on other parts of the site.

² Based on mass-balance nitrogen load analysis at the property line using the SONIR model which has precedent as an approved methodology consistent with CPB CLUP review.

³ Ibid.

	covenants and conservation easements	The project sponsor and the Town have established measures to ensure that buffers and intended natural vegetation areas are retained including such measures as covenants and conservation easements. Conservation Easements have been filed with the Commission for open space protection. Minor site plan changes do not change these easements. The proposed project is consistent with this Standard. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.4.3	Wild, Scenic & Recreational Rivers Act compliance	N/A; the project site is not located within or adjacent to any WSRR boundary. This Standard does not apply.
G 5.3.3.4.4	Additional nondisturbance buffers	No encroachment on the estimated 1.40 acres of suspected Town-regulated freshwater wetlands on the Hills North Parcel are proposed, so that no buffers are necessary or proposed. There are no wetlands on or near development portions of the site, and all buffers and intended natural areas on the site have been retained through appropriate mechanisms. Minor site plan changes do not result in any changes to the protected areas of the site. The project conforms with this Guideline.
S 5.3.3.5.1	Stormwater recharge	This standard requires that adequate drainage capacity be provided for retention and recharge of stormwater runoff generated on-site. All stormwater runoff generated on developed project surfaces will be retained on-site and managed through recharge to groundwater and containment in detention and pond areas in a drainage system designed in conformance with Town of Southampton requirements. Preliminary drainage design is such that this system will utilize a combination of Drainage Reserve Areas, bioswales and rain gardens, leaching catch basins and pond area to retain, treat, reuse and recharge stormwater. No runoff from developed surfaces will be allowed to exit the site, based on the stringent retention and design requirements of the Town. The project's drainage system is subject to the review and approval of the Town engineering and planning staff and the project will comply with SPDES GP 0-20-001 for stormwater project notification and preparation of a Stormwater Pollution Prevention Plan (SWPPP). A preliminary SWPPP in the form of a Hydrology Report was prepared for the DEIS and demonstrated that the project will be in compliance with SWPPP/drainage requirements (see DEIS Appendix A-10). The applicant prepared and submitted the final SWPPP which has been approved by the Town Engineer and the SWPPP was filed withwith New York State Department of Environmental Conservation (NYSDEC) under GP 0-20-001. The proposed stormwater design conforms to the intent of this standard and the project will comply with this Standard. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.5.2	Natural recharge and drainage	There are no natural recharge areas on or proximate to the proposed development area that could be used as part of the project's drainage system. The site was studied for potential use of natural drainage areas. The north part of the property slopes from north to south, and the south part of the property slopes from northwest to southeast; as a result, there are no "closed" contour areas on the property that can be used for natural recharge (see DEIS Figure 2-3a and Attachment A of this application). In lieu of such natural features, the proposed project will utilize Drainage Reserve Areas, rain gardens, leaching catch basins and man-made ponds (in already cleared areas) as components of the project's drainage system, to provide stormwater retention and recharge. As a result, the rain gardens and ponds will serve utilitarian functions in the form of runoff containment and recharge, and stormwater management through green infrastructure methods. The ponds will have the additional function of use for mixing of irrigation water for recycling and fertigation management. The use of multiple drainage areas is consistent with this Guideline as it avoids the need for excessive clearing/grading for large drainage areas in one location. The project conforms with Vegetation Clearance Limits as will be noted below, and complies with this Guideline related to drainage design as described herein. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.5.3	Ponds	The Guideline indicates that ponds may be created if used for stormwater handling, but not solely for aesthetic purposes. As noted above, the proposed pond will serve multiple utilitarian functions as noted herein. The project's drainage pond (which includes pond areas connected by a pipe under the roadway) is located in an existing cleared area in the central portion of the proposed development area. The pond is proposed primarily for utility (stormwater and irrigation-fertigation storage) purposes, but will also provide habitat functions. One pond area is designed to accommodate stormwater. A second pond area (connected to the first under the roadway) is also designed to be used for blending of well water for reuse as irrigation on the golf course, a practice that will result in a net nitrogen reduction through removal of nitrogen-laden groundwater for irrigation. As a result, the project complies with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.5.4	Natural topography in lieu of recharge basins	The project site is characterized by glacial moraine and outwash plain topography in the development areas of the site (see DEIS Figure 2-3a and Attachment A of this application). Development is primarily located at the south part of the moraine and in the outwash plain area and no suitable natural swales or depressions are available on-site for use in lieu of a recharge design or for drainage. In review of drainage plans, the stormwater design does not include any recharge basins. There are no natural topographic low areas proximate to the areas to be developed (the areas proposed for the majority of development on the site are already disturbed), and the low areas that do exist are distant from the developed areas and so are proposed to remain undisturbed within areas to be retained as natural. No natural topographic low points or swales are available to be utilized for stormwater runoff detention or recharge. No natural swales or depressions are suitable to use for drainage. The drainage system will utilize a combination of Drainage Reserve Areas, bioswales and rain gardens, leaching catch basins and pond area to retain, treat, reuse and recharge stormwater. The project is consistent with this Guideline as it permits and encourages use of natural swales and depressions whenever feasible; in this

		case, it is not feasible. As a result, the project complies with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.5.5	Soil erosion and stormwater runoff control during construction	The site plan includes erosion control. The project has been subject to Town Engineering review and received SWPPP approval for filing with the NYSDEC under the general permit. Erosion control is being employed during construction to ensure that impacts from soil erosion during and/or after the construction period will not occur. Additionally, a SPDES GP 0-20-001 permit was obtained based on the SWPPP, prior to the onset of construction of the proposed project, and the project will comply with the requirements of the SWPPP/general permit. Based on these factors, the project will comply with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.6.1	Vegetation Clearance Limits	<p>The subject parcels were zoned in a mix of districts in 1995, when the CPB CLUP was adopted (CR-80, CR-120 and CR-200). In conformance with this policy (S 5.3.3.6.1), the individual acreages of the site zoning that existed at the time of preparation of the CLUP, are to be combined to render an overall value for allowed clearing. Using the acreages of prior site zoning, and in conformance with the allowable site clearance standards listed in Figure 5-1 of the CLUP, the overall maximum allowed site clearance for the 607.87-acre site is 28.24%, or 171.66 acres (conversely, a minimum of 71.76% of the site, or 436.21 acres, would have to be preserved as natural). The project includes a mix of natural vegetation and previously cleared areas. The proposed project will preferentially occupy the previously-cleared areas, so that the 159.57 acres of development (26.12% of the site) will occupy 28.28 acres of previously-cleared areas plus removal of 131.29 acres of existing natural vegetation. As a result, 444.44 acres of natural vegetation (73.11% of the property) will remain on the site, allowing the project to conform to this standard. It should be noted that there are also 3.86 acres of former farm fields and cleared areas within the site that are currently undergoing natural succession which will remain. As a result, there will be a total of 448.30 acres (73.75% of the site) of natural vegetation on the property.</p> <p>It is noted that the entire Hills North Parcel, and portions of the Hills South Parcel and the Parlato Property, are within the CPA. These areas will not be disturbed as a result of the proposed project other than land dedicated to SCWA for a future well field.</p> <p>The overall property is configured such that a portion of the Parlato Property lies within the Henry's Hollow Region CRA, as designated by the CPB CLUP. While not so designated by the Town regulations, it is noteworthy that the proposed project will not adversely impact any portion of the Parlato Property (whether within or outside of the Henry's Hollow CRA), except as related to the SCWA dedicated land. To the contrary, the project will allow the Town to ensure the retention of this acreage (a total of 101.91 acres), through an offer of dedication of this property to the Town of Southampton. It is noted that 15.78 acres of prior agricultural land on the Parlato Property has reverted to a natural condition and is established in native overgrown field habitat. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
S 5.3.3.6.2	Unfragmented Open Space	<p>This standard concerns preservation of natural vegetation in large unbroken blocks to establish open spaces contiguous to on-site and off-site property. There are a number of aspects regarding compliance of the proposed project with this Standard. These include the following considerations:</p> <ol style="list-style-type: none"> 1. The preservation of large unbroken blocks of open space aligned internally and with off-site open space. 2. The CPB CLUP is not explicit as to how Unfragmented Open Space is to be achieved, making this Standard subjective. 3. This Standard can be at odds with the Standard for Vegetation Clearance Limits which favors development that retains existing natural vegetation, for which there is precedent. 4. The Hills South and Kracke properties were previously disturbed in various places on the properties which were used by the applicant in site design, as required by this Standard. 5. The Town prepared the East Quogue Land Use Plan (EQLUP) which sought to strategically protect open space throughout East Quogue in a coordinated fashion consistent with the CLUP. 6. The Project clears fewer acres than permitted and has no barriers to wildlife movement on 95% of the site. <p>The Commission weighed the proposed open space and determined that the project was consistent with this Standard, subsequently issuing approval of the proposed project. The minor site plan changes to not alter the easements that have been recorded for protection of open space. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
S 5.3.3.6.3	Fertilizer dependent vegetation limit	<p>No more than 15% of a project site shall be established in fertilizer-dependent vegetation. As the project site is a total of 607.87 acres in size (in three component properties), up to 91.18 acres of landscaping that requires fertilization may be planted on this site. Based on the site plans, less than 15% of the site will be fertilized landscaping, as private lawns, common areas and the golf course. This ensures compliance with this standard. The subdivision/site landscape plan will ensure that less than 15% of the site is established in fertilizer-dependent vegetation. None of the non-native species listed in Figure 5-2 of the CLUP will be used as part of the project's final site plan landscape design plans.</p> <p>Landscape species consistent with the species list in Figure 5-2 (Planting Recommendations) of the Pine Barrens Plan are being used as part of the final site plan landscape design plans. Typical landscape trees that are native to the area will be used for streetscapes and natural vegetation are being retained wherever possible. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>

S 5.3.3.6.4	Native Plantings	Where pine barrens species are used in a landscape function, species listed in Figure 5-2 of the CPB CLUP will be used. Additionally, transplanting and use of existing native seed and plant stock is being implemented in connection with installation of native landscaping through Town and Commission review. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.7.1	Special Species and Ecological Communities	<p>The project is in conformance with the Town of Southampton Findings Statement with regard to this Standard with respect to the Applicant’s plan to mitigate impacts to protected species on the project site. The proposed project is in conformance with this Standard.</p> <p>As part of the review of the Hills PDD application, the NYNHP was contacted to determine any known records of rare, threatened or endangered species or communities on or in the vicinity of the subject site. Correspondence from the NYNHP indicated the presence of one special concern moth, one threatened dragonfly/damselfly, three rare dragonflies/damselflies, two uncommon communities, two rare communities, one endangered plant and one threatened plant in the vicinity of the subject site. Two historical records of threatened plants were also noted within the vicinity of the site. The majority of the records listed by the NYNHP require wetland areas with open water, which are not present on the subject sites. Of the species identified, the moth, one rare community and one historical plant are upland species. The project is not expected to impact these species. In addition, prior field inspections and investigations conducted subsequent to receipt of the NYNHP letter (dated December 28, 2007, May 11, 2009, September 8, 2009 and July 13, 2010) did not reveal the presence of any of these resources. Therefore, no endangered or threatened species are expected to be present in areas that would be disturbed on the subject site. As a result, no impacts are expected with respect to special species and/or ecological communities and the project conforms to this standard.</p> <p>This issue of clearing restrictions of potential habitat for the Northern Long-Eared Bat is addressed in detail the DEIS/FEIS for the Hills PDD, and the proposed Lewis Road PRD has conformed with the applicable NYSDEC clearing window restrictions to ensure there is no impact to this species.</p> <p>The issue of NYS-listed plant species identified as rare and threatened is addressed in detail in the EIS record for the Hills PDD (see FEIS Section 2.3.2), and the proposed Lewis Road PRD will likewise conform. Rare plants are not protected from removal by the owner of private land. Plants are noted to be located in tire ruts and disturbed areas of the site that occur as a result of ATV activity, prior clearing and disturbance where soils and sunlight conditions support these species. These conditions would not be expected to persist, and therefore habitat for these species would be modified over time with or without the project. The Applicant is implementing transplant methods to suitable habitat areas for those species that can be successfully transferred.</p> <p>With respect to NYS-listed Special Concern species and Species of Greatest Conservation Need, wildlife sweeps haven been completed to relocate individual wildlife species to portions of the site that will not be subject to clearing as construction proceeds.</p> <p>Appendix M-7 of the DEIS presents the results of a Buck Moth Survey completed in 2009. This study indicated that limited stands of the host plant, scrub oak, were not capable of supporting Buck Moth. Site inspections by NPV in the fall of 2019 verified that scrub oak on-site has not changed since this study was completed. Special species and ecological communities were thoroughly considered in the Commission approval of the project as noted herein. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.8.1	Clearing envelopes	The project is designed to minimize grading of natural slopes that are in excess of 10% to the maximum extent practicable. Consistent with this Guideline, individual lots within the subdivision will ensure that clearing envelopes are placed to maximize envelopes in areas with less than 10% slopes. The majority of the development areas are previously disturbed have been subject to ongoing unauthorized use by off-road vehicles. The design seeks to utilize existing cleared and disturbed areas to the maximum extent, so that the project will be developed on these surfaces, allowing the remaining natural steep slopes to be preserved. Preserved areas are not altered as a result of minor site plan changes. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.8.2	Stabilization and erosion control	<p>The guideline states that construction on slopes greater than 10% may be approved based on technical review. The preliminary subdivision map included grading, drainage and erosion control plans. These plans were reviewed by the Town Engineer, and the SWPPP was approved by the Town prior to filing with NYSDEC. As result, the project is in compliance with this Guideline.</p> <p>Erosion prevention measures being taken during construction may include: groundcovers (vegetative or artificial), drainage diversions, soil traps, minimizing the area of soil exposed to erosive elements at one time, and minimizing the time span that soil is exposed to erosive elements. Soil removed during grading and excavation is being used as backfill (if it displays acceptable bearing capacity and leaching characteristics) to produce acceptable slopes for construction. The proposed stormwater design conforms with this Guideline.</p> <p>Erosion control measures such as staked hay bales, silt fences, groundcovers (vegetative or artificial), drainage diversions, minimizing the area of soil exposed to erosive elements at one time, and minimizing the time span that soil is exposed to erosive elements, are being utilized to minimize loss of soil during construction, particularly in locations where erosion and sedimentation could adversely impact adjoining properties and streets. Applicable Town of Southampton standards and construction practices specified by the appropriate Town agencies are being followed. Conformance to the Town Code and to the requirements of NYSDEC SPDES review of stormwater control measures is necessary, to be consistent with Phase II stormwater permitting requirements for construction sites in excess of 1-acre (the SPDES GP-0-20-001 permit; hereafter, the General Permit). Under this program, a site-specific SWPPP has been prepared and submitted to the Town for approval prior to construction. The approved SWPPP was filed through a Notice of Intent with the NYSDEC to obtain coverage under the General Permit. Additionally, the General Permit requires that inspections of the construction site be performed under the supervision of a qualified professional to ensure that erosion controls are properly maintained during the construction period. As long as erosion is</p>

		controlled during grading and construction, the potential for sediment transport will be minimal, and no significant loss of soils is expected and the project conforms to this Guideline. Inspections are occurring during construction as required. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.8.3	Slope analysis	<p>A Slope Interval Map was prepared for the previous application, based on 2014 LIDAR information, which indicated that there are 75.51 acres (12.83%) of slopes in excess of 15% on the subject site. There are 93.09 acres (15.82%) between 10 and 15% in slopes; the map shows that the majority of the site (71.35%, or 419.79 acres) have slopes of less than 10%. The Proposed Action's site plan amendments would not cause any change in impact to steep slope areas.</p> <p>On the Hills South Parcel/Kracke Property (the only portions of the site that will be developed), natural steep slopes are found in the central and northern parts. For the proposed project, regrading of this area will not result in any slopes in excess of 1:3.</p> <p>The quantity and amount of steep slopes to be removed is not required to comply with this Guideline. The map shows that there are a total of 168.60 acres (28.65% of the site) that contains slopes in excess of 10%. Construction in these areas may be approved if the design incorporates adequate soil stabilization and erosion control measures so as to mitigate negative environmental impacts. A grading plan has been prepared to consider these slopes in relation to the proposed use. The proposed golf course uses existing topography and situates development in existing cleared areas to the maximum extent practicable. Homesites have been selected such that driveways will parallel contours as much as practicable, to access more level building locations. The south part of the site does not exhibit steep slopes and thus requires less grading and erosion control.</p> <p>This indicates that the Guideline is addressed and the project complies with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.8.4	Erosion and sediment control plans	The potential for erosion to occur during construction or after construction is completed will be controlled by implementing the SWPPP, which includes engineered Erosion Control Plans as part of Site Plan review and controls will be implemented during construction as noted above under G 5.3.3.8.2. As a result, the proposed project complies with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
G 5.3.3.8.5	Placement of roadways	<p>The subdivision plan demonstrates that the subdivision is designed to minimize traversing of slopes greater than 10%. The proposed project has been designed to maximize its development on previously-cleared areas, so that the least amount of natural steep slopes would be impacted. As a consequence of this design policy, any need for cut or fill for the project's internal roadways is minimized.</p> <p>Only the northernmost portion of one subdivision road extends into limited areas with slopes greater than 10%. This road is situated based on the flattest topography and clearing envelopes will be established on lots to ensure that driveways minimize traversing of slopes greater than 10% as well as retention of vegetation outside of the clearing envelopes. As a result, the project conforms with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.8.6	Retaining walls and control structures	The subdivision plan provides detailed grading for roads and driveways including those which traverse slopes greater than 10%. No retaining walls are proposed. All grade transitions are made using slopes of 1:3 or less. As a result, the project conforms with this Guideline. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.
S 5.3.3.9.1	Receiving entity for open space dedications	<p>The Applicant anticipates that the entire Hills North Parcel (87.61 acres) and the entire Parlato Property (120.50 acres), totaling 208.11 acres, have been dedicated to the Town of Southampton for dedication as public open space. An additional 193.87 acres of open space (as 190.01 acres of natural vegetation and 3.86 acres undergoing natural succession) within the Hills South Parcel/Kracke Property outside of the residential lots and golf course play area and common spaces, and 46.12 acres of retained natural vegetation within the developed area will remain privately-owned and protected from disturbance by covenant or conservation easement. Additionally, 4 acres has been donated to the SCWA to establish a future public water supply wellfield.</p> <p>Buffer areas and intended natural vegetation areas are being retained through mechanisms implemented by the Town through subdivision review and by the Commission through Conservation Easements. The minor site plan changes do not alter these easements. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.9.2	Clustering	<p>Clustering of the proposed development areas is the basis on which the proposed project is designed, to allow for retention of substantial buffers of natural vegetation around the entire developed area. This principle also enables the Applicant to locate the developed area preferentially on previously-cleared areas, which mitigates the loss of valuable natural vegetation. The proposed project is clustered on the Hills South Parcel and part of the Kracke Property. These areas most closely align with existing developed areas adjacent to the site. East Coast Mines is an impacted site south of Sunrise Highway, adjoining the Hills South Parcel. The development has been clustered to this northwest part of the Hills South Parcel near the sand mine and other areas are clustered toward existing developed areas, thus allowing on-site open space to align with off-site open space in conformance with this Guideline.</p> <p>The project sponsor purchased the Parlato Property for dedication. This property could have been developed on its own by the owner, but will be preserved. The design achieves clustering onto limited parts of the Hills South Parcel and the Kracke Property to enhance open space and provide contiguous open space connections with adjacent open space parcels. The design conforms with Town Code §247-8 H., the APOD and the EQLUP as well as CLUP Standard 5.3.3.6.2. The project uses clustering and is consistent with this Guideline.</p>

		<p>The proposed Lewis Road PRD will provide 65% of its entire area as undisturbed, unfragmented naturally-vegetated open space outside of the developed portion of the combined Kracke Property/Hills South Parcel. This extensive open space area includes the Parlato Property and the Hills North Parcel totaling over 200 acres, which will be offered for dedication, and extensive open space on the Hills South Parcel that is aligned with contiguous open space on adjacent parcels.</p> <p>Based on the second part of the Standard which indicates a priority to preserve native pine barrens vegetation, and the existing cleared areas on the site, the clearing is aligned in a manner that maximizes the use of existing cleared areas. An additional estimated 7% of the site will also be undisturbed naturally-vegetated open space that is configured as large open space areas that include wide corridors, portions of lots and common area open space that are internally or externally connected in large unbroken blocks of contiguous open space.</p> <p>The design of the golf recreational amenity is to use existing cleared areas to the maximum extent, while also achieving clustering for contiguous open space aligned with off-site open space. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.9.3	Protection of dedicated open space	<p>The Applicant has filed covenants/easements to permanently protect the naturally-vegetated open spaces to remain under private ownership on the Hills South Parcel/Kracke Property. The Applicant has offered the entirety of the Hills North Parcel and the Parlato Property to the Town for dedication except for the 4 acres offered to SCWA for a future well field.</p> <p>Buffer areas and intended natural vegetation areas are retained through mechanisms implemented by the Town and Commission. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.10.1	Best Management Practices	<p>The project is residential in nature, and no new or expanded agricultural or horticultural uses are included. The project has stopped farming activity on the Parlato Property (15.78 acres) and the Kracke Property (2.64 acres), which has eliminated use of agricultural chemicals, and thus would improve groundwater quality as related to these sources.</p>
G 5.3.3.11.1	Cultural resource consideration	<p>Extensive site inspections have not revealed the existence of any authorized recreational or educational trails or trail corridors, or active recreation sites, on any of the project properties (see Figure 4). The existing trails are the result of past unauthorized ATV usage. A portion of the Parlato Property is within the Henry’s Hollow Region CRA, but this area will be undisturbed by the project, and has been offered to the Town for dedication as a public open space. As such, its existing use and appearance will not be altered by the proposed project.</p> <p>The project includes open space that will be dedicated to the Town for public use. Scenic corridors are associated with the northern part of the Hills South Parcel, specifically the CPA that extends 1,000 feet south of Sunrise Highway. Substantial natural or landscaped buffers separate the historic district from proposed use areas on the subject site such that these resources are not impacted. Specifically, a vegetated buffer (landscaped and/or natural) is provided along the site perimeter to ensure that the neighboring uses will not be impacted.</p> <p>There are no cultural resources on the subject site that could be impacted by the proposed project, based on on-site archaeological studies. As determined in the SEQRA review for the Hills PDD, there are no sites of cultural significance on the Hills South Parcel/Kracke Property, so there would be no impacts to cultural resources.</p> <p>The subject property adjoins Town of Southampton land to the south and east. The project sponsor offered to install a trailhead parking area to access the Town land to enable connection with existing trails east of the project site (see FEIS, Public Open Space and Trails, p. 1-7). An alignment was proposed to facilitate this connection to existing trails (see FEIS Plan 4). The Town property to the east includes existing cleared paths that facilitate connection to a trail system to the east as depicted in Plan 4. The existing trails are within existing wooded areas of the Town land, and the nearest use within the Hills South Parcel would be golf holes which are used intermittently and do not necessitate a trail buffer. Part of the existing Spinney Road would traverse one of the golf course holes, and therefore is not conducive to continued use as a trail; however, the need for this portion of Spinney Road for trail connections is superfluous given the Town land and trail system to the east. An additional update to the Proposed Action per the 2024 Technical Memorandum is the abandonment of the undeveloped Spinney Road ROW north of the southern ROW of Redan Trail, a private road in the Lewis Road PRD, north to the Lewis Road PRD’s northerly property line. The abandonment of the ROW will allow for additional continuation of open space and the reduction of illegal dirt bike and ATV use on the Lewis Road PRD private property and adjacent lands owned by the Town and County. The Parlato Property to the east, and the Hills North Parcel north of Sunrise Highway (CPA land) would be offered for dedication and available for trail connections, and the land south of Sunrise Highway within the CPA including the north part of Spinney Road would also be available for trail connections.</p> <p>Subsequent to the SHPO letter of October 10, 2017, the project sponsor submitted additional information to SHPO that addressed the outstanding issues identified; SHPO issued a letter dated January 30, 2018 that concludes:</p> <p><i>Based on this review, it is the New York State Office of Parks, Recreation and Historic Preservation’s opinion that your project will have no impact on archaeological and/or historic resources listed on or eligible for the New York State and National Registers of Historic Places.</i></p> <p>The Commission considered this information and issued the prior approval of the project. Minor site plan changes are in areas that were previously slated for activity and will not impact protected area on the site. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>

G 5.3.3.11.2	Inclusion of cultural resources in application	N/A; the Archaeological Investigation prepared for the project site’s developed area does not indicate the presence of any cultural resources.
G 5.3.3.11.3	Protection of scenic and recreational resources	<p>The project complies with this Guideline, as no changes to setbacks or the disturbance envelope are proposed. The proposed project is not expected to be highly visible to outside observers. It will use an existing mapped road from Lewis Road for access. The nearest structures to Lewis Road include the workforce housing and maintenance area which will be 700 feet north of Lewis Road behind existing homes and barns fronting Lewis Road and behind existing overgrown nursery stock on land owned by Kracke that is expected to remain. The balance of the development will not be visible from any public road as it is within the interior of the site and screened by existing woods. Existing vegetation on the subject site is being retained to the maximum extent practicable to conform with Vegetation Clearance Limits (Standard 5.3.3.6.1). As a result, natural buffers and native species will be retained to buffer the project. Cleared areas that are not used for development are subject to natural healing and/or will be replanted with native pine barrens vegetation. As a result, these areas will be restored. The project employs signs that are in keeping with the style and scale of the community as determined by the Town of Southampton Planning Board.</p> <p>Project design will retain substantial natural vegetation buffers along the Hills South Parcel/Kracke Property boundaries, buffering views of the site from abutting public open spaces and the homes located on Spinney Road. This buffer will be supplemented with plantings of appropriate landscape species to protect and enhance the natural aesthetics of this corridor. The proposed project is set back from Lewis Road through cluster design. The project’s buildings and amenities will employ an attractive architectural treatment and complementary landscape design that would be consistent with the aesthetics of the area and congruent with the surrounding land uses, while remaining at an intensity below any impact threshold.</p> <p>The Commission considered this information and issued approval of the project. Minor site plan changes do not alter views or protected areas. As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
G 5.3.3.11.4	Roadside design and management	<p>The project complies with this Guideline. No roadside areas are proposed to be cleared. Access to the development will use an existing mapped road from Lewis Road for access and appropriate buffers in the form of existing vegetation will remain to the maximum extent. Any and all man-made structures will have architectural styles consistent with the character of the area.</p> <p>The developed portion of project has been preferentially located within the interior of the Hills South Parcel/Kracke Property, in order to maximize the buffering effect of the natural vegetation that will remain along the site’s periphery. These deep belts of naturally-vegetated land will buffer views of the site from the abutting public open spaces and the homes located on Spinney Road. These buffers will be supplemented with plantings of appropriate landscape species to further protect and enhance the natural aesthetics of this corridor. Finally, extensive plantings of landscape species within the developed area will add to the buffering effect of natural vegetation, rendering the clubhouse and homes less likely to be visible to outside observation.</p> <p>As noted under Guideline 5.3.3.11.3, the proposed project will not be highly visible. It will use an existing mapped road from Lewis Road for access. The nearest structures to Lewis Road include the workforce housing and maintenance area which will be 700 feet north of Lewis Road behind existing homes and barns fronting Lewis Road and behind existing overgrown nursery stock on land owned by Kracke that is expected to remain. The balance of the development will not be visible from any public road as it is within the interior of the site and screened by existing woods. Existing vegetation on the subject site is being retained to the maximum extent practicable to conform with Vegetation Clearance Limits (Standard 5.3.3.6.1). Trails east of the site will be within existing wooded areas and the nearest use areas on the subject site will be for golf which is used intermittently. The DEIS includes an assessment of views from the coastal area, and the proposed project was found to not be highly visible or obtrusive (see DEIS, Section 3.4.2 and Appendix D-4). As noted, SCDHS as well as the Town Planning Board have issued approvals and the project is under construction. Minor site plan changes do not change conformance with this Standard.</p>
S 5.3.3.12.1	Commercial and industrial compliance with Suffolk County Sanitary Code	The project is not a commercial or industrial development: therefore, this Standard does not apply. The project will conform with all applicable SCDHS regulations under the SCSC, and therefore, to the extent this Standard applies, the project will conform.

ATTACHMENT

ATTACHMENT A

LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT (PRD) TECHNICAL MEMORANDUM

Site Plan Changes

NPV

September 2024

TECHNICAL MEMORANDUM

SITE PLAN CHANGES

LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Hamlet of East Quogue, Town of Southampton, New York

NPV No. 05105

Prepared for Submission to:

Town Board, Town of Southampton
116 Hampton Road
Southampton, New York 11968

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

Prepared by:



NELSON POPE VOORHIS

environmental • land use • planning

70 Maxess Road
Melville, NY 11747

Contact: Charles J. Voorhis, CEP, AICP, Principal
office: 631.427.5665 | cvoorhis@nelsonpopevoorhis.com

SEPTEMBER 2024

SITE PLAN CHANGES

LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Hamlet of East Quogue, Town of Southampton
Suffolk County, New York

Prepared for:

DLV Quogue, LLC
14605 North 73rd Street
Scottsdale, Arizona 85260
Contact: Joseph Arenson, Partner
(310) 859-0700

Discovery Land Company
14605 North 73rd Street
Scottsdale, Arizona 85260
Contact: Jessica Insalaco, VP
(917) 693-9406

For Submission to:

Town Board, Town of Southampton
116 Hampton Road
Southampton, New York 11968
(631) 283-6000

The Central Pine Barrens Commission Office
624 Old Riverhead Road (CR 31)
Westhampton Beach, NY 11978
Contact: July Hargrave, Policy and Planning Manager
(631) 218-1192

Prepared by:

(Legal)

S Barshov Law, PLLC
20 Lagoon Lane
Haverstraw, New York 10927
Contact: Steven Barshov, Esq.
(917) 886-4328

(Environmental Analysis and Planning)

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

(Landscape Architect)

Vita Planning & Landscape Architecture
181 Third Street, Suite 250
San Rafael, California 94901
Contact: Don Vita; Principal

(Engineering)

P.W. Grosser Consulting, Inc.
630 Johnson Ave, Suite 7
Bohemia, NY 11716
Contact: Bryan Grogan, PE (Site Engineering)

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TABLE OF CONTENTS

	<u>Page</u>
COVERSHEET	i
TABLE OF CONTENTS	ii
1.0 INTRODUCTION	1-1
1.1 Background	1-1
1.2 Purpose	1-2
2.0 THE PROPOSED ACTION	2-1
2.1 Project History and Current Status of Project	2-1
2.1.1 Project History	2-1
2.2 Project Site Location	2-2
2.3 Changes in Project Design and Layout	2-3
2.4 Changes in Anticipated Construction Activities	2-6
3.0 COMPARATIVE IMPACT ANALYSIS	3-1
3.1 Geological Resources	3-1
3.2 Water Resources	3-1
3.3 Ecological Resources	3-2
3.4 Land Use, Zoning and Plans	3-2
3.5 Community Facilities and Services	3-2
3.6 Community Character	3-3
3.7 Cultural Resources	3-3
3.8 Construction Activities and Operations	3-3
4. SUMMARY AND CONCLUSIONS	4-1
4.1 Summary	4-1
4.1.1 Geological Resources	4-1
4.1.2 Water Resources	4-1
4.1.3 Ecological Resources	4-2
4.1.4 Transportation Resources	4-2
4.1.5 Land Use, Zoning and Plans	4-2
4.1.6 Community Facilities and Services	4-3
4.1.7 Community Character	4-3
4.1.8 Cultural Resources	4-3
4.1.9 Construction Activities and Operations	4-3
4.2 Conclusions	4-4

APPENDICES:

- A Site History**
- B SEQRA Statement of Findings, Lewis Road PRD, Town Planning Board, 10/24/19**
- C Final Conditional Approval, Lewis Road PRD, Town Planning Board, 12/8/2022**
- D Final Resolution, Lewis Road PRD, CPBJPPC, 12/7/2022**
- E Figures**
- F Maps Depicting Site Plan Revisions, Vita Associates, May 31, 2024**
- G Administrative Reapproval Engineering Plans and Memorandum regarding On-Site Storm Drainage Plans, Bohler Engineering, October 31, 2024**

SECTION 1.0 INTRODUCTION

1.0 INTRODUCTION

This Technical Memorandum addresses whether certain matters (collectively, the “Proposed Action”) would have the potential to generate any new significant adverse environmental impacts not previously analyzed in the environmental review undertaken in connection with the Lewis Road Planned Residential Development (the “Lewis Road PRD”), a residential resort-style development on a property totaling 607.87 acres of land in East Quogue, Town of Southampton, Suffolk County, New York (the “Project Site”). The Lewis Road PRD is under construction in accordance with the approved subdivision map and site plan issued by the Town of Southampton Planning Board (the “Planning Board”).

The Proposed Action includes the following:

- (1) conceptual revisions to the approved the Lewis Road PRD site plan (the “Concept Plan”);
- (2) detailed revisions to the approved Lewis Road PRD site plan (the “Detailed Plan”).

The Proposed Action would not develop or change any of the lands within the Lewis Road PRD that are required to be permanently preserved as undeveloped open space. Under the Lewis Road PRD, the golf course is an accessory use to the residential subdivision and, accordingly, its use is limited to Lewis Road PRD property owners and their non-paying guests.

1.1 Background

Prior to the subdivision and site plan applications to the Planning Board for the Lewis Road PRD, the Project Site was proposed as a mixed-use commercial resort residential development known as “The Hills” that included the residential development that is now the Lewis Road PRD plus a commercial private membership golf club with a maximum of 250 memberships. The Hills mixed-use development was proposed as a mixed use planned development district (“The Hills MUPDD”) under the Zoning Code’s Planned Development District Law (the “PDD Law

The Hills MUPDD was the subject of Town Board review under the NYS Environmental Quality Review Act (SEQRA), which included preparation of Draft Environmental Impact Statement (DEIS) and a Final Environmental Impact Statements (FEIS) (collectively, “The Hills EIS”), culminating in a Statement of Findings dated November 27, 2017 (the “Findings Statement”). The Findings Statement outlined the review process and conformance with SEQRA and provided technical information on each resource category as analyzed in The Hills EIS. The Findings Statement concluded that The Hills would not have the potential to generate any significant unmitigated adverse environmental impacts. The Town Board adopted the Findings Statement by a vote of 3:2 in favor of approval. The same Town Board 3:2 vote was in favor of adoption of The Hills MUPDD. Under the PDD Law a supermajority vote of 4 in favor was required to approve The Hills MUPDD. Thus, the 3:2 vote in favor was one vote short of the required supermajority to approve The Hills MUPDD. Thereafter, litigation was commenced against the Town and Town Board alleging that the failure to adopt The Hills Rezoning was unlawful.

