

DRAFT ENVIRONMENTAL IMPACT STATEMENT

THE ENCLAVES

PROPOSED HOTEL AND RESTAURANT

56655 MAIN ROAD, HAMLET OF SOUTHOLD

TOWN OF SOUTHOLD, SUFFOLK COUNTY, NY

Lead Agency:

Town of Southold Zoning Board of Appeals
Town Annex /First Floor
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Southold, NY 11971
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April 2019

Revised October 2019

Date by which comments must be submitted: November 18, 2019

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Hamlet of Southold, Town of Southold
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EXECUTIVE SUMMARY

Introduction

This document is a Draft Environmental Impact Statement (DEIS) prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617 for the action contemplated herein, and is based upon the Final Scope issued by the Town of Southold Zoning Board of Appeals (the “ZBA”), as lead agency. This DEIS evaluates the potential adverse impacts associated with the proposed action, which consists of a hotel and restaurant (sit-down) to be located at 56655 Main Road (NYS Route 25) in the hamlet of Southold, Town of Southold, Suffolk County, New York, New York (the “subject property”) (see Figure 1 – *all figures are included in Appendix A*). The subject property is designated on the Suffolk County Tax Map as District 1000 - Section 63 - Block 3 - Lot 15 (see Figure 2 in Appendix A).

This DEIS evaluates the following issues, based on the Positive Declaration issued by the ZBA (see Appendix B):

- Soils and Topography
- Water Resources
- Ecological Resources
- Land Use, Zoning and Plans
- Transportation
- Aesthetic Resources and Community Character
- Noise and Odor
- Historic and Archaeological Resources
- Human Health and Safety

This Executive Summary is designed solely to provide an overview of the proposed action, a brief summary of the potential adverse impacts identified and mitigation measures proposed as well as alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed project performed in Sections 2.0 through 5.0 of this DEIS.

Description of the Proposed Project

The subject property is a 6.75±-acre parcel located on the north side of Main Road (NYS Route 25), approximately 90 feet west of the intersection of Main Road and Town Harbor Lane in hamlet of Southold, Town of Southold, and is identified as Suffolk County Tax Map No: District 1000 - Section 63 - Block 3 - Lot 15. A two-story, residential structure, a one-story detached garage and two sheds occupy the southeast portion of the site. The remainder of the property (approximately 6.62± acres) is undeveloped with land cover consisting of southern successional hardwood forests, successional old fields, and mowed lawns with trees. Surrounding land uses include commercial, retail, residential and transportation (Long Island Railroad) uses.

The proposed application includes the conversion of the existing residential structure, which was formerly a bed and breakfast, to a 74-seat restaurant and the development of a two-story, 40-unit hotel with four detached cottages and associated amenities (e.g., swimming pool and lounge areas) on the undeveloped portion of the subject property. As part of the proposed conversion for a restaurant use, the applicant is proposing to connect the existing residential structure to one of the existing adjacent sheds by way of a 519±-square foot (SF) addition, for a total gross floor area (post-conversion and expansion) of 3,806± SF (excluding the cellar of 524 SF). The remaining shed would be removed, while the existing one story detached garage would remain and used for storage. The proposed restaurant would include dedicated parking to the north and west of the building and would consist of 38 spaces, including two (2) ADA spaces. Adjacent to the existing residence is an on-site irrigation well that is proposed to remain and used for on-site irrigation purposes.

The proposed two-story hotel building would be situated in the rear of the subject property. The proposed L-shaped hotel building has a gross floor area of 61,200± SF and includes 40 rooms ranging in sizes between 500 SF and 540 SF. Four (4) detached cottages, each with an area of 594 SF, are proposed to the north of the hotel building. The proposed hotel would include associated appurtenances, including an outdoor, in-ground swimming pool, poolside cabanas, small decorative pond, and a dedicated parking area. Parking for the proposed hotel would be located to the north and west of the building and would consist for 96 spaces, including four (4) ADA spaces.

The proposed restaurant and hotel uses would operate year-round, with hours of operation consistent with these types of uses. The project sponsor anticipates hosting special events approximately eight to 12 times per year and such events would likely consist of weddings, fundraising events or other small private gatherings. It is envisioned that larger events would be hosted on the lawn area adjacent to a proposed pond and smaller events would be held in the hotel lounge space. Additional details on the hotel and restaurant operations are included in Section 1.4.2 of this DEIS.

Access to the proposed development would be via an existing curb cut to the east of the existing single-family residence, with egress via a new separate driveway on the west side of the residential structure or proposed restaurant. Dedicated parking for each use would be provided and the proposed parking would exceed the required number of spaces in the Town Zoning Code due to an anticipation of special events (e.g., weddings) on the subject property. Pursuant to §280-78 of the Town Zoning Code, the required parking for the proposed restaurant is 38 spaces. The proposed design includes a surface parking area designed for 38 spaces (27 paved and 11 grass paved); including 2 ADA spaces with an additional 2 grass overflow spaces provided. §280-78 of the Town Zoning Code requires 56 spaces for the proposed hotel. The proposed design includes a dedicated 96-space parking area, including four ADA spaces with an additional 24 grass spaces provided as overflow parking. The traffic and parking demands of special events were evaluated and included in Section 3.2 of this DEIS.

The proposed action also includes the construction of a sewage treatment plant (STP), which would be situated at the northern portion of the subject property. The proposed STP is designed with a 100% plant expansion area, and 100% leaching pool expansion area. The proposed STP control building would be 10 feet-by-23-feet.

Potential Impacts

Soils and Topography

The proposed action would result in the disturbance of soils for building foundations, in-ground swimming pool, decorative pond, drainage infrastructure, STP, utility installation, grading, paving, and landscaping. Based upon the preliminary site plan, the total land area to be disturbed is approximately 6.25 acres. The Soil Survey of Suffolk County indicates there to be few or no engineering limitations for the development of buildings, streets or parking lots, for the establishment of lawns or landscaping, and/or for sanitary disposal. Pursuant to on-site test borings, all soils below three feet will satisfactorily support foundation loads of two (2) tons per square foot and exhibit excellent drainage characteristics. Within the footprint of the proposed two-story hotel, all loam would be replaced with a clean inorganic granular material. It is expected that sand on-site can be used as such fill.

As part of the environmental review, both a Phase I and II Environmental Site Assessment (ESA) were performed. Pesticides and metals likely related to historical agricultural use were detected in shallow soils at the site. A Soil and Materials Management Plan (SMMP) was also prepared to address the identified impact, which included the following provisions/activities to be undertaken during development:

- Proper offsite disposal of excess surface soils generated during redevelopment;

-
- Impacted soils remaining onsite should be capped by impervious materials (e.g., concrete building slab, asphalt pavement) or clean fill material;
 - Vertical mixing of impacted surface soils by mechanically mixing them with cleaner soil found at greater depths;
 - On-site burial of impacted soils in excavated areas, depending on contaminant concentrations and the depth to groundwater or proximity to surface water, may be conducted; and
 - Landscape berms may be constructed on the property in undeveloped open areas of the property, such as in buffer areas. The landscape berms will require a one-foot cap of clean soil and a grass/sod or vegetation layer to act as a barrier to impacted soils.

As the site is relatively flat, the proposed action does not include the alteration of on-site slopes. Based on data provided by the project engineer, the grading program would result in an excess cut of approximately 236,642 cubic feet or 8,764 yards of material. The maximum depths of cut and fill would be 12 feet and two feet, respectively. Some of this material may be kept on-site for capping in areas that are not disturbed (e.g., buffer areas) or used in vertical mixing, or for fill on the site; however, a portion would need to be transported off-site during the construction period. Based on the preliminary site plan and design, it is estimated that approximately 6,044 cubic yards of material would be removed from the site. Based upon an estimated load of 20 cubic yards per construction vehicle, approximately six (6) construction vehicles per day over a period of two months would be expected (assumes six working days per week for eight weeks).

All excess soil would be characterized for disposal purposes. To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken:

- Access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed.
- Vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed.
- Erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.

Endpoint soil samples would also be collected after soil management measures are completed to determine whether surface soil concentrations of the trigger compounds are less than NYSDEC RRSCOs and PGSCOs which is the applicable maximum cleanup objectives for General Fill requirements.

During construction activities, there is the potential for erosion and sedimentation with prolonged soil exposure and fugitive dust during dry periods. A Sediment and Erosion Control Plan has been prepared and includes, at a minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles.

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. Given the above-described soil quality, dust from work activities could contain contaminants of concern. As such, there would be an on-site environmental technician during earth-moving and construction activities to monitor dust levels and take immediate action when necessary. The environmental technician would implement the dust control plan if there is any actual or potential visible dust. Dust suppression measures would be employed in accordance with the NYSDEC DER-10 Appendix 1B for Fugitive Dust and Particulate Monitoring. The primary sources of dust would be equipment, vehicular traffic, and construction activities on exposed soils.

Water Resources

Groundwater

Water supply is provided by the Suffolk County Water Authority (SCWA). There is an eight-inch water main on Main Road and a 3/4-inch water line to the existing residence. There is also an on-site irrigation well located to the east of the residential structure. As part of the proposed action, infrastructure improvements would be undertaken to service the proposed restaurant and hotel. Based upon the Suffolk County Department of Health Services (SCDHS) design flow factors, the projected volume of potable water for the proposed development is 8,820 gallons per day (gpd). A request for service availability was filed with the SCWA and service has been confirmed.

The estimated volume of irrigation water for the on-site lawn and select planted areas (of approximately 3.563 acres) is approximately 2,508,882± gallons for the irrigation season (mid-April to mid-October), or 96,496± gallons per week when averaged over the 26-week irrigation season. Irrigation water would be provided either by the existing irrigation well that previously serviced the historic agricultural use of the property or a new on-site irrigation well would be installed. The existing irrigation well would be evaluated during the design phase of the project to determine if it is viable for reuse. If the existing well is determined to be no longer viable, a new on-site irrigation well would be designed, permitted and installed as part of this project. The new well, if determined to be necessary, would be limited to a maximum yield of 45 gpm thus not requiring a Long Island Well Permit from the New York State Department of Environmental Conservation (NYSDEC).

Regarding sanitary waste, the maximum permitted sanitary flow for the utilization of individual subsurface sanitary systems (pursuant to Article 6 of the Suffolk County Sanitary Code) on the subject property is 4,050 gpd (6.75 acres x 600 gpd/acre = 4,050 gpd). The projected sanitary flow is 7,340 gpd. Accordingly, a sewage treatment plant is required for the proposed development. The overall design flow for the proposed STP includes the kitchen flow of 1,480 gpd associated with the proposed restaurant, which is based upon 20 gpd/seat for the proposed 74 seats. Adding this flow to the sanitary flow of 7,340 gpd yields a total design flow of 8,820 gpd.

The proposed STP would be situated in the northern portion of site and would be a Biologically Engineered Single Sludge Treatment (BESST) system. A control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space. Treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of four, 10-foot diameter-leaching pools with an approximate effective depth of 15 feet. Adequate space has been allocated for the 100% expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitoring groundwater impacts as part of the SPDES permit obtained for the STP. The proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen.

To better understand the impacts of the proposed development on nitrogen loading to groundwater, a nitrogen model was utilized. The particular model utilized was the BURBS model, developed at Cornell University by Hughes et al. (1985). Based upon the analysis of the BURB's model, the estimated amount of nitrogen leached from the proposed development is 278.91 pounds per year. This nitrogen loading represents a concentration of nitrogen of 3.29 mg/L associated with the proposed project and subject property. The 3.29 mg/L concentration is slightly over half of the targeted concentration from the *Long Island Comprehensive Waste Treatment Management Plan (208 Study)* which utilized a limit of 6 mg/L to establish allowable sanitary densities. This limit of 6 mg/L did not include fertilizer nitrogen loading in its analysis. While the nitrogen loading represents an increase from the existing conditions of 49.67 pounds per year, it is significantly less than the targets set forth in the *208 Study*, especially since the projected nitrogen concentration from the proposed development includes fertilizer nitrogen.

As a comparison, an as-of-right development was modelled. The as-of-right plan includes a development scenario that utilizes a conventional sanitary system in compliance with Article 6 density requirements. Based upon the analysis of the BURB's model, the estimated amount of nitrogen leached from an as-of-right development is 333.74 pounds per year. This loading represents an increase of 54.83 pounds per year over the proposed project.

Stormwater

The proposed stormwater drainage and recharge system consists of primarily catch basins, trench drains and drywells. The site would be graded to convey stormwater to inlet structures, such as catch basins, trench drains, or drywell grates. The overall capacity of the stormwater system has been designed to accommodate the two-inch rainfall event as required by the Town and drainage pools have been included for the proposed swimming pool and decorative pond. A SWPPP will be also developed. This plan requires the post-development peak runoff rates to not exceed the pre development peak runoff rates for a 100-year storm. Since all stormwater would be disposed of on-site and be filtered by the natural sands that are present, no additional stormwater treatment devices would be required or installed. The performance standards for a stormwater management control plan, as set forth in §236-18 of the Town Code, and consistency of the proposed plans therewith are evaluated in Section 2.2.2 of this DEIS.

Surface Water

The nearest permanent surface water body is Town Creek/Southold Harbor, located approximately 1,000 feet southwest of the subject property. Review of the NYSDEC Freshwater Wetlands Map and the National Wetlands Inventory indicates that there are no State or Federal wetlands are not present on the subject property. Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), the subject property is not located within the 100 or 500-year flood zone.

The proposed site plan includes a decorative pond located on the east side of the hotel, off the main lobby. The purpose of the proposed pond is to add a decorative element to the hotel and lawn area. The proposed pond would have a surface area approximately 2,900 SF and would be a maximum of 18-inches in depth. The pond walls would be constructed of concrete. Given the location of the pond, the foundation for the hotel would serve as the wall on the western side of the pond and a supplemental concrete wall would be built on the eastern side of the pond, to form the outline. The bottom and sides of the pond would likely be lined with an EDPM rubber, vinyl, PVC or similar liner. The pond would also likely require equipment, such as aerators, pumps and filters for water clarity. Aside from potential aerators, the equipment would be installed within the mechanical room of the hotel basement. Routine maintenance of the equipment, such as cleaning of filters, back washing, and repairs would be required and would likely be performed by an outside vendor or by trained hotel staff. Any potential filter backwash would be directed to one of the storm drains along with the overflow from the pond. With respect to the fish species in the pond, the pond would be professionally designed and stocked with Koi and Shubunkin Goldfish (both common for use in Long Island ponds and known to prey on Mosquito Larvae). Plant species would include a variety of ornamental pond plants, such as water lilies, water Hyacinths, and perimeter ornamental grasses, all of which would be designed by a professional pond designer.

Water Resources Plans

The water resources management plans that that pertain to the project site and relevant to the proposed land use are evaluated in Section 2.2 of this DEIS, including the *208 Study*, *Suffolk County Comprehensive Water Resources Management Plan*, *Peconic Estuary Comprehensive Conservation and Management Plan*, and the *Town of Southold Subwatersheds Management Plan*.

Ecological Resources

The proposed action would affect 5.49± acres of the successional forests and old fields currently present at the site. The proposed action would construct 2.991± acres (130,288± square feet) of buildings and impervious surfaces and 3.563± acres (155,218 square feet) of lawn and landscaping area resulting in the loss of 4.816 acres (96%) of successional southern hardwood forests and 0.676± acres (100.0%) of successional old fields. The acreage of impervious and man-made surfaces (i.e. roofs, driveways and parking, walkways, etc.) is proposed to increase from 0.10± acres to 2.99± acres and would then comprise 44.3% of the site. A narrow strip of southern successional hardwood forest area (approximately 0.2 acres) would be retained within the 25-ft rear yard setback located on the northern property boundary. The trees that are proposed to remain, along with their canopy, are shown as such on the proposed site plans. All trees proposed to remain would be protected with tree protecting fencing during construction to avoid disturbance.

The loss of early successional communities would result in decreased habitat availability for the plants, birds, and wildlife that utilize these habitats and a decrease in the abundance and diversity of the plant and wildlife species present. The proposed action would result in an increase of 2.68± acres of mowed lawn and landscaping including trees. The proposed landscaping consists of maintained turf grass with scattered deciduous trees, including red maple (*Acer rubrum* 'October Glory') and red flowering dogwood (*Cornus florida* var. *rubra*), and trimmed hedgerows comprised of privet (*Ligustrum ibolium*) and property boundary screening comprised of evergreen trees, i.e. Leyland cypress on 8 ft centers (*Cupressocyparis leylandii*), on the eastern and western property boundaries in areas where no existing trees are present. The proposed landscaping plantings do not include any species listed as invasive by the Long Island Invasive Species Management Area or included on Suffolk County's "No Sale/Transfer List."

Under the proposed conditions, human disturbance and activity would be substantially increased, the currently existing natural habitats would be lost, and remaining habitat would be limited to the mowed lawn areas and narrow strips of landscaping and border trees. These mowed lawns, landscaping, and hedgerows would not provide any significant ecological benefits due to the poor diversity and wildlife habitat provided by these areas. Accordingly, under the proposed conditions, only commonplace and commensal (i.e. tolerant of human activity) wildlife species would be expected on the site. Those species that are less tolerant of human activity, require greater habitat quality, habitat diversity, or larger patch sizes would not utilize the site under the proposed conditions. However, the resulting habitat loss and any subsequent reductions in local abundance of bird or wildlife species is not a significant adverse environmental impact as:

- Successional southern hardwood forests and successional old fields are classified by the New York Natural Heritage Program as "demonstrably secure" both in New York State and globally.
- The successional forests and old fields present at the site are not known to provide habitat for any endangered, threatened, or rare wildlife or plant species.
- The populations of the commonplace plant and wildlife species inhabiting the old fields and successional forests found at the subject property are largely considered abundant and stable.

No endangered, threatened, or rare species or significant ecological communities are known to be present on the subject site; accordingly, no impacts to endangered, threatened, or rare species or significant ecological communities shall result from the proposed action.

Land Use, Zoning and Plans

Upon implementation of the proposed action, the land use of the subject property would be altered from residential and vacant land, to a restaurant and small-scale hotel use. However, the existing residence on Main Road was formerly occupied and used as a bed and breakfast. This former B&B is proposed to be restored in a plan that has been reviewed and approved by the State Historic Preservation Office (NYS OPRHP) for re-use as a restaurant, which would service both the public as well as the proposed hotel. As part of the proposed

conversion for a restaurant use, the applicant is proposing to connect the existing residential structure to one of the existing adjacent sheds by way of a 519±-SF addition, for a total gross floor area (post-conversion and expansion) of 3,806± SF (excluding the cellar of 524 SF). The remaining shed would be removed, while the existing one-story detached garage would remain and used for storage.

The proposed hotel is a two-story, L-shaped building situated in the rear of the subject property. The proposed gross floor area is 61,200 SF (lower level = 9,891 SF; first floor = 28,933 SF; second floor = 22,376 SF) and includes 40 rooms, ranging in sizes between 500 SF and 540 SF. Four (4) detached cottages, each with an area of 594 SF, are proposed to the north of the hotel building. Situated between the hotel and cottages is an outdoor swimming pool with cabanas and seating areas.

Pursuant to information provided by the Town of Southold Board of Assessors, the proposed development is projected to generate approximately \$123,482 dollars in total tax revenue. The proposed restaurant and hotel uses are projected to generate approximately 10 and 43 employees, respectively, for a total of 53 jobs. These projected jobs would include food preparation and service, housekeeping, maintenance, and managerial positions, among others.

The subject property is located within the HB zoning district of the Town of Southold. Pursuant to § 280-45A (8) of the Zoning Code, the proposed restaurant is a permitted use. Section 280-45(B) sets forth land uses that are permitted in the HB zoning district by special exception by the Board of Appeals. Relevant to the proposed application, §280-45B (2) permits by special exception, “Motel and hotel uses as set forth in and regulated by § 280-35B (4) of the Resort Residential (RR) District, except that minimum lot size shall be three acres.” Section 280-35B (4) also includes the following requirements for motel and hotel uses:

- (b) The maximum number of guest units shall be:
 - [1] One unit per 6,000 square feet of land without public water or sewer.
 - [2] One unit per 4,000 square feet of land with public water and sewer.
- (c) No music, entertainment or loudspeaker system shall be audible from beyond the property line.
- (d) The maximum size of a guest unit shall be 600 square feet.

As evaluated in Section 3.1.2 of this DEIS, the proposed site plan complies with the bulk and dimensional requirements for uses within the HB zoning district, as well as the RR District use restrictions for the proposed hotel. The proposed hotel requires a special exception use permit from the ZBA. Sections 280-142 and 280-143 of the Town Code set forth general standards as well as matters to be considered when issuing said permit. A consistency analysis of the proposed action with the general standards and matters to be considered is included in Section 3.1.2 of this DEIS.

The land use plans that pertain to the project site and relevant to the proposed land use are described in Section 3.1.2 of this DEIS, including the *2005 Town of Southold Hamlet Study*; *Scenic Southold Corridor Management Plan*; *Long Island North Shore Heritage Area Management Plan*; and the *Town of Southold Local Waterfront Revitalization Program*.

Transportation

A Traffic Impact Study (TIS) was prepared for the proposed development and based on such analyses, it has been concluded that the adjacent highway and street system would be able to accommodate the proposed development. Although there would be a minimal increase in traffic from the proposed development (Weekday AM Peak Hour: 29 trips [18 entering/11 exiting], Weekday PM Peak Hour: 39 trips [23 entering/16 exiting], and Saturday Peak Hour: 46 trips [26 entering/20 exiting]), the proposed development would not cause a significant adverse impact on traffic conditions. In summary, as excerpted from the Traffic Impact Study:

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- The proposed access plan has been designed to adequately provide for the projected traffic entering and exiting the access driveway so as to assure the public safety and to minimize traffic congestion.
 - The highest site-generated traffic for the proposed development can be expected to occur during a Saturday peak hour when an estimated 46 new vehicle trips per hour will be generated (26 in and 20 out). During the weekday A.M. peak hour, the site-generated volumes are anticipated to be 29 new vehicle trips per hour (18 in and 11 out). During the weekday P.M. peak hour, trip generation at the site will be lower when the site-generated traffic is expected to be 39 new vehicle trips per hour (23 in and 16 out).
 - The intersection capacity analyses indicate that the new traffic generated by the proposed development can be accommodated with minimal traffic impact to the surrounding highway and street network.
 - The capacity analysis indicate that the two proposed access points would operate at Level of Service “C” or better at all times, with the exception of during the Saturday peak hour of traffic when it would operate at Level of Service D due to the heavy traffic flows that exist on Main Road. The Level of Service D at the site exit driveway is a better Level of Service than found at any of the adjacent study intersections and should be considered adequate considering the proposed driveway’s location on a heavily traveled State highway.
 - The results of study capacity analysis indicate that particularly during the weekday AM and PM peak hours of traffic the study intersections work well and the completed project will have no significant impact on traffic operations. Movements at all intersections work at Level of Service “C” or better during both the AM and PM peak hours of traffic.
 - During the Saturday peak hours the study intersections indicate that side street delay accessing or crossing Main Road (Route 25) is high, resulting in Levels of Service of “F” at Boisseau Avenue, “E” at Locust Lane, “D” at the 7-Eleven Driveway and “E” at Town Harbor Lane. Despite the higher delays evidenced at the study intersections, the addition of traffic from the proposed project does not result in any adverse changes in intersection operating Levels of Service and minor increases in intersection movement delay of 5 seconds or less, which would not be noticeable.
 - In the vicinity of the proposed site access driveways, Main Road (Route 25) is essentially flat and there are no appreciable horizontal curves. As a result, no geometric sight distance restrictions exist in the vicinity of either of the proposed site access driveways.
 - Geometrics are not always the limiting factor with regard to sight distance and the presence of parked vehicles on the north side of Main Road (Route 25) could reduce sight distance by blocking visibility. For this reason it is recommended that parking be prohibited on the north side of Main Road along the entire site frontage. This will allow vehicles exiting the site to have sufficient sight distance to the east. Due to the positioning of the adjacent residential driveway to the west and the location of the eastbound Main Road travel lane a further distance from the exit driveway, site distance to the west will be adequate without further parking restrictions
 - It is expected that the proposed development would not lead to an undue increase of the rate of accidents in the study area given the proposed roadway improvements and access plan.
 - The parking layout provides a total of 123 paved parking spaces (of which four are reserved for handicapped patrons). The Town of Southold Code requires the provision of 38 parking spaces for the proposed restaurant and 56 parking spaces for the proposed 44-unit hotel, for a total requirement of 94 spaces, 29 more than required. In addition, 37 unpaved parking spaces would be provided on site

in order to accommodate parking overflow, should it occur, during special events. Hence, the number of parking spaces provided on the site plan would be adequate to accommodate parking demand on the site.

- It is anticipated that 8-to-12 special events would be held on site each year. Events may include weddings, fundraisers or community events. The size of these events could range between 200 and 250 guests. Special Permits from the Town would be required. The results of the intersection capacity analysis indicate that special events at the proposed hotel would have little traffic impact on traffic moving along Route 25 through the study intersections. Side streets such as Boisseau Avenue, Locust Lane, and Town Harbor Lane would experience some additional delay accessing Main Road (Route 25) during the short time periods when special event traffic arrives and departs.
- The largest vehicle permitted would be a typical 16-passenger shuttle van that commonly services hotels and motels. The geometrics would permit these vehicles and they can be accommodated in the some of the on-site parking spaces, which permit over-hang of the vehicle behind the curb and over the lawn area. Larger vehicles, such as buses or extreme length limousines would not be permitted.
- Due to the excellent patrol coverage of the police and the proximity of the firehouse, it should be recognized that excellent emergency services are available to service the site.
- Suffolk County Transit provides bus service on Main Road (Route 25) in the vicinity of the site by way of the S92 bus line. This service line has the potential to reduce vehicular traffic to and from the site.

Given the proposed operation of the site and the proposed access configuration, and based on the analysis performed, the proposed development would not cause any significant adverse impacts to traffic flow or safety in the vicinity of the site. Furthermore, the proposed on-site parking would accommodate the demands of the restaurant and hotel operations, as well as special events.

Aesthetic Resources and Community Character

The proposed project includes the conversion of the existing residential structure located on the southern portion of the property (visible from NYS Route 25 / Main Road) into a 74-seat sit-down restaurant and two-story, 40-unit hotel with four detached cottages and associated amenities (e.g., pool and lounge areas). The reuse of the existing residential structure would preserve and reinforce the existing character of the hamlet of Southold, while the proposed height of the new hotel building (i.e., two-stories / 32.9 feet) is consistent with existing development height in the Hamlet Center.

The existing residence on Main Road, which was formerly The Hedges Bed and Breakfast, is proposed to be restored in a plan that has been reviewed and approved by the State Historic Preservation Office (NYS OPRHP). Behind the restaurant and its supporting parking area, there will be a substantial hedgerow. The proposed hotel would be discreetly hidden behind this hedgerow, thus minimizing the viewshed changes from Main Road. As indicated in the photo-simulations provided in Figures 18 and 19 in Appendix A, the only portion of the hotel building that would be visible from Main Road is the Period-style stone “barn” which anchors the southeast corner of the building and is 2-1/2 stories high with a Ludowici clay tile roof and local stone veneer.

The existing residential structure would be preserved and renovated, such that its existing architectural style and the built character it reflects as part of the hamlet of Southold would be maintained and enhanced. The proposed design includes a creative re-use of the residential structure, while maintaining important design elements that contribute to the locality. The proposed hotel building would reflect the scale of the existing buildings at the subject property and surrounding community (i.e., low density, one- and two-story structures). The design intent was a small-scale, boutique-style hotel, with limited footprint, such that it would complement the surrounding hamlet.

The proposed landscape design for the site also considers the adjoining properties as well as maintaining select vegetation on the property for privacy and for the enhancement of the views both on and from off-site. The proposed planting of substantial and mature plantings along the eastern and western property lines would provide effective screening for the properties to the east and west. Specifically, the proposed trees at planting would be 14-to-16-feet along the east side and eight-to-10-feet along the west side, both single and double row. The proposed planting would occur early in the construction process to provide additional time for growth during the overall 18-to-22 month construction period. From the southernmost residence (shown in Figure 20 in Appendix A), only a portion of the hotel roofline would be visible. Views of the project site from the residential properties to the north thereof would be screened by the proposed vegetation (shown in Figures 21, 22 and 23 in Appendix A). Accordingly, the proposed landscape effectively minimizes the visual changes from the neighboring properties.

In accordance with Section 172-7 G. (1), the proposed lighting would not include high-intensity discharge, including metal halide, or any high-pressure or low-pressure sodium lamps or fixture types. As indicated on the Site Lighting and Details Plan in Appendix C, the proposed plan includes 10-foot lamp poles along the internal driveway and within the parking areas. Each lamp pole would include a shielded LED fixture such that all light would be directed downwards with no upward glare. Furthermore, a photometric analysis was performed, which indicates that there would be no off-site lighting impacts from any of the proposed light poles. The proposed building fixtures would include fixed lighting and to mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting). The proposed lighting would comply with the lighting standards set forth in §172-5, and would be subject to the review and approval of the Town of Southold Building Department.

The proposed signage has not yet been developed for the proposed project; however, the project architect would design signage that is consistent and in character with the surrounding commercial land uses. All signage would also comply with Southold Code.

While the proposed project would change the land use character of the subject property from one residence to a mixed-commercial use, the proposed project is consistent with various local and state comprehensive planning documents relevant to the hamlet and Town of Southold and the larger region regarding preservation of existing historic character of the area (see Section 3.1.2 of this DEIS for a comprehensive evaluation of the proposed project's consistency with underlying regulatory frameworks and comprehensive planning documents instituted to protect and maintain the historic and traditional character of the locality and region). As such, it is anticipated community character under the proposed action would be enhanced, as the proposed project would situate new land uses complimentary to the hamlet center while meeting various local and regional planning goals.

Noise and Odor

Noise

A noise survey and analysis were prepared to evaluate the potential noise impacts of the proposed action. As part of the analysis, the ambient (existing) noise levels on the subject property and at various off-site receiver locations were taken. The projected impacts of the proposed development were then assessed and the need for mitigation measures were determined.

As part of the noise analysis, SoundSense modeled the expected change in sound level at the four receivers of interest based on the expected increase in traffic, as documented in the TIS. Location 1 was selected in order to characterize the existing ambient sound pressure levels at the front of the property and characterize the acoustic environment at the street and to the nearby commercial receivers. Locations 2, 3 and 4 characterize the acoustic conditions in the rear of the existing on-site residence and commercial businesses. The measured sound levels were found to be typical of a residential area nearby a busy roadway. The sound levels at Location

1, which are representative of the acoustic environment at the commercial and residential receivers on Route 25, are dominated by the traffic sounds on Main Road/Route 25.

Under the Build Condition, only one condition is expected to result in an exceedance of the 3 dB threshold for potential acoustic impact. This would occur only for the expected worst-case L90 value at Location 1 during a Special Event at the subject property, which is expected to take place only 8-12 times per year. All other conditions at all receivers result in a differential of less than or equal to 3 dB, which represents an unnoticeable change in the sound levels at these receivers, and therefore is expected to have no acoustic environmental impact on the receivers. Based on this analysis, implementation of the proposed action would not result in significant adverse impacts to the nearby residential and commercial receivers. The noise analysis also evaluated typical on-site activities and no significant adverse impacts are expected.

The sound levels during special events and their impact on neighboring receivers were also evaluated and without mitigation, were determined to have a noticeable effect. With mitigation, the acoustic impact can be reduced significantly to the extent that a disturbance would not occur. Such mitigation can include the installation of a temporary acoustic barrier during special events to reduce the sound levels at the neighboring residential receivers. This acoustic barrier can be placed along the eastern edge of the event, should it occur on the lawn in front of the hotel, and can be movable to optimize the location and the efficiency of the barrier. This acoustic barrier could include a typical fence that is construction-lined with an acoustic material, making full contact with the ground.

Alternatively, if an event is held within a tent on the property, an acoustic barrier can be incorporated into the side of the tent facing the residential properties to the east. Additionally, if an event is held at the pool area of the proposed hotel, the building itself would act as an acoustic barrier between the event and the residential receivers. Furthermore, a limiter would be implemented on the sound reproduction system to ensure that the requirements of the Town of Southold Noise Code are met for the amplified sound during these events. Implementation of the recommended mitigation measures would be expected to reduce noise levels to the extent that no significant adverse impacts to the neighboring properties would occur.

Regarding construction-related noise, acoustic barriers can be utilized during the construction period to minimize the impact of the construction activities on the surrounding residential and commercial receivers. The requirements of these barriers would be calculated once the construction plan for the proposed action is completed and the expected sound levels of the necessary equipment is known.

Odor

The potential for odors to be generated from the on-site wastewater treatment and disposal are addressed in the design of the overall system. To prevent odors from trash receptacle areas, trash pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures. The potential for odors from the restaurant would be controlled through industry-methods for proper exhaust hoods, grease collection, and ventilation. The design of such systems would be performed during kitchen design. As such, because the proposed restaurant would include exhaust and ventilation systems, it is not expected that this use would result in any nuisance odors. Based on the above, the proposed action is not expected to generate any odors that would adversely impact the surrounding area.

Historic and Archaeological Resources

A Resource Evaluation prepared by OPRHP dated December 21, 2017 (copy included in Appendix K), the subject property includes one structure, the Lester Albertson House (56655 Mains Road) that is eligible for listing on the State and National Registers of Historic Places. Regarding archaeological resources, the subject property is located within a larger archaeologically sensitive area, as published on the OPRHP Cultural

Resource Information System at <https://cris.parks.ny.gov>. However, during the application process for this proposed action, the Town of Southold consultants contacted OPRHP and in correspondence dated December 28, 2017, OPRHP advised that they have no archeological concerns. OPRHP requested additional information on the proposed renovations to the existing residential structure. In response to the above, details regarding the proposed renovation and re-use were provided and OPRHP issued a No Adverse impact determination for a design that required select changes on February 19, 2019. Such changes have been made to the proposed design and represented in the plans included in Appendix D. As such, implementation of the proposed action would not result in any significant adverse impacts to cultural resources.

Human Health and Safety

Both a Phase I ESA and Phase II ESA were prepared in August 2018 and November 2018, respectively. Based on the findings of the Phase II ESA, PWGC prepared a soil management plan (SMMP) to address pesticides and metals that were detected in shallow soils at the site. In summary, the impacted soils can be handled by one or all of the following methods:

1. Vertical mixing of impacted and un-impacted materials;
2. Placement of impacted soils below impervious areas, such as parking lots or buildings;
3. Capping of impacted areas with one foot of clean fill; and/or
4. Proper off-site disposal.

By utilizing the first three methods, the impacted materials would remain on site, which reduces the possibility of off-site contamination and also reduces the overall amount of soils requiring off-site disposal. In addition to the mitigation of the soils, the SMMP discusses the measures needed to monitor and control dust associated with the clearing, grading and excavation work on the site. These measures include dust monitoring, reporting during construction activities and the implementation of dust control measures, such as water spraying. A SWPPP would also be developed for the proposed project, which will address dust control measures, construction entrances, proper soil stockpiling, and temporary soil stabilization measures. With the implementation of the above-measures, the potential for human health and safety impacts would be properly mitigated.

Emergency Service Providers

Police Protection

Correspondence was sent to Chief Martin Flatley of the Southold Town Police Department on December 6, 2018 and a response is pending. As part of the traffic analysis, Dunn Engineering Associates evaluated the existing emergency services, including police protection. As indicated in the TIS, the availability of police protection near the proposed site is excellent noting that numerous Southold Town Police patrols travel past the site on a daily basis. It is noted that the proposed land uses, i.e., a sit-down restaurant and a 44-room boutique hotel, are not expected to result in an undue demand for police assistance. Pursuant to information provided by the Town of Southold Board of Assessors, the projected tax generation from the proposed development to Southold Town is \$28,888 annually. Overall, the proposed development is not expected to adversely impact the local police department; however, upon receipt of a response, the project sponsor would respond to any recommendations should they be offered by the Southold Town Police Department.

Fire and Ambulance Service

Correspondence was sent to Chief Craig Goldsmith of the Southold Fire District on December 6, 2018 and a response is pending. As part of the traffic analysis, Dunn Engineering Associates evaluated the existing emergency services, including fire and ambulance services. As indicated in the TIS, the availability of emergency services near the proposed site is excellent. The Southold Fire District, which provides both fire

and emergency ambulance service, has its headquarters located at 55135 Main Road (Route 25), less than one-quarter mile to the west of the subject property. The proximity of the firehouse is a benefit to the subject property in terms of service availability. It is noted that the proposed land uses, i.e., a sit-down restaurant and a 44-room boutique hotel, are not expected to result in an undue demand for fire protection or EMT assistance. Pursuant to information provided by the Town of Southold Board of Assessors, the projected tax generation from the proposed development to Southold Fire District is approximately \$5,783 annually. Overall, the proposed development is not expected to adversely impact the local fire district; however, upon receipt of a response, the project sponsor would respond to any recommendations should they be offered by the Southold Fire District.

Proposed Mitigation Measures

Soils and Topography

- The grading program would result in an excess cut of approximately 236,642 cubic feet or 8,764 yards of material. Some of this material (approximately 2,720 cubic yards) may be kept on-site for capping in areas that are not disturbed (e.g., buffer areas), or used in vertical mixing or for on-site fill; however, the majority would be transported off-site during the construction period. All excess soil would be characterized for disposal purposes. Soil wastes would be transported to permitted off-site disposal facilities in accordance with NYSDEC Part 360. Other soils, if determined to have a beneficial use, will be transported to other appropriate sites in accordance with NYSDEC Part 360.
- To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken: (1) access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed; (2) vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed; and (3) erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.
- Erosion and sedimentation controls will be undertaken prior to and during construction and would include, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. All erosion and sediment control measures will be routinely inspected and maintained such that no sediment would be transported off-site.
- Dust from work activities could contain contaminants of concern. The on-site environmental technician will monitor dust levels and take immediate action when necessary. The environmental technician will implement the dust control plan if there is any actual or potential visible dust. Dust suppression measures will be employed in accordance with the NYSDEC DER-10 Appendix 1B for Fugitive Dust and Particulate Monitoring. The primary sources of dust will be equipment, vehicular traffic, and construction activities on exposed soils.
- If there is dust or the potential for dust in areas of concern, the environmental technician will direct that the area be wet down. Calcium chloride may be used if the problem cannot be controlled with water. Dust control measures may include the following methods and, as good practice, can also be implemented at times when dust monitoring is not being conducted to prevent the migration of non-impacted dust off-site, as well as potentially impacted dust:

- Water applied to designated work areas prior to any clearing, mixing, or other earth moving operations.
- At a minimum, water will be applied to all disturbed work areas at least four times per day during dry weather periods.
- The disturbed areas will be sprayed down at the end of each day to form a thin crust. This is in addition to the required minimum of four times per day.
- No earth moving activities will be performed if the wind at the site steadily exceeds 15 miles per hour.
- All unpaved haul roads and equipment paths will be watered on a sufficient basis to prevent dust emissions. An alternative to frequent watering may be to pour a 4-inch thick layer of gravel.
- Transportation of soils on-site will be performed in a covered vehicle, or the soils must be sufficiently watered to prevent dust emissions.
- Vehicle speeds must not exceed 10 miles per hour and the site must be posted with speed signs.
- Parking areas shall be designated and will be sufficiently watered or gravel lined to prevent dust emissions.

Water Resources

- The proposed action includes the construction of a STP to accommodate all sanitary waste from the development. The proposed BESST system has demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Adequate space has also been allocated for the 100% expansion of the treatment plant and leaching pools in accordance with SCDHS requirements. Groundwater monitoring wells would also be installed both upstream and downstream of the effluent disposal system to monitoring groundwater quality. Additionally, as required by the SPDES permit a full time operator will be present each day to make process adjustments to ensure the performance of the STP is optimized.
- The proposed action includes the installation of a stormwater management system that would contain and recharge stormwater from a two-inch rain event, in accordance with Town Code. The proposed stormwater management controls include both structural infiltration (drywells and catch basins) and non-structural methods (pervious pavement and expansive lawn areas for infiltration).
- The proposed Sediment and Erosion Control Plan includes, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. Prior to construction, a SWPPP will be prepared, which will address additional items during construction such as concrete washout areas, temporary stabilization, and erosion and sediment maintenance and inspection procedures.
- All irrigation would be supplied from an existing on-site irrigation well or a new well so as to not increase the demand on the SCWA public water system supply during peak consumption periods. The proposed project will utilize a smart irrigation control system to reduce or eliminate the use of the irrigation system during periods of rain. The on-site irrigation well also has the ability to function as a fertigation system, depending upon the overall concentration of nitrogen in the groundwater. If the groundwater contains 5.18 mg/L as indicated in the SCWA Annual Water Quality Report coupled with the irrigation rate of approximately 2,508,882 gallons, approximately 108 lbs. /year of nitrogen could be removed from the groundwater. This nitrogen laden irrigation water would then be used to irrigate the landscaped areas allowing some of the nitrogen to be utilized by the landscaped areas. This could potentially reduce the overall need for supplemental fertilizers on the site. Also, drought tolerant plantings will be used to promote conservation and compliance with the SCWA Water Conservation Plan.
- All landscaped area will be professionally maintained, including fertilizer and pesticide applications. The landscaped areas shall be cared for in an organic manner at first with the use of specific approved

pesticides only in the event that organic treatment methods are not sufficient. Pesticides shall be applied only to impacted areas and in accordance with manufacturer recommendations to reduce the impact on the environment.

Ecological Resources

- Existing trees will be retained within the 25-ft rear yard setback area and the 10-ft side yard setback area to contribute to boundary screening for adjacent properties and provide, to a limited extent, habitat benefits to wildlife associated with native trees. The existing tree species that will be incorporated into the site landscaping plan include native trees such as eastern red cedar (*Juniperus virginiana*), black cherry (*Prunus serotina*), box elder (*Acer negundo*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), scarlet oak (*Quercus coccinea*), and invasive or non-native trees such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), and white mulberry (*Morus alba*).
- All trees to remain would be protected from disturbance during construction with protective fencing.
- The proposed landscaping plantings do not include any species listed as invasive by the Long Island Invasive Species Management Area (www.liisma.org) or included on Suffolk County’s “No Sale/Transfer List” (Suffolk County Local Law No. 22-2007, Adopted 6-26-2007).
- The clear-cutting of trees will occur during the winter months (between November 1 and March 31) in accordance with NYSDEC recommendations to avoid any potential take of northern long-eared bat (*Myotis septentrionalis*), a species listed as threatened by both the US Fish and Wildlife Service and New York State. Winter clearing of the successional forests will also minimize potential impacts to breeding wildlife and birds.

Land Use, Zoning and Plans

- The proposed action considers the historic significance of the existing residential structure and would maintain this structure while adapting for a new use. The existing residential building would be preserved and renovated, such that its existing architectural style and the built character it reflects as part of the hamlet of Southold would be maintained and enhanced. The proposed hotel building would reflect the existing scale of existing buildings at the subject property and surrounding community (i.e., low density, one- and two-story structures).
- The provision of overflow parking in the proposed site plan ensures that any special event that takes place on the property would not impact surrounding roadways or properties with “spillover” parking.
- The proposed landscaping plan for the subject property will create a visually pleasing setting within the site interior, while views from the roadway and surrounding properties would be largely obscured. The proposed plan includes retaining select trees, grass seeding and the planting of native species and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides. The proposed plan considers recommended native and acceptable ornamentals from regulatory and advisory organizations and boards, including the NYSDEC, CCE, and the Suffolk County Water and Land Invasives Advisory Board.
- The proposed planting of substantial and mature trees on the eastern and western property lines would provide early effective screening. It is also proposed to plant early in the construction process to provide additional time for growth.

- To mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting).

Transportation

- The traffic study concludes that the surrounding transportation network would be able to accommodate increased traffic volumes associated with the proposed development, including the restaurant and hotel uses, with no significant adverse traffic or parking impacts. In order to maximize the sight distance available to vehicles exiting the site, the traffic study recommended that parking be restricted on the north side of Main Road (NYS Route 25) along the entire frontage of the site. Other than this recommendation, no further mitigation is proposed.

Aesthetic Resources and Community Character

- No significant adverse impacts to visual resources and community character and anticipated as part of the proposed project. Publicly accessible views of the property would remain largely consistent with existing conditions, as the existing residential structure would be maintained as part of the project, while the proposed hotel use would be largely hidden by the existing residential structure and proposed landscaping. Further, the proposed project would be consistent with and meet the goals of regulatory development and planning frameworks (e.g., zoning and local / regional comprehensive planning documents) such that community character under the proposed project would be preserved and enhanced.

Noise and Odors

- Based on extensive acoustic readings and related analysis, mitigation measures are not necessary to address the airborne sound levels due to the proposed action, as the analysis of the expected sound levels has revealed that there is no impact expected for the nearby commercial and residential receivers during typical operation of the proposed restaurant and hotel.
- During special events, the following mitigation measures are proposed to address the potential increase in noise levels during special events:
 - A temporary acoustic barrier will be used during special events to reduce the sound levels at the neighboring residential receivers. This acoustic barrier can be placed along the eastern edge of the event, should it occur on the lawn in front of the hotel, and can be movable to optimize the location and the efficiency of the barrier. This acoustic barrier could include a typical fence that is construction-lined with an acoustic material, making full contact with the ground. The required height of the barrier would vary depending on the location and can be calculated for maximum efficacy depending on the type and location of the event.
 - If an event is held within a tent on the property, an acoustic barrier can be incorporated into the side of the tent facing the residential properties to the east.
 - A limiter would be implemented on the sound reproduction system to ensure that the requirements of the Town of Southold Noise Code are met for the amplified sound during these events.
 - Special events would only occur between 6pm to 10pm on Fridays, 2pm to 11pm on Saturdays and 2pm to 6pm on Sundays. As such, no events are expected to occur during the periods of time for which the nighttime noise code limit of 50 dBA would apply. Moreover, at no location is the sound level due

to special events expected to violate the 65 dBA limit set by the Town of Southold Noise Code for daytime sound levels, which is the only time special events are expected to occur.

- Regarding odors, the proposed STP will be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen. All trash will be stored in covered bins and trash pick-ups will be scheduled to eliminate wastes being held for a long duration. Restaurant odors will be controlled through industry-methods for proper exhaust hoods, grease collection, and ventilation.

Historic and Archaeological Resources

The proposed renovations to the residence for its reuse as a restaurant includes design mitigation that considered OPRHP's comments from December 28, 2017 and has resulted in a No Adverse Impact determination from OPRHP. Specifically, the following design considerations maintain the historic significance of the structure, while also restoring particular elements:

- The Portico will be fully restored to its existing configuration and detail, as will the door surround. The actual door will be custom made to replicate an appropriate period door, complete with an exposed Mortise box type lock. In addition, the sidelights will be custom fabricated to replicate what was originally there with float glass, and putty muntin bars.
- The bathroom/bar area has been configured to maintain the rear window in its current location.
- The roofline of the proposed addition to the north of the "ell" has been configured to clearly differentiate it from that of the existing "ell."
- The existing historic windows and door on the west elevation will be retained and restored to their original vintage retaining the original float glass.
- Many of the interior elements will be maintained and/or replicated, including: the structural beams on the interior which will be left as dropped headers and exposed; the existing bay window, as well as the door and window trims, will be replicated, as required, due to existing damage; and a new stair case will be installed, but the design would incorporate the Newel Post into the design.