While the litigation was pending, subdivision and site plan applications were filed with the Planning Board for the Lewis Road PRD. On behalf of the Applicant, this firm submitted a SEQRA Compliance Analysis dated December 2018 in it was demonstrated that the Lewis Road PRD was a lesser included version of The Hills and that the Lewis Road PRD would not have the potential to generate any new significant adverse environmental impacts not previously analyzed in The Hills EIS. Accordingly, the Planning Board determined that the Lewis Road PRD did not require the preparation of a supplemental environmental impact statement (SEIS). Ultimately, the Planning Board issued a Statement of Findings and granted preliminary subdivision approval on October 24, 2019.

Additionally, the Lewis Road PRD was reviewed by the Central Pine Barrens Joint Planning & Policy Commission (CPBC) which issued its own Statement of Findings and decision of approval in January 2021.

Subsequently, additional changes were proposed to the preliminarily approved Lewis Road PRD. A SEQRA Compliance Analysis of the proposed changes was prepared and submitted to the Planning Board in December 2021. Among the proposed changes was an increase in preserved open space and relocation of golf holes southward to avoid steep slopes and expand contiguous open space. The SEQRA Compliance Analysis confirmed that the proposed changes would not have the potential to generate any significant adverse environmental impacts not previously analyzed in The Hills EIS. A complete history of the SEQRA review for this project can be found in **Appendix A**. Following this determination of non-significance, Final Subdivision and Site Plan approvals dated December 8, 2022 were issued by the Planning Board. Additionally, the Lewis Road PRD was reviewed again by the Central Pine Barrens Joint Planning & Policy Commission (CPBC) which issued its own Statement of Findings and decision of approval on December 7, 2022. Thereafter, construction commenced on the Lewis Road PRD.

1.2 Purpose

This Technical Memorandum identifies the changes to the Lewis Road PRD that are included in the Proposed Action and analyzes the potential for each change individually and collectively to generate any new potential significant environmental impacts. Essentially, this Technical Memorandum contains all of the information needed by the CPBC, to take a “hard look” at the Proposed Action and make a reasoned elaboration of the potential of the Proposed Action to generate any new significant adverse environmental impacts.

SECTION 2.0

THE PROPOSED PROJECT

2.0 THE PROPOSED ACTION

2.1 Project History and Current Status of Project

2.1.1 Project History

Development of the Project Site was proposed as a mixed-use resort residential development consisting of a commercial private membership golf club and a resort residential development. The potential of that development, known as The Hills, to generate any significant adverse impacts was analyzed in The Hills EIS. The Hills EIS and The Hills Findings Statement confirmed that The Hills would not have the potential to generate any significant adverse impacts. The Hills MUPDD received three affirmative Town Board votes, not the four required under the PDD Law. Accordingly, The Hills was not approved by the Town Board.

Thereafter, DLV Quogue, LLC proposed only the residential component of The Hills which was denominated the Lewis Road Planned Residential Development (PRD). The Lewis Road PRD was proposed under the extant residential zoning of the Project Site and required subdivision and site plan approval from the Planning Board. The Planning Board reviewed the proposed Lewis Road PRD and determined that it was a lesser included version of The Hills and that the Lewis Road PRD would not have the potential to generate any new significant impacts not previously analyzed in The Hills EIS. Accordingly, the Planning Board determined that no Supplemental Environmental Impact Statement (SEIS) was required in connection with the proposed Lewis Road PRD. A detailed history of The Hills and the Lewis Road PRD environmental review is included in **Appendix A**.

The Planning Board reviewed the administrative record, including but not limited to the DEIS and FEIS, the Preliminary Subdivision and Site Plan applications, the applicant's SEQRA Compliance Analysis, public and advisory agency comments, Town consultants' recommendations, the Applicant's responses to comments, and Town Board Statement of SEQRA Findings, and issued its own Findings Statement as required by SEQRA, on October 24, 2019 (see **Appendix B**). This Statement of Findings by the Planning Board was a final step in the SEQRA process for the Preliminary Lewis Road PRD Subdivision and Site Plan application as outlined in Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 617, with statutory authority and enabling legislation under Article 8 of the NYS Environmental Conservation Law.

Following issuance of the Planning Board's Findings Statement, the Planning Board granted Preliminary Subdivision approval, and subsequently issued a Final Conditional Approval on December 8, 2022 for the Lewis Road PRD (see **Appendix C**). The project layout on which the Planning Board granted its approval was presented in the **Attached Plan (Appendix G)**.

The CPBC reviewed the Lewis Road PRD's conformance with the Standards and Guidelines of the Central Pine Barrens Comprehensive Land Use Plan (CLUP) and deemed that it was in conformance; the Commission issued its Statement of Findings and Development of Regional

Significance (DRS) approval, on January 20, 2021 (see **Appendix D**). Additionally, the Lewis Road PRD was reviewed again by the Central Pine Barrens Joint Planning & Policy Commission (CPBC) which issued its own Statement of Findings and decision of approval of the Lewis Road final subdivision and site plans on December 7, 2022.

The Lewis Road PRD has thus been granted Site Plan Approval by the Planning Board and the CPBC. The Lewis Road PRD site plan was revised to conform to requests by the Planning Board, the CPBC, the Town and the Suffolk County Water Authority (SCWA). None of those site changes had the potential to generate any new significant environmental impacts and thus no SEIS was required.

Construction of the Lewis Road PRD began in February 2023 based on the approved Site Plan/Subdivision. The approved plan is included in **Appendix G**. Internal roadways and infrastructure consistent with the approved Site Plan are currently being installed. The golf course and residential construction have commenced. The golf course is substantially completed.

2.2 Project Site Location

The Project Site is located in the hamlet of East Quogue, Town of Southampton, and is comprised of four (4) separate land holdings in three distinct properties (see Figure 1-1b, **Appendix E**). The Project Site is located generally northeast of Lewis Road and north of the LIRR ROW in the vicinity of Spinney Road, East Quogue, and extends northward to and beyond NYS Route 27 (aka Sunrise Highway).

The majority of the Project Site is south of Sunrise Highway, with two smaller portions located north of this roadway. More specifically, the lands south of Sunrise Highway include the Hills South Parcel, the Kracke Property, and most of the Parlato Property; the land north of the highway is the Hills North Parcel, with 3.90 acres of the Parlato Property. The Hills South Parcel is 339.42 acres and the Hills North Parcel is 87.61 acres in size. The Hills North and Parlato properties have been dedicated to the Town of Southampton consistent with the Lewis Road PRD approvals. The Kracke Property consists of 61.26 acres abutting to the west of the Hills South Parcel. Collectively, these are referred to as “The Hills Property,” and total 426.79 acres. The Hills South and the Kracke property are currently under development. The Parlato Property is 120.40 acres in size (including an assemblage of parcels and road abandonment acreage), and is located mostly south of Sunrise Highway, to the east of the Hills South Parcel. As noted above, 3.90 acres of the Parlato Property are located north of Sunrise Highway, east of the Hills North Parcel. The Parlato Property is mostly wooded; however, 15.78 acres of this site are former farmland now undergoing natural succession, and 1.15 acres are unvegetated.

An estimated 143.71 acres of the Project Site (23.64%) are within the Core Preservation Area (CPA) of the CPB, and the remaining 464.16 acres (76.36%) are in the Compatible Growth Area (CGA). No development is proposed within the CPA; all development is in the CGA, as intended

by the CPB CLUP. The Proposed Action has been reviewed in comparison to the Standards and Guidelines of the CPB CLUP for a Development of Regional Significance (DRS) and has been found to conform to these Standards and Guidelines.

The Project Site is located in the following service and special planning districts:

- CR-200 Zoning District
- Groundwater Management Zone III (300 gallons per day [gpd]/acre)
- Flood Hazard Zone X, Federal Emergency Management Agency (FEMA)
- Central Pine Barrens (CPB) Zone: Core Preservation Area [CPA]-143.71 acres; Compatible Growth Area [CGA]-464.16 acres
- Henry's Hollow Region, Critical Resource Area (CRA); portions of Parlato Property
- Town of Southampton APOD
- Central Suffolk Special Groundwater Protection Area (SGPA)
- East Quogue GEIS and Land Use Plan (LUP)
- SCWA, Distribution Area 20
- Riverhead Central School District (CSD; Hills North Parcel & 3.90 acres of Parlato Property)
- East Quogue UFSD (Hills South Parcel/Kracke Property & 116.50 acres of Parlato Property)
- Southampton Town Police Department
- East Quogue Fire Department (fire protection and ambulance services)
- Public Service Electric & Gas, Long Island (PSEG LI; electricity)
- National Grid (natural gas)
- Town Department of Municipal Works

2.3 Proposed Changes in Project Design and Layout

The Proposed Action includes proposed changes to the Lewis Road PRD Site Plan since the Site Plan approval was granted in 2022. The proposed modifications are shown conceptually on the Concept Plan and in greater detail on the Detailed Plan. The proposed site plan revisions described and evaluated in this Technical Memorandum are within areas that were already planned for clearing and improvements as part of the Lewis Road PRD. No originally approved areas to remain natural or areas subject to Conservation Easements will be altered, as a result of the Proposed Action. The following elements of the Lewis Road PRD remain unchanged under the Proposed Action:

- 118 seasonally-occupied residences;
- 12 rental apartments for year-round occupancy by "workforce" households, although the Proposed Action authorizes payment in-lieu of constructing such workforce housing;
- recreational amenities, including an 18 hole golf course;
- donation of 4 acres to the SCWA to establish a new public water supply wellfield (which has already occurred);
- a new, state-of-the-art on-site tertiary sewage treatment plant (STP);

- preservation of substantial acreages of existing naturally-vegetated open spaces;
- conformance to the open space preservation requirements of the CLUP and APOD;
- the main site access via Lewis Road; and
- dedication of the Hills North Parcel and the Parlato Property (formerly totaling 188.83 acres, now 203.33 acres) to the Town as public open space (which has already occurred).

The following briefly describes the Proposed Action's site plan revisions to the Lewis Road PRD approved Site Plan (see **Appendix F**). The Proposed Action's site plan revisions would increase total lot coverage by 395 square feet (SF) (0.8%), would increase total interior area by 845 gross square feet (1.3%), and would decrease hardscape features (i.e., sports fields, courts, pools, decks) by 23,078 SF (12.4%).

- Field House Recreation Area/Lot Rec 2:
 - Shift of location of Field House building slightly to the north and west, and building size increased by 7,745 gross SF to accommodate the consolidation of kids' activity areas into a family-oriented activity center in the vicinity of the approved Field House. The new family recreational area will include a walkout basement (formerly approved in the Club House basement). The lot coverage of the Field House will increase by 2,945 SF.
 - The elimination of the approximately two acres of astroturf multipurpose athletic fields, and replacement with a family pool complex including an active pool, spa, kid's pool and slide.
 - Added a small playground area.
 - An outdoor enclosed service yard (2,300 SF) is proposed adjacent to the Field House to accept deliveries and accommodate service-related activities associated with this new family-oriented area, by use of golf or other small cart.
 - The sports court area has been reconfigured, the approved full basketball court has been reduced to half court, two additional tennis courts have been added, and two padel¹ courts have been added.
 - Adjustments to golf cart path and parking alignments to fit new design and building shifts.
 - Minor grading changes and addition of landscaping retaining walls to accommodate grading updates.
 - Tennis House building area decreased by 94 SF, with increase in lot coverage by 390 SF and design modification.
- Club House Area/Lot Rec 1
 - Eliminated the kids' club area from the basement of the Club House and replaced it with housekeeping, kitchen support and additional mechanical areas within the basement. A slight change in the footprint of the clubhouse and reorientation of the angle of the pro-shop resulted in an increase of lot coverage for the Club House and Pro Shop by 1,910 SF.

¹ Padel is a racket sport of Mexican origin, typically played in doubles on an enclosed 10 by 20 meter court.

- Elimination of the kid's pool and consolidation of the adult and lap pools into a smaller adult swimming pool. The lap pool was rotated and widened. Hot and cold plunges were replaced with a spa area.
- Elimination of the pool bar building (966 gross square feet, 1,900 SF of lot coverage)
- Redesign of the lawn area to the north of the pool area to accommodate some decorative hardscape features.
- Consolidated the approved separate cart and vehicular access drives to the club house basement into a single driveway providing basement access.
- Yoga lawn added at fitness area.
- Large lawn reduced and lowered. Minor decrease in event lawn area by 868 SF.
- Small tot play structure added.
- Dining patio reconfigured.
- Bar patio added.
- Reduced paved cart path width by using grasspave.
- Minor adjustments to path and parking alignment to accommodate new design and building shifts.
- Minor grading changes and addition of landscaping retaining walls to accommodate grading updates.
- Trail House location shifted slightly west. Minor increase in interior gross floor area (10 gross SF), lot coverage of trail house reduced by 950 SF.
- Pond house/dock building removed (672 gross SF, 2,175 SF lot coverage).
- Farm Stand shifted slightly south, decrease in building area by 42 gross SF and lot coverage by 830 SF, minor elevation changes.
- Gate House minor increase in building area (15 gross SF) and lot coverage by 300 SF, minor elevation changes.
- Six-foot-tall property line fencing conforming with Town Code to protect open space
- Minor adjustments to path alignments at gatehouse to accommodate new design and building shifts.
- Lighting and landscaping plans updated in response to design changes.
- Minor adjustments to drainage features and erosion control plan in response to design changes.
- Addition of Wind Mill Comfort Station (420 gross SF, 705 SF lot coverage) adjacent to driving range and practice green.

The Proposed Action's site plan revisions would not require any additional clearing or an increase in the amount of fertilized vegetation. The total interior building area would increase by 845 gross SF (1.3%), the building lot coverage would increase by 395 SF (0.8%), and the total hardscape (sports fields, courts, pools, decks) coverage would decrease by 23,078 SF (12.4%). The Proposed Action's site plan revisions would create a slightly more compact and organized layout, as most kids' activities would be consolidated at one centralized location.

The Proposed Action's site plan amendments would not cause any change in impact to steep slope areas, and although additional grading changes would be required to implement the changes, the Project Site will remain "balanced" in terms of cut and fill. Some minor reduction of impervious surfaces and hardscaping features would occur, thus reducing stormwater flow into the Project Site's drainage system, and thus, would reduce overall recharge volume.

Per a memo prepared by Bohler Engineering, dated October 31, 2024 (see **Appendix G**), the proposed site plan amendments include replacement of a drainage reserve area with drywells in the vicinity of the approved sports court area. The capacity of the drywells is in conformance with Town of Southampton Requirements.

Conformance to the clearing standards and open space retention standards of the CLUP and to the APOD would be maintained in the Proposed Action's revised site plan. The proposed revisions would not alter the development envelope of the Lewis Road PRD.

2.4 Changes in Anticipated Construction Activities

The Proposed Action's site plan changes are minor and involve primarily relocation/consolidation of proposed facilities; therefore, there would be no significant impacts to steep slopes, grading/topography, or material excavation. Additionally, the overall building sizes would remain consistent, with only an insignificant 395 SF increase (0.8%) in lot coverage, an insignificant 845 gross SF increase (1.3%) in interior space. Therefore, there would be no new significant adverse construction impacts arising from the Proposed Action's site plan revisions. The Proposed Action's site plan revisions would not require any substantial additional grading/excavation. Thus, the Project Site would remain "balanced" in terms of cut and fill volumes. Therefore, no excess soil would be generated, and the Proposed Action's site plan revisions would not generate any additional truck trips for removal of excess material.

SECTION 3.0

COMPARATIVE IMPACT ANALYSIS

3.0 COMPARATIVE IMPACT ANALYSIS

3.1 Geological Resources

The Proposed Action would not alter the Lewis Road PRD development envelope. Therefore, there would be no additional clearing and open space areas would remain unchanged.

The Proposed Action would not cause any change to vegetation clearance limits and all areas designated to be undisturbed would remain undisturbed.

3.2 Water Resources

The Proposed Action would not increase the Lewis Road PRD residential density from what was previously analyzed and reviewed in The Hills EIS. The proposed Site Plan modifications in the Proposed Action would consolidate the Lewis Road PRD family activities in the Field House building and recreational area, remove the approved Pond House, and add another comfort station for the golf course. The other site plan refinements in the Proposed Action would be minor site plan adjustments to existing site plan elements for public health and safety purposes. The proposed Site Plan modifications in the Proposed Action would not have the potential to generate any significant adverse impacts on water resources. The potential impacts of a commercial private membership golf club at the Project Site on water resources were analyzed in The Hills EIS. The Hills EIS and The Hills Findings Statement concluded that the 18-hole golf course would not have the potential to generate any significant adverse impacts on water resources. The golf course, as analyzed in The Hills EIS was reviewed and approved by the Town and the CPBC in the Lewis Road PRD review process, has largely been constructed. The Proposed Action would not make any changes to the golf course. Because the Proposed Action would not change the location or operation of the golf course, including the measures required in the Lewis Road approvals to protect water resources, the Proposed Action would not have the potential to generate any new significant adverse impacts on water resources vis-a-vis the golf course.

The overall Proposed Action continues to be significantly below the allowable flow for the subject site as determined by SCDHS under Article 6 of the Suffolk County Sanitary Code. Nevertheless, the Proposed Action will include a Sewage Treatment Plant (STP) for treatment of sanitary waste. All residential units and the clubhouse will connect to the STP. This combined with the use of irrigation water from areas of the aquifer with elevated nitrogen due to upgradient farms, resulted in a net negative nitrogen load for the Proposed Action. These factors still remain such that no adverse impacts on water quality including nitrogen are expected.

As a result, no changes in the amount of water used for domestic consumption are expected, and no significant changes in the volume of flow to the proposed STP as studied in The Hills EIS are expected. The Proposed Action would not have the potential to generate any significant adverse impacts to water resources not previously studied in The Hills EIS.

It is acknowledged that some minor reduction of impervious surfaces and hardscaping features would reduce stormwater flow into the site's drainage system, and so would also tend to reduce overall recharge volume as compared to that evaluated for the prior plan.

The project at that time was found to be in conformance with Article 6 conformance (Standard 5.3.3.1.1), the STP Standard (Standard 5.3.3.1.2) and the nitrate-nitrogen Guideline (Guideline 5.3.3.1.3) of the CLUP.

Per a memo prepared by Bohler Engineering, dated October 31, 2024 (see **Appendix G**), the proposed site plan amendments include replacement of a drainage reserve area with drywells in the vicinity of the approved sports court area. The capacity of the drywells is in conformance with Town of Southampton Requirements.

The project components have not materially changed since this finding was rendered, and the minor adjustments to the layout are reflected in the Proposed Action's revised plan. The Proposed Action would also conform to the very stringent CPB CLUP water protection requirements, and no water resource impacts are anticipated based on the revised plan.

3.3 Ecological Resources

The Proposed Action would not alter the development envelope of the Lewis Road PRD. Therefore, the Proposed Action would not change clearing limits and open space areas would remain as previously approved. The CPBC and Planning Board concluded that the Lewis Road PRD had no potential to generate any significant adverse environmental impacts on ecological resources. The Proposed Action would cause only minor revisions to the approved site plan and, thus, the Proposed Action would not have the potential to generate any new significant adverse impacts to ecological resources. In addition, the Proposed Action would not cause any significant changes to the Lewis Road PRD, the Proposed Action also conforms to the applicable ecological standards and guidelines of the CLUP, and would not generate any potential significant adverse ecological impacts.

3.4 Land Use, Zoning and Plans

The Proposed Action would not have the potential to generate any significant adverse impacts to Land Use, Zoning and Plans.

3.5 Community Facilities and Services

As no revisions to the project's yield are proposed, no changes in the usage of residential community services are expected. The 118 residential units are expected to represent at least 118 of the total memberships as studied in the Lewis Road PRD SEQRA analyses. This means that the impacts of the community facilities will be the same as was analyzed and reviewed in the Lewis Road PRD SEQRA analyses. The Proposed Action would not have the potential to generate

any significant adverse impacts on Community Facilities and Services not previously studied in the Hills EIS.

3.6 Community Character

The proposed modifications will not impact naturally-vegetated perimeter buffers along the development area,; therefore, the existing rural, vegetated character of the site for outside observers will remain unchanged. The Proposed Action would not alter the naturally-vegetated perimeter buffers along the development area and would not have the potential to generate any significant adverse impacts to Community Character not previously studied in the Hills EIS.

3.7 Cultural Resources

It is noted that the entire development area was subject to a program of test hole excavations intended to determine the presence, or the potential presence, of significant cultural resources. That investigation did not reveal any such presence. Therefore, the slight shifts in proposed building and would occur inside areas previously investigated for cultural resources, which investigation did not reveal any such presence, so no change in the potential for impacts to cultural resources is expected. As a result, the Proposed Action would not alter any cultural resources. The Proposed Action would not have the potential to generate any significant adverse impacts to Cultural Resources not previously studied in The Hills EIS.

3.8 Construction Activities and Operations

The requested plan revisions did not extend to changes in the project's yield, but would be limited to some shifting of parts of the project's layout, which would not impact the project's overall development envelope. As such, no substantial changes in potential construction-related grading impacts are anticipated, as described in **Section 2.4**. The Proposed Action would have no significant impact on construction activities and operations. The Proposed Action would not have the potential to generate any significant adverse impacts to Construction Activities and Operations not previously studied in The Hills EIS.

SECTION 4.0

SUMMARY AND CONCLUSIONS

4.0 SUMMARY AND CONCLUSION

4.1 Summary

The following summarizes the anticipated environmental impacts of the Proposed Action and proposed revisions to the approved project, as presented in more detail in **Section 3.0** of this document.

4.1.1 Geological Resources

The proposed refinements in the Proposed Action to the approved site plan would not alter the proposed development envelope. Therefore, the proposed clearing and open space areas would remain consistent with the prior approved site plan.

The Proposed Action would remain in conformance with vegetation clearance limits of the CPB CLUP and the Town's APOD in consideration of geological resources and areas graded, with the substantial undisturbed areas to remain in general compliance and conformance with the approved Final Subdivision and Site Plan. Additionally, in terms of excavation/grading, the site would remain "balanced" in consideration of the proposed revisions; therefore, no program of excess soil removal would occur.

The above review indicates that there would be no change in impact on geological resources from the revised plan.

4.1.2 Water Resources

Because no changes in the project's yield are proposed, no changes in the amount of water used for residential domestic consumption are expected.

The minor reduction of impervious surfaces, primarily from reduced lot coverage and hardscaping, would reduce the volume of stormwater flow into the site's drainage system. The drainage systems are appropriately designed to contain stormwater runoff. The Proposed Action's residences and other buildings would continue to be served by an STP for treatment of wastewater. The Proposed Action would implement the measures identified in the Findings Statement including installation of rain gardens for stormwater management, lined greens, less than 15 percent fertilized vegetation, a lined stormwater pond, use of locally impacted groundwater for irrigation to remove existing nitrogen from the aquifer and related design features that conform with agency approvals.

Per a memo prepared by Bohler Engineering, dated October 31, 2024 (see **Appendix G**), the proposed site plan amendments include replacement of a drainage reserve area with drywells in the vicinity of the approved sports court area. The capacity of the drywells is in conformance with Town of Southampton Requirements.

The Proposed Action would remain in conformance with the design elements of the Lewis Road PRD approvals, and no water resource impacts, geological or traffic impacts are anticipated beyond what was already reviewed, analyzed, and approved in the Hills EIS.

4.1.3 Ecological Resources

As noted above, the proposed updates to the approved site plan would not alter the proposed development envelope. Therefore, the proposed clearing and open space areas would remain consistent with the prior approved site plan. Therefore, no impacts in the acreage of habitat for wildlife species as compared to the prior plan are expected.

The CPBC and Planning Board found that no impacts to ecological resources were anticipated based on the plan approved by the Commission and Planning Board on December 7, 2022 and December 8, 2022, respectively. The project components have not changed since this finding was rendered, and only minor adjustments to the layout are proposed on the revised plan. As noted, all changes proposed are within areas that were already planned for clearing and improvements as part of the development. No originally approved areas to remain natural or areas subject to Conservation Easements would be altered as a result of these minor proposed changes.

As a result, the revised project would conform to the applicable ecological standard and guidelines of the Town of Southampton and CPB CLUP, and no ecological impacts are anticipated based on the revised plan.

4.1.4 Transportation Resources

No change in the magnitude or pattern of trip generation is expected to result from the plan revisions, as there was no change in yield of the project. As a result, no changes in the anticipated impacts on local roadways and intersections is expected.

Given the fact that the project components have not changed and based on the detailed analysis of the revised site access location, no transportation or traffic impacts are expected to occur as a result of the revised plan. Also, given the minor changes within the interior of the site with similar program elements that are slightly modified, there is no change in construction traffic as the overall construction would continue in conformance with the approved plans.

4.1.5 Land Use, Zoning and Plans

The proposed revisions would not alter the development envelope of the approved project; therefore, there would be no impact to clearing quantities, and overall site coverages would remain substantially unchanged with the minor decreases noted herein. The slight building shifts

would also not materially impact the building setbacks, as they remain in compliance with the zoning code as provided for through the PRD approval.

4.1.6 Community Facilities and Services

Because the project yield would not change from the prior plan to the revised plan, it is expected that the usage of community facilities and services would similarly not change. There would be no increase in demand for community facilities or services. The improvement of on-site community and recreational amenities is a benefit to the project and reduces demand for off-site recreational facilities.

The analysis demonstrates that, with respect to community services, the impacts of the revised plan are anticipated to be less than or similar to those of the prior plan.

4.1.7 Community Character

The proposed modifications would not impact naturally-vegetated perimeter buffers along the development area; therefore, the existing rural, vegetated character of the site for outside observers would remain unchanged. The site continues to be screened and set back from existing roads and/or viewpoints.

The proposed changes are relatively minor and are not expected to cause any change in community character as compared to the prior approved plan.

4.1.8 Cultural Resources

As part of the SEQRA review process for the prior plan, the entire development area was investigated to determine the presence, or the potential presence, of significant cultural resources. That investigation did not reveal any such presence. As the development envelope would not change in connection with the revised plan and would not extend into areas not previously evaluated, the revised plan would similarly occur on areas previously determined to not contain cultural resources. As such, no change in the potential for impacts to cultural resources is expected.

Both the prior plan and the revised plan would be located on land that has been determined to not contain or potentially contain significant cultural resources. Therefore, no adverse impacts to such resources would occur for either development plan, so that the revisions would be neither adverse nor beneficial.

4.1.9 Construction Activities and Operations

Analysis indicates that the minor revisions to the project's grading plan would not require the removal of any excess soil from the site (the other construction activities would not significantly differ between the prior and revised plans).

The requested plan revisions would not extend to changes in the project's yield, but are limited to some shifting of parts of the project's layout within the development envelope which have previously been cleared.

4.2 Conclusions

The proposed Lewis Road PRD has already been subject to multiple, complete reviews under SEQRA, each of which determined that the project minimized to the extent practicable the adverse impacts of the project, and recommended approval of the project. However, these reviews were conducted on a project design and layout that has, since these reviews were completed, been revised in order to further, incrementally, reduce potential impacts. It is the intent of this document to describe and evaluate these plan revisions and demonstrate that the potential adverse impacts have indeed been incrementally reduced or unchanged in comparison to those that were previously deemed insignificant.

Review of this document is crucial in determining the importance of the impacts, which determination is to be based on the following criteria established by SEQRA for the format of an Expanded EAF:

- Probability of the impact occurring,
- The duration of the impact,
- Its irreversibility, including permanently lost resources of value,
- Whether the impact can or will be controlled,
- The regional consequence of the impact,
- The potential divergence from local needs and goals,
- Whether known objections to the project relate to this impact.

The environmental review process is a balancing process. The proposed project complements the local land use pattern, incorporates sensitive environmental design, and conforms to the goals and recommendations of the CPB CLUP, the Town Comprehensive Plan, the APOD, and the EQGEIS. The project will have positive benefits in terms of tax revenue and temporary construction jobs. The proposed consolidation and relocation of amenity areas will not result in any significant changes in impact from those evaluated for the development as previously located. As substantiated by the descriptions and analyses in this document, the potential adverse impacts of the proposed project will not be significant and will be localized such that no

regional impacts are expected. Mitigation has been incorporated into the project plan in order to control anticipated impacts.

Based on the descriptions and analyses contained in this Technical Memorandum, the proposed changes to the project are minor and beneficial, and none of the changes would result in a significant adverse environmental impact. Further, the project has been subject to extensive and detailed reviews by various boards and commissions. The current project design has been subject to reviews by the Town Planning Board and Central Pine Barrens Commission which reviews have only served to reduce impacts and improve the project. The information contained herein supports a determination that no further environmental review is needed. The project has only been revised to reduce impacts and improve the project design. As a result, it is respectfully submitted that no Supplemental EIS is necessary since project changes will not result in significant adverse environmental impacts (as provided for in 6NYCRR Part 617.9(a)(7)(i), and no further review under SEQRA is warranted other than confirmation of the findings of this SEQRA Compliance Analysis.

APPENDICES

APPENDIX A HISTORY OF PROJECT

Appendix A

SEQRA History

The Lewis Road PRD is the outcome of a development application review process that started with a subdivision application in 2005. That subdivision application was later revised after the Town's adoption of the East Quogue Land Use Plan and Generic Environmental Impact Statement (EQGEIS) in 2008. The EQGEIS adopted the previous recommendations of the (unadopted) Western Towns GEIS, which specifically recommended that the subject property be developed as a seasonal resort with a golf course. The applicant then filed the Hills at Southampton Planned Development District (PDD) Pre-Application submission to the Southampton Town Planning Board, in June 2013. Under the then-Town PDD legislation, a two-stage review process was to have occurred, with the Town Planning Board referral to the Town Board on a preliminary PDD development concept, and the Planning Board having jurisdiction over approval of a subdivision map and/or site plan. The Town Board in 2015 coordinated with involved agencies (including the Town Planning Board) and, upon no objections from Involved Agencies, assumed Lead Agency status for the environmental review process.

The Draft Environmental Impact Statement (DEIS) for the Hills PDD was initially submitted to the Town Board as lead agency under SEQRA in December 2015, and after a series of Town reviews and Applicant revisions and resubmissions, the DEIS was accepted as complete by the Town on October 12, 2016. Upon acceptance, the public review period commenced and the Town Board scheduled the 1st DEIS public hearing on November 7, 2016. On November 7, the Town Board also determined that additional public hearings and an extended public comment period on the DEIS were appropriate. The additional public hearings were held on December 5, 2016, January 10, 2017, and February 7, 2017. The Town Board also accepted all written comments on the DEIS through April 1, 2017. A review letter summarizing on the proposed application was also received from the Town's environmental consultant on May 15, 2017.

Acceptance of the Final Environmental Impact Statement (FEIS) for the Hills PDD by the Town Board indicated that all of the public and agency comments on the DEIS had been sufficiently addressed by the lead agency such that a Findings Statement could be prepared for the Town Board to complete the SEQRA process. The Planning Board participated in the review of the DEIS/FEIS and provided comments on the proposed PDD Local Law. The Town Board issued its Statement of Findings to Approve the project on November 27, 2017, and voted on the PDD application. It is noteworthy that the Findings supported approval of the Hills PDD and were adopted by the Town Board by a vote of 3 to 2. The Town Board vote on the PDD was 3 to 2 in favor of approval but, under Town Code Section 330-244 I (3), a "supermajority" of 4 "aye" votes was required for approval of a PDD at that time, so the Hills PDD application was not approved.

The Applicant submitted a subdivision Pre-Application to the Planning Board, for a development type, design and yield that had been included as an alternative and evaluated in the Hills PDD draft and Final EIS's (for comparison purposes), for a PRD based on retention of and conformance to the CR-200 zoning district. The Pre-Application for the Lewis Road PRD subdivision was submitted to the Town Planning Board in October 2017, and was subject of review by the Town Planning Department and the Pre-Application Report was adopted on May 24, 2018.

As the Lewis Road PRD subdivision application included a private golf course recreational amenity, the Planning Board, in its Subdivision Pre-Application Report, noted that Town Code §330-5 defines an accessory use as a subordinate use customarily incidental to and located on the same lot occupied by the main use. The Planning Board noted that neither the Zoning Code §330-5 nor the Residence Table of Use Regulations (§330-10) lists every permitted accessory use, building or structure allowed in the CR-200 Zoning District, nor does the Town Code define a golf course. The Planning Board concluded that an analysis must be made on a case-by-case basis to determine whether a proposed private golf course recreational amenity is allowed as an accessory use. The Planning Board requested an interpretation from the Town Building Inspector, who then posed the question to the Zoning Board of Appeals (ZBA), as to whether the proposed private 18-hole golf course recreational amenity would be permitted as an accessory use to the applicant's proposed 118-home residential subdivision and would not constitute a second principal use. The precise question posed to the Building Inspector and ZBA by the Planning Board set forth in the Planning Board's Subdivision Pre-Application Report was as follows:

"Is applicant's proposed 18-hole golf course, available only to the owners of the subdivision parcels and not to the public at-large, customary and accessory to the 118-home residential subdivision located on 591 acres, or does said golf course – together with the maintenance and operating buildings and structures that accompany said golf course – constitute a second principal use?"

The Zoning Board of Appeals by decision dated November 15, 2018 found that the proposed private golf course, available only to the owners of the subdivision parcels and not to the public at-large, together with maintenance and operating buildings and structures that accompany said golf course, are accessory to the proposed residential subdivision.

The Applicant submitted a Preliminary Subdivision application on November 1, 2018 with additional information on December 7, 2018 and December 12, 2018. As requested by the Planning Department, the Applicant submitted a Site Plan application on December 10, 2018. The Applicant also submitted a SEQRA Findings Compliance Analysis prepared by NPV which contained a summary and dated December 2018, of the project with environmental analyses of the changes from the Hills PDD application versus the Lewis Road PRD application.