Human Health and Safety

- All excess soil would be characterized for disposal purposes. Soil wastes would be transported to permitted off-site disposal facilities in accordance with NYSDEC Part 360. Other soils, if determined to have a beneficial use, will be transported to other appropriate sites in accordance with NYSDEC Part 360.
- To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken: (1) access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed; (2) vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed; and (3) erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.
- Dust from work activities could contain contaminants of concern. The on-site environmental technician will monitor dust levels and implement a dust control plan if there is any actual or potential visible dust.

- The proposed development is not expected to adversely impact the local police department or fire district; however, upon receipt of responses from the Southold Town Police Department and Southold Fire District, the project sponsor would respond to any recommendations should they be offered by either or both agencies.
- Prior to renovation and conversion of the existing house, an ACM survey would be performed. If ACM is identified, same would be removed in accordance with prevailing regulations.
- The existing on-site sewage disposal system, which current services the single-family residence will be abandoned in place in accordance with SCDHS regulations. The structures will be pumped and cleaned prior to abandonment.
- The existing 275-gallon above ground fuel oil tanks were noted in the Phase I ESA as being empty and currently out of service as the residence is currently heated with natural gas. The tanks will be cleaned and removed in accordance with applicable regulations as part of the overall project.

Alternatives and Their Anticipated Impacts

Alternative 1: No-Action Alternative

The No-Action alternative involves leaving the site as it currently remains, absent the proposed action and the continuation of the site for residential use. The No-Action alternative would not result in any changes to traffic patterns, the current noise environment, community services, or utilities provided (e.g., water usage, sanitary discharge, and electrical usage). There would be no changes to the visual quality of the site, or the character of the community. The projected job generation, increased tax revenue and secondary economic benefits of a proposed hotel in the hamlet center would not be realized. Overall, the subject property is a privately owned, 6.75-acre parcel situated within the HB zoning district of the Town of Southold. The No-Action alternative does not achieve the objectives of the project sponsor.

Alternative 2: Permitted-Use (As-of-Right) Plan

The Permitted-Use (As-of-Right) Alternate Plan (see Appendix M) would include the conversion of the existing residence to a 74-seat restaurant use (similar to the proposed action) and the construction of a one-story, 30,650 SF non-medical office building. The non-medical office building would be situated in the rear of the subject property, in a similar location to the proposed hotel building with surface parking surrounding the building. The As-of-Right Plan includes dedicated on-site parking for each land use, including 38 spaces for the restaurant and 309 paved spaces for the office building. The area of impervious surface would be increased by 3.875± acres, while the area of lawn and landscaping would also increase by 1.36± acres (from 0.936± acre to 2.295± acres).

Permits and Approvals Required

A Special Exception Use Permit is required from the ZBA for the hotel use and Site Plan review and approval is required from the Town Planning Board for the overall project. The proposed application is also subject to permits and approvals from the Suffolk County Department of Health Services (SCDHS) (Article 6 Permit), New York State Department of Transportation (NYSDOT) (Highway Work Permit) and the New York State Department of Environmental Conservation (NYSDEC) (sewage discharge permit and State Pollution Discharge Elimination System [SPDES] permit). The Suffolk County Planning Commission (SCPC) has General Municipal Law Section 239-m planning review authority over the proposed action.

1.0 DESCRIPTION OF PROPOSED ACTION

1.1 Project Location and Site Conditions

1.1.1 General Description of Subject Property

The subject property is a 6.75±-acre parcel located on the north side of Main Road (NYS Route 25), approximately 90 feet west of the intersection of Main Road and Town Harbor Lane in hamlet of Southold, Town of Southold (see Figure 1 in Appendix A), and is identified as Suffolk County Tax Map No: District 1000 - Section 63 - Block 3 - Lot 15 (see Figure 2 in Appendix A). A two-story, residential structure, a one-story detached garage and two sheds occupy the southeast portion of the site. The remainder of the property (approximately 6.62± acres) is undeveloped with land cover consisting of southern successional hardwood forests, successional old fields, and mowed lawns with trees. Surrounding land uses include commercial, retail and residential uses.

1.1.2 Site and Surrounding Land Use and Zoning

The existing on-site development is limited to a two-story, single-family residence with accessory structures (detached garage and two sheds). It is noted that the existing residence used to be the “Hedges Bed and Breakfast” and is now used for residential purpose. The majority of the site, approximately 6.62± acres, is undeveloped and consists of land cover associated with the former agricultural use, maintained lawn and landscaping, as well as successional woodland. The land uses within a 500-foot radius surrounding the subject property include a mixture of retail, commercial, single-family and transportation (Long Island Railroad) (see Figure 15 in Appendix A). A description of the land uses follows.

- West – Situated at the eastern portion of the Hamlet Center, the land uses to the west of the subject property are comprised primarily of retail and commercial uses along the Main Road corridor. Adjacent to the property is a hair salon followed by florist. Beyond these uses include various retail and commercial uses including a bakery, grocery store, and automobile sales. A boat storage yard adjoins the western property line beyond the Main Road frontage, followed by commercial and residential uses to the west thereof.
- East - Residential properties adjoin the property line to the east, and extend from Main Road north to the LIRR tracks. Beyond are primarily residential uses with limited commercial uses, including a sit-down restaurant along Main Road, portions of which are outside of the designated Hamlet Center. Agricultural uses exist to the northeast of the property.
- South – Directly south of the subject property on Main Road is a convenience store. An antique store is located southeast (also on Main Road) followed by residential uses beyond. To the south-southwest is a dry cleaner and small mixed-use building with professional offices, chocolatier, and pet grooming. Further beyond, off the Main Road corridor are residential uses.
- North - The Long Island Railroad runs parallel to the northern property line. Further north and east are residential and agricultural-use properties.

The subject property is located within the Hamlet Business (HB) zoning district of the Town of Southold (see Figure 16 in Appendix A). The prevailing zoning to the north and east is R-80 - Residential Low-Density (2-Acre) (R-80) and R-40 - Residential Low-Density (1-Acre) (R-40), as land uses transition from commercial/business to residential. Further north, beyond the R-80 and R-40, is an area within the AHD - Affordable Housing District. To the south of the subject property, there is a limited area on the Main Road corridor zoned B - General Business, followed by R-40, consistent with the transition to residential land uses. To the west of the subject property are HB-zoned properties, as well as LI - Light Industrial zoning along the LIRR. Overall, as described above, the land uses are generally consistent with the zoning designations.

1.2 Project Design and Layout

1.2.1 Description of the Proposed Project

The proposed application includes the conversion of the existing single-family residence to a 74-seat restaurant and the development of a two-story, 40-unit hotel building with four detached cottages and associated amenities (e.g., swimming pool and lounge areas) on the undeveloped portion of the subject property. The proposed site development plans, as prepared by P.W. Grosser Consulting Engineer & Hydrogeologist, PC (hereinafter, referred to as “PWGC”) are included in Appendix C of this DEIS. The proposed floor plans and elevations, as prepared by Andrew V. Giambertone & Associates, Architects, P.C. (hereinafter, referred to as “AVG” or the “project architect”) are included in Appendix D of this DEIS.

As part of the proposed conversion for a restaurant use, the applicant is proposing to connect the existing residential structure to one of the existing adjacent sheds by way of a 519±-square foot (SF) addition, for a total gross floor area (post-conversion and expansion) of 3,806± SF (excluding the cellar of 524 SF). The remaining shed would be removed, while the existing detached garage would be used for storage. The proposed restaurant would include dedicated parking to the north and west of the building and would consist of 38 spaces, including two (2) ADA spaces.

The proposed two-story hotel building would be situated in the rear of the subject property. The proposed L-shaped hotel building has a gross floor area of 61,200± SF and includes 40 rooms ranging in sizes between 500 SF and 540 SF. Four (4) detached cottages, each with an area of 594 SF, are proposed to the north of the hotel building. The proposed hotel would include associated appurtenances, including an outdoor, in-ground swimming pool, poolside cabanas, small decorative pond, and a dedicated parking area. Parking for the proposed hotel would be located to the north and west of the building and would consist for 96 spaces, including four (4) ADA spaces.

Access to the proposed development would be via an existing curb cut to the east of the existing residence, with egress via a separate driveway to be constructed on the west side of the proposed restaurant.

1.2.2 Proposed Structures

The existing two-story, residence would be converted to a restaurant use. As part of the proposed conversion for a restaurant use, the applicant is proposing to connect the existing residential structure to one of the existing adjacent sheds by way of a 519±-SF addition, for a total gross floor area (post-conversion and expansion) of 3,806± SF (excluding the cellar of 524 SF). The remaining second shed would be removed, while the existing detached garage would remain and used for storage. The proposed restaurant maintains the same setbacks as the existing residence as the proposed addition is to connect an existing shed to the structure. The front yard setback for the existing structure is 17'-2", with a 97'-10" side yard to the west and 49'-7" side yard to the eastern property line.

Pursuant to a Resource Evaluation prepared by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) dated December 21, 2017, the residential structure has been determined eligible for inclusion on the State and National Registers of Historic Places (see Appendix K). The proposed design of the restaurant includes retaining many of the historic elements of the building, while also considering certain period elements where spaces are to be adapted for the new restaurant use (see Section 3.5.2). OPRHP reviewed the design and issued a No Impact determination in correspondence dated February 19, 2019 (see Appendix K).

The proposed hotel is a two-story, L-shaped building situated in the rear of the subject property. The proposed gross floor area is 61,200± SF (Lower Level = 9,891± SF; First Floor = 28,933± SF; Second Floor = 22,376± SF) and includes 40 rooms, ranging in sizes between 500 SF and 540 SF. Four (4) detached cottages, each with an area of 594 SF, are proposed to the north of the hotel building. Situated between the hotel and cottages is an outdoor swimming pool with cabanas and seating areas. A guest-only spa is also being considered within the hotel as an added amenity. The proposed hotel has a finished floor elevation of 32.0 feet (ft.). The L-shaped building maintains a 32' side yard to the east, 48'-8" side yard to the west, 223'-1" front yard and 218'-1" rear yard setback. Cottage 4 is the closest of the four cottages to the rear property line, at a distance of 153'-10".

The preliminary site plan also incorporates a large green space between the hotel and restaurant to serve as an art display area available for local artists. The project sponsor envisions locally crafted sculptures on the lawn area, combined with a proposed reflection pond. Interior artwork on display would highlight the history of Southold and the east end of Long Island. This exterior space is also envisioned for special events, such as weddings, approximately 8-to-12 times per year.

1.2.3 Site Access, Circulation and Parking

Site access is proposed to be provided via the existing driveway located on the east side of the residence (proposed restaurant) and a new curb cut for site egress is proposed on the west side of the current residence (proposed restaurant). Upon entry to the subject property, vehicles destined for the restaurant would proceed either directly to a parking area to the north or west of the proposed restaurant or, at peak times, to a valet station.

Vehicles destined for the hotel would proceed along a proposed internal driveway, with two turnabouts provided as both traffic calming and visually-appealing elements to the design, to an access driveway along the west side of the subject property. Guests can proceed directly to the surface

parking area located along the west side of the property and north of the proposed hotel. Guests can also proceed to a check-in valet station.

Dedicated parking for each use would be provided and the proposed parking would exceed the required number of spaces in the Town Zoning Code due to an anticipation of special events (e.g., weddings) on the subject property. Pursuant to §280-78 of the Town Zoning Code, the required parking for the proposed restaurant is 1 space per 3 seats or 1 space per 100 square feet of floor space, whichever is greater. If using seats, the parking requirement is 24.6 spaces (i.e., 74 seats/3); whereas if area is used (i.e., 3,806 SF), the parking requirement increases to 38 spaces. As such, the proposed design includes a surface parking area designed for 38 spaces (27 paved and 11 grass paved), including two ADA spaces. Two grass overflow spaces have also been provided.

Pursuant to §280-78 of the Town Zoning Code, the required parking is one space for each guest room and one for each employee or one space per guest room, whichever is greater. Based upon these requirements, the proposed 44-unit hotel with 12 employees would require 56 spaces. The proposed design includes a dedicated 96-space parking area, including four ADA spaces. An additional 24 grass spaces are also provided as overflow parking.

Table 1 – Parking Summary for the Proposed Action

<u>Restaurant Parking</u> 1 per 100 SF floor area	<u>Spaces Required</u> 38 spaces (2 ADA incl.)	<u>Spaces Provided</u> 38 paved spaces (2 ADA incl.) plus 2 grass overflow spaces
<u>Total Restaurant Parking Provided:</u> 27 paved spaces (2 ADA incl.) and 13 grass paved spaces: 40 total		
<u>Hotel Parking</u> 1/employee (12) +1/unit (44)	<u>Spaces Required</u> 56 spaces (2 ADA incl.)	<u>Spaces Provided</u> 96 paved spaces (4 ADA) plus 24 grass overflow spaces
<u>Total Hotel Parking Provided:</u> 96 Paved Spaces (4 ADA incl.), 24 Grass Paved Spaces: 120 Total		

The Traffic Impact Study, as included in Appendix I and discussed in Section 3.2 of this DEIS, evaluates the potential traffic impacts and parking impacts associated with the proposed uses as well as special events at the hotel.

1.2.4 Site Clearing

Upon implementation of the proposed action, the land cover type would be modified. The current site conditions include approximately 5.69 acres of naturally vegetated areas, including Successional Southern Hardwoods and Successional Old Field vegetation. The remaining 1.06± acres are comprised

of mowed lawn with trees and the residential structure with accessory garage and sheds. Based upon the Proposed Site Plan (see Appendix C), the area of impervious surfaces would increase by 2.866± acres and the area of lawn and landscaping would increase by 2.627± acres. The remaining 0.2± acre would include the select areas of Successional Southern Hardwoods to remain. The table below provides a summary of the existing and post-development conditions.

Table 2 – Site Data for Existing and Post-Development Conditions

Land Use/Cover Type	Existing	Post-Development	Change
Impervious Surfaces	0.125 ac	2.991 ac (130,288± SF)	+2.866 ac
Lawn/Landscaping	0.936 ac	3.563 ac (155,204± SF)*	+2.627 ac
Successional Southern Hardwoods	5.016 ac	0.2 ac (8,712± SF)	- 4.816 ac
Successional Old Field Vegetation	0.676 ac	0	- 0.676 ac
Total	6.75 ac (294,204± SF)	6.75 ac (294,204± SF)	

*Includes decorative pond with surface area of approximately 2,900 SF.

1.2.5 Site Landscaping and Lighting

Site Landscaping

The proposed action includes a landscaping plan that consists of retaining select trees, grass seeding and the planting of native and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides. The proposed plan considers recommended native and acceptable ornamentals from regulatory and advisory organizations and boards, including the New York State Department of Environmental Conservation (NYSDEC), Cornell Cooperative Extension Suffolk County (CCE), and the Suffolk County Water and Land Invasives Advisory Board.

As indicated on the Proposed Landscape Plan and Details (see Appendix C), the proposed landscaping consists of maintained turf grass with scattered deciduous trees, including red maple (*Acer rubrum* ‘October Glory’) and red flowering dogwood (*Cornus florida var. rubra*), as well as trimmed hedgerows comprised of privet (*Ligustrum ibolium*). Property boundary screening comprised of evergreen trees, including Leyland cypress on 8 ft centers (*Cupressocyparis leylandii*) is also proposed on the eastern and western property boundaries in areas where no existing trees are present. The use of Leyland cypress would provide natural privacy screening with the adjoining properties. Within the areas of the proposed swimming pool and the hotel cottages, the proposed landscaping includes Northern privet (*Ligustrum x. ibolium*). Northern Privet is also proposed along the northern edge of the east-west internal roadway for a vegetative separation of the restaurant and hotel uses.

Within the 25-ft rear yard setback area, approximately 13, six-to-eight inch DBH eastern red cedar (*Juniperus virginiana*) and eight-to-14 inch DBH black cherry trees (*Prunus serotina*) trees would be retained. Several red maple (*Acer rubrum*) trees would be planted in and adjacent to this natural area to vegetate areas currently without trees. Some native trees present on the site would also be retained

within the 10-ft side yard setbacks. The 10-ft side yard setbacks located in the northern portion of the property include eight-to-16 inch diameter black cherry trees that would be incorporated into the site's landscaping plan. Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), scarlet oak (*Quercus coccinea*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), and white mulberry (*Morus alba*), located in the southwestern corner of the property would be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking. The trees that are proposed to remain, along with their canopy, are shown as such on the proposed site plans. All trees proposed to remain would be protected with tree protecting fencing during construction to avoid disturbance. Overall, the proposed development would comply with the Town Zoning Code, Article XX. Landscaping, Screening and Buffer Regulations. Further discussion of the proposed planting plan is included in Section 3.1.2 of this DEIS.

Site Lighting

The proposed site lighting would consist of light poles and building fixtures. In accordance with Section 172-7 G. (1), the proposed lighting would not include high-intensity discharge, including metal halide, or any high-pressure or low-pressure sodium lamps or fixture types. As indicated on the Site Lighting and Details Plan in Appendix C, the proposed plan includes 10-foot lamp poles along the internal driveway and within the parking areas. Each lamp pole would include a shielded LED fixture such that all light would be directed downwards with no upward glare. A photometric analysis of each proposed pole was performed and is illustrated on the Site Lighting and Details Plan. As indicated in the photometric analysis, there would be no off-site lighting impacts from any of the light poles proposed. Regarding building fixtures, fixed lighting would be installed on the proposed hotel building and restaurant. To mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting). The proposed lighting would comply with the lighting standards set forth in §172-5, and would be subject to the review and approval of the Town of Southold Building Department.

1.2.6 Grading and Drainage

Grading

Based on data provided by the project engineer, the grading program would result in an excess cut of approximately 236,642 cubic feet or 8,764 yards of material. The maximum depths of cut and fill would be 12 feet and two (2) feet, respectively. Some of this material (approximately 2,720 cubic yards) may be kept on-site for capping purposes in areas that are not disturbed (e.g., buffer areas), or used in vertical mixing or for on-site fill; however, the majority would be transported off-site during the construction period. Based on the preliminary site plan and design, it is estimated that approximately 6,044 cubic yards of material would be removed from the site. Based upon an estimated load of 20 cubic yards per construction vehicle, approximately six (6) construction vehicles over a period of two months would be expected. As the subject property is relatively flat, the proposed action does not include the modifications of slopes.

Drainage

The subject property is currently without a stormwater management system. Precipitation that falls on the site infiltrates downward through soils (except that portion which is subject to evapotranspiration) or flows along the land surface downslope in a direction perpendicular to the topographic contours of the property and adjacent lands. As the proposed action would alter land cover such that the impervious surface area would increase by 2.866± acres, there would be a resultant increase in stormwater generation. The proposed action includes a comprehensive stormwater management plan consisting of drainage catch basins and subsurface leaching pools to accommodate all stormwater on the subject property. As indicated in the Proposed Site Drainage and Grading Plan (see Appendix C), the proposed drainage system is designed to contain a two-inch rainfall, pursuant to the requirements set forth in Chapter 236 (Stormwater Management) of the Town Code. Further discussion of the proposed stormwater management plan is included in Section 2.2.2 of this DEIS.

1.2.7 Sanitary Wastewater Disposal and Water Supply

Sanitary Wastewater Disposal

Article 6 of the Suffolk County Sanitary Code (SCSC) regulates sewage disposal for realty subdivisions, development and other construction projects for the protection of water resources. To limit nitrogen loading in various groundwater management zones, Article 6 sets forth population density equivalents. The subject property is located within Groundwater Management Zone IV. Pursuant to Article 6 of the SCSC, the maximum permitted sanitary discharge to individual sewerage systems is 600 gallons per day per acre, and when exceeded, a community sewage system method of disposal is required. Based on a site area of 6.75± acres, the maximum permitted sanitary discharge for the subject site, using individual on-site sanitary systems, is 4,050± gallons per day (gpd). Based on the SCDHS design flow factors for the proposed development (see calculations below), the proposed sanitary density flow is 7,340 gpd. Accordingly, an on-site sewage treatment system is required. The proposed STP would accommodate the projected sanitary load, as well as the kitchen load from the proposed restaurant. As indicated below, the proposed STP design flow is 8,820 gpd.

Allowable Sanitary Density Flow: (600 gpd/acre) x (6.75 acres) = 4,050 gpd

Projected Sanitary Density Flow¹:

- Restaurant: 74 seat restaurant x 10 gpd/seat (density load) = 740 gpd
- Hotel: 44 unit hotel x 150 gpd/unit = 6,600 gpd

Total Projected Sanitary Density Flow: 7,340 gpd

Proposed Sewage Treatment Plan Design:

74 seat restaurant x 10 gpd/seat (density load) = 740 gpd

¹ Suffolk County Department of Health Services Division of Environmental Quality, *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single-Family Residences*. For “Restaurant (full service or single services > 16 seats),” density load is 10 gpd/seat and kitchen load is 20 gpd/seat. For “Motel/Hotel unit > 400 sq.ft. gross floor area w/o kitchenette,” density load is 150 gpd/unit.

74 seat restaurant x 20 gpd/seat (kitchen load) = 1,480 gpd
44 unit hotel x 150 gpd/unit = 6,600 gpd

Total Proposed STP Design Flow: 8,820 gpd

The proposed STP would be situated at the northern portion of the subject property and is designed with a 100% plant expansion area, and 100% leaching pool expansion area. The proposed STP control building would be 10 feet-by-23-feet.

The proposed STP would be a package unit from Purestream, specifically the Biologically Engineered Single Sludge Treatment (BESST) system. The packaged unit is fabricated from 316l grade stainless steel and is provided with integral hatches, which cover the entire treatment unit. The treatment unit is typically buried, such that only six to eight inches of the tank are above grade. This prevents any debris and/or stormwater from entering the treatment system.

In addition to the treatment units, a control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space. Treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of four, 10-foot diameter-leaching pools with an approximate effective depth of 15 feet. Adequate space has been allocated for the 100% expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitoring groundwater impacts as part of the SPDES permit obtained for the STP.

Further discussion of the proposed STP is included in Section 2.2.2 of this DEIS.

Water Supply

Water supply is provided by the Suffolk County Water Authority (SCWA). There is an eight-inch water main on Main Road and a 3/4-inch water line to the existing residence. There is also an on-site irrigation well located to the east of the residential structure. As part of the proposed action, infrastructure improvements would be undertaken to service the proposed restaurant and hotel. Based upon the SCDHS design flow factors set forth above, the projected volume of potable water for the proposed development is 8,820 gpd. A request for service availability was filed with the SCWA and service has been confirmed (see correspondence in Appendix K).

The proposed development includes the installation of an irrigation system. Based on an industry-standard of one-inch of water per week when estimating water usage, the estimated volume of irrigation water for the on-site lawn and select planted areas (of approximately 3.563 acres) is approximately 2,508,882± gallons for the irrigation season (mid-April to mid-October), or 96,496± gallons per week when averaged over the 26-week irrigation season. However, with the proposed planting plan, it is expected that watering needs would be reduced. It is proposed to use the existing on-site well to meet the irrigation demand. If the existing well is found not to be a viable option,, a new irrigation well of a yield less than 45 gallons per minute (gpm) would be installed on the subject property. Further discussion of the potable and irrigation water demands and infrastructure are included in Section 2.2.2 of this DEIS.

1.2.8 Utilities

The proposed development includes connections for natural gas supply and electricity. The proposed design would include the installation of high efficiency boilers capable of nearly 98 percent efficiency. The proposed hotel building would consist of heavy thermally broken panels of glass and insulated with art spray foam insulation to not only provide a thermal blanket but also to mitigate air leakage throughout the buildings. The project sponsor is currently investigating the potential for solar energy for the hotel building with the installation of photovoltaic panels mounted on the flat roof areas, which would offer the potential of a “co-generation” system, where excess electricity generated by these panels can either be stored in batteries on site or sold back to PSEG by agreement. Consultations have been undertaken with PSEG Long Island and National Grid and service availability letters are pending. It is expected that both service providers would supply the necessary resources without adverse impact to the supply systems.

1.2.9 Solid Waste Generation and Management

Solid waste from the proposed development would be collected and disposed of by a licensed private carter. Based upon factors of two (2.0) pounds per meal per day for the restaurant use and three (3.0) pounds per unit for the proposed hotel,² it is estimated that the proposed development would generate approximately 11.01± tons per month of solid waste.

Table 3 - Solid Waste Generation

Proposed Use	Factor (lbs./day)	Use Calculation	Use Total (Lbs./Day)	Use Total (Tons/Month)
Restaurant	2.0 lb./meal/day	74 seats x 4 meals per seat per day ^[1]	592	9.0 ^[2]
Hotel (First Class)	3.0 lb./unit/day	44 units x 3.0 lbs./day	132	2.01 ^[3]
			724 lbs./day	11.01 tons/month
^[1] Assumes 100 percent occupancy for two meals during lunch and two meals during dinner ^[2] Restaurant: 592 lbs./day x 365 days/12 months = 18,006 lbs. per month ÷ 2,000 lbs./ton ^[3] Hotel: 132 lbs./day x 365 days / 12 months = 4,015 lbs. per month ÷ 2,000 lbs./ton				

Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. As part of the proposed project, best management practices for reduction in solid waste generation and product selection would be incorporated into the business plans. Such practices would include, but not be limited to, sustainable product selection, utilizing highly concentrated cleaning supplies and refillable dispensers for soaps, lotions, etc. to eliminate bottle

² Nemerow, N.L., Agardy, F.J., Sullivan, P. & Salvato, J.A. *Environmental Engineering, Sixth Edition. Environmental Health and Safety for Municipal Infrastructure, Land Use and Planning, and Industry.* 2009.

waste, and requesting that suppliers reduce excess packaging on delivered products (see Section 4.5 of this DEIS).

All trash enclosures (i.e., central dumpster areas for the restaurant and hotel) would be screened with vegetation and pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures. Overall, no significant adverse impacts associated with solid waste generation are expected.

1.2.10 Community Service Districts

The subject property is located within the service area of the Southold Town Police Department (see Figure 24 in Appendix A). The Southold Town Police headquarters are located in the hamlet of Peconic at 41405 Main Road (Route 25), which is approximately two-and-one-half miles to the west of the subject property. Fire protection and ambulance services are provided by the Southold Fire District (see Figure 24 in Appendix A) and the nearest firehouse is the Southold Fire Department Headquarters located at 55135 Main Road (Route 25), which is less than one-quarter mile west of the subject property. The subject property is located within the Southold Union Free School District; however, the proposed project would not result in the generation of school-aged children. As discussed in Section 3.6 of this DEIS, and as required by the Final Scope, consultations were undertaken with the Southold Town Police Department and the Southold Fire District and responses are pending (see Appendix K).

1.3 Project Objectives and Benefits

The proposed project would redevelop the subject property with a boutique hotel and restaurant uses which would be accompanied with an increase in tax revenue to various taxing jurisdictions, including (but not limited to) Suffolk County, the Town of Southold, and the local fire protection and school districts. Pursuant to information provided by the Town of Southold Board of Assessors, under the proposed development, the subject property would generate approximately \$123,482 in total tax revenue to various applicable taxing jurisdictions as described above, based on 2018-19 Town of Southold tax rates (see Appendix G).

Pursuant to the July 2015 HVS *Proposed Boutique Hotel and Spa Market Study Results Report* (see Appendix G), the proposed development is projected to generate between \$3.5 and \$5.4 million in annual revenue from the proposed hotel rooms, food and beverage services, spa, and other services, with net income ranging from \$1.7 to \$2.9 million after operational expenses. Further discussion is included in Section 3.1.2 of this DEIS.

The proposed hotel and restaurant uses would generate jobs of various types associated with those operations. Based upon job generation factors of 1,429 and 400 Mean Number of Square Feet per Employee for the hotel and restaurant, respectively, the proposed restaurant is projected to generate approximately 10 employees. The proposed job generation for the hotel is approximately 43 employees. Accordingly, the proposed development is projected to generate a total of approximately 53 jobs. These projected jobs would include food preparation and service, housekeeping, maintenance, and managerial positions, among others. Further discussion is included in Section 3.1.2 of this DEIS.

Of particular importance is that the proposed hotel would meet an existing demand. Rather visitors travel by car for “day trips,” the proposed hotel would allow for guests to overnight for one or several days. Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet’s walkability and diverse business offerings. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses. These were noted goals for Southold Hamlet Center in the 2005 Town of Southold Hamlet Study (see Section 3.1.2).

1.4 Construction and Operations

1.4.1 Construction

The projected duration of construction is 18-to-22 months based upon construction activities being undertaken during Weekdays (Monday – Friday) from 8:00AM to 5:00PM, and Saturdays from 9:00AM to 4:00PM. In recognition of federal and state holidays, no work would be performed on these days.

The renovation of the restaurant in the existing house would occur simultaneously with the proposed hotel, and would be completed approximately three-to-four months before the hotel. The duration of the various components of construction is described below.

- Site Clearing, Excavation and Commence Planting Plan: 4-8 weeks (During this period, and over the next 3-4 months, the STP would be simultaneously being installed).
- Foundation, waterproofing and backfill: 6 weeks
- Steel Erection: 4 weeks
- Masonry/Rough Plumbing (waste Lines)/ Site Drainage: 6 weeks
- Framing/General Construction: 8 weeks
- Roofing: 2 weeks
- Window/Glass Installation: 3 weeks
- Installation of all MEP Systems (electric, HVAC, branch plumbing, fire sprinklers etc.): 15 Weeks - Exterior Landscaping, Hardscape and Pool installation would commence at this point and continue through the end of construction.
- Drywall/Installation of general finishes: 12 weeks
- Finish Plumbing Installation/ Doors Installation/ MEP finish trims/ Painting/ paving and finished Site work: 8 weeks
- Decorating/Furnishing/Clean-up: 4 weeks

The entire site would be fenced and there would be designated parking areas as well as loading areas and areas for the storage of materials within containers. There would be a field office, Porto-san facilities as well as a designated eating area with refuse containers. Construction equipment as far as heavy equipment would be primarily be operating at the site during the first five months of construction, and then again for the pool construction. Regarding the truck and worker routes, it is expected that the majority of the delivery and workforce traffic would come from the west via the LIE (NYS Route 495), then Old Country Road east to Northville Turnpike North, to Sound Ave/North Road (NYS Route 48) to either Youngs Avenue or Boisseau Road, to Main Road, to the site. An analysis of the construction truck traffic is included in Section 3.2.2 of this DEIS.

During construction activities, there is the potential for erosion and sedimentation with prolonged soil exposure and fugitive dust during dry periods. A Sediment and Erosion Control Plan has been prepared by PWGC (see Appendix C of this DEIS), which includes, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. A soil management plan has also been prepared to address impacted soils on the property (from historical agricultural use), which is addressed more fully in Section 2.1 of this DEIS.

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. Given the soil quality from past agricultural uses (see Sections 2.1.1 and 3.6 of this DEIS), a dust control plan would be implemented if there is any actual or potential visible dust. Dust suppression measures will be employed in accordance with the NYSDEC DER-10 Appendix 1B for Fugitive Dust and Particulate Monitoring.

If there is dust or the potential for dust in areas of concern, the environmental technician will direct that the area be wet down. Calcium chloride may be used if the problem cannot be controlled with water. Dust control measures may include the following methods and, as good practice, can also be implemented at times when dust monitoring is not being conducted to prevent the migration of non-impacted dust off-site, as well as potentially impacted dust:

- Water applied to designated work areas prior to any clearing, mixing, or other earth moving operations.
- At a minimum, water will be applied to all disturbed work areas at least four times per day during dry weather periods.
- The disturbed areas will be sprayed down at the end of each day to form a thin crust. This is in addition to the required minimum of four times per day.
- No earth moving activities will be performed if the wind at the site steadily exceeds 15 miles per hour.
- All unpaved haul roads and equipment paths will be watered on a sufficient basis to prevent dust emissions. An alternative to frequent watering may be to pour a 4-inch thick layer of gravel.
- Transportation of soils on-site will be performed in a covered vehicle, or the soils must be sufficiently watered to prevent dust emissions.
- Vehicle speeds must not exceed 10 miles per hour and the site must be posted with speed signs.
- Parking areas shall be designated and will be sufficiently watered or gravel lined to prevent dust emissions.

All erosion and sediment control measures would be routinely inspected and maintained such that no sediment would be transported off-site. The aforementioned erosion and sedimentation controls would minimize the potential impacts associated with construction activities.

1.4.2 Operations

Hotel

The components and operation for the proposed hotel are depicted in the architectural plans included in Appendix D of this DEIS and are as follows:

- (1) Lower Level
 - (a) Storage space.
 - (b) Elevator which provides bellhop access from first floor reception to lower level where staff can go across to the main elevators and up to the guest rooms without traversing the public lounge on the first (main) floor.
 - (c) Housekeeping / Maintenance Office.
 - (d) Mechanical space.
 - (e) I.T. Room.
 - (f) Laundry.
 - (g) Elevator Mechanical Room.
 - (h) Unfinished space in cellar with no intended use at this time.
- (2) First Floor
 - (a) Check-in reception area.
 - (b) Coffee Shop.
 - (c) Lounge Bar.
 - (d) Breakfast / Dining Room.
 - (e) Restroom facilities for Bath, Bar/Lounge and Pool Area.
 - (f) Food Prep area, to receive prepared food from the proposed restaurant, which will then be distributed by housekeeping for room service or to dining/bar areas.
 - (g) Circulation Space.
 - (h) Guest Rooms.
- (3) Second Floor
 - (a) Rooftop Terrace for gathering.
 - (b) Food / Beverage service from space below.
 - (c) Three (3) small meeting rooms to accommodate guest use or small conferences.
 - (d) Circulation Space.
 - (e) Guest Rooms.

As noted above, there are three small meeting rooms included on the second floor of the hotel. It is envisioned that, as this is a seasonal occupancy, to offset the anticipated drop in hotel occupancy in late Fall and Winter months, the applicant would like to encourage the use of the hotel facility as a conference center and corporate retreat in the off-peak months.

The hours of operation of the hotel is full-time to its guests (24/7). Room service would also be offered to guests 24/7. However, the restaurant would prepare a limited room service menu that could be pre-prepared in the restaurant, and then re-heated or plated at the food prep kitchen during hours

that the restaurant is closed. The hotel bar / lounge for guests will be open on Weekdays (Monday – Friday) from 4:00PM – 11:00PM, and on Weekends from Noon – 11:00PM.

The proposed hotel would be expected to use an outdoor sound reinforcement system to play music on the property, within the pool area, during daytime hours of operation. A limiter would be placed on this system to ensure that the resulting sound levels cannot exceed the limits set in the Town of Southold Noise Ordinance for commercial music (Sunday through Thursday, 65 dB(A) between 7:00 am and 7:00 pm and 50 dB(A) between 7:00 pm and 7:00 am; Friday and Saturday, 65 dB(A) between 7:00 am and 11:00 pm and 50 dB(A) between 11:00 pm and 7:00 am).

The project sponsor anticipates hosting special events at the hotel approximately eight to 12 times per year (during the late Spring, Summer and early Fall months) and such events would likely consist of weddings, fundraising events or other small private gatherings. It is envisioned that smaller events would be held in the hotel lounge space and larger events would be hosted on the lawn area adjacent to the proposed pond. Such events are envisioned as occurring on potentially Friday Evenings from 6:00 pm to 10:00 pm, Saturday day or evening events ranging from 2:00 pm to 11:00 pm, or Sunday day events from 2:00-6:00 pm. No events will be held concurrently (i.e., only one special event at any given time). It is acknowledged that special events are subject to the filing of a “Town Code Chapter 205 ‘Public Entertainment and Special Events’ permit application, and the project sponsor or its management staff would comply with such requirement. The potential traffic, parking, and noise impacts of such events are evaluated in the respective sections of this DEIS.

Restaurant

The components and operation for the proposed restaurant are depicted in the architectural plans included in Appendix D of this DEIS and are as follows:

1. Lower Level
 - a) Existing Mechanical / Storage Space.
 - b) Crawlspace, both existing and new.
2. First Floor
 - a) Vestibule.
 - b) Foyer and Stair area.
 - c) Bar with seven (7) seats.
 - d) Restrooms.
 - e) Dining Area with 36 seats.
 - f) Kitchen.
 - g) Walk-in Box.
 - h) Pantry.
 - i) Manager’s Office.
 - j) Prep. Area.
 - k) Take-out Counter.
 - l) Staff Locker Room.
 - m) Staff Bathroom.
3. Second Floor
 - a) Stair Area open to below.

- b) Food Prep. Area.
- c) Dining Area with 30 seats.
- d) Private Dining Rm with eight (8) seats.

It is anticipated that the proposed restaurant will be open year-round; however, depending upon the demand, the hours of operation may be limited in the Fall and Winter. The hours of operation are planned as follows: Monday-Thursday: 5:00 PM-11:00 PM, Friday, Saturday and Sunday (open for lunch): 12:00 Noon-11:00 PM.

1.5 Required Permits and Approvals

The proposed action is subject to following permits and approvals:

Agency	Permit/Approval
Town of Southold Zoning Board of Appeals	Special Exception Use Permit
Town of Southold Planning Board	Site Plan Review and Approval
Suffolk County Department of Health Services	Article 6 Permit
Suffolk County Planning Commission	239-m Referral
Suffolk County Water Authority	Public Water Service Connection
New York State Department of Environmental Conservation	Sewage Discharge Permit and State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharge during Construction Activities
New York State Department of Transportation	Highway Work Permit
PSEG Long Island/National Grid	Electric and Natural Gas service connections

2.0 NATURAL ENVIRONMENTAL RESOURCES

2.1 Soils and Topography

2.1.1 Existing Conditions

Soils

The Soil Survey of Suffolk County, New York (*Soil Survey*) was published by the United States Department of Agriculture (USDA) Soil Conservation Service in 1975 to assist land users in determining the potential limitations of soil types. Generally, soils that have similar profiles are grouped into a soil “series” and the series is then broken down into “mapping units” based upon the slope, texture, and other characteristics.

According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey for Suffolk County, New York (USDA WSS), the subject property is entirely comprised of Haven Loam, 0 to 2 percent slopes (HaA). An excerpt from the Soil Survey Map is included as Figure 3 – Soil Survey Map in Appendix A. Relevant excerpts from the *Soil Survey* relating to the soil series and mapping units are presented below:

Haven Series

The Haven series consists of deep, well-drained, medium-textured soils that formed in a loamy or silty mantle over stratified coarse sand and gravel. These soils are present throughout the county, but most areas are on outwash plains between the two terminal moraines. Slopes range from zero to 12 percent, but they generally are one to six percent.

Haven soils have high to moderate available moisture capacity and internal drainage is good. Permeability is moderate in the surface layer and subsoil and rapid or very rapid in the substratum. The root zone is 25 to 35 inches thick.

HaA soils have the profile as that described as representative of the series. The hazard of erosion is slight. The primary management concerns are keeping the soil from crusting after rain, maintaining tilth, and reducing the plowpan. The soil is used extensively for crops, and it is well suited to all crops commonly grown in the county. However, because of the nearly level slope and ease of excavation, most areas of this soil in the western part of the county are being used for housing developments and industrial parks.

A description of the engineering and planning limitations for this soil type is included in the table below.

Table 4 - Soil Engineering and Planning Limitations

Symbol	Mapping Unit	Slopes	Homesites*	Sewage Disposal Fields	Streets, Parking Lots	Lawns, Landscaping
HaA	Haven Loam	0-2%	SL	SL	SL	SL
NOTES: Engineering and Planning Limitation Rating: SL = Slight - Few or no limitations or limitations can be overcome at little cost. * The Soil Survey of Suffolk County evaluates the engineering and planning limitations of soils for the development of homesites. However, as the Soil Survey does not include ratings for other types of buildings, the homesites evaluation is used to determine potential limitations for the development of the proposed action.						

Soil Borings

Soil Mechanics Drilling Corp. (Soil Mechanics) performed seven soil borings to identify underlying soil deposits and to determine the structural engineering characteristics of the soils within the footprint of the proposed hotel. Six test borings were drilled to a depth of 27 feet each and one boring was drilled to a depth of 52 feet and are depicted on the Soil Mechanics Subsurface Investigation plan, included within the Site Development Plans in Appendix C of this DEIS.

As indicated in the Soil Mechanics report dated January 4, 2017 (see Appendix E), the investigations revealed that the areas drilled include one-and-one-half (1.5) to three (3) feet of soft loam, underlain, generally, by a moderately dense, naturally bedded coarse-to-fine sand with traces of silt and gravel to the extent drilled. Groundwater was encountered within the deepest borehole (B-4) at a depth of 28-feet-one-inch below grade surface (bgs).

Soil Quality

A Phase I and Phase II Environmental Site Assessment (ESA) were performed by PWGC in August 2018 and November 2018, respectively, and included in Appendix L of this DEIS. With respect to soil quality, the past agricultural use led to the recommendation and performance of soil borings to evaluate the potential for pesticide and metals impacts to shallow soils throughout the site. To evaluate the potential impact related to the former agricultural usage of the subject property and adjacent properties, seven soil borings (SB006 through SB012) were installed throughout the property (approximately one per acre). At each boring location, soil samples were collected from the 0 to 2-inch bgs and 18 to 24-inch bgs intervals.

Analytical results showed arsenic detected at concentrations exceeding its Restricted Residential Soil Cleanup Objective RRSCO throughout the site and additional metals (mercury, lead, and zinc) and multiple pesticides detected at concentrations exceeding their respective Unrestricted Use Soil Cleanup Objectives (UUSCOs). Metals impact was generally limited to the 0 to 2-inch interval. Pesticides were detected in both the 0 to 2-inch and 18 to 24-inch intervals; however, pesticide concentrations were lower in the 18 to 24-inch samples compared to the 0 to 2-inch samples. Based

on these results, it appears that shallow soils throughout the site are impacted with pesticides and metals likely related to the site's former agricultural usage.

Further, during the Phase I ESA, small piles of trash and debris, along with a floating dock were present on the northwestern portion of the site. The piles of trash appeared to include empty five-gallon buckets, tarps, and plastic sheeting. To evaluate the potential impact related to a waste disposal area on the northwest portion of the site, two soil borings (SB004, SB005) were installed within the identified waste disposal area. No additional waste disposal areas were identified at the site during the Phase II ESA. At each boring location, soil samples were collected from the 0 to 2-inch bgs and 3 to 4-foot bgs intervals. Analytical results showed arsenic detected at concentrations exceeding its RRSCO and mercury exceeding its UUSCO at both boring locations in the 0 to 2-inch sample interval. No other compounds were detected above their respective UUSCOs in samples collected from this area. Based on these results, and the uniformity of arsenic and mercury impact to shallow soils throughout the site, it appears that soil impact above UUSCOs in the vicinity of the waste disposal area is related to the former agricultural usage of the property rather than the wastes observed at the site.

Finally, the Phase I ESA recommended an evaluation of soil quality along the western property boundary near the adjacent boatyard. The adjacent property to the west of the subject property has been used as a boat storage yard from the 1970s through the present. Such usage is typically associated with the storage and use of hazardous substances and/or petroleum products as well as metals impact related to antifouling paint chips generated during boat cleaning/repainting, and sacrificial anodes being removed from boats in the outdoor boat storage areas. Poor housekeeping or unreported spills of such substances have the potential to have impacted adjacent areas.

Accordingly, the Phase II ESA included three soil borings (SB001 through SB003) installed along the western boundary of the subject property. At each boring location, soil samples were collected from the 0 to 2-inch bgs and 3 to 4-foot bgs intervals. Analytical results showed metals and pesticides were detected at concentrations exceeding their respective UUSCOs at boring locations SB001 through SB003. Metals impact exceeding UUSCOs was limited to the 0 to 2-inch samples. Of the metals detected, arsenic was the sole compound detected at concentrations exceeding RRSCOs. Pesticides were detected at concentrations exceeding UUSCOs in each of the 0 to 2-inch samples, and each of the 3 to 4-foot samples. At each boring location, pesticide concentrations were lower in the 3 to 4-foot samples compared to the 0 to 2-inch samples. Based on these results, and the uniformity of arsenic, mercury and pesticide impact to shallow soils throughout the site, it appears that soil impact above UUSCOs in the vicinity of the adjacent boatyard is related to the former agricultural usage of the property rather than the boatyard itself.

Topography

Based upon the United States Geological Survey (USGS) Topographic Map, Southold Quadrangle (see Figure 4 in Appendix A) and a site-specific Topographic Map (see Appendix C), the elevation of the subject property ranges from 25± feet at its southern portion to 34± feet above mean sea level (amsl) at the northern portion, adjacent to the Long Island Railroad right-of-way. Slopes are relatively flat throughout the entirety of the site.

2.1.2 Potential Impacts

The proposed action would result in the disturbance of soils for building foundations, in-ground swimming pool, decorative pond, drainage infrastructure, STP, utility installation, grading, paving, and landscaping. Based upon the preliminary site plan, the total land area to be disturbed is approximately 6.25 acres. The disturbance of soils for construction and regrading activities increases the potential for erosion and sedimentation. As indicated in the NYSDEC's *New York State Standards and Specifications for Erosion and Sediment Control* (July 2016), the erosion potential of a site is determined by five factors: soil erodibility, vegetative cover, topography, climate, and season.

Soil erodibility is dependent on the structure, texture and percentage of organic matter in the soil. Vegetative cover protects soils from the erosive forces of precipitation and runoff or overland flow, as top growth vegetation shields the soil surface from precipitation while the root mass holds soil particles in place. Also, grasses limit the speed of runoff and help to maintain the infiltration capacity of the soil. The establishment and maintenance of vegetation are identified as the most important factors in minimizing erosion during development. Topography, including both slope length and steepness, influences the volume and velocity of surface runoff. Long slopes carry more runoff to the base of the slope, and steep slopes increase runoff velocity. The climate also affects erosion based upon the volume of runoff. Rainfall frequency, intensity and duration have direct influences on the ability for stormwater to infiltrate soils. Finally, seasonal variations in temperature and rainfall affect the erosion potential of soils.

As indicated above, the *Soil Survey* indicates there to be few or no engineering limitations for the development of buildings, streets or parking lots, for the establishment of lawns or landscaping, and/or for sanitary disposal. Pursuant to the test borings performed by Soil Mechanics, all soils below three feet will satisfactorily support foundation loads of two (2) tons per square foot and exhibit excellent drainage characteristics. Within the footprint of the proposed two-story hotel, Soil Mechanics recommended removal of all of the loam and, if needed, replaced with a clean inorganic granular material. It is expected that sand on-site can be used as such fill.