The December 2018 Compliance Analysis included additional technical information and analysis regarding impacts and mitigation for geologic, water (especially groundwater and nitrogen inputs), ecological, transportation, land use, zoning and community resources. It also provided additional information on compliance of the project with Town Zoning regulations and those of the Central Pine Barrens Commission. In January 2019, the Planning Board retained consultants B. Laing Associates, Inc. and Kimley-Horn of NY, P.C. (BLG-KHN) to review the Preliminary Subdivision application in light of the prior DEIS/FEIS and SEQRA record and the Applicant's Preliminary Subdivision submission including the SEQRA Compliance Analysis to determine if a Supplemental EIS (SEIS) pursuant to 6 NYCRR §617.9(a)(70), SEQRA was required to review the Preliminary Lewis Road Subdivision application.

On April 15, 2019, the Planning Board, received a report from BLG-KHN, which posed a series of questions to the Applicant entitled, "Initial SEQRA – SEIS Threshold Review, Analysis and Inquiries." The Applicant through NPV submitted a response dated May 7, 2019 with additional information supplementing the SEQRA Compliance Analysis, and a letter from Sive, Paget and Riesel, PC (SPR), attorneys for the Applicant, dated May 9, 2019. The Applicant's report included additional information and analyses on environmental impacts and mitigation including traffic, SONIR nitrogen loadings, etc. Based upon the entire record to that date, BLG-KHN then produced a final SEQRA – SEIS Threshold Review – Analysis dated June 27, 2019. The June 27, 2019 BLG-KHN report recommends, and the Planning Board adopted, that no SEIS be required of the Applicant but that further information was determined to be necessary for the Planning Board to make its determination on the Preliminary Lewis Road PRD Subdivision and/or Site Plan applications. Upon acceptance of the June 27, 2019 report, the public review period commenced and the Planning Board scheduled a public hearing on July 17, 2019. The public hearing was adjourned and extended to August 8, 2019. The Planning Board closed the public hearing on August 8, 2019 and extended the time to receive written comments from the public through August 19, 2019.

In response to comments raised by the public and advisory agencies, on September 23, 2019, SPR issued a further letter regarding SEQRA procedures and appended an NPV document entitled "Supplemental Information in Response to: SEQRA – SEIS Threshold Review – Analysis For the Planning Board of the Town of Southampton DLV Quogue, LLC – Lewis Road PRD Prepared by: B. Laing Associates/Kimley Horn Dated: June 27, 2019," and dated September 23, 2019 which addressed the information requested in the June 27, 2019 BLG-KHN review.

In May 2019, the Central Pine Barrens Joint Planning & Policy Commission re-asserted jurisdiction over the Lewis Road PRD by extension of a prior assertion of jurisdiction over The Hills PDD. As a result, upon approval of the Preliminary Subdivision and Site Plan applications by the Planning Board, the Lewis Road PRD was subject to review by the CPBC. In May 2019 and July 2019, the Planning Board referred the application materials to the CPBC and requested advisory input from the CPBC. By letter dated September 20, 2019, the CPBC advised that they could not produce an advisory report until their meeting on October 16, 2019 and asked the Planning Board to request

an extension of the action deadline on the Preliminary application. On October 16, 2019, the CPBC adopted by a 4-1 vote (Town of Southampton voted no) an advisory report prepared by CPBC staff. At the CPBC meeting of October 16, 2019, the Town Planning and Development Administrator provided on the record, a review of the CPBC staff prepared draft letter, which preceded the meeting of October 16, 2019. This Town document was provided in the record to address the CPBC's staff comments on the SEQRA process in relation to the conformance of the Lewis Road PRD with the Standards and Guidelines of the CPB CLUP.

The Southampton Planning Board was included as an Involved Agency as part of the Town Board SEQRA process conducted for the Hills PDD. For the Lewis Road PRD, the Planning Board reviewed the administrative record, including but not limited to the DEIS and FEIS, the Preliminary Subdivision and Site Plan applications, the applicant's SEQRA Compliance Analysis, public and advisory agency comments, Town consultants' recommendations, the Applicant's responses to comments, and Town Board Statement of SEQRA Findings, and issued its own Findings Statement as required by SEQRA, on October 24, 2019 (see **Appendix B**). This Statement of Findings by the Planning Board was a final step in the SEQRA process for the Preliminary Lewis Road PRD Subdivision and Site Plan application as outlined in Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 617, with statutory authority and enabling legislation under Article 8 of the NYS Environmental Conservation Law.

At the same time, the Planning Board granted Preliminary Subdivision approval (see **Appendix C**). The project layout on which the Planning Board granted its approval was presented in the **Attached Plans (Appendix G)**.

The CPBC reviewed the project's conformance with the Standards and Guidelines of the Central Pine Barrens Comprehensive Land Use Plan (CPB CLUP), and deemed that it was in conformance; the Commission issued its Statement of Findings and Development of Regional Significance (DRS) approval, on January 20, 2021 (see **Appendix D**).

Subsequently, additional changes were proposed to the preliminarily approved Lewis Road PRD. A SEQRA Compliance Analysis of the proposed changes was prepared and submitted to the Planning Board in December 2021. Among the proposed changes was an increase in preserved open space and relocation of golf holes southward to avoid steep slopes and expand contiguous open space. The SEQRA Compliance Analysis confirmed that the proposed changes would not have the potential to generate any significant adverse environmental impacts not previously analyzed in The Hills EIS. A complete history of the SEQRA review for this project can be found in **Appendix A**. Following this determination of non-significance, Final Subdivision and Site Plan approvals dated December 8, 2022 were issued by the Planning Board. Additionally, the Lewis Road PRD was reviewed again by the Central Pine Barrens Joint Planning & Policy Commission (CPBC) which issued its own Statement of Findings and decision of approval on December 7, 2022. Thereafter, construction commenced on the Lewis Road PRD.

APPENDIX B

SEQRA STATEMENT OF FINDINGS, Lewis Road PRD

Town Planning Board, 10/24/2019



ADOPTED

PLANNING BOARD RESOLUTION (ID # 32814)

DOC ID: 32814

Lewis Road PRD (formerly The Hills at Southampton) - Adopt SEQRA Findings Statement

WHEREAS, the Preliminary Subdivision Application of Lewis Road PRD was received by the Southampton Town Planning Board on November 1, 2018, with additional information/revised plans submitted on December 7, 2018 and again on December 12, 2018; and

WHEREAS, the applicant also submitted a Site Plan Application on December 10, 2018 for the Planning Board's review of the HOA recreational buildings, structures and uses, including the golf course; and

WHEREAS, the Subdivision and Site Plan applications are being reviewed concurrently; and

WHEREAS, the Preliminary Subdivision and Site Plan Application of DLV Quogue, LLC entitled "Lewis Road PRD" proposes 118 units as: 8 clubhouse units, 15 village cottages, 53 village lots, 16 village estates, and 26 woodland estates, plus an additional twelve (12) workforce housing units on-site. Other project components include: a recreational complex, fitness center, community pool and clubhouse, private 18-hole golf course and other accessory structures, all as on-site amenities for the exclusive use of the site's residents; and 72.67% open space equaling 427.58 acres, on a total of 178 assembled tax parcels totaling 588.39 acres of land situated in the CR-200 Zoning District, Compatible Growth Area of the Central Pine Barrens Overlay District and Aquifer Protection Overlay District, located generally north and east of Lewis Road in the vicinity of Spinney Road and extending north to and beyond Sunrise Highway in East Quogue; and

WHEREAS, the project was classified as a Type I Action pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and Chapter 157 (Environmental Quality Review) of the Code of the Town of Southampton; and

WHEREAS, the proposed action underwent a complete SEQRA review as part of a Change of Zone Application with the Southampton Town Board, who served as lead agency for the project; and

WHEREAS, as Lead Agency, the Southampton Town Board completed the SEQRA process, from the initial classification and coordination to the acceptance of the FEIS and adoption of a Findings Statement dated November 27, 2017; and

WHEREAS, at their meeting on January 24, 2019, the Southampton Town Planning Board retained the services of B. Laing Associates, Inc. to assist with the Board's SEQRA

review for the pending subdivision and site plan application of Lewis Road PRD, including a determination as to whether a Supplemental Environmental Impact Statement is required, and for the preparation of a Findings Statement prior to issuance of any decision on the application; and

WHEREAS, the Southampton Town Planning Board is an involved agency for this project and, as an involved agency, is required to identify any differences between the current action before the Planning Board and what was considered under the adopted FEIS by the Town Board, and whether or not those changes warrant a supplemental EIS; and

WHEREAS, at their meeting on June 27, 2019 the Southampton Town Planning Board was presented with B. Laing Associates, Inc. SEQRA-SEIS Threshold Review dated June 27, 2019, which found that no SEIS is necessary; and

WHEREAS, by resolution dated June 27, 2019, the Southampton Town Planning Board deemed the Preliminary Subdivision and Site Plan Application complete; and

WHEREAS, a public hearing on the Preliminary Application was held on July 27, 2019 and was adjourned until August 8, 2019, and subsequently closed with a 10-day written comment period; and

WHEREAS, a Planning Board Findings Statement has been prepared which summarizes the facts and conclusions of the Draft and Final EIS's, and all application materials submitted, and weighs and balances the relevant environmental impacts with social, economic and other considerations to provide a rationale for the Planning Board's decision; now therefore,

BE IT RESOLVED, the Planning Board of the Town of Southampton hereby Accepts and Adopts the Positive Findings Statement prepared on its behalf by the Town's consultants, B. Laing Associates, Inc, in conjunction with the Town of Southampton Planning Division of the Department of Land Management, dated October 23, 2019, pursuant to the State Environmental Quality Review Act and Chapter 157 of the Town Code; and

BE IT FURTHER RESOLVED, as required by SEQRA and its implementing regulations, the Town Clerk is hereby directed to distribute and file copies of the Findings statement to the following involved agencies:

1. Town of Southampton Planning Board, Jacqui Lofaro, Chairman
2. Town of Southampton Town Board
3. New York State Department of Environmental Conservation
Region I- Carrie Meek Gallagher, Regional Director
50 Circle Road, SUNY Building 40, Stony Brook, NY 11790

4. Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000, Oakdale, NY 119769
5. Suffolk County Department of Health Services
Office of Ecology, 360 Yaphank Ave., Suite 2B, Yaphank, NY 11980
6. Office of Wastewater Management, PE Principal Public Health Engineer
360 Yaphank Avenue, Suite 2C, Yaphank, NY 11980
7. Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road, Westhampton Beach, NY 11978
8. Suffolk County Planning Commission c/o Sarah Lansdale, Director
P.O. Box 6100, 100 Veterans Memorial Hwy, Hauppauge, NY 11788-0099

BE IT FURTHER RESOLVED, the following interested agencies/parties shall be given this resolution and is hereby notified that the Findings Statement is available to access on the Town website:

1. East Quogue Union Free School District, Robert J. Long, Jr. Superintendent
6 Central Avenue East Quogue, NY 11942
2. Westhampton War Memorial Ambulance Association
3 Hazelwood Avenue, Westhampton Beach, New York 11978
3. East Quogue Citizen Advisory Committee
4. East Quogue Fire Department
465 Montauk Hwy, East Quogue, NY 11942

RESULT:	ADOPTED [4 TO 3]
MOVER:	Philip A. Keith, Secretary
SECONDER:	Dennis Finnerty, Vice Chair
AYES:	Dennis Finnerty, John Blaney, John Zuccarelli, Philip A. Keith
NAYS:	Jacqui Lofaro, Robin Long, Glorian Berk

To: Wayne Bruyn, Esq.

State Environmental Quality Review Act
ENVIRONMENTAL IMPACT STATEMENT
INVOLVED AGENCY - FINDINGS STATEMENT

Lewis Road Planned Residential Development (PRD)

Involved Agency: Planning Board of Town of Southampton
116 Hampton Road
Southampton, New York 11968

Applicant: DLV Quogue, LLC
14605 North 73rd Street
Scottsdale, Arizona 85260

I. Introduction and Project Background & History

1. Introduction

This document is the Statement of Findings which compiles an environmental review of the Preliminary Subdivision and Site Plan applications by DLV Quogue, LLC ("Applicant") to the Town of Southampton Planning Board (the "Planning Board") for a Proposed Project known as "Lewis Road Planned Residential Development (PRD)" (the "Project"). The Proposed Project site is located in the hamlet of East Quogue, Town of Southampton, Suffolk County, New York, and is comprised of over 175 tax lots set on four parcels totaling 588.39 acres. The Preliminary Subdivision and the Site Plan applications require discretionary administrative approvals and, as a Type I Action, was and is subject to the requirements of the State Environmental Quality Review Act (SEQRA).

The total area of the parcel is 588.39 acres. Development is proposed within 160.81 acres and 427.58 acres will be permanently preserved as open space. The Lewis Road PRD Project will be developed as a resort use comprised of 118 seasonally-occupied housing units (which will be subject to a seasonal-occupancy covenant) plus 12 full time use, affordable residential units, an 88-acre private golf course (as a recreational amenity for resident use) and a clubhouse area containing four separate structures providing a total of 66,393 square feet (SF) of space, as: 22,175 SF of homeowners association (HOA) member facilities, a pool and pool house, maintenance/mechanical/storage areas (6,918 SF), below-grade parking (19,000 SF), and 18,300 SF in the 8 clubhouse condominiums. These units will have between 2,150 to 2,400 SF of floor area (averaging 2,288 SF), and have three bedrooms. The clubhouse area and recreation facilities will not be available for public use; its facilities will be reserved for the use of the residents of the subdivision. Wastewater will be handled in a new, tertiary sewage treatment plant (STP).

The Lewis Road PRD will also include infrastructure improvements such as a private access road that will traverse a separate parcel and connect with Lewis Road, internal private roads, stormwater management and other infrastructure improvements, and accessory structures and facilities related to project operations (e.g., groundwater pumping wells, operational and maintenance structures for the golf course). Outside of the proposed development area, the Proposed Lewis Road PRD

will provide approximately 382.45 acres (65% of the site) of preserved open space and public trails.

The Town Board completed a State Environmental Quality Review Act ("SEQRA") review of a Mixed Use Planned Development District ("MUPDD") project known as The Hills at Southampton. The Hills MUPDD was near identical to the Lewis Road PRD in terms of the type, design and yield of development; however, the golf course and recreation facilities would have been open to all members of the public eligible to join as compared with the resident recreational amenity golf course that is proposed with the Lewis Road PRD. The Town Board completed an Environmental Impact Statement ("EIS") process for The Hills and the Town of Southampton Planning Board was an involved agency in this review. The Town Board voted to approve a Statement of Findings for The Hills MUPDD and to approve the PDD Local Law, resulting in a 3 to 2 vote in favor of the Findings and PDD Local Law. The Findings were therefore adopted; however, the PDD Local Law at that time required a majority plus one vote, and as a result, the PDD application was not adopted. The Lewis Road PRD subdivision and site plan was submitted to the Planning Board under current CR-200 zoning, and is the subject of these Findings of the Planning Board.

The Planning Board completed a detailed review of the proposed preliminary subdivision and site plan including an assessment of changes in the Proposed Project and if any such changes rose to a level that would require a Supplemental EIS. On June 27, 2019, the Planning Board determined that no Supplemental EIS was required. These Findings rely on the EIS record including review of the SEQRA Compliance Analysis dated December 2018, Town Staff, Consultant and Applicant input, and Planning Board deliberation.

2. Project Background & History

The Lewis Road PRD subdivision application is a logical outcome of the development application review process that started with a subdivision application in 2005. The subdivision application was later revised after the Town's adoption of the East Quogue Land Use Plan and Generic Environmental Impact Statement ("East Quogue GEIS") in 2008. The East Quogue GEIS adopted the previous recommendations of the Western Town GEIS and specifically recommended that the property be developed as a seasonal resort with a golf course. At the direction of the Town, the applicant then filed the Hills at Southampton PDD Pre-Application submission to the Southampton Town Board, in June 2013. The PDD legislation at §330-243 contemplates a two-stage review process with the Town Board acting a preliminary development concept and the Planning Board approval of a subdivision map and/or site plan. The Town Board in 2015 coordinated with involved agencies (including the Town Planning Board) and upon no objections from Involved Agencies, assumed Lead Agency status for the environmental review process.

The Draft Environmental Impact Statement ("DEIS") for the Hills PDD was initially submitted to the Town Board as lead agency under SEQRA in December 2015, and after a series of Town reviews and Applicant revisions and resubmissions, the DEIS was accepted as complete by the Town on October 12, 2016. Upon acceptance, the public review period commenced and the Town Board scheduled the 1st DEIS public hearing on November 7, 2016. On November 7, the Town

Board also determined that additional public hearings and an extended public comment period on the DEIS were appropriate. The additional public hearings were held on December 5, 2016, January 10, 2017, and February 7, 2017. The Town Board also accepted all written comments on the DEIS through April 1, 2017. A review letter summarizing on the proposed application was also received from the Town's environmental consultant on May 15, 2017.

Acceptance of the Final Environmental Impact Statement ("FEIS") for the Hills PDD by the Town Board indicated that all of the public and agency comments on the DEIS had been sufficiently addressed by the lead agency such that a Findings Statement could be prepared for the Town Board to complete the SEQRA process. The Planning Board participated in the review of the DEIS/FEIS and provided comments on the proposed PDD Local Law (see resolution dated October 26, 2017). The Town Board issued its Statement of Findings to Approve on November 27, 2017, and voted on the PDD application. It is noteworthy that the Findings supported approval of the Hills PDD and were adopted by the Town Board by a vote of 3 to 2. The Town Board vote on the PDD was 3 to 2 in favor of approval but, under Town Code Section 330-244 I (3), a "supermajority" of 4 "aye" votes was required for approval of a PDD at that time, so the Hills PDD application was not approved.

Subsequently, the Applicant submitted a subdivision Pre-Application to the Planning Board, for a development type, design and yield that had been included as an alternative and evaluated in the Hills PDD draft and Final EIS's (for comparison purposes), for a PRD based on retention of and conformance to the CR-200 zoning district. The Pre-Application for the Lewis Road PRD subdivision was submitted to the Town Planning Board in October 2017, and was subject of review by the Town Planning Department and the Pre-Application Report was adopted on May 24, 2018.

As the Lewis Road PRD subdivision application included a private golf course recreational amenity, the Planning Board, in its Subdivision Pre-Application Report, noted that Town Code §330-5 defines an accessory use as a subordinate use customarily incidental to and located on the same lot occupied by the main use. The Planning Board noted that neither the Zoning Code §330-5 nor the Residence Table of Use Regulations (§330-10) lists every permitted accessory use, building or structure allowed in the CR-200 Zoning District, nor does the Town Code define a golf course. The Planning Board concluded that an analysis must be made on a case-by-case basis to determine whether a proposed private golf course recreational amenity is allowed as an accessory use. The Planning Board requested an interpretation from the Town Building Inspector, who then posed the question to the Zoning Board of Appeals, as to whether the proposed private 18-hole golf course recreational amenity would be permitted as an accessory use to the applicant's proposed 118-home residential subdivision and would not constitute a second principal use. The precise question posed to the Building Inspector and ZBA by the Planning Board set forth in the Planning Board's Subdivision Pre-Application Report was as follows:

Is applicant's proposed 18-hole golf course, available only to the owners of the subdivision parcels and not to the public at-large, customary and accessory to the 118-home residential subdivision located on 591 acres, or does said golf course – together with the maintenance and operating buildings and structures that accompany said golf course – constitute a second principal use?

The Zoning Board of Appeals by decision dated November 15, 2018 found that the proposed private golf course, available only to the owners of the subdivision parcels and not to the public

at-large, together with maintenance and operating buildings and structures that accompany said golf course are accessory to the proposed residential subdivision.

The Applicant submitted a Preliminary Subdivision application on November 1, 2018 with additional information on December 7, 2018 and December 12, 2018. As requested by the Planning Department, the Applicant submitted a Site Plan application on December 10, 2018. The Applicant also submitted a SEQRA Findings Compliance Analysis prepared by the Nelson, Pope & Voorhis, LLC ("NPV") which contains a summary of the project with environmental analyses of the changes from the Hills PDD application verses the Lewis Road PRD application. The Compliance Analysis includes additional technical information and analysis regarding impacts and mitigation for geologic, water (especially groundwater and nitrogen inputs), ecological, transportation, land use, zoning and community resources. It also provided additional information on compliance of the project with Town Zoning regulations and those of the Central Pine Barrens Commission ("CPBC"). In January 2019, the Planning Board retained consultants B. Laing Associates, Inc. and Kimley-Horn of NY, P.C. ("BLG-KHN") to review the Preliminary Subdivision application in light of the prior DEIS/FEIS and SEQRA record and the Applicant's Preliminary Subdivision submission including the SEQRA Compliance Analysis to determine if a Supplemental EIS ("SEIS") pursuant to 6 NYCRR §617.9(a)(70), SEQRA was required to review the Preliminary Lewis Road Subdivision application.

On April 15, 2019, the Planning Board, received a report from BLG-KHN, which posed a series of questions to the Applicant entitled, "Initial SEQRA – SEIS Threshold Review, Analysis and Inquiries." The Applicant through NPV submitted a response dated May 7, 2019 with additional information supplementing the SEQRA Compliance Analysis, and letter from Sive, Paget and Riesel, PC ("SPR"), attorneys for the Applicant, dated May 9, 2019. The Applicant's report included additional information and analyses on environmental impacts and mitigation including traffic, SONIR nitrogen loadings, etc. Based upon the entire record to that date, BLG-KHN then produced a final SEQRA – SEIS Threshold Review – Analysis dated June 27, 2019. The June 27, 2019 BLG-KHN report recommends, and the Planning Board adopted, that no SEIS be required of the Applicant but that further information was determined to be necessary for the Planning Board to make its determination on the Preliminary Lewis Road PRD Subdivision and/or Site Plan applications. Upon acceptance of the June 27, 2019 report, the public review period commenced and the Planning Board scheduled a public hearing on July 17, 2019. The public hearing was adjourned and extended to August 8, 2019. The Planning Board closed the public hearing on August 8, 2019 and extended the time to receive written comments from the public through August 19, 2019.

In response to comments raised by the public and advisory agencies, the on September 23, 2019, SPR issued a further letter regarding SEQRA procedures and appended an NPV document entitled "Supplemental Information in Response to: SEQRA – SEIS Threshold Review – Analysis For the Planning Board of the Town of Southampton DLV Quogue, LLC – Lewis Road PRD Prepared by: B. Laing Associates/Kimley Horn Dated: June 27, 2019," and dated September 23, 2019 which addressed the information requested in the June 27, 2019 BLG-KHN review.

In May 2019, the Central Pine Barrens Joint Planning & Policy Commission ("CPBC") re-asserted jurisdiction over the Lewis Road PRD by extension of a prior assertion of jurisdiction over The

Hills MUPDD dated February 25, 2015. As a result, upon approval of the Preliminary Subdivision and Site Plan applications by the Planning Board, the Lewis Road PRD will be subject to review by the CPBC. In May 2019 and July 2019, the Planning Board referred the application materials to the CPBC and requested advisory input from the CPBC. By letter dated September 20, 2019, the CPBC advised that they could not produce an advisory report until their meeting on October 16, 2019 and asked the Planning Board to request an extension of the action deadline on the Preliminary application. On October 16, 2019, the CPBC adopted by a 4-1 vote (Town of Southampton voted no) an advisory report prepared by CPBC staff. At the CPBC meeting of October 16, 2019, the Town Planning and Development Administrator provided on the record, a review of the CPBC staff prepared draft letter, which preceded the meeting of October 16, 2019. This Town document was provided in the record to address the CPBC's staff comments on the SEQRA process in relation to the conformance of the Lewis Road PRD with the Standards and Guidelines of the CPB CLUP as will be discussed in a section of these Findings. The CPBC has been an Involved Agency throughout the SEQRA process, and since 2009, has been party to eleven (11) communications regarding the project, noted as follows:

1. February 11, 2009, comments to the Town of Southampton ("TOS") in response to the Hills at Southampton Draft Scoping Document.
2. September 6, 2013, comments to the TOS in response to the Hills at Southampton Pre-App submission.
3. March 9, 2015, communication to the TOS Clerk stating that the Hills at Southampton will need to make an application to the CPBC due to the expectation that the development would be including development in the CRA.
4. March 30, 2015, to TOS asserting jurisdiction as there is property in the assemblage in the CRA.
5. May 11, 2015, Draft Scope DEIS referral to TOS asserting jurisdiction as the property includes land in the CRA.
6. November 16, 2015, DEIS referral response to TOS.
7. March 1, 2018, requested additional information from the TOS about Lewis Road PRD.
8. March 27, 2019, request to TOS for response to March 1, 2018 letter to the TOS.
9. May 15, 2019, resolution of reassertion of jurisdiction over Lewis Road PRD.
10. June 19, 2019, resolution confirmation of May 15, 2019 resolution.
11. October 16, 2019, referral comments to TOS regarding Lewis Road PRD preliminary subdivision application.

As noted, the Southampton Planning Board was included as an Involved Agency as part of the Town of Southampton Town Board SEQRA process including the preparation of the DEIS and FEIS. The Planning Board has reviewed the record before them including but not limited to the DEIS and FEIS, the Preliminary Subdivision and Site Plan applications, the applicant's SEQRA Compliance Analysis, public and advisory agency comments, Town consultants' recommendations, the applicant's responses to comments, and Town Board Statement of SEQRA Findings, and hereby issues its own Findings Statement as required by SEQRA. This Statement of Findings by the Planning Board is a final step in the SEQRA process for the Preliminary Lewis Road PRD Subdivision and Site Plan application as outlined in Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 617, with statutory authority and enabling legislation under Article 8 of the NYS Environmental Conservation Law ("ECL").

The project was referred to the Suffolk County Planning Commission. On October 2, 2019, the Suffolk County Planning Commission provided a response as follows: "The Suffolk County Planning Commission after due study and deliberation, was unable to render a determination on the merits of the referral as the necessary votes were unavailable to carry a resolution relative thereto."

II. Findings

1. Geological Resources

- (i) *To the extent feasible, the existing topography of the Project site will be preserved or followed in developing the site plan.*

The configuration of the site grading program for the proposed Lewis Road PRD is expected to conform closely to that of the Hills PDD. The detailed design of the PRD provides 65% open space outside of the development area (with natural areas retained within the development area as well). Based on the limits of clearing for grading, the overall retention of existing natural vegetation remains the same at 72% of the overall site. Thus, any impacts to the site's topography from the proposed project would be similar to those associated with the Hills PDD, which were reviewed by the Town Board and deemed to not be significant. Therefore, it is expected that the potential impacts to topography from the proposed project would likewise not be significant.

- (ii) *Prior to any soil disturbance, the erosion and sediment control measures required in an approved Storm Water Pollution Prevention Plan (SWPPP) will be installed. This would prevent any significant adverse soil erosion and sedimentation impacts during construction.*

Like the Hills PDD, a SWPPP will be prepared, approved and implemented prior to the onset of construction of the Lewis Road PRD. The SWPPP will ensure that there are no significant adverse soil erosion and/or sedimentation impacts during construction.

- (iii) *Some development will occur within all of the various soil types present on the Project site, as described in the DEIS. Soils exhibiting limitations related to sandy surface layer consist of types CpA, CpC, CpE, CuB, P1A, P1B and P1C which comprise approximately 73% of the subject property. The limitation of a sandy surface layer is not expected to be an impediment to locating roads, parking, buildings or related infrastructure.*

As noted above, the configuration of the site-grading program for the proposed project conforms closely to that of the Hills PDD. The detailed design of the PRD provides 65% open space outside the development area while retaining 72% of the existing natural vegetation on the site. The PRD involves the same soil types. As a result, any impacts to the site's soils would be similar to those associated with the Hills PDD, which were previously reviewed by the Town Board and deemed to not be significant. In this case, the limitation of a sandy surface layer is not expected to be an impediment to locating roads, parking, buildings or related infrastructure and no significant adverse impact is anticipated.

- (iv) *Soils exhibiting limitations related to slopes consist of CpC, CpE, HaB, P1B, P1C and RdB soils which comprise 52.9% of the Project site. The limitation of slopes may affect the installation of sewage disposal fields, home sites, streets and parking lots as well as the establishment of*

landscape vegetation related to concerns of providing stable surface areas to properly control erosion and drainage. Impediments with respect to a sandy surface layer will be managed through soil preparation for the intended use. The Project site master plan has been designed to take slope constraints into consideration- roads have been placed in low slope areas and home sites are planned in areas with construction areas of flatter surfaces. Planned grading of strategic locations of the site will be necessary to provide appropriate and stable surface areas to allow development of the proposed Project.

As noted above, the configuration of the site grading programs for the Hills PDD and the Lewis Road PRD are similar, so that it is expected that the potential impacts of each proposal from soils having characteristics of concern (e.g., slopes and a sandy surface layer) would be similar as well. The potential impacts and constraints due to soil limitations were reviewed by the Town Board for the Hills PDD project, and were deemed to not be significant. Therefore, it is expected that the potential impacts from soil limitations upon the proposed project would likewise not be significant as the proposed project incorporates planned grading of strategic locations of the site to allow development.

- (v) *Establishment of fertilized turf and landscaped areas is limited to 15% of the Project site which is compliant with the Town's Aquifer Protection Overlay District (APOD) Standards.*

The proposed Lewis Road PRD will result in a fertilized acreage of no more than 15% of the site, a figure that duplicates and closely follows the pattern of that for the Hills PDD. As such, there would be no difference between the two projects in potential impacts from fertilized acreage. The potential, over all impacts associated with landscape fertilization were reviewed by the Town Board for the Hills PDD project, and were deemed to not be significant. The Integrated Turf Health Management Plan (ITHMP) and associated monitoring will ensure that the project will conform to the 15% limitation.

- (vi) *Soils will be amended to establish healthy growing conditions and nutrient and water retention properties needed to support the limited areas of landscaping. In the case of the proposed Project, this may potentially affect lawns, ornamental shrubs and golf course turf grasses. The potential impacts related to this limitation with respect to erosion potential and re-vegetation will be addressed by using proper grading techniques and erosion control measures, installing proper drainage and using suitably adapted drought tolerant indigenous vegetative species for landscaping as well as site stabilization and restoration.*

The proposed Lewis Road PRD will utilize a soil amendment program within the ITHMP that will follow that of the Hills PDD proposal, which was reviewed by the Town. As a result, it is expected that there would be no significant differences in potential impacts between these two proposals. The potential impacts associated with soil amendment will be overcome by using proper grading techniques and erosion control measures, installing proper drainage and using suitably adapted drought tolerant indigenous vegetative species for landscaping, site stabilization and restoration. As a result, these impacts were reviewed by the Town Board for the Hills PDD project, and were deemed to not be significant. Therefore, it is expected that the potential impacts for the proposed project would likewise not be significant.

- (vii) *STP facilities will be placed in good leaching soil and design will ensure adequate depth to water below leaching structures given the observed and published soil characteristics and the depth to*

groundwater. Project review will require test holes during Town site plan review and SCDHS review for locating the STP. Though not expected, if unsuitable material is encountered, it will be removed and replaced with good leaching material to ensure proper functioning of STP leaching areas as well as for stormwater catchment.

The STP for the Lewis Road PRD will be sited in the same location as was proposed for the Hills PDD, where soils having proper leaching characteristics are present and adequate separation between the leaching facilities and the water table are found. Further, this facility will be subject to full and detailed engineering review and approval by the SCDPW and the SCDHS. The potential impacts associated with the STP for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, it is expected that the potential impacts for the proposed Lewis Road PRD project would likewise not be significant.

- (viii) *Consistent with the requirements of the Central Pine Barrens Comprehensive Land Use Plan (CLUP), natural recharge areas and/or drainage system designs will be employed as part of the Project site plan design.*

As was determined for the Hills PDD, the natural topography of the site is considered in the design of the site's drainage systems, although, there are no natural recharge areas that could be incorporated into the drainage system to meet all of the storage requirements of the Town. As a result, the design includes a combination of catch basins, drainage swales, detention ponds/areas and leaching pools in order to meet Town requirements for site drainage. The proposed project is very similar to what was proposed for The Hills PDD in terms of drainage system design. Therefore, like the Hills PDD, this potential impact was considered and no significant adverse impacts were identified.

2. Water Resources

The Planning Board accepts the Town Board's November 27, 2017 Findings as they relate to items (iii), (vii), (viii), (ix) and (xiii).

In reviewing the project as a PRD, the Planning Board extensively reviewed the prior D/FEIS record created by the Town Board for the MUPDD proposed zoning change in relation to the Subdivision and Site Plans applications as a PRD. On April 15 and June 27, 2019 reports by B. Laing Associates, Inc. and Kimley-Horn of NY, P.C., the Planning Board asked the applicant a series of questions/informational requests. Such further information and the reason for requesting such information and analyses is as follows:

- A. A more conservative nitrogen loading (SONIR) calculation at 20% leaching for unlined areas and 180 days of unit occupancy. This change in the SONIR Loading Comparisons approximately doubled the nitrogen load to be carried to the aquifer in percolating waters. That is, this increases the calculated, total mass balance concentration in groundwater recharge from 0.33 mg/l in the Applicant's SEQRA Supplement (1,238 lbs N/year) to 0.59 mg/l in the BLG_KHN June 27, 2019 report (2,200.68 lbs/year). The BLG-KHN conclusion was supported by Dr. C Gobler August 2017 report (2,300 – and up- lbs/year), Paul W. Grosser, Table 2, Page 5, DEIS Appendix L-5 (2,100 lbs/year) and FPM Group Figure 1, FEIS Appendix J-3 (2,326 lbs/year). The revised analysis would be a refinement of the data and analyses contained in the D/FEIS record.

A revised "application" of the nitrogen load to only developed/fertilized portions of the site. This change would again increase the SONIR-calculated nitrogen load as it will be applied in the PRD scenario on a much smaller portion of the 591 acre site than assumed by applying a gross, mass balance equation. That is, the nitrogen load will be applied only over the developed portions of the property. In this case, the developed and landscaped portion can be considered to range between 120 and 140 acres¹. This multiple ranges from 4.2 to 4.9². When considered only within the acreage actually fertilized, the nitrogen concentration in recharge would then range from 2.48 to 2.89 mg/l in specific locations on site. Further, the margin of precision for the SONIR nitrogen loading analyses as provided in the May 7, 2019 SEQRA Supplement report by the applicant (item 7 on page 8) is 100 %. If this precision has declined on the upper boundary to even 50 % and a result of BLG adjustments, the upper, predictive boundary of the SONIR nitrogen loadings and the resulting nitrogen concentrations as the recharging groundwater enters the aquifer could be even higher in specific locations on site. If calculated in this revised manner, the concentrations of nitrogen in groundwater as it "arrives" at the aquifers' "surface" is well above the 2.5 mg/l CPBC guidelines. The revised analysis would be a refinement of the data and analyses contained in the D/FEIS record.

B. A dispersion model of the nitrogen load as it enters the aquifer. There are a number of physical and dispersive groundwater aquifer models which are regularly used and could be applied in this case. In fact, a suitable physical model has already been run for the project and its surroundings by P.W. Grosser Consulting, Inc. for a proposed mitigating measure of the project to describe flow patterns in this localized aquifer as presented in FEIS Appendix L-5 (as an update to DEIS Appendix A-12). The analysis was completed using Groundwater Vistas Version 6.78 by Environmental Simulations, Inc. However, the Groundwater Vistas model was applied to the potential for fertigation (i.e., extraction of nitrogen-contaminated groundwater which already occurs in the aquifer due largely to farming practices). However, it was not applied to potential project impacts to groundwater from the project. Groundwater Vistas was/is a physical model of the local (sub-regional) aquifer. The same approach can be used for water quality "impact" determinations. Ideally, this type of modeling should be conducted for the PRD Site Plan with the adjusted nitrogen loadings as applied in the actual developed acreage. This would determine the nitrogen concentration more precisely as it enters the aquifer and proceeds downgradient. In this way, location-specific, expected nitrogen concentrations in the aquifer can be determined with precision at varying depths at the eastern property line, at an established "grace limit" (see below), at the Parlato parcel, at single use wells down gradient (if any), and at Weesuck Creek (i.e., entering Shinnecock Bay). These data would further allow for adjustments in the proposed mitigation (fertigation) well numbers and locations. The revised analysis would be a refinement of the data and analyses contained in the D/FEIS record.

With the above reasons for providing/requiring adjusted and refined analyses and since such have not been provided to date by the applicant, the Planning Board must modify the Town Board's conclusions and Findings as follows (the original Town Board Findings organization has been retained to facilitate comparisons):

¹ Per SEQRA Supplement Table 2-1b and Attachment 1-2, 102.2 acres developed and 139.97 acres cleared.

² See SEQRA – SEIS Threshold Review - Analysis for the Planning Board of the Town of Southampton
DLV Quogue, LLC – Lewis Road PRD, June 27, 2019, Sections 4.1 and 4.3.

- (i) *The Proposed Project site is located in Groundwater Management Zone III, and ultimately the groundwater in this subwatershed flows into Weesuck Creek and Western Shinnecock Bay. Of particular concern is nitrogen loading, which is responsible for the decline in surface water quality as evidenced by algal blooms which cause an increase in brown and red tides, reduced levels of shellfish and other habitat impacts. The proposed project complies the policies and plans for this area that are designed to protect water resources including the Town APOD, the Central Suffolk Special Groundwater Protection Area (SGPA), and the CLUP.*
- a. The APOD imposes limits on the disturbance of natural vegetation and in this case, 71.77% of the existing natural vegetation must be left undisturbed, it also restricts fertilized vegetation to 15%.*
 - b. The goals and objectives of the CLUP will be met for the Compatible Growth Area, namely:
 - i. preserve natural vegetation in large, unbroken blocks (86.92 acres and 101.91 acres);*
 - ii. there will be no significant discharges within 200 ft. of any public supply well.**

The above establishes that the Hills PDD would conform to the standards and requirements of the APOD and the CLUP, ensuring that minimal potential for impacts to either groundwater or surface water quality would result. The proposed Lewis Road PRD is similar in layout, uses and yield as the Hills PDD, and will include a tertiary STP, the same overall landscape fertilization characteristics, and similar natural vegetation retention, so that the potential impacts of the proposed Lewis Road PRD project would be similar to those of the Hills PDD. The potential groundwater impacts associated with the Hills PDD were reviewed by the Town Board, and were deemed to not be significant as reflected in the Findings Statement, which is based on the EIS record for the project. The Lewis Road PRD will ensure protection of 72% of the site in existing natural vegetation and will limit fertilizer dependent vegetation to not more than 15% of the site, or 88.26 acres. The design of the Lewis Road PRD provides 65% open space outside of the development area, to align with off-site open space as required by the CLUP. Further, there will be no significant discharges within 200 feet of any public supply well. Since the project conforms to zoning, no transfer of credits is required. Based on these factors, the Lewis Road PRD is consistent with the Findings Statement and there are no significant adverse impacts expect with regard to water resources.

- (ii) *The area to be developed as part of the Proposed Project site does not immediately adjoin to existing surface water, ponds or wetlands; however, the headwaters of Weesuck Creek as well as Shinnecock Bay are downgradient of the site. Nitrogen impact reduction has been a focus of the Project and comprehensive impact analyses were provided in the FEIS. It is expected that the proposed project, inclusive of its land preservation and wastewater treatment system, will have a mass balanced, average nitrogen concentration of less than 1.0 mg/l (even with the SONIR modeling revisions suggested by the Planning Board's consultant), which conforms to the nitrate-nitrogen guideline of 2.5 mg/l per CLUP and is less than what could be achieved under alternative development scenarios. Overall, the proposed project results in the lowest nitrogen load of all alternatives analyzed. With the proposed irrigation-fertigation system that will utilize groundwater that already contains high concentrations of nitrogen and take it out of the system (as modified per the results of refined nitrogen loading and groundwater dispersion modeling outlined in Water Resources above), the project is expected to result in a net negative nitrogen load which is beneficial to underlying groundwater within the Central Pine Barrens, as well as downgradient streams, bays, and coastal resources.*

The above indicates that the Hills PDD would result in the reduction in nitrogen impact to

groundwater (net negative), as well as to surface waters of Weesuck Creek and Shinnecock Bay, due to its inclusion of on-site land preservation, the tertiary STP, and implementing a modified irrigation-fertigation system. The nitrogen budget has been updated to reflect the Lewis Road PRD proposal, and the concentration of nitrogen in recharge will continue to be less than 1 mg/l and therefore will conform to this Guideline. The potential impacts associated with groundwater quality protection for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. The proposed Lewis Road PRD will include measures within the Site Plan including:

1. The southern legs/fairways of the golf course are currently located on the central and eastern portions of the property as it extends southward toward the LIRR ROW. Since the highest fertilization rates will be on the fairways of the golf course, there will be nitrogen leaching at concentrations greater than the mass balanced average for the site. Therefore, the above modeling procedures as outlined in Water Resources A and B above will be conducted. If the results show a significantly higher nitrogen level than calculated by a mass balancing of the entire site, then the southern legs/fairways of the golf course may be relocated to the central and/or western portions of the property as it extends southward toward the LIRR ROW. This change will add several hundred feet of groundwater buffer to Weesuck Creek, which connects to Shinnecock Bay an impaired water body.
2. The applicant has indicated that there will be two irrigation ponds. The second pond will be the mixing pond prior use for irrigation of the fairways. The highest concentrations of nitrogen will occur in this pond. For that reason, detailed cross sections of the pond liner/barrier with groundwater leak protections and overflow protections is needed prior to approval. A detailed section of this pond shall be provided to the Town and reviewed by the Town Engineer and Planning staff for adequacy of such protections.
3. The mitigation/ fertigation groundwater modeling will need to be rerun as outlined in Water Resources A and B above with nitrogen calculations provided for specific locations where fertilization will occur. Once these location-specific nitrogen impacts have been layered on the existing mitigation/fertigation groundwater modeling (including the existing nitrogen plume from agricultural uses upgradient of the site), the location of fertigation wells may need to be changed and/or added to, to maximize the capture of nitrogen due to combined impacts of the existing plume, waste water treatment systems and site-specific fertilization. This revised modeling shall provide for future predictions of nitrogen conditions as it impacts the final location of the Suffolk County Water Authority parcel which will result in new public water supply wells (i.e., an area outside these impact and fertigation locations will be chosen).

These measures would protect and improve groundwater and surface water quality to the same or greater degree then the PDD. Therefore, it is expected that the potential impacts for the proposed Lewis Road PRD project would likewise not be significant and the project is found to be consistent with the Findings Statement.

(iii) *The applicant has proposed an Integrated Turf Health Management Plan (ITHMP). Among the*

design requirements of the ITHMP is a design requirement for liners under the greens to capture drainage water. This drainage water would then be collected and treated or reused for irrigation.

The proposed Lewis Road PRD includes the same ITHMP as that of the Hills PDD. The Lewis Road PRD will include a similar drainage system design (including installation of 40 mil liners beneath the greens and treating stormwater) and the full measures for turf management for maximum nutrient uptake as outlined in the ITHMP which was incorporated into the EIS record. The potential impacts related to turf management were reviewed as part of The Hills PDD, and were deemed to not be significant. Therefore, it is expected that the potential impacts for the proposed Lewis Road PRD project, with Site Plan conditions provided in Water Resources Item (ii), 1, 2 and 3 above, would likewise not be significant.

Overall, the proposed project, as a clustered subdivision results in the lowest nitrogen load of all alternatives analyzed. The proposed mitigation-fertigation system (as modified by the results of the proposed modeling refinements described in Water Resources Item (ii), 1, 2 and 3 above) will utilize groundwater that already contains high concentrations of nitrogen and take it out of the system, and so, the project, considered as a subdivision, would result in a net negative nitrogen load which is beneficial to underlying groundwater within the Central Pine Barrens, as well as downgradient streams, bays, and coastal resources.

- (iv) *The use of groundwater with elevated nitrogen levels for both irrigation and as a fertilizer source would be supplemented with fertigation which is projected to improve local groundwater and minimize project impacts on groundwater, particularly with respect to nitrogen.*

Like the Hills PDD, the Lewis Road PRD will include use of groundwater from beneath the site (having high nitrogen levels due to agricultural use upgradient of the site) for golf course irrigation, supplemented with fertigation techniques (as modified per the results of refined nitrogen loading and groundwater dispersion modeling outlined in Water Resources Item (ii), 1, 2 and 3 above), to improve the quality of groundwater down gradient of the site. This will result in a net negative nitrogen load and will improve local groundwater quality with respect to nitrogen. The potential impacts associated with this proposal for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, it is expected that the corresponding potential impacts for the proposed project would likewise not be significant.

- (v) *In addition, the applicant has agreed to limit the amount of fertilized land to 88 acres (e.g., greens, tees). The ITHMP and fertilizer limits will be implemented through a Management Program document reviewed, approved and implemented by the Town which will establish protocols for the use of fertilizer, pesticides, and ground water monitoring. The covenants and restrictions placed on the PRD project and property will require the ITHMP to establish a maximum application of fertilizer to no more 2.5 lbs/1000 SF/yr of nitrogen to greens, tees and fairways and 1.0 lbs/1000 SF/yr to rough and residential areas. Further, if there is any violation of said protocols all fertilization and pesticide application activities shall halt, and the use of the golf course shall cease until such time as it can be determined the cause of the violation and the corrective action can be identified. In addition, the Town would have the ability to impose a substantial fine for any violations of the protocols established in the ground water monitoring and protection program. The monitoring would be based on submitted reports to the Town and oversight by the Town. The Town could also inspect the site to monitor compliance and would also have data from the monitoring wells (see below).*

The proposed project will include an ITHMP similar in content to that prepared for and reviewed by the Town for the Hills PDD. In this way, it is expected that the Lewis Road PRD will provide the same or similar level of protection to groundwater and surface water resources as was reviewed by the Town for the Hills PDD. The Lewis Road PRD will include a maximum application of fertilizer to no more 2.5 lbs/1000 SF/yr of nitrogen to greens, tees and fairways and 1.0 lbs/1000 SF/yr to rough and residential areas to be implemented by whatever means the Planning Board finds appropriate. Total fertilized acreage will not exceed 15% of the site, or 88.26 acres, and will include golf course tees (as underlined), greens (as underlined) and fairways, and areas within lots and in the community clubhouse area. The overall potential impacts anticipated from the ITHMP for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, it is expected that the overall potential impacts for the proposed project would likewise not be significant.

The Planning Board will impose that in the event of any violation of Integrated Turf Health Management Plan (ITHMP) protocols, all fertilization and pesticide application activities shall halt, and the use of the golf course shall cease until such time as it can be determine the cause of the violation and the corrective action can be identified. In addition, the Town would have the ability to impose a substantial fine for any violations of the protocols established in the ground water monitoring and protection program. The monitoring would be based on submitted reports to the Town and oversight by the Town. The Town could also inspect the site to monitor compliance and would also have data from the monitoring wells.

- (vi) *The proposed ITHMP includes the limited use of certain environmentally sensitive pesticides that may be used on the site to achieve reasonable pest control and to maintain healthy turf at the proposed golf course. The Town Board is aware that every pesticide product which is used, distributed, sold or offered for sale in New York State must be registered by the NYS Department of Environmental Conservation (NYSDEC). Under Sections 33-0301 and -0303 of the Environmental Conservation Law (ECL), the NYSDEC has sole jurisdiction in all matters pertaining to the distribution, sale, use and transportation of pesticides. They also regulate the registration, commercial use, purchase and custom application of pesticides. As described by NYSDEC, "pesticides, properly used for the control of insects, fungi, weeds, and nematodes, and as defoliants, desiccants, and plant regulators and for related purposes, are valuable, important and necessary to the welfare, health, economic well-being and productive and industrial capabilities of the people of this state; however, such materials, if improperly used, may injure health, property and wildlife." It is noted that review of specific compounds and chemical structures contained in pesticide formulations labeled for the control of pests commonly associated with turfgrass management are pre-empted by the State; however, through the pesticide registry those labeled for use here are tested and formulated specifically for Long Island because of the sole- source aquifer.*

In the PRD project, the entire property, which includes the single-family dwelling lots, will be managed and maintained by a single entity that will be required to comply with the ITHMP as described in the DEIS and FEIS. Integrated Pest Management (IPM) is a decision- making process that requires training in all phases of turfgrass management, including biology, soil science, pest management, and cultural practices. It involves establishing pest response threshold levels that are consistent with the intended use of the turf, intensive field monitoring, good record keeping, and consideration of different pest control strategies.

The keystone of a turfgrass IPM program is frequent, careful monitoring of pest activity. If the monitoring program is successful, pests can be detected early and controlled before the threshold

level is exceeded. By keeping good records of previous pest activity, turfgrass managers will know where and when to look for subsequent pest issues and utilize certified applicators to apply registered pesticides to targeted areas when needed.

Certified pesticide applicators are subject to NYSDEC requirements in terms of pesticide reporting. The Pesticide Reporting Law requires every certified commercial applicator to report regulated pesticide activities from January 1 through December 31 of each year. This report requires detailed information on the type, area and quantity of pesticide used in an application. This type of oversight is typically unavailable for a single-family subdivision in an environmentally sensitive area as most people apply their own pesticides and fertilizers, which has a higher likelihood of misuse and over-application than that of a professional who is charged with maintaining the grounds to the highest standard. A certified pesticide applicator is also educated on best management practices, including those that minimize aerial drift and curtail unintended exposure, as well as following personal protection protocols required by the label and New York State law. The MUPDD will have monitoring wells and reports to confirm that the standards are routinely met, and the ITHMP will require that turfgrass/sod come from approved Long Island sources.

Implementation of the ITHMP is intended to provide a level of safety to ensure that no impact occurs to people, wildlife, water resources or the local ecology as a result of the action. The whole premise behind an integrated turf management program is to promote the health and vitality of the soil. Utilizing the strategies in the program will result in a more efficient use of pesticides, which translates into a reduction in need for pesticide use. With the safety, reporting and monitoring protocols followed, the limited use of pesticides as outlined in the ITHMP is not expected to result in any significant impacts. This expectation has been factually demonstrated within the other two monitored golf courses within the Town, namely Sebonack and The Bridge.

The proposed Lewis Road PRD will utilize the same ITHMP (and IPM) as was prepared for and reviewed by the Town for the Hills PDD, and found to be appropriate in terms of groundwater and surface water quality protection, as well as for human health protection. The Lewis Road PRD will also include the GMP incorporated into The Hills EIS record. NYSDEC Licensed pesticide applicators and trained personnel will be involved with all aspects of management of the golf course recreational amenity and appropriate safety, reporting and monitoring protocols are agreed to by the applicant to be incorporated into the decision making on the Lewis Road PRD. In this way, it is expected that these resources will be protected to at least the same degree as was established for the Hills PDD. The potential impacts anticipated from the ITHMP for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, it is expected that the potential impacts for the proposed project would likewise not be significant.

There is some amount of uncertainty over the concentration and spread/dispersion of nitrogen loads from specific locations within the PRD project itself as described in A, B above. It is noted that the whole premise behind an integrated turf management program is to promote the health and vitality of the soil. Utilizing the strategies in the program will result in a more efficient use of pesticides, which translates into a reduction in need for pesticide use. With the safety, reporting and monitoring protocols followed, the limited use of pesticides as outlined in the ITMHP is not expected to result in any significant pesticide impacts.

- (vii) *In addition to the above, the Applicant will be required to engage in a regular sampling program*

to monitor groundwater quality, which is necessary to ensure that the Proposed Project does not adversely impact water resources. The groundwater monitoring program (GMP) for the proposed golf course is proposed to be comprised of two parts: 1) monitoring the volume of fertilizer being applied; and 2) monitoring any impacts on groundwater quality from the fertilizer applied and all applied pesticides potentially leaching into groundwater. As part of the groundwater monitoring program a total of fourteen (14) groundwater monitoring wells and nine (9) lysimeters will be installed throughout the golf course to monitor the water quality beneath the golf course four times per year. The irrigation pond will also be monitored.

The Lewis Road PRD will include the same groundwater sampling program as was prepared for the Hills PDD, in order to ensure that groundwater quality is properly protected. The GMP proposed as part of The Hills is incorporated into the decision making process on the Lewis Road PRD. As a result, the proposed project is consistent with the Findings Statement and no significant impacts are expected given these protocols.

- (viii) *The applicant has developed and proposed a program to monitor groundwater quality, which is necessary and sufficient to ensure that the project does not adversely affect water resources. Under this proposed monitoring program, renewable in perpetuity, a five-year sampling plan will be supplemented with a quarterly sampling of nitrogen and the pesticides that may have been used during the previous twelve-month period. An independent laboratory, acceptable to the Town, will conduct all water testing. The sampling would be conducted under the direction of an entity acceptable to the Town.*

The Lewis Road PRD will include the same groundwater sampling program as was prepared for the Hills PDD, and will include a supplementary quarterly sampling program for nitrogen and pesticides applied during the previous year. The groundwater sampling program will be reviewable after a period of five (5) years. Additionally, the same requirements for use of an independent sampler, and use of an independent laboratory (both of which shall be acceptable to the Town) to perform all sample testing will ensure that groundwater quality is properly monitored. Consequently, the proposed project is consistent with the Findings Statement and no significant adverse impact is expected.

- (ix) *If a pesticide or nitrogen species is detected above a response threshold in any lysimeter or groundwater sample: (a) the use of the pesticide and or nitrogen fertilizer will be stopped; (b) the lysimeter or well will be tested again as soon as practically possible to confirm the presence of the pesticide/nitrogen and to see if the concentration is rising; (c) the environmental (rainfall after application) and management (amount of irrigation after application, amount of pesticide-fertilizer application, etc.) conditions at the time of the pesticide-fertilizer application and immediately after would be documented; d) when nitrate concentrations drop below 2 mg/L fertilization can resume; e) when the concentration of a pesticide drops below the response threshold its use may resume.*

The Lewis Road PRD will include the same groundwater sampling program, including the same action thresholds and requirements, as was devised for the Hills PDD, in order to ensure that groundwater quality is properly protected. As a result, the proposed project is consistent with the Findings Statement and no significant adverse impact is expected.

- (x) *Based on an independent review of the proposed project it is concluded that with the above measures in place, the proposed project would not result in any significant adverse impacts on groundwater or surface waters.*

By design, the Lewis Road PRD incorporates all of the on-site aspects and features of the Hills PDD with respect to groundwater and surface water quality and health protection. Although there is uncertainty over the concentration and spread/dispersion of nitrogen loads from specific locations within the PRD project itself as described in Water Resources A, B above, any changes resulting from those refined data and a significant amount of testing and protocols will ensure against any significant environmental impacts. In this way, the Lewis Road PRD would not result in any significant adverse impacts on groundwater or surface water resources. As a result, the proposed PRD project is consistent with the Findings Statement and no significant adverse impact is expected.

- (xi) The IHTMP that contains the components described above will be subject to final review and approval by the Planning Board as modified with any changes resulting from those refined data described in Water Resources A and B and with a requirement for the submission of regular monitoring reports.

As noted above, the proposed Lewis Road PRD will utilize the same ITHMP as was prepared for and reviewed by the Town for the Hills PDD and found to be acceptable in terms of groundwater and surface water quality protection, as well as for human health protection. The project's ITHMP will contain provisions for regular reports of monitoring activities to be submitted to the proper Town office. As a result, the proposed project is consistent with the Findings Statement and no significant adverse impact is expected.

- (xii) *The Suffolk County Water Authority (SCWA) has expressed the desire for new wells on the project site. The Applicant has included in their site plan approximately 4 acres for a new well field to be dedicated to the SCWA as part of the proposed public benefits. The Planning Board questioned if the dedication of 4 acres for a well site was considered a public benefit if it was instead a project requirement. The DEIS included correspondence from the SCWA dated September 21, 2015 that indicated this agency did not anticipate any water quality impacts due to the proposed project. The letter further indicated that once constructed, the proposed well(s) on the property would produce high quality water for the foreseeable future. After the FEIS was deemed complete, the SCWA submitted another letter dated November 6, 2017 indicating that they will be providing water for domestic consumption and fire suppression for the 118 housing units and clubhouse. It further states that "the developer will be responsible for making system improvements including distribution system piping, booster upgrades and a new booster station in order to ensure [potable] water is available". The letter further discusses the irrigation well plan and the conveyance of the land for SCWA to use as a new well field and storage. This dedication is not required as a condition of approval from SCWA but the system improvements are. Therefore, the Town Board still considered this dedication to be a public benefit to all users within Suffolk County Water Authority jurisdiction.*

While the Hills project was a PDD, and so required provision of Community Benefits, the Lewis Road project is a PRD, which under zoning law of the Town, does not require Community Benefits to offset an increase in density as would be provided for under "incentive zoning." The Lewis Road PRD will be supplied with public water for domestic use from the existing SCWA distribution system, while its irrigation needs will be addressed by installation of a new on-site irrigation well(s). The proposed project will provide improvements to the SCWA distribution system as needed to serve the proposed project, and on-site irrigation wells

will be permitted by NYSDEC and installed for irrigation of the golf course recreational amenity and landscaping. Therefore, the Lewis Road PRD need not and does not include dedication of land for a new SCWA public water supply wellfield. The Planning Board still considers any dedication to be a public benefit to all users within Suffolk County Water Authority jurisdiction, if it were to be included by the applicant.

- (xiii) *The project will conform to all Suffolk County Department of Health Services (SCDHS) regulations for the disposal of wastewater. Additionally, an on-site sewage treatment system will be installed and will consist of tertiary treatment with a nitrogen treatment level of 10 mg/l or less. The STP shall be located in the northwestern corner of the Project Site. This location is in-line with groundwater flow that shows elevated nitrogen concentrations from upgradient historic/current farming is on the west side of the site and would situate the STP as far as possible, approximately 1.5 miles, from downgradient wetlands and the surface waters of Weesuck Creek and Shinnecock Bay. Thus, this proposed facility is located at the greatest distance possible from surface waters. In accordance with applicable SCDHS requirements, an area for this facility has been set aside on the site plan that is twice the building footprint in size, in the event that expansion at a later date is necessary. The site plan also includes an access drive and leaching area, with additional area for leaching area set aside for future expansion, if required by the SCDHS. The Applicant has presented information that this system can potentially achieve compliance the NYS effluent limitation of 10 mg/l and is expected to perform consistently with much lower total nitrogen concentrations. SONIR modeling has also been provided in this FEIS assuming a 10 mg/l nitrogen effluent with the proposed project, noting that the residential density is still consistent with the CR-200 (5 acre) zone and there is a significant amount of open space and undisturbed natural vegetation to provide for aquifer recharge.*

The proposed Lewis Road PRD will provide a tertiary STP in the same location as was evaluated in the Hills PDD. This facility is expected to result in the same or similar level of performance, providing effluent within the applicable SCDHS standard of 10 mg/l. SONIR modeling is updated for the proposed project and will still result in a concentration of nitrogen in an overall site recharge of less than 1.0 mg/l. The STP will be reviewed and approved by SCDHS and will perform as outlined in the EIS record for The Hills PDD. The potential impacts associated with the STP performance were reviewed by the Town Board for the Hills PDD project, and were deemed to not be significant. Therefore, the proposed project is consistent with the Findings Statement and the potential impacts for the proposed project will likewise not be significant.

3. Ecological Resources

A. Aquatic Ecology

- (i) *There are no existing wetlands within the development area of the project.*

As there are no wetlands in the area of the site that will be developed for the Hills PDD, and the Lewis Road PRD will develop the same or similar area, there will be no impact to such a resource from either proposal.

- (ii) *As described within the DEIS and FEIS, the proposed Project would not result in any indirect impacts on the water quality of Weesuck Creek or Shinnecock Bay and therefore is not expected to result in any impact on the aquatic ecology of these resources.*

This Finding confirms that, as the Hills PDD would not result in nitrogen-related impact to groundwater or, through subsurface flow, to surface waters of Weesuck Creek or Shinnecock Bay, that proposal would not impact the aquatic ecology of these surface water bodies. The proposed Lewis Road PRD will include the same or similar water resources-related measures (as modified with any changes resulting from those refined data described in Water Resources A and B), supporting a conclusion that this proposal would also not impact the aquatic ecology of Weesuck Creek or Shinnecock Bay.

As a subdivision, the clustered proposed PRD with the golf course minimizes nitrogen loading overall, even with the requested changes to the SONIR modeling as described in Water Resources A above. Thus, as a whole, the project is not expected to significantly impact Weesuck Creek.

B. Terrestrial Ecology

- (i) *Clearing limitations will conform to Town of Southampton Central Pine Barrens Overlay District and the limitations of the CLUP. The proposed project has put heavy emphasis on the preservation of existing natural resources. Therefore, of the total 588.39 acres, only 160.81 acres (about 27.3 %) will be developed as part of the proposed project. Outside of the proposed development area, the Proposed Project would provide 427.58 acres (about 72.7 % of the site) of open space preservation area with public trails. Additionally, a 33 acres site located in the head lands of Weesuck Creek will be preserved, which could have potentially yielded 32 additional dwelling units.*

The configuration of the clearing program for the Lewis Road PRD will conform closely to that of the Hills PDD, so that impacts to natural vegetation and ecology would be similar as well. However, as the detailed design of the PRD has been revised to provide a greater amount of retained open spaces outside of the development area, the contiguous open space associated with the proposed project will be improved. It is noted that with the slightly modified design, the property size is 588.39 acres. The same percentages will be applied based on the project site size, such that 72% of the existing natural vegetation will be retained. The Lewis Road PRD will not, however, provide preservation of the non-contiguous 33-acre parcel, as this feature was a Community Benefit for the Hills PDD, but is not required for the proposed project. The potential impacts associated with clearing were reviewed by the Town Board for the Hills PDD project, and were deemed to not be significant. Therefore, it is expected that the potential impacts for the proposed project would likewise not be significant.

- (ii) *The majority of the existing natural vegetation on the site is pitch pine forest habitat. There are also areas that have been previously disturbed. Clearing is necessary to implement the proposed project; however, this clearing is proposed to be concentrated in areas that are for the most part, previously cleared or disturbed. The project will concentrate development on 142 acres of land to be cleared, of which 44 of those acres have been previously cleared. The previously disturbed areas will be used for construction of the residential units, roads, and accessory structures. Reuse of previously disturbed areas is proposed to minimize impacts on woodland/Pine Barrens habitat. With the proposed project approximately 115 acres of pitch pine forest will be cleared; however, the proposed project will also preserve 427 acres of the site with a significant amount of land offered for dedication to the Town of 189 acres at commencement of construction with routine monitoring and surveillance during the process to ensure that the clearing and grading activities will not negatively impact the surrounding ecosystem.*

The Lewis Road PRD layout closely follows the general development and layout design of the Hills PDD (including its general intent to concentrate development on the site's previously-disturbed areas), so that its clearing area, development area and retained natural open spaces also follow those of the Hills PDD. The detailed design of the PRD provides 65% of the site as open space outside of the development area, while retaining 72% of the existing natural vegetation on the site. The potential impacts associated with clearing of natural vegetation for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the corresponding potential impacts for the proposed project would likewise not be significant.

- (iii) *The proposed subdivision and site design of the project supports preservation of natural vegetation in large unbroken blocks that allow contiguous open spaces to be established. The subdivision and golf course site designs are found to be configured in a manner that prioritizes the preservation of native Pine Barrens vegetation to the maximum extent practicable.*

The Hills PDD was designed to provide its retained natural open spaces in large blocks insofar as practicable, to result in substantial contiguity of open spaces in the area. The Lewis Road PRD also is designed and configured to produce this outcome. The potential impacts associated with planned configuration of clearing for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the corresponding potential impacts for the proposed Lewis Road PRD project would likewise not be significant.

- (iv) *Consistent with the CLUP, the preservation of the above-referenced 427 acres will maintain the essential character of the existing Pine Barrens environment, including the protection of indigenous plant and animal species and their associated habitats to the maximum extent practicable. As described, the proposal centers the development on the previously disturbed areas to maximize retention of the existing Pine Barrens habitat. Consistent with the Recommended Plan described in the East Quogue GEIS, any other disturbed area in the Core is not being utilized as a deduction in calculating vegetative clearing limits.*

Following the revisions to the design of the PRD, to provide a greater amount of retained open spaces, it is expected that the proposed Lewis Road PRD would retain an estimated 427± acres of open space, and conforms to the standards of the CLUP, including those standards addressing plant and animal species and habitat protection. The Hills PDD was designed to provide 427± acres of retained natural open spaces in large blocks insofar as practicable, to result in substantial contiguity of open spaces in the area, and to concentrate development on the site's previously-disturbed areas. The potential impacts associated with the preservation of natural spaces for the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. The Lewis Road PRD also is designed and configured to produce this outcome, and retains much the same layout of retained open spaces as the Hills PDD. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the corresponding potential impacts for the proposed project would likewise not be significant.

No areas of previously-disturbed land of the project site are within the CPB CPA, so no such areas were utilized in calculations of vegetative clearing limits.

- (v) *Investigations were undertaken for the DEIS to confirm that areas of the site that may be sensitive for rare, threatened, or protected species have been avoided. In addition, as part of the site plan review and pre-construction, a survey of areas proposed for development will be performed to*

confirm that none of the protected species that are known to inhabit this area of the Pine Barrens would be impacted by any proposed clearing or project construction. Based on these investigations, if protected species are identified, the Applicant has proposed as mitigation measures that these areas would be avoided by the site plan and/or other options would be implemented, such as plant rescue/relocation. If transplanting is determined to be possible, a professional horticulturalist will perform the transplanting of the species to optimize survival. Transplanting of this species would be the responsibility of the Applicant and would be performed under the supervision of the Applicant in accordance with a protocol approved by the Town prior to the commencement of construction activities.

The limits of clearing for the Hills PDD were reviewed by the Town as part of its review of that application and, in consideration of the distribution of habitat types on the site, determined whether those limits would impact any sensitivity for rare, threatened or endangered species. Consistent with the Findings, should field investigation reveal the presence of sensitive species in areas to be disturbed, the Applicant will perform appropriate mitigation, which may include but not be limited to transplantation. The potential impacts of the Hills PDD with respect to rare, threatened or endangered species were reviewed by the Town Board, and were deemed to not be significant. The Lewis Road PRD will conform closely to the clearing area and development area values and configuration of the Hills PDD, so that impacts to natural vegetation and ecology would be similar as well. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the potential impacts for the proposed project would likewise not be significant.

- (vi) *With the proposed project, approximately 25 acres of former farmland will be restored through a planting plan that is proposed to include a combination of native woodland, shrubland and grassland/meadow habitats to be provided under the supervision of a certified ecologist. Detailed restoration plans will be provided during site plan review. Only native species will be utilized for any restoration work to ensure that native habitat restoration goals are achieved.*

In the same manner as was proposed for the Hills PDD, the Lewis Road PRD will revegetate the estimated 3 acres of the Hills South Parcel/Kracke Property that had been farmed. An additional 7± acres on the Parlato Property and the Hills South Parcel/Kracke Property that had been disturbed but not farmed will be revegetated. Specific revegetation plans were included as part of the Lewis Road PRD site plan application, and must be approved by separate resolution as a condition of approval. The potential impacts associated with the Hills PDD revegetation plan were reviewed by the Town Board, and were deemed to not be significant. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the potential impacts for the proposed project would likewise not be significant.

- (vii) *As described in the FEIS and above, in addition to the large tracts of land proposed for preservation, the 33 acres known as the Parlato parcel was also to be sterilized from development through the TDR process and this added benefit will not only reduce nitrogen loading but would have also increased the open space assemblage in the area and eliminate development pressure. The portion of the project area designated as a Critical Resource Area will also be preserved. In total the project is found to promote the preservation and conservation of open space, natural resources, diverse ecological communities, species diversity, and groundwater quality and quantity and provides connection of open space areas. Maximization of unfragmented open space will support terrestrial ecosystem functions by allowing for plant and animal species to have suitable habitat as well as migratory corridors for climate change adaptation.*

The proposed Lewis Road PRD will preserve the entirety of the 101.91-acre Parlato Property, and would reduce nitrogen loading to groundwater and increase the amount of open space in the area east of the subject site. This will ensure protection of the Critical Resource Area associated with the Parlato Property. With respect to the 33-acre Parlato parcel, while the Hills project was a PDD which required Community Benefits under "incentive zoning" provisions, the Lewis Road project is a subdivision for a PRD, conforms to zoning, and does not require Community Benefits. Therefore, the Lewis Road PRD does not include purchase of the 33-acre Parlato parcel. The Lewis Road PRD includes other aspects of the Hills PDD that would result in substantial preservation of open space, natural resources, ecological communities, and groundwater quality and quantity, and will provide its open spaces in large contiguous blocks. As a result, no significant adverse impacts are expected.