As indicated in Section 2.1.1, pesticides and metals likely related to historical agricultural use were detected in shallow soils at the site. As future plans for the site consist of redeveloping the property, PWGC prepared a Soil and Materials Management Plan (SMMP) to address the identified impact. The SMMP, included in Appendix L of this DEIS, includes the following provisions:

- Proper offsite disposal of excess surface soils generated during redevelopment;
- Impacted soils remaining onsite should be capped by impervious materials (e.g., concrete building slab, asphalt pavement) or clean fill material;
- Vertical mixing of impacted surface soils by mechanically mixing them with cleaner soil found at greater depths;
- On-site burial of impacted soils in excavated areas, depending on contaminant concentrations and the depth to groundwater or proximity to surface water, may be conducted; and
- Landscape berms may be constructed on the property in undeveloped open areas of the property, such as in buffer areas. The landscape berms will require a one-foot cap of clean soil and a grass/sod or vegetation layer to act as a barrier to impacted soils.

As the site is relatively flat, the proposed action does not include the alteration of on-site slopes. Based on data provided by the project engineer, the grading program would result in an excess cut of approximately 236,642 cubic feet or 8,764 yards of material. The maximum depths of cut and fill would be 12 feet and two (2) feet, respectively. Some of this material may be kept on-site for capping in areas that are not disturbed (e.g., buffer areas), or used in vertical mixing, or for fill on the site; however, the majority would need to be transported off-site during the construction period. Based on the preliminary site plan and design, it is estimated that approximately 6,044 cubic yards of material would be removed from the site. Based upon an estimated load of 20 cubic yards per construction vehicle, approximately six (6) construction vehicles over a period of two months would be expected. This assumes 24 working days per month for two months.

All excess soil would be characterized for disposal purposes. Soil wastes would be transported to permitted off-site disposal facilities in accordance with NYSDEC Part 360. Other soils, if determined to have a beneficial use, will be transported to other appropriate sites in accordance with NYSDEC Part 360.

To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken:

- Access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed.
- Vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed.
- Erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.

Endpoint soil samples would also be collected after soil management measures are completed to determine whether surface soil concentrations of the trigger compounds are less than NYSDEC RRSCOs and PGSCOs which is the applicable maximum cleanup objectives for General Fill requirements.

Further discussion of the Phase I ESA, Phase II ESA and SMMP is included in Section 3.6 of this DEIS, and the reports in their entirety are included in Appendix L of this DEIS. Overall, based on the above, the proposed action would have no significant adverse impacts associated with the preliminary grading plan, soil handling, including the mixing, capping and/or removal of soils, or topographic changes.

Proposed Erosion and Sedimentation Controls

During construction activities, there is the potential for erosion and sedimentation with prolonged soil exposure and fugitive dust during dry periods. A Sediment and Erosion Control Plan has been prepared by the project engineer and included in Appendix C of this DEIS. As indicated on the Sediment and Erosion Control Plan, erosion and sedimentation controls would be undertaken prior to and during construction and would include, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles.

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. Given the above-described soil quality, dust from work activities could contain contaminants of concern. As such, there would be on-site environmental technician to monitor dust levels and take immediate action when necessary. The environmental technician would implement the dust control plan (see Section 2.3 of the SMMP in Appendix L) if there is any actual or potential visible dust. Dust suppression measures would be employed in accordance with the NYSDEC DER-10 Appendix 1B for Fugitive Dust and Particulate Monitoring. The primary sources of dust would be equipment, vehicular traffic, and construction activities on exposed soils.

If there is dust or the potential for dust in areas of concern, the environmental technician will direct that the area be wet down. Calcium chloride may be used if the problem cannot be controlled with water. Dust control measures may include the following methods and, as good practice, can also be implemented at times when dust monitoring is not being conducted to prevent the migration of non-impacted dust off-site, as well as potentially impacted dust:

- Water applied to designated work areas prior to any clearing, mixing, or other earth moving operations.
- At a minimum, water will be applied to all disturbed work areas at least four times per day during dry weather periods.
- The disturbed areas will be sprayed down at the end of each day to form a thin crust. This is in addition to the required minimum of four times per day.
- No earth moving activities will be performed if the wind at the site steadily exceeds 15 miles per hour.
- All unpaved haul roads and equipment paths will be watered on a sufficient basis to prevent dust emissions. An alternative to frequent watering may be to pour a 4-inch thick layer of gravel.
- Transportation of soils on-site will be performed in a covered vehicle, or the soils must be sufficiently watered to prevent dust emissions.
- Vehicle speeds must not exceed 10 miles per hour and the site must be posted with speed signs.
- Parking areas shall be designated and will be sufficiently watered or gravel lined to prevent dust emissions.

All erosion and sediment control measures would be routinely inspected and maintained such that no sediment would be transported off-site. The aforementioned erosion and sedimentation controls would minimize the potential impacts associated with construction activities.

2.1.3 Proposed Mitigation

The proposed action includes the following measures that effectively mitigate any potential adverse impacts:

- The grading program would result in an excess cut of approximately 236,642 cubic feet or 8,764 yards of material. Some of this material (approximately 2,720 yards) may be kept on-

site for capping in areas that are not disturbed (e.g., buffer areas), or used in vertical mixing or for on-site fill; however, the majority would be transported off-site during the construction period. All excess soil would be characterized for disposal purposes. Soil wastes would be transported to permitted off-site disposal facilities in accordance with NYSDEC Part 360. Other soils, if determined to have a beneficial use, will be transported to other appropriate sites in accordance with NYSDEC Part 360.

- To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken: (1) access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed; (2) vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed; and (3) erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.
- Erosion and sedimentation controls will be undertaken prior to and during construction and would include, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. All erosion and sediment control measures will be routinely inspected and maintained such that no sediment would be transported off-site.
- Dust from work activities could contain contaminants of concern. The on-site environmental technician will monitor dust levels and take immediate action when necessary. The environmental technician will implement the dust control plan (see Section 2.3 of the SMMP in Appendix L) if there is any actual or potential visible dust. Dust suppression measures will be employed in accordance with the NYSDEC DER-10 Appendix 1B for Fugitive Dust and Particulate Monitoring. The primary sources of dust will be equipment, vehicular traffic, and construction activities on exposed soils.
- If there is dust or the potential for dust in areas of concern, the environmental technician will direct that the area be wet down. Calcium chloride may be used if the problem cannot be controlled with water. Dust control measures may include the following methods and, as good practice, can also be implemented at times when dust monitoring is not being conducted to prevent the migration of non-impacted dust off-site, as well as potentially impacted dust:
 - Water applied to designated work areas prior to any clearing, mixing, or other earth moving operations.
 - At a minimum, water will be applied to all disturbed work areas at least four times per day during dry weather periods.
 - The disturbed areas will be sprayed down at the end of each day to form a thin crust. This is in addition to the required minimum of four times per day.
 - No earth moving activities will be performed if the wind at the site steadily exceeds 15 miles per hour.

- All unpaved haul roads and equipment paths will be watered on a sufficient basis to prevent dust emissions. An alternative to frequent watering may be to pour a 4-inch thick layer of gravel.
- Transportation of soils on-site will be performed in a covered vehicle, or the soils must be sufficiently watered to prevent dust emissions.
- Vehicle speeds must not exceed 10 miles per hour and the site must be posted with speed signs.
- Parking areas shall be designated and will be sufficiently watered or gravel lined to prevent dust emissions.

2.2 Water Resources

2.2.1 Existing Conditions

Groundwater

Regional Geology / Hydrogeology

The geologic setting of Long Island is well documented and consists of crystalline bedrock composed of schist and gneiss overlain by layers of unconsolidated deposits. Immediately overlying the bedrock is the Raritan Formation, consisting of the Lloyd sand confined by the Raritan Clay Member. The Lloyd sand is an aquifer and consists of discontinuous layers of gravel, sand, sandy and silty clay, and solid clay. The Raritan Clay is a solid and silty clay with: few lenses of sand and gravel; abundant lignite and pyrite; and gray, red or white in color.

Above the Raritan Clay lies the Magothy Formation. The Magothy Aquifer consists of layers of fine to coarse sand of moderate to high permeability, with inter-bedded lenses of silt and clay of low permeability resulting in areas of preferential horizontal flow. Therefore, this aquifer generally becomes more confined with depth. The Magothy Aquifer is overlain by the Upper Glacial Aquifer. The Upper Glacial Aquifer is the water table aquifer at this location and is comprised of medium to coarse sand and gravel with occasional thin lenses of fine sand and brown clay. This aquifer extends from the land surface to the top of the Magothy and, therefore, is hydraulically connected to the Magothy Aquifer.

Depth to Groundwater and Groundwater Flow

To determine the depth to groundwater on the site, several resources were utilized regional groundwater contour maps, soil borings and the United States Geological Survey (USGS) Long Island Depth to Groundwater Map from 2013. Based upon the USGS map (see Figure 5 in Appendix A), the depth to groundwater varies across the site from twenty five (25) feet bgs on the south side of the property to thirty three (33) feet bgs on the northwest corner of the property. The regional groundwater contour maps indicate the depth to groundwater to be approximately 25 feet below grade surface (bgs). The depth to groundwater was confirmed via several soil borings conducted on the site (see Soil Borings Plan in Appendix C), which indicated groundwater ranged from 25 to 28 feet bgs.

Based upon the Suffolk County's recent groundwater models developed for the Long Island Nitrogen Action Plan (LINAP), the local groundwater flow direction is estimated to be south, towards Town Creek/Southold Harbor. According to the LINAP models, the groundwater travel time to Town Creek/Southold Harbor is in the 2-10 year contributing area depending upon the location within the property.

Water Supply and Availability

Public Supply

The subject property is located within the service area of the Suffolk County Water Authority (SCWA) and an on-site connection is established. There is an existing eight-inch water main on Main Road and a 3/4-inch water line to the existing residence. Based upon information contained within the Phase I ESA, there is one public water supply well within a one-mile radius of the subject property.

Private Wells – On and Nearby Off-Site Wells

An existing irrigation well is located on the east side of the existing dwelling on the property and is within a vault. It is noted that the existing well is currently not operating.

SCDHS requires as part of Guidance Memorandum # 28, Siting of a Sewage Treatment Plant, that a search for private wells within a 500-foot radius of the subject parcel be conducted. Based upon the 500-foot radius map, 57 properties were identified within the 500-ft radius of the subject property. The SCWA was contacted to determine whether any site in the 500-ft radius operates a private well. Based on correspondence dated July 10, 2018 (see Appendix K), of the 57 nearby sites, 12 sites were identified as not being connected to the public water supply, which included the following:

- 1) 100-63-3-1.1 - Vacant
- 2) 100-63-3-9 - Vacant
- 3) 100-55-6-37.1 - Vacant
- 4) 100-62-3-10.3 - Parking lot
- 5) 100-62-3-12 - Parking Lot
- 6) 100-62-3-24.1 - Parking Lot
- 7) 100-62-3-22.5 – Developed Commercial Property
- 8) 100-63-3-28.1 – Developed Commercial Property
- 9) 100-63-4-2 – Developed Residential
- 10) 100-63-3-27.2 – Developed Residential
- 11) 100-63-3-7 – Developed Residential
- 12) 100-62-3-3.1 – Developed Residential

The SCWA verified that public water is available to all of the aforementioned properties. The current groundwater quality provided by each of the existing private wells is unknown, as private wells are not typically required to monitor their water supplies.

Sanitary Waste Generation and Discharge

The site is occupied by a residential structure. All sanitary waste is accommodated via a subsurface sewage disposal system. Based upon SCDHS design flow standards, the existing residence is presumed to have a sanitary flow of 300 gpd.

Suffolk County Sanitary Code

Pursuant to Section 607 of Article 6, Groundwater Management Zone IV (within which the property is located – see discussion later in this section and Figure 9 in Appendix A) has an allowable density sewage flow rate of 600 gallons per day per acre (gpd/acre). Utilizing the gross land area of 6.75 acres, the permitted sanitary flow would be 4,050 gallons per day (gpd) ($6.75 \text{ acres} \times 600 \text{ gpd/acre} = 4,050 \text{ gpd}$). As noted earlier, the site is occupied by a residence, which according to SCDHS sanitary flow calculations has a sanitary flow of 300 gpd. The existing sanitary flow falls well below the maximum allowable sanitary flow and, therefore, a conventional on-site septic system is permissible.

Nitrogen Loading

To better understand the impacts of the proposed development on nitrogen loading to groundwater, a nitrogen model was utilized. The particular model utilized was the BURBS model, developed at Cornell University by Hughes et al. (1985). The BURBS model is a computer simulation program that computes the potential impact of various land use on groundwater within a community due to nitrogen. Cornell University has developed this model for specific application on Long Island. To establish a baseline model, the existing and historic uses of the property were modelled. The historic uses were based upon historic aerial photographs and the confirmation of the use of the property as a farm from the Phase I and II ESA's. The parameters utilized in the BURB's model are explained in detail in the BURBS analysis (see Appendix F). The BURB's model takes into consideration, not only the wastewater nitrogen, but impacts from atmospheric deposition, fertilization and runoff from impervious areas.

Based upon the analysis of the BURB's model (see Appendix F), the estimated amount of nitrogen leached from the existing conditions is estimated to be 49.67 lbs. per year. This is expected as the property is underutilized, as the majority of the property that was previously farmed is not currently utilized. For comparison purposes, when the property was utilized as a farm, the estimated nitrogen leached from the site was estimated to be 173.28 lbs. per year. This is conservative estimate as the fertilizer application rate used in the model is 1.84 lbs. /1,000 SF, which is based upon the current accepted loading rates being utilized by Suffolk County. It is possible that historic fertilizer application rates may have exceeded the application rate used in the model, which would have increased the amount leached.

Stormwater Runoff and Drainage

Based upon a site evaluation and the Phase I ESA, no existing storm drains were observed on the property. The gutters associated with the dwelling discharge at grade. Stormwater generated in vegetated areas of the site is likely, recharged via absorption in those areas. With respect to the

stormwater generated by the dwelling and mowed lawn areas, given the slope of the property towards Main Road and the location of some of the gutter discharges from the dwelling the potential exists for stormwater to leave the subject site and discharge onto Main Road.

Surface Waters and Wetlands

The nearest permanent surface water body is Town Creek/Southold Harbor, located approximately 1,000 feet southwest of the subject property. Review of the NYSDEC Freshwater Wetlands Map and the National Wetlands Inventory indicates that there are no State or Federal wetlands are not present on the subject property (see Figures 6 and 7 in Appendix A).

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) were consulted to determine if the subject property is located within the 100-year or 500-year flood zones. Based upon FIRM data (FEMA Map Panel ID: 36103C0158H), it appears that the subject property is not located within the 100 or 500-year flood zone (see Figure 8 in Appendix A).

Water Resources Plans

The Long Island Comprehensive Waste Treatment Management Plan (208 Study)

In 1978, the Long Island Comprehensive Waste Treatment Management Plan was prepared as management plan for Long Island's groundwater resources. The plan was established under Section 208 of the 1972 Federal Water Pollution Control Act Amendments and is now commonly referred to as the *208 Study*. The *208 Study* divided Long Island into eight hydrogeologic zones, investigated waste control practices and identified best management practices to protect both ground and surface waters. The subject property is located in Hydrogeologic Zone IV (see Figure 9 in Appendix A). Zone IV encompasses the North Fork, Shelter Island, and the northern and eastern portion of the South Fork. It is characterized by shallow flow systems that discharge to streams and marine waters. A large portion of Zone IV on the North Fork has been contaminated as a result of agricultural activities. Fertilizers are a significant source of nitrates to the groundwater in the North Fork and the eastern South Fork.

The *208 Study* included area wide alternatives for each hydrogeologic zone. For Zone IV, the relevant highest priority area wide alternatives are as follows:

- Reduce excessive use of irrigation water and require the permitting, regulation and monitoring of irrigation wells.
- Minimize population density by encouraging large lot development (one dwelling unit/one or more acres), where possible to protect the groundwater from future pollutant loadings.

A consistency analysis with these recommendations is included in Section 2.2.2 of this DEIS.

The Long Island Comprehensive Special Groundwater Protection Area Plan (SGPA Plan)

There are nine SGPA's on Long Island, including North Hills, Oyster Bay, West Hills/Melville, Oak Brush Plains, South Setauket Woods, Central Suffolk, Southold, South Fork and Hither Hills. The subject property is not located within an SGPA (see Figure 10 in Appendix A).

Suffolk County Comprehensive Water Resources Management Plan

The *Suffolk County Comprehensive Water Resources Management Plan* was completed in 2015 to set forth goals and objectives targeted to protect and improve ground and surface water quality based upon updated water quality investigations. The primary areas for improvement identified in the plan are as follows: Nitrogen, Volatile Organic Compounds (VOC's), Pesticides, Pharmaceuticals and Personal Care Products (PCP's) and Potable Supply. The plan outlines a number of recommendation for improving conditions in each of the aforementioned areas. The recommendations are primarily guided towards additional evaluation of groundwater and surface water, development of alternative on-site wastewater treatment options for residential and non-residential properties, educational outreach programs for fertilizer and pesticide reduction and expansion of the potable water supply to communities where public water is not available. While this plan outlines specific goals that are municipally minded, the overall intent of the plan is to reduce the overall levels of containments, such as fertilizers, pesticides and nitrogen in our ground and surface wasters. A consistency analysis with these recommendations is included in Section 2.2.2 of this DEIS.

Peconic Estuary Comprehensive Conservation and Management Plan

The Peconic Estuary is situated on the east end of Long Island, between the North and South Forks, and includes more than 100 distinct bays, harbors, embayments, and tributaries. The Peconic Estuary System is one of 28 national estuaries included in the National Estuary Program (NEP), which is administered by the US Environmental Protection Agency (USEPA) under the auspices of Section 320 of the Clean Water Act to protect and preserve nationally significant estuaries, which are threatened by development, overuse or pollution.

The Peconic Estuary Program (PEP) is sponsored by the USEPA, the NYSDEC, and the SCDHS, and together with the PEP Management Conference, completed the Comprehensive Conservation and Management Plan (CCMP) in 2001. Its purpose is to protect and preserve the Peconic Estuary with the following stated goals:

- *Ensure a healthy and diverse marine community; optimizing opportunities for water dependent recreation.*
- *Promote the social and economic benefits, which have been associated with the Peconic Estuary System.*
- *Establish a comprehensive water quality policy, which ensures the integrity of marine resources, habitat, and terrestrial ecosystems while supporting human activities in the Peconic Estuary study area.*
- *Ensure an effective technical, regulatory, and administrative framework for the continued monitoring and management of the Peconic Estuary study area.*
- *Achieve zero discharge (from point and nonpoint sources) of toxic pollutants, and particularly of bioaccumulative chemicals.*

-
- *Promote an understanding and, thus, appreciation of the value of the Peconic Estuary as an ecosystem and as a mainstay to the East End economy so that it is preserved and restored as one of the last great places in the Western Hemisphere.*
 - *Involve the many and diverse stakeholders in the Peconic Watershed regarding the implementation of the CCMP and in the future direction and decisions affecting the estuary.*

The Peconic Estuary Program Study Area Boundaries Map (see Figure 11 in Appendix A) depicts the subject property as being located within the estuary.

Priority Management Issues

The CCMP identifies five priority management issues for protection of the Peconic Estuary: Brown Tide, nutrient pollution, threats to habitats and living resources, pathogen contamination and toxic pollution. The CCMP sets forth measurable goals for the priority management issues, which are summarized below.

Brown Tide

As explained in Chapter 2 (Brown Tide Management Plan) of the CCMP, “[a]lthough advances have been made regarding the identification and characterization of the Brown Tide organism and its growth needs, the causes of Brown Tide are not known. The input of conventional inorganic macronutrients such as nitrogen and phosphorus apparently do not trigger the onset of the Brown Tide blooms, although organic nitrogen may play a role...More recent analysis of the long-term data set collected by the Suffolk County Department of Health Services (SCDHS) suggests that groundwater inputs (related to rainfall patterns) affect the relative amounts of dissolved inorganic and organic nitrogen in the waters of the Peconic Estuary, and that this may be an important factor in the onset of Brown Tide blooms.”

The PEP’s measurable goals with respect to Brown Tide blooms include:

- Continue to better coordinate, focus, and expand Brown Tide research efforts (measured by funding appropriated, frequency of Brown Tide symposiums, frequency of updating the Brown Tide Work plan and coordination within the Brown Tide Steering Committee).
- Continue the current level of water quality sampling in the Peconic Estuary (measured by the number and frequency of samples taken per year and the number of bays and peripheral embayments sampled). Currently, the Suffolk Department of Health Services conducts biweekly monitoring at 32 stations in the Peconic Estuary throughout the year, resulting in over 830 samples taken annually.

Nutrient Pollution

The overloading of nutrients in the Peconic Estuary has adversely affected water quality and its marine ecosystem. Nutrient pollution originates from various sources, including sanitary waste systems, stormwater and sewage discharges, pesticides and fertilizers. Of noted importance is nitrogen loading from uses and sources within the subwatersheds, which has resulted in low dissolved oxygen levels in the water, increased algal blooms, and impaired or degraded aquatic habitats.

The PEP’s measurable goals for nutrient pollution (and relevant to the subject property and the proposed development evaluated herein) are as follows:

- Decrease the total nitrogen concentrations in the western estuary to a summer mean of no more than 0.45 mg/l (based on 1994-96 model verification conditions, and measured by surface water nitrogen concentrations as compared to the PEP nitrogen guidelines).
- Improve the dissolved oxygen concentrations in the western estuary to ensure that the New York State dissolved oxygen standard (currently 5.0 mg/l) is not violated (measured by surface and bottom dissolved oxygen levels as compared to the New York State dissolved oxygen standard).
- Ensure that there is no substantial net increase in nitrogen loading to areas east of Flanders Bay and reductions in the Peconic River/Flanders Bay region so that an increase in new development would be offset by reductions in loads from pre-existing uses. The nitrogen work groups will develop means of attaining this goal, which may include groundwater performance standards (e.g., nitrogen concentrations in groundwater resulting from post-development discharge/recharge), implementing fertilizer and clearing restrictions, and zoning.

Habitats and Living Resources

As explained in the CCMP, “[l]and use practices have caused direct impacts to living resources and habitats in the Peconic Estuary System. More often, however, development and land alteration cause indirect degradation to habitats and subtle changes in natural communities.” (Pg. 1-11) The PEP’s measurable goals (relevant to the subject property and the proposed development evaluated herein) to protect the habitats and living resources in the Estuary include:

- Protect the high quality habitats and concentrations of species in the Critical Natural Resource Areas (measured by acres of open space protected and development of model ordinances).
- Maintain and increase current tidal and freshwater marsh acreage, and restore areas that have been degraded (e.g., restricted flow, *Phragmites australis* dominated, hardened shoreline)
- Link land usage with habitat quality in tidal creeks (measured by continued funding of benthic and water quality surveys to measure the quality/impacts to the habitats within selected tidal creeks).

Pathogen Contamination

Pathogens are disease-causing organisms that include bacteria, viruses, algae and fungi. The Peconic Estuary Program focused on the potential health risks associated with consumption of contaminated shellfish and direct water contact and/or ingestion, as well as the economic losses associated with shellfish bed and beach closures in the Peconic Estuary.

The PEP’s measurable goals with respect to pathogens (and relevant to the subject property and the proposed development evaluated herein) include:

- Maintain and improve water quality of the estuary through a reduction of overall stormwater runoff, particularly key areas identified through the Regional

Stormwater Runoff Study (measured through the number of stormwater remediation projects implemented).

- Attain a zero discharge of stormwater runoff in new subdivisions (measured by site plans for new developments that achieve this goal and the development of new ordinances and Habitat Protection Overlay Districts).

Subsequent to the 2001 CCMP, PEP worked to establish 12 subwatershed management plans, which identified practices, both structural and non-structural, to mitigate pollutant loadings to the subwatershed. The implementation of the subwatershed plans is expected to help reduce stormwater runoff pollution and improve overall water quality conditions.

The subject property is partially located within the Town/Jockey Creek Subwatershed (see Figure 12 in Appendix A). A discussion of the Town/Jockey Creek Subwatershed is included in the *Town of Southold Subwatersheds Management Plan, June 2013* subsection that follows later in this section of the DEIS.

Toxics

The PEP's measurable goals with respect to toxics (and relevant to the subject property and the proposed development evaluated herein) include:

- Decrease overall agricultural/residential/institutional pesticide applications in the five East End towns (as potentially measured by point-of-sale surveys, surveys of residents, or commercial applicator tallies).
- Eliminate underground storage tanks exempt from current replacement requirements via incentive programs and public education and outreach (as potentially measured following baseline established of number of underground storage tanks [USTs] and monitoring of the number of underground tanks removed, retired, and replaced).

Analysis of the proposed action, as it relates to the aforementioned goals, including the on-site containment of stormwater, sewage treatment, and the use of native vegetation to decrease required nutrient inputs (i.e. fertilizers), is included in Section 2.2.2 of this DEIS.

Town of Southold Subwatersheds Management Plan, June 2013

The *Town of Southold Subwatersheds Management Plan (Subwatershed Plan)* was developed to improve water quality in the Peconic Estuary, focused on three Subwatersheds within the Town of Southold, including Town and Jockey Creek, Goose Creek, and Richmond Creek. As indicated in the Subwatershed Plan, “many of the tidal creeks within the Peconic Estuary, including Town, Jockey, Goose, and Richmond Creeks...are not currently meeting water quality standards and are classified as impaired water bodies” (p.1-1). As noted above, the subject property is partially located within the Town and Jockey Creek Subwatershed.

The purpose of the *Subwatershed Plan* is to identify “cost-effective structural and non-structural practices to reduce overall pollutant loadings (e.g., bacteria, sediment, nutrients) and runoff volume to the Southold Subwatersheds. The approach included rapid field assessment for stormwater management throughout the watershed. The stormwater assessment was used to identify likely

stormwater pollutant sources as well as areas where best management practices (BMPs) could be installed to improve the management and treatment of stormwater in the watershed. Successful implementation of this plan is expected to help reduce stormwater runoff pollution; maintain or improve overall water quality conditions, shellfish harvesting capacity, eelgrass habitat, and degraded marsh areas” (p. 1-2).

The Town and Jockey Creek subwatershed encompasses the more densely developed area in the Town of Southold. As described in the Subwatershed Plan, the Town and Jockey Creek subwatershed “includes the busy downtown area and many well established neighborhoods. The watershed is 988 acres of which 17.5% is impervious. Topography in the watershed ranges from 0 feet to 40 feet in elevation at the northern boundary. The watershed is bounded to the southwest by the Richmond Creek watershed, to the south by the Goose Creek watershed, and to the east by Southold Bay. The major roadway within the watershed is New York State Route 25 (NY 25) which runs east/west through town, serving as the main road through the center of the downtown area. A majority of the commercial businesses are along the downtown stretch of NY 25 with multiple neighborhoods located to the north (e.g., the newer developments at Jasmine Lane and Founders Village) and south (e.g., the older neighborhoods at Calves Neck Road and Founders Path)” (p. 3-1).

The Town and Jockey Creek is identified by the NYSDEC as an impaired waterbody and in 2006, a TDML assessment identified the Creek as being primarily affected by pathogens associated with stormwater runoff from residential lands. As part of the *Subwatershed Plan*, an assessment of the Town and Jockey Creek subwatershed was performed to identify preliminary retrofit and restoration opportunities for reduced pollutant loading, which were categorized into three assessment categories: stormwater retrofits, neighborhoods, and hot spots.

Stormwater retrofits included those sites where improved stormwater management were determined necessary, with various options presented, including bioretention (or raingardens, where applicable), infiltration systems, permeable pavement, dry swales, wet swales, and constructed stormwater wetlands. Neighborhoods included those areas with higher pollutant potential (e.g., observed pet waste, over fertilized lawns, trash and debris, street and drainage conditions), which could benefit from improvements. Hot spots were defined as those “land uses that have the potential to contribute a high level of pollutants to the creeks and their tributaries, also known as stormwater hotspots. Sites were then identified as candidates for both structural and non-structural pollution prevention controls” (p. 2-2).

Based upon Figure 3.1 of the Subwatershed Plan, the subject property is not identified as a restoration opportunity in any of the three categories. The adjacent boat yard to the west is identified as a hot spot (Site TJ-H11) although no assessment or recommendations for improvement of the property were performed.

2.2.2 Potential Impacts

Groundwater Quality

SCDHS Compliance (Suffolk County Sanitary Code)

As noted in Section 2.2.1 of this DEIS, the maximum permitted sanitary flow for the utilization of individual subsurface sanitary systems on the subject property is 4,050 gpd (6.75 acres x 600 gpd/acre = 4,050 gpd). The proposed project consists of a 40-unit hotel with four (4) detached cottages and a separate 74-seat restaurant. According to the *SCDHS Standards For Approval Of Plans And Construction For Sewage Disposal Systems For Other Than Single-Family Residences*, more commonly referred to as the commercial standards, the proposed sanitary flows for the project can be calculated as shown below:

Allowable Sanitary Density Flow: (600 gpd/acre) x (6.75 acres) = 4,050 gpd

Projected Sanitary Density Flow:

- Restaurant: 74 seat restaurant x 10 gpd/seat (density load) = 740 gpd
- Hotel: 44 unit hotel x 150 gpd/unit = 6,600 gpd

Total Projected Sanitary Density Flow: 7,340 gpd

The proposed STP would accommodate the projected sanitary load, as well as the kitchen load from the proposed restaurant. As indicated below, the proposed STP design flow is 8,800 gpd.

Proposed Sewage Treatment Plan Design

74 seat restaurant x 10 gpd/seat (density load) = 740 gpd

74 seat restaurant x 20 gpd/seat (kitchen load) = 1,480 gpd

44 unit hotel x 150 gpd/unit = 6,600 gpd

Total Proposed STP Design Flow: 8,820 gpd

Based upon the above, the total sanitary flow is 7,340 gallons per day (gpd). Since this flow exceeds the allowable sanitary flow of 4,050 gpd, a sewage treatment plant (STP) is required for the proposed development. The overall design flow for the proposed sewage treatment plant includes the kitchen flow of 1,480 gpd associated with the proposed restaurant, which is based upon 20 gpd/seat for the proposed 74 seats. Adding this flow to the sanitary flow of 7,340 gpd yields a total design flow of 8,820 gpd. This flow was utilized for the design of the proposed STP and its effluent recharge system.

With respect to the anticipated 250 person special event, which would take place in the main lawn area under a tent, portable rental lavatories would be provided. These lavatories would reduce the potential for usage of the hotel bathrooms. In addition, the hotel was not designed to provide large bathrooms for the special events. Aside from the bathrooms in the pool changing area, the hotel only has one set of bathrooms on the first floor. If some guests were to use these bathrooms, the proposed STP is

designed with the ability to accommodate peak flows in addition to the average flows utilized by SCDHS.

With respect to the smaller events within the hotel, which would take place either in the meeting rooms or in the hotel lobby, these events will take place during the off-season for the hotel, when the occupancy of the hotel is reduced. Therefore, the sanitary flows associated with these smaller events would not exceed the design flow of the hotel, as the majority of the hotel rooms are anticipated to be vacant during this time. In addition, if the event is a corporate retreat and the hotel rooms are occupied, there is no increase in sewage flow since these guests are already accounted for in the sanitary flows associated with the hotel rooms.

The proposed STP has a design flow of less than 15,000 gpd and, therefore, falls into Appendix A of the SCDHS construction standards. This appendix of the SCDHS standards allows the STP with a 75-foot setback to property lines and buildings and a 50-foot setback to areas of sustainably human use, provided the STP is equipped with an odor control system. The proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen. In addition to these reduced setbacks, the north side of the property abuts a Long Island Railroad (LIRR) property. The SCDHS standards allow for a reduced setback of 25 feet from an STP to the property line when the STP abuts either a LIRR property or divided highway. In this case, it is a LIRR train track, which allows the proposed STP to be placed closer to the northern property line. This location also maximizes the distance to the nearest water body of Town Creek or Southold Harbor. According to the LINAP models, the subject property lies within the 2-10 year contributing area for Town Creek or Southold Harbor. In the immediate area of the proposed STP, the contributing area is in the 5-10 year range. Therefore, the STP was strategically placed to maximize the groundwater travel time to minimize the impact of pathogens in the surface waters.

With respect to the sewage collection system, sewage generated by the hotel would be conveyed by a gravity sewer sub collection system to the on-site STP. The gravity sewer would be designed in accordance with the SCDHS Commercial Standards and Great Lakes – Upper Mississippi River Board (GLUMRB) 10 States Standards (referred to as the “Ten States Standards”). Pipes would be constructed of PVC and precast concrete manholes would be installed when there is a change in direction or size of the pipes or to provide convenient access points to the collection system for maintenance. The sewage generated by the restaurant, which is located on the south side of the property, would be pumped to the proposed gravity collection system. The restaurant system would include a grease trap, which would collect grease from the kitchen areas. Effluent from the grease trap would combine with the domestic sewage at the proposed pump station. The pump station would convey the sewage via a force main along the eastside of the property and ultimately discharge into a terminal manhole located on the north side of the hotel.

All sewage generated on-site would flow from the sewage collection system into an equalization pump station located adjacent to the proposed on-site STP. The equalization pumping station would act as an equalization tank, which would ensure the STP is fed with a constant supply of sewage for treatment to optimize performance of the STP. The equalization pump station would convey raw sewage to an influent screen and splitter box where some of the flow is conveyed to the treatment units and some is returned back to the equalization pump station.

The proposed STP would be a package unit from Purestream, specifically the Biologically Engineered Single Sludge Treatment (BESST) system. The packaged unit is fabricated from 316l grade stainless steel and is provided with integral hatches that cover the entire treatment unit. The treatment unit is typically buried, such that only six to eight inches of the tank are above grade. This prevents any debris and/or stormwater from entering the treatment system.

In addition to the treatment units, a control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space. The selected process commonly utilized in Suffolk County and long term operation of these types of systems have demonstrated that effluent meets the NYSDEC State Permit Discharge Elimination System (SPDES) requirements for reduction of nitrogen and suspended solids. Standby power would be designed and installed such that the STP would continue to operate in the event of a primary power failure.

Treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of four, 10-foot diameter-leaching pools with an approximate effective depth of 15 feet. Adequate space has been allocated for the 100% expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitoring groundwater impacts as part of the SPDES permit obtained for the STP.

Nitrogen Loading – Mass Balance Calculation

A nitrogen mass balance calculation for the proposed development follows:

Proposed Development with STP

Hotel and Cottages Flow = 44 units * 150 gal/unit = 6,600 gpd

Restaurant Flow = 74 seats * 30 gpd/seat = 2,220 gpd

Total Flow = 6,600 + 2,220 = 8,820 gpd (8,820 gpd / 1,000,000 = 0.008820 mgd)

Total Nitrogen Effluent Concentration = 7 mg/L

Total Nitrogen Effluent Quantity = 7 mg/L * 8.34 * 0.008820 mgd = **0.5149116 lbs. /day**

Based upon the above calculations, the utilization of the proposed STP, with an effluent of 7 mg/L would result in a nitrogen loading that is approximately 0.5149116 lbs. /day.

For comparative purposes, utilizing a nitrogen mass balance calculation for an as-of-right development renders the following result:

As of Right Development – Allowable Sanitary Flow

Area = 6.75 acres

Flow = 4,050 gpd (4,050 gpd / 1,000,000 = 0.004050 mgd)

Total Nitrogen Influent Concentration (TN) = 50 mg/L

Total Nitrogen Influent Quantity = 50mg/L * 8.34 * 0.004050 mgd = **1.68885 lbs. /day**

As evaluated in Section 5.2 of this DEIS (Permitted-Use [As-of-Right] Plan), but included herein for comparative analysis, the proposed STP results in approximately 430.7 lbs. /yr less nitrogen than if the property were developed as-of-right with conventional subsurface sanitary systems.

Nitrogen Loading and Impact to Nearby Creeks – BURBS Analysis

Similarly to the nitrogen model that was utilized to analyze the existing and historic conditions, a model was developed to evaluate the proposed plan and the alternative (as-of-right) development plan, which is addressed in Section 5.2 of this DEIS. The particular model utilized was the BURBS model. The parameters utilized in the BURB's model are explained in detail in the BURBS analysis (see Appendix F). The BURB's model takes into consideration, not only the wastewater nitrogen, but impacts from atmospheric deposition, fertilization and runoff from impervious areas.

Since the proposed development will utilize an STP, the amount of nitrogen lost as a gas was increased from the standard level of 0.5 to 0.85 to reflect the reduced nitrogen levels in the treated effluent from the STP as compared to the conventional sanitary system. Additionally, the landscaped areas were conservatively modeled using a fertilizer application rate of 2.04 lbs. /1,000 SF, which is based upon the current accepted loading rates being utilized by Suffolk County. Based upon the analysis of the BURB's model, the estimated amount of nitrogen leached from the proposed development is 278.91 pounds per year. This nitrogen loading represents a concentration of nitrogen of 3.29 mg/L associated with the proposed project and subject property. The 3.29 mg/L concentration is slightly over half of the targeted concentration from the *208 Study* which utilized a limit of 6 mg/L to establish allowable sanitary densities. This limit of 6 mg/L, from the *208 Study* did not include fertilizer nitrogen loading in its analysis. While the nitrogen loading represents an increase from the existing conditions of 49.67 pounds per year, it is significantly less than the targets set forth in the *208 Study*, especially since the proposed developments nitrogen concentration includes fertilizer nitrogen, which was not originally accounted for in the *208 Study*.

As a comparison, the alternative (as-of-right) plan was modelled. Since the alternative plan complies with Suffolk County Sanitary Code Article 6 density requirements, a conventional sanitary system was utilized in the analysis, which equates to a 50% reduction of nitrogen rather than an 85% reduction with the proposed STP. Based upon the analysis of the BURB's model, the estimated amount of nitrogen leached from the alternative development is 333.74 pounds per year. This nitrogen loading represents a concentration of nitrogen of 4.55 mg/L associated with the proposed project and subject property. This loading represents an increase of 54.83 pounds per year over the proposed project.

Based upon the aforementioned analysis, the proposed nitrogen loading represents an increase over the existing conditions; however, the increase is significantly below the levels established in the *208 Study* and Article 6 with respect to both wastewater and fertilizer based nitrogen. The nitrogen load from wastewater from the proposed development is approximately 80 lbs. per year less than the as-of-right development, due to the presence of the proposed STP, which would not be required in the as-of-right development. This reduction due to the STP will improve the overall groundwater and surface water quality over an as-of-right development. Additionally, given the location of the proposed STP on the property within the 5-10 year contributing area to surface water bodies, the increased nitrogen load has the ability to be furthered reduced via natural means through its travels to Town Creek/Southold Harbor.

With respect to the landscaped areas, the fertilizer application rates utilized in the model are conservative and are based upon the current values being utilized by Suffolk County in their studies. Once the landscaped areas, particularly the grassed areas have been established, the application rate of fertilizer would be reduced to as low as 1.00 lbs. /1,000 SF. This reduction in application rate would effectively reduce the potential impact of fertilizer in half. Additionally, the buffer areas on the site would likely not require fertilizer, as some of these areas are to remain in a natural state. Pesticide application would be a measure of last resort, if the problem areas cannot be improved with organic methods. If pesticides are required, only those approved for use by the NYSDEC and EPA would be utilized. This would be a similar course of action for the as-of-right development; however, the impact from the reduction in fertilizer rate would not be as significant since the as-of-right development has less landscaped area due to the larger imperious area required to satisfy the parking requirements. The overall fertilizer reduction and organic approach to landscape maintenance would result in less impact to the groundwater and ultimately the surface water quality.

While the conservative BURBS model shows that the proposed development increases the nitrogen loading over the existing conditions, the proposed development will implement several mitigation measures, such as the STP, organic landscape maintenance and reduction in fertilizer usage after establishment of the proposed landscaping. These measures, coupled with the fact that the projected nitrogen concentrations in groundwater are less than half of those recommended in the *208 Study*, the proposed development would not adversely impact either groundwater and surface water quality, especially when compared to the as-of-right development.

Groundwater Quantity

Domestic and Fire Water System Demand

As indicated earlier, the total projected potable water usage is 8,820 gpd. Based upon a 12-hour use of the property, this equates to an average domestic water flow rate of 12.25 gpm. Based upon industry standards, the peak domestic water usage demand ranges between two and three times the average flow. Using the average flow of 12.25 gpm, this would equate to a peak flow range of 24.5 to 36.75 gpm. A request for water availability was submitted to the SCWA and SCWA confirmed that public water is available for the property (see correspondence in Appendix K).

The design of the water system would comply with SCDHS and SCWA standards. The proposed water supply system would consist of two services - one, two-inch diameter domestic water service for the restaurant and hotel and one, six-inch diameter service for fire protection. Both of these services would connect to the existing eight-inch diameter water main in the SCWA distribution system located on NYS Route 25A. Each service would be provided with a reduced pressure zone (RPZ) backflow prevention device and the domestic service would be equipped with a water meter.

The water mains would be owned and maintained by the project sponsor. As discussed with the SCWA, potable water would not be utilized for on-site irrigation, as that would place additional demand on the water supply system. Instead, the on-site irrigation water would be provided via an on-site irrigation well. The existing on-site irrigation well associated with the historic agricultural use would be evaluated during the design phase of the project for potential reuse. If the existing well is

determined to be no longer a viable option, a new irrigation well would be installed to meet the demands of the irrigation system.

Water for fire protection to the proposed development would be supplied from the same water distribution system that provides potable water. With respect to the fire service demand for the proposed development, PWGC reviewed the 2015 International Fire Code (IFC). According to the 2015 IFC, the fire system demand is determined based upon the type of construction, building size and the presence of an automatic fire sprinkler system. The proposed buildings would be type IIB and type IV construction and would be provided with an automatic fire sprinkler system. The buildings range in size from 670 to 61,200 square feet, which equates to a fire flow demand of 2,000 gpm. The design of the water mains would be capable of handling the water flows and pressure as required by the regulatory agencies. The SCWA has confirmed water availability for fire prevention purposes. Fire hydrants would be located throughout the site in accordance with regulatory requirements. The fire hydrants would be owned and maintained by the project sponsor. Testing of the hydrants would be in accordance with local fire department regulations. Accordingly, based on the above analyses, the projected potable water demands would not result in significant adverse impacts to the SCWA.

Irrigation Water Supply and Distribution System

The estimated volume of irrigation water for the on-site lawn and select planted areas (of approximately 3.563 acres) is approximately 2,508,882± gallons for the irrigation season (mid-April to mid-October), or 96,496± gallons per week when averaged over the 26-week irrigation season.

Irrigation water would be provided either by the existing irrigation well that previously serviced the historic agricultural use of the property or a new on-site irrigation well to be installed. The existing well is currently located on the east side of the existing dwelling on the property and is within a vault. The existing irrigation well would be evaluated during the design phase of the project to determine if it is viable for reuse. If the existing well is determined to be no longer viable, a new on-site irrigation well would be designed, permitted and installed as part of this project. The new well, if determined to be necessary, would be limited to a maximum yield of 45 gpm thus not requiring a Long Island Well Permit from the NYSDEC.

As mentioned earlier, the SCWA recommended that potable water not be used for irrigation purposes as that would increase the demand on the public water system supply during peak consumption periods. The SCWA further recommended the use of smart irrigation control systems and drought tolerant plantings to promote conservation and compliance with the SCWA Water Conservation Plan. The proposed irrigation system would implement smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain. The proposed landscaping plan would also comply with both the Town's requirements and the SCWA request for drought-tolerant plants. As such, the projected irrigation demands would be met with an on-site supply with no significant adverse impact to the public water supply or distribution system.

Stormwater Runoff and Drainage

The preliminary drainage plan for the project has been designed and would be installed in accordance with Town of Southold and NYSDEC Stormwater Pollution Prevention Plan (SWPPP) requirements.

Runoff generated within the project area would be contained on-site. Swales and leaching pools would be designed and installed to store runoff for a two-inch rain event, in accordance with Town Code. The projected total stormwater runoff volume after construction from a two-inch rainstorm and the total capacity of proposed drainage system are presented below:

DRAINAGE AREA - HOTEL ROOF/POND - 32,530 SF

DRAINAGE REQUIRED

HOTEL ROOF:	26,557 SF x 2"/12" x 1.00	= 4,426.16 CF
COTTAGE ROOF:	2,376 SF x 2"/12" x 1.00	= 396.00 CF
POND AREA:	2,997 SF x 2"/12" x 1.00	= 499.33 CF
CABANA ROOF:	600 SF x 2"/12" x 1.00	= 100.00 CF
TOTAL REQUIRED		= 5,421.49 CF

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS - (5) 12' DIA. x 12' EFFECTIVE DEPTH DLP'S
= (5) x 100.9 CF/FT x 12 FT. = **6,054.0 CF**

DRAINAGE AREA - TOTAL SITE PARKING - 73,386 SF

DRAINAGE REQUIRED

IMPERVIOUS AREA:	73,386 SF x 2"/12" x 1.00	= 12,231 CF
TOTAL REQUIRED		= 12,231 CF

DRAINAGE PROVIDED

DRAINAGE LEACHING POOLS - (11) 12' DIA. x 12' EFFECTIVE DEPTH LP
= (11) x 100.9 CF/FT x 12 FT. = **13,318.8 CF**

DRAINAGE AREA - HOTEL WALKWAY - 4,350 SF

DRAINAGE REQUIRED

IMPERVIOUS AREA:	4,350 SF x 2"/12" x 1.00	= 725 CF
TOTAL REQUIRED		= 725 CF

DRAINAGE PROVIDED

DRAINAGE LEACHING POOLS - (2) 10' DIA. x 8' EFFECTIVE DEPTH LCB
= (2) x 68.42 CF/FT x 8 FT. = **1,094.72 CF**

DRAINAGE AREA - POOL & RECREATION AREA - 42,325 SF

DRAINAGE REQUIRED

IMPERVIOUS AREA:	12,149 SF x 3"/12" x 1.00	= 3,037.25 CF
ROOF AREA:	3,294 SF x 3"/12" x 1.00	= 823.5 CF
LANDSCAPE AREA:	26,882 SF x 3"/12" x 0.30	= 2,016.15 CF
TOTAL REQUIRED		= 5,876.9 CF

DRAINAGE PROVIDED

DRAINAGE LEACHING POOLS - (5) 12' DIA. x 12' EFFECTIVE DEPTH LCB
= (5) x 100.9 CF/FT x 12 FT. = **6,054 CF**

DRAINAGE AREA - SWIMMING POOL FILTER AND BACKWASH

SWIMMING POOL VOLUME:	99,254.6 GALLONS
SWIMMING POOL FILTER:	276 GALLONS PER MINUTE
	276 X 15 MIN. = 4,140 GALLONS
REQUIRED	= 553.47 CF

DRAINAGE PROVIDED - (1) 12' DIA. x 12' EFFECTIVE DEPTH LCB
(1) x 100.9 CF/FT x 12 FT. = **1,210.8 CF**

DRAINAGE AREA - RESTAURANT ROOF AREA & WALKWAY - 4,563 SF

DRAINAGE REQUIRED

ROOF AREA:	2,667 SF x 2"/12" x 1.00	= 444.5 CF
IMPERVIOUS AREA:	1,896SF x 2"/12" x 1.00	= 316 CF
TOTAL REQUIRED		= 760.5 CF

DRAINAGE PROVIDED

DRAINAGE LEACHING POOLS - (2) 10' DIA. x 8' EFFECTIVE DEPTH DLP	
= (2) x 68.42 CF/FT x 8 FT.	= 1,094.72 CF

SITE VEGETATED/LANDSCAPE AREA - 137,048 SF

DRAINAGE REQUIRED

LANDSCAPED AREA:	128,336 SF x 2"/12" x 0.30	= 6,416.8 CF
NATURAL AREA:	8,712 SF x 2"/12" x 0.30	= 435.6 CF
TOTAL REQUIRED		= 6,852.4 CF

DRAINAGE PROVIDED

DRAINAGE LEACHING POOLS - (7) 12' DIA. x 12' EFFECTIVE DEPTH DLP	
= (7) x 100.9 CF/FT x 12 FT.	= 8,475.6 CF

A SWPPP will be also developed. This plan requires the post development peak runoff rates to not exceed the pre development peak runoff rates for a 100-year storm. Since all stormwater would be disposed of on-site and be filtered by the natural sands that are present, no additional stormwater treatment devices would be required or installed.