4. Transportation Resources

- (i) *A traffic analysis for the proposed project demonstrates that the Proposed Project would not result in any significant adverse impacts and said Traffic Impact Analysis was peer-reviewed by the Town's consultant, AKRF. An operational traffic monitoring program will be required to be prepared and submitted with the site plan to confirm that traffic circulation at the intersection of the proposed access road and Lewis Road is operating acceptably as identified in the traffic analysis.*

The Lewis Road PRD does not allow for any outside golf club memberships, so that the trip generation of the project will be less than that of The Hills PDD. As a result, it is expected that the potential impacts on traffic flow on local roadways and at local intersections will be reduced for the Lewis Road PRD. As required by the Findings Statement, a program will be prepared for the Lewis Road PRD and submitted to the Town as part of the site plan conditions, to monitor the performance of the site entrance on Lewis Road. The potential traffic-related impacts of the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. Therefore, the proposed project is consistent with the Findings Statement and it is expected that the potential impacts for the proposed Lewis Road PRD project would likewise not be significant.

- (ii) *The FEIS identified preliminary grading and associated quantities of material to be filled or cut and removed as excess material which is expected to total up to 350,000 cubic yards. Although the applicant identified additional options transport this material to the adjoining mine site, as outlined below, there will be no significant impact to traffic as a result of the transport of the fill material utilizing Lewis road as was analyzed within the DEIS.*

Option 1: The existing farm road on the western adjacent property, which would avoid commercial vehicle use of Lewis Road.

Option 2: Lewis Road via the proposed roadway to the proposed project from Lewis Road.

Option 3: A temporary conveyor belt system would be installed for transporting material to East Coast Mines and the farm road or Lewis Road would be used to import soils to the Hills site. This option reduces vehicle trips on Lewis Road and transports the excess soils to the sand mine pit.

Option 4: Construct a temporary construction haul road over the adjacent western farmland property to East Coast Mines.

Under options that include the farmland, the proposed project must obtain a license agreement

with the owner of property. In addition, the Town's agricultural easement requires the Town permission to temporarily utilize the existing farm road. The Planning Board recommends that the applicant pursue the alternative that would convey the sand from within the site. As stated in the FEIS (Page 1-19), the applicant will continue to pursue the potential to utilize a conveyor belt system or temporary haul road (options 3 & 4). In the event that options 3 & 4 are not feasible, in order to minimize the potential impact to Lewis Road due to the transport of the subject fill material between the Hills property and East Coast Mines, a performance bond will be required to ensure Lewis Road is restored to pre-construction conditions.

The Lewis Road PRD will result in a similar volume and configuration of grading as the Hills PDD, so that the excess soil removal options are likewise anticipated to be the same or similar as well. Like the Hills PDD, the applicant will obtain the proper access agreement (including performance bonding) with the adjacent landowner to enable the removal system to be implemented across land not under the control of the applicant. In the event this is not feasible, a performance bond will be provided to ensure Lewis Road is restored to pre-construction conditions. The project is consistent with the Findings with respect to soil removal and related construction impacts and based on this conformity, no significant adverse impacts are expected.

5. Land Use, Zoning, and Comprehensive Plans

- (i) *The site is currently undeveloped and would be developed by the Proposed Project in conformance with current plans and policies. The current zoning on the site is CR-200 with several overlay districts including the Town's APOD (Article XIII, Sections 330-66 and 330-67), the Town's Central Pine Barrens Overlay District (Chapter 330, Article XXIV, Sections 215 to 221). The clearing restrictions within these plans have been developed to ensure the highest level of groundwater recharge and vegetation protection and therefore the Board is requiring strict adherence to the percentage of clearing established within these plans. The local law accounts for delineating the limits of clearing and demarcation of any large caliper trees within the development area that can be protected. The Proposed Project would be developed under the Town's MUPDD requirements (§330-240 E) and this proposed zone would not conflict with the objectives of any other zoning districts in the area. The proposed project is consistent with the planning objectives of the Southampton Tomorrow 1999 Comprehensive Plan Update, the 1993 Western Town Generic EIS, the East Quogue GEIS and adopted Recommended Land Use Plan, the SGPA and the Central Pine Barrens CLUP. The most recently adopted East Quogue GEIS and Recommended Land Use Plan indicates the subject parcels should be developed as a mixed-use proposal that combines housing, resort/recreation, and open space uses with protected areas of natural resources. It articulates the goal to "encourage uses that will generate positive net tax ratables, while having little or no adverse financial impact on the school district". The Recommended Plan also indicates that the number of potential housing units could be increased (by no more than 15 percent) if the development can submit satisfactory and sufficient documentation to the Town confirming a housing profile of only seasonal or resort type residences.*

This Findings confirm that the Hills PDD conforms to the policies and recommendations of the Town APOD, the Town Central Pine Barrens Overlay District, the Town Comprehensive Plan Update, the Western Town GEIS, the East Quogue GEIS and adopted Recommended Land Use Plan, the SGPA and the Central Pine Barrens CLUP. The potential impacts associated with these recommendations upon the Hills PDD were reviewed by the Town Board, and were deemed to not be significant. The uses, yields, design and features of the proposed Lewis Road PRD closely follow those of the Hills PDD (with elimination of outside golf memberships), so that it is expected that the potential impacts for the proposed project would likewise not be significant.

In the case of the Lewis Road PRD, twelve (12) units of workforce affordable housing are being added to the project to conform with Town Code and the Long Island Workforce Housing Act.

- (ii) *In the subject proposal, the number of housing units conforms to the total amount that would be allowed in the underlying CR200 (5 acre) residential zone. There is no increase in residential density as part of the subject PDD proposal. The proposed action does allow for a private golf course use that is accessed through a membership program and the construction of a clubhouse and various amenities that will be provided for the exclusive use of the residents/members. The nitrogen component of the golf course use is accounted for through the extinguishment of Pine Barrens Credits and complies with the purpose and intent of sending/receiving areas as well as §330-246B where there is no substantial increase in the number of dwelling units or population within the Town because development has been redirected in order to channel growth and preserve more ecologically sensitive lands.*

The Lewis Road PRD seeks the same 118-unit yield that was reviewed by the Town Board for the Hills PDD application, so that there will be no increase in impacts associated with yield. The Lewis Road PRD will further reduce the intensity of site use by eliminating outside golf club memberships, which would reduce such use to only the 118 households and their guests. The Planning Board will restrict the housing units from constructing accessory apartments in order to maintain the stated yield. As the proposed Lewis Road PRD project is a subdivision developed under the site's existing zoning, there is no requirement under Town law for inclusion of off-site mitigation measures proposed in the Hills PDD (e.g., purchase and retirement of PBCs, and purchase and retirement of yield from a proposed 33-acre subdivision application) and so, they are not included. Based on thorough review during the EIS process, not significant adverse impacts are expected.

- (iii) Discovery Land has offered a restrictive covenant for the residential units that confirms the limited occupancy of the housing units. The golf course use itself is also seasonal in nature (April-November) which is considered desirous to the community versus the alternative of a year-round residential subdivision. The Zoning Board of Appeals by decision dated November 15, 2018 found that the proposed private golf course, available only to the owners of the subdivision parcels and not to the public at-large, together with maintenance and operating buildings and structures that accompany said golf course are accessory to the proposed residential subdivision.
- (iv) With respect to open space and public access, under existing conditions, the site is currently private property and provides no public access. The Applicant is proposing 427.58 acres of preserved land, of which 188.83 would be offered to the Town for dedication as public open space, and is also proposing to implement a public access and a public trails plan that may utilize portions of the Project site where there are existing trails and adjoining public lands. It is proposed by the Applicant that this trails plan be further advanced in coordination with the Town's Trails Advisory Board. The Applicant will also coordinate with the Town on the maintenance of the public trail system on the project site. The Planning Board finds that providing public access and a trails system as part of this application is a necessary and important component of the project in terms of providing public benefits.
- (v) The Recommended Plan analyzed in the East Quogue GEIS and adopted as part of the Comprehensive Plan was found to be consistent with the Article 57 and Central Pine Barrens CLUP by preserving contiguous blocks of open space and utilizing already disturbed areas for development. Consistent with the Recommended Plan, the proposed action will construct

seasonal housing and recreation (golf) uses with state-of-the-art approaches to protecting existing environmental conditions and preserves 427.58 acres of Pine Barrens land. The Proposed Project is therefore consistent with the Recommended Plan and through the project-specific EIS process. It is found to be a Subdivision proposal that complies with all relevant planning documents and studies while minimizing/mitigating impacts to the greatest extent practicable while providing many social and economic benefits to the East Quogue Community. Therefore, it is concluded that the Proposed Project Subdivision is consistent with the above-referenced zoning requirements, plans, and policies.

- (vi) It is noted that the CPBC provided a letter dated October 16, 2019, in response to the referral request by the Planning Board. This letter addresses land use matters as related to the CLUP Standards and Guidelines. The CPBC letter does not provide a full evaluation of the complete record of information available including the DEIS, FEIS, Town Board Findings, SEQRA Compliance Analysis and related materials that have been fully considered by the Planning Board as part of the PRD Clustered Subdivision review. The Planning Board has prepared a detailed assessment of the project's conformance with the Standards and Guidelines of the CLUP and finds that the Proposed Project is consistent with the applicable provisions as related to land use (see **Attachment A**).

6. Community Facilities and Services

- (i) The Proposed Project will place limited, if any, demands on local facilities and services and has proposed community benefits that will support community services.
- (ii) Based on the occupancy restriction placed on the subject dwelling units as proposed by the project, the seasonal units within the Proposed Project will not generate any school children or demands on the East Quogue Union Free School District (UFSD). The 12 affordable units, which will be occupied full time, will have the potential to generate a small number of students for the local public schools. In its Supplement to the SEQRA Compliance Analysis of May 7, 2019 (sic 2017), the Applicant calculated, based on the proposed size and configuration of those units, that 2-3 school-aged children would be expected to reside there. This number of students is not expected to have a noticeable impact on the East Quogue UFSD. Moreover, the Proposed Project will generate tax ratables as a net benefit to the school district. Therefore, it is concluded that the fiscal impacts on the school district are positive.

7. Community Character

- (i) The Proposed Project will not result in any adverse impacts on community character.
- (ii) With respect to visual and scenic resources, a comprehensive assessment of the Proposed Project's potential to impact visual and scenic resources was performed. The assessment consisted of: 1) characterizing the existing visual resources; 2) identifying potentially impacted views; 3) identifying key views that may change due to project development; 4) preparing visual simulations at the selected viewpoints that show the before and after conditions or view impacts; and 5) evaluating the impact of change in public views. Based on this analysis and a review of the proposed site plan and buffers, the Proposed Project will not impact locals view or the visual character of East Quogue. Wooded buffers that were proposed during the review as a screening buffer from adjacent properties will be mandated.
- (iii) With respect to affordable housing, it is recommended that the Applicant provide

affordable (workforce) housing in accordance with calculations outlined in the Southampton Town Code, Chapter 216, Section 216-9 Per the Applicant's December 2018, SEQRA Compliance Analysis (Section 4.2) and the May 7, 2019 [sic 2017] Supplement to their December SEQRA Compliance Analysis, the PRD project will, therefore, provide 12 on-site units of affordable housing. With this action, it is concluded that the Proposed Project will be compliant with the Town's requirements to provide workforce (attainable) housing.

8. Cultural Resources

- (i) Archeological studies of the property have been completed. Based on these studies it is determined that the Proposed Project will not result in any impact on archaeological features.

9. Construction Impacts

- (i) As described in greater detail in the DEIS and the FEIS and reiterated in the PRD, the Proposed Project has committed to a number of measures to avoid impacts during construction include but are not limited to: *alternative methods for soil importation that are under consideration (see "Geological Resources," above); vehicular construction access will be limited to Lewis Road; repair and replacement of local roads that be damaged as a result of construction; material storage and soil stockpiling on site will only be at locations that do not impact the adjacent community; noise attenuation and control measures will be implemented during construction; implementation of a SWPPP; and areas within the site to be dedicated for parking and materials storage will be located in the vicinity of the proposed maintenance area and not near existing residences.*
- (ii) *A construction management plan will be prepared and submitted to the Town for review and approval prior to construction to ensure the mitigation measures and construction approaches described in the DEIS and FEIS (e.g., truck and vehicle traffic trip reduction, noise and fugitive dust controls) are properly implemented during construction.*

10. Implementation of Mitigation Measures

The Applicant proposes to implement all of the above impact avoidance and mitigation measures cited in the DEIS, the FEIS and the PRD proposal and summarized above.

11. Alternatives

A range of alternatives to the Proposed Project were examined in the East Quogue GEIS as well as the project-specific DEIS and FEIS including the no action alternative, residential subdivision alternatives under the current zoning, reduced density alternatives, alternative site designs and technologies, and a lesser impact alternative. The Planning Board extensively reviewed that record. The FEIS also examined a maximum residential alternative that could also generate up to 137 units through the use of Pine Barrens Credits and density incentives permissible under the Long Island Workforce Housing Act and an alternative that considered a lower density residential development with a horse farm that came out of the DEIS process. The FEIS examined all of the alternatives and their associated impacts. As a Subdivision; the clustered proposed PRD with the golf course recreational amenity minimizes impacts to the environment.

III. Certification

State Environmental Quality Review Act
FINDINGS STATEMENT SIGNATURE PAGE

Having considered the Draft and Final Environmental Impact Statements for the Subject Action's Subdivision and Site Plan applications and having considered additional, refined information provided by the Applicant in December 2018 and May 2019 and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11 as an Involved Agency and to make its own Findings, this Statement of Findings certifies that the Southampton Planning Board as Involved Agency in the subject matter has:

1. considered the relevant environmental impacts, facts and conclusions disclosed in the SEQRA documents including the additional, updated information provided by the Applicant in December 2018, May and September 2019, Town Staff, Consultant and Planning Board deliberation as relevant to the pending Subdivision application;
2. weighed and balanced relevant environmental impacts with social, economic and other considerations;
3. provided a rationale for the agency's decision;
4. met the requirements of 6 NYCRR Part 617; and
5. found that consistent with social, economic and other essential considerations, the proposed PRD Clustered Subdivision and Site Plan with the proposed conditions provided in Water Resources Item (ii), 1, 2 and 3, Item (iii) and Item (iv)) avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts, will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures and safeguards that were identified as practicable.

By the Planning Board of the Town of Southampton,

Signature of Responsible Official

Name of Responsible Official

Title of Responsible Official

Date

Copies of this Findings Statement have been filed with:

Lead Agency

Other Involved Agencies

APPENDIX C

FINAL CONDITIONAL APPROVAL, Lewis Road PRD

Town Planning Board, 12/8/2022



ADOPTED

PLANNING BOARD RESOLUTION 2022-348

DOC ID: 41787

Lewis Road Planned Residential Development (formerly The Hills at Southampton) - Final Conditional Approval

WHEREAS, the Southampton Town Planning Board (the “Planning Board”) is in receipt of the Final Planned Residential Development (“PRD”) Subdivision and Site Plan applications of DLV Quogue, LLC and its affiliates (collectively referred to as the “Applicant”), entitled "Lewis Road PRD", which applications propose the subdivision of property comprising 177+/- assembled tax parcels totaling 607.87 acres situated in the CR-200 Zoning District, the Central Pine Barrens Overlay District (Core and Compatible Growth Areas) and Aquifer Protection Overlay District, located generally north and east of Lewis Road in the vicinity of Spinney Road and extending north to and beyond Sunrise Highway in the hamlet of East Quogue, (collectively referred to as the “Property”); and

WHEREAS, it was demonstrated that the Property has an allowable lot yield of 118 residential units and that an additional 10% or 12 residential units would be required under the Long Island Workforce Housing Act and §216-9 of the Town Code of the Town of Southampton; and

WHEREAS, the proposed PRD subdivision consists of 118 dwelling units/lots set forth in 8 clubhouse condominium units, 18 club cottage lots, 40 village lots, 20 village estate lots, and 32 woodland estate lots, plus an additional twelve (12) workforce rental housing units in one building, customary residential and recreational accessory uses and on-site amenities for use by the residents of the subdivision only, including a sewage treatment plan (“STP”), an administration and sales building, gatehouse, clubhouse complex building with underground parking facilities, spa and indoor fitness center and three swimming pools, an 18-hole golf course; outdoor recreational complex with a multipurpose sports field, 2 tennis courts, 4 pickle ball courts, 1 basketball/sports court, pro shop for recreation uses, combined maintenance and environmental center facilities for the subdivision and golf course, comfort stations, man-made ponds, pump houses, and other customary accessory, buildings and structures (the “Project”); and

WHEREAS, the proposed PRD subdivision provides for the donation of a 4-acre parcel to the Suffolk County Water Authority (“SCWA”) for future well-field purposes unrelated to the project’s needs; and also provides for 65.46% or 433.7 acres of the property to be set aside as “Open Space” in separate reserve areas and 75% or 436 acres of the Property to remain its natural state; and

WHEREAS, the Project is classified as a Type I Action pursuant to Article 8 (State Environmental Quality Review Act of the New York State Environmental Conservation Law (“SEQRA”) and Chapter 157 (Environmental Quality Review) of the Code of the Town of Southampton; and

WHEREAS, the applicant initially filed an application with the Town Board of the Town of Southampton (the “Town Board”) for the approval of the development of the Property as a Mixed Use Planned Development District (“PDD”) known as the “The Hills MUPPD”, which PPD provided pursuant to §330-243 of the Zoning Law for a two-stage review of the development of the property requiring Town Board approval of the development with an associated golf club where membership would be open to the public at-large; which public golf course use is not otherwise allowed under zoning, and the subsequent subdivision and site plan to be independently reviewed by the Planning Board; and

WHEREAS, the Town Board coordinated review with the Planning Board and all other involved agencies, assumed Lead Agency status, issued a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement (“DEIS”), coordinated review of the DEIS with the Planning Board and held public hearings on same, and on September 14, 2017, the Town Board unanimously accepted the Final Environmental Impact Statement (“FEIS”) under the provisions of SEQRA; and

WHEREAS, on December 5, 2017, the Town Board adopted a positive SEQRA Findings Statement finding that the Project would not have a significant adverse impact upon the environment and the Town Board also adopted a resolution by a vote of 3-2 to approve The Hills MUPPD, but despite the positive SEQRA findings, the vote failed to obtain a super majority (4 votes versus normal 3 votes) to allow the PDD application to proceed; and

WHEREAS, after the Town Board’s action, the applicant submitted a Subdivision Pre-Application to the Planning Board renamed as the Lewis Road PRD, which map included the same 118 residential units known as The Hills MUPPD, the same 18-hole golf course, but the membership of the golf club could no longer be open to the public at-large but is restricted to the prospective owners of the 118 residential units; and

WHEREAS, on May 24, 2018, the Planning Board issued its Pre-Application Report which confirmed that the Lewis Road PRD was essentially the same project as The Hills MUPDD, but for the elimination of the non-resident membership golf club and the further concluded that the Project “underwent a complete SEQRA review” as part of the Town Board’s review of The Hills MUPDD, noting that (i) the Town Board was lead agency in that environmental review and that the Planning Board was an involved agency as the Project always required the subdivision of land; (ii) the proposed residential subdivision with a golf course had already been reviewed in the FEIS; and (iii) that the Planning Board’s duty under SEQRA was to determine whether a Supplemental Environmental Impact Statement (“SEIS”) would be necessary; (iv) that rather than the payment of a fee as requested by the Town Board, the Project should provide required Workforce Housing on-site; and (v) that the Building Inspector should review whether the golf course and golf club limited to the residents would be considered to be a customary accessory use to the 118-unit subdivision on 591+/- acres; and

WHEREAS, the Building Inspector in turn formally requested the Town Zoning Board of Appeals (“ZBA”) confirm such interpretation and the ZBA in a decision dated November 15,

2018 (Decision No. DO18150) decision confirmed that the private golf course and golf club limited to the subdivision owners is a customary accessory use to the 118-unit subdivision on 591+/- acres; and

WHEREAS, the Planning Board determined that a site plan application should be submitted for the accessory uses, buildings and structures on the common reserve areas in the subdivision to be reviewed concurrently; and

WHEREAS, in November, 2018, the applicant submitted a Preliminary Subdivision and Site Plan Applications, which conformed to the comments set forth in the Planning Board's Pre-Application Report, including construction of 12 affordable rental housing units in one building on the property as recommended by the Town Planning and Development Administrator (see memorandum dated May 8, 2018); the limitation of membership to the recreational amenities including the golf course/club to lot/unit owners; and the decrease in the overall size of the clubhouse and its facilities, as well as their division into a few smaller buildings; and

WHEREAS, the Preliminary Application included a detailed SEQRA Compliance Analysis to permit the Planning Board to identify any differences between the Preliminary Subdivision Application and what was considered under the adopted Town Board FEIS, and whether or not those changes warranted a SEIS; and

WHEREAS, the Planning Board hired expert environmental planning consultants, B. Laing Associates, Inc., who issued a report to the Planning Board confirming that the Lewis Road PRD would not have the potential to generate any new significant adverse environmental impacts and recommended that no SEIS should be required and on June 27, 2019, the Planning Board adopted a resolution in which the Board noted that the Project had previously been the subject of a complete SEQRA review by the Town Board and determined that no SEIS would be required; and

WHEREAS, the Planning Board held public hearings on the Preliminary Application and thereafter, on October 24, 2019, adopted resolutions issuing its own SEQRA Findings Statement and granted conditionally preliminary approval for the Lewis Road PRD Application, which had proposed the 118 lots/units, plus an additional twelve (12) workforce housing units in one building on-site, and customary residential and recreational accessory uses and on-site amenities for use by the residents of the subdivision only, including a sewage treatment plan ("STP"), an administration and sales building, gatehouse, clubhouse complex building with underground parking facilities, spa and indoor fitness center and three swimming pools, an 18-hole golf course; and outdoor recreational complex with a multipurpose sports field, 2 tennis courts, 4 pickle ball courts, 1 basketball/sports court, pro shop for recreation uses, combined maintenance and environmental center facilities for the subdivision and golf course, comfort stations, man-made ponds and pump houses, and other customary accessory, buildings and structures, and 72.67% open space equaling 427.58 acres, on a total of 177+ assembled tax parcels totaling 607.87+/- acres of land; and

WHEREAS, conditions of approval included the requirement for the Applicant to obtain other municipal and agency approvals from the Central Pine Barrens Joint Planning & Policy Commission (“Commission”), the Suffolk County Department of Health Services (“SCDHS”) and New York State Department of Environmental Conservation (“NYSDEC”); and

WHEREAS, subsequent to the Planning Board's Preliminary Approval, the project was reviewed by the Commission, who after several public hearings resulted in modifications to the Project, including the relocation of the some of the residential lots from an area of steeper slopes and relocated the STP to the southwesterly portion of the property; and

WHEREAS, on January 20, 2021, the Commission, as an Involved Agency, adopted their own SEQRA Finding Statement and approved the project finding that based on the SEQRA record and review of the project documents and Plan, that the project as modified would not result in significant adverse impacts upon the natural resources and environment of the Central Pine Barrens, including surface and groundwater, natural vegetation and plant habitat, species and communities of special concern, soils, cultural, scenic and recreational resources, and that the Project conforms to the Central Pine Barrens Comprehensive Land Use Plan (“CLUP”) Standards and Guidelines for development and therefore does not require hardship waivers pursuant to the provisions of the CLUP and Environmental Conservation Law; and

WHEREAS, any changes or modifications to the project require approval of the Commission, and the Planning Board will require the plans approved herein to be reviewed and, if applicable, approved by the Commission prior to signature of the maps; and

WHEREAS, on February 8, 2021, the Suffolk County Sewer Agency (“SCSA”) granted its approval of the use of a privately owned STP for the project pursuant to Resolution No. 1-2021 subject to the terms and conditions listed therein, including, (i) an offer to dedicate the STP to the SCSA at no charge, (ii) the applicant’s covenant that it or the applicable HOA shall operate and maintain the facility until such time, if ever, the SCSA or other applicable agency encompasses the STP within its boundaries; (iii) no Certificate of Occupancy is issued until the STP is complete; (iv) the applicant post a letter of credit as security for performance; and (v) the Applicant disclose the projected operating costs of the STP to apprise prospective purchasers of said costs; and

WHEREAS, on January 11, 2022, the Planning Board received the Final Subdivision and Site Plan Applications for approval of the Final PRD Subdivision; and

WHEREAS, by resolution dated February 10, 2022, the Planning Board deemed the subdivision and site plan applications incomplete pending the submission of additional technical information, as well as necessity of approval of the subdivision map from the Suffolk County Department of Health Services; and

WHEREAS, further submissions were received from the Applicant in connection with the final subdivision and site plan applications on March 29, 2022 and March 30, 2022; and

WHEREAS, on May 11, 2022, the SCDHS approved the Subdivision Application and a copy of said approval was received by the Planning Board; and

WHEREAS, further submissions were received from the applicant in connection with the final subdivision and site plan applications on June 30, 2022 and on July 29, 2022; and

WHEREAS, as part of the final plat and site plan process, the Planning Board determined the final submission to be in conformance with preliminary submissions and approval and to the extent there were modifications made by the applicant as a result of the Central Pine Barrens Commission, such modifications were less impactful on the environment such that the applications were deemed complete; and

WHEREAS, on September 8, 2022, the Planning Board held the public hearing on the final applications, which hearing was adjourned to September 22, 2022 for an additional public hearing; and

WHEREAS, on September 22, 2022, the Planning Board closed the public hearing and accepted written comments for 30-days thereafter; and

WHEREAS, the Final Subdivision and Site Plan Applications were again referred to interested and involved agencies and the following referral comments were received and are addressed in the Staff Report, dated November 17, 2022;

WHEREAS, by memorandum dated September 29, 2022, the Southampton Town Office of Public Safety provided comments and raised concerns regarding safe, code-compliant access to all of the structures within the development, which they said could be addressed by requiring that all dwelling units are equipped throughout with an approved automatic sprinkler system; and

WHEREAS, the final map submitted for signature will depict water main size, fire hydrant locations and any other technical information required by the Southampton Town Office of Fire Prevention; and

WHEREAS, by letter dated October 7, 2022, the East Quogue Fire District provided general comments regarding the subdivision and the final map will include main size, fire hydrant locations and any other technical information required by the Fire District; and

WHEREAS, by memorandum dated September 23, 2022, the Town Engineer provided an extensive list of engineering items that need to be addressed in order to obtain final approval of the Road and Drainage Plans and SWPPP, and based on revisions submitted directly to address all comments, the Town Engineer provided a Notice of Acceptance of the SWPPP dated December 1, 2022 (Appendix _); and

WHEREAS, by letter dated September 14, 2022, the Town Conservation Board provided extensive comments and recommendations, the most notable being the need for a phasing plan

and project monitoring to ensure the development is constructed within all the parameters established to protect the ecological integrity of the site; and

WHEREAS, in addition to all of the environmental mitigation required as part of this project and made as conditions thereto, the project is subject to both a Construction Phasing Plan and Construction Methodology Plan and will be monitored by a wildlife ecologist who will conduct “wildlife sweeps” of the areas being cleared, and a third-party Engineer/Project Manager to assist the Town Engineer with engineering review and inspections during the on-going construction process; and

WHEREAS, by letter dated September 21, 2022, the Central Pine Barrens Joint Planning & Policy Commission provided comments indicating the applicant would need to submit additional information to demonstrate the changes to the project are consistent with their January 20, 2021 adopted SEQRA Finding Statement and project approval; and

WHEREAS, the applicant resubmitted information to the Central Pine Barrens Joint Planning & Policy Commission, who discussed said changes at their meeting on December 7, 2022; and

WHEREAS, the Central Pine Barrens Joint Planning & Policy Commission has found, by resolution and findings, that the project modifications do not materially alter the Project as approved by the Commission and as an Involved Agency found that no significant adverse environmental impacts will occur as a result of the Revised Proposal that requires additional SEQRA review; and

WHEREAS, by memo dated September 21, 2022, the Southampton Trails Advisory Board provided comments to enhance the existing trail network on and adjacent to the subject property; and

WHEREAS, the Planning Board is requiring a trail connection from the proposed development to the adjacent Town property to the east, which contains an existing segment of the Town trail network; and

WHEREAS, by memo dated September 6, 2022, the Housing Director provided the comments regarding the Town’s need for workforce housing and whether the twelve units proposed as part of this project addresses the Town’s needs; and

WHEREAS, by letter dated October 14, 2022, the Southampton Town Planning and Development Administrator also provided comments regarding the proposed workforce housing rental units and found they are consistent with the Preliminary Approval previously granted by the Planning Board and comply with the requirements of the Long Island the Long Island Workforce Housing Act and Chapter 216 of the Town Code; and

WHEREAS, by letter dated August 24, 2022, the Suffolk County Department of Health Services provided comments regarding the pending commercial application, although subdivision approval, including the STP was granted on the February 8, 2021 and included as part of the Final Subdivision Application; and

WHEREAS, by letter dated November 17, 2022, the Suffolk County Planning Commission stated that the project is a matter for local determination; and

WHEREAS, no comments have been received by the Superintendent of Highways; and

WHEREAS, after review of the public comments, the aforementioned advisory reports, the Staff Report dated November 17, 2022, the Planning Board makes the following findings:

1. Agreement with Preliminary Approval. The Final PRD Subdivision and Site Plan Applications are in substantial agreement with the Preliminary Subdivision and Site Plan Approval adopted on October 24, 2019.
2. Yield. The total proposed number of residential units / lots for the Lewis Road PRD is 118. This number is derived from the 94 lot yield map for the 489.9 acre combined Discovery Land and former Kracke properties together with the transfer of 24 development rights from the 38.3 acres of old filed map properties and 55.7 acres of described property previously referred to as the Parlato properties. The 94 lot yield on the combined Discovery Land and former Kracke properties is a reasonable demonstration of the permitted yield on these properties. All lots as indicated meet the minimum required area and dimensional requirements of the CR-200 zoning district. All lots have frontage on a street providing access to improved roads. Recharge areas and a park area are provided. The 24 development rights from the Parlato properties are broken down as follows: 8.89 development from the 38.3 acres of old filed maps and 16 development rights from 55.7 acres of described property. These development rights have been allocated pursuant to Chapter 244 of the Town Code. With respect to the 38.3 acres of Parlato old filed map properties, the 8.89 development right allocations were based on the allocation formulas prescribed by Sections 244-2 (J) and 330-221 (B)(2) of the Town Code and Chapter 6.3.1.1 of the Central Pine Barrens Comprehensive Land Use Plan, as amended Nov. 12, 2012. With respect to the 55.7 acre Parlato described property, the 16 development right allocation was based on a subdivision yield map pursuant to Sections 244-3 (A) and 330-221 (B)(2) of the Town Code.
3. Modifications from preliminary Approval and SEQRA Compliance. The Final Plat and Site Plan are in substantial conformance with the Preliminary Approval and to the extent there have been modifications such modifications were made to lessen the impacts on the environment. Specifically, the modifications to the project since the Preliminary Approval as described in the "SEQRA Compliance Analysis entitled Project Update, Comparison to Preliminary Approval and Environmental Analysis — Lewis Road Planned Residential Development (PRD) Subdivision/Site Plan Development_dated

December 2021,” including the changes required by the Commission Approval, addition of the Timperman Property and the change in the entry road, will not result in any significant environmental impacts not already considered in the adopted Town Board FEIS, the Planning Board's initial SEQRA Finding Statement dated October 24, 2019, and its updated Amended Finding Statement adopted this same date. Moreover, consistent with the SEQRA record and the Commission's Approval, and for the reasons stated in the Final Staff Report dated November 17, 2022 and the updated SEQRA Findings Statement, the Planning Board finds the final subdivision and site plan applications incrementally further reduce the anticipated potential environmental impacts that were previously considered by the Planning Board during the review of the Preliminary Application.

4. SCDHS Approval. Notwithstanding the recent advisory letter from the Suffolk County Department of Health Services, the project and the proposed STP were reviewed and have received the approvals of the SCSA and SCDHS.
5. Open Space and Clearing. The property is located within the Aquifer Protection Overlay District and the portions are located in the Compatible Growth Area and Core Preservation Areas of the Central Pine Barrens. As noted in the SEQRA documents, the property has been historically wooded with some areas that have pre-existing disturbance. All of the land within the Core Preservation Area is being preserved through dedication of a conservation easement or fee title to the Town. All development will take place in the portion of the Compatible Growth Area outside any Critical Resource Area. The proposed development utilizes the existing disturbed portions of the Property to the maximum extent practicable. The project provides for 65.46% or 433.7 acres of the property to be set aside as “Open Space” in separate reserve areas, in conformance with the minimum 65% required under Chapter 247 of the Town Code. The project also provides for 75% or 436 acres of the property to remain its natural state, which allows the natural vegetation on individual lots in the PRD subdivision to be disturbed in amounts greater than proscribed (see §330-67A(4) &(5) of the Zoning Law). Accordingly, no more than 25% or 151.93 acres of the property will be disturbed for the development of the project, which includes disturbance for all of the infrastructure, roads, common driveways, drainage areas, golf course, active recreation areas, housing and accessory building sites and all other improvements connected to the subdivision map. Clearing restrictions on individual lots is specified in the Table of Lot Modifications as shown on the subdivision map. The Planning Board notes that of the 607.87 acres, 464.16 acres is in the Compatible Growth Area and 143.71 acres in the Core Preservation Area, with a total of 289.99 acres preserved in the Compatible Growth Area.
6. The Lewis Road PRD will revegetate an estimated 5.85 acres of currently unvegetated areas on the Hills South/Kracke parcel. This includes previously disturbed areas, previously cleared areas, areas of invasive vegetation (to be removed) and barren areas of the site, outside of development areas. The Parlato property has been inventoried and it has been determined that previously farmed

areas have become re-established as natural vegetation. Specific revegetation plans were included as part of the Lewis Road site plan/subdivision application. Updated revegetation plans (including strategies for control of invasive vegetation, native plant revegetation and use of transplant species from within the site), must be submitted and approved by separate resolution as a condition of final subdivision and/or site plan approval.

7. **Incorporation of the Timperman Property as Open Space.** Between preliminary Approval and submission of the Final Application, the applicant acquired the Timperman Property, which is the approximately 11 acre described parcel located in the center of the old filed map constituting the portion of the Property known as the Parlato Property. The Timperman property is single-and-separate and can be independently developed with a yield of two dwelling units. The applicant incorporated the Timperman Property into its holdings and is including it in the lands being dedicated to the Town as open space without increasing the residential yield of the Project. The open space from the Timperman property provides further benefits and helps mitigate any issues resulting from the SCWA's desire to relocate the 4-acre future well field to the southerly portion of the Parlato Property.
8. **SCWA Donation.** As recognized by the SCWA, the donation of the 4-acre parcel is not necessary to serve the present water supply requirements of the Project but is necessary for future needs of the water district. As requested by the SCWA, the 4-acre parcel was relocated to the southerly portion of the "Parlato" tract in an area that was previously cleared and used for agricultural purposes several decades ago and has been left to revert to natural vegetation. Potential clearing for the SCWA purposes has been counted toward the total of amount of clearing allowed on the property.
9. **Phasing.** Construction of the development and its ultimate build-out will occur on three (3) phases pursuant to a Construction Phasing Plan dated December 8, 2022 (plans and narrative) submitted by the applicant and reviewed by staff and the Planning Board. The phasing includes an implementation schedule, with reporting and verification of compliance provided to the Department of Land Management, upon completion of each individual phase, and prior to proceeding with undertaking the next phase. Monitoring, tracking and reporting requirements, for each of the phases, will be ongoing and coordinated with the Department of Land Management, with responsibility assigned in terms of oversight of the implementation schedule, monitoring, notice and reporting, with sufficient detail, to facilitate Town review and determination of consistency with Planning Board approval and project goals and objectives
10. **Construction Methodology Plan.** A Construction Methodology Plan dated December 7, 2022 was submitted by the applicant and reviewed by staff and the Planning Board. The Plan provides an overview of the construction works, logistics and traffic management proposals alongside the management of health, safety and environmental issues both in and around the development.

11. Pine Barrens Compatible Growth and Core. Consistent with the SEQRA record and the Commission's Approval, and for the reasons stated in the adopted Final Staff Report dated November 17, 2022 and the updated Amended SEQRA Findings Statement, the Planning Board finds the project is in compliance with the development standards pursuant to Chapter 330-220 of the Town Code and Chapter 5 of the Central Pine Barrens Comprehensive Land Use Plan ("CLUP") As maybe applicable, the Planning Board will require the plans approved herein to be reviewed and, if applicable, approved by the Commission prior to signature of the maps.
12. Integrated Turf Health Management Plan. An Integrated Turf Health Management Plan (ITHMP) has been prepared, to document the balance achieved between the requirements of healthy golf course turf and protection of groundwater quality. Maintaining healthy turf with minimal use of fertilizers and pesticides ensures maximum uptake of nutrients applied as fertilizer. The ITHMP is designed in accordance with similar protocols that have successfully been put in place for The Bridge and Sebonack golf courses. Compliance with the approved Integrated Turf Health Management Plan (ITHMP) protocols, including but not limited to the filing of annual reports. The ITHMP provides that in the event of any violation of ITHMP protocols, all fertilization and pesticide application activities shall halt, and the use of the golf course shall cease until such time as it can be determined the cause of the violation and the corrective action can be identified.
13. Groundwater Monitoring. The applicant has developed and proposed a program to monitor groundwater quality, which is necessary and sufficient to ensure that the Project does not adversely affect water resources. This is to consist of a liner, collection, and recirculation system for the greens, groundwater monitoring wells. Samples from all of these features will be used to verify that the project will have no significant impacts on water resources. Groundwater monitoring well samples will be tested for compounds historically used at local golf courses. This will be done during initial baseline sampling. The baseline will be repeated every five years for as long as the site is used as a golf course. The five-year sampling plan will be supplemented with a quarterly sampling of those pesticides that may have been used during the previous twelve-month period. An independent laboratory, acceptable to the Town, will conduct all water testing. The sampling will be conducted under the direction of the Cornell Cooperative Extension Service or another entity acceptable to the Town.
14. Zoning Modifications. Consistent with the SEQRA record and Preliminary Approval, and for the reasons stated in the adopted Final Staff Report dated November 17, 2022 and the updated Amended SEQRA Findings Statement, the Planning Board has determined the project creates a unique clustered seasonal resort development with customary residential and recreational accessory uses, buildings and structures. The design and layout of the clustered subdivision and the variety of housing types is generally self-contained to the property. The architecture of the proposed common buildings and the

homes on the smaller “Village” lots has been reviewed and approved by the Architectural Review Board. To assure that the project housing can obtain necessary building and zoning approvals, the zoning requirements of the underlying CR-200 zoning district are modified pursuant to §278 of the New York State Town Law and §247-6 of the Town Code as per the Notes and Table of Lot Modifications on the Subdivision Map. The zoning modifications include modifications to applicable lot areas, lot frontages, lot widths, setbacks for principal and accessory buildings, structures and uses lot coverage, height of buildings and structures constructed on the lots in this subdivision measured from finished grade as shown on grading plans approved by the planning board, and pyramid law requirements. Similarly, the Table of Lot Modifications on the Subdivision Map addresses the zoning aspects for each of the uses, buildings and structures on the common reserve area parcels.

15. Park Requirement. As determined at the time of Preliminary Approval, the subdivision park area requirement for the 118-lot/unit subdivision (excluding the workforce housing units) is 5.9-acres and the Planning Board at the time of Preliminary Approval determined that the park requirement is satisfied with the provision of on-site recreational facilities designed to serve the residents of the subdivision, including the golf course and dedication of 65% of the property for park, recreation and open space purposes.
16. Workforce Housing. As determined at the time of Preliminary Approval, and consistent with the determinations of the Town Planning and Development Administrator (see memoranda dated May 8, 2018 and October 14, 2022), and pursuant to the Long Island Work Force Housing Act and Chapter 216 of the Town Code, the Final PRD Subdivision Map and site plan for the Workforce Housing Reserve Parcel (Lot 140) depicts the twelve affordable housing units in one building. Appropriate covenants and restrictions shall be required to restrict said parcels to the affordable housing requirement in perpetuity as required under Chapter 216 of the Town Code.
17. Threatened Species. The project requires a determination from the NYSDEC related to clearing of potential habitat for an identified threatened species – the Northern Long-Eared Bat. The NYSDEC has forwarded such determination which dictates areas where clearing may be performed at any time and areas where clearing may only occur during a specific window of time in the late Fall to early Spring (i.e. 12/1-2/28). No permit will be necessary if the Applicant abides by the clearing plan. The Planning Board has required and the Applicant has submitted a Construction Methodology Plan and a Construction Phasing Plan to assure adherence to the clearing limitations. Additionally, the Planning Board will require applicable notes, conditions or covenants to assure compliance with the NYSDEC requirements. An on-site wildlife ecologist will be retained to provide a “wildlife sweep” of the area which is defined in this case as a pre-disturbance survey of the clearing area for identification of wildlife and the relocation of said wildlife prior to the clearing activity.

18. Out-Parcels and Old Filed Map Abandonment – The Hills South Parcel. The portion of the property known as The Hills South Parcel includes a number of “out parcels” within the boundaries of The Hills South Parcel that are not owned by the Applicant. All of these out parcels are lots shown on an Old Filed Map entitled “Map of Quogue Estates, filed in the office of the Suffolk County Clerk on March 6, 1930 as Map No. 698.” This old filed map has not been opened or approved for development under the provisions of Chapter 243 (Old Filed Maps) of the Town Code. Many of the out parcels are owned by the County of Suffolk or Town of Southampton and are already earmarked for preservation. The applicant owns more than 90% of the remaining lots in the Old Filed Map on The Hills South Parcel and has submitted maps and documents seeking to abandon the underlying lots and streets to permit the new subdivision map to be filed in accordance with the provisions of §335 of the Real Property Law. Chapter 243 requires the Planning Board’s approval of the abandonment of portions of an old filed map, but no old filed map development plan approval is necessary where the land being abandoned is incorporated into a subsequent subdivision conforming to current zoning and regulations. The subdivision map continues to provide legal access to out-parcels via Spinney Road, the unopened mapped road known as Smith Avenue and potential internal connections designed into the proposed subdivision. It is not expected that any of these out parcels will ever be eligible to be developed due to the minimum lot area requirements for development parcels and other constraints under Chapter 243 (Old Filed Maps) and Article XI of the Zoning Law, and the fact that many are municipal owned. The Town has previously approved the abandonment of lots and portion of Smith Avenue.
19. Out-Parcels and Old Filed Map Abandonment – The Parlato Property. The portion of the property known as the Parlato Property includes approximately 122+ single-and-separately owned tax parcels most of which are shown as lots on an Old Filed Map entitled “Map of Quogue Estates, Section 3, filed in the office of the Suffolk County Clerk on July 23, 1912 as Map No. 375”. This old filed map has not been opened or approved for development under the provisions of Chapter 243 (Old Filed Maps) of the Town Code. The old filed map comprising approximately 180 separate tax parcels running from the LIRR on the south and extends approximately 500 feet north of the Sunrise Highway. All of the Parlato Property is proposed to be dedicated to the Town as open space, including the acreage within a network of proposed abandonments of abutting paper roads in the old filed map. The applicant owns and controls more than 70% of the lots in the old filed map, as well as the adjoining 55 acre described property and the 11 acre described Timperman Property. Interspersed throughout the Parlato Property are several out parcels, many of which are owned by County of Suffolk or Town of Southampton. As these properties are partially located in the Core Preservation Area (“CPA”) or in the Critical Resource Area (“CRA”), the likelihood that the Planning Board would grant one of the out parcels the right to open this old filed map for development is remote. As the Applicant owns and controls a significant percentage of the lots in the map, the abandonment of many of the abutting mapped roads is appropriate. The proposed abandonments include those portions of the mapped subdivision roads where both sides are owned by the Applicant. The abandonments will

not involve those roads that must be left to maintain legal “paper” road access to out-parcels. Consequently, the opportunities for access to the undeveloped parcels in the vicinity of the Parlato Property upon approval of the Lewis Road PRD and the dedication of the land to the Town for open space will not change. The Town has previously approved the abandonment of lots and portions of Dunham Boulevard and Bay Lane.

20. Public Comment. In addition to the three rounds of public hearings that were held on the Project at the Pre-Application stage, ZBA review and Preliminary Application stage, the Planning Board solicited additional public comments at the final application stage through public hearings that were conducted on September 8, 2022 and September 22, 2022, which public hearings were closed with an additional 30-day written comment period. Comments received at the public hearings and within the 30-day written comment period, were reviewed and answered by the Applicant, and have been adequately addressed as outlined in the Planning Board Staff report dated November 17, 2022; now, therefore

BE IT RESOLVED, that the final subdivision map entitled "Lewis Road PRD" as herein described and prepared by Nelson and Pope, last revised on November 7, 2022, consisting of Sheet M-1 through M-38), as follows:

BE AND HEREBY IS APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) Prior to any clearing that may be/has been authorized to take place, including clearing associated with the test wells, the following conditions shall be met:
 - a. Submission of a copy of the Central Pine Barrens Joint Planning and Policy Commission approval for any modifications to the Project previously approved by Commission.
 - b. An on-site wildlife ecologist or its professional equivalence to conduct wildlife sweeps prior to any clearing in accordance with the approved phasing plan/clearing schedule, to be verified by Town staff and/or representatives of the NYSDEC.
 - c. Final approval of the Construction Phasing Plan by the Town Engineer and the Land Management Department.
 - d. Final approval of the Construction Methodology Plan by the Town Engineer and the Land Management Department.
 - e. Town Engineer approval and signature of six (6) copies of the final road and drainage plans.
 - f. Town Engineer approval of the Stormwater Pollution Prevention Plan (SWPPP).

2) Add the following changes or notes to the subdivision map:

- a. Map title shall read (on each sheet) “Final Plat for Lewis Road Planned Residential Development (PRD).
- b. All site data/calculations as shown within all subdivision maps shall be updated as needed to reflect the final calculations as provided herein and shall be consistent throughout.
- c. All easements encumbering the lots shall be shown on all sheets and details (conservation, driveway, drainage, etc.) with metes and bounds descriptions.
- d. All common driveway and utility easements shall be one in the same (same legal description).
- e. Show the location of the trail connection from the proposed development to the Town-owned open space to the east.
- f. Indicate the proposed disposition of the various parcels (i.e. open space to be dedicated to the Town, open space to be retained by HOA Conservation Easements, recreation lots to be retained by HOA subject to Covenants and Restrictions, other common areas, streets and gatehouse to be retained by HOA, administrative building to be retained by HOA, STP parcel to be retained by HOA, SCWA parcel to be dedicated to the SCWA for future well and water supply purposes subject to Condition Offer of Dedication to the Town of Southampton)
- g. Per the Town Engineer, as may be needed.
- h. Per the Southampton Town Office of Fire Prevention.
- i. Per the East Quogue Fire District.
- j. Property addresses for all lots, to be obtained from the Town Assessor’s Office.
- k. Each sheet of the Final Maps shall contain the following notations/signature lines:
 - i) This is to certify that this subdivision plat has been approved by the Planning Board of the Town of Southampton by resolution dated:
 - ii) This is to certify that all lots and parcels shown on this plat comply with the requirements of the Town of Southampton Zoning Law except as modified by the Planning Board pursuant to Section 278 of the Town Law and Chapter 247 (Open Space Law) of the Code of the Town of Southampton. Such modifications of the applicable provisions of the Zoning Law, as noted hereon, have been granted simultaneously with the approval of this plat.
 - iii) I hereby certify that this map was made by me from actual surveys completed _____ and that all concrete monuments shown hereon exist and that their positions are correctly shown.
 - iv) The subdivider has irrevocably offered to cede title to the Town of Southampton of the land areas designated for streets, widening of streets, drainage easements, parks, recharge basins and any other lands noted on this plat for dedication to the Town.

Approval of this final plat does not constitute acceptance by the Town of the offer of dedication.

- v) A Declaration of Covenants and Restrictions and Common Driveway and Utility Easements have been recorded with the Office of the Suffolk County Clerk which affect(s) some or all of the lots shown hereon. Such Covenants and Easements run with the land. See recorded document(s) for details.
- l. Show all proposed landscape islands within the ROW consistent with the Road and Drainage Plan.
- m. Remove all building envelopes from the final map.
- n. Updated Zoning Modification Chart, as follows:
 - i) Update notation 5 on the cover sheet that sets the accessory rear yard coverage maximum at 50%.
- 3) Submission and review of the final road abandonment map, and submission of the necessary certificates of abandonment for the underlying old filed maps lots and streets with necessary abandonment title certifications. Submission of copies of all recorded legal documents.
- 4) Submission of a final Construction Phasing Plan, subject to review and approval by the Town Engineer and the Department of Land Management.
- 5) Submission of a final Construction Methodology Plan, subject to review and approval by the Town Engineer and the Department of Land Management.
- 6) Submission and approval of a re-vegetation plan of the existing disturbed areas in the open space.
- 7) Preparation and submission of the Performance Bond estimate.
- 8) Planning Board setting the Performance Bond amount and the balance of the Review Fee.
- 9) Construction of the roads and drainage improvements in accordance with approved plans to the satisfaction of the Town Engineer or the posting of the performance bond agreement.
- 10) Clearing and construction shall be in accordance with the Construction Methodology Plan and Construction Phasing Plan approved by the Town Engineer and Department of Land Management.
- 11) Town Board acceptance of the performance bond agreement for the roads and drainage improvements.

- 12) Submission of a Groundwater Monitoring Agreement that implements the groundwater monitoring program, which agreement shall be executed between the Applicant and the Town of Southampton permitting the Town to hire third-party consultants for purposes of sampling and reviewing the results. Such agreement shall be approved by the Town Board and executed prior to the construction of the golf course. The Applicant shall be responsible for the cost of such monitoring. Such agreement shall be in a form approved by the Town Attorney and memorialized in a covenant to be recorded in the Office of the Suffolk County Clerk simultaneously with the filing of the subdivision and condominium maps. Said declaration of covenants shall include the following:
- a. Compliance with the approved Integrated Turf Health Management Plan (ITHMP) protocols, including but not limited to the filing of annual reports.
 - b. In the event of any violation of ITHMP protocols, all fertilization and pesticide application activities shall halt, and the use of the golf course shall cease until such time as it can be determined the cause of the violation and the corrective action can be identified.
 - c. Compliance with the approved Groundwater Monitoring Program protocols.
- 13) Submission of Declaration of Covenants related to the subdivision providing for the following:
- a. The zoning requirements for the development of the lots and common reserve areas shall be those set forth on the Table of Lot Modification as shown on the subdivision map;
 - b. The clearing and fertilized vegetation requirements for the development of the lots and common reserve areas shall be those set forth on the Table of Lot Modification as shown on the subdivision map.
 - c. The common reserve area parcel designated as REC. 1 (Lot 111) on the aforesaid subdivision map shall be permitted to have common buildings and structures and eight (8) residential dwelling units, and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot width, setbacks, lot coverage, height, minimum/maximum floor area, and pyramid law of the building and structures constructed on the said common reserve area parcel designated as REC. 1 (Lot 111) shall be modified as set forth on a site plan approved by the Planning Board.
 - d. The common reserve area parcel designated as WORKFORCE (Lot 140) shall be permitted to have one common building with twelve (12) residential rental units and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot frontage, lot width, setbacks, lot coverage, height, minimum/maximum floor area, and pyramid law of the building and structures constructed on said WORKFORCE (Lot 140) shall be modified as set forth on a site plan approved by the Planning Board.
 - e. The common reserve area parcel designated as ADMIN. (Lot 141) shall be permitted to have common buildings and structures and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot frontage, lot width, setbacks, lot coverage, height, minimum/maximum floor area and pyramid law of the building and

- structures constructed on the said common reserve area parcel designated as ADMIN. (Lot 141) shall be modified as set forth on a site plan approved by the Planning Board.
- f. The common reserve area parcel designated as STP (Lot 142) shall be permitted to have common buildings and structures for use as a sewage treatment plant and related facilities and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot frontage, lot width, setbacks, lot coverage, height, minimum/maximum floor area and pyramid law, of the building and structures constructed on the said common reserve area parcel designated as STP (Lot 142) shall be modified as set forth on a site plan approved by the Planning Board.
 - g. The common reserve area parcels designated as REC 1. (LOT 111), REC 2. (Lot 113), REC 3. (Lot 114), REC 4. (Lot 115), REC 5. (Lot 116), & REC 6. (Lot 117) shall be permitted to have the common buildings and structures and the golf course and related facilities, and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot frontage, lot width, setbacks, lot coverage, height, minimum/maximum floor area and pyramid law of the building and structures constructed on the said common reserve area parcels designated as REC 1. (LOT 111), REC 2. (Lot 113), REC 3. (Lot 114), REC 4. (Lot 115), REC 5. (Lot 116), & REC 6. (Lot 117) shall be modified as set forth on a site plan approved by the Planning Board.
 - h. The common reserve area parcel designated as ENTRY (LOT 112) shall be permitted to have the common buildings and structures for use as an entry/security gate and the golf course and related facilities, and the dimensional, bulk and area zoning requirements, including but not limited to lot area, lot frontage, lot width, setbacks, lot coverage, height, minimum/maximum floor area and pyramid law of the building and structures constructed on the said common reserve area parcel designated as ENTRY (LOT 112) shall be modified as set forth on a site plan approved by the Planning Board.
 - i. Notwithstanding anything herein to the contrary, no tennis courts shall be constructed or permitted on Lots 1 through 110, inclusive, and the common reserve area parcels, as shown on the aforesaid subdivision map, except on the common reserve area parcels designated as REC 2. (Lot 113).
 - j. Notwithstanding anything herein to the contrary, no swimming pools or spas exceeding one hundred (100) square feet shall be constructed or permitted on the Club Cabin Lots designated as Lots 54 through 70, inclusive, and Lot 72, as shown on the aforesaid subdivision map.
 - k. No further subdivision of any lots or common reserve areas.
 - l. No lot line modifications without Planning Board approval on all lots and common reserve areas;
 - m. All utilities to serve the development of the lots and common reserve areas shall be installed underground; including cable television, electric and telephone services.
 - n. No utility poles for overhead utilities or services on all lots and common reserve areas.
 - o. Lots 45 and 46, as shown on the aforesaid subdivision map, shall share a singular common access point to and from Punchbowl Lane by way of a common access driveway located within the portions of Lots 44, 45, 46 and 47 as shown on the aforesaid subdivision map. Said common access driveway shall be constructed in

accordance with the approved common driveway plans and in accordance with §330-360 et seq. of the Zoning Law, and all clearing and the base course, drainage and driveway apron shall be constructed prior to the conveyance of the lots, or prior to the issuance of a building permit on Lots 45 or 46, whichever occurs first. The common access driveway shall be completed prior to the issuance of the first Certificate of Occupancy.

- p. Lots 50 and 51, as shown on the aforesaid subdivision map, shall share a singular common access point to and from Punchbowl Lane by way of a common access driveway located within the portions of Lots 49, 50, 51 and 52 as shown on the aforesaid subdivision map. Said common access driveway shall be constructed in accordance with the approved common driveway plans and in accordance with §330-360 et seq. of the Zoning Law, and all clearing and the base course, drainage and driveway apron shall be constructed prior to the conveyance of the lots, or prior to the issuance of a building permit on Lots 50 or 51, whichever occurs first. The common access driveway shall be completed prior to the issuance of the first Certificate of Occupancy.
- q. Lots 101 and 102, as shown on the aforesaid subdivision map, shall share a singular common access point to and from Redan Trail by way of a common access driveway located within the portions of Lots 100, 101 and 102 as shown on the aforesaid subdivision map. Said common access driveway shall be constructed in accordance with the approved common driveway plans and in accordance with §330-360 et seq. of the Zoning Law, and all clearing and the base course, drainage and driveway apron shall be constructed prior to the conveyance of the lots, or prior to the issuance of a building permit on Lots 101 or 102, whichever occurs first. The common access driveway shall be completed prior to the issuance of the first Certificate of Occupancy.
- r. Lots 108, 109 and 110, as shown on the aforesaid subdivision map, shall share a singular common access point to and from Redan Trail by way of a common access driveway located within the portions of Lots 107, 108, 109 and 110 as shown on the aforesaid subdivision map. Said common access driveway shall be constructed in accordance with the approved common driveway plans and in accordance with §330-360 et seq. of the Zoning Law, and all clearing and the base course, drainage and driveway apron shall be constructed prior to the conveyance of the lots, or prior to the issuance of a building permit on Lots 108, 109 or 110, whichever occurs first. The common access driveway shall be completed prior to the issuance of the first Certificate of Occupancy.
- s. Prior to the clearing or disturbance of the natural vegetation or grade on the Lots/units and common reserve areas as shown on the aforesaid subdivision map, the areas of proposed disturbance shall be delineated with a project limiting fence and hay bales in accordance with the Approved SWPPP. In addition, appropriate erosion and sedimentation control measures as set forth in the SWPPP shall be taken to ensure that stormwater runoff, which may occur during or immediately after the development and improvement of this subdivision or any of its lots/units or common reserve areas or which may result therefrom, shall not carry sediments and other deleterious materials into the rights-of-way of the streets as shown on the aforesaid map.

- t. All clearing and disturbance of the natural vegetation or grade of the streets, Lots/units and common reserve areas as shown on the aforesaid subdivision map shall be in accordance with the procedures and protocols set forth in the approved Integrated Turf Health Management Plan, the Construction Methodology Plan; and the Phasing Plan, as same may be amended and approved by the Planning Board from time to time.
- u. All clearing and disturbance of the natural vegetation of the streets, Lots/units and common reserve areas as shown on the aforesaid subdivision map shall be in accordance with the procedures and protocols set forth by the New York State Department of Environmental Conservation (“NYSDEC”) for the protection of the Northern Long-Eared Bat, a threatened species.
- v. Lots 26,27,37,41, and 42 are subject to Drainage Easements as shown on the Final Map.
- w. Lots 4-33; 86-88; 96-107; Entry Lot A-1, A-2 and A-3; and STP Lot A-1 42 are subject to Conservation Easements as shown on the Final Map.
- x. All dwelling units and principal buildings to be constructed on the Lots/units and common reserve area parcels on the aforesaid subdivision map, including the buildings on the common reserve area parcels designated as WORKFORCE (Lot 140) and ADMIN. (Lot 141), shall be sprinklered. The STP building, pump houses, recreation buildings, comfort stations and other detached accessory buildings and structures not used for residential purposes need not be sprinklered unless required by Code or other regulation.
- y. Retention of stormwater runoff and erosion/sediment control during and after construction so that there is no runoff onto any proposed or existing street.
- z. If a lot is developed by an entity other than the original SPDES permittee; Coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001 (or latest revision) shall be obtained by each lot by way of filing a Stormwater Pollution Prevention Plan (SWPPP) and Notice of Intent with the Town and NYS DEC before the issuance of a building permit, regardless of the area of disturbance. The requirement shall remain in effect until all lots have been developed and obtained a certificate of occupancy.
- aa. If applicable, provisions to assure compliance with the New York State Department of Environmental Conservation (NYSDEC) for the Federal and State threatened northern long-eared bat (NLEB).
- bb. No accessory apartments shall be constructed on any of the lots or units.
- cc. Affordable Housing covenants for 12 workforce rental housing units provided pursuant to the Long Island Workforce Housing Act and Chapter 216 of the Town Code,
- dd. Provision indicating that no more than 30 market rate lots shall be issued Certificates of Occupancy unless and until a Certificate of Occupancy has been issued for 12 affordable units.
- ee. The Lots/units and common reserve area parcels as shown on the aforesaid subdivision map are encumbered with various drainage easements, access easements, utility easements in favor of the homeowner’s association to be established simultaneously herewith as set forth in a separate instruments to be recorded simultaneously herewith.

- 14) Submission of Common Driveway and Utility Easements for all common driveways.
- 15) Submission of an Affordability Covenant for the twelve (12) affordable rental units.
- 16) Submission of a Covenant and Restriction that limits the use of the golf course and other site amenities to the residents within the subdivision and their guests. This shall be both a filed covenant and a deed restriction.
- 17) Submission of a Covenant and Restriction that prohibits the owners of the lots/units within the subdivision from establishing primary residency for the purpose of satisfying NYS Educational Law residency requirements and in the event such Covenant and Restriction is violated, the applicant agrees upon notification of any such enrollment against such covenant that they will be bound to provide a sum equivalent to the out of district enrollment rate for each such student each year of attendance or participation. This shall be both a filed covenant and a deed restriction.
- 18) Submission of Deed of Dedication for all Open Space parcels to be dedicated to the Town.
- 19) Submission of Conservation Easements for portions of all Open Space parcels to be retained by the HOA. Include a provision for a trail connection to provide the residents of the subdivision with access to the Town-owned open space to the east.
- 20) Submission of a Condition Offer of Dedication to the Town of Southampton for the SCWA parcel in the event the SCWA opts not to accept the offer of dedication.
- 21) Submission of Drainage Easements for portions of all drainage reserve areas to be retained by the HOA.
- 22) The filing/recording of a condominium map for the eight (8) condominium units and submission of a recorded copy to the Planning office.
- 23) Submission of an Access Easement to Smith Avenue over Road 2 (Redan Trail) for the benefit of out parcels fronting on Smith Road, if the lots are approved for development under the Town OFM regulations. Notation on map shall be modified accordingly.
- 24) Submission of Title Certification identifying mortgagees or lienholders that must consent to the filing of the legal instruments.
- 25) Submission of Mortgage Releases (for dedications, if applicable)
- 26) Submission of Mortgage Consents (for covenants and easements, if applicable)
- 27) Town Attorney approval of the form of all legal documents.

- 28) Town Board acceptance of applicable legal documents.
- 29) Submission of executed contract and proof of payment to the SCWA for the installation of water main extension and water mains and hydrants as shown on the final plat.
- 30) Submission of a copy of the deed of dedication of the 4-acre SCWA parcel.
- 31) Submission of contracts with and proof of payments from utility companies, including electric, cable television, and gas.
- 32) Payment of balance of Review Fee, reflecting payments already received.
- 33) Submission of (4) four mylar prints and (10) ten paper prints of a final subdivision and condominium map with all the changes and modifications required herein, including updated SCDHS approval stamp if applicable
- 34) Recording of map and documents within 62 days of map signature.

RESULT: **ADOPTED [4 TO 3]**

MOVER: Dennis Finnerty, Vice Chair

SECONDER: Thackoor George Mootoo, Board Member

AYES: Dennis Finnerty, Craig Catalanotto, Thackoor George Mootoo, Thomas Neely

NAYS: Jacqui Lofaro, Glorian Berk, Kate Fullam

APPENDIX D

FINAL RESOLUTION Lewis Road PRD

CPBJPPC, 12/7/2022



**Central Pine Barrens Joint Planning and Policy Commission
Special Meeting
Wednesday, December 7, 2022
Brookhaven Town Hall, Farmingville, NY**

**Final Resolution to Amend the Commission's Decision for the
Lewis Road Planned Residential Development
Assertion of Jurisdiction Application dated January 20, 2021**

Present:

Robert Calarco (State of New York),
Andrew Freleng (for the Suffolk County Executive),
Edward Romaine (Brookhaven Town Supervisor),
Richard Stafford (for the Riverhead Town Supervisor),
Janice Scherer (for the Southampton Town Supervisor)

Yvette Aguiar
Member

Steven Bellone
Member

Robert Calarco
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Whereas, by DLV Quogue, LLC, DLV Quogue Owner LLC, DLV Parlato Parcel 1, LLC, DLV Parlato Parcel 2, LLC, DLV Parlato Parcel 3, LLC, DLV Parlato Parcel 4, LLC, and DLV Parlato Parcel 5, LLC, (hereinafter collectively referred to as "DLV") propose to develop the Lewis Road Planned Residential Development consisting of 118 seasonal residences, 12 year round workforce housing residences, an 18-hole private golf course, a sewage treatment plant, a clubhouse, recreational amenities, access road, ponds, drainage and other infrastructure on a 607.87 acre site, in the hamlet of East Quogue, in the Town of Southampton, as shown in the Master Plan Overlay dated October 4, 2022 and received by the Commission on November 8, 2022, prepared by Nelson & Pope (the "Project") and

Whereas, the Commission asserted jurisdiction over the Project and on January 20, 2021 determined that the Project conformed with the Standards and Guidelines contained in the Central Pine Barrens Comprehensive Land Use Plan (the "2021 Determination"), and

Whereas, DLV made changes to the Project and submitted a Site Plan and Final Subdivision Map containing the changes to the Town of Southampton Planning Board for review, and

Whereas, on August 17, 2022 the Planning Board referred the Site Plan and Final Subdivision Map reflecting the changes (the "Revised Proposal") to the Commission, and

Whereas, on September 7, 2022, DLV submitted additional information on the Revised Proposal to the Commission, and

Whereas, the Commission by letters dated September 21, 2022 and October 19, 2022, provided comments on the Revised Proposal to the Southampton Town Planning Department, and

Whereas, DLV, on November 8, 2022, provided information to the Commission in response to the Commission's comments, and

624 Old Riverhead Road
Westhampton Beach, NY
11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

Whereas, the Commission has reviewed the materials submitted for the Revised Proposal in order to determine whether it is consistent with the Commission's Decision, and

Whereas, the Revised Proposal modified the Project by:

1. Adding a new 2.5 acre access road called Eden Path to the Project, while reducing other areas of the Project by 0.58 resulting in a total site area of 610.37 acres (the "Project Site").
2. Developing Eden Path from Lewis Road on tax lot 900-288-1-64.001 in accordance with the easement between DLV and East Quogue Farms, LLC filed on December 15, 2021.
3. Increasing the Project's drainage capacity to manage a 3 inch rain event rather than a 2 inch event through the use of defined drainage shed areas as per the drainage plans dated November 7, 2022 prepared by Nelson & Pope sheets 1 through 37.
4. Reducing the total Project Site clearing authorized in the 2021 Determination by 0.18 acres, resulting in a total clearing of 171.75 acres as shown on the map titled "Central Pine Barrens Comprehensive Land Use Plan (CLUP) Compliance Exhibit" dated November 7, 2022 prepared by Nelson & Pope and received on November 8, 2022.
5. Designating 433.97 acres of the Project Site as Open Space to be protected as follows:
 - a. 203.33 acres of open space will be dedicated to the Town of Southampton.
 - b. 230.64 acres will be privately held in a Homeowner's Association.
6. Implementing the Construction Phasing Plan, prepared by PWGC and last dated November 3, 2022, or as amended and approved by the Town of Southampton, which identifies four construction zones as follows:
 - a. Activities in Construction Zone 1, in the southwest corner of the site are estimated to be completed by May 1, 2024.
 - b. Activities in Construction Zone 2, in the western portion of the site, are estimated to be completed by February 1, 2025.
 - c. Activities in Construction Zone 3, in the northeast corner of the site, are anticipated to commence on January 1, 2023 and end December 31, 2026.
 - d. Activities in Construction Zone 4, in the southeast corner of the site, are anticipated to commence on February 1, 2023 and end December 31, 2026.
 - e. Activities listed in each zone include tree felling and clearing operations that precede the construction of infrastructure including roadways and uses including housing and the golf course

Whereas, the Commission finds that the Project as modified by the Revised Proposal conforms with the Plan Standards and Guidelines as follows:

- a. the Project will conform with Article 6 of the Sanitary Code by its demonstration of residential yield of one single-family residence per acre in the Town's five acre zoning district and the Town Zoning Board decision on the golf course use; a tertiary treatment sewage treatment plant will be constructed for wastewater management generated by the Project; the Project will achieve a 0.26 mg/l nitrogen concentration when balanced over the entire project site, excluding background nitrogen concentrations, which is below the 2.5 ppm concentration limit as per the Guideline; permits will be obtained to comply with Article 12 of the Sanitary Code; NYSDEC irrigation well permits will be obtained, and
- b. stormwater will be recharged on site and prior to disturbance, approval of the SWPPP will occur to the satisfaction of the Town Engineer with a 3 inch drainage capacity; drainage reserve areas are delineated in the grading plan to demonstrate conformance with the Plan Guidelines; soil erosion will be controlled using stabilization measures and erosion control practices during construction and installation of silt fencing during all construction activity prior to commencement of disturbance; no retaining walls will be developed; and
- c. no wetlands are present on the Project Site; no soil exports are proposed and excavated material will be reused in the Project; the Project conforms with the vegetation clearance limit based on zoning as of 1995 and the maximum 15% maximum fertilizer dependent vegetation limit; the project will implement an Integrated Turf Health Management Plan for the controlled applications of pesticides and herbicides in the golf course and landscaped areas, and
- d. the Project is a cluster plan with unfragmented open space to the greatest extent practicable while considering factors including steep slope topography and utilizing previously cleared areas of the Project Site; native species will be used in the landscape plan and where possible transplanted plantings will be reused; the Project will adhere to measures required by the NYSDEC to protect state and federal listed species and habitat including the Threatened Northern Long-eared Bat; open space will be dedicated and also privately held by a Homeowner's Association for its protection in perpetuity and no additional density will be generated by the contiguous and noncontiguous open space property; and
- e. steep slope topography will be protected to the maximum extent practicable while achieving the cluster development; no cultural artifacts were identified in the archaeological survey; the Project will protect the character of the Pine Barrens and views of the Project Site by the design and installation of manmade structures that meet standards consistent with the character of the area including minimal signage that is limited in size and designed with colors and materials that reflect the local landscape and preserve roadside views, and
- f. in order to conform with Plan Guidelines to protect scenic features of the roadside and views, there will be no fencing other than split rail adjacent to open space and deer fencing only is permitted adjacent to existing development and upon the Commission's written approval, and

Whereas, the Revised Proposal does not materially alter the Project and no significant adverse environmental impacts will occur as a result of the Revised Proposal that require additional SEQRA review, and

Whereas, the Commission finds that Revised Proposal does not materially modify the Project and that the Project as modified by the Revised Proposal conforms with the Plan Standards and Guidelines as per the Decision, now, therefore, be it

Resolved, the foregoing recitals are incorporated herein, and be it further

Resolved, that Revised Proposal does not materially alter the Project and no significant adverse environmental impacts will occur as a result of the Revised Proposal which require additional SEQRA review, and be it further

Resolved, the 2021 Determination is incorporated by reference herein and its conditions remain in full force and effect, and DLV must fully satisfy all of the conditions contained therein, unless modified by this Determination, and be it further

Resolved, as a result of the Revised Proposal, DLV must satisfy the following additional conditions and as shown on the map titled “Central Pine Barrens Comprehensive Land Use Plan (CLUP) Compliance Exhibit” dated November 7, 2022 prepared by Nelson & Pope and received on November 8, 2022:

1. DLV must record legal instruments, approved by the Commission and granted to the Commission, prior to any site disturbance to ensure:
 - a. That the Project or the uses proposed therewith are not changed without the prior written approval of the Commission.
 - b. Only passive unpaved, hiking trails, may occur on the open space and no disturbance may occur unless the same is consistent with the recorded instruments.
 - c. Fertilizer-dependent vegetation is limited to no more than 91.18 acres of the Project Site in developed areas and uses including the golf course and landscaping.
 - d. The legal instruments must be indexed against all of the parcels in the Project Site.
 - e. There shall be no operations or uses constituting development pursuant ECL §57-0107, on, or in the open space.
 - f. There shall be no operations or uses not constituting development pursuant to ECL §57-0107 of, on or in the open space.
2. The 2021 Determination and this Determination must be filed in the Office of the Suffolk County Clerk against the Property.
3. Prior to commencing site disturbance DLV must provide to the Commission a map prepared by a surveyor or professional engineering licensed to practice in New York that demonstrates the clearing proposed on the Project Site and the map must contain the amounts of and identify the areas of existing and proposed clearing and open space.
4. Prior to any site disturbance, the Master Plan map dated October 4, 2022 must be revised to depict all areas of clearing, grading and open space. The revised map must be approved by the Commission staff before any site disturbance may occur.