The proposed stormwater drainage and recharge system consists of primarily catch basins, trench drains and drywells. The site would be graded to convey stormwater to inlet structures, such as catch basins, trench drains, or drywell grates. The overall capacity of the stormwater system has been designed to accommodate the two-inch rainfall event as required by the Town and discussed below.

A Sediment and Erosion Control Plan has been prepared (see included in Appendix C of this DEIS), which includes, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. Installation of the stormwater infrastructure would depend on the construction phasing of the project; however, there would be adequate storage volumes available for the disturbed areas. During construction and after construction completion, the drainage system would be inspected in accordance with the NYSDEC SWPPP requirements, as evaluated below.

Chapter 236 of Town Code – Stormwater Management

The Town of Southold regulates stormwater management and discharge associated with land-disturbing activities and projects that involve a replacement of or addition to impervious surfaces. Pursuant to §236.16(A), all development, construction, excavation and landscaping activities regulated under Chapter 236 are to be conducted in accordance with an approved stormwater management control plan. The performance standards for a stormwater management control plan, as set forth in §236-18, and consistency of the proposed plans therewith are evaluated below.

(A) The site erosion, sedimentation and stormwater runoff control measures shall be appropriate for existing topography, vegetation and other salient natural features of the

site. The plan shall indicate that the development will preserve natural features, minimize grading and cut and fill operations, ensure conformity with natural topography, and retain natural vegetation and trees to the maximum extent practicable in order to create the least erosion potential and adequately handle the volume and rate or velocity of surface water runoff.

The proposed action works with the existing topography to the greatest extent possible to minimize the amount of fill material being brought onto the site. The existing soil conditions appear to be acceptable for use as backfill material for the proposed buildings, sanitary and storm drainage systems. The only fill utilized would likely be generated on site and used to cap areas impacted by metals associated the historic farming use of the property in accordance with the soil management plan. The proposed action also retains natural vegetation in the buffer areas as well as select specimen trees throughout the property. The grading on the site and proposed drainage system has been designed to adequately handle all stormwater generated on the site. As such, the proposed action would comply with this performance standard.

(B) Site grading, excavation and filling shall minimize destruction of natural vegetation, the potential for erosion, sedimentation and stormwater runoff and the threat to the health, safety and welfare of neighboring property owners and the general public.

As part of the proposed action, a soil management plan has been developed to specifically address the excavation, storage and reuse of contaminated soils on the property from the historic farming use (see Appendix L). The erosion and sediment control plans have been developed to ensure that sediment is retained on site and does not endanger the neighboring properties or the general public. As such, the proposed action would comply with this performance standard.

(C) Erosion, sedimentation and stormwater runoff shall be controlled prior to, during, and after site preparation and construction. During grading operations, appropriate measures for dust control shall be undertaken.

As part of the proposed action erosion and sediment control plans have been prepared, which address dust control during operations. Additionally, a SWPPP would be prepared prior to construction, which would further discuss dust control during excavation and grading operations. As such, the proposed action would comply with this performance standard.

(D) Areas exposed by site preparation shall be protected during site construction with hay bales, silt fencing, temporary vegetation and/or mulching to meet the requirements of the NYSDEC Erosion Control Manual.

The proposed erosion and sediment control plan includes the use of wire back silt fence, stockpile fencing, and catch basin protection to protect the site in accordance the NYSDEC Erosion Control Manual. Additionally, the SWPPP would address temporary vegetation

and mulching during periods of temporary shutdowns of site operations. As such, the proposed action would comply with this performance standard.

- (E) Natural drainage patterns shall be protected and incorporated into site design. Where natural drainage patterns are demonstrated to be adversely affecting a beach or surface waters of the State of New York, as defined herein, drainage patterns may be altered in a manner which reduces the threat to such beach or surface waters of the State of New York, as defined herein, and does not create other flooding or erosion problems.*

The existing drainage patterns on the property do not appear to be adversely impacting a beach or surface waters. The proposed action works with the existing topography and does not significantly modify the existing drainage pattern, other than to ensure all stormwater is retained on site. As such, the proposed action would comply with this performance standard.

- (F) Site preparation, including stripping of vegetative cover and grading, shall be undertaken so that no individual building site is stripped of its vegetation cover more than 30 days prior to commencement of construction. Soils exposed or disturbed by site preparation shall remain so for the shortest practical period of time during site clearing, construction and restoration.*

The condition is noted and would be incorporated into the SWPPP when it is prepared. As such, the proposed action would comply with this performance standard.

- (G) Disturbed soils shall be stabilized and revegetated or seeded as soon as practicable. During the interim, erosion protection measures such as temporary vegetation, retention ponds, recharge basins, berming, silt traps and mulching shall be used to ensure that sedimentation is minimized and mitigated.*

The condition is noted and would be incorporated into the SWPPP when it is prepared. As such, the proposed action would comply with this performance standard.

- (H) In no case shall stormwater be diverted to another property either during site preparation or after development. In appropriate cases, with the approval of the Superintendent of Highways, drainage control measures may be implemented in the right-of-way attendant to an adjacent Town highway, at the applicant's expense.*

The condition is noted. The site plan for the proposed action has been developed to ensure all stormwater generated on site is retained on site. As such, the proposed action would comply with this performance standard.

- (I) During the construction period, disposal of stormwater runoff generated by development activity shall be handled on site. Baling, mulching, debris basins, silt traps, silt fencing, use of fibrous cover materials or similar measures shall be used to contain soil erosion on the site.*

The condition is noted and would be incorporated into the SWPPP when it is prepared. As such, the proposed action would comply with this performance standard.

- (J) All projects, regardless of the area of groundwater removal and/or grading, shall retain a natural vegetative buffer zone along water bodies, including wetlands and marshes...*

The subject property does not contain or abut water bodies, wetlands and/or marshes. As such, this regulation is not application to the proposed action.

- (K) Natural land features such as shallow depressions shall be used, wherever possible, to collect stormwater on site for recharge.*

The site is relatively flat and does not contain any natural features that would be possible to use for stormwater recharge. The proposed design would utilize proposed depressions in the grassed areas to recharge stormwater. As such, the proposed action would comply with this performance standard.

- (L) Site designs shall minimize impermeable paving.*

The proposed action has been designed to meet the minimum required parking spaces and minimize the impermeable paving areas when possible. As such, the proposed action would comply with this performance standard.

- (M) Stormwater runoff shall not be directly discharged to surface waters of the State of New York, as defined herein. Stormwater pollutants shall not be discharged directly into a surface water of the State of New York, as defined herein, but shall be attenuated by using holding ponds, sedimentation basins, perimeter berming, vegetated buffer areas and other measures that reduce flow velocity and increase storage time. Pollutants shall not be discharged into wetlands. In addition, any filtering devices constructed as part of the drainage system must be adequately maintained in order to function properly.*

The proposed action does not directly discharge stormwater to surface waters of the State of New York. As such, the proposed action would comply with this performance standard.

- (N) All wetland vegetation shall be maintained. Dredging and site construction should not disturb wetlands either by direct removal of vegetation or substrate or by the alteration of adjacent slopes that would undermine the stability of the substrate unless permitted by Chapter 275. Grading equipment shall not be allowed to enter into or cross any watercourse or wetland without an approved SWPPP, Department approval, or in compliance with Chapter 275.*

The subject property does not contain wetlands. As such, this regulation does not apply to the proposed action.

- (O) Subsurface sediments shall be maintained to provide structural support for the soils of the wetlands.*

The subject property does not contain wetlands. As such, this regulation does not apply to the proposed action.

- (P) The elevation of a wetland shall not be altered unless it is part of a wetland restoration project approved by the Town and/or the Department.*

There are no wetlands on the subject property. As such, this regulation is not application to the proposed action.

- (Q) No vegetation required by any agency as a buffer to a natural protective feature shall be disturbed by grading, erosion, sedimentation, or direct removal of vegetation.*

The condition is noted and would be incorporated into the construction documents, when prepared. As such, the proposed action would comply with this performance standard.

- (R) Fill shall not encroach on natural watercourses, constructed channels, wetlands, or floodway areas. All fill shall be compacted at a final angle of repose which provides stability for the material, minimizes erosion and prevents settlement. All temporary stockpiles and/or graded areas shall be protected with erosion control measures to include, but not be limited to, hay bales, silt fencing, and vegetation to meet the minimum requirements of the New York State Stormwater Design Manual.*

The condition is noted and would be incorporated into the SWPPP when it is prepared. As such, the proposed action would comply with this performance standard.

- (S) Trails and walking paths along water bodies shall be sited and constructed so they are not a source of sediment, as may be required by Chapter 275C21 and/or as part of an approved SWPPP.*

There are no trails or walking paths proposed as part of this project, and the subject property is not located along a water body. As such, this regulation is not application to the proposed action.

- (T) The amount and velocity of runoff from a site after development shall approximate its predevelopment characteristics. However, if the site is adjacent to coastal waters, stormwater shall be contained on site, to the maximum extent practicable, to prevent direct discharge of runoff to coastal waters.*

This condition is noted and is typically addressed as part of the developed of a SWPPP. If the post construction stormwater requirements are greater than the predevelopment characteristics, mitigation such as the implementation of stormwater recharge such as the proposed drywells will be utilized to ensure that all stormwater generated on site is retained on site.

(U) Natural floodplains and drainage swales shall not be altered or disturbed in a manner which decreases their ability to accommodate and channel stormwater runoff and floodwaters. If no practicable alternative to the location of development, roadway, driveways, and similar surfaces within these areas exists, such facilities shall be sited and constructed to minimize and mitigate the amount and velocity of stormwater entering the channel, floodplain or swale and to approximate the original functions of the undisturbed condition.

The proposed action does not include the alteration or disturbance of natural floodplains or drainage swales. All improvements would occur within the existing developed area located outside of the 500-year floodplain. As such, the proposed action would comply with this performance standard.

(V) No land having a slope equal to or greater than 20% shall be developed or disturbed except for conservation measures or measures intended to remove debris which inhibits the functioning of natural or engineered drainage and erosion control measures except access ways to shorelines permitted by Chapter 275. Natural vegetation and topography shall be retained to stabilize soils and reduce the volume of stormwater overflow.

The proposed action would not affect slopes equal to or greater than 20 percent. As such, the proposed action would comply with this performance standard.

(W) On lands having slopes of less than 20% but composed of highly erodible soils, development proposals shall include consideration of the load-bearing capacity of the soils. Unless it can be demonstrated that the soils can be stabilized with a minimum of on-site disturbance and no adverse impacts to the stability of neighboring properties, the development proposal shall not be approved as submitted.

The site has slopes of less than 20% and the existing soils are not considered to be highly erodible. An erosion and sediment control plan has been developed and a SWPPP would be prepared for filing with the Town and NYSDEC. The SWPPP will outline the erosion and sediment control measures for both pre- and post-construction conditions. As such, the proposed action would comply with this performance standard.

(X) All permanent and/or final vegetation and mechanical erosion control measures called for in approved plans shall be installed within the time limits specified by the Stormwater Management Officer, and no later than the time limits specified by the Stormwater Management Officer or noted in the stormwater management control plan.

The proposed action would comply with this standard.

Based upon the above analyses, the proposed development plans are consistent with the goals and standards set forth in Chapter 236 of the Town Code.

New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (NYSDEC GP 0-15-002)

The SPDES General Permit requires that a SWPPP for the proposed development and such SWPPP is to include a detailed erosion and sediment control plan to manage stormwater generated on-site during construction activities, as well as for post-construction stormwater management. In accordance with said regulations, a SWPPP would be prepared to ensure compliance with erosion and sediment control practices set forth in the New York Standards and Specifications for Erosion and Sediment Control (NYSDEC, 2016), as well as the water quality and quantity requirements set forth in the New York State Stormwater Management Design Manual (NYSDEC, 2015). A Sediment and Erosion Control Plan has been prepared (see included in Appendix C of this DEIS), which includes, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles.

Surface Water

Protection of the surface waters of Town Creek, Southold Harbor and Hippodrome Pond are covered under several of the aforementioned plans, such as the NYSDEC General Permit for Stormwater Discharges, the *208 Study*, and the *Suffolk County Compressive Water Resources Management Plan*. Based upon these plans, surface water could be impacted by a number of different sources from proposed development such as:

- Increased Nitrogen Loading
- Pesticide Application
- Stormwater Discharges

As discussed in the sections above, the proposed development mitigates the potential impacts with a variety of different methods. A STP is proposed to reduce the nitrogen loading from wastewater on the site to levels below that of the alternative (as-of-right) plan, which could be developed in accordance with SCDHS Article 6 regulations.

With respect to the landscaped areas, the fertilizer application rates utilized in the model are conservative and based upon the current values being utilized by Suffolk County in their studies. Once the landscaped areas, particularly the grassed areas have been established, the application rate of fertilizer will be reduced to as low as 1.00 lbs./1,000 SF. This reduction in application rate would effectively reduce the potential impact of fertilizer in half. Pesticide application will be a measure of last resort, if the problem areas cannot be improved with organic methods. If pesticides are required, only those approved for use by the NYSDEC and EPA would be utilized.

The proposed development has been designed to comply with the Town's stormwater regulations during and after construction. The stormwater drainage system is designed to fully retain a two-inch rainfall on site, without the need for off-site discharge. In addition, an erosion and sediment control plan has been developed to control stormwater during the construction of the project. Furthermore, prior to construction of the project a SWPPP will be developed and implemented.

Based upon the above analysis, the proposed project complies with the intent of the various plans with respect to protection of surface waters.

Proposed Decorative Fish Pond

The proposed site plan includes a decorative pond located on the east side of the hotel, off the main lobby. The purpose of the proposed pond is to add a decorative element to the hotel and lawn area. The proposed pond would have a surface area approximately 2,900 SF and would be a maximum of 18-inches in depth.

The pond walls would be constructed of concrete. Given the location of the pond, the foundation for the hotel would serve as the wall on the western side of the pond and a supplemental concrete wall would be built on the eastern side of the pond, to form the outline. The bottom and sides of the pond would likely be lined with an EDPM rubber, vinyl, PVC or similar liner. The pond would also likely require equipment, such as aerators, pumps and filters for water clarity. Aside from potential aerators, the equipment would be installed within the mechanical room of the hotel basement. Routine maintenance of the equipment, such as cleaning of filters, back washing, and repairs would be required and would likely be performed by an outside vendor or by trained hotel staff. Any potential filter backwash would be directed to one of the storm drains along with the overflow from the pond. As indicated by the project engineer, these flows have been accounted for in the proposed storm drainage system.

With respect to the fish species in the pond, the pond would be professionally designed and stocked with Koi and Shubunkin Goldfish (both common for use in Long Island ponds and known to prey on Mosquito Larvae). Plant species would include a variety of ornamental pond plants, such as water lilies, water Hyacinths, and perimeter ornamental grasses, all of which would be designed by a professional pond designer.

Water Resources Plans

The Long Island Comprehensive Waste Treatment Management Plan (208 Study)

The 208 Study set forth the relevant highest priority area wide alternatives for Zone IV:

- Reduce excessive use of irrigation water and require the permitting, regulation and monitoring of irrigation wells.
- Minimize population density by encouraging large lot development (one dwelling unit/one or more acres), where possible to protect the groundwater from future pollutant loadings.

As discussed above, irrigation supply on the subject property would be provided from an existing on-site irrigation well or, if required, a new well. The proposed irrigation system would be smart irrigation system equipped with rain sensors and adjustable irrigation controls. The system will monitor rainfall, such that during period of rainfall the irrigation system is not activated to avoid overwatering the landscaped areas and increasing demand on the aquifer. The use of an on-site irrigation well may also reduce the need for supplemental fertilizer as the groundwater in the area contains nitrogen, which,

when withdrawn from the irrigation system, can be re-used by the grasses and plants in the landscaped areas.

Regarding density, the utilization of the proposed STP, with an effluent of 7 mg/L, would result in a nitrogen loading that is approximately 1.18 lbs. /day less than the As-of-Right development. This difference equates to approximately 430.7 lbs. /year less nitrogen than if the property were developed as-of-right. Therefore, while the proposed is of higher density, the nitrogen loading is approximately one-third of the nitrogen loading if the property were developed as of right.

Overall, based upon the above analyses, the proposed development plans are consistent with the goals and standards set forth in the *208 Study*.

Suffolk County Comprehensive Water Resources Management Plan

The recommendations outlined in the *Suffolk County Comprehensive Water Resources Management Plan* were focused on Nitrogen, Volatile Organic Compounds (VOC's), Pesticides, Pharmaceuticals and Personal Care Products (PCP's) and Potable Supply. These recommendations were municipally minded as the recommendations revolved around additional studies, developing new regulations and code changes, public outreach and education and creating a reliable funding stream to fund recommended projects. However, the overall intent of the plan is to reduce the overall levels of containments, such as fertilizers, pesticides and nitrogen in our ground and surface wastewaters.

The proposed plan complies with the intent of the Suffolk County Comprehensive Water Resources Management Plan, since it incorporates the use of an STP to reduce nitrogen loading from wastewater. The proposed STP would provide treatment to a greater degree than the I/A OWTS systems recommended in the plan. With respect to nitrogen loads from fertilizers, while the BURBs model was calculated utilizing a rate of 2.04 lbs./1,000 SF, the proposed action would likely utilize less than this amount, perhaps closer to 1.00 lbs./1,000 SF. once the lawn areas are established. The proposed development would also utilize licensed professionals for turf care, unlike typical residences where fertilizers may be over applied. With respect to pesticides, the landscaped areas would be treated organically at first; if the organic treatment fails then specific, approved pesticides would be utilized. The application of these pesticides would be limited to the impacted areas and would not be spread across all of the landscaped areas.

Based upon the above analyses, the proposed development plans meets the overall intent of the Suffolk County Comprehensive Water Resources Management Plan.

Peconic Estuary Comprehensive Conservation and Management Plan

As discussed in the Existing Conditions section, the CCMP identifies five priority management issues for protection of the Peconic Estuary, including Brown Tide, nutrient pollution, threats to habitats and living resources, pathogen contamination and toxic pollution. With respect to the impacts to Peconic Estuary, the proposed development has been evaluated for impacts associated with increased nitrogen loading, pesticide application, and stormwater discharges; all of which contributing factors to the quality of the Estuary.

As indicated above, the projected nitrogen loading represents an increase over the existing conditions; however, the increase is significantly below the levels established in the *208 Study* and Article 6. While this alone represents a benefit to the groundwater and surface water, via a point source reduction in nitrogen loading, the location of the proposed STP also helps further reduce its impact on surface waters. As mentioned earlier, the subject site is within the 2-10 year contributing area to Town Creek/Southold Harbor. The proposed STP was located on the north side of the property to maximize the distance to surface waters. Additionally, this located the STP within the 5-10 contributing area, which increases the travel time by 3 years over the southern portions of the site. This increase in travel time allows for an additional reduction in the nitrogen load via natural means as it travels to Town Creek/Southold Harbor.

It is further noted for comparative purposes that, based on the nitrogen mass balance calculations, the utilization of the proposed STP equates to approximately 430.7 lbs./year less nitrogen than if the property were developed as-of-right (i.e., with conventional a sanitary system). Therefore, while the proposed action is of higher density, the nitrogen loading is approximately one-third of the nitrogen loading if the property were developed as-of-right.

Regarding pesticide use, as stated above, the landscaped areas would be treated organically at first. If the organic treatment fails, then specific approved pesticides would be utilized. The application of these pesticides would be limited to the impacted areas and would not be spread across all of the landscaped areas. The proposed development will also utilize licensed professionals for turf care.

The proposed stormwater management system would also comply with the Town's stormwater regulations during and after construction. The stormwater drainage system has been designed to fully retain a two-inch rainfall on-site, without the need for off-site discharge. In addition, an erosion and sediment control plan has been developed to control stormwater during the construction of the project. Furthermore, prior to construction of the project, a SWPPP would be developed and implemented.

Overall, based on the above, no significant adverse impacts to the Peconic Estuary are expected.

Town of Southold Subwatersheds Management Plan, June 2013

The subject property is partially located within the Town and Jockey Creek Subwatershed. A field assessment of the subwatershed, as described in Section 2.2.1, did not identify the subject property as being a restoration opportunity and therefore, no site-specific recommendations have been made. However, assessment of the Town and Jockey Creek subwatershed indicates a specific need for stormwater management for reduced pollutant loadings and as described above, the proposed action includes a comprehensive stormwater management plan. The proposed stormwater management controls include both structural infiltration (drywells and catch basins) and non-structural methods (pervious pavement and expansive lawn areas for infiltration). The proposed stormwater management system would comply with the Town's stormwater regulations during and after construction, and prior to construction of the project, a SWPPP will be developed and implemented. As such, the proposed action is consistent with the goals of the Subwatershed Plan.

Climate Change

Pursuant to 6 NYCRR §617.9(b)(5)(iii)(i), “measures to avoid or reduce both an action’s impacts on climate change and associated impacts due to the effects of climate change such as sea level rise and flooding” must be addressed. With respect to the projects impact on climate change, the buildings will be designed in accordance with the NYS Building and Energy Codes. Items like site lighting, are proposed to be LED fixtures, which will reduce energy consumption. The project also proposes to treat its wastewater via a sewage treatment plant, which reduces the nutrient loading to both the groundwater and surface waters.

To determine if the property would be impacted by sea level rise, the New York State Department of State Geographic Information Gateway interactive mapper was consulted. The mapper models sea level change up to a six foot increase (see Appendix F). According to the mapper, the property is not directly impacted by sea level rise. As the sea level rises so would the groundwater elevation. Given the current depth to groundwater of 25 to 33 feet bgs, even a six-foot increase in groundwater would not impact the project. Both the leaching system for the proposed sewage treatment plant and the storm drainage systems would still maintain the minimum three-foot separation below the bottom of the structures and groundwater.

2.2.3 Proposed Mitigation

The following measures have been incorporated into the project to minimize or eliminate potential adverse impacts to water resources:

- The proposed action includes the construction of a STP to accommodate all sanitary waste from the development. The proposed BESST system has demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Adequate space has also been allocated for the 100% expansion of the treatment plant and leaching pools in accordance with SCDHS requirements. Groundwater monitoring wells would also be installed both upstream and downstream of the effluent disposal system to monitoring groundwater quality. Additionally, as required by the SPDES permit a full time operator will be present each day to make process adjustments to ensure the performance of the STP is optimized.
- The proposed action includes the installation of a stormwater management system that would contain and recharge stormwater from a two-inch rain event, in accordance with Town Code. The proposed stormwater management controls include both structural infiltration (drywells and catch basins) and non-structural methods (pervious pavement and expansive lawn areas for infiltration).
- The proposed Sediment and Erosion Control Plan includes, at minimum, stockpile protection, inlet sediment control devices for storm structure protection, silt fencing, and anti-tracking pads to prevent off-site sediment tracking from construction vehicles. Prior to construction, a SWPPP will be prepared, which will address additional items during construction such as concrete washout areas, temporary stabilization, and erosion and sediment maintenance and inspection procedures.

- All irrigation would be supplied from an existing on-site irrigation well or a new well so as to not increase the demand on the SCWA public water system supply during peak consumption periods. The proposed project will utilize a smart irrigation control system to reduce or eliminate the use of the irrigation system during periods of rain. The on-site irrigation well also has the ability to function as a fertigation system, depending upon the overall concentration of nitrogen in the groundwater. If the groundwater contains 5.18 mg/L as indicated in the SCWA Annual Water Quality Report coupled with the irrigation rate of approximately 2,508,882 gallons, approximately 108 lbs. /year of nitrogen could be removed from the groundwater. This nitrogen laden irrigation water would then be used to irrigate the landscaped areas allowing some of the nitrogen to be utilized by the landscaped areas. This could potentially reduce the overall need for supplemental fertilizers on the site. Also, drought tolerant plantings will be used to promote conservation and compliance with the SCWA Water Conservation Plan.
- All landscaped area will be professionally maintained, including fertilizer and pesticide applications. The landscaped areas shall be cared for in an organic manner at first with the use of specific approved pesticides only in the event that organic treatment methods are not sufficient. Pesticides shall be applied only to impacted areas and in accordance with manufacturer recommendations to reduce the impact on the environment.

2.3 Ecological Resources

2.3.1 Existing Conditions

Ecological surveys were conducted at the subject property on July 18 and August 22, 2018 by Dr. William P. Bowman of Land Use Ecological Services, Inc. (LUES). During such surveys, a total of 81 vascular plant species were observed, including 39 woody plants, 41 herbaceous plants, and one fern (Table 6 – Observed Plant Species). Additionally, 59 birds, 20 mammals and two (2) herpetiles were observed or are expected to occur. A description of the ecological communities follows.

Ecological Communities

The site consisted of an agricultural field and a small residential area between 1930 and 1980, when the agricultural use was abandoned, as indicated by aerial imagery from Suffolk County (www.suffolkcountyny.gov/Portals/0/planning/Cartography/1930/sc19304f2WEB.pdf). An aerial image of the site from 1962 is provided in Figure 13 in Appendix A. The existing ecological communities are the result of successional processes since the abandonment of agricultural uses at the site. The existing ecological communities now present at the site include southern successional hardwood forests, successional old fields, and mowed lawns with trees.

The boundaries of the ecological communities were mapped based on 2018 conditions and Figure 14 in Appendix A, as created by LUES, illustrates such boundaries. The calculations of the acreage of each ecological community type and the percentage of the total site area are provided in the table below. Descriptions of the ecological communities observed are provided below along with the New York Natural Heritage Program community descriptions from Edinger et al (2014).

Table 5 – Ecological Communities at the Subject Property

Ecological Community	Acres	Percent
Successional Southern Hardwoods	5.016±	74.27%
Mowed Lawn with Trees	0.883±	13.07%
Successional Old Field	0.676±	10.01%
Mowed Lawn	0.053±	0.79%
Buildings and Accessory Structures, Incl. Gravel Driveway	0.125±	1.85%
Totals	6.75±	100%

Successional Southern Hardwoods

Successional southern hardwoods represent approximately 5.0176 acres, or 74.27% of the site. The following is the definition of this community as described by Edinger et al (2002):

“Successional southern hardwoods: a hardwood or mixed forest that occurs on sites that have been cleared or otherwise disturbed. “Characteristic trees and shrubs include any of the following: American elm (*Ulmus americana*), slippery elm (*U. rubra*), white ash (*Fraxinus americana*), red maple (*Acer rubrum*), box elder (*Acer negundo*), silver maple (*A. saccharinum*), sassafras (*Sassafras albidum*), gray birch (*Betula populifolia*), hawthorns (*Crataegus* spp.), eastern red cedar (*Juniperus virginiana*), and choke-cherry (*Prunus virginiana*). Certain introduced species are commonly found in successional forests, including black locust (*Robinia pseudo-acacia*), tree of heaven (*Ailanthus altissima*), and buckthorn (*Rhamnus cathartica*). Any of these may be dominant or codominant in a successional southern hardwood forest. Southern indicators include American elm, white ash, red maple, box elder, choke-cherry, and sassafras. This is a broadly defined community and several seral and regional variants are known.

Edinger et al (2014) indicates that this ecological community is distributed throughout New York State with a rarity ranking of G5 and S5 indicating that these communities are considered “demonstrably secure” both in globally and in New York State.

At the site, this ecological community includes a variety of successional stages ranging from fairly dense stands of young eastern red cedar (*Juniperus virginiana*) and black cherry (*Prunus serotina*) to open gaps between trees consisting of successional old field vegetation where mowing has occurred more frequently or tree recruitment and growth has proceeded more slowly. Eastern red cedar and black cherry dominate the portion of the site to the north of the mowed lawn area. The successional forests on the southern portion of the site also feature black walnut (*Juglans nigra*), sycamore maple (*Acer pseudoplatanus*), Norway maple (*Acer platanoides*), box elder (*Acer negundo*), white mulberry (*Morus alba*), and tree of heaven (*Ailanthus altissima*). The understory and ground layers in the site’s successional forests consist of various brambles (*Rubus* sp.), goldenrods (*Solidago* sp. and *Euthamia*

gramnifolia), Virginia creeper (*Parthenocissus quinquefolia*), Asiatic bittersweet (*Celastrus orbiculatus*), porcelainberry (*Ampelopsis brevipedunculata*), Japanese honeysuckle (*Lonicera japonica*), poison ivy (*Toxicodendron radicans*), multiflora rose (*Rosa multiflora*), orchard grass (*Dactylis glomerata*), mugwort (*Artemisia vulgaris*), pokeweed (*Phytolacca americana*), and bitter dock (*Rumex obtusifolius*).

Successional Old Fields

Vegetation typical of successional old fields represents approximately 0.676 acres, or approximately 10.0% of the subject property and is present within larger gaps in the successional forest. The following is the definition of this community as described by Edinger et al (2014):

“Successional old field: a meadow dominated by forbs and grasses that occurs on sites that have been cleared and plowed (for farming or development), and then abandoned. “Characteristic herbs include goldenrods (*Solidago altissima*, *S. nemoralis*, *S. rugosa*, *S. juncea*, *S. canadensis*, and *Euthamia graminifolia*), bluegrasses (*Poa pratensis*, *P. compressa*), timothy (*Phleum pratense*), quackgrass (*Agropyron repens*), smooth brome (*Bromus inermis*), sweet vernal grass (*Anthoxanthum odoratum*), orchard grass (*Dactylis glomerata*), common chickweed (*Cerastium arvense*), common evening primrose (*Oenothera biennis*), oldfield cinquefoil (*Potentilla simplex*), calico aster (*Aster lateriflorus*), New England aster (*Aster novae-angliae*), wild strawberry (*Fragaria virginiana*), Queen-Anne'slace (*Daucus corota*), ragweed (*Ambrosia artemisiifolia*), hawkweeds (*Hieracium* spp.), dandelion (*Taraxacum officinale*), and ox-tongue (*Picris hieracioides*). Shrubs may be present, but collectively they have less than 50% cover in the community. “Characteristic shrubs include gray dogwood (*Cornus foemina* ssp. *racemosa*), silky dogwood (*Cornus amomum*), arrowwood (*Viburnum recognitum*), raspberries (*Rubus* spp.), sumac (*Rhus typhina*, *R. glabra*), and eastern red cedar (*Juniperus virginiana*). “A characteristic bird is the field sparrow (*Spizella pusilla*). This is a relatively short-lived community that succeeds to a shrubland, woodland, or forest community.”

Edinger et al (2014) indicate that this ecological community is distributed throughout New York State with a rarity ranking of G4 and S4 indicating that these communities are considered “apparently secure” both in globally and in New York State. The successional old fields present at the site are dominated by goldenrods (specifically *Solidago rugosa*, *Solidago canadensis*, and *Euthamia graminifolia*) with brambles (*Rubus phoenicolasius*, *Rubus allegheniensis*, and *Rubus flagellaris*), grasses and grass-like plants such as path rush (*Juncus tenuis*) and orchard grass (*Dactylis glomerata*), birdfoot trefoil (*Lotus corniculatus*), common milkweed (*Asclepias syriaca*), and multiflora rose (*Rosa multiflora*).

Mowed Lawn With Trees

This ecological community borders the residential house and accessory structures adjacent to Main Road. This cover type occupies approximately 0.883 acres or 13.07% of the property. The following is the definition of this community as described by Edinger et al (2014):

“Mowed lawn with trees: residential, recreational, or commercial land in which the groundcover is dominated by clipped grasses and forbs, and it is shaded by at least 30% cover of trees. Ornamental and/or native shrubs may be present, usually with less than 50% cover. The groundcover is maintained by mowing. Characteristic animals include gray squirrel (*Sciurus carolinensis*), American robin (*Turdus migratorius*), mourning dove (*Zenaida macroura*), and mockingbird (*Mimus polyglottos*).”

The tree species found within this community include black walnut (*Juglans nigra*), sycamore maple (*Acer pseudoplatanus*), Norway maple (*Acer platanoides*), Japanese maple (*Acer palmatum*), Japanese zelkova (*Zelkova serrata*), arborvitae (*Thuja occidentalis*), flowering dogwood (*Cornus florida*), and Japanese black pine (*Pinus thunbergii*). These trees consist of ornamental plantings surrounding the residential house and within landscaped area and some naturally recruiting trees at the margins of the community. The grasses within this community were not readily identified, due to regularly mowing. Species growing within garden and planting beds were not included in the species inventory for the site. Various weedy herbaceous species are present including red clover (*Trifolium pratense*), English plantain (*Plantago lanceolata*), sheep sorrel (*Rumex acetosella*), cat’s ear (*Hypochoeris radicata*), dandelion (*Taraxacum officinale*), and field garlic (*Allium vineale*).

Plants

A plant list for the subject property was prepared based on ecological surveys completed by Dr. William P. Bowman and is included below. A total of 81 vascular plant species were observed at the site, including 39 woody plants, 41 herbaceous plants, and one fern.

Table 6 – Plant Species List

TREES, SHRUBS AND WOODY VINES

Common Name	Scientific Name
Japanese Maple	<i>Acer palmatum</i>
Norway Maple	<i>Acer platanoides</i>
Sycamore Maple	<i>Acer pseudoplatanus</i>
Box Elder	<i>Acer negundo</i>
Silver Maple	<i>Acer saccharinum</i>
Tree-of-Heaven	<i>Ailanthus altissima</i>
Porcelainberry	<i>Ampelopsis brevipedunculata</i>
Japanese Barberry	<i>Berberis thunbergii</i>
Boxwood	<i>Buxus sp.</i>
Asiatic Bittersweet	<i>Celastrus orbiculatus</i>
Flowering Dogwood (1)	<i>Cornus florida</i>
Autumn Olive	<i>Elaeagnus umbellata</i>
American Holly (1)	<i>Ilex opaca</i>
Japanese Walnut/Hybrid Butternut	<i>Juglans ailantifolia/J. x bixbyi</i>
Butternut (1)	<i>Juglans cinerea</i>

TREES, SHRUBS AND WOODY VINES

Common Name

Scientific Name

Black Walnut	<i>Juglans nigra</i>
Common Juniper	<i>Juniperus communis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Japanese Honeysuckle	<i>Lonicera japonica</i>
White Mulberry	<i>Morus alba</i>
Bayberry (1)	<i>Morella pensylvanica</i>
Virginia Creeper	<i>Parthenocissus sp.</i>
Eastern White Pine	<i>Pinus strobus</i>
Japanese Black Pine	<i>Pinus thunbergii</i>
Bird Cherry	<i>Prunus avium</i>
Black Cherry	<i>Prunus serotina</i>
Douglas Fir	<i>Pseudotsuga menziesii</i>
Apple	<i>Pyrus malus</i>
Scarlet Oak	<i>Quercus coccinea</i>
Chestnut Oak	<i>Quercus montana</i>
Multiflora Rose	<i>Rosa multiflora</i>
Blackberry	<i>Rubus allegheniensis</i>
Northern Dewberry	<i>Rubus flagellaris</i>
Wineberry	<i>Rubus phoenicolasius</i>
Bittersweet Nightshade	<i>Solanum dulcamara</i>
Arborvitae	<i>Thuja occidentalis</i>
Poison Ivy	<i>Toxicodendron radicans</i>
Northern Arrowwood	<i>Viburnum dentatum</i>
Japanese Zelkova	<i>Zelkova serrata</i>

HERBACEOUS PLANTS

Common Name

Scientific Name

Yarrow	<i>Achillea millefolium</i>
Bent Grass	<i>Agrostis sp.</i>
Garlic Mustard	<i>Alliaria petiolata</i>
Field Garlic	<i>Allium vineale</i>
Common Ragweed	<i>Ambrosia artemisiifolia</i>
Indian Hemp	<i>Apocynum cannabinum</i>
Mugwort	<i>Artemisia vulgaris</i>
Common Milkweed	<i>Asclepias syriaca</i>
Lamb's Quarters	<i>Chenopodium album</i>
Wild Carrot	<i>Daucus carota</i>
Deptford Pink	<i>Dianthus armeria</i>
Crab Grass	<i>Digitaria sanguinalis</i>
Indian Strawberry	<i>Duchesnea indica</i>
Quack Grass	<i>Elytrigia repens</i>
Daisy Fleabane	<i>Erigeron annuus</i>
Grass-leaved Goldenrod	<i>Euthamia graminifolia</i>

HERBACEOUS PLANTS

Common Name

Scientific Name

Fescue	<i>Festuca sp.</i>
White Avens	<i>Geum canadense.</i>
Common St. John's Wort	<i>Hypericum perforatum</i>
Cat's Ear	<i>Hypochoeris radicata</i>
Mile a Minute Vine	<i>Ipomoea cairica</i>
Path Rush	<i>Juncus tenuis</i>
Ox Eye Daisy	<i>Leucanthemum vulgare</i>
Butter-and-Eggs	<i>Linaria vulgaris</i>
Birdfoot Trefoil	<i>Lotus corniculatus</i>
Fountain Grass	<i>Miscanthus sp.</i>
Yellow Wood Sorrel	<i>Oxalis sp.</i>
Deertongue Grass	<i>Panicum clandestinum</i>
Timothy Grass	<i>Phleum pratense</i>
Pokeweed	<i>Phytolacca americana</i>
English Plantain	<i>Plantago lanceolata</i>
Blue Grass	<i>Poa sp.</i>
Rough-fruited Cinquefoil	<i>Potentilla recta</i>
Sheep Sorrel	<i>Rumex acetosella</i>
Bitter Dock	<i>Rumex obtusifolius</i>
Rough-stemmed Goldenrod	<i>Solidago rugosa</i>
Common Dandelion	<i>Taraxacum officinale</i>
Red Clover	<i>Trifolium pratense</i>
White Clover	<i>Trifolium repens</i>
Common Mullein	<i>Verbascum thapsus</i>

FERNS

Common Name

Scientific Name

Lady Fern (1)	<i>Athyrium filix-femina</i>
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(1) Plant Species Listed as Exploitably Vulnerable under 6 CRR-NY 193.3. Under §193.3(e), it is a violation for any person, anywhere in the State, to pick, pluck, sever, remove, damage by the application of herbicides or defoliant, or carry away, without the consent of the owner, any protected plant.

Wildlife

The birds, mammals, and herpetiles observed or expected to occur on the subject property (presented in the table below) are based on field surveys by Dr. William P. Bowman. The wildlife species present on the site are those that are found in early successional habitats and are tolerant of human activity and disturbance.

Birds

Eighteen bird species have been observed on the subject property with an additional 41 species expected to occur based on the habitat types present. The observed species are typical of suburban landscapes, open fields, shrublands and woodlands, and young forests. Approximately 44% of these birds (i.e. 26 species) may utilize the property for breeding habitat based on the observed habitat conditions and known bird breeding activity documented in the 2008 New York Breeding Atlas in the vicinity of Southold (McGowan and Corwin, 2008). Approximately 31 percent of these birds (i.e. 18 species) are expected to transiently utilize the site seasonally (such as the summer months only), only during spring and autumn migrations, or as overwintering habitat. The remaining species (41 species) can be found year round in appropriate habitats on Long Island.

Table 7 – Bird Species Observed/Expected On-Site

<i>Scientific Name</i>	BIRD SPECIES OBSERVED/EXPECTED ON SITE ¹			
	Common Name	Observed/Expected	Breeding Status (Y/N) ²	Year Round/Migrant/Overwintering ³
<i>Accipiter cooperii</i>	Cooper's Hawk	E	N	Y
<i>Accipiter striatus</i>	Sharp-shinned Hawk	E	N	Y
<i>Agelaius phoeniceus</i>	Red-winged Blackbird	E	Y	Y
<i>Baeolophus bicolor</i>	Tufted Titmouse	E	Y	Y
<i>Bombycilla cedrorum</i>	Cedar Waxwing	E	Y	Y
<i>Bubo virginianus</i>	Great Horned Owl	E	N	Y
<i>Buteo jamaicensis</i>	Red-tailed Hawk	E	N	Y
<i>Colaptes auratus</i>	Northern Flicker	E	Y	Y
<i>Corvus brachyrhynchos</i>	American Crow	E	Y	Y
<i>Cardinalis cardinalis</i>	Northern Cardinal	O	Y	Y
<i>Carduelis tristis</i>	American Goldfinch	O	Y	Y
<i>Carpodacus mexicanus</i>	House Finch	E	Y	Y
<i>Carpodacus purpureus</i>	Purple Finch	E	N	Y
<i>Catharus guttatus</i>	Hermit Thrush	E	N	O
<i>Chaetura pelagica</i>	Chimney Swift	O	N	M
<i>Charadrius melodius</i>	Killdeer	E	N	Y
<i>Colinus virginianus</i>	Northern Bobwhite	E	Y	Y
<i>Corvus brachyrhynchos</i>	American Crow	O	Y	Y
<i>Cyanocitta cristata</i>	Blue Jay	O	Y	Y
<i>Dendroica caerulescens</i>	Black-throated Blue Warbler	E	N	M
<i>Dendroica coronata</i>	Yellow-rumped Warbler	E	N	M
<i>Dumetella carolinensis</i>	Gray Catbird	O	Y	Y
<i>Geothlypis trichas</i>	Common Yellowthroat	O	Y	Y
<i>Hirundo rustica</i>	Barn Swallow	O	Y	Y
<i>Icterus galbula</i>	Baltimore Oriole	E	Y	M
<i>Junco hyemalis</i>	Dark-eyed Junco	E	N	M
<i>Meleagris gallopavo</i>	Wild Turkey	O	Y	Y

BIRD SPECIES OBSERVED/EXPECTED ON SITE ¹					
Scientific Name	Common Name	Observed/Expected	Breeding Status (Y/N) ²	Year Migrant/Overwintering ³	Round/
<i>Melanerpes carolinus</i>	Red-bellied Woodpecker	E	N	Y	
<i>Melospiza melodia</i>	Song Sparrow	O	Y	Y	
<i>Mimus polyglottos</i>	Northern Mockingbird	O	Y	Y	
<i>Mniotilta varia</i>	Black-and-white Warbler	E	N	Y	
<i>Otus asio</i>	Eastern Screech Owl	E	N	Y	
<i>Passerella iliaca</i>	Fox Sparrow	E	N	O	
<i>Passerina cyanea</i>	Indigo Bunting	E	N	M	
<i>Picoides pubescens</i>	Downy Woodpecker	E	N	Y	
<i>Picoides villosus</i>	Hairy Woodpecker	E	N	Y	
<i>Pipilo erythrophthalmus</i>	Eastern Towhee	E	N	Y	
<i>Poecile atricapillus</i>	Black-capped Chickadee	O	Y	Y	
<i>Quiscalus quiscula</i>	Common Grackle	O	Y	Y	
<i>Regulus calendula</i>	Ruby-crowned Kinglet	E	N	M	
<i>Regulus satrapa</i>	Golden-crowned Kinglet	E	N	M	
<i>Sayornis phoebe</i>	Eastern Phoebe	E	N	Y	
<i>Setophaga petechia</i>	Yellow Warbler	E	Y	Y	
<i>Setophaga pinus</i>	Pine Warbler	O	N	M	
<i>Sitta carolinensis</i>	White-breasted Nuthatch	E	N	Y	
<i>Spizella passerina</i>	Chipping Sparrow	E	N	Y	
<i>Spizella pusilla</i>	Field Sparrow	E	N	Y	
<i>Sphyrapicus varius</i>	Yellow-bellied Sapsucker	E	N	O	
<i>Sturnus vulgaris</i>	European Starling	E	Y	Y	
<i>Tachycineta bicolor</i>	Tree Swallow	O	Y	Y	
<i>Thyrothorus ludovicianus</i>	Carolina Wren	O	Y	Y	
<i>Troglodytes aedon</i>	House Wren	O	Y	Y	
<i>Turdus migratorius</i>	American Robin	O	Y	Y	
<i>Vermivora pinus</i>	Blue-winged Warbler	E	N	M	
<i>Vireo griseus</i>	White-eyed Vireo	E	N	M	
<i>Vireo olivaceus</i>	Red-eyed Vireo	E	N	M	
<i>Vireo solitarius</i>	Blue-headed Vireo	E	N	M	
<i>Zenaida macroura</i>	Mourning Dove	O	N	Y	
<i>Zonotrichia albicollis</i>	White-throated Sparrow	E	N	O	

¹Species Observed During Field Surveys in 2018 (WP Bowman)

²Based on New York State Breeding Bird Atlas (McGowan and Corwin, 2008); Y = Yes, Breeding is known to occur in local Breeding Bird Atlas Block (Block #7154A); N = No, Breeding is not known to occur in local Breeding Bird Atlas Block.

³Y= Species can be found year round; M= Species can be found in summer months only (for breeding birds) or species can be found during spring or autumn migrations; O= Species are expected to overwinter

Mammals:

Five mammal species (or scat/sign of these species) were observed at the site including gray squirrel (*Sciurus carolinensis*), eastern cottontail (*Sylvilagus floridanus*), meadow vole (*Microtus pennsylvanicus*), raccoon (*Procyon lotor*), and white-tailed deer (*Odocoileus virginianus*). Table 8 provides a list of all mammal species observed or expected to occur on site based on habitat preferences (Connor, 1971) and the ecological communities present. All observed or expected mammals are common in suburban landscapes; prefer open, early successional habitats; and are tolerant of human activity.

The expected bat species, big brown bat (*Eptesicus fuscus*), eastern red bat (*Lasiurus borealis*), northern long-eared bat (*Myotis septentrionalis*), and little brown bat (*Myotis lucifugus*), are based on Fishman (2013) and Connor (1971). The northern long-eared bat (*Myotis septentrionalis*) was listed in 2016 as threatened by the US Fish and Wildlife Service and the New York State Department of Environmental Conservation. The northern long-eared bat can utilize a wide variety of upland woodland and forest types (NYNHP, 2016), but are typically associated with mature interior forest (Carroll et al, 2002) and tend to avoid woodlands with significant edge habitat (Yates and Muzika 2006). Other studies have found that northern long-eared bat can also be found using younger forest types (NYNHP, 2016). Due to the northern long-eared bats potential use of various upland forest types, this species could utilize the site for foraging habitat in the summer months.

Table 8 – Mammal Species Observed/Expected On-Site

MAMMAL SPECIES OBSERVED OR EXPECTED ON SITE¹	
<i>Scientific Name</i>	Common Name
<i>Blarina brevicauda</i>	Short-tailed Shrew
<i>Didelphis virginiana</i>	Virginia Opossum
<i>Eptesicus fuscus</i>	Big Brown Bat
<i>Lasiurus borealis</i>	Eastern Red Bat
<i>Marmota monax</i>	Woodchuck
<i>Microtus pennsylvanicus</i> ¹	Meadow Vole
<i>Mus musculus</i>	House Mouse
<i>Myotis lucifugus</i>	Little Brown Bat
<i>Myotis septentrionalis</i>	Northern Long-eared Bat
<i>Odocoileus virginianus</i> ¹	White-tailed Deer
<i>Peromyscus leucopus</i>	White-footed Mouse
<i>Pitymys pinetorum</i>	Pine Mouse
<i>Procyon lotor</i> ¹	Raccoon
<i>Rattus norvegicus</i>	Norway Rat
<i>Scalopus aquaticus</i>	Eastern Mole
<i>Sciurus carolinensis</i> ¹	Gray Squirrel
<i>Sorex cinereus</i>	Masked Shrew
<i>Sylvilagus floridanus</i> ¹	Eastern Cottontail
<i>Tamias striatus</i>	Eastern Chipmunk

**MAMMAL SPECIES
OBSERVED OR EXPECTED ON SITE¹**

<i>Scientific Name</i>	Common Name
<i>Vulpes vulpes</i>	Red Fox

¹Indicates species or sign observed on-site.

Reptiles and Amphibians:

Few species of reptiles and amphibians are expected to occur on the subject site due to the absence of water and lack of habitat diversity. The species that are expected to be present based on observations, existing habitat types, and the New York State Herpetological Atlas (NYSDEC, 2009) are listed in Table 9 below. The New York State Herpetological Atlas provides known records of reptile and amphibian species from 1990-1998 for each 7.5-minute USGS topographic quadrangle within New York State. The expected reptile and amphibian species listed in the table below are based on the Southold, NY quadrangle. The eastern box turtle (*Terrapene carolina*) is listed as a New York State Species of Special Concern and is a common inhabitant of dry and moist woodlands, brushy fields, marsh edges, and bottomlands (Massachusetts Division of Fisheries and Wildlife, 2015). The common and ubiquitous garter snake can be found in various woodlands, fields, and suburban habitats.

Table 9 – Reptile and Amphibian Species Observed/Expected On-Site

**REPTILE & AMPHIBIAN SPECIES
OBSERVED OR EXPECTED ON SITE**

<i>Scientific Name</i>	Common Name
<i>Terrepen carolina</i>	Eastern Box Turtle
<i>Thamnophis sirtalis</i>	Common Garter Snake

Endangered, Threatened, Rare Species or Significant Ecological Communities

No endangered, threatened, or rare species or significant ecological communities were observed during the ecological surveys conducted. New York Natural Heritage Program (NYNHP) correspondence from August 15, 2018 indicates that the NYNHP has no records of known occurrences of rare or state-listed animals or plants or significant natural communities on or in the vicinity of the site (see Appendix K). NYNHP correspondence from 2006 (for a previously proposed development at the site) referenced historical records (1910-1940) of woodland agrimony (*Agrimonia rostollata*), rockrose (*Helianthemum dumosum*), southern arrowwood (*Viburnum dentatum var. venosum*) for woods habitats and marsh straw sedge (*Carex hormathodes*) for wet habitats in Southold (see Appendix K). None of these plant species were observed at the project site.

As described above, the project site contains habitat that could be utilized by the northern long-eared bat during the summer months. The northern long-eared bat (*Myotis septentrionalis*) is listed as threatened by both the US Fish and Wildlife Service and New York State. The project site is not expected to have suitable roosting sites for northern long-eared bat due to the small size/young age of the on-site trees and the absence of exfoliating bark and cracks/crevices/hollows on the site's trees.

There are no known northern long-eared bat hibernacula or roost trees in the Town of Southold. Due to the presence of summer roost habitat at the site and documentation of northern long-eared bat foraging over various habitat types throughout eastern Suffolk County, the NYSDEC recommends that any clear-cutting of trees occur during the winter months (between November 1 and March 31) to avoid any potential take of this species.

Three species listed as Species of Special Concern by New York State are expected to occur on or utilize the site. Species of Special Concern are species for which a welfare concern or risk of endangerment has been documented in New York State. These three species include:

Eastern Box Turtle	<i>Terrapene carolina</i>
Cooper's Hawk	<i>Accipiter cooperii</i>
Sharp-shinned Hawk	<i>Accipiter striatus</i>

Eastern box turtle (*Terrapene carolina*) are expected to be found in any of the vegetated upland habitats on-site. Eastern box turtle may be found in a wide variety of habitats including in open deciduous forests, woodlands, forested bottomlands, open field and field edges, thickets, marshes, bogs, and stream banks. Eastern box turtles are threatened by development of their habitat, mortality on roadways, mortality from mowing of lawns and early successional habitats, and collection as pets.

Cooper's hawk (*Accipiter cooperii*) and sharp-shinned hawk (*Accipiter striatus*) inhabit various upland and wetland forests during the breeding season including fragmented forests within agricultural, suburban, and urban landscapes with sharp-shinned hawks preferring forest edge habits. Neither species was documented to nest in the Southold area by the 2008 New York State Breeding Bird Atlas (McGowan and Corwin, 2008); however, Cooper's hawks breeding sites have been expanding in New York over the last several decades. The successional forests at the subject property are not suitable nesting habitat for Cooper's hawks, which prefer to nest in forests with a closed canopy, trees that are more than 30 years old, and moderate to heavy shrub cover (Liguori, 2003). Sharp-shinned hawks were not documented to nest anywhere in Nassau or Suffolk Counties by McGowan and Corwin (2008). During the winter months, both species frequent residential areas to hunt for songbirds at bird feeders. Both species are expected to utilize the subject site as foraging habitat during any season.

2.3.2 Potential Impacts

As evaluated by Dr. William Bowman, the proposed action would affect approximately 5.49 acres of the successional forests and old fields currently present at the site. The proposed action would construct 2.991± acres (130,288± square feet) of buildings and impervious surfaces and 3.563± acres (155,204± square feet) of lawn and landscaping area (includes the proposed decorative pond) resulting in the loss of 4.816± acres (96%) of successional southern hardwood forests and 0.676± acres (100.0%) of successional old fields (see Table 10 below). The acreage of impervious and man-made surfaces (i.e. roofs, driveways, parking, walkways, etc.) is proposed to increase from 0.10 acres to 2.991± acres and would then comprise 44.3% of the site. A narrow strip of southern successional hardwood forest area (approximately 0.2 acres) would be retained within the 25-ft rear yard setback located on the northern property boundary (identified on the Proposed Landscape Plan as "natural area").

The 25-ft rear yard setback area includes approximately 13, six-to-eight inch DBH eastern red cedar (*Juniperus virginiana*) and 8 to 14 inch DBH black cherry trees (*Prunus serotina*) trees. Several red maple (*Acer rubrum*) trees would be planted in and adjacent to this natural area to vegetate areas currently without trees. Some native trees present on the site will also be retained within the 10-ft side yard setbacks. The 10-ft side yard setbacks located in the northern portion of the property include 8 to 16 inch diameter black cherry trees that will be incorporated into the site’s landscaping plan. Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), scarlet oak (*Quercus coccinea*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), and white mulberry (*Morus alba*), located in the southwestern corner of the property will be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking. As noted earlier in this DEIS, all trees that are proposed to remain, along with their canopy, are shown as such on the attached site plans. In addition, all trees to remain would be protected with tree protecting fencing during construction to avoid disturbance.

Table 10 – Proposed Changes in Ecological Community Coverages

	Existing	Percent of Existing	Proposed	Percent of Proposed	Change in Acres	Percentage Change
Successional Southern Hardwoods	5.016	74.27	0.200	2.96	-4.816	-96.0%
Successional Old Field	0.676	10.01	0.000	0.00	-0.676	-100.0%
Mowed Lawn with Trees	0.883	13.07	3.563	52.79	+2.68	+303.5%
Mowed Lawn	0.053	0.79	0.000	0.00	-0.053	-100.0%
Impervious Surfaces (Roofs and Roadways)	0.125	1.85	2.991	44.31	+2.866	+2,866%
Total Site		100%	6.75	100%		

The loss of 5.49± acres of early successional communities would result in decreased habitat availability for the plants, birds, and wildlife that utilize these habitats and a decrease in the abundance and diversity of the plant and wildlife species present. The proposed action would result in an increase of 2.68± acres of mowed lawn and landscaping including trees. The proposed landscaping consists of maintained turf grass with scattered deciduous trees, including red maple (*Acer rubrum* ‘October Glory’) and red flowering dogwood (*Cornus florida* var. *rubra*), and trimmed hedgerows comprised of privet (*Ligustrum ibolium*) and property boundary screening comprised of evergreen trees, i.e. Leyland cypress on 8 ft centers (*Cupressocyparis leylandii*), on the eastern and western property boundaries in areas where no existing trees are present. The proposed landscaping plantings do not include any species listed as invasive by the Long Island Invasive Species Management Area (www.liisma.org) or included on Suffolk County’s “No Sale/Transfer List” (Suffolk County Local Law No. 22-2007, Adopted 6-26-2007).

Under the proposed conditions, human disturbance and activity would be substantially increased, the currently existing natural habitats would be lost, and remaining habitat would be limited to the mowed lawn areas and narrow strips of landscaping and border trees. These mowed lawns, landscaping, and

hedgerows would not provide any significant ecological benefits due to the poor diversity and wildlife habitat provided by these areas. Accordingly, under the proposed conditions, only commonplace and commensal (i.e. tolerant of human activity) wildlife species, such as gray squirrel (*Sciurus carolinensis*), eastern cottontail (*Sylvilagus floridanus*), American robin (*Turdus migratorius*), house sparrow (*Passer domesticus*), mourning dove (*Zenaidura macroura*), and mockingbird (*Mimus polyglottos*), would be expected on the site. Those species that are less tolerant of human activity and require greater habitat quality, habitat diversity, or larger patch sizes would not utilize the site under the proposed conditions.

The proposed action would result in the loss of 5.49 acres of successional southern hardwoods and old fields. However, the resulting habitat loss and any subsequent reductions in local abundance of bird or wildlife species is not a significant adverse environmental impact as:

- Successional southern hardwood forests and successional old fields are classified by the New York Natural Heritage Program as “demonstrably secure” both in New York State and globally (Edinger et al. 2002). Accordingly, these habitats are abundant both locally and throughout New York State.
- The successional forests and old fields present at the site are not known to provide habitat for any endangered, threatened, or rare wildlife or plant species.
- The populations of the commonplace plant and wildlife species inhabiting the old fields and successional forests found at the subject property are largely considered abundant and stable.

Endangered, Threatened, Rare Species or Significant Ecological Communities

No endangered, threatened, or rare species or significant ecological communities are known to be present on the subject site; accordingly, no impacts to endangered, threatened, or rare species or significant ecological communities shall result from the proposed action.

The project site contains habitat that could be utilized by the northern long-eared bat (*Myotis septentrionalis*) during the summer months. The northern long-eared bat is listed as threatened by both the US Fish and Wildlife Service and New York State. Due to the presence of summer roost habitat at the site and documentation of northern long-eared bat foraging over various habitat types throughout eastern Suffolk County, the NYSDEC recommends that any clear-cutting of trees occur during the winter months (between November 1 and March 31) to avoid any potential take of this protected species.

Three species listed as Species of Special Concern by New York State are expected to occur on the site including eastern box turtle (*Terrapene carolina*), Cooper’s hawk (*Accipiter cooperii*), and sharp-shinned hawk (*Accipiter striatus*).

The eastern box turtle (*Terrapene carolina*) would be expected to utilize any of the naturally vegetated upland habitats on site. While box turtles are expected to be present on the site, the barriers (i.e. curbed roadway and railroad tracks) located to the north and south of the site and unsuitable habitat to the west likely limit this species current abundance on the site. The project would result in a loss of approximately 5.49± acres of habitat for eastern box turtle and the proposed conditions would provide poor habitat for this species due to potential mortality from mowers in maintained lawn areas and

vehicles in roads and parking areas. This is not likely to pose a significant impact to this species due to the regional abundance of suitable habitat for this species.

The proposed action would result in some loss of foraging habitat and degradation of habitat quality for Cooper's hawk (*Accipiter cooperii*) and sharp-shinned hawk (*Accipiter striatus*), although these species would likely continue to hunt the human-tolerant songbirds and doves that would utilize the developed property and its lawns and landscaped borders. Due to the potential for these species to continue to utilize adjacent residential and undeveloped properties for foraging, as well as the subject property to a limited extent, no impacts to Cooper's or sharp-shinned hawk populations are expected to result from the proposed action.

2.3.3 Proposed Mitigation

The proposed mitigation measures to reduce environmental impacts associated with the proposed action include the following:

- Existing trees will be retained within the 25-ft rear yard setback area and the 10-ft side yard setback area to contribute to boundary screening for adjacent properties and provide, to a limited extent, habitat benefits to wildlife associated with native trees. The existing tree species that will be incorporated into the site landscaping plan include native trees such as eastern red cedar (*Juniperus virginiana*), black cherry (*Prunus serotina*), box elder (*Acer negundo*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), scarlet oak (*Quercus coccinea*), and invasive or non-native trees such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), and white mulberry (*Morus alba*).
- All trees proposed to remain would be protected during construction with tree protective fencing.
- The proposed landscaping plantings do not include any species listed as invasive by the Long Island Invasive Species Management Area (www.liisma.org) or included on Suffolk County's "No Sale/Transfer List" (Suffolk County Local Law No. 22-2007, Adopted 6-26-2007).
- The clear-cutting of trees will occur during the winter months (between November 1 and March 31) in accordance with NYSDEC recommendations to avoid any potential take of northern long-eared bat (*Myotis septentrionalis*), a species listed as threatened by both the US Fish and Wildlife Service and New York State. Winter clearing of the successional forests will also minimize potential impacts to breeding wildlife and birds.

3.0 HUMAN ENVIRONMENTAL RESOURCES

3.1 Land Use, Zoning and Plans

3.1.1 Existing Conditions

Land Use

The subject property is a 6.75±-acre parcel located on the north side of Main Road, approximately 90 feet west of the intersection of Main Road and Town Harbor Lane, within the boundary of the Southold Hamlet Center. The existing on-site development is limited to a two-story, single-family residence, detached garage and two sheds. It is noted that the existing residence used to be the “Hedges Bed and Breakfast” and is now used for residential purpose. The majority of the site, approximately 6.62± acres, is undeveloped and consists of land cover associated with the former agricultural use, maintained lawn and landscaping, as well as successional woodland. See Photographs 1 through 7 documenting the subject property in Appendix H of this DEIS.

Land uses within a 500-foot radius surrounding the subject property include a mixture of retail, commercial, single-family and transportation (Long Island Railroad) (see Figure 15 in Appendix A). A description of the land uses follows.

- West – Situated at the eastern portion of the Hamlet Center, the land uses to the west of the subject property are comprised primarily of retail and commercial uses along the Main Road corridor. Adjacent to the property is a hair salon followed by florist. Beyond these uses include various retail and commercial uses including a bakery, grocery store, and automobile sales. A boat storage yard adjoins the western property line beyond the Main Road frontage, followed by commercial and residential uses to the west thereof.
- East - Residential properties adjoin the property line to the east, and extend from Main Road north to the LIRR tracks. Beyond are primarily residential uses with limited commercial uses, including a sit-down restaurant along Main Road, portions of which are outside of the designated Hamlet Center. Agricultural uses exist to the northeast of the property.
- South – Directly south of the subject property on Main Road is a convenience store. An antique store is located southeast (also on Main Road) followed by residential uses beyond. To the south-southwest is a dry cleaner and small mixed-use building with professional offices, chocolatier, and pet grooming. Further beyond, off the Main Road corridor are residential uses.
- North - The Long Island Railroad runs parallel to the northern property line. Further north and east are residential and agricultural-use properties.

See Photographs 8 through 19 documenting the surrounding land uses, as described above, in Appendix H of this DEIS.

Zoning

The subject property is located within the Hamlet Business (HB) zoning district of the Town of Southold (see Figure 16 in Appendix A). The HB zoning district encompasses the Main Road corridor, with its purpose to “provide for business development in the hamlet central business areas, including retail, office and service uses, public and semipublic uses, as well as hotel and motel and multifamily residential development that will support and enhance the retail development and provide a focus for the hamlet area.” (Article X. Hamlet Business (HB) District, § 280-44).

As set forth in § 280-45A, the permitted uses in the HB zoning district include:

- (1) One-family detached dwelling.*
- (2) Two-family dwelling.*
- (3) Buildings, structures and uses owned or operated by the Town of Southold, school districts, park districts and fire districts.*
- (4) Boardinghouses and tourist homes.*
- (5) Business, professional and governmental offices.*
- (6) Banks and financial institutions.*
- (7) Retail stores, up to a maximum of 6,000 total square feet of gross floor area...*
- (8) Restaurants, excluding formula food and take-out restaurants.*
- (9) Bakeshops (for on-premises retail sale).*
- (10) Personal service stores and shops, including barbershops, beauty parlors, professional studios and travel agencies.*
- (11) Art, antique and auction galleries.*
- (12) Artists' and craftsmen's workshops.*
- (13) Auditoriums or meeting halls.*
- (14) Repair shops for household, business or personal appliances, including cabinet shops, carpenter shops, electrical shops, plumbing shops, furniture repair shops and bicycle and motorcycle shops.*
- (15) Custom workshops.*
- (16) Bus or train stations.*
- (17) Theaters or cinemas (other than outdoor).*
- (18) Libraries or museums.*
- (19) Laundromats.*
- (20) Bed-and-breakfast uses as set forth in and as regulated by § 280-13B(14).*
- (21) Multiple dwellings.*
- (22) Grocery stores up to a maximum of 25,000 square feet of gross floor area, exclusive of unfinished basements or attic areas, notwithstanding the provisions of the bulk schedule.*
- (23) Convenience stores.*

Relevant to the proposed application, § 280-45A (8) permits “Restaurants, excluding formula food and take-out restaurants.”

Section 280-45(B) sets forth land uses that are permitted in the HB zoning district by special exception by the Board of Appeals. Relevant to the proposed application, §280-45B (2) permits by special

exception, “Motel and hotel uses as set forth in and regulated by § 280-35B (4) of the Resort Residential (RR) District, except that minimum lot size shall be three acres.”

The bulk and dimensional requirements associated with the HB zoning district are included in Table 11 below.

Table 11 - Applicable Bulk and Dimensional Requirements for Hamlet Business (HB) Zoning District

Regulation	Requirement
Minimum Lot Size:	
Business, office, industrial or other nonresidential use	20,000 SF
Motel, hotel or conference center - Guest unit with community water	6,000 SF per unit
Minimum requirements:	
Lot width	60 feet
Lot depth	100 feet
Front yard	15 feet
Side yard	10 feet
Both side yards	25 feet
Rear yard	25 feet
Landscape area	25%
Maximum permitted dimensions:	
Lot coverage	40%
Building height	35 feet
Number of stories	2

As illustrated on Figure 16, the prevailing zoning to the north and east is R-80 - Residential Low-Density (2-Acre) (R-80) and R-40 - Residential Low-Density (1-Acre) (R-40), as land uses transition from commercial/business to residential. Further north, beyond the R-80 and R-40, is an area within the AHD - Affordable Housing District. To the south of the subject property, there is a limited area on the Main Road corridor zoned B - General Business, followed by R-40, consistent with the transition to residential land uses. To the west of the subject property are HB-zoned properties, as well as LI - Light Industrial zoning along the LIRR.

Relevant Planning Documents

The land use plans that pertain to the project site and relevant to the proposed land use are described below, including the *2005 Town of Southold Hamlet Study*, *Scenic Southold Corridor Management Plan*, *Long Island North Shore Heritage Area Management Plan*, and the *Town of Southold Local Waterfront Revitalization Program* (LWRP). Each of the respective plans are discussed below.

2005 Town of Southold Hamlet Study

In June 2005, the Town of Southold, together with local stakeholders, completed a study of its eight separate hamlets (Cutchogue, East Marion, Greenport, Mattituck, New Suffolk, Orient, Peconic and Southold), which articulated a separate assessment and vision for each hamlet based on stakeholder engagement, statistical analyses, and qualitative investigations (“*2005 Hamlet Study*”). The *2005 Hamlet Study*, as described, is “one piece of a comprehensive, integrated, long term community

planning program aimed at preserving the Town’s underlying pattern of land use and intrinsic community character.” (pg. 1) Of particular importance was “to evaluate the technical and practical feasibility of redirecting growth from the agricultural and open space areas of the Town toward the Hamlet Centers themselves...” (pg. 5)

Southold Hamlet Center

Overview

Relevant to this proposed action is the Southold Hamlet Center, of which the subject property is located (see Figure 17 in Appendix A). The Southold Hamlet Center is defined “a very linear configuration and extends for nearly a mile along the Main Road (NYS Route 25). The Hamlet Center runs from Horton Lane in the west, to where the commercial area gives way to open space and agricultural uses east of Town Harbor Lane. The area extends from the rear of the lots fronting on Route 25 in the south to the Long Island Railroad right-of-way in the north.” (pg. S-12) (See Figure 17 in Appendix A). As indicated in the *2005 Hamlet Study*, the Hamlet of Southold is the oldest developed portion of the Town of Southold and is the location of the Town government. It is comprised of a land area of approximately 92.5 acres and 122 parcels. Its historic significance is marked with the Southold Historic District at the western edge of the Hamlet Center, and notable features at its center, the Southold Free Library and the Southold Historical Society Museum Park. The Hamlet Center is the “largest and most commercially active business district on the North Fork between Riverhead and Greenport...the district supports numerous businesses, both large and small, religious institutions, civic uses, transportation facilities as well as a substantial residential population.” (pg. S-1)

The Hamlet Center includes four zoning districts: Hamlet Business (HB), General Business (B), Residential Low Density (R-40) and Residential Low-Density (R-80); however, the most prevalent is the HB zone covering 84 percent of the Hamlet Area (pg. S-14). The R-80, R-40 and B zoning districts comprise the remaining, with 13 percent, two percent and one percent, respectively. (pg. S-15) Land use within the Hamlet were described as being within six distinct land use categories: Hamlet Commercial, Single Family Residential, Multi-Family Residential, Religious and Public. (pg. S-15). Business uses within the Hamlet Center are distributed among various enterprises with retail being the most prevalent at 27 percent, followed by offices, retail services, medical offices, restaurants, public/government, food markets, automotive and religious use.

Regarding historic resources, the *2005 Hamlet Study* indicates that none of the Town’s historic landmarks that are listed on the State and Federal Registers of Historic Places are located within the Hamlet Center. The Southold Historic District is situated to the west of the Hamlet Center boundary. There are, however, locally designated historic resources located within the Hamlet Center. (p. S-31)

As part of the *2005 Hamlet Study*, the stakeholders identified the vision for the hamlet, followed by the strengths and weaknesses, and finally, specific improvement project recommendations.

Southold Hamlet Vision

The vision for the Southold Hamlet is comprised of several fundamental components. The following vision statements were identified as relevant to proposed project.

- *The Southold Hamlet Center is an active, vibrant and thriving central business district, and services the Town’s primary hub of commerce, governmental, civic and institutional activity. (pg. S-2)*
- *While clearly the Town’s primary commercial hub, the scale and character of the Hamlet Center’s commercial activity must take place within a small-scale context that is in keeping with the Hamlet’s traditional and historic setting. (pg. S-2)*
- *Southold’s historic character is also a vital aspect of the area’s “sense of place” and should be preserved, protected, and reinforced. (pg. S-2)*
- *Large-scale commercial development is clearly inconsistent with the Hamlet Center’s character. Large-scale in this context not only refers to the square footage of a given facility, but also the intensity of use, the volume of traffic generated, the nature of the intended market (i.e., targeting a larger market, and not simply the hamlet itself), the extent of site improvements, like off-street parking lots or sewage disposal systems, etc. (pg. S-2)*
- *The Hamlet Center should embrace a diversity of housing types, such as townhouses, attached single family dwellings, multi-family dwellings, etc., within the overall context of the existing character of the Hamlet.*
- *The creation of affordable “workforce” housing is a priority.*
- *Opportunities for new residential development exist in Southold. The new HALO zone should be designed to accommodate a variety of housing types...*

Southold Hamlet Strengths and Weaknesses

The stakeholders identified the strengths and weaknesses of the Hamlet, with the primary strengths being “quality of life, central business district and location.” (pg. S-3) Included among weaknesses were traffic conditions, excessive speeds, poor intersections, and the need to improve pedestrian, bicycle and public transportation facilities were emphasized (pg. S-3). As part of the strengths/weaknesses evaluation, goals were set forth in larger components with an action assigned to each: preserve, add, remove or prohibit. Such components included Quality of Life, Location, Central Business District, Traffic/Transportation, Economics, Infrastructure and Regulations. Table S-1 from the Southold Hamlet Study has been excerpted and included herein (see Table 12).

Table 12 – Southold Strengths & Weaknesses, As Excerpted from Southold Hamlet Study

TABLE S-1 SOUTHOLD'S STRENGTHS & WEAKNESSES				
GOALS	PRESERVE	ADD	REMOVE	PROHIBIT
Quality of Life				
Quaint & charming	✓	✓		
Great place to live	✓	✓		
Beautiful farms, vineyards & open spaces	✓			
Walkable	✓	✓		
Nice trees	✓	✓		
Not overdeveloped	✓			
Not too crowded, peaceful	✓			
Disappearing open spaces				✓
Control tourism so it does not overwhelm the quality of life of year-round residents		✓		
Provide incentives for maintenance and upgrade of signage, façade, etc. on stores in the Hamlet Center.		✓		
Litter, initiate fines, supply attractive trash cans/recycling bins				✓
Encourage social gatherings, events & programs at the gazebo, library, high school & churches. Promote quiet evening socializing (e.g. café), encourage stores to stay open later.		✓		
Sprawl				✓
Management of beaches	✓	✓		
Teen & Adult recreational facilities. Add evening programs at School & Rec Center, Indoor swimming.		✓		
Location				
Proximity to other hamlets for other services	✓			
Proximity to waterfront	✓			
Rural atmosphere	✓			
Central Business District				
Diverse stores	✓	✓		
Main Street focal point. More intensive use of Gazebo Park & Historical Society grounds	✓			
Adequate infrastructure		✓		

Table 12, cont'd

Local businesses with local owners	✓	✓		
Handicapped accessible sidewalks		✓		
Street lighting, Upgrade fixtures		✓		
Stores need a facelift		✓		
Gathering spot of social center		✓		
Traffic/Transportation				
Re-Design intersection at Young's and Rte 48		✓		
Decrease speed limit in Hamlet Center		✓		
Use signage on LIE & locally to encourage use of Rte 48		✓		
Parking, upgrade surfacing & signage	✓	✓		
Police coverage at school crossing	✓			
Roadway layout, better hierarchy of scale	✓			
Traffic control	✓			
Pedestrian friendly, add wider sidewalks w/ benches, trees and footpaths	✓	✓		
Pedestrian crossings, add one at Beckworth & Rte. 25	✓	✓		
Public transportation Publicize cheap S-92 & increase scheduling. Free car/van for elderly	✓	✓		
Add designated bike paths & bike stands		✓		
Economics				
Summer crowds (bring \$)	✓			
Increasing property values	✓			
Decent jobs for young people		✓		
Opportunities for new businesses		✓		
Store hours		✓		
Infrastructure				
Sewers, study alternatives		✓		
Regulations				
Architectural review	✓	✓		
Promote adaptive re-use of buildings	✓	✓		
Commercial density	✓	✓		

Source: Town of Southold Hamlet Study, Hamlet of Southold (pgs. S-3 and S-4)

Southold Improvement Project Recommendations

From the noted strengths and weaknesses, and the associated goals to preserve, add, remove or prohibit within the Southold Hamlet Center, the stakeholders identified specific improvements for implementation. Each of the improvements were organized by the Hamlet Sustainability Principles that were identified to be the basic favorable components for a hamlet plan, which included: Gateways, Human Scale, Streetscape, Building Design, Vehicular Circulation, Pedestrian Circulation, Parking, Public Transportation, Infrastructure, Maintenance, Enterprise, Housing, Open Space Preservation, the Working Landscape and Historic Resources.

In 2007, the Town reconvened the stakeholders “to advance the implementation of the 2005 Hamlet Study findings to further define a vision statement for each Hamlet.”³ As part of this effort, the hamlet stakeholders engaged their respective community to develop public

³ <https://www.southoldtownny.gov/273/Hamlet-Stakeholders-Initiatives>

consensus on prioritizing the short and long-term planning projects, as outlined in the *2005 Hamlet Study*. Status reports were issued for two quarters: April – June 2008 and July – October 2008, and then followed by a 2008 Year-End Report.

A discussion of the project recommendations in 2005, how they were refined in 2007, and the status of such projects as of the latest status report (2008) is included in the *Potential Impacts* section.

Scenic Southold Corridor Management Plan, 2001

In 2001, recognizing the important scenic character of roads, hamlets, farms, and waterfront within the Town of Southold, the Town prepared the *Scenic Southold Corridor Management Plan* (“*Scenic Corridor Plan*”) to develop a set of implementation tools and policies to preserve and enhance these scenic resources. The *Scenic Corridor Plan* identifies NYS Route 25 as a scenic corridor and, within the Hamlet of Southold, is characterized as the central transportation locus that weaves together the various components of the historic hamlet’s downtown, including green spaces, institutional and civic uses, residential neighborhoods, and commercial businesses. The subject property fronts along NYS Route 25 (i.e., Main Road) at the eastern edge of the Hamlet of Southold.

The subject property is currently eligible for listing on the State and National Registers of Historic Places (USN No. 10310.000679), attributed to its distinctive architectural character that contributes to and is consistent with the larger historic aesthetic of the Hamlet and Town of Southold. In a letter from OPRHP dated December 28, 2017 (see Appendix K), the agency notes the historic nature of the both the exterior and interior of the existing residential buildings at the subject property, and a desire to preserve that character as much a practically possible in the face of proposed renovations and development. While the *Scenic Corridor Plan* does not specifically discuss it, based on the foregoing, the subject property is a resource that contributes the scenic nature of NYS Route 25 within the Hamlet of Southold. As such, the recommendations of the *Scenic Corridor Plan* are relevant to the subject property and proposed action.

Long Island North Shore Heritage Area Management Plan, 2005

The *Long Island North Shore Heritage Area Management Plan* (“*Heritage Plan*”), recognizing the rich diversity of natural and manmade resources that comprise northern Long Island, was developed by Long Island North Shore Heritage Area Planning Commission with the intent of:

- (1) Preserving the historic qualities and heritage of the geography.
- (2) Providing protection for various environment, maritime, and natural resources.
- (3) Enhancing the cultural identity and economic vitality of the region.

The defined “heritage area” within the *Heritage Plan* contains all or portions of 65 separate cities, towns, and villages within both counties of Long Island (i.e., Suffolk and Nassau counties), and is generally identified as that area north of either NYS Route 25 or the Long Island Expressway (whichever is further south) within the two aforementioned counties, as well as the entirety of the

Long Island North Fork. This heritage area geography contains the entirety of the Town of Southold, in which the subject property is located.

In order to achieve this previously articulated intent, the *Heritage Plan* contains three distinct elements, including: (1) a management plan, which “sets forth a framework with specific actions and policies for achieving goals and objectives” [pg. 7]); (2) a strategic plan that “defines and organizes a vision for the future of the region” [pg. 8]); and (3) an implementation plan, including “specific recommendations...to support the region and its individual communities.” The Implementation Plan includes sources of potential support and funding, including community capacity building, traditional economic revitalization sources and grant sources...” (pg. 8)

Prior to the discussion of these three components, the *Heritage Plan* contains an overview section that articulates five guiding principles for the plan components, including: (1) protection (preservation and revitalization strategies); (2) connection (weaving together the various resources of the Heritage Plan geography into a cohesive whole); (3) package (identification of core themes that define the Heritage Plan area for coordination among stakeholders); (4) promotion (advance appreciation of the Heritage Plan area’s resources); and (5) partnerships (identify unique partnerships, collaborators, programs, and initiatives to sustain the various resources of the Long Island North Shore). These principles inform the various objectives and recommendations of the component plans of the Heritage Plan, the pertinence of which to the subject property and proposed action is evaluated in the Potential Impacts subsection (Section 3.1.2).

Town of Southold Local Waterfront Revitalization Program (LWRP)

The Town of Southold LWRP document contains a complete inventory of the Town’s resources, contains analyses of all existing land use conditions, and incorporates the goals of all existing planning studies and policies. In 2011, the Town of Southold Town Board adopted amendments to the LWRP, which were submitted to the New York State Secretary of State and the U.S. Office of Ocean and Coastal Management, respectively, in 2014. The LWRP was approved by the New York State Secretary of State on February 25, 2014 and concurred by the U.S. Office of Ocean and Coastal Management on July 24, 2014.

The LWRP follows the Long Island Sound Regional Coastal Management Program Policies (LISCMP) in outlining 13 waterfront revitalization policies to specifically address the Town of Southold’s resources. These 13 policies have been categorized into Developed Coast Policies, Natural Coast Policies, Public Coast Policies, and Working Coast Policies. The LISCMP describes a specific goal for each Coast, and these goals are identified within the Planning Framework section of the LWRP. In summary, as excerpted from the LWRP:

- *The Developed Coast - Enhance community character by improving the quality of existing development, promoting a sense of connection to the Sound, and focusing growth and investment to preserve the positive relationship between the built and natural landscapes and between existing and new development.*
- *The Natural Coast - Reclaim the value and achieve sustainable use of the Sound’s natural resources by improving the quality and function of ecological systems, respecting the dynamics of shoreline change, and providing high quality coastal waters.*

- *The Public Coast* - Connect people to the Sound and its public resources by improving visual and physical access and by providing a diversity of recreational opportunities.
- *The Working Coast* - Reinvigorate the Sound's working waterfront, its jobs and products, at appropriate locations by protecting uses dependent on the Sound, furnishing necessary infrastructure, providing business and marketing assistance, and promoting efficient harbor operations.

The 13 policies implement the New York State Department of State (NYS DOS) 44 coastal policies, and represent a local refinement of the Long Island Sound Regional Coastal Management Program Policies. Said policies and consistency therewith are included in Section 3.1.2 of this DEIS.

3.1.2 Potential Impacts

Land Use

Upon implementation of the proposed action, the land use of the subject property would be altered from residential and vacant land, to a restaurant and small-scale hotel use. The existing residence, which was formerly the “Hedges Bed and Breakfast,” is proposed to be restored in a plan that has been reviewed and approved by the State Historic Preservation Office (NYS OPRHP) for re-use as a restaurant, which would service both the public as well as the proposed hotel.

As part of the proposed conversion for a restaurant use, the applicant is proposing to connect the existing residential structure to one of the existing adjacent sheds by way of a 519±-SF addition, for a total gross floor area (post-conversion and expansion) of 3,806± SF (excluding the cellar of 524 SF). The remaining shed would be removed, while the existing one-story detached garage would remain and used for storage. The proposed restaurant maintains the same setbacks as the existing residence as the proposed addition is to connect an existing shed to the structure. The front yard setback for the existing structure is 17'-2”, with a 97'-10” side yard to the west and 49'-7” side yard to the eastern property line.

The proposed hotel is a two-story, L-shaped building situated in the rear of the subject property. The proposed gross floor area is 61,200 SF (lower level = 9,891 SF; first floor = 28,933 SF; second floor = 22,376 SF) and includes 40 rooms, ranging in sizes between 500 SF and 540 SF. Four (4) detached cottages, each with an area of 594 SF, are proposed to the north of the hotel building. Situated between the hotel and cottages is an outdoor swimming pool with cabanas and seating areas. A guest-only spa is also being considered within the hotel as an added amenity. The proposed two-story hotel has a finished floor elevation of 32.0 ft. The L-shaped building maintains a 32' side yard to the east, 48'-8” side yard to the west, 223'-1” front yard and 218'-1” rear yard setback. Cottage 4 is the closest of the four cottages to the rear property line, at a distance of 153'-10”.

As indicated on the floor plans and renderings in Appendix D of this DEIS, the hotel design includes a Period-style stone “barn,” which anchors the hotel building at the southeast. The barn is 2-1/2 stories high and is designed with a Ludowici clay tile roof and local stone veneer. From this anchor to the West would be the one-story reception and lobby, as well as a deck floating above a small man-made pond on the south side of the lobby, overlooking a lawn/meadow area. To the north would be the 40

room, two-story flat roofed structure that would house the actual rooms themselves. Each floor would have 20 rooms. This flat-roofed structure will be a low-rise element that would be well hidden from view by the anchoring stone barn. Stylistically, the design will introduce the “wings” which extend from the period barn, as more contemporary structures juxtaposed against the barn.

The north wing of the hotel would effectively screen and buffer the three adjacent residential properties to the east from the activities on the west side of the hotel around the pool and pool terraces. In addition, the east facade of the building will feature mirrored glass to reflect the dense evergreen screening intended to be installed to have minimal visual impact on these three properties. To the north, the four (4) cottages screen the overflow parking lot as well as the neighboring LIRR tracks. To the west is the existing boatyard and to the south, beyond the hedgerow, will be the restaurant.

The components and operation for the proposed hotel are depicted in the architectural plans included in Appendix D of this DEIS and are as follows:

- (1) Lower Level
 - (a) Storage space.
 - (b) Elevator which provides bellhop access from first floor reception to lower level where staff can go across to the main elevators and up to the guest rooms without traversing the public lounge on the first (main) floor.
 - (c) Housekeeping / Maintenance Office.
 - (d) Mechanical space.
 - (e) I.T. Room.
 - (f) Laundry.
 - (g) Elevator Mechanical Room.
 - (h) Unfinished space in cellar with no intended use at this time.
- (2) First Floor
 - (a) Check-in reception area.
 - (b) Coffee Shop.
 - (c) Lounge Bar.
 - (d) Breakfast / Dining Room.
 - (e) Restroom facilities for Bath, Bar/Lounge and Pool Area.
 - (f) Food Prep area, to receive prepared food from the proposed restaurant, which will then be distributed by housekeeping for room service or to dining/bar areas.
 - (g) Circulation Space.
 - (h) Guest Rooms.
- (3) Second Floor
 - (a) Rooftop Terrace for gathering.
 - (b) Food / Beverage service from space below.
 - (c) Three (3) small meeting rooms to accommodate guest use or small conferences.
 - (d) Circulation Space.
 - (e) Guest Rooms.

As noted above, there are three small meeting rooms included on the second floor of the hotel. It is envisioned that, as this is a seasonal occupancy, to offset the anticipated drop in hotel occupancy in late Fall and Winter months, the applicant would like to encourage the use of the hotel facility as a conference center and corporate retreat in the off-peak months.

The hours of operation of the hotel is full-time to its guests (24/7). Room service would also be offered to guests 24/7. However, the restaurant would prepare a limited room service menu that could be pre-prepared in the restaurant, and then re-heated or plated at the food prep kitchen during hours that the restaurant is closed. The hotel bar / lounge for guests will be open on Weekdays (Monday – Friday) from 4:00PM – 11:00PM, and on Weekends from Noon – 11:00PM.

The proposed hotel would be expected to use an outdoor sound reinforcement system to play music on the property, within the pool area, during daytime hours of operation. A limiter would be placed on this system to ensure that the resulting sound levels cannot exceed the limits set in the Town of Southold Noise Ordinance for commercial music (Sunday through Thursday, 65 dB(A) between 7:00 am and 7:00 pm and 50 dB(A) between 7:00 pm and 7:00 am; Friday and Saturday, 65 dB(A) between 7:00 am and 11:00 pm and 50 dB(A) between 11:00 pm and 7:00 am).

The project sponsor anticipates hosting special events at the hotel approximately eight to 12 times per year (during the late Spring, Summer and early Fall months) and such events would likely consist of weddings, fundraising events or other small private gatherings. It is envisioned that smaller events would be held in the hotel lounge space and larger such events would be hosted on the lawn area adjacent to the proposed pond (north of the internal roadway). Such events are envisioned as occurring on potentially Friday Evenings from 6:00 PM to 10:00 PM, Saturday day or evening events ranging from 2:00 PM to 11:00 PM, or Sunday day events from 2:00-6:00 PM. No events will be held concurrently (i.e., only one special event at any given time).

In all cases where music is either in a tent or poolside, directional speakers would be used to divert sound from neighboring residential properties to the east. A tent would be set up in such a way that the speakers would be directed within the tent once again away from the east property line. In addition, sound baffles would be used behind the sound system. The hotel building itself and additional screen plantings would also act as sound barriers or attenuate sound (see Section 3.4 of the DEIS).

It is acknowledged that any special events held on the property would be subject to compliance with the Town's noise ordinance and traffic/parking controls would be in place. It is further acknowledged that special events are subject to the filing of a "Town Code Chapter 205 'Public Entertainment and Special Events' permit application, and the project sponsor or its management staff would comply with such requirement. Both the potential traffic and noise impacts of special events have been evaluated in this DEIS in their respective sections.

Regarding the restaurant, the components and operation for the proposed restaurant are depicted in the architectural plans included in Appendix D of this DEIS and are as follows:

1. Lower Level
 - a) Existing Mechanical / Storage Space.
 - b) Crawlspace, both existing and new.

-
2. First Floor
 - a) Vestibule.
 - b) Foyer and Stair area.
 - c) Bar with seven (7) seats.
 - d) Restrooms.
 - e) Dining Area with 36 seats.
 - f) Kitchen.
 - g) Walk-in Box.
 - h) Pantry.
 - i) Manager's Office.
 - j) Prep. Area.
 - k) Take-out Counter.
 - l) Staff Locker Room.
 - m) Staff Bathroom.
 3. Second Floor
 - a) Stair Area open to below.
 - b) Food Prep. Area.
 - c) Dining Area with 30 seats.
 - d) Private Dining Rm with eight (8) seats.

It is anticipated that the proposed restaurant will be open year-round; however, depending upon the demand, the hours of operation may be limited in the Fall and Winter. The hours of operation are planned as follows: Monday-Thursday: 5:00 pm-11:00 pm, Friday, Saturday and Sunday (open for lunch): 12:00 Noon-11:00 pm.

Site access is proposed to be provided via the existing driveway located on the east side of the residential structure (proposed restaurant) and a new curb cut for site egress is proposed on the west side of the current residence (proposed restaurant). Upon entry to the subject property, vehicles destined for the restaurant would proceed either directly to a parking area to the north or west of the proposed restaurant or, at peak times, to a valet station. Vehicles destined for the hotel would proceed along a proposed east-west internal driveway, with two turnabouts provided as both traffic calming and visually-appealing elements to the design, to an access driveway along the west side of the subject property. Guests can proceed directly to the surface parking area located along the west side of the property and north of the proposed hotel. Guests can also proceed to a check-in valet station.

Dedicated parking for each use would be provided and the proposed parking would exceed the required number of spaces in the Town Zoning Code due to an anticipation of special events (e.g., weddings) on the subject property. Pursuant to §280-78 of the Town Zoning Code, the required parking for the proposed restaurant is 38 spaces. As noted on the Preliminary Site Traffic Control and Parking Plan, the proposed design includes a surface parking area designed for 38 spaces (27 paved and 11 grass paved), including two ADA spaces. Two grass overflow spaces have also been provided. The required parking for the hotel is 56 spaces. The Preliminary Site Traffic Control and Parking Plan includes a dedicated 96-space parking area, including four ADA spaces. An additional 24 grass spaces are also provided as overflow parking. The provision of overflow parking in the proposed site plan ensures that any special event that takes place on the property would not impact surrounding roadways or properties with "spillover" parking.

Proposed Landscaping and Lighting

The proposed landscaping plan for the subject property includes retaining select trees, grass seeding and planting of native species and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides. The proposed plan considers recommended native and acceptable ornamentals from regulatory and advisory organizations and boards, including the NYSDEC, CCE, and the Suffolk County Water and Land Invasives Advisory Board.

As indicated on the Proposed Landscape Plan in Appendix C, the proposed landscaping consists of maintained turf grass with scattered deciduous trees, including red maple (*Acer rubrum* 'October Glory') and red flowering dogwood (*Cornus florida* var. *rubra*), as well as trimmed hedgerows comprised of privet (*Ligustrum ibolium*). Property boundary screening comprised of evergreen trees, including Leyland cypress on 8 ft centers (*Cupressocyparis leylandii*) is also proposed on the eastern and western property boundaries in areas where no existing trees are present. The use of Leyland cypress would provide natural privacy screening with the adjoining properties. Within the areas of the proposed swimming pool and the hotel cottages, the proposed landscaping includes Northern privet (*Ligustrum x. ibolium*). Northern Privet is also proposed along the northern edge of the east-west internal roadway for a vegetative separation of the restaurant and hotel uses.

Within the 25-ft rear yard setback area, approximately 13, six-to-eight inch DBH eastern red cedar (*Juniperus virginiana*) and eight-to-14 inch DBH black cherry trees (*Prunus serotina*) trees would be retained. Several red maple (*Acer rubrum*) trees would be planted in and adjacent to this natural area to vegetate areas currently without trees. Some native trees present on the site would also be retained within the 10-ft side yard setbacks. The 10-ft side yard setbacks located in the northern portion of the property include eight-to-16 inch diameter black cherry trees that would be incorporated into the site's landscaping plan.

Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), scarlet oak (*Quercus coccinea*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), and white mulberry (*Morus alba*), located in the southwestern corner of the property would be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking. As noted earlier in this DEIS, the trees that are to remain are indicated as such on the site's landscaping plan and would be protected during construction in accordance with the details provided on the erosion and sediment control plans. Overall, the proposed development would comply with the Town Zoning Code, Article XX. Landscaping, Screening and Buffer Regulations, as evaluated later in this subsection.