5. Construction Phasing Plan
 - a. Certify by a professional engineer licensed to practice in New York the Construction Phasing Plan dated November 3, 2022 Sheets 1 through 6, prepared by P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. to the Commission.
 - b. Implement the Construction Phasing Plan including tree felling and clearing in the sequence presented.
6. Temporary fencing
 - a. Record legal instruments prior to installing snow fencing on the clearing limits.
 - b. Once the snow fence is installed to identify the clearing limits, notify the Commission office for an inspection prior to site disturbance for construction.
 - c. Disturbance to install snow fencing on the clearing limits and if necessary, chain link fencing for security purposes, must be minimal and must occur within the Project clearing limits. No material alteration of grade or vegetation may occur to install the fencing.
 - d. If chain link fencing is necessary for security purposes during implementation of the construction phasing plan and it will be removed after construction is complete, by December 31, 2026, chain link fence may be installed on the construction limit and clearing boundaries and not on the outer limits of open space, which would prevent wildlife movement through the open space and is beyond the construction boundaries.
 - e. Maneuver around large trees where they intersect the clearing limit. Include large trees in the protection area where feasible when they intersect the clearing limit.
 - f. Remove all temporary fencing when construction is complete.
7. Permanent fencing:
 - a. Split rail fencing may be installed adjacent to open space on the north and east sides of the Project to allow for the uninterrupted passage of wildlife.
 - b. Deer fencing only may be installed immediately coterminous with improved areas, as necessary, upon a showing to the Commission of the necessity and upon a written approval of the Commission.
8. No regulated activity may occur outside of December 1 through February 28 absent NYSDEC approval which must also be provided to the Commission.
9. An ecologist must be on the Project Site during tree felling and clearing activity. The ecologist must have adequate staff to perform continuous wildlife sweeps to relocate wildlife to surrounding open space habitats during felling and clearing activities. Provide a summary report of this activity identifying the species encountered and relocation efforts after each construction phase when this activity occurs.
10. Proof, acceptable to the Commission, must be submitted of DLV's interest in all of the parcels in the Project Site.
11. Provide a certified copy of the recorded subdivision map.
12. Submit to the Commission a copy of the final signed and stamped subdivision map, the site plan and Town Southampton Planning Board decisions.
13. Cease construction if cultural artifacts are encountered. Notify the Town Supervisor's office and obtain authorization prior to recommencing construction activities.
14. Update the Groundwater Monitoring Plan Rev. 2 prepared by P.W. Grosser Consulting, Inc. dated March 2022 with the existing data on the Project including the

areas to be developed, cleared, open space, project description and related Project elements.

15. Submit an As Built Plan to the Commission at the end of each construction phase.
16. Submit an As Built Plan to the Commission at the end of construction of the entire Project and prior to issuance of Certificates of Occupancy.
17. The Subdivision Map titled "Overall Development Plan" dated November 7, 2022 prepared by Nelson and Pope Drawing C-102 Sheet No. 2 of 37, does not show all of the Project Site, which is a cluster plan. Either revise it to add all of the parcels in the cluster plan or add a second sheet to the map that reflects the non-contiguous cluster development including all other parcels utilized for the Project and not presently shown in the map.
18. Provide a map that identifies the emergency access and construction access locations if they are proposed.
19. The Commission must be granted enforcement authority under any instrument granted to a public corporation to protect open space on the Project Site.

Resolved, the terms of this Determination apply to DLV, its successors and assigns, and be it further

Resolved, the Project must conform to all other involved agency jurisdictions and permit requirements in effect on the project site, and be it further

Resolved, the expiration of the Commission's decision is Ten (10) years from the date first written above

Motion by: Ms. Scherer

Second by: Mr. Stafford

Vote:

Yes: 3 (Ms. Scherer, Mr. Stafford, Mr. Freleng)

No: 1 (Mr. Romaine)

Abstain: 1 (Mr. Calarco)

APPENDIX E FIGURES

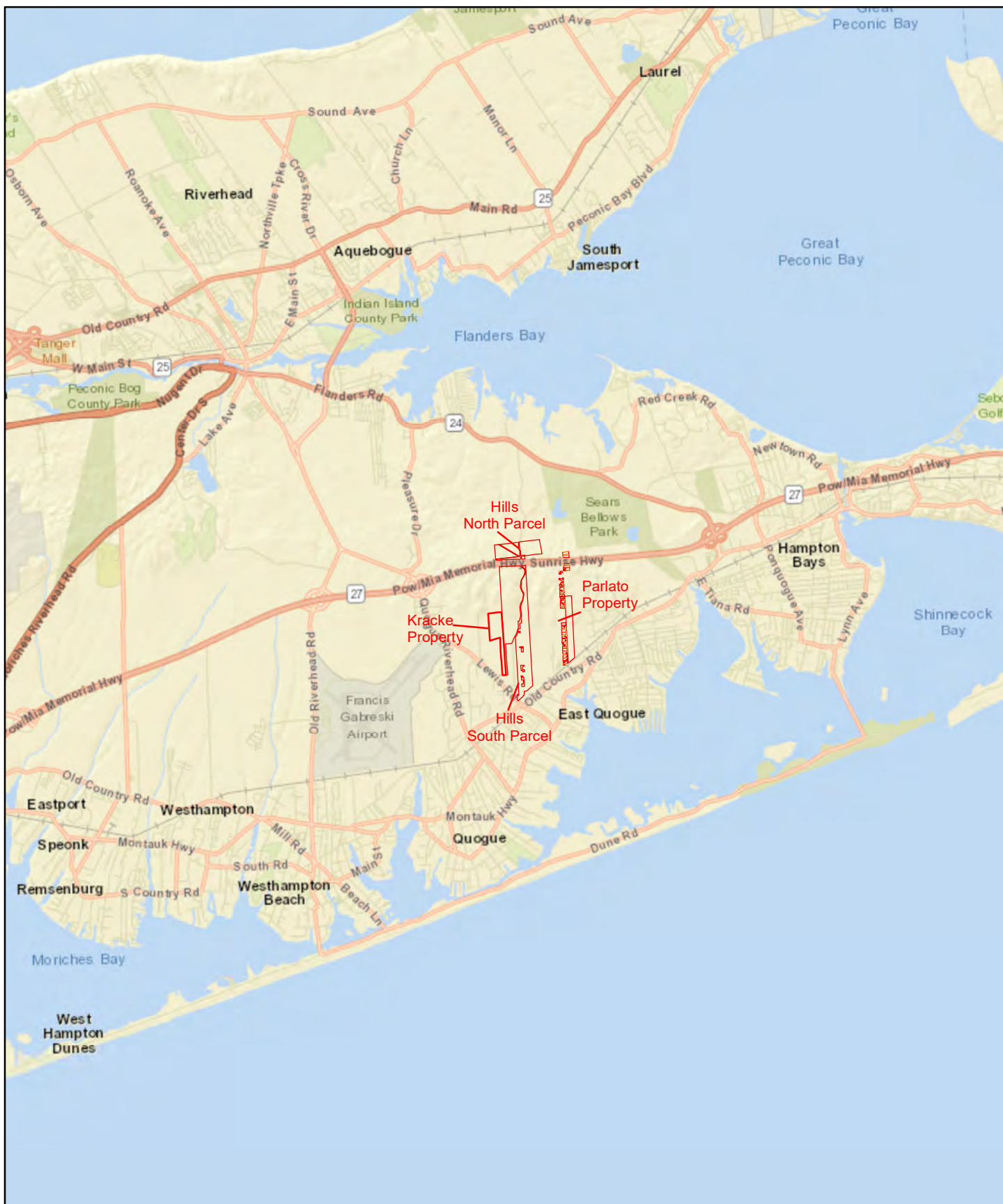


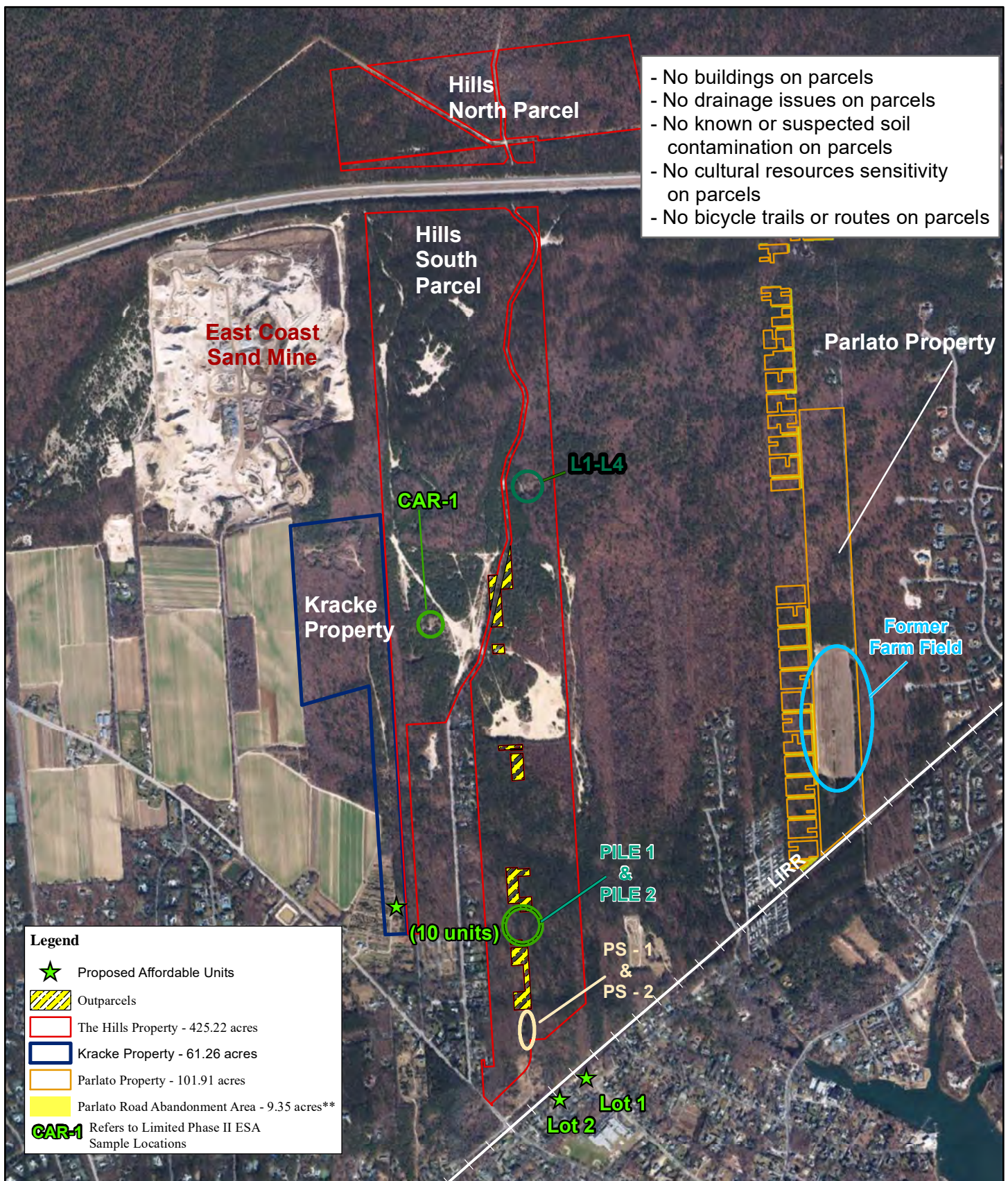
FIGURE 1-1a
REGIONAL LOCATION MAP

Source: ESRI Webmapping Service
Scale: 1 inch = 10,000 feet



Lewis Road
PRD

**SEQRA Compliance
Analysis**



**Abandonment Area consists of previously mapped roads to be abandoned. The acreage of these roads has been added to that of the Parlato Property.

FIGURE 2-2 ISSUES FOR DEVELOPMENT

Source: NYS Orthophotography, 2016
Scale: 1 inch = 1,500 feet

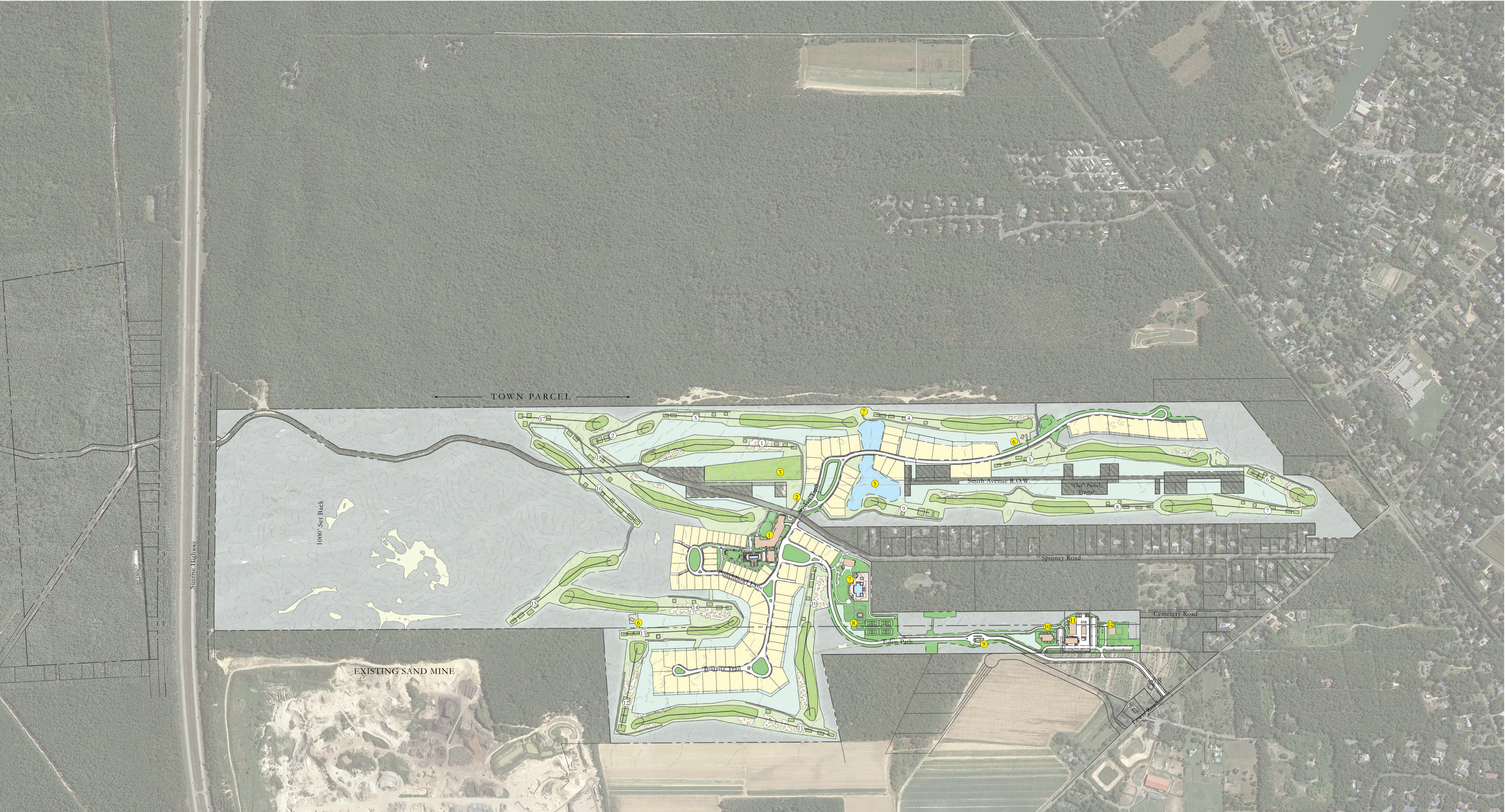


Lewis Road
PRD
SEQRA Compliance
Analysis

APPENDIX F

MAPS DEPICTING SITE PLAN REVISIONS

Vita Associates, 5/31/2024

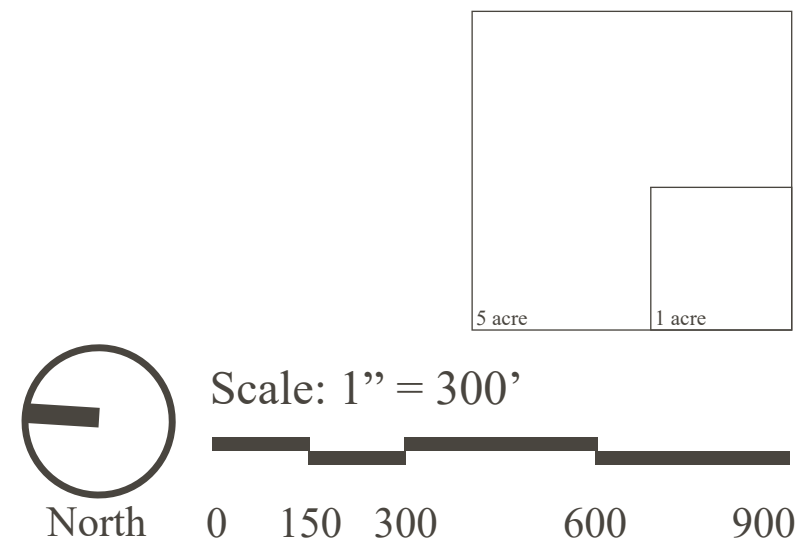


Key:

- ① HOA Clubhouse
- ② Putting Course and Short Game Area
- ③ Practice Fairway
- ④ Irrigation Pump Station
- ⑤ Pond
- ⑥ Comfort Station
- ⑦ Family Swimming Pool
- ⑧ Sport Courts
- ⑨ Gate House
- ⑩ Workforce Housing
- ⑪ HOA Maintenance Building
- ⑫ Waste Water Treatment Plant

Legend:

- Open Space (All outside Development)
- Existing Natural Area within Development
- Existing Cleared Area - To Be Revegetated
- Golf Area
- Wetland / Pond
- Lawn / Playfields
- Common Buildings and Workforce Housing
- Out Parcels and Paper Roads



Master Plan

October 30, 2024

LEWIS ROAD PRD AT EAST QUOGUE

TOWN OF SOUTHAMPTON, NEW YORK





LEWIS ROAD PRD

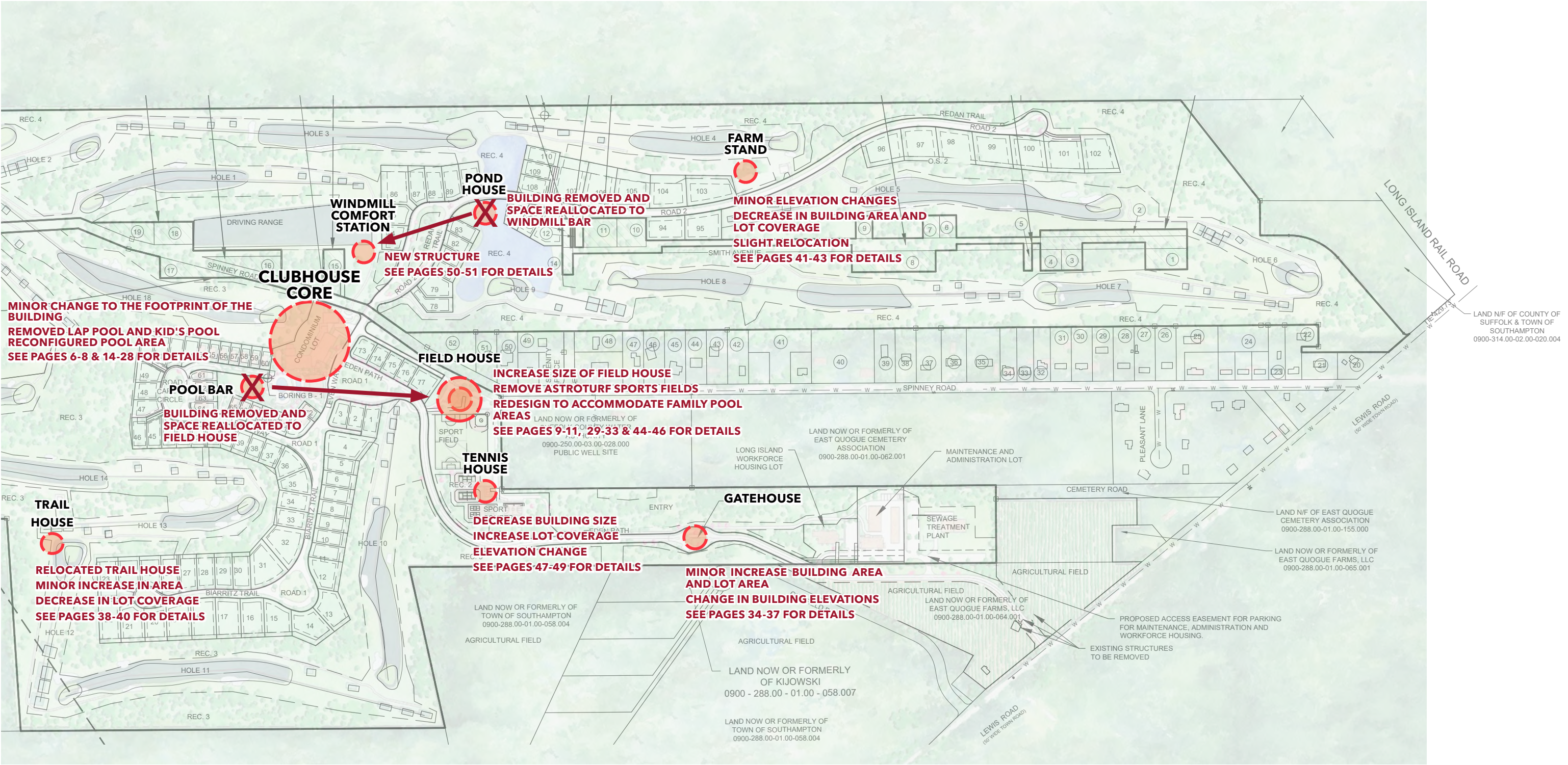
PROPOSED SITE PLAN AMENDMENTS

MAY 31ST, 2024

HART HOWERTON

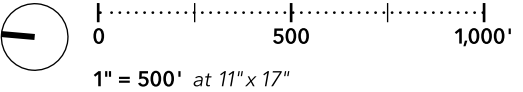
NEW YORK • SAN FRANCISCO

VITA



 = APPROVED BUILDING LOCATION

APPROVED SITE PLAN | PROPOSED MODIFICATIONS



INTERIOR

BUILDINGS	APR. SF	NEW SF	Δ
Clubhouse (1st & 2nd Floors)	47,411	46,735	(676)
Clubhouse Core Basement (Occupied Area)	7,952	3,830	(4,122)
Pro Shop (1st & 2nd Floors)	4,455	4,475	20
Pool Bar	966	N/A	(966)
Gate House	555	570	15
Trail House	480	490	10
Farm Stand	532	490	(42)
Field House	793	7,745	6,952
Tennis House	784	690	(94)
Pond House	672	N/A	(672)
Windmill Comfort Station	N/A	420	420
TOTAL INTERIOR (GROSS)	64,600	65,445	845

1.3% INCREASE

LOT COVERAGE

BUILDINGS	APR. SF	NEW SF	Δ
Clubhouse	31,660	33,205	1,545
Pro Shop	3,390	3,755	365
Pool Bar	1,900	N/A	(1,900)
Gate House	1,075	1,375	300
Trail House	1,935	985	(950)
Farm Stand	1,470	640	(830)
Field House	2,150	5,095	2,945
Tennis House	1,820	2,210	390
Pond House	2,175	N/A	(2,175)
Windmill Comfort Station	N/A	705	705
TOTAL LOT COVERAGE	47,575	47,970	395

0.8% INCREASE

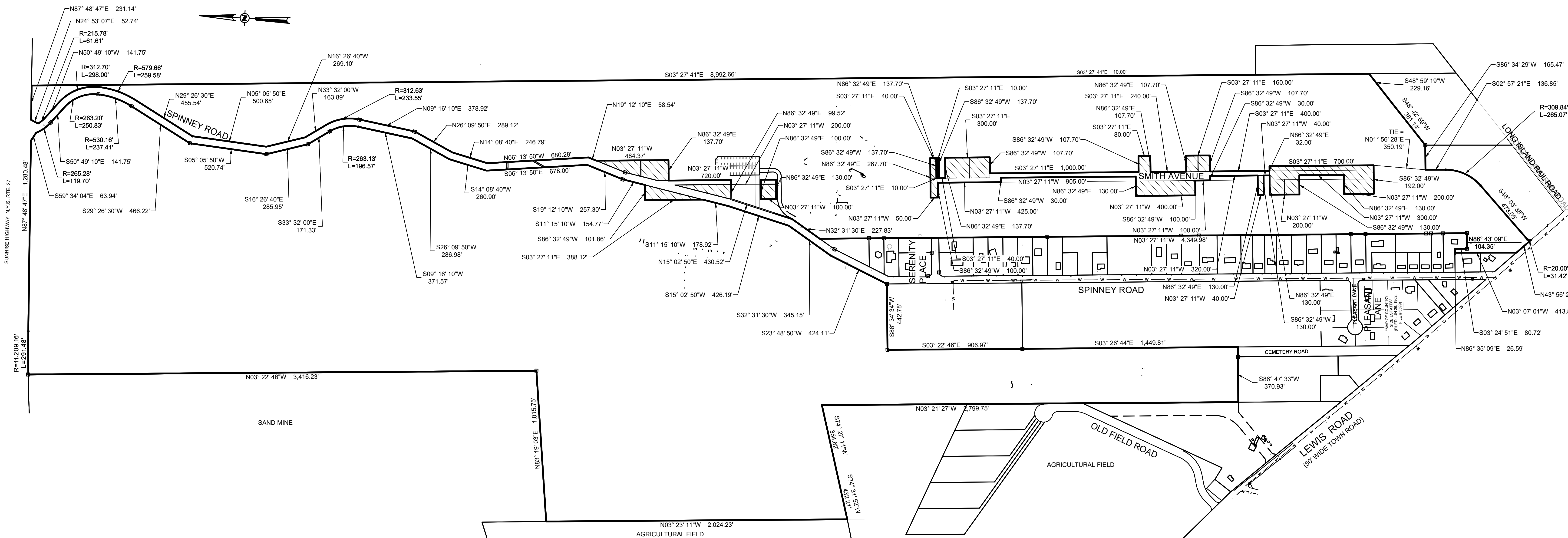
BASEMENT FLOOR AREA

OCCUPIED AREA	CLUBHOUSE			FIELD HOUSE			TOTAL Δ
	APR. SF	NEW SF	Δ	APR. SF	NEW SF	Δ	
Kid's Club Area	6,912	N/A	(6,910)	N/A	3,425	3,425	(3,485)
Speakeasy	1,040	N/A	(1,040)	N/A	N/A	N/A	(1,040)
Kitchen, Support and House Keeping	N/A	3,830	3,830	N/A	1,040	1,040	4,870
TOTAL LOT COVERAGE	7,952	3,830	(4,122)	N/A	4,465	4,465	343

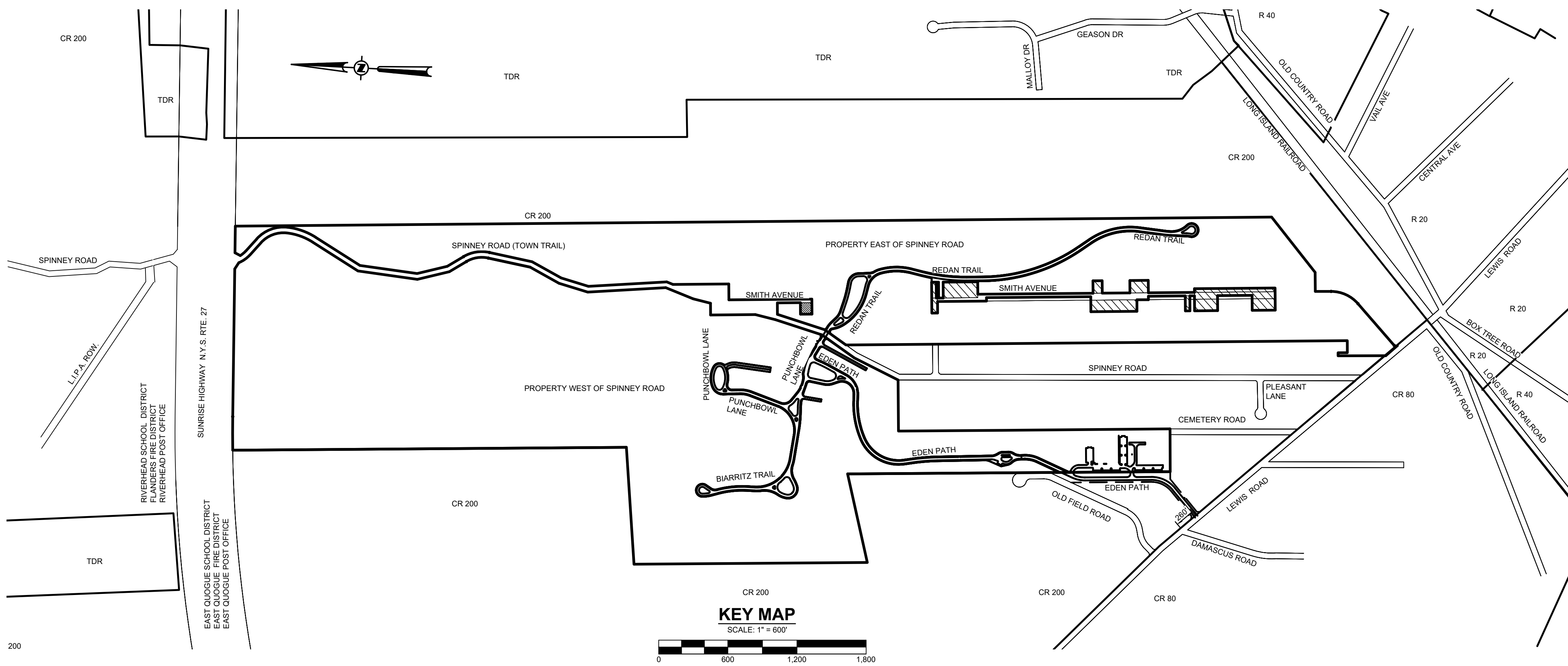
SITE SQUARE FOOTAGES | APPROVED VS PROPOSED