The proposed site lighting would consist of light poles and building fixtures. Specifically, as indicated on the Site Lighting Plan in Appendix C, the proposed plan includes ten-foot lamp poles, with LED fixtures along the internal driveway and within the parking areas. Each lamp pole would include a shielded fixture such that all light would be directed downwards with no upward glare. A photometric analysis of each proposed pole was performed and is illustrated on the Site Lighting and Details Plan. As indicated in the photometric analysis, there would be no off-site lighting impacts from any of the light poles proposed. Regarding building fixtures, fixed lighting would be installed on the proposed hotel building and restaurant. To mitigate light trespass and glare, all lighting would be shielded and

directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting). The proposed lighting would comply with the lighting standards set forth in §172-5, and would be subject to the review and approval of the Town of Southold Building Department.

Projected Tax Revenues

The proposed action would result in a modification of the land use from its current residential use to a restaurant and a small-scale hotel with associated amenities and utilities. As such, the projected tax revenues would significantly increase both the property value of the subject property and surrounding properties as well. Pursuant to information provided by the Town of Southold Board of Assessors, the projected assessed value of the subject property would be \$91,700, which includes the value of the land itself and the proposed improvements (see Appendix G). Projected tax revenues from the subject property under the proposed development are described below in Table 13.

Table 13 – Proposed Development Project Tax Revenues

Taxing Jurisdiction	Projected Assessed Value (\$)	Tax Rate (rate per \$1,000)	Projected Tax Revenue (\$)
Out of County Suffolk County Community College	91,700	2.346	215.13
New York State Real Property Tax Law	91,700	8.746	802.01
MTA Payroll	91,700	0.672	61.62
Suffolk County	91,700	19.158	1,756.79
Town of Southold	91,700	315.028	28,888.07
Southold Union Free School District	91,700	865.895	79,402.57
Library District	91,700	34.833	3,194.19
<i>Special Districts</i>	-	-	9,161.65
Fire	91,700	99.909	5,782.51
Park	91,700	63.059	1,681.04
Mosquito	91,700	18.332	0.00
Ferry	91,700	0	0.00
Garbage	91,700	0	0.00
Water	91,700	0	0.00
St. Imp	91,700	0	0.00
Waste Water	91,700	0	0.00
Solid Waste	91,700	18.518	1,698.10
TOTAL:		N/A	\$123,482.03

As Table 13 above shows, the proposed development would generate significant annual tax revenue to various taxing jurisdictions upon its completion. This includes approximately \$1,757 to Suffolk County, \$28,888 to the Town of Southold, \$79,402 to the Southold Union Free School District, \$5,782 to the Southold Fire District, and \$1,698 to the local solid waste district. Overall, the proposed development is projected to generate approximately \$123,482 dollars in total tax revenue.

Projected Job Creation

The proposed hotel and restaurant uses would generate jobs of various types associated with those operations. In order to estimate the total number of jobs that could potentially be generated from the proposed development, job generation factors (based on the mean number of square feet per employee) from the *Development impact Assessment Handbook* were utilized, as indicated below in Table 14.

Table 14 – Projected Employment Generation

Proposed Use	Job Generation Factor (Mean Number of Square Feet per Employee)¹	Proposed Area (Square Feet)	Projected Jobs Generated
Hotel	1,429	61,200	43±
Restaurant	400	3,806	10±
TOTAL:			53±

Note(s): ¹ De Burchell, R. W. (1997). *Development impact Assessment Handbook*. Washington, D.C.: Urban Land Institute.

As shown above, the proposed restaurant and hotel uses are projected to generate approximately 10 and 43 employees, respectively, for a total of 53 jobs. These projected jobs would include food preparation and service, housekeeping, maintenance, and managerial positions, among others. It would be expected that the majority of these positions would be filled from within the local community.

Zoning

The subject property is located within the HB zoning district of the Town of Southold. Pursuant to § 280-45A (8) of the Zoning Code, the proposed restaurant is a permitted use. Section 280-45(B) sets forth land uses that are permitted in the HB zoning district by special exception by the Board of Appeals. Relevant to the proposed application, §280-45B (2) permits by special exception, “Motel and hotel uses as set forth in and regulated by § 280-35B (4) of the Resort Residential (RR) District, except that minimum lot size shall be three acres.” Section 280-35B (4) also includes the following requirements for motel and hotel uses:

- (b) *The maximum number of guest units shall be:*
 - [1] *One unit per 6,000 square feet of land without public water or sewer.*
 - [2] *One unit per 4,000 square feet of land with public water and sewer.*
- (c) *No music, entertainment or loudspeaker system shall be audible from beyond the property line.*
- (d) *The maximum size of a guest unit shall be 600 square feet.*

As indicated in the Table 15 below, the proposed site plan complies with the bulk and dimensional requirements for uses within the HB zoning district, as well as the RR District use restrictions for the proposed hotel.

Table 15 - Consistency with Bulk and Dimensional Requirements – HB and RR Zoning Districts

Regulations	Requirement	Proposed Action
HB Zoning District:		
Minimum Lot Size: Business, office, industrial or other nonresidential use	20,000 SF	294,204 SF
Motel, hotel or conference center - Guest unit with community water	6,000 SF per unit	6,686 SF per unit
Minimum requirements:		
Lot width	60 feet	190.66 feet
Lot depth	100 feet	928.03 feet
Front yard	15 feet	17.16 feet
Side yard	10 feet	32 feet
Both side yards	25 feet	80.66 feet
Rear yard	25 feet	153.83 feet
Landscape area	25%	58.62%
Maximum permitted dimensions:		
Lot coverage	40%	16.3%
Building height / No. of Stories	35 feet/2	32.93 feet/2
RR District – Use Restrictions:		
Maximum Number of Guest Units	1/6,000 SF or 49 units	44 units
Maximum Size of Guest Unit	600 SF	592 SF

Special Exception Use Permit – §§280-142 and 143

The proposed hotel requires a special exception use permit from the ZBA. Sections 280-142 and 280-143 of the Town Code set forth general standards as well as matters to be considered when issuing said permit. A consistency analysis of the proposed action with the general standards and matters follows. No special exception approval shall be granted unless the Zoning Board of Appeals specifically finds and determines the following:

General Standards – Section 280-142:

A. That the use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.

The proposed hotel is of small-scale, limited to 44 rooms (40 within the hotel building and four within detached cottages) and situated at the rear of the property. The outdoor areas, include swimming pool and lounging areas, are located to the west of the L-shaped building with the cottages to the north, thus containing the activities from neighboring properties to the east. Extensive landscaping is proposed for visual screening and adequate setbacks to the property lines ensure that the hotel use would not affect adjacent property owners. The proposed use is not projected to result in any traffic or noise impacts, as evaluated in Sections 3.2 and 3.4 of this DEIS. For special events, mitigation would be undertaken to prevent any nuisances associated with noise or traffic. Overall, the proposed action

would not be expected to prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.

B. That the use will not prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located or of permitted or legally established uses in adjacent use districts.

As stated above, the proposed hotel is situated at the rear of the property and the L-shaped building has been used as a buffer for its outdoor spaces. Specifically, the outdoor swimming pool and lounging areas are located to the west of the L-shaped building with the cottages to the north, thus containing the activities from neighboring properties to the east. Extensive landscaping is proposed for visual screening and adequate setbacks to the property lines ensure that the hotel use would not affect adjacent property owners. The proposed use is not projected to result in any traffic or noise impacts, as evaluated in Sections 3.2 and 3.4 of this DEIS. For special events, mitigation would be undertaken to prevent any nuisances associated with noise or traffic. Overall, the proposed action would not be expected to prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located or of permitted or legally established uses in adjacent use districts.

C. That the safety, the health, the welfare, the comfort, the convenience or the order of the Town will not be adversely affected by the proposed use and its location.

The proposed hotel would be constructed in accordance with all applicable building and fire codes and in consultation with Town officials and staff to ensure there are no safety concerns. Site access has been evaluated in the traffic impact study and the proposed access plan has been designed to adequately provide for the projected traffic entering and exiting the access driveway to assure the public safety and to minimize traffic congestion. Water for fire protection would be supplied from the same water distribution system that provides potable water. The proposed hotel would also be provided with an automatic fire sprinkler system. Overall, the proposed hotel would not adversely affect the safety, the health, the welfare, the comfort, the convenience or the order of the Town.

D. That the use will be in harmony with and promote the general purposes and intent of this chapter.

The proposed hotel is to be situated within the Southold Hamlet Center and in compliance with the bulk and dimensional requirements of the HB zoning district, as well as the RR District use restrictions for the proposed hotel. As evaluated later in this section, the proposed use is consistent with many of the goals of the *2005 Town of Southold Hamlet Study*. Upon implementation of the proposed action, it is expected that most hotel guests would frequent the Hamlet Center businesses, taking advantage of the hamlet's walkability and diverse business offerings. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses. These were noted goals for Southold Hamlet Center in the *2005 Town of Southold Hamlet Study*. Overall, the proposed use will be in harmony with and promote the general purposes and intent of the chapter.

E. That the use will be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale and overall appearance.

The proposed hotel building would reflect the existing scale of existing buildings at the subject property and surrounding community (i.e., low density, one-and two-story structures). The hotel would be located towards to rear of the property where public views of the hotel use (including those views from the National Register-eligible Glover-Hutter House) would be limited and obscured by proposed landscaping (see photo-simulations provided as Figures 18 and 19 in Appendix A). The proposed plan also includes the planting of substantial and mature trees along the eastern and western property lines such that the views into the site would be limited (see photo-simulations provided as Figures 20 through 23 in Appendix A). The proposed project would change the land use character of the subject property from one residence to a mixed-commercial use; however, the re-use and conversion of the existing residence to a restaurant would maintain an important historic structure along Main Road. As evaluated herein, the proposed project is consistent with various local and state comprehensive planning documents relevant to the hamlet and Town of Southold and the larger region regarding preservation of existing historic character of the area. Overall, the proposed hotel will be compatible with its surroundings and with the character of the neighborhood and of the community in general, particularly with regard to visibility, scale and overall appearance.

F. That all proposed structures, equipment and material shall be readily accessible for fire and police protection.

The proposed hotel would be constructed in accordance with all applicable building codes and in consultation with Town officials and staff to ensure there are no safety concerns. Consultations were undertaken with both the Southold Fire District and the Town of Southold Police Department. As evaluated in Section 3.6 of this DEIS, the proposed development is not expected to adversely impact the local police department or fire district; however, upon receipt of responses from the Southold Town Police Department and Southold Fire District, the project sponsor would respond to any recommendations should they be offered by either or both agencies.

G. That the proposal complies with the requirements of Chapter 236, Stormwater Management, or in the alternative, the Zoning Board of Appeals shall condition such approval on compliance with the requirements of Chapter 236, Stormwater Management.

An analysis of Chapter 236 is provided in Section 2.2.2 of this DEIS. Based upon the analysis, the proposed development plans are consistent with the goals and standards set forth in Chapter 236 of the Town Code.

Matters to be Considered – Section 280-143:

A. The character of the existing and probable development of uses in the district and the peculiar suitability of such district for the location of any of such permitted uses.

As noted above, the proposed hotel building would reflect the existing scale of existing buildings at the subject property and surrounding community (i.e., low density, one- and two-story structures). Public views of the hotel use would be limited and obscured by proposed landscaping (see Figures 18 through 23 in Appendix A). The proposed project would change the land use character of the subject property from one residence to a mixed-commercial use. However, as evaluated herein, the proposed project is consistent with various local and state comprehensive planning documents relevant to the hamlet and

Town of Southold and the larger region regarding preservation of existing historic character of the area.

B. The conservation of property values and the encouragement of the most appropriate uses of land.

Based on an assessment provided by the Board of Assessors, there would be an increase in tax revenue to various taxing jurisdictions, including (but not limited to) Suffolk County, the Town of Southold, and the local fire protection and school districts. Pursuant to information provided by the Town of Southold Board of Assessors, under the proposed development (including the restaurant), the subject property would generate approximately \$123,482 in total tax revenue to various applicable taxing jurisdictions as described above, based on 2018-19 Town of Southold tax rates (see Appendix G).

Regarding the appropriateness of the use, the existing residence was formerly used as a bed and breakfast. This structure would be converted to a restaurant, maintaining its existing character while providing for a use that is consistent with similar uses in the hamlet center. The proposed hotel to be situated in the rear of the property includes 44 rooms, which are intended to meet an existing demand. Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet's walkability and diverse business offerings. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses. These were noted goals for Southold Hamlet Center in the *2005 Town of Southold Hamlet Study*.

C. The effect that the location of the proposed use and the location that entrances and exits may have upon the creation or undue increase of vehicular traffic congestion on public streets, highways or sidewalks to assure the public safety.

The subject property currently includes full access to Main Road via one driveway. The proposed access plan would improve this condition by splitting access for entering and exiting vehicles. An entrance only driveway would be placed on the easterly side of the frontage on Main Road and an exit only drive would be placed on the western side of the front on Main Road opposite the existing 7-11 driveway located on the south side of Main Road. The proposed access plan was designed to provide safe and efficient access for both patrons and employees of the proposed project.

D. The availability of adequate and proper public or private water supply and facilities for the treatment, removal or discharge of sewage, refuse or other effluent (whether liquid, solid, gaseous or otherwise) that may be caused or created by or as a result of the use.

Consultations were undertaken with the SCWA and service availability has been confirmed. The proposed action includes the construction of a sewage treatment plant to accommodate the total demand from the restaurant and hotel uses. As evaluated in the Section 2.2 of this DEIS, there are no significant adverse impacts expected to occur from the STP. Of importance is that the nitrogen load from wastewater from the proposed development would be approximately 80 lbs. per year less than that of an "as-of-right" development, due to the presence of the proposed STP, which would not be required in the as-of-right development. This reduction will improve the overall groundwater and surface water quality over an as-of-right development.

All solid waste from the proposed development would be collected and disposed of by a licensed private carter. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. As part of the proposed project, best management practices for reduction in solid waste generation and product selection would be incorporated into the business plans. All trash enclosures (i.e., central dumpster areas for the restaurant and hotel) would be screened with vegetation and pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

E. Whether the use or the materials incidental thereto or produced thereby may give off obnoxious gases, odors, smoke or soot.

The potential for odors to be generated from the on-site wastewater treatment and disposal are addressed in the design of the overall system. As indicated in Section 3.2.2 of this DEIS, the proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen. As such, odors would be controlled thus resulting in no adverse impacts to the neighboring properties.

The potential exists for odors from the trash receptacles. To prevent odors, trash pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures. Based on the above, the proposed action is not expected to generate any odors that would adversely impact the surrounding area.

F. Whether the use will cause disturbing emissions of electrical discharges, dust, light, vibration or noise.

The proposed hotel will not cause disturbing emissions of electrical discharges. Dust would be expected during construction, which would be a temporary impact, and controlled through a dust control plan (see Sections 2.1.2 and 3.6.2 of this DEIs for more information). The proposed site lighting would consist of light poles and building fixtures. Each lamp pole would include a LED shielded fixture such that all light would be directed downwards with no upward glare. A photometric analysis of each proposed pole was performed and is illustrated on the Site Lighting and Details Plan. As indicated in the photometric analysis, there would be no off-site lighting impacts from any of the light poles proposed. Regarding building fixtures, fixed lighting would be installed on the proposed hotel building and restaurant. To mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting).

A noise analysis was performed and based on extensive acoustic readings and related analysis, there is no impact expected for the nearby commercial and residential receivers during typical operation of the proposed hotel (and restaurant). During special events, there have been mitigation measures identified to address the potential increase in noise levels and such mitigation would be implemented. Further discussion is included in Sections 3.4.2 and 3.4.3 of this DEIS.

G. Whether the operation in pursuance of the use will cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities, if existing or if proposed by the Town or by other competent governmental agencies.

In order to maximize the sight distance available to vehicles exiting the subject site, it is recommended the parking be restricted on the north side of Main Road (Route 25) along the entire frontage of the site. Overflow parking has been incorporated into the site plan in anticipation of special events held at the hotel and such overflow areas would accommodate the demand. There is no impact to recreational facilities.

H. The necessity for bituminous-surfaced space for purposes of off-street parking of vehicles incidental to the use and whether such space is reasonably adequate and appropriate and can be furnished by the owner of the plot sought to be used within or adjacent to the plot wherein the use shall be located.

Pursuant to §280-78 of the Town Zoning Code, the required parking is one space for each guest room and one for each employee or one space per guest room, whichever is greater. Based upon these requirements, the proposed 44-unit hotel with 12 employees would require 56 spaces. The proposed design includes a dedicated 96-space parking area, including four ADA spaces. An additional 24 grass spaces are also provided as overflow parking.

I. Whether a hazard to life, limb or property because of fire, flood, erosion or panic may be created by reason of or as a result of the use or by the structures to be used therefor or by the inaccessibility of the property or structures thereon for the convenient entry and operation of fire and other emergency apparatus or by the undue concentration or assemblage of persons upon such plot.

The proposed hotel is of small-scale (44 rooms) and is not to create a hazard to life, limb or property because fire, flood, erosion or panic.

J. Whether the use or the structures to be used therefor will cause an overcrowding of land or undue concentration of population.

The proposed hotel is not expected to introduce an overcrowding of land or undue concentration of people. The proposed hotel would operate year-round, with hours of operation consistent with these types of uses. The project sponsor anticipates hosting special events approximately eight to 12 times per year and such events would likely consist of weddings, fundraising events or other small private gatherings. It is envisioned that such events would be hosted on the lawn area adjacent to the proposed pond. Overflow parking has been incorporated into the site plan to accommodate the demand during such events.

K. Whether the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.

As indicated in earlier, the proposed plan, inclusive of the restaurant, exceeds the minimum landscape area requirement (i.e., minimum: 25%, proposed: 58.62%) and is significantly under the maximum lot coverage permitted for the HB Zoning District (i.e., maximum: 40%, proposed: 16.3%). The proposed

development also provides for significantly greater setbacks such that there would be adequate buffering from the adjacent properties. The proposed setbacks for the hotel include:

- Front yard – Minimum: 15 feet; Provided: 223'-1"
- Side yard – Minimum: 10 feet; Provided: 32 feet (east) / 48'-8" (west)
- Both side yards – Minimum: 25 feet; Provided: 80'-8" feet
- Rear yard – Minimum: 25 feet; Provided: 153'-10" feet (Cottage 4) / 218'-1" (Hotel Building)

The subject property is located within the Southold Hamlet Center, a corridor that contains commercial and retail uses. The proposed hotel development would be in-scale with existing development of the hamlet and would be visually obscured by existing development and vegetation (existing to remain and proposed supplemental landscaping), such that it would not visually contrast with the existing built environment. The project sponsor envisions locally crafted sculptures on the lawn area, combined with a proposed reflection pond. Interior artwork on display would highlight the history of Southold and the east end of Long Island. The project sponsor would also consider making local historic information readily available to its guests.

The proposed action also includes the installation of a sewage treatment plant to accommodate sewage flow demands. As compared to an as-of-right development utilizing conventional sanitary systems (see Sections 2.2.2 and 5.2 of this DEIS), the proposed STP provides for a development with less nitrogen loading (i.e., the proposed STP results in approximately 430.7 lbs. /yr less nitrogen than if the property were developed as-of-right with conventional subsurface sanitary systems).

L. Whether the use to be operated is unreasonably near to a church, school, theater, recreational area or other place of public assembly.

The proposed use would not affect uses of public assembly, such as a church, school, theater or recreational area.

M. Whether the site of the proposed use is particularly suitable for such use.

The existing residence on Main Road was formerly a bed and breakfast and is now used for residential purpose pending the overall redevelopment of the site. The new hotel intends to meet an existing demand, as explained above and in the Market Study in Appendix G. Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet's walkability and diverse business offerings. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses. These were noted goals for Southold Hamlet Center in the 2005 *Town of Southold Hamlet Study*. Also, the proposed use is not projected to result in any significant adverse traffic or noise impacts, as evaluated in Sections 3.2 and 3.4 of this DEIS. For special events, mitigation would be undertaken to prevent any nuisances associated with noise or traffic, both of which are evaluated in their respective sections herein. The proposed hotel development would also be in-scale with existing development within the hamlet; however, it would be largely hidden by the proposed restaurant and landscaping, such that it would not significantly alter the viewshed.

N. Whether adequate buffer yards and screening can and will be provided to protect adjacent properties and land uses from possible detrimental impacts of the proposed use.

As indicated above, the proposed development provides for significantly greater setbacks than required in the HB Zoning District, including the following:

- Front yard – Minimum: 15 feet; Provided: 17.16 feet
- Side yard – Minimum: 10 feet; Provided: 32 feet
- Both side yards – Minimum: 25 feet; Provided: 80.66 feet
- Rear yard – Minimum: 25 feet; Provided: 153.83 feet

Accordingly, there would be adequate buffering from the adjacent properties. Also, the proposed landscaping plan for the subject property would create a visually pleasing setting within the site interior, while views from the roadway and surrounding properties would be largely obscured. The proposed plan includes retaining select trees, grass seeding and the planting of native species and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides.

O. Whether adequate provision can and will be made for the collection and disposal of stormwater runoff, sewage, refuse and other liquid, solid or gaseous waste which the proposed use will generate.

The proposed application has considered stormwater runoff, sewage, and refuse, as evaluated in this DEIS. All stormwater would be contained on-site and a stormwater management plan has been prepared. Refuse generated on-site would be handled by private carters, contracted by the ownership of the hotel (and restaurant). All sewage would be discharged to an on-site STP located in the rear of the property with no adverse impacts pursuant to the evaluations contained herein.

P. Whether the natural characteristics of the site are such that the proposed use may be introduced there without undue disturbance or disruption of important natural features, systems or processes and without risk of pollution to groundwater and surface waters on and off the site.

Extensive analyses of the potential impacts to groundwater, surface water, as well as ecological resources were undertaken in this DEIS. No significant adverse impacts to either of said resources would be expected upon implementation of the proposed action.

Article XX. Landscaping, Screening and Buffer Regulations

Article XX of the Town Zoning Code sets forth standards for landscaping, screening and buffers. Pursuant to §280-91, these standards “...intended to enhance the appearance and natural beauty of the Town and to protect property values through preservation and planting of vegetation, screening and landscaping material. Specifically, these standards are intended to enhance the appearance of major travel corridors and business areas; to reduce excessive heat, glare and accumulation of dust; to provide privacy from noise and visual intrusion; and to prevent the erosion of the soil, excessive runoff of drainage water and the consequent depletion of the groundwater table and the pollution of water bodies.” Relevant to the proposed action, Article XX sets forth general requirements for plantings, as well as front landscaped areas, transition buffer areas and landscaped parking areas.

➤ *General Requirements, §280-92:*

Section 280-92(A)-(F) sets forth provisions that apply to any use in all zoning districts. Such provisions are included below and a description of the proposed plan as it relates to said provision follows.

- A. Landscaping, trees and plants required by these regulations shall be planted in a growing condition according to accepted horticultural practices, and they shall be maintained in a healthy growing condition...*
- B. A screening fence or wall required by these regulations shall be maintained by the property owner in good condition throughout the period of the use of the lot...*
- C. All landscaping, trees and planting material adjacent to parking areas, loading areas or driveways shall be properly protected from vehicular damage by barriers, curbs or other means.*
- D. To the extent possible, existing trees, vegetation and unique site features, such as stone walls, shall be retained and protected. Existing healthy, mature trees, if properly located, shall be fully credited against the requirements of these regulations.*
- E. Where lot size and shape or existing structures do not make it feasible to comply with the requirements for a front landscaped area or landscaped parking area, the Planning Board may approve planters, plant boxes or pots containing trees, shrubs and/or flowers to comply with the intent of these regulations.*
- F. In cases where the edge of the pavement within a public right-of-way does not coincide with the front lot line, the property owner shall landscape the area between the front lot line and the edge of the street pavement.*

As included on the Proposed Landscape Plan,

- All plants shall meet or exceed the minimum requirements as noted in the latest edition of the American Standard for Nursery Stock by the American Association of Nurserymen, ANSI Z60.1.
- All plantings would be staked-out for the landscape architect's approval prior to the beginning work.
- All trees would be located to a minimum of five-feet from underground utilities and a minimum of 20-feet to overhead utilities.
- Trees would be placed on undisturbed earth and backfill would contain at least 50 percent of the soil taken out of the planting hole, to promote growth in the surrounding soil. All beds would be mulched with four inches of fine shredded bark mulch and kept away from the immediate base of trees and shrubs. All landscaping would be maintained in healthy and vigorous growing condition. In the event plants fail, they would be replaced with plants of

comparable size and type at the beginning of the next growing season to maintain plant densities and species mix.

- Planting of deciduous trees and shrubs shall occur between April 1 to June 1 and October 15 to December 15. Planting of evergreen trees and shrubs shall occur between April 1 to June 1 and September 1 to November 15. If planting and/or seeding is impractical due to time of year, temporary mulch would be applied until favorable weather conditions permit germination and growth, but no more than six months after project completion.
- All planting beds would be cultivated to a depth of eight inches and raked to remove sod clumps, weeds, stones and other foreign material exceeding two inches in diameter. Immediately after planting, deciduous trees trunks would be wrapped from base to first limb with four-inch wide bituminous impregnated, insect resistant tape or paper manufactured for that purpose. The trunk wrap would be removed one year after planting.
- Upon completion of landscaping work, all excess soil, debris, etc. would be removed from the site. The site shall be irrigated. Sprinkler heads and plumbing fixtures shall not encroach upon any rights-of-way of the Town of Southold.

➤ *Front Landscaped Area, §280-93:*

Pursuant to §280-93(B), “[a] front landscaped area shall be required for all uses in all zoning districts. The required landscaped area shall be covered with grass or other ground cover and shall include appropriate trees and shrubs. As a minimum, in all nonresidential districts and in the Hamlet Density Residential and R-40 Low-Density Residential Districts, one shade tree having a caliper of two inches shall be planted within the front landscaped area for each 40 feet or fraction thereof of lot frontage. The purpose of the landscaping is to enhance the appearance of the use on the lot but not to screen the use from view.” Relevant to the proposed action, a landscaped area of five feet wide abutting the front of the building is required in the Hamlet Business District. As indicated on the Proposed Landscape Plan in Appendix C of this DEIS, the proposed action includes a landscaping along the Main Road frontage. Such plantings include Parsons Juniper, Red Maple, Leyland cypress, and Red Flowering Dogwoods. Also, the proposed plan includes an eight-foot hedge row (Northern Privet) along the interior east-west roadway serving as a separation between the proposed restaurant and hotel area. To the north of the hedgerow, an open grass area and pond are proposed. Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), and white mulberry (*Morus alba*), located in the southwestern corner of the property would be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking.

➤ *Transition Buffer Area, §280-94:*

Pursuant to §280-94, “[t]he purpose of the transition buffer area is to provide privacy from noise, headlight glare and visual intrusion to residential dwellings. A buffer area shall be required along all boundaries of a nonresidential lot abutting any lot in a residential district.” Relevant to the proposed action, §280-94 (B)(1) sets forth a minimum buffer area of 15 feet for the Hamlet Business District. As

indicated on the Proposed Landscape Plan in Appendix C of this DEIS, the proposed action includes landscaped buffers along the eastern property line, which abuts residential properties. Specifically, Leyland Cypress would be planted to provide natural privacy screening. Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), and white mulberry (*Morus alba*), located in the southwestern corner of the property would be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking.

Section 280-94 C. requires that the buffer area be “...of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will effectively screen the activity on the lot from the neighboring residential area. As a minimum, the planting shall consist of a double row of trees six feet in height planted at intervals of 10 feet on center. Nonevergreen planting may be included to supplement evergreen planting, but not to take its place.” The proposed Leyland Cypress evergreen screening along the eastern side of the property would primarily utilize a double row of 14-to-16-foot tall mature Leyland Cypress, spaced eight-feet on center to screen the proposed development from the neighboring residential area. The double row of screening would be utilized for the majority of the eastern property line with the exception of the area along the driveway entrance, near the restaurant. In this area, the evergreen screening would be a single row of 14-to-16-foot tall Leyland Cypress planted eight feet on center. The use of the mature Leyland Cypress on this side in both the single and double row configuration aims to provide immediate screening of the proposed action. While the single row of plantings does not comply with Section 280-94C, the use of the mature Leyland Cypress and the reduced spacing would provide a denser and immediate buffer, therefore complying with the intent of the code to provide privacy from noise, glare and visual intrusion. The impact of the proposed evergreen screening is illustrated in the renderings of the proposal (see Figures 20 through 23 in Appendix A).

Section 280-94 D. allows for the use of a “landscaped earthen berm, wall or fence of a location, height, design and materials approved by the Planning Board...for any portion of the required planting and/or buffer area.” The proposed action includes new plantings and retaining existing trees for vegetative screening. The evergreen screening on the west side of the lot would utilize a double row of eight-to-10-foot tall Leyland Cypress, where possible. Where a double row is not possible, such as areas near the parking lot, a single row of plantings will be utilized. Again, the spacing would be reduced to eight-foot on center and the use of more mature trees would allow for more immediate screening of the proposed action, thus providing privacy and protection from noise, glare, and visual intrusion. The proposed evergreen screens, along with preserving some of the existing trees, allows the proposed action to comply with Section 280-94D of the Town Code.

➤ *Landscaped Parking Area, §280-95:*

In addition to the above front landscaped area and transition buffer area requirements, Article XX of the Town Zoning Code sets forth standards for landscaping in parking areas. Pursuant to §280-95(A), “[a]ll uses required to provide 20 or more off-street parking spaces shall have at least 10 square feet of interior landscaping within the paved portion of the parking area for each parking space and at least one tree with a two-inch caliper for every 10 parking spaces or fraction thereof. Each separate landscaped area shall contain a minimum of 100 square feet, shall have a minimum dimension of at

least eight feet, shall be planted with grass or shrubs and shall include at least one tree of not less than two-inch caliper.” The Proposed Landscape Plan includes the planting of trees, shrubs and ground cover within the internal parking areas, in accordance with said requirement.

Section 280-95(B) requires that “[a] landscaped area shall be provided along the perimeter of any parking area except that portion of the parking area which provides access to a street or parking facility on an adjacent lot. Accessways to adjacent lots shall not exceed 24 feet in width and shall not exceed two in number for each purpose. The landscaped area shall have a minimum dimension of four feet, shall be planted with grass or shrubs and shall include at least one tree of not less than two-inch caliper for every 40 feet along the perimeter of the parking area. In cases where the parking area adjoins a public sidewalk, the required landscaped area shall be extended to the edge of the sidewalk.” As indicated on the Proposed Landscape Plan, the proposed planting areas comply with the aforementioned requirement.

Finally, §280-95(C) requires that tree types used in parking lots “...shall include honey locust, pine, oak or other similar fast-growing, hardy varieties or existing trees where appropriately located.” The Proposed Landscape Plan includes the planting of Red Flowering Dogwood and Red Maples, interspersed with existing trees to remain (including Norway maple, sycamore maple, and black cherry).

Consistency with Relevant Planning Documents

2005 Town of Southold Hamlet Study

Southold Hamlet Vision

As indicated in Section 3.1.1 of this DEIS, the vision for the Southold Hamlet is comprised of several fundamental components. The following statements were identified as relevant to proposed project (in italics) and an assessment of the proposed project’s conformance with each statement follows.

- *While clearly the Town’s primary commercial hub, the scale and character of the Hamlet Center’s commercial activity must take place within a small-scale context that is in keeping with the Hamlet’s traditional and historic setting. (pg. S-2)*

The proposed project includes the conversion of the existing residential structure (visible from NYS Route 25 / Main Road) into a 74-seat sit-down restaurant and two-story, 40-unit hotel with four detached cottages and associated amenities (e.g., swimming pool and lounge areas). The reuse of the existing residential structure would preserve and reinforce the existing character of the hamlet of Southold, while the proposed height of the new hotel building (i.e., two-stories / 32.9 feet) is consistent with existing development height in the Hamlet Center. The proposed renovation and re-use was evaluated by the State Historic Preservation Office and has been determined to have no adverse effect on the historic structure (see Section 3.5.2).

It is noted that the proposed hotel use is permitted via a special exception use permit and an analysis of the general standards and matters to be considered by the ZBA in the granting of such permit was provided earlier in this section. In order to better integrate the proposed hotel use

into the existing built character of the hamlet, the hotel development would be largely obscured by the existing residential structure, existing vegetation, and proposed supplemental landscaping (including trees and other shrubbery) particularly along the eastern and western borders. As indicated in the photo-simulations provided in Figures 18 and 19 in Appendix A, the only portion of the hotel building that would be visible from Main Road is the Period-style stone “barn” which anchors the southeast corner of the building. Further, as indicated in Figures 20 through 23 in Appendix A, views from the adjoining properties would be obscured by the proposed plantings. As such, the aesthetics of the new hotel development would not negatively contrast with views of existing, historic development in the Hamlet Center.

- *Southold’s historic character is also a vital aspect of the area’s “sense of place” and should be preserved, protected, and reinforced.* (pg. S-2)

The existing residential structure on Main Road would remain, but is proposed to be re-used for a sit-down restaurant. The proposed design of the restaurant includes retaining many of the historic elements of the building, while also considering certain period elements where spaces are to be adapted for the new restaurant use (see Section 3.5.2 of this DEIS for further discussion on the historic review of the proposed restaurant). The proposed hotel development would be in-scale with surrounding development in the hamlet but would also be largely hidden by the restaurant and vegetation. The project sponsor envisions locally crafted sculptures on the lawn area, combined with a proposed reflection pond. Interior artwork on display would highlight the history of Southold and the east end of Long Island. The project sponsor would also consider making local historic information readily available to its guests. The proposed hotel is envisioned as a use integrated into the community and its appearance, local art and offerings (e.g., art display areas) would reflect this intent by the project sponsor.

- *Large-scale commercial development is clearly inconsistent with the Hamlet Center’s character. Large-scale in this context not only refers to the square footage of a given facility, but also the intensity of use, the volume of traffic generated, the nature of the intended market (i.e., targeting a larger market, and not simply the hamlet itself), the extent of site improvements, like off-street parking lots or sewage disposal systems, etc.* (pg. S-2)

The proposed development would realize new, small-scale commercial uses within the Hamlet Center, including renovating and repurposing existing structures reflective of the Hamlet Center’s character and scale as well as new construction that, as previously discussed, is consistent with the existing scale of the surrounding community. Also, as indicated in this Section, the proposed action would comply with the area and bulk regulations for motel and hotel uses set forth in § 280-35B(4) of the Resort Residential (RR) District in the Town of Southold Zoning Code. The proposed hotel would serve an existing demand and would capture those visitors who currently now opt for day trips. As evaluated in the Section 2.2.2 of this DEIS, while the proposed action includes the construction of a STP, it has beneficial impacts in terms of reduced nitrogen loading and would be equipped with an odor control system such that no nuisance odors would be generated.

Southold Hamlet Strengths and Weaknesses

As part of the strengths/weaknesses evaluation, goals were set forth in larger components with an action assigned to each: preserve, add, remove or prohibit. Such components included Quality of Life,

Location, Central Business District, Traffic/Transportation, Economics, Infrastructure and Regulations. Specific approaches to these strengths and weaknesses relevant to the proposed project were included in Table 12 and those that are relevant to the proposed action are discussed below.

- *Quality of Life: Control tourism so it does not overwhelm the quality of life of year-round residents (Add)*

The proposed project would develop a small-scale restaurant and hotel use that respects the existing scale and character of the surrounding community, as well as preserve and enhance the quality of life found within the Hamlet of Southold. The proposed hotel is expected to meet an existing demand by capturing those visitors who currently opt for day trips to Southold Town.

- *Central Business District: Diverse stores (Preserve and Add)*

The addition of a hotel use at the subject property would enhance business diversity within the Hamlet Center. Further, the proposed restaurant use would complement other food-related businesses in the hamlet by diversifying cuisine options.

- *Central Business District: Local businesses with local owners (Preserve and Add)*

Upon completion of the proposed project, both the subject property and the hotel and restaurant uses would be owned and controlled by a local resident and business owner. Further, the proposed uses would be expected to be largely staffed by local residents.

- *Economics: Summer crowds (bring \$) (Preserve)*

Based upon the market study prepared for the proposed action (see the July 2015 HVS *Proposed Boutique Hotel and Spa Market Study Results Report* in Appendix G of this DEIS), the proposed development is projected to generate between \$3.5 and \$5.4 million in annual revenue between the proposed hotel rooms, food and beverage services, spa, and other services, with net income ranging from \$1.7 to \$2.9 million after operational expenses. The restaurant would seek to capture those already visiting the local area, as well as hotel guests.

- *Economics: Increasing property values (Preserve)*

Upon implementation of the proposed action, the renovation of existing residential use to a restaurant use and development of the remaining property as a boutique hotel with associated amenities and utilities would increase the property value of the subject property and surrounding properties as well. As previously discussed, the projected assessed value of the subject property under the proposed development is \$91,700. As indicated in Table 13 of this DEIS, the proposed development would generate significant annual tax revenue to various taxing jurisdictions upon its completion. This includes approximately \$1,757 to Suffolk County, \$28,888 to the Town of Southold, \$79,402 to the Southold Union Free School District, \$5,782 to the Southold Fire District, and \$1,698 to the local solid waste district. Overall, the proposed development is projected to generate \$123,482 dollars in total

tax revenue. As such, property values would be preserved and enhanced under implementation of the proposed action.

➤ *Economics: Decent jobs for young people (Add)*

The proposed restaurant and hotel uses would provide a number of employment opportunities for local youths, including management, maintenance, and food service-related positions, among others. As shown above in Table 14, the proposed restaurant and hotel uses are projected to generate approximately 10 and 43 employees, respectively, for a total of 53 jobs.

➤ *Economics: Opportunities for new businesses (Add)*

The proposed project would redevelop an underutilized parcel within the hamlet center with uses that are complimentary to the hamlet and the overall Town. The proposed restaurant and hotel would be new business uses at the subject property, although the site was used in a similar fashion as a bed and breakfast in the past.

➤ *Economics: Store hours (Add)*

The Hamlet Study indicated that stakeholders thought the lack of evening vibrancy was a weakness within the hamlet. The proposed restaurant would increase evening dining options while the proposed hotel would attract visitors that would seek out area shops and businesses within walking distance of the hotel. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses.

Specific Hamlet Improvement Project Recommendations

The 2005 Hamlet Study developed specific recommendations for the Southold Hamlet Center, which reflect stakeholder consensus about future development within the hamlet. Relevant recommendations are discussed below, including the proposed project's conformance with said recommendations.

- *Human Scale: Southold's Hamlet Center covers a large spatial area...Commercial sprawl must be prohibited and an emphasis must be placed on fostering a human scale that encourages pedestrian activity and discourages unnecessary vehicle trips. (p. S-5)*

The proposed hotel is expected to bring positive impacts to the existing businesses within the hamlet. Its location promotes guests to walk the hamlet. Bicycles would be considered for hotel guests to promote guests to experience the hamlet center, as opposed to visitors who would drive-through the hamlet with the potential to stop at one shop or restaurant.

- *Human Scale: Even though the Hamlet Center stretches out a significant distance along Route 25, it retains a comfortable human scale due to the abundance and diversity of small shops along the Main Road. The eclectic mix of businesses must be encouraged and preserved. (pg. S-5)*

The proposed project would reuse the existing residential structure and construct a new hotel (with associated amenities and infrastructure), both of which would reflect the human-scale nature of the hamlet. Further, the proposed commercial uses would preserve and enhance the business diversity found in the area.

- *Streetscape: One of the most visually disruptive elements of the existing streetscape are the presence of overhead utility lines. Existing overhead utility lines in the Hamlet Center should be placed underground. All new development must install all new utilities underground. (pg. S-5)*

All proposed utility lines would be placed underground.

- *Building Design: Diversity in building design adds a degree of excitement and uniqueness to the Hamlet Center, and it is encouraged. This diversity, however, must not jeopardize the area's historic character or resources. (pg. S-6)*

The proposed project would reuse the existing residential structure, fronting along Main Road, which would preserve and reinforce the area's historic character and resource. The proposed hotel building (and associated amenities / infrastructure) would be constructed at a scale consistent with the existing character of the Hamlet of Southold.

The existing single-family residence has been determined to be eligible for inclusion on the State and National Registers of Historic Places due its distinct architectural character that embodies the larger historic aesthetic of the Hamlet and Town of Southold (see Appendix K). As such, within the context of the *2005 Hamlet Study*, the proposed action represents an opportunity to simultaneously reinforce the existing character of the Hamlet of Southold while also helping to realize community visions for the Hamlet. The applicant and architect would work to preserve the exterior and interior historic elements of the residential building and OPRHP has determined the proposed plan to have no adverse impact on the historic structure.

Behind the restaurant and its supporting parking area, a substantial hedgerow would be planted. The hotel building itself will be set back from this hedge buffer to provide an approximately 3/4 acre lawn area, which will be used to display sculpture from local artists on a rotating basis, as you approach the hotel entrance. As indicated in the photo-simulations (Figures 18 and 19 in Appendix A), the only portion of the building which will be visible from the Main Road is the Period-style stone "barn" which anchors the southeast corner of the building. Its design includes a Ludowici clay tile roof and local stone veneer. To the west of this area is a one-story reception and lobby, as well as a deck floating above a small reflection pond on the south side of the lobby, overlooking the lawn area. To the north is the 40 room, two-story flat roofed structure, which will be a low-rise element and well hidden from view by the anchoring stone barn. Stylistically, the design will introduce the "wings" which extend from the period barn, as more contemporary structures juxtaposed against the barn.

The north wing of the hotel would effectively screen and buffer the adjacent residential properties to the east from the activities on the west side of the hotel around the pool and pool terraces. In addition, the east facade of the building will feature mirrored glass to reflect the dense evergreen screening intended to be installed to have minimal visual impact on these

properties. To the north, the four cottages screen the overflow parking lot as well as the neighboring LIRR tracks. Renderings of the proposed hotel are also provided in Appendix D.

Overall, the proposed design would complement the uses within the hamlet center, with no impact to the historic character or resources.

- *Enterprise: Permitted uses should accommodate businesses that support the unique interests of residents living on the East End, not up-Island trends and marketing approaches. The use categories of the zoning ordinance must be revised and refined to take into account the universe of potential uses that are bearing down on Southold. (pg. S-9)*

The hotel component of the proposed application would support the already operating local businesses and industries (e.g., wineries, farm stands, fall festivals, hamlet restaurants and shops, etc.). Such businesses and industries market to and to some extent, dependent upon the “up-Island” or other visitors. As indicated in the Market Study (Appendix G), the proposed hotel would meet an existing demand. Rather visitors travel by car for “day trips,” the proposed hotel would allow for guests to overnight for one or several days. Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet’s walkability and diverse business offerings. The applicant would also evaluate the potential for bicycle availability at the hotel such that guests can traverse the hamlet via bicycle. It can also be expected that guests staying at the proposed hotel would frequent surrounding businesses via ride sharing, such as Uber, thus removing individual vehicles while also providing a benefit to residents that may participate in ride share employment (Uber) or local transportation companies.

- *Enterprise: The provision of decent, well-paying jobs for the hamlet's young people is a serious issue. Without this employment base, young people will continue to leave the Town for better opportunities elsewhere. This imbalance is one of the factors feeding the current speculative and second home real estate market. (pg. S-9)*

As indicated in Table 14, the proposed project is expected to generate 53 jobs between the proposed hotel and restaurant uses. It is important to note that both the hotel and restaurant are year-round uses, and while there may be a seasonal adjustment to staff, a large portion of these jobs will exist in the off-season. During the off-peak season, the proposed hotel would be marketed to attract small conferences or corporate retreats.

- *Enterprise: The Hamlet Center should support modest and limited business activity. Large scale commercial activity would be inconsistent and inappropriate. Zoning controls, including the use provisions discussed above, but also bulk, area, height, setback and density provisions. (pg. S-9)*

The proposed restaurant and hotel are not considered as large-scale commercial uses, nor was the project envisioned as such a use. The hotel component of the proposed application is a modest 44 rooms, which would support the already operating local businesses and industries. It also provides for a destination for those guests who want to visit and experience Southold, beyond the day trips that currently take place. As noted earlier in this section, the *Hamlet Study* indicates a lack of evening vibrancy as a weakness within the hamlet. The proposed

restaurant would increase evening dining options while the proposed hotel would attract visitors that would seek out area shops and businesses within walking distance of the hotel. It would be expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and encourage the development of new businesses. The proposed development also complies with the bulk and dimensional requirements of the zoning district.

- *The Working Landscape: Preserve and support the Hamlet's traditional industries, including the maritime industry, agriculture, and tourism. (pg. S-11)*

The proposed action is expected to support the tourism industry, while also providing a new dining option for those that live and visit the local area. The proposed hotel would support local businesses and industries (e.g., wineries, farm stands, fall festivals, hamlet restaurants and shops, etc.) by providing overnight accommodations for current visitors.

- *Historic Resources: Continue to preserve and protect the Hamlet's historically significant landmarks and buildings. (pg. S-11)*

The proposed renovations to the residence for its reuse as a restaurant includes design mitigation that considered OPRHP's comments from December 28, 2017 and has resulted in a No Adverse Impact determination from OPRHP.

2007 Updates

In 2007, the Town reconvened the stakeholders "to advance the implementation of the 2005 Hamlet Study findings to further define a vision statement for each Hamlet."⁴ As part of this effort, the hamlet stakeholders engaged their respective community to develop public consensus on prioritizing the short and long-term planning projects, as outlined in the 2005 Hamlet Study. Status reports were issued for two quarters: April – June 2008 and July – October 2008, and then followed by a 2008 Year-End Report.

The improvement projects set forth in the 2008 update were primarily municipal-driven. Relevant to the proposed commercial use were the following recommendations:

- *Encourage burying of overhead utility lines.*

As indicated above, the proposed site plan includes the installation of subgrade utility lines.

- *Preserve and improve vitality of Main Street as walkable business district.*

Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet's walkability and diverse

⁴ <https://www.southoldtownny.gov/273/Hamlet-Stakeholders-Initiatives>

business offerings. The applicant would also evaluate the potential for bicycle availability at the hotel such that guests can traverse the hamlet via bicycle.

- *Preserv [sic] and support working landscapes and traditional industries.*

As indicated above, the proposed action is expected to support the tourism industry, while also providing a new dining option for those that live and visit the local area. The proposed hotel would support local businesses and industries (e.g., wineries, farm stands, fall festivals, hamlet restaurants and shops, etc.) by providing overnight accommodates for current visitors.

- *Provide job opportunities for young people.*

The proposed action would provide year-round job opportunities in both the restaurant and hotel uses.

Scenic Southold Corridor Management Plan, 2001

As discussed in the Existing Conditions section (Section 3.1.1), NYS Route 25 (Main Road) has been identified by the Town of Southold as a scenic corridor, and with this designation, the Town has set forth recommendations to preserve and enhance the various elements and documented qualities of such corridor. Of relevance to the subject property and the proposed project are a number of stated goals and recommendations, which are discussed below.

1. *Encourage a clear distinction between rural countryside and urbanized development of the various hamlets along New York State Route 25. (p. 58)*

The subject property is located within the Hamlet Center at its easternmost point and noted in the *2005 Hamlet Study* as the “largest and most commercially active business district on the North Fork...” (pg. S-1). The project’s location within the hamlet is appropriate and consistent with the surrounding uses.

2. *In general, pedestrian comfort and convenience must remain a high priority for the Town with any new development in the existing commercial cores. Careful attention to detail and to infrastructure design should include facades and signage in harmony with the neighborhood architecture to reflect a unified building character and historic ambience within the commercial zones. (pp. 66-7)*

The proposed design is reflective of the building character and historic ambience of the Hamlet of Southold and frontage along NYS Route 25. Signage has not yet been developed; however, it would be designed in character and consistent with surrounding uses. Views into the site would be obscured with landscaping, thus maintaining a similar viewshed to that which currently exists. As such, the proposed project would preserve and enhance pedestrian comfort and convenience within the Hamlet.

3. *Overnight accommodations are an important component of Southold’s tourism industry. There is a shortage of accommodations in peak season that should not be addressed by*

simply building new motels to meet the demand. To build on the image of Southold, “country inns” and bed and breakfasts can help distribute tourists throughout the Town and draw attention to rural and seaside features. (p. 69)

The proposed project includes the construction of a new 44-room, two-story hotel building containing 40 individual hotel rooms and four detached cottages with associated amenities (e.g., swimming pool and cabanas, etc.), which would be situated north of (and visually behind) existing residential buildings at the subject property that would be renovated and repurposed as a restaurant use. While not representative of the “country inn” or bed and breakfast overnight accommodation formats advocated for in the Corridor Plan, the proposed hotel development combines elements of cottage- and boutique-style hotels rather than basic hotel / motel typology and would therefore contribute to diversity in overnight accommodation options in the Hamlet and Town of Southold. Further, the renovated / repurposed residential building would be the forward-facing portion of the proposed project, such that the publicly visible aspect of the subject property from NYS Route 25 would be reflective of the built character and historic ambience of the Hamlet of Southold.

Long Island North Shore Heritage Area Management Plan, 2005

As stated in the *Heritage Plan*, the management element of the *Heritage Plan* “provides a system to guide preservation and revitalization” (pg. 35). Recommendations and goals of the management plan relevant to the subject property and proposed action include:

- *Act as good stewards of significant cultural, historic and natural resources. (pg. 38)*

As previously discussed, the existing residential structure on the subject property is eligible for designation on the State and National Register of Historic Places. The proposed action would renovate and rehabilitate this structure to repurpose it for a restaurant use. Pursuant to consultations with OPRHP (see Appendix K), historically significant exterior and interior features of the residential structure would be preserved to the maximum extent practicable and the proposed work would have no adverse impacts on the historic structure. The preliminary site plan also incorporates a large green space between the hotel and restaurant to serve as an art display area available for local artists. The project sponsor envisions locally crafted sculptures on the lawn area, combined with a proposed reflection pond. Interior artwork on display would highlight the history of Southold and the east end of Long Island.

- *Seek opportunities for creative rehabilitation and adaptive re-use. (pg. 39)*

As discussed in Section 3.5.2 of this DEIS, the proposed renovations to the residence for its reuse as a restaurant includes design mitigation that considered OPRHP’s comments from December 28, 2017 and has resulted in a No Adverse Impact determination from OPRHP. Specifically, the following design considerations maintain the historic significance of the structure, while also restoring particular elements:

- The Portico would be fully restored to its existing configuration and detail, as would the door surround. The actual door would be custom made to replicate an appropriate

period door, complete with an exposed Mortise box type lock. In addition, the sidelights will be custom fabricated to replicate what was originally there with float glass, and putty muntin bars.

- The bathroom/bar area has been configured to maintain the rear window in its current location.
 - The roofline of the proposed addition to the north of the “ell” has been configured to clearly differentiate it from that of the existing “ell.”
 - The existing historic windows and door on the west elevation would be retained and restored to their original vintage retaining the original float glass.
 - Many of the interior elements would be maintained and/or replicated, including: the structural beams on the interior which would be left as dropped headers and exposed; the existing bay window, as well as the door and window trims, would be replicated, as required, due to existing damage; and a new stair case would be installed, but the design would incorporate the Newel Post into the design.
- *Promote development of commercial activities directly related to the enjoyment of Long Island North Shore Heritage Area, including, for example, kayak and boat liveries, cafes and shops in rehabilitated and renovated historic structures, etc. (pg. 41)*

The proposed action would include the construction of a boutique-style hotel in the Southold Hamlet Center, while maintaining the existing residential structure for reuse as a restaurant. The proposed project would serve an existing tourism base, while being developed at a scale in character with the surrounding hamlet business uses. Its location promotes walkability to and from the existing retail and commercial uses along Main Road. The preliminary site plan also incorporates a large green space between the hotel and restaurant to serve as an art display area available for local artists. The project sponsor envisions locally crafted sculptures on the lawn area, combined with a proposed reflection pond. Interior artwork on display would highlight the history of Southold and the east end of Long Island.

- *Rehabilitate and occupy historic structures rather than raze and replace. (pg. 45)*

The proposed action would rehabilitate and renovate a State and National Register eligible historic structure at the subject property for use as restaurant. The proposed renovation has been reviewed by OPRHP and a No Adverse Impact determination has been issued by OPRHP.

- *Amenities to supposed increased economic and visitor activity adjacent to centers of activity will attract target audiences. (pg. 49)*

The proposed hotel and restaurant uses at the subject property would serve to provide lodging for tourists and visitors to the Hamlet of Southold and the larger *Heritage Plan* geography, as well as expand local dining options in the area. Further, the hotel component of the proposed action would include a small conference space that could host various small events or corporate retreats, particularly in the off-season. As the subject property is located within the Hamlet Center, noted to be the largest and most commercially active on the North Forth, the nature of the redevelopment would both reinforce and enhance development within an area of business activity.

- *Target development to areas where it can be accommodated by existing infrastructure. (pg. 49)*

The proposed development is situated within the Southold Hamlet Center. All utilities are available either on-site or along Main Road. The SCWA has confirmed water availability, while PSEG and National Grid have been contacted. Prior to construction of the proposed project, the applicant would secure all appropriate approvals to ensure the proposed development is adequately served by gas and electricity. The proposed action includes the construction of a sewage treatment plant to accommodate sanitary wastes, which is subject to the approval of the SCDHS.

- *Focus development and redevelopment efforts on currently settled areas such as existing waterfront communities as described in the Long Island Sound Coastal Management Program. (pg. 51)*

The subject property is located within the Southold Hamlet Center, noted in the *2005 Hamlet Study* to be a primary economic engine of the larger Town of Southold, featuring numerous business as well as the location of local government functions, civic uses, religious institutions, and transportation facilities.

- *Anticipate unmet needs of visitors by developing services such as restaurants, shops, comfort stations, etc. available to the public and by making them accessible and operated during hours when they will be most useful. (pg. 54)*

The proposed hotel and restaurant uses would largely serve visitor and tourist populations within the Hamlet of Southold and larger Heritage Plan area, encouraging and expanding enjoyment of the regions celebrated cultural, historic, and natural resources. The proposed restaurant would feature both day and evening hours; however, the proposed hotel would be a guest-exclusive property (i.e., no outside visitors can use the facilities).

Strategic Plan

The *Heritage Plan* describes the strategic plan component as a “coordinated program to identify “centerpiece” elements of the Heritage Experience, to build the concepts around them and to provide linkages and wayfinding among them.” (pg. 57). The strategic plan component of the *Heritage Plan* articulates a “preservation concept” and a “revitalization concept” that generally relate to the nature of the subject property and proposed action, as discussed below.

Regarding the preservation concept, the strategic plan generally advocates for the maintenance and conservation of historic resources within the defined *Heritage Plan* area as a tool for reinforcing and celebrating the regional cultural history. As previously mentioned, the existing residential structure at the subject property is eligible for inclusion on the State and National Registers of Historic Places; however, this eligibility determination was made nearly a decade after the *Heritage Plan* was published (i.e., 2005). Under the proposed action, the residential structure would be renovated and repurposed as a restaurant use, preserving the exterior and interior historic elements to the maximum extent practicable for the use and enjoyment by the larger public. As such, the proposed action is consistent

with the strategic plan's ethos for the stewardship of historic resources within the Heritage Plan area in order to define and reinforce a regional cultural identity.

The strategic plan's revitalization concept encourages re-use strategies for historic buildings in traditional downtown areas, particularly in the form of shops, restaurants, and shops. The proposed action includes the renovation of existing historic buildings for use as a restaurant within the Southold hamlet center. The proposed action therefore represents a nearly complete realization of this element of the strategic plan.

Implementation Plan

The implementation strategy of the *Heritage Plan* identifies tactics, marketing, funding sources, and next steps in order to make the goals and objectives of the Heritage Plan a reality. While the implementation plan methods are mostly global and general in nature, there are some proposals that generally relate to the subject property and proposed action, discussed below.

- *Evaluate the impact of development plans and proposals of regional significance on the heritage, cultural and natural resources of the Heritage Area.* (pg. 113)

The proposed action would preserve and incorporate various exterior and interior features of those eligible historic structures into the proposed renovation plans, to the maximum extent practicable. As previously discussed and further evaluated in Section 3.5 of this DEIS, consultations with OPRHP were undertaken in order to evaluate the proposed action's potential impacts on the identified eligible historic structures at the subject property and a No Adverse Impact determination was issued (see Appendix K).

- *Support economic and job development efforts.* (pg. 119)

The proposed action would develop restaurant and hotel uses at the subject property, which would directly generate commercial business and tax revenues as well as a variety of service industry related jobs (e.g., servers, management, housekeeping, etc.). As indicated in Section 3.1.2, the proposed development is projected to generate approximately 53 jobs. Further, there would be secondary economic impacts from those hotel and restaurant patrons that frequent other nearby businesses in the Hamlet of Southold and the larger *Heritage Plan* region. It is also to be noted that the proposed development would result in a substantial increase in property tax revenue to the Town and local taxing jurisdictions. As indicated earlier, the proposed development is projected to generate \$123,482 dollars in total tax revenue.

Town of Southold Local Waterfront Revitalization Program (LWRP)

The 13 policies implement the NYSDOS 44 coastal policies, and represent a local refinement of the Long Island Sound Regional Coastal Management Program Policies. Said policies and consistency therewith are included in Table 16 below.

Table 16 - Consistency Analysis with the Town of Southold LWRP

Coast	Policy Description	Analysis of Proposed Action
Developed Coast		
<i>Policy 1</i>	Foster a pattern of development in the Town of Southold that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development.	The proposed project would change the land use character of the subject property from one residence to a mixed-commercial use. However, the proposed commercial uses are permitted by the underlying zoning (via special exception use permit) and the proposed project would situate new land uses complimentary to the hamlet center while meeting various local and regional planning goals. Overall, the proposed project is consistent with various local and state comprehensive planning documents relevant to the hamlet and Town of Southold and the larger region regarding preservation of existing historic character of the area. Regarding open space, approximately 56 percent of the site (3.763± acres) would consist of existing vegetation and planted areas. Accordingly, based upon the above, the proposed action would be consistent with the intent of this policy.
<i>Policy 2</i>	Preserve historic resources of the Town of Southold.	The proposed renovations maintain the historic significance of the existing residential structure, while also restoring particular elements. OPRHP has reviewed the proposed design and has determined that the proposed conversion would have No Adverse Effect. Accordingly, based upon the above, the proposed action would be consistent with the intent of this policy.
<i>Policy 3</i>	Enhance visual quality and protect scenic resources throughout the Town of Southold.	Publicly accessible views of the property would remain largely consistent with existing conditions, as the existing residential structure would be maintained as part of the project, while the proposed hotel use would be largely hidden by said existing development and landscaping treatments. Accordingly, the proposed action would be consistent with the intent of this policy.
Natural Coast		
<i>Policy 4</i>	Minimize loss of life, structures, and natural resources from flooding and erosion.	The subject property is located within the developed hamlet center and outside of the 500-year floodplain (Flood Zone X), and therefore, no significant adverse impacts associated with flooding would be expected to occur. Also, erosion and sedimentation controls would be undertaken prior to and during construction. Accordingly, the proposed action complies with this policy.

Coast	Policy Description	Analysis of Proposed Action
<i>Policy 5</i>	Protect and improve water quality and supply in the Town of Southold.	As evaluated in Section 2.2.2 of this DEIS, the proposed action includes the construction of a STP to accommodate all sanitary waste from the development. The proposed BESST system has demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Adequate space has also been allocated for the 100% expansion of the treatment plant and leaching pools in accordance with SCDHS requirements. Groundwater monitoring wells would also be installed both upstream and downstream of the effluent disposal system to monitor groundwater quality. Additionally, as required by the SPDES permit, a full time operator will be present each day to make process adjustments to ensure the performance of the STP is optimized. The proposed action also includes the installation of a stormwater management system that would contain and recharge stormwater from a two-inch rain event, in accordance with Town Code. The proposed stormwater management controls include both structural infiltration (drywells and catch basins) and non-structural methods (pervious pavement and expansive lawn areas for infiltration). Accordingly, based upon the above, the proposed action would be consistent with the intent of this policy.
<i>Policy 6</i>	Protect and restore the quality and function of the Town of Southold’s ecosystem.	<p>The proposed action would result in the loss of 5.49± acres of successional southern hardwoods and old fields; however, the resulting habitat loss and any subsequent reductions in local abundance of bird or wildlife species is not a significant adverse environmental impact as: (1) Successional southern hardwood forests and successional old fields are classified by the New York Natural Heritage Program as “demonstrably secure” both in New York State and globally; (2) The successional forests and old fields present at the site are not known to provide habitat for any endangered, threatened, or rare wildlife or plant species; and (3) The populations of the commonplace plant and wildlife species inhabiting the old fields and successional forests found at the subject property are largely considered abundant and stable.</p> <p>The proposed mitigation measures to reduce environmental impacts associated with the proposed action include the following: (1) existing trees will be retained within the 25-ft rear yard setback area and the 10-ft side yard setback area to contribute to boundary screening for adjacent properties and provide, to a limited extent, habitat benefits to wildlife associated with native trees; (2) The proposed landscaping plantings do not include any species listed as invasive by the Long Island Invasive Species Management Area or included on Suffolk County’s “No Sale/Transfer List”; and (3) The clear-cutting of trees will occur during the winter months (between November 1 and March 31) in accordance with NYSDEC recommendations to avoid any potential take of northern long-eared bat (<i>Myotis septentrionalis</i>). Winter clearing of the successional forests will also minimize potential impacts to breeding wildlife and birds.</p> <p>Based on the above, the proposed action is consistent with the intent of this policy.</p>
<i>Policy 7</i>	Protect and improve air quality in the Town of Southold.	The proposed development is not expected to result in any significant adverse changes to the existing air quality.

Coast	Policy Description	Analysis of Proposed Action
<i>Policy 8</i>	Minimize environmental degradation in the Town of Southold from solid waste and hazardous substances and wastes.	<p>As discussed in Sections 2.1.2 and 3.6.2, a SMMP has been prepared to address pesticides and metals that were detected in shallow soils at the site, likely associated with its past agricultural use. In summary, the impacted soils can be handled in one or all of the following methods: (1) vertical mixing of impacted and un-impacted materials; (2) placement of impacted soils below impervious areas, such as parking lots or buildings; (3) capping of impacted areas with one foot of clean fill; and/or (4) proper off-site disposal. By utilizing the first three methods, the impacted materials will remain on site, which reduces the possibility of off-site contamination and reduces the overall amount of soils requiring off-site disposal. In addition to the mitigation of the soils, the SMMP discusses the measures needed to monitor and control dust associated with the clearing, grading and excavation work on the site. These measures include dust monitoring, reporting during construction activities and the implementation of dust control measures, such as water spraying. After development, all landscaped area will be professionally maintained, including fertilizer and pesticide applications. The landscaped areas shall be cared for in an organic manner at first with the use of specific approved pesticides only in the event that organic treatment methods are not sufficient. Pesticides shall be applied only to impacted areas and in accordance with manufacturer recommendations to reduce the impact on the environment.</p> <p>Also, as discussed in Sections 1.2.9 and 4.5 of this DEIS, all solid waste from the proposed development would be collected and disposed of by a licensed private carter. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. As part of the proposed project, best management practices for reduction in solid waste generation and product selection would be incorporated into the business plans. Based upon the above, the proposed action is consistent with the intent of this policy.</p>
Public Coast		
<i>Policy 9</i>	Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Town of Southold.	This policy is not applicable to the proposed application, as the subject property does not adjoin any public lands, public resources or coastal waters.
Working Coast		
<i>Policy 10</i>	Protect the Town of Southold's water-dependent uses and promote siting of new water-dependent uses in suitable locations.	This policy is not applicable to the proposed application, as the subject property is located within the Southold hamlet center and is not a water-dependent use.
<i>Policy 11</i>	Promote sustainable use of living marine resources in the Town of Southold.	This policy is not applicable to the proposed application, as the subject property is located within the Southold hamlet center and includes the proposed development of a hotel and restaurant.

Coast	Policy Description	Analysis of Proposed Action
<i>Policy 12</i>	Protect agricultural lands in the Town of Southold.	The subject property includes former agricultural lands; however, its location within the developed hamlet center is not suitable for agricultural use nor is it consistent with the <i>2005 Hamlet Study</i> with a vision of “redirecting growth from the agricultural and open space areas of the Town toward the Hamlet Centers themselves,” as discussed in Section 3.1.1 of this DEIS. The proposed land uses meet the envisioned goals for the hamlet, as described in the <i>2005 Hamlet Study</i> as well as the underlying zoning (Hamlet Business).
<i>Policy 13</i>	Promote appropriate use and development of energy and mineral resources.	As part of the proposed project, the design would include the installation of high efficiency boilers capable of nearly 98 percent efficiency. The proposed hotel building would consist of heavy thermally broken panels of glass and insulated with art spray foam insulation to not only provide a thermal blanket but also to mitigate air leakage throughout the buildings. The project sponsor is currently investigating the potential for solar energy with the installation of photovoltaic panels mounted on the flat roof areas, which would offer the potential of a “co-generation” system, where excess electricity generated by these panels can either be stored in batteries on site or sold back to PSEG by agreement. As such, this policy is not applicable to the proposed action.

Based on the aforementioned analyses, the proposed action is consistent with the policies and goals of the LWRP, and thus, no significant adverse impacts to coastal resources would be expected.

3.1.3 Proposed Mitigation

Based on the above analyses, the proposed action is not expected to result in any significant adverse land use or zoning impacts. The proposed action has incorporated the following design elements that effectively mitigate any potential adverse impacts:

- The proposed action considers the historic significance of the existing residence and would maintain this structure while adapting for a new use. The existing residential building would be preserved and renovated, such that its existing architectural style and the built character it reflects as part of the hamlet of Southold would be maintained and enhanced. The proposed hotel building would reflect the existing scale of existing buildings at the subject property and surrounding community (i.e., low density, one- and two-story structures).
- The provision of overflow parking in the proposed site plan ensures that any special event that takes place on the property would not impact surrounding roadways or properties with “spillover” parking.
- The proposed landscaping plan for the subject property will create a visually pleasing setting within the site interior, while views from the roadway and surrounding properties would be largely obscured. The proposed plan includes retaining select trees, grass seeding and the planting of native species and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides. The proposed plan considers recommended native and acceptable ornamentals from regulatory and advisory organizations and boards, including the NYSDEC, CCE, and the Suffolk County Water and Land Invasives Advisory Board.

- The proposed planting of substantial and mature trees on the eastern and western property lines would provide early effective screening. It is also proposed to plant early in the construction process to provide additional time for growth.
- To mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting).

3.2 Transportation

3.2.1 Existing Conditions

Introduction

The transportation analyses presented in Section 3.2 is a summary of the *Traffic Impact Study for Proposed Enclaves Hotel and Restaurant, Hamlet of Southold, Town of Southold* (TIS), prepared by Dunn Engineering Associates and completed in December 2018. The TIS can be found in its entirety in Appendix I.

Roadway Characteristics

The subject property is located on the north side of Main Road between Locust Lane and Town Harbor Lane, which intersect Main Road from the south. Main Road is a major east-west New York State Highway (designated NYS Route 25) located along the southern boundary of the site with a posted speed limit of 40 miles-per-hour. In the vicinity of the site, Main Road consists of two lanes (one lane in each direction). Turning lanes are not typically found along Main Road in the vicinity of the subject property. Roadways intersecting Main Road from the south in this highway segment are in an area wide 30 mile-per-hour speed zone, with the exception of Boisseau Avenue, which has a 35 mile-per-hour speed limit.

Intersections

The following unsignalized intersections are located in the vicinity of the subject property:

1. Main Road (NYS Route 25) at Boisseau Avenue / Hobart Road
2. Main Road (NYS Route 25) at Locust Lane
3. Main Road (NYS Route 25) at 7-11 Driveway
4. Main Road (NYS Route 25) at Town Harbor Lane

The lane configurations at the unsignalized intersection approaches of Main Road at Boisseau Avenue / Hobart Road consist of the following:

1. Eastbound Main Road – combined left / thru / right lane
2. Westbound Main Road – combined left / thru / right lane
3. Southbound Boisseau Avenue – combined left / thru / right lane

4. Hobart Road is a one-way away from Main Road and has no approach lanes

The lane configurations at the unsignalized intersection approaches of Main Road at Locust Lane consist of the following:

1. Eastbound Main Road – combined left / thru / right lane
2. Westbound Main Road – combined left / thru lane
3. Northbound Locust Lane – combined left / right lane

The lane configurations at the unsignalized intersection approaches of Main Road at the 7-11 Driveway consist of the following:

1. Eastbound Main Road – combined thru / right lane
2. Westbound Main Road – combined left / thru lane
3. Northbound 7-11 Driveway – combined left / right lane

The lane configurations at the unsignalized intersection approaches of Main Road at Town Harbor Lane consist of the following:

1. Eastbound Main Road – combined thru / right lane
2. Westbound Main Road – combined left / thru lane
3. Northbound Locust Lane – combined left / right lane

Grade and Sight Distances

In the vicinity of the proposed site access driveway, Main Road is essentially flat with no appreciable horizontal or vertical curves (which would reduce sight distances in the vicinity of the site). As such, the geometrics of Main Road allow sufficient sight distance in accordance with the American Association of State Highway and Transportation Officials (AASHTO) standards for intersection design sight distance. It is recommended that parking be prohibited on the north side of Main Road along the entire subject property frontage to allow vehicles exiting subject property to have sufficient sight distance to the east. Due to the positioning of the adjacent residential driveway to the west and the location of the eastbound Main Road travel lane a further distance from the exit driveway, sight distance to the west will be adequate without further parking restrictions. Overall, no sight distance restrictions existing in the vicinity of the propose subject property access driveways.

Existing Traffic Flow Conditions

Current traffic flow information for Main Road / NYS Route 25 was obtained from the NYSDOT Traffic Data Viewer (<http://gis.dot.ny.gov/tdv>). Per the data viewer, the 2015 Average Annual Daily Traffic (AADT) on Main Road in the vicinity of the subject property was 7,626 vehicles. Additionally, New York State operated a permanent count station on Route 25 east of Aldrich Lane in the hamlet of Laurel, which shows that the highest vehicle volumes occur in July and August, with the highway daily volumes on Fridays and Saturdays. Those counts indicate little traffic growth between 2004 and 2013. These data were used to define peak periods of highway traffic.

To obtain specific turning county information for existing traffic during the peak hours of the proposed development, manual turning movement counts were collected at the following four locations:

1. Main Road (NYS Route 25) at Boisseau Avenue / Hobart Road
2. Main Road (NYS Route 25) at Locust Lane
3. Main Road (NYS Route 25) at 7-11 Driveway
4. Main Road (NYS Route 25) at Town Harbor Lane

The turning traffic counts at both locations were collected on several occasions in July of 2018 during a typical weekday AM peak period from 7:00 am to 9:00 am, a typical weekday PM peak period of 4:00 pm to 6:00 pm, and a Saturday peak period of 11:00 pm to 2:00 pm.

Figure 4 in the TIS illustrates the 2018 Weekday AM and PM peak hour traffic volumes at the intersections noted. Figure 5 in the TIS illustrates the 2018 Saturday peak hour traffic volumes at the intersection noted. All of the traffic volume counts can found in the “Traffic Volumes” document appendix of the Appendix I of this DEIS.

Main Road (NYS Route 25) Accident History

Information from the NYSDOT was obtained regarding all accidents that have occurred on Main Road between Maple Lane and Town Harbor Lane in the immediate vicinity of the subject property from January 1, 2017 through December 21, 2017 (the most recent three year period for which data is available). An accident statistic summary table is included in Table 1 of the TIS included in Appendix I of this DEIS. Within the three-year period, there were 33 total accidents (an average 11 accidents per year) with nor particular pattern that would lend itself to mitigation measures. There were no fatalities and only six accidents involving personal injury.

With a well-designed access plan, it is expected that the proposed development will not lead to an undue in case of the rate of accident occurrence along Main Road in the immediate vicinity of the subject property.

3.2.2 Potential Impacts

Trip Generation

The proposed project would consist of a 74-seat restaurant and a 44-unit hotel. Information on trip generation rates for various land uses in contained in the 10th Edition of “Trip Generation,” a manual published by the Institute of Transportation Engineers (ITE). The ITE reference provides studies and trip generating characteristics of a wide range of land uses. The Trip Generation report contains a land use type related to the proposed restaurant and hotel.

Table 17 below shows the estimated site-generated traffic anticipated during typical peak hours, based on the ITE trip generation rates for a Business Hotel (Land Use Code 312) based on 44 rooms and for a Quality Restaurant (Land Use Code 931) based on 74 seats. Note that the trip generation data for the weekday PM peak hour of the generator was used to determine the weekday midday peak hour traffic generation of the proposed use, which is the highest trip generation rate for the weekday peak periods.

Table 17 – Site Generated Traffic

Use	Vehicle Trips per Hour					
	Weekday AM Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Quality Restaurant – 74 Seats (Land Use Code 931)	8	4	13	9	15	10
Business Hotel – 44 Rooms (Land Use Code 312)	10	7	10	7	11	10
TOTAL:	18	11	23	16	26	20

Directional Distribution Analysis

A directional distribution analysis was performed to determine the origins and destinations of vehicles entering and existing the proposed development. Refer to Figure 6 in the TIS for the direction distribution of traffic that is expected to arrive at and depart from the proposed project via existing roadways, which is based on an assessment of population distribution of potential patrons. It is assumed the proposed restaurant will capture patrons from up to 20 miles from the subject property while the hotel will capture patrons from even greater distances.

Traffic Assignment Analysis

Expected generated traffic volumes at the proposed shared common accessed driveway and on the surrounding roadway network were assigned from a combined analysis of both the site-generated traffic estimates and directional distributions. Refer to Figures 7 and 8 in the TIS for an illustration of the site-generated traffic for the proposed restaurant and hotel during peak weekday and weekend hours.

Planned Roadway Improvements and Other Planned Developments

As indicated in the TIS, pursuant to conversations between Dunn Engineering Associates and the Town of Southold Planning Department, there are no currently planned projects within the vicinity of the proposed project that would generate significant traffic that would impact the identified study intersections before or on the proposed project’s build year of 2020.

Intersection Capacity Analysis

Unsignalized intersection capacity analyses were performed in accordance with methodology set forth in the 2010 Highway Capacity Manual in order to determine the ability of vehicles to safely negotiate movements at the following key locations:

- Main Road (NYS Route 25) at Boisseau Avenue / Hobart Road

- Main Road (NYS Route 25) at Locust Lane
- Main Road (NYS Route 25) at 7-11 Driveway
- Main Road (NYS Route 25) at Town Harbor Lane
- Main Road (NYS Route 25) at the Subject Property Entrance

Level of service (LOS) for an unsignalized intersection is defined in terms of the average control delay per vehicle during a peak 15-minute analysis period. Control delay consist of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Six levels of service, ranging from A to F, have been established as measures of vehicle delay and are summarized below in Table 18.

Table 18 – Unsignalized Intersections Level of Service Criteria

Level of Service	Control Delay (Seconds per Vehicle)
A	≤ 10.0
B	10.1 – 15.0
C	15.1 – 25.0
D	25.1 – 35.0
E	35.1 – 50.0
F	≥ 50.0

Source: Highway Capacity Manual 2000, Transportation Research Board, National Research Council, Washington D.C.

Intersection capacity analyses were first performed to examine the existing LOS (2018 Existing Condition). Volume counts were taken during July 2018 and, therefore, reflect peak summer traffic. The 2018 existing traffic volumes were then projected to 2020 proposed project build year utilizing a linear growth factors of 1.5 percent per year for the first two years (between 2018 and 2020) and 1.5 percent per year thereafter to account for normal background traffic growth (see *Intersection Capacity Analyses* Section of the TIS). Separate intersection capacity analyses were performed for the 2020 build year that reflect the subject property with and without the proposed development (i.e., the 2020 Build Condition and 2020 No Build Condition, respectively). Capacity analyses were performed for each of these conditions for the weekday AM and PM peak hours as well as the Saturday peak hour.

The results of these analyses indicate that particularly during the weekday AM and PM peak hours of traffic, the study intersection work well and the complete project would have no significant impact on traffic operations. Movement at all intersections work at LOS C or better during both the AM and PM peak hours of traffic.

During the Saturday peak hour, the study intersections indicate that side street delay accessing or crossing Main Road is high resulting in Levels of Service of “F” at Boisseau Avenue, “E” at Locust Lane, “D” at the 7-11 driveway, and “E” at Town Harbor Lane. Left turn movements made from Main Road onto the side streets were also modeled by the analysis and indicate low levels of delay with LOS A for all left turns. The delays found at these intersections are typical of most side street approaches to heavily traveled State Highways, such as Main Road / NYS Route 25.

Despite the higher delays evidenced at the study intersections, the addition of traffic from the proposed project does not result in any adverse changes in intersection operating Levels of Service and minor increases in intersection movement delay of 5 seconds or less, which would not be noticeable. The

proposed site exit, opposite the existing 7-11 driveway, would operate with a Level of Service of “C” or better during the Weekday peak periods and a Level of Service of “D” during the Saturday peak hour. The Level of Service D on Saturday would have less delay than any of the other side street movement studies and should be considered an adequate Level of Service.

Access Examination

The subject property is currently developed with a single-family home with full access to Main Road via a driveway. The proposed access plan would improve this condition by splitting access for entering and exiting vehicles. An entrance only driveway would be placed on the easterly side of the frontage on Main Road and an exit only drive would be placed on the western side of the front on Main Road opposite the existing 7-11 driveway located on the south side of Main Road. In order to maximize the sight distance available to vehicles exiting the site, it is recommended the parking be restricted on the north side of Main Road along the entire frontage of the site. The proposed access plan was designed to provide safe and efficient access for both patrons and employees of the proposed project.

Parking

On-Site Parking

The parking layout within the proposed development as shown on the site plan provides 123 paved parking spaces and an additional 37 grass paved parking space to accommodate any overflow that may occur.

The Town of Southold Code requires that one parking space be provided for every three seats provided in the restaurant. The proposed restaurant will have 74 seats. This translates to 25 parking spaces required by Town Code (74 at one space per three seats = 25 spaces). However, the code also carries a requirement that one space must be provided for every 100 square feet of restaurant area. The restaurant is 3,800 square feet, requiring 38 parking spaces based on area.

In addition, the Town Code requires one parking space be provided for each unit of the proposed hotel, plus another space for each employee. The hotel will consist of 44 units and will utilize 12 employees. This translates into the need for 56 parking spaces for the hotel use. As explained in the TIS, a hotel offers different amenities that a rigid interpretation of the Town Code could require additional parking. However, the amenities, such as pools and meeting rooms, are for the use of the hotel guests and generate no additional vehicular parking requirements. Pursuant to the Institute of Transportation Engineers "Parking Generation," 4th Edition, the Hotel Use (Land Use Code 310) notes that hotels provide supporting facilities such as restaurants, cocktail lounges, meeting rooms, banquet rooms or convention facilities, limited recreational facilities (pool, fitness room) and/or retail and service shops. The reference also provides data from studies conducted at various hotel sites. That data is provided as the number of vehicles parked versus the number of occupied rooms on site. The data indicates an average demand on a Saturday for parking of 1.2 vehicles per occupied space or with 44 rooms, results in a demand for 53 spaces. Again, these sites have restaurants, bars, banquet rooms and other services that are more extensive than provided at the proposed hotel. The data provided indicates that the Town Code requirement to base parking on the number of rooms and employees is reasonable and no further allowance needs to be made for other accessory support uses included in the hotel.

Overall, the total number of parking spaces required by Town Code is 94 - - 38 for the restaurant plus 56 for the hotel. The proposed plan provides 38 spaces for the restaurant (27 paved and 11 grass/pervious) and 122 spaces for the hotel (96 paved, 26 grass/pervious). The additional parking at the hotel (i.e., 66 spaces more than that required) have been provided to accommodate special events, which is discussed later in this section. Overall, the parking provided by the proposed site plan meets the requirement of the Town Code and as evaluated later in this section, will be adequate to accommodate parking demand for special events that may occur (see discussion later in this subsection under “Additional Considerations”).

On-Street Parking

As indicated above and in the TIS, it is recommended that on-street parking in front of the site be prohibited to increase sight distance for the site exit driveway. On-street parking is allowed along many portions of Main Road near the site and patrons could utilize the available parking. Since parking would not be available directly in front of the site, the use of the on-street parking would entail longer walking distances and should discourage its use. The site is designed and would be managed to encourage all visitors to utilize the available on-site parking. Use of the on-street parking located on the north side of Main Road is not expected to create any adverse issues, as pedestrians leaving their vehicles can quickly gain access to the existing sidewalk. However, the use of on-street parking on the south side of Main Road raises safety concerns, as it would require crossing Main Road. It is recommended that such parking be discouraged.

Additional Considerations

Public Transportation

Suffolk County Transit (SCT) provides bus service to most of Suffolk County, including the S92 bus route that runs buses east and west along Main Road, which passes directly in front of the subject property. Service for the S92 bus route is available on an hourly basis in both directions from 7:00 AM to 7:00 PM.

Given the proximity of this bus route to the subject property, it is expected that some patrons and employees would utilize this public transportation system. However, no credit was applied for use of public transportation, and the traffic destined to and from the proposed project was based on use of passenger cars only. However, the use of public transportation by patrons and employees would further reduce the traffic impact and parking needs.

Pedestrian and Bicycle Access

Main Road (Route 25) is a New York State designated Class 2 Bicycle Route. As such, bicycle users in the area utilize Main Road frequently passing the proposed site. With the presence of the adjacent bike route, bicycle access to the site is excellent. Sidewalks are also present on both side of Main Road in the vicinity of the site, although the sidewalk on the south side of Main Road ends at the easterly end of the 7-Eleven site. The sidewalk on the north side of Main Road continues past Town Harbor Lane. To the west, both the north and south sidewalks are continuous past Young’s Avenue and Horton Lane.

Crosswalks for crossing Main Road are not provided except at the intersection of Main Road with Young's Avenue. The lack of crosswalks is likely appropriate, unless there is a particular crossing location that generates enough pedestrian traffic to warrant a formalized crossing. None were apparent. Due to the presence of the sidewalks, the site has adequate pedestrian access.

Construction and Delivery Truck Access

During construction, the site would generate a number of truck visits to the site each working day. For the most part, heavy truck activity (more than two axels or more the four tires) would include vehicles delivering material and equipment to the site. It is estimated that an average of six (6) of these vehicles would visit the site during construction. There would be more frequent visits during peak activity periods, such as when excavation material is removed for foundations and pool construction and when the foundations are poured for the building or the pool is poured. These periods of peak activity should not last for more than a few days and would be separated by days of lesser truck activity. In any case, it is not anticipated that more than three trucks would enter and exit the site during any one hour period.

As evaluated in the TIS, according to a New York State traffic vehicle count on Main Road (just east of Town Harbor Lane), 6.52 percent of the traffic passing the count location consisted of heavy vehicle (more than two axels or more the four tires). At the time, the traffic on Main Road during typical week work hours exceeded 500 vehicles an hour or in excess of 33 heavy trucks an hour. The addition of three more heavy trucks to that volume would not be recognizable during the infrequent times of peak activity. The remainder of the construction period should see no more than two heavy vehicle an hour and more likely on. These would not generate an undue burden on the surrounding community. Following the construction of the site visits to the site by heavy vehicles will be decreased significantly and have less impact.

Heavy vehicles which would visit the site to make deliveries are expected to use one of two routes depending on whether other deliveries are being made as the vehicles traverse there routes. Additional deliveries are more likely to affect vehicle routing once the proposed hotel and restaurant are operating. Food, produce and other supply operations are likely to have other customers along Main Road both east and west of the site and are expected to use Main Road/Route 25. These delivery vehicles are not likely to be all new trucks, but vehicles that now have an added delivery along an established route. Vehicles coming to the site to make a single delivery would likely traverse the Long Island Expressway to County Road 58 to County Road 43 to Sound Avenue/County Road 48 to Young's Avenue to Route 25. The use of Young's Avenue is recommended in order to take advantage of the existing traffic signals at both County Road 48 and Route 25. The presence of the traffic signals would facilitate access to Route 25 and County Road 48, making the delivery trips safer.

Special Events

It is anticipated that 8 to 12 special events will be held on site each year. Events may include weddings, fundraisers or community events. The size of these events could range between 200 and 250 guests. Special Permits from the Town of Southold would be required. As noted, the proposed site plan provides an additional 66 paved and unpaved parking spaces on site to accommodate potential overflow parking during special events. As provided by the project sponsor, the larger special events

are likely to be weddings and large parties that would be associated with the proposed hotel. It is anticipated that these events would also bring guests, who elect to stay at the hotel before and/or after the event. For analysis purpose, it is assumed that a large event would come with a block of ten rooms or more by attendees of the event. As such, these guests would not require transportation to the site for the event as their vehicles are already being parked on site in hotel parking facilities. Furthermore, during special events, valet parking would be provided such that additional vehicles can be accommodated into the parking lots and unpaved parking, as shown on the proposed site plan.

For the purpose of analyzing how the site would function during a special event, it was assumed that the 66 additional vehicles to be parked on the site utilizing the unpaved spaces and another 20 vehicles transporting people arrive and depart the site during the one hour peak Saturday period. In reality, the vehicles parking at the site would arrive during the beginning of the event and depart much later as the event ends. The arrivals and departures would not occur during the same hour, but are analyzed as occurring at the same time in order to take a conservative approach.

Figure 13 (Special Event Composite Traffic, Saturday Peak Hour) in the TIS presents the traffic volumes that can be anticipated to occur during a special event hosted at the site. Additional capacity analyses were conducted to determine the impact of special event traffic on the adjacent intersections and the site access. The results of this analysis are compared to the Existing, and No Build analyses in Table F of the TIS.

The results of the intersection capacity analysis indicate that Special Events at the proposed hotel would have little traffic impact on traffic moving along NYS Route 25 through the study intersections. Side streets such as Boisseau Avenue, Locust Lane, and Town Harbor Lane would experience some additional delay accessing Main Road (Route 25) during short periods when special event traffic arrives and departs. While side street delay increases somewhat, only at the intersections of Main Road with Locust Lane and the 7-Eleven driveway, do the intersection operating Levels of Service change. At the Locust Lane intersection, the Locust Lane approach to Main Street (Route 25) deteriorates from LOS “E” with an approach delay of 45.3 second to “F” with an approach delay of 57.9 seconds. While the LOS has deteriorated, the increase in approach delay is not large and will be tolerated by motorists. At the intersection of Main Road at the 7-Eleven driveway, the operation of the Seven-Eleven driveway goes from a No-Build Level of Service of “D” with a delay of 29.2 seconds to a LOS of “E” with a delay of 38.4 seconds. Again, while the approach LOS has deteriorated, the increase in approach delay is not large and will be tolerated by motorists during an approximately one-hour period, 8 to 12 times per year.

The southbound site exit driveway, under special event arrivals and departures will operate at Level of Service “F” during special event conditions with an approach delay of 51.7 seconds. This is compared to the typical Saturday peak hour operation without a special event, where the driveway will operate at LOS “D” with a 29.4-second delay. The driveway would still operate with delays typically found at many intersections along Route 25 in Southold.

It should also be noted that special events are only planned to occur approximately eight-to-12 times per year. The minor increased delay occurring for one hour, 8 to 12 times per year, would not create significant adverse traffic impacts.

Overall, as indicated in the TIS, given the proposed operation of the site and the proposed access configuration, and based on the analysis performed, the proposed development would not cause any significant adverse impacts to traffic flow or safety in the vicinity of the site.

Special Event Parking

An analysis of the special event parking is included in the TIS. Based on the assumptions set forth above in the “Special Events” subsection, the utilization of hotel rooms and for-hire transportation reduce the overall need for parking. Furthermore, a Valet Parking Plan has been developed (see Appendix C) and as noted therein, the use of valet parking would be expected to increase available parking for special events.

As noted earlier, overflow parking of 66 spaces have been included on the proposed plan to accommodate special events at the hotel. There are no overflow spaces required for the restaurant, as there are no special events planned to occur. Accordingly, the proposed plan provides 38 spaces for the restaurant, as required by Town Code, and these spaces are not being included for special event parking. For special events, the 66 overflow spaces as well as the utilization of valet parking are proposed to accommodate the parking demands. The analysis of the special event parking follows.

The TIS evaluates a hypothetical special event with 250 guests, and the hotel and restaurant fully using their parking. This analysis indicates that the overflow parking of 66 spaces would be available for use by Code. Pursuant to the Valet Parking Plan, the use of valet parking for special events would allow the site to accommodate another 18 spaces. It is further anticipated that 20 of the special event guests would elect to stay at the hotel (i.e., assumes a 10 room block for the event and two persons per room) and, therefore, utilize hotel parking. The analysis also assumes that approximately 15% of the 250 guests (or 37 total) would arrive by for-hire vehicles. Based on this scenario, the site would then need to provide parking spaces for 193 guests and 10 event staff persons, or 75 parking spaces. Overall, with the valet service, it is anticipated that the proposed parking layout would provide space for a total of 140 parked vehicles. This provides adequate parking for the non-event hotel guests, hotel staff, event guests and event staff, in addition to providing an additional 15 parking stalls, thus exceeding the anticipated demand for 75 spaces for the event as well as the non-event guests and staff.

It should be noted that the valet service, which would increase the available parking on site would be utilized by the hotel during special events only and would not apply to the restaurant. It is further anticipated that the valet parking would be utilized by hotel staff and guests associated with the special event, especially those staying at the hotel. The valet parking would utilize both the paved and grass paved parking stalls associated with the hotel.

As indicated on the valet plan, 38 parking stalls associated with the hotel would not be utilized for valet parking to allow hotel guests not associated with the special event to continue to access their vehicles during the event without the need to valet park. It is also important to note that operators also have means of managing the parking demand by limiting the number of staff vehicles on-site. For example, they have the option to instruct catering staff to park at the caterer's facility and arrive at the site by a multi-passenger vehicle. As such, the assumed 10 event staff persons above could be reduced. Overall, the proposed site design is expected to accommodate the demand for special events without any significant adverse impacts.

Large Passenger Vehicles

According to the project sponsor, the largest vehicle permitted would be a typical 16-passenger shuttle van that commonly services hotels and motels. The geometrics would permit these vehicles and they can be accommodated in some of the on-site parking spaces, which permit over-hang of the vehicle behind the curb and over the lawn area. Larger vehicles, such as buses or extreme length limousines would not be permitted. With respect to delivery trucks, four (4) parking/loading areas have been incorporated into the site plan, one (1) for the restaurant and three (3) for the hotel. For the hotel, the parking/loading areas are provided at the main entry way of the hotel as that is the access point for deliveries to the hotel. The main entry also serves as the turnaround for the trucks or other larger vehicle like a 16-passenger shuttle van or standard-length limousine. A site circulation plan has been included in Appendix C, which shows adequate circulation for these vehicles.

3.2.3 Proposed Mitigation

The traffic study concludes that the surrounding transportation network would be able to accommodate increased traffic volumes associated with the proposed development, including the restaurant and hotel uses, with no significant adverse traffic or parking impacts. In order to maximize the sight distance available to vehicles exiting the site, the traffic study recommended that parking be restricted on the north side of Main Road (NYS Route 25) along the entire frontage of the site. Other than this recommendation, no further mitigation is proposed.

3.3 Aesthetic Resources and Community Character

3.3.1 Existing Conditions

Existing, publicly accessible, views of the subject property are entirely from Main Road (NYS Route 25) and consist of a currently two-story residential structure, a structure that reflects the built character and historic ambience of the Hamlet of Southold, as well as associated landscaping. Views east and west of the subject property along Main Road generally reflect the same low-density residential and commercial character, which is consistent with the overall historic built character of the hamlet of Southold, including one- to two-story structures on large landscaped lots.

The existing building at the subject property is a State and National Register-eligible historic landmark (identified as the Lester Albertson House, USN No. 10310.000679). According to the OPRHP evaluation report (dated July 1995), the architecture of the building reflects nineteenth-century ecclesiastic architecture in the Town of Southold. Further, the building immediately south of the subject property, on the south side of Main Road, State and National Register-eligible Glover-Hutter House (USN No. 10310.000680). Per OPRHP's evaluation (dated July 1995), this building is also a reflection of nineteenth-century ecclesiastic architecture in the Town of Southold.

Beyond the subject property and the immediately adjacent Route 25 corridor is the historic hamlet of Southold downtown area to the west and similarly low-density residential and commercial uses as well as rural uses to the east. As previously discussed, the Hamlet of Southold "Hamlet Center" is a primary commercial hub with a distinct small scale and historic / traditional character.

3.3.2 Potential Impacts

To assess the potential impacts of the proposed development, the project architect prepared renderings of the proposed hotel (included in Appendix D), as well as photo-simulations from various vantage points, which are included as Figures 18 through 23 in Appendix A. When considering how best to depict photo-simulation of the post construction view of the proposed project, it was recognized that all images should be taken at eye level of an individual walking or standing near the site. Therefore, several views were established to depict both the public view from the street, as well as the views from the neighboring properties where the buildings may be visible. The vantage points were as follows:

- Along the street line on Main Road; and
- Along the eastern property line of the subject property, standing as a neighbor may looking towards the property, as well as along the common driveway (to the east) looking across the neighboring properties.

As the existing vegetation is fairly dense, views in which the post construction buildings may be visible were established. The existing views were photographed with a high resolution Canon Digital Camera. Cross sections were then taken from the vantage point of the photographs towards the buildings to establish the relative grade differential from the photo vantage point towards the buildings. The cross sections were then adjusted for the post-construction grades and the proposed plantings were then superimposed at the height they would exist one year after being planted. Based upon the planting heights and the species of proposed plants as included on the Proposed Landscape Plan (see Appendix C), a combination of the latest version of “Sketch-up” with the “Thea” add-on were then used, and Photoshop was used to develop the images included herein as Figures 18 through 23 in Appendix A. It is noted that where the buildings were not visible at all, the project architect “Ghosted-in” the buildings in order to understand where the buildings were behind the vegetation. An assessment of the proposed project, based on the renderings and the photo-simulations, as well as architectural elevations for both the hotel and restaurant, follows.