HARDSCAPE (SPORT FIELDS/COURTS/ POOLS/DECKS)	CLUBHOUSE			FIELD HOUSE			TOTAL Δ
	APR. SF	NEW SF	Δ	APR. SF	NEW SF	Δ	
Astroturf Sports Fields	N/A	N/A	N/A	83,100	N/A	(83,100)	(83,100)
Tennis Courts	N/A	N/A	N/A	14,240	28,480	14,240	14,240
Pickleball Courts	N/A	N/A	N/A	2,346	7,680	5,334	5,334
Basketball Court	N/A	N/A	N/A	6,171	3,360	(2,811)	(2,811)
Padel Courts	N/A	N/A	N/A	N/A	4,966	4,966	4,966
Pools	5,280	3,890	(1,390)	N/A	7,489	7,489	6,099
Decks	12,224	8,946	(4,706)	N/A	12,857	12,857	8,151
Outdoor Enclosed Service Area	2,985	3,560	575	N/A	2,300	2,300	2,875
Concrete	29,224	16,065	(13,159)	4,455	14,150	9,695	(17,137)
Chipseal	N/A	16,678	16,678	23,900	29,434	5,534	22,212
Pavillions (Pool, Tennis and Pickleball)	1,465	1,350	(115)	783	1,890	1,107	992
TOTAL	51,178	50,489	(689)	134,995	112,606	(22,389)	(23,078)

APPENDIX G
ADMINISTRATIVE REAPPROVAL ENGINEERING
PLANS and MEMORANDUM REGARDING ON-SITE
STORM Drainage Plans
Vita Associates, 10/30/2024



MAP OF PROPERTY
SCALE: 1" = 200'



KEY MAP
SCALE: 1" = 1,000'

INDEX OF SHEETS	
SHEET 1 OF 38	C-101 MAP OF PROPERTY, LOCATION MAP AND KEY MAP
SHEET 2 OF 38	C-102 OVERALL DEVELOPMENT PLAN
SHEET 3 OF 38	C-103 DRAINAGE PLAN 1
SHEET 4 OF 38	C-104 DRAINAGE PLAN 2
SHEET 5 OF 38	C-105 DRAINAGE PLAN 3
SHEET 6 OF 38	C-106 ROAD PROFILES 1
SHEET 7 OF 38	C-107 ROAD PROFILES 2
SHEET 8 OF 38	C-108 ROAD PROFILES 3
SHEET 9 OF 38	C-109 DRAINAGE STRUCTURE PLAN 1
SHEET 10 OF 38	C-110 DRAINAGE STRUCTURE PLAN 2
SHEET 11 OF 38	C-111 DRAINAGE STRUCTURE PLAN 3
SHEET 12 OF 38	C-112 DRAINAGE STRUCTURE PLAN 4
SHEET 13 OF 38	C-113 DRAINAGE STRUCTURE PLAN 5
SHEET 14 OF 38	C-114 DRAINAGE STRUCTURE PLAN 6
SHEET 15 OF 38	C-115 DRAINAGE STRUCTURE PLAN 7
SHEET 16 OF 38	C-116 LOT GRADING PLAN 1
SHEET 17 OF 38	C-117 LOT GRADING PLAN 2
SHEET 18 OF 38	C-118 LOT GRADING PLAN 3
SHEET 19 OF 38	C-119 LOT GRADING PLAN 4
SHEET 20 OF 38	C-120 LOT GRADING PLAN 5
SHEET 21 OF 38	C-121 GOLF COURSE GRADING PLAN 1
SHEET 22 OF 38	C-122 GOLF COURSE GRADING PLAN 2
SHEET 23 OF 38	C-123 GOLF COURSE GRADING PLAN 3
SHEET 24 OF 38	C-124 SPORT AREA PLAN
SHEET 25 OF 38	C-125 ATHLETIC FIELD PLAN
SHEET 26 OF 38	C-126 TOWNHOUSE, CONDOMINIUM AND POOL AREA PLAN
SHEET 27 OF 38	C-127 WORKFORCE HOUSING, ADMINISTRATION AND MAINTENANCE BUILDING PLAN
SHEET 28 OF 38	C-128 SEWAGE TREATMENT PLANT AREA PLAN
SHEET 29 OF 38	C-129 GOLF HOUSE PLAN, EDEN PATH ENTRANCE AND EDEN PATH DRAINAGE AND GRADING PLAN
SHEET 30 OF 38	C-130 EROSION CONTROL, PARTIAL PLAN 1
SHEET 31 OF 38	C-131 EROSION CONTROL, PARTIAL PLAN 2
SHEET 32 OF 38	C-132 EROSION CONTROL, PARTIAL PLAN 3
SHEET 33 OF 38	C-133 ALIGNMENT, SIGNAGE AND PAVEMENT MARKING PLAN 1
SHEET 34 OF 38	C-134 ALIGNMENT, SIGNAGE AND PAVEMENT MARKING PLAN 2
SHEET 35 OF 38	C-135 ALIGNMENT, SIGNAGE AND PAVEMENT MARKING PLAN 3
SHEET 36 OF 38	C-501 WATER QUALITY AND DRAINAGE DETAILS
SHEET 37 OF 38	C-502 SITE DETAILS
SHEET 38 OF 38	C-500 SPORTS COMPLEX DRAINAGE SYSTEM PROFILE

SITE DATA
EXISTING ZONING: CR 200
PROPOSED: PRD SUBDIVISION
PROPOSED LOTS: 119
SINGLE FAMILY LOTS: 6
REC. LOTS: 1
ENTRY LOT: 1
ROAD LOTS: 2
O.S. LOTS: 20
WORKFORCE HOUSING LOT: 1
ADMINISTRATION / MAINTENANCE LOT: 1
SEWAGE TREATMENT PLANT LOT: 1
SUFFOLK COUNTY WATER AUTHORITY LOT: 1
TOTAL NUMBER OF LOTS: 143
AREA:
EAST OF SPINNEY ROAD: 6,574,586 SQ. FT. - 150.83 AC
WEST OF SPINNEY ROAD: 10,872,800 SQ. FT. - 248.61 AC
PARCELS 3, 4, 5, 6: 3,616,664 SQ. FT. - 82.82 AC
PARCELS 7, 8, 9: 3,274,584 SQ. FT. - 75.17 AC
TOTAL SITE AREA: 26,478,664 SQ. FT. - 607.67 AC
SUBDIVISION AREA: 36.65 ACRES
AREA IN SINGLE FAMILY LOTS: 7.54 ACRES
AREA IN REC. LOTS: 103.12 ACRES
AREA IN O.S. LOTS: 236.84 ACRES
AREA IN WORKFORCE LOT: 15.99 ACRES
AREA IN ADMINISTRATION / MAINTENANCE LOT: 1.74 ACRES
AREA IN SEWAGE TREATMENT PLANT LOT: 3.84 ACRES
AREA OF DEDICATION TO THE TOWN OF SOUTHAMPTON: 203.33 ACRES
AREA DEDICATED TO SUFFOLK COUNTY WATER AUTHORITY: 4.00 ACRES
AREA IN TOTAL SUBDIVISION AREA: 607.67 ACRES

SCHOOL DISTRICTS: EAST QUOGUE UFSD, RIVERHEAD CENTRAL SCHOOL DISTRICT, FIDERS FIRE DISTRICT AND RIVERHEAD POST OFFICE INCLUDES ONLY THE UNDEVELOPED OPEN SPACE PORTION OF THE PROJECT NORTH OF SUNSHINE HIGHWAY TO BE DEDICATED TO THE TOWN OF SOUTHAMPTON.

* RIVERHEAD CENTRAL SCHOOL DISTRICT, FLANDERS FIRE DISTRICT AND RIVERHEAD POST OFFICE INCLUDES ONLY THE UNDEVELOPED OPEN SPACE PORTION OF THE PROJECT NORTH OF SUNSHINE HIGHWAY TO BE DEDICATED TO THE TOWN OF SOUTHAMPTON.

SUFFOLK COUNTY TAX MAP :	
EXISTING ZONING: CR 200	0900 - 219.00 - 01.00 - 022.00
PROPOSED: PRD SUBDIVISION	0900 - 250.00 - 03.00 - 013.000, 014.000, 030.000
PROPOSED LOTS: 119	0900 - 288.00 - 01.00 - 121.000, 122.000, 123.000, 125.000, 127.000, 130.000, 132.000, 133.000, 138.000, 139.000, 140.002, 141.001
SINGLE FAMILY LOTS: 6	0900 - 314.00 - 02.00 - 020.000
REC. LOTS: 1	0900 - 219.00 - 01.00 - 012.000 THRU 019.000 INCLUSIVE, 020.001
ENTRY LOT: 1	0900 - 250.00 - 03.00 - 021.000, 047.000 THRU 050.000 INCLUSIVE
ROAD LOTS: 2	0900 - 250.00 - 03.00 - 051.000 THRU 056.000 INCLUSIVE, 059.000, 011.000
O.S. LOTS: 20	0900 - 288.00 - 01.00 - 059.001, 060.000, 061.000
WORKFORCE HOUSING LOT: 1	0900 - 219.00 - 01.00 - 024.000 THRU 010.000 INCLUSIVE, 023.000, 024.000
ADMINISTRATION / MAINTENANCE LOT: 1	0900 - 250.00 - 03.00 - 021.000, 047.000 THRU 050.000 INCLUSIVE, 059.000, 011.000
SEWAGE TREATMENT PLANT LOT: 1	0900 - 288.00 - 01.00 - 059.001, 060.000, 061.000
SUFFOLK COUNTY WATER AUTHORITY LOT: 1	0900 - 219.00 - 01.00 - 024.000 THRU 010.000 INCLUSIVE, 023.000, 024.000
TOTAL NUMBER OF LOTS: 143	0900 - 220.00 - 01.00 - 007.000 THRU 012.000 INCLUSIVE, 014.001, 015.000 THRU 019.000 INCLUSIVE, 031.000, 033.000 THRU 036.000 INCLUSIVE, 038.000, 040.000, 042.000, 050.000, 058.000, 059.000, 060.000, 061.000, 062.000, 063.000, 064.000, 065.000, 066.000, 067.000, 068.000, 069.000, 070.000, 071.000, 072.000, 073.000, 074.000, 075.000, 076.000, 077.000, 078.000, 079.000, 080.000, 081.000, 082.000, 083.000, 084.000, 085.000, 086.000, 087.000, 088.000, 089.000, 090.000, 091.000, 092.000, 093.000, 094.000, 095.000, 096.000, 097.000, 098.000, 099.000, 100.000, 101.000, 102.000, 103.000, 104.000, 105.000, 106.000, 107.000, 108.000, 109.000, 110.000, 111.000, 112.000, 113.000, 114.000, 115.000, 116.000, 117.000, 118.000, 119.000, 120.000, 121.000, 122.000, 123.000, 124.000, 125.000, 126.000, 127.000, 128.000, 129.000, 130.000, 131.000, 132.000, 133.000, 134.000, 135.000, 136.000, 137.000, 138.000, 139.000, 140.000, 141.000, 142.000, 143.000, 144.000, 145.000, 146.000, 147.000, 148.000, 149.000, 150.000, 151.000, 152.000, 153.000, 154.000, 155.000, 156.000, 157.000, 158.000, 159.000, 160.000, 161.000, 162.000, 163.000, 164.000, 165.000, 166.000, 167.000, 168.000, 169.000, 170.000, 171.000, 172.000, 173.000, 174.000, 175.000, 176.000, 177.000, 178.000, 179.000, 180.000, 181.000, 182.000, 183.000, 184.000, 185.000, 186.000, 187.000, 188.000, 189.000, 190.000, 191.000, 192.000, 193.000, 194.000, 195.000, 196.000, 197.000, 198.000, 199.000, 200.000, 201.000, 202.000, 203.000, 204.000, 205.000, 206.000, 207.000, 208.000, 209.000, 210.000, 211.000, 212.000, 213.000, 214.000, 215.000, 216.000, 217.000, 218.000, 219.000, 220.000, 221.000, 222.000, 223.000, 224.000, 225.000, 226.000, 227.000, 228.000, 229.000, 230.000, 231.000, 232.000, 233.000, 234.000, 235.000, 236.000, 237.000, 238.000, 239.000, 240.000, 241.000, 242.000, 243.000, 244.000, 245.000, 246.000, 247.000, 248.000, 249.000, 250.000, 251.000, 252.000, 253.000, 254.000, 255.000, 256.000, 257.000, 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480.000, 481.000, 482.000, 483.000, 484.000, 485.000, 486.000, 487.000, 488.000, 489.000, 490.000, 491.000, 492.000, 493.000, 494.000, 495.000, 496.000, 497.000, 498.000, 499.000, 500.000, 501.000, 502.000, 503.000, 504.000, 505.000, 506.000, 507.000, 508.000, 509.000, 510.000, 511.000, 512.000, 513.000, 514.000, 515.000, 516.000, 517.000, 518.000, 519.000, 520.000, 521.000, 522.000, 523.000, 524.000, 525.000, 526.000, 527.000, 528.000, 529.000, 530.000, 531.000, 532.000, 533.000, 534.000, 535.000, 536.000, 537.000, 538.000, 539.000, 540.000, 541.000, 542.000, 543.000, 544.000, 545.000, 546.000, 547.000, 548.000, 549.000, 550.000, 551.000, 552.000, 553.000, 554.000, 555.000, 556.000, 557.000, 558.000, 559.000, 560.000, 561.000, 562.000, 563.000, 564.000, 565.000, 566.000, 567.000, 568.000, 569.000, 570.000, 571.000, 572.000, 573.000, 574.000, 575.000, 576.000, 577.000, 578.000, 579.000, 580.000, 581.000, 582.000, 583.000, 584.000, 585.000, 586.000, 587.000, 588.000, 589.000, 590.000, 591.000, 592.000, 593.000, 594.000, 595.000, 596.000, 597.000, 598.000, 599.000, 600.000, 601.000, 602.000, 603.000, 604.000, 605.000, 606.000, 607.000, 608.000, 609.000, 610.000, 611.000, 612.000, 613.000, 614.000, 615.000, 616.000, 617.000, 618.000, 619.000, 620.000, 621.000, 622.000, 623.000, 624.000, 625.000, 626.000, 627.000, 628.000, 629.000, 630.000, 631.000, 632.000, 633.000, 634.000, 635.000, 636.000, 637.000, 638.000, 639.000, 640.000, 641.000, 642.000, 643.000, 644.000, 645.000, 646.000, 647.000, 648.000, 649.000, 650.000, 651.000, 652.000, 653.000, 654.000, 655.000, 656.000, 657.000, 658.000, 659.000, 660.000, 661.000, 662.000, 663.000, 664.000, 665.000, 666.000, 667.000, 668.000, 669.000, 670.000, 671.000, 672.000, 673.000, 674.000, 675.000, 676.000, 677.000, 678.000, 679.000, 680.000, 681.000, 682.000, 683.000, 684.000, 685.000, 686.000, 687.000, 688.000, 689.000, 690.000, 691.000, 692.000, 693.000, 694.000, 695.000, 696.000, 697.000, 698.000, 699.000, 700.000, 701.000, 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SCHOOL DISTRICTS: EAST QUOGUE UFSD, RIVERHEAD CENTRAL SCHOOL DISTRICT, FIDERS FIRE DISTRICT AND RIVERHEAD POST OFFICE INCLUDES ONLY THE UNDEVELOPED OPEN SPACE PORTION OF THE PROJECT NORTH OF SUNSHINE HIGHWAY TO BE DEDICATED TO THE TOWN OF SOUTHAMPTON.

* RIVERHEAD CENTRAL SCHOOL DISTRICT, FLANDERS FIRE DISTRICT AND RIVERHEAD POST OFFICE INCLUDES ONLY THE UNDEVELOPED OPEN SPACE PORTION OF THE PROJECT NORTH OF SUNSHINE HIGHWAY TO BE DEDICATED TO THE TOWN OF SOUTHAMPTON.

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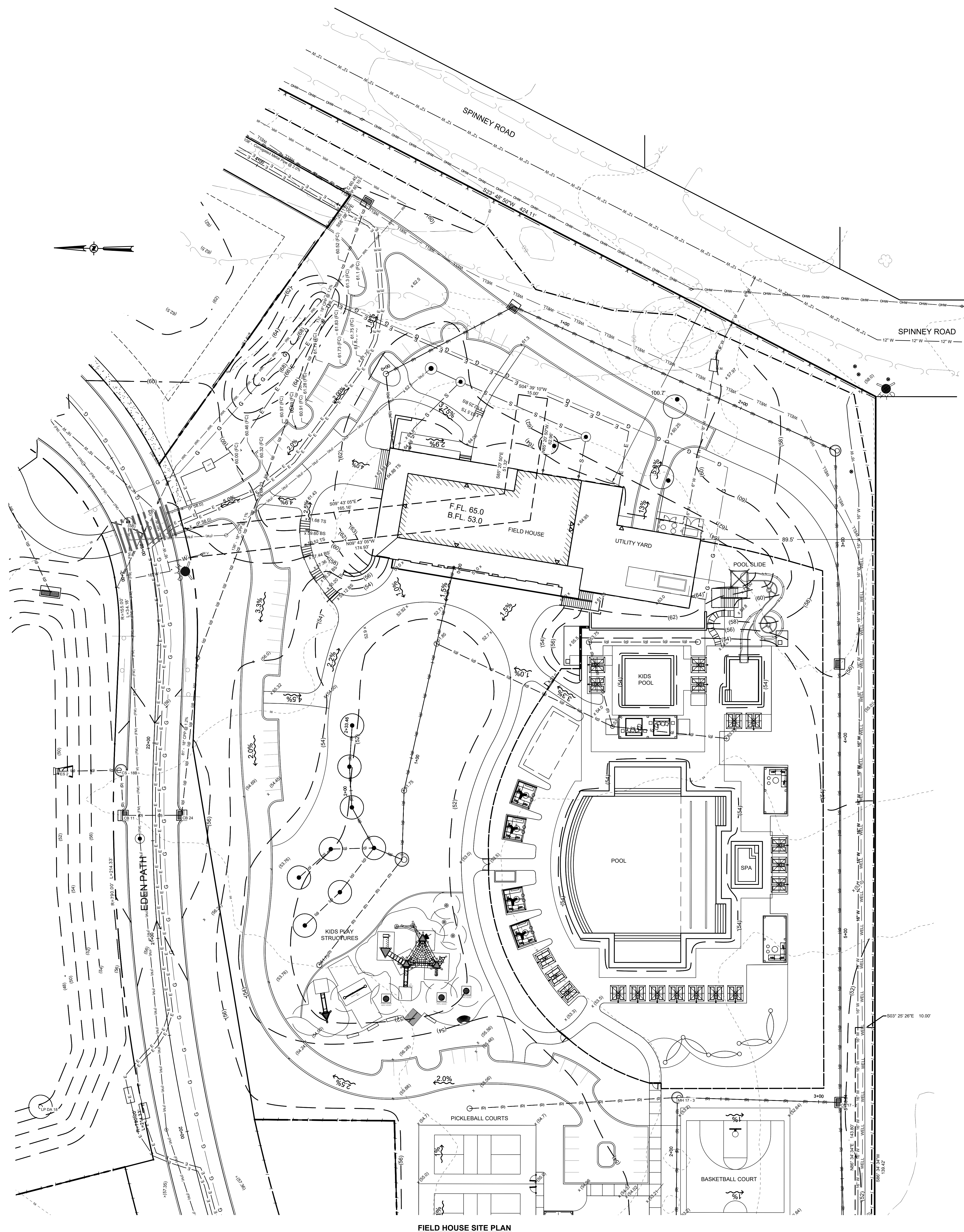
DATUM: N.A.V.D. 81

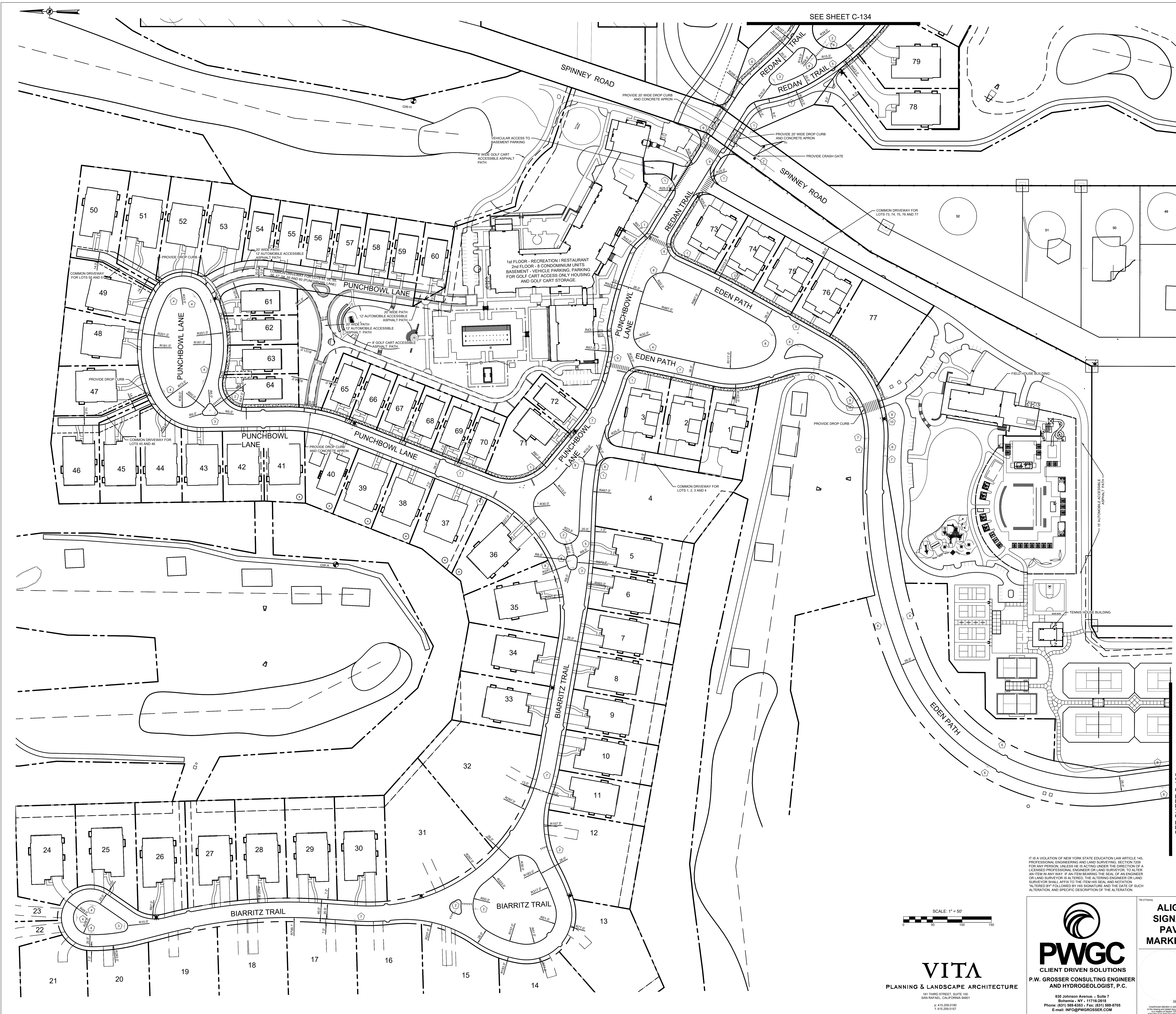
DR

181 THIRD STREET, SUITE 100
SAN RAFAEL, CALIFORNIA 94901
p: 415.259.0190
f: 415.259.0157

630 Johnson Avenue. • Suite 7
Bohemia, NY 11716-2618
Phone: (631) 589-6353 • Fax: (631) 589-8705
E-mail: INFO@PWGROSSER.COM

LEWIS ROAD
EAST QUOGUE, TOWN OF SOUTHAMPTON
SUFFOLK COUNTY

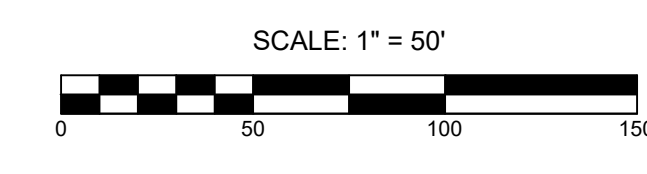




MARKING	DESCRIPTION
	DOTTED LINE (WHITE)
	DOTTED LINE (YELLOW)
	BROKEN LINE (WHITE)
	BROKEN LINE (YELLOW)
	FULL BARRIER (YELLOW)
	PARTIAL BARRIER (YELLOW)
	LANE LINE (WHITE)
	EDGE LINE (WHITE)
	EDGE LINE (YELLOW)
	CHANNELIZING (WHITE)
	CHANNELIZING (YELLOW)
	STOP LINE (WHITE)
	CROSSWALK (WHITE)
	THERMOPLASTIC REFLECTIVE PAVEMENT SYMBOLS (WHITE)
	THERMOPLASTIC REFLECTIVE PAVEMENT SYMBOLS (WHITE)
	CROSSHATCHING (WHITE)
	CROSSHATCHING (YELLOW)
	YIELD LINE (WHITE)

- SIGN LEGEND**
- NOTES
- ALL SIGNS SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (NYS MUTCD).
 - ALL SIGNS SHALL BE INSTALLED PRIOR TO RELEASE OF THE PERFORMANCE BOND FOR EACH APPLICABLE SECTION.
 - ALL SIGNS TO BE INSTALLED ON PUBLIC OR COMMON PROPERTY.
- ♦ DENOTES WARNING OR REGULATORY SIGN
♦ DENOTES STREET NAME SIGN ASSEMBLY

SIGN	NYS MUTCD	SIZE	SYMBOL
	R1-1	30" x 30"	1
	R1-2	30" x 30" x 30"	2
	R6-7	24" x 30"	3
	R5-1R	18" x 24"	4
	R5-1L	18" x 24"	5
	R7-3	24" x 30"	6
	NYR2-7	24" x 30"	7
	R5-1	30" x 30"	8
	R1-5L	24" x 24"	9
	R1-6	24" x 24"	10



VITA
PLANNING & LANDSCAPE ARCHITECTURE

181 THIRD STREET, SUITE 100
SAN RAFAEL, CALIFORNIA 94901
P: 415.259.0195
F: 415.259.0157

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 145, PROFESSIONAL ENGINEERING AND LAND SURVEYING, SECTION 7209 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED. THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND SPECIFIC DESCRIPTION OF THE ALTERATION.

DATE: N.A.V.D. 88

ALIGNMENT, SIGNAGE AND PAVEMENT MARKING PLAN 1

C-133

33 38

DLC2101

LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT (PRD)

LEWIS ROAD
EAST QUOGUE, TOWN OF SOUTHAMPTON
SUFFOLK COUNTY

October 31, 2024

Central Pine Barrens Commission
624 Old Riverhead Road
Westhampton Beach, NY 11978

Attention: Ms. Julie Hargrave

**Re: Lewis Road PRD - The Hills
East Quogue, New York**

Dear Ms. Hargrave:

Bohler Engineering NY, PLLC, on behalf of Discovery Land Company (DLC), has prepared this letter to summarize the changes associated with the on-site storm drainage plans associated with the proposed site plan changes. As further described in the narrative prepared by Hart Howerton Architects (HH), there are several proposed changes on the site plan. The largest proposed change is in the area of the previously approved sports courts area, see Figures 1 and 2 below which are excerpts of the previously approved site plans:

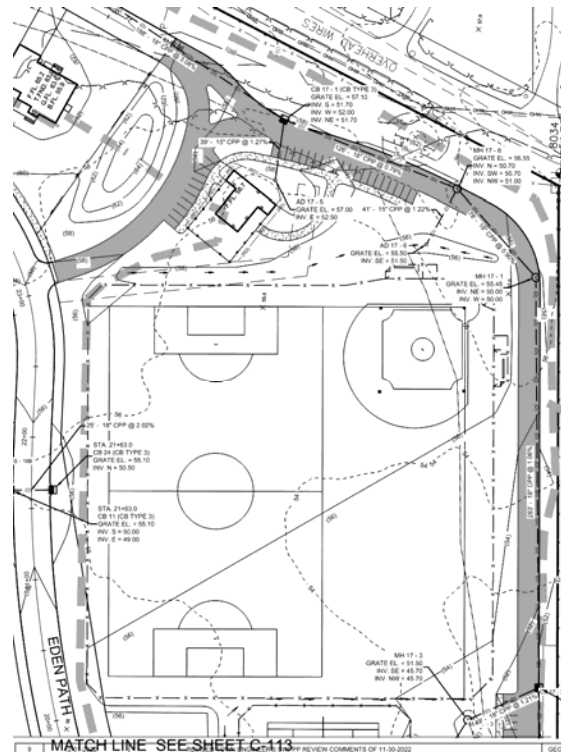


Figure 1 – Sheet C-110 – Approved Site Plan

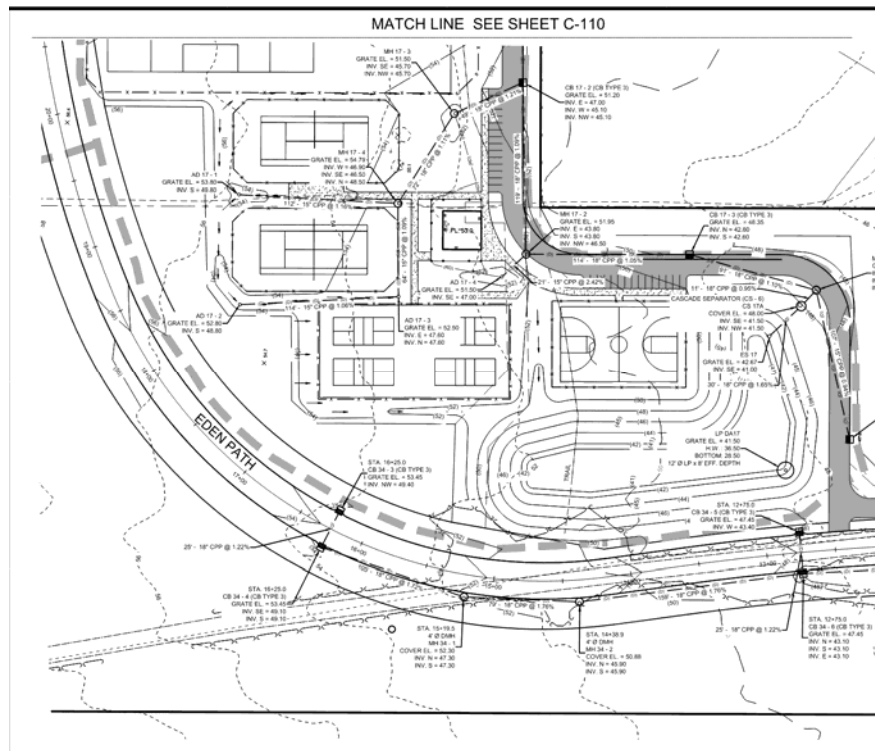


Figure 2 – Sheet C-113 – Approved Site Plan

The primary changes to this area include the following:

- Removal of the soccer/ballfield
- Replacement of the drainage reserve area with drywells
- Increase in the number of tennis courts
- Addition of two padel courts
- Expansion of the Fieldhouse
- Addition of swimming pools and playgrounds

The proposed changes are shown in Figure 3, below:

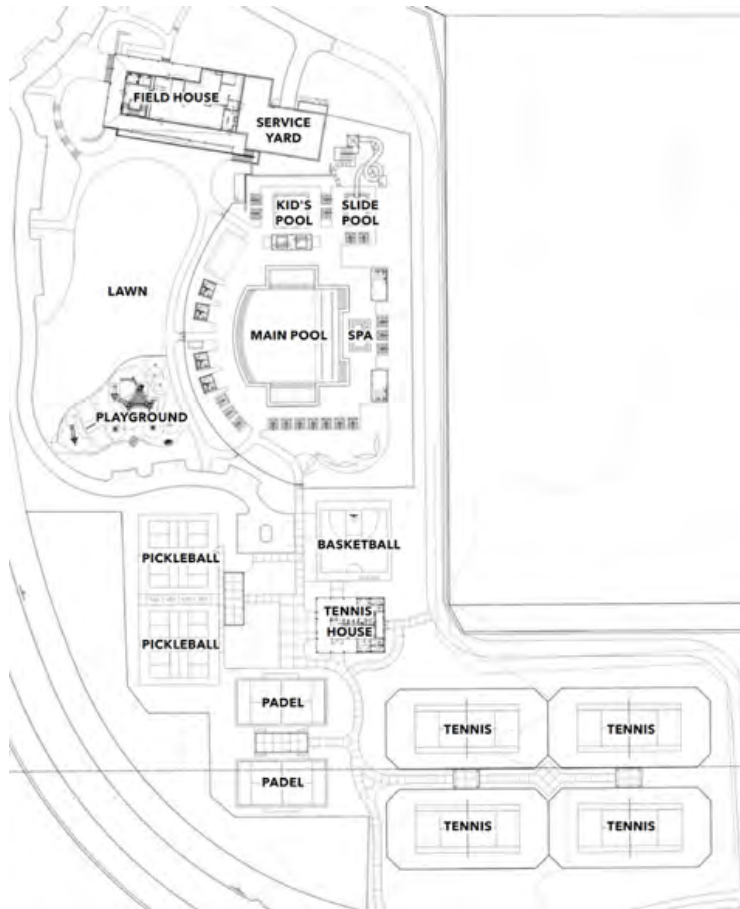


Figure 3 – Proposed Site Plan Amendment

As mentioned above the previously approved drainage reserve area, which was designed to accommodate stormwater generated from within this area has been replaced with subsurface drywells located throughout the area. The capacity of the drywells is in conformance with Town of Southampton requirements.

If you have any questions or wish to discuss this further, please don't hesitate to contact me.

Regards,

BOHLER ENGINEERING NY, PLLC

Bryan Grogan, P.E.
Director of Wastewater Engineering