The proposed project includes the conversion of the existing residential structure located on the southern portion of the property (visible from NYS Route 25 / Main Road) into a 74-seat sit-down restaurant and two-story, 40-unit hotel with four detached cottages and associated amenities (e.g., pool and lounge areas). The reuse of the existing residential structure would preserve and reinforce the existing character of the hamlet of Southold, while the proposed height of the new hotel building (i.e., two-stories / 32.9 feet) is consistent with existing development height in the Hamlet Center.

The existing residence on Main Road, which was formerly The Hedges Bed and Breakfast, is proposed to be restored in a plan that has been reviewed and approved by the State Historic Preservation Office (NYS OPRHP). Behind the restaurant and its supporting parking area, there will be a substantial hedgerow. The proposed hotel would be discreetly hidden behind this hedgerow, thus minimizing the viewshed changes from Main Road. As indicated in the photo-simulations provided in Figures 18 and 19 in Appendix A, the only portion of the hotel building that would be visible from Main Road is the Period-style stone “barn” which anchors the southeast corner of the building and is 2-1/2 stories high with a Ludowici clay tile roof and local stone veneer.

From this anchor to the West will be the one-story reception and lobby, as well as a deck floating above a small man-made pond on the south side of the lobby, overlooking a large lawn area (see hotel renderings in Appendix D). To the north would be the 40 room, two-story flat-roofed structure, which would house the actual rooms themselves. Each floor will have 20 rooms. This flat-roofed structure will be a low-rise element, which would be well hidden from view by the anchoring stone “barn.” Stylistically, the design will introduce the “wings” which extend from the period barn, as more contemporary structures juxtaposed against the barn.

The north wing of the hotel will effectively screen and buffer the three adjacent residential properties to the east from the activities on the west side of the hotel around the pool and pool terraces. In addition, the east facade of the building features mirrored glass to reflect the dense evergreen screening intended to be installed to have minimal visual impact on these three properties. To the north, the four cottages screen the overflow parking lot as well as the neighboring LIRR tracks. To the west is the existing boatyard and to the south, beyond the hedgerow, would be the restaurant.

The existing residential structure would be preserved and renovated, such that its existing architectural style and the built character it reflects as part of the hamlet of Southold would be maintained and enhanced. The proposed design includes a creative re-use of the residential structure, while maintaining important design elements that contribute to the locality. The proposed hotel building would reflect the scale of the existing buildings at the subject property and surrounding community (i.e., low density, one- and two-story structures). The design intent was a small-scale, boutique-style hotel, with limited footprint, such that it would complement the surrounding hamlet.

As indicated on the Proposed Landscape Plan and Details (see Appendix C), the proposed landscaping consists of maintained turf grass with scattered deciduous trees, including red maple (*Acer rubrum* ‘October Glory’) and red flowering dogwood (*Cornus florida* var. *rubra*), as well as trimmed hedgerows comprised of privet (*Ligustrum ibolium*). Property boundary screening comprised of evergreen trees, including Leyland cypress on 8 ft centers (*Cupressocyparis leylandii*) is also proposed on the eastern and western property boundaries in areas where no existing trees are present. The use of Leyland cypress would provide natural privacy screening with the adjoining properties. Within the areas of the proposed swimming pool and the hotel cottages, the proposed landscaping includes Northern privet (*Ligustrum x. ibolium*). Northern Privet is also proposed along the northern edge of the east-west internal roadway for a vegetative separation of the restaurant and hotel uses.

Within the 25-ft rear yard setback area, approximately 13, six-to-eight inch DBH eastern red cedar (*Juniperus virginiana*) and eight-to-14 inch DBH black cherry trees (*Prunus serotina*) trees would be retained. The trees that are proposed along with their canopy to remain are shown as such on the attached site plans. In addition, the trees would be protected with tree protecting fencing during construction to avoid disturbance of the trees. Several red maple (*Acer rubrum*) trees would be planted in and adjacent to this natural area to vegetate areas currently without trees. Some native trees present on the site would also be retained within the 10-ft side yard setbacks. The 10-ft side yard setbacks located in the northern portion of the property include eight-to-16 inch diameter black cherry trees that would be incorporated into the site’s landscaping plan. Existing trees, such as Norway maple (*Acer platanoides*), sycamore maple (*Acer pseudoplatanus*), box elder (*Acer negundo*), scarlet oak (*Quercus coccinea*), black cherry (*Prunus serotina*), black walnut (*Juglans nigra*), butternut (*Juglans cinerea*), and white mulberry (*Morus alba*), located in the southwestern corner of the property would be incorporated into the site landscaping within the proposed lawn/sculpture garden to the south of the proposed hotel, within the 10-ft side yard setback, and adjacent to the proposed driveway and parking.

The proposed planting of substantial and mature plantings along the eastern and western property lines would also provide effective screening for the properties to the east and west. As indicated on the Proposed Landscape Plan and visually represented in Figures 20 through 23 in Appendix A, the proposed trees at planting would be 14-to-16-feet along the east side and eight-to-10-feet along the west side, both single and double row. As indicated in Section 1.4.1 of this DEIS, the proposed planting would occur early in the construction process to provide additional time for growth during the overall 18-to-22 month construction period.

From the southernmost residence (see Figure 20 in Appendix A), only a portion of the hotel roofline would be visible. Views of the project site from the residential properties to the north thereof would be screened by the proposed vegetation (see Figures 21, 22 and 23 in Appendix A). Accordingly, the proposed landscape effectively minimizes the visual changes from the neighboring properties.

In accordance with Section 172-7 G. (1), the proposed lighting would not include high-intensity discharge, including metal halide, or any high-pressure or low-pressure sodium lamps or fixture types. As indicated on the Site Lighting and Details Plan in Appendix C, the proposed plan includes 10-foot lamp poles along the internal driveway and within the parking areas. Each lamp pole would include a shielded LED fixture such that all light would be directed downwards with no upward glare. Furthermore, a photometric analysis was performed, which indicates that there would be no off-site lighting impacts from any of the proposed light poles. The proposed building fixtures would include fixed lighting and to mitigate light trespass and glare, all lighting would be shielded and directed downwards, at an intensity compliant with Chapter 172 of the Town Code (Outdoor Lighting). The proposed lighting would comply with the lighting standards set forth in §172-5, and would be subject to the review and approval of the Town of Southold Building Department.

The proposed signage has not yet been developed for the proposed project; however, the project architect would design the signage to be consistent and in character with the surrounding commercial land uses. All signage would also comply with Southold Code.

While the proposed project would change the land use character of the subject property from one residence to a mixed-commercial use, the proposed project is consistent with various local and state comprehensive planning documents relevant to the hamlet and Town of Southold and the larger region regarding preservation of existing historic character of the area (see Section 3.1.2 of this DEIS for a comprehensive evaluation of the proposed project's consistency with underlying regulatory frameworks and comprehensive planning documents instituted to protect and maintain the historic and traditional character of the locality and region). As such, it is anticipated community character under the proposed action would be enhanced, as the proposed project would situate new land uses complimentary to the hamlet center while meeting various local and regional planning goals.

3.3.3 Proposed Mitigation

Based on the foregoing discussion, no significant adverse impacts to visual resources and community character and anticipated as part of the proposed project. Publicly accessible views of the property would remain largely consistent with existing conditions, as the existing residential structure would be maintained as part of the project, while the proposed hotel use would be largely hidden by the existing residence and proposed landscaping. Further, the proposed project would be consistent with and meet the goals of regulatory

development and planning frameworks (e.g., zoning and local / regional comprehensive planning documents) such that community character under the proposed project would be preserved and enhanced.

3.4 Noise and Odor

3.4.1 Existing Conditions

Noise

Introduction

A noise survey and analysis were prepared by SoundSense to evaluate the potential noise impacts of the proposed action, and is hereinafter referred to as the “Acoustic Report.” As part of the analysis, the ambient or existing noise levels on the subject property and at various off-site receiver locations were taken. The projected impacts of the proposed development were then assessed and the need for mitigation measures were determined. A summary of the Acoustic Report is included in this section of the DEIS, and a copy of the Acoustic Report in its entirety is included in Appendix J.

General Noise Information

Subjective Perception of Actual Sound Energy Change

Sound or noise is measured in decibels (dB). As sound increases or decreases, decibels increase or decrease logarithmically - not arithmetically. For example, if a sound of 70 dB is added to another sound of 70 dB, the total is a three-decibel increase (to 73 dB), not a double to 140 dB. Furthermore, if two sounds are of different levels, the lower level adds less to the higher, and if this difference is as much as 10 dB, the lower level adds almost nothing to the higher level. In other words, adding a 60-decibel sound to a 70-decibel sound increases the total sound pressure level by less than one-half decibel. As excerpted from the Acoustic Report in Appendix J, the following table describes the subjective perception of noise level increases and the associated change in sound energy.

Table 19 - Subjective Perception of Actual Sound Energy Change

dB Change	Subjective Perception	Sound Energy Change
0-3 dB	Barely perceivable	50%
4-5 dB	Perceivable and significant	69%
6 dB	Double sound pressure	75%
7-9 dB	Major perceived increase	87%
10dB	Double loudness, 10x power	90%

Annoyance by Sound

Annoyance by sound is a response to auditory experience. The standard for acoustic analysis is that any sound that exceeds the background noise level by 5 dB(A) or more has the potential to be an annoyance to the receiver. It is noted that A-Weighting or dB(A) is a weighting metric that is commonly applied to sound pressure levels as it is an approximation of the hearing response of the human ear which is more responsive to higher frequencies than lower frequencies.

NYSDEC Guidelines for Assessing the Impact

The NYSDEC sets forth thresholds for determining the impact of an activity and based upon the changes in sound levels, identifies the need for mitigation. It is acknowledged that the NYSDEC guidelines for assessing and mitigating noise impacts do not supersede the local or municipal regulations. Accordingly, the Noise Ordinance (Chapter 180) of the Town of Southold applies to this proposed action, which is discussed later in this section.

Table 20 - NYSDEC Thresholds for Significant Sound Pressure Level (SPL) Increase

Sound Level Increase (dB)	Impact	Need for Mitigation
0-3	No appreciable effect on receptors	No need
3-6	Potential for adverse noise impact in cases where the most sensitive of receptors are present	Mitigation may be needed for some sensitive receptors
6-10	Potential for adverse noise impact depending on existing SPL and character of surround land use and receptors	Mitigation may be needed for most receptors, depending on existing conditions
10 or more	Adverse impact	Deserves consideration of avoidance and mitigation measures in most cases

Source: NYSDEC Noise Policy (Assessing and Mitigating Noise Impacts. DEP-00-1 Revised 2/2/2001)

US Housing and Urban Development (HUD) Site Acceptability Standards

The US Housing and Urban Development defines acceptable to unacceptable noise levels through site acceptability standards. As excerpted from the Acoustic Report (Section 2.5), acceptable noise levels are those not exceeding 65 dB. Where noise levels are above 65 dB and below 75 dB, the condition is normally unacceptable and attenuation is required. Above 75 dB, the levels are unacceptable and attenuation is required.

Town of Southold – Chapter 180

Chapter 180 of the Town of Southold Town Code regulates noise generation. Pursuant to §180-5 (General Prohibition), “No person or persons owning leasing or controlling the operation of any source of noise on any lot or structure within the Town shall permit the establishment of a condition of noise pollution. Except as provided in §180-6, the use of amplifiers, speakers or other machines or devices capable of reproducing amplified or airborne sound from the premises, dwelling or building within the Town shall be considered noise pollution and shall be prohibited at all times.”

Pursuant to §180-6 (Standards), “No person shall create or cause to be emitted any noise pollution which when measured on a sound-level meter from the property line of a complaining property owner exceeds the following standards:

- A. Sunday through Thursday:
 - (1) From 7:00 a.m. to 7:00 p.m., airborne or amplified sound in excess of 65 dBA; and

(2) From 7:00 p.m. to 7:00 a.m., airborne or amplified sound in excess of 50 dBA.

B. Friday and Saturday:

(1) From 7:00 a.m. to 11:00 p.m., airborne or amplified sound in excess of 65 dBA; and

(2) From 11:00 p.m. to 7:00 a.m., airborne or amplified sound in excess of 50 dBA.”

Relevant to the proposed action, exceptions to provisions of §§180-5 and 180-6 are set forth in §180-7(A), as follows:

“(2) Construction activities between 7:00 a.m. through 7:00 p.m. and the associated use of construction devices or the noise produced thereby, provided that such activities and such equipment and their use comply with the other provisions hereof.

(6) Nonamplified noise generated from lawful athletic or recreational activities, events or facilities.

(11) Emergency construction or repair work.”

Existing Noise Levels

Daytime ambient sound level measurements were taken at several receivers near the subject property, as shown in Figure 4.1.1 of the Acoustic Report. As noted in the Acoustic Report, the receiver locations were selected in order to characterize the acoustic environment of the property and surrounding areas. Access to the majority of the property was limited due to vegetation growth. Location 1 was selected in order to characterize the existing ambient sound pressure levels at the front of the property and characterize the acoustic environment at the street and to the nearby commercial receivers. During collection of acoustic data at Location 1, timestamps were collected of various acoustic events such as various car pass-bys in order to utilize in future calculations for this acoustic study related to traffic. Locations 2, 3 and 4 characterize the acoustic conditions in the rear of the existing on-site residence and commercial businesses. Collectively, all the acoustic data gathered provides a clear picture of the existing soundscape of the area. Readings were collected as close to nearby residential receivers as possible. In addition to the location, the time of the acoustic readings were selected in order to survey a variety of acoustic conditions. For example, acoustic readings were collected during the day in order to characterize typical sounds due to traffic and acoustic readings collected during the nighttime readings were coordinated with a pass-by of an LIRR train at to the north of the property.

An acoustic consultant remained with the meter for the duration of each 20-minute measurement period, noting the activities contributing to the soundscape of the area, and noting high sound level events such as car and truck pass-bys. The existing ambient soundscape in the area of the subject property is characterized mainly by traffic on Route 25, which includes cars, busses, mid and large-sized trucks, emergency vehicles, as well as the adjacent LIRR tracks, planes, and helicopters.

The results of the ambient sound level measurements, as indicated in the table below, are typical of a residential area nearby a busy roadway. The sound levels at Location 1, which are representative of the acoustic environment at the commercial and residential receivers on Route 25, are dominated by the traffic sounds on Route 25. The effect of Route 25 on Location 1 is especially evident in the elevated LAeq and L90 measurements that are typically used to characterize the background noise levels. The

sound levels at Locations 2, 3 and 4 are generally consistent and represent the acoustic environment at the residential receivers to the east of the subject property. These measured sound levels are typical of semi-rural residential areas and were used in the modeling of the projected acoustic impacts of the proposed action, as discussed in Section 3.4.2 below.

Table 21 - Weekday Ambient Sound Levels at Receivers near the Proposed Location on July 19, 2019

Measurement Location	Time Period	LAeq (dBA)	LASmin (dBA)	LASmax (dBA)	L01 (dBA)	L10 (dBA)	L50 (dBA)	L90 (dBA)
Location 1	12:24pm – 12:46pm	62	42	85	70	64	59	51
	7:47pm – 8:04pm	60	43	69	68	64	58	48
Location 2	12:52pm – 1:13pm	45	38	54	52	48	43	40
	8:06pm – 8:26pm	47	39	66	58	49	43	40
Location 3	1:14pm – 1:34pm	46	37	56	53	50	44	40
	8:27pm – 8:47pm	44	38	58	53	47	43	40
Location 4	1:35pm – 1:46pm	43	37	53	50	46	43	39
	8:48pm – 9:09pm	47	38	61	59	48	45	43

Odor

The subject property is a residential use and largely undeveloped land. No odors are generated from the current land uses.

3.4.2 Potential Impacts

Expected Impact of Increased Traffic due to Proposed Location

As part of the noise analysis, SoundSense modeled the expected change in sound level at the four receivers (Locations 1 – 4) based on the expected increase in traffic, as documented in the TIS. Table 22, as excerpted from the Acoustic Report, shows the expected increase in the L10 and L90 sound levels based on the expected increase in traffic due to linear natural background traffic growth. Table 23, as excerpted from the Acoustic Report, shows the expected further change in sound level at the four receivers due to entering and exiting traffic upon implementation of the proposed action. The L90 value is most often used to characterize the ambient sound level in an area. The L90 value is the value which is exceeded 90% of the time of a measurement. Conversely, the L10 value is that which is exceeded only 10% of the time of a measurement. The L10 value is often used to characterize an

impulsive environmental acoustic disturbance and often correlates with the community reaction to the noise.

In order to determine the worst-case scenario impacts for each receiver, the baseline sound levels were selected to be either the morning or evening readings, depending upon which time of day was generally quieter at each location. In this way, the analysis shows the expected worst-case scenario impact if all of the additional traffic occurred during the quietest periods of the day at each receiver. For this analysis, the evening sound levels were used for Locations 1 and 3, while the early afternoon sound levels were used for Locations 2 and 4.

Table 22 - Expected Sound Levels at Receiver Locations: Summer 2020 - No Build Condition

Receiver	Condition	Expected Change in L10 from Existing Conditions (dBA)	Expected Change in L90 from Existing Conditions (dBA)
Location 1	2020 No Build – Weekday Peak Hour	0.6	2.4
	2020 No Build – Saturday Peak Hour	0.9	4.3
Location 2	2020 No Build – Weekday Peak Hour	0.4	0.6
	2020 No Build – Saturday Peak Hour	0.7	1.0
Location 3	2020 No Build – Weekday Peak Hour	0	0.7
	2020 No Build – Saturday Peak Hour	0	1.0
Location 4	2020 No Build – Weekday Peak Hour	0.5	0.5
	2020 No Build – Saturday Peak Hour	0.9	0.8

Table 23 - Expected Sound Level Increases at Receiver Locations: Summer 2010 – Build Condition

Receiver	Condition	Expected Change in L10 (dBA)	Expected Change in L90 (dBA)	Expected Impact
Location 1	2020 Build – Weekday Peak Hour	0.7	3.0	No Impact
	2020 Build – Saturday Peak Hour	1.1	2.1	No Impact
	2020 Build – Special Events	1.8	3.8	Potential Impact
Location 2	2020 Build – Weekday Peak Hour	0.6	0.7	No Impact
	2020 Build – Saturday Peak Hour	0.7	0.8	No Impact
	2020 Build – Special Events	0.7	1.1	No Impact
Location 3	2020 Build – Weekday Peak Hour	0	0.4	No Impact
	2020 Build – Saturday Peak Hour	0	0.6	No Impact
	2020 Build – Special Events	0	0.7	No Impact
Location 4	2020 Build – Weekday Peak Hour	0.5	0.7	No Impact
	2020 Build – Saturday Peak Hour	0.6	0.8	No Impact
	2020 Build – Special Events	0.7	1.3	No Impact

Under the Build Condition, as shown in Table 23 above, only one condition is expected to result in an exceedance of the 3 dB threshold for potential acoustic impact. This would occur only for the expected worst-case L90 value at Location 1 during a Special Event at the subject property, which is expected to be limited to 8-12 times per year, subject to approval of a special event permit from the Town of Southold. All other conditions at all receivers result in a differential of less than or equal to 3 dB, which represents an unnoticeable change in the sound levels at these receivers and, therefore, is expected to have no acoustic environmental impact on the receivers. Based on this analysis, implementation of the proposed action would not result in significant adverse impacts to the nearby residential and commercial receivers.

Typical On-Site Activities

The proposed hotel would be expected to use an outdoor sound reinforcement system to play music on the property, within the pool area, during daytime hours of operation. A limiter would be placed on this system to ensure that the resulting sound levels cannot exceed the limits set in the Town of Southold Noise Ordinance for commercial music, which is acknowledged herein as being: Sunday through Thursday, 65 dB(A) between 7am and 7pm and 50 dB(A) between 7pm and 7am; Friday and Saturday, 65 dB(A) between 7am and 11pm and 50 dB(A) between 11pm and 7am. Additionally, the speaker equipment selection and layout would be reviewed by an acoustic consultant to minimize the impact of direct acoustic waves. As such, with the proposed measures, no significant adverse noise impact is expected on the nearby receivers due to the outdoor sound reinforcement system.

Additionally, the proposed hotel would include an outdoor pool and play court area. As indicated in the Acoustic Report, the sound levels generated at these locations are not expected to negatively impact the neighboring receivers, as the building itself serves as a natural acoustic barrier to the residential receivers to the east. The proposed landscaping would also inhibit direct reflections that could amplify the noise. As such, no significant adverse noise impacts from the outdoor pool and play court area are expected.

Special Events

In addition to the traffic generated by the proposed action, sound levels during special events and their impact on neighboring receivers were also evaluated. The expected sound levels of two types of special events were modeled at the four receivers of interest: (1) a 250-person outdoor wedding and (2) a 50-person outdoor party. Both of these types of events would take place on the front lawn/pond area adjacent to the hotel, but only one event would occur at a time.

Average sound level spectra for male and female speaking voices at a raised voice effort level were used to calculate the expected sound levels at the receivers of concern, based on a 50-50 gender split of the attendees at these events. As any music played through the sound reinforcement system during the event would be required to meet Town of Southold Noise Ordinance limits as described above, through the use of a limiter on the system, the projected noise was not included in the analysis. The expected sound levels of these events can be found in Table 24 below (see also Figures 5.4.1 through 5.4.4 of the Acoustic Report).

Table 24 - Ambient Sound Levels and Expected Sound Levels due to Special Events at Locations 1-4

Location and Distance from Event*	Existing LAeq (dBA)	Expected LAeq – 250 Person Wedding (dBA)	Expected LAeq – 50 Person Party (dBA)	Town of Southold Noise Code Daytime Limit
Location 1 (±270 feet)	60	60	60	65
Location 2 (±150 feet)	45	53	48	65
Location 3 (±220 feet)	44	50	46	65
Location 4 (±130 feet)	43	53	48	65

* See Figure 4.1.1 in Acoustic Report

As indicated in Table 24 above, the expected sound levels due to special events is expected to represent a significant disturbance to the neighboring residential receivers (Locations 2-4) if no acoustic treatment measures are implemented. The sound levels at Location 1 are not expected to be impacted by the Special Events, as the acoustic character of this area is already dominated by the traffic on Route 25. However, at Locations 2-4, the overall sound level is expected to increase by 6-10 dBA for the 250-person wedding events and 3-5 dBA for the 50-person parties. Additionally, the octave band sound levels are expected to be as much as 17 dB above ambient sound levels in select octave band during the 250-person wedding events and as much as 10 dB above ambient in select octave bands during 50-person parties. While these events may only occur 8-12 times per year, the acoustic impact to the neighboring receivers during these events would be noticeable. However, these events would only violate the 50 dBA limit set by the Town of Southold Noise Code if these

sound levels occur after 7pm on Sunday through Thursday and after 11pm on Friday and Saturday. As indicated in this DEIS, special events would only occur between 6pm to 10pm on Fridays, 2pm to 11pm on Saturdays and 2pm to 6pm on Sundays. As such, no events are expected to occur during the periods of time for which the nighttime noise code limit of 50 dBA would apply. Moreover, at no location is the sound level due to special events expected to violate the 65 dBA limit set by the Town of Southold Noise Code for daytime sound levels, which is the only time special events are expected to occur.

As indicated above, the effects of the sound reproduction system is not incorporated into the special event acoustical analysis as this system would be required to have a limiter which would be set such that it is not possible to exceed the Town of Southold noise level limits for daytime or nighttime overall sound level at the nearest receivers. This applies to both music that would be played through the sound reproduction system as well as public speaking and officiating, which may be amplified through the same sound reproduction system. Additionally, the speakers for special events would be arranged such that they face away from the residential receivers to the east of the property. As most event-grade speakers are directional, and emanate their energy primarily in the direction they face, the majority of the sound energy from the speakers would be directed towards the western side of the property and would not be expected to impact the residential receivers as much as the omni-directional nature of a crowd of human speaking voices.

With mitigation, the acoustic impact can be reduced significantly to the extent that a disturbance would not occur. Such mitigation can include the installation of a temporary acoustic barrier during special events to reduce the sound levels at the neighboring residential receivers. This acoustic barrier can be placed along the eastern edge of the event, should it occur on the lawn in front of the hotel, and can be movable to optimize the location and the efficiency of the barrier. This acoustic barrier could include a typical fence that is construction-lined with an acoustic material, making full contact with the ground. The required height of the barrier would vary depending on the location and can be calculated for maximum efficacy depending on the type and location of the event. Alternatively, if an event is held within a tent on the property, an acoustic barrier can be incorporated into the side of the tent facing the residential properties to the east. Additionally, if an event is held at the pool area of the proposed hotel, the building itself would act as an acoustic barrier between the event and the residential receivers. Furthermore, a limiter would be implemented on the sound reproduction system to ensure that the requirements of the Town of Southold Noise Code are met for the amplified sound during these events. Implementation of the recommended mitigation measures would be expected to reduce noise levels to the extent that no significant adverse impacts to the neighboring properties would occur during special events.

Construction-Related Noise

The construction phase of the project is expected to last 18-to-22 months and would occur on weekdays between 8am and 5pm and Saturdays between 9am and 4pm. The Town of Southold Noise Code does not apply to construction noise generated between 7am and 7pm, any day of the week. Although the Town of Southold Noise Ordinance does not apply to construction noise during the proposed periods of time, it is possible to reduce the expected impact of the construction noise on the neighboring receivers. Acoustic barriers can be utilized during the construction period to minimize the impact of the construction activities on the surrounding residential and commercial receivers. The requirements of these barriers would be calculated once the construction plan for the proposed action is completed and the expected sound levels of the necessary equipment is known.

Odor

The potential for odors to be generated from the on-site wastewater treatment and disposal are addressed in the design of the overall system. As indicated in Section 3.2.2 of this DEIS, the proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen. As such, odors would be controlled thus resulting in no adverse impacts to the neighboring properties.

The potential exists for odors from the trash receptacles. To prevent odors, all trash would be stored in covered bins and trash pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

The potential for odors from the restaurant would be controlled through industry-methods for proper exhaust hoods, grease collection, and ventilation. The design of such systems would be performed during kitchen design. As such, because the proposed restaurant would include exhaust and ventilation systems, it is not expected that this use would result in any nuisance odors.

Based on the above, the proposed action is not expected to generate any odors that would adversely impact the surrounding area.

3.4.3 Proposed Mitigation

Based on extensive acoustic readings and related analysis, mitigation measures are not necessary to address the airborne sound levels due to the proposed action, as the analysis of the expected sound levels has revealed that there is no impact expected for the nearby commercial and residential receivers during typical operation of the proposed restaurant and hotel.

During special events, the following mitigation measures are proposed to address the potential increase in noise levels during special events:

- A temporary acoustic barrier will be used during special events to reduce the sound levels at the neighboring residential receivers. This acoustic barrier can be placed along the eastern edge of the event, should it occur on the lawn in front of the hotel, and can be movable to optimize the location and the efficiency of the barrier. This acoustic barrier could include a typical fence that is construction-lined with an acoustic material, making full contact with the ground. The required height of the barrier would vary depending on the location and can be calculated for maximum efficacy depending on the type and location of the event.
- If an event is held within a tent on the property, an acoustic barrier can be incorporated into the side of the tent facing the residential properties to the east.
- A limiter would be implemented on the sound reproduction system to ensure that the requirements of the Town of Southold Noise Code are met for the amplified sound during these events.

- Special events would only occur between 6pm to 10pm on Fridays, 2pm to 11pm on Saturdays and 2pm to 6pm on Sundays. As such, no events are expected to occur during the periods of time for which the nighttime noise code limit of 50 dBA would apply. Moreover, at no location is the sound level due to special events expected to violate the 65 dBA limit set by the Town of Southold Noise Code for daytime sound levels, which is the only time special events are expected to occur.

Regarding odors, the proposed STP will be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen. All trash will be stored in covered bins and trash pick-ups will be scheduled to eliminate wastes being held for a long duration. Restaurant odors will be controlled through industry-methods for proper exhaust hoods, grease collection, and ventilation.

3.5 Historic and Archaeological Resources

3.5.1 Existing Conditions

Pursuant to a Resource Evaluation dated December 21, 2017 (copy included in Appendix K), the subject property includes one structure, the Lester Albertson House (56655 Mains Road) that is eligible for listing on the State and National Registers of Historic Places. Specifically noted is that the structure meets National Register Criterion C. As summarized in the Resource Evaluation:

“The Albertson House meets National Register Criterion C as an intact example of early-mid nineteenth century vernacular architecture in the Town of Southold. The house, which is documented on the 1858 map of the area, is a side-gable, five-bay, center entrance type with two-over-two sash windows and Italianate details including bracketed, overhanging eaves; round arched attic windows; and a bay window on the west side. A one-story gabled wing extends from the rear. The front entrance consists of a single door with sidelights and a wide surround decorated by a rope (or egg and dart) molding. . . More recent alterations include a Colonial Revival entry porch and wide exposure shingles. The house overall has retained a high level of integrity and remains an important example of its period and type in Southold. The siting close to the road is typical for houses of this period.

Photos more recently submitted show baseboard trim, wood paneling below windows, paneled doors with 19th-C hardware and low ceilings which support an early-19th century construction date. The form of the house with the roof ridge parallel to the road suggests that the original architectural style was Federal. The house was updated in the Italianate style with new 2x2 windows, the bay window and an Italianate newel post on the interior staircase. Colonial Revival features include arched doorway surrounds on the interior, possibly the narrow plank wood flooring, and the porch posts.”

Regarding archaeological resources, the subject property is located within a larger archaeologically sensitive area, as published on the OPRHP Cultural Resource Information System at <https://cris.parks.ny.gov>. However, during the application process for this proposed action, the Town of Southold consultants contacted OPRHP and in correspondence dated December 28, 2017 (copy

included in Appendix K of this DEIS), OPRHP advised that they have no archeological concerns. OPRHP requested additional information on the proposed renovations to the Lester Albertson House (i.e., the existing residential structure for conversion to a restaurant). The evaluation and determination are described in the *Potential Impacts* section below.

3.5.2 Potential Impacts

As indicated above, in correspondence dated December 28, 2017, ORPHP indicated that they have “no archeological concerns or architectural concerns with the proposed new construction. As such, we have no further comments regarding the new building’s construction.” OPRHP did, however, request additional information on the proposed renovations to the Lester Albertson House (i.e., the existing residential structure for conversion to a restaurant). In response to said requests, on January 17, 2019, AVG submitted the additional information and provided the following responses to OPRHP:

2. Provide further details on the proposed Front door on the South Elevation:

AVG Response: This door and Portico served as the Main entrance to the House, and then later on when this structure was the “Hedges Bed and Breakfast” as the main entrance for that as well, and it will continue to be used as the Main entrance for the Restaurant. Further, while the Portico and existing exterior door surround appear to be original or at least period correct, that actual door and sidelights are replacement pieces. The Portico will be fully restored to its existing configuration and detail, as will the door surround. The actual door will be custom made to replicate an appropriate period door, complete with an exposed Mortise box type lock. In addition, the Sidelights will be custom fabricated to replicate what was originally there with Float glass, and putty Muntin bars.

3. East Elevation Changes:

AVG Response: As it pertains to the East Elevation, it is important to note that after the main body of the house, just beyond the Bilco doors to the Cellar (north end of the East Elevation), that entire existing appendage was an addition which was poorly built at some point in the 50’s. The building is listing to the side, and will require being completely rebuilt in this area, bear in mind, this was not original to the house.

a) Window at the rear of the Main Building: This window straddles the wall separating a required HC bathroom, and the bar area. We have re-configured the Bathroom/bar area to maintain this window in its current location.

b) Roofline of the Proposed addition to the North of the “ell”: As you will see we have re-configured this roof line to clearly differentiate it from that of the existing “ell” bearing in mind the existing “ell” is not of the same vintage of the Main house.

c) Roofline of the currently detached one-story structure: The plate height of the existing roofline of the detached structure do not render it a habitable space...We have simply raised the plate heights of these walls and maintained a gable roof of similar proportion to that of the existing, adding a small reverse gable to distinguish it from the Main house.

4. West Elevation Changes:

AVG Response: The same comments pertain to the roof line changes on this façade as that of the east façade. The infill of floor to ceiling glass is merely to render that porch useable as interior space. The existing Historic Windows and door will be retained and restored to their original vintage retaining the original float glass.

5. Interior Changes:

AVG Response: On the second floor, other than the removal of the closets, and the conversion of the bathroom to a bus station, the floor plan remains virtually untouched. On the first floor, the reality of using this space for a viable restaurant requires the inclusion of a modern (code compliant) commercial kitchen, which accounts for the revisions to the existing non-historic Kitchen “ell” appendage. Further, the requirement for 2 ADA complaint bathrooms accounts for the necessary revisions to the rear of the existing Main House, as access to these bathrooms cannot be provided through the Kitchen area. Further between the 4-square room configuration, we eliminated the demising walls to add the need space for dining, as well as a bar area. However, the existing structural beams will be left as dropped headers and will now be exposed. We will retain the existing bay window, as well as the door and window trims, replicating them as required due to existing damage to some of them. As for the staircase, while it is attractive, it is far from being code compliant and represents a real hazard to anyone using it in a commercial setting. Therefore, a code compliant staircase will be installed, however we will endeavor to incorporate the Newel Post into the design.”

In response to the above, OPRHP issued a No Adverse impact determination on February 19, 2019. Specifically, as excerpted from OPRHP’s correspondence (included in Appendix K):

“We understand the project will make the following modifications: exterior shutters will be removed; the West Elevation roof parapet will be removed from the project and the interior trim will be retained to the maximum extent possible. Based upon this understanding it is OPRHP’s opinion the proposed project will have No Adverse [sic] Impact upon historic resources.”

The proposed architectural design has been modified to remove the exterior shutters and roof parapet on the west elevation (see the revised architectural plans in Appendix D of this DEIS). The interior trim will also be retained to the maximum extent practicable. Overall, based upon the above, implementation of the proposed action would not result in any significant adverse impacts to cultural resources.

3.5.3 Proposed Mitigation

The proposed renovations to the residence for its reuse as a restaurant includes design mitigation that considered OPRHP’s comments from December 28, 2017 and has resulted in a No Adverse Impact determination from OPRHP. Specifically, the following design considerations maintain the historic significance of the structure, while also restoring particular elements:

- The Portico will be fully restored to its existing configuration and detail, as will the door surround. The actual door will be custom made to replicate an appropriate period door, complete with an exposed Mortise box type lock. In addition, the sidelights will be custom fabricated to replicate what was originally there with float glass, and putty muntin bars.
- The bathroom/bar area has been configured to maintain the rear window in its current location.
- The roofline of the proposed addition to the north of the “ell” has been configured to clearly differentiate it from that of the existing “ell.”
- The existing historic windows and door on the west elevation will be retained and restored to their original vintage retaining the original float glass.
- Many of the interior elements will be maintained and/or replicated, including: the structural beams on the interior which will be left as dropped headers and exposed; the existing bay window, as well as the door and window trims, will be replicated, as required, due to existing damage; and a new stair case will be installed, but the design would incorporate the Newel Post into the design.

3.6 Human Health and Safety

3.6.1 Existing Conditions

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) was prepared by PWGC in August 2018 and a copy is included in Appendix L of this DEIS. The findings of the Phase I ESA included the following Recognized Environmental Conditions (RECs):

- The subject property and several adjacent properties were historically used for agricultural purposes from the 1920s through the 1980s (subject site) and 2000s (surrounding properties). Historic usage for agricultural purposes is likely to be associated with the application of pesticides and herbicides at the site. During the period of time the subject site and surrounding properties were used for agricultural purposes, pesticides used may have included now-banned chemicals (such as DDT), or metals-based compounds (such as lead arsenate). Such compounds may have been applied directly at the subject property, and/or may have migrated to the subject property from adjacent properties via surficial storm runoff or wind deposition. Compounds such as these, particularly metals-based compounds, tend to be immobile in the environment and remain in soil long after their application ceases.
- Small piles of trash and debris, along with a floating dock were present on the northwestern portion of the site. The piles of trash appeared to include empty five-gallon buckets, tarps, and plastic sheeting. The source of the material could not be determined. Such dumping represents evidence of a potential past release of a hazardous substance and/or petroleum product to the environment.
- The adjacent property to the west of the subject property has been used as a boat storage yard from the 1970s through the present. Such usage is typically associated with the storage and

use of hazardous substances and/or petroleum products as well as metals impact related to antifouling paint chips generated during boat cleaning/repainting, and sacrificial anodes being removed from boats in the outdoor boat storage areas. Poor housekeeping or unreported spills of such substances have the potential to have impacted the subject site, either through direct discharge at the property boundary or via migration by surficial storm runoff.

Based on the identified RECs, PWGC recommended a Phase II ESA be performed at the site. The Phase II ESA recommendations included the following:

- Evaluation of potential pesticide and metals impact to shallow soils throughout the site.
- Evaluation of soil quality at the waste disposal area on the northwest corner of the site.
- Evaluation of soil quality in along the western property boundary near the adjacent boatyard.

Based upon the initial findings, there were no on or off site conditions found that necessitated the need for groundwater samples to be taken as part of the Phase II Environmental Site Assessment.

Phase II Environmental Site Assessment

A Phase II ESA was performed by PWGC in November 2018 and a copy is included in Appendix L of this DEIS. The findings of the Phase II ESA included the following:

- To evaluate potential impact related to the former agricultural usage of the subject property and adjacent properties, seven soil borings (SB006 through SB012) were installed throughout the property (approximately one per acre). At each boring location, soil samples were collected from the 0 to 2-inch bgs and 18 to 24-inch bgs intervals. Analytical results showed arsenic detected at concentrations exceeding its Restricted Residential Soil Cleanup Objective RRSCO throughout the site and additional metals (mercury, lead, zinc) and multiple pesticides detected at concentrations exceeding their respective Unrestricted Use Soil Cleanup Objectives (UUSCOs). Metals impact was generally limited to the 0 to 2-inch interval. Pesticides were detected in both the 0 to 2-inch and 18 to 24-inch intervals; however, pesticide concentrations were lower in the 18 to 24-inch samples compared to the 0 to 2-inch samples. Based on these results, it appears that shallow soils throughout the site are impacted with pesticides and metals likely related to the site's former agricultural usage. Soil sample analytical results from the Phase II ESA are illustrated in Figure 3 of the SMMP (see Appendix L).
- To evaluate potential impact related to the waste disposal area on the northwest portion of the site, two soil borings (SB004, SB005) were installed within the identified waste disposal area. No additional waste disposal areas were identified at the site during the Phase II ESA. At each boring location, soil samples were collected from the 0 to 2-inch bgs and 3 to 4-foot bgs intervals. Analytical results showed arsenic detected at concentrations exceeding its RRSCO and mercury exceeding its UUSCO at both boring locations in the 0 to 2-inch sample interval. No other compounds were detected above their respective UUSCOs in samples collected from this area. Based on these results, and the uniformity of arsenic and mercury impact to shallow

soils throughout the site, it appears that soil impact above UUSCOs in the vicinity of the waste disposal area is related to the former agricultural usage of the property rather than the wastes observed at the site. Soil sample analytical results from the Phase II ESA are illustrated in Figure 3 of the SMMP (see Appendix L).

- To evaluate potential impact related to the usage of the adjacent property as a boatyard, three soil borings (SB001 through SB003) were installed along the western boundary of the subject property. At each boring location, soil samples were collected from the 0 to 2-inch bgs and 3 to 4-foot bgs intervals. Analytical results showed metals and pesticides were detected at concentrations exceeding their respective UUSCOs at boring locations SB001 through SB003. Metals impact exceeding UUSCOs was limited to the 0 to 2-inch samples. Of the metals detected, arsenic was the sole compound detected at concentrations exceeding RRSCOs. Pesticides were detected at concentrations exceeding UUSCOs in each of the 0 to 2-inch samples, and each of the 3 to 4-foot samples. At each boring location, pesticide concentrations were lower in the 3 to 4-foot samples compared to the 0 to 2-inch samples. Based on these results, and the uniformity of arsenic, mercury and pesticide impact to shallow soils throughout the site, it appears that soil impact above UUSCOs in the vicinity of the adjacent boatyard is related to the former agricultural usage of the property rather than the boatyard itself. Soil sample analytical results from the Phase II ESA are illustrated in Figure 3 of the SMMP (see Appendix L).

Based on the findings of the Phase II ESA, PWGC offered the following recommendations for the subject property:

- Pesticides and metals likely related to historical agricultural use were detected in in shallow soils at the site. As future plans for the site consist of redeveloping the property into a hotel, PWGC recommends that a Soil and Materials Management Plan (SMMP) be prepared to address the identified impact.

Lead-Based Paint and Asbestos-Containing Materials

The existing house has been subject to lead testing and a full abatement of lead-based paint. As indicated in the correspondence from the SCDHS dated June 14, 2019 in Appendix L of this DEIS, in response to a Notice and Demand for the discontinuance of conditions conducive to lead poisoning, the property owner has satisfactorily performed a full abatement. The final inspection by the SCDHS was performed on June 14, 2019 and as indicated in said correspondence, the required corrections have been satisfactorily abated.

Regarding asbestos-containing materials (ACM), the existing house will be inspected for ACM prior to beginning construction on the building. The inspection will be conducted per Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (12 NYCRR Part 56). If the inspection identifies potential ACM, samples of the materials will be collected and analyzed in accordance with the applicable regulations. If the results confirm the presence of ACM's then the ACM's will be remediated in accordance with applicable regulations.

Emergency Service Providers

Police Protection

The subject property is located within the service area of the Southold Town Police Department (see Figure 24). The Southold Town Police headquarters are located in the hamlet of Peconic at 41405 Main Road (Route 25), which is approximately two-and-one-half miles to the west of the subject property. Correspondence was sent to Chief Martin Flatley on December 6, 2018 to advise of the proposed project and to request service-related information, including number of personnel and patrols in the area, number and type(s) of equipment available, number and types of calls received in 2017 (or most recent year available), and the estimated response time to the subject property (see Appendix K). A response is pending.

Fire and Ambulance Service

The subject property is located within the service area of the Southold Fire District (see Figure 24) and the nearest firehouse is the Southold Fire Department Headquarters. The Southold Fire District also provides emergency ambulance service. The headquarters of the Fire Department are located 55135 Main Road (Route 25), which is less than one-quarter mile west of the subject property. Correspondence was sent to Chief Craig Goldsmith on December 6, 2018 to advise of the proposed project and to request service-related information, including the number of households and non-residential sites within the service area, total number of fire and rescue calls responded to in 2017 (or the most recent available year), total number of EMS calls response to in 2017 (or most recent available year), number of personnel, and the estimated response time to the subject property (see Appendix K). A response is pending.

3.6.2 Potential Impacts

Soil and Materials Management Plan

Based on the findings of the Phase II ESA, PWGC prepared a Soil and Materials Management Plan (SMMP) to address pesticides and metals that were detected in shallow soils at the site. The proposed SMMP, included in Appendix L of this DEIS and discussed in Section 2.1.2 of this DEIS, addresses the impacts of the historic agricultural uses. In summary, the impacted soils can be handled in one or all of the following methods:

5. Vertical mixing of impacted and un-impacted materials;
6. Placement of impacted soils below impervious areas, such as parking lots or buildings;
7. Capping of impacted areas with one foot of clean fill; and/or
8. Proper off-site disposal.

By utilizing the first three methods, the impacted materials will remain on site, which reduces the possibility of off-site contamination and also reduces the overall amount of soils which requires off-site disposal. In addition to the mitigation of the soils, the SMMP discusses the measures needed to monitor and control dust associated with the clearing, grading and excavation work on the site. These measures include dust monitoring, reporting during construction activities and the implementation of

dust control measures, such as water spraying. A SWPPP will also be developed for the proposed project, which will address dust control measures, construction entrances, proper soil stockpiling, and temporary soil stabilization measures. With the implementation of the above-measures, the potential for human health and safety impacts would be properly mitigated.

Lead-Based Paint and Asbestos-Containing Materials

As indicated in Section 3.6.1 of this DEIS, the existing house has been subject to lead testing and a full abatement of lead-based paint. As indicated in the correspondence from the SCDHS dated June 14, 2019 in Appendix L of this DEIS, the existing house has been inspected by the SCDHS and the required corrections have been satisfactorily abated.

Regarding ACM, the existing house will be inspected for ACM prior to beginning construction on the building. The inspection will be conducted per Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (12 NYCRR Part 56). If the inspection identifies potential ACM, samples of the materials will be collected and analyzed in accordance with the applicable regulations. If the results confirm the presence of ACM's then the ACM's will be remediated in accordance with applicable regulations.

Emergency Service Providers

Police Protection

Correspondence was sent to Chief Martin Flatley of the Southold Town Police Department on December 6, 2018 and a response is pending. As part of the traffic analysis, Dunn Engineering Associates evaluated the existing emergency services, including police protection. As indicated in the TIS, the availability of police protection near the proposed site is excellent noting that numerous Southold Town Police patrols travel past the site on a daily basis. It is noted that the proposed land uses, i.e., a sit-down restaurant and a 44-room boutique hotel, are not expected to result in an undue demand for police assistance. As discussed in Section 3.1.2 of this DEIS, pursuant to information provided by the Town of Southold Board of Assessors, the projected tax generation from the proposed development to Southold Town is \$28,888 annually. Overall, the proposed development is not expected to adversely impact the local police department; however, upon receipt of a response, the project sponsor would respond to any recommendations should they be offered by the Southold Town Police Department.

Fire and Ambulance Service

Correspondence was sent to Chief Craig Goldsmith of the Southold Fire District on December 6, 2018 and a response is pending. As part of the traffic analysis, Dunn Engineering Associates evaluated the existing emergency services, including fire and ambulance services. As indicated in the TIS, the availability of emergency services near the proposed site is excellent. The Southold Fire District, which provides both fire and emergency ambulance service, has its headquarters located at 55135 Main Road (Route 25), less than one-quarter mile to the west of the subject property. The proximity of the firehouse is a benefit to the subject property in terms of service availability. It is noted that the proposed land uses, i.e., a sit-down restaurant and a 44-room boutique hotel, are not expected to result

in an undue demand for fire protection or EMT assistance. As discussed in Section 3.1.2 of this DEIS, pursuant to information provided by the Town of Southold Board of Assessors, the projected tax generation from the proposed development to Southold Fire District is approximately \$5,783 annually. Overall, the proposed development is not expected to adversely impact the local fire district; however, upon receipt of a response, the project sponsor would respond to any recommendations should they be offered by the Southold Fire District.

3.6.3 Proposed Mitigation

The proposed action includes the following measures that effectively mitigate any potential adverse impacts:

- All excess soil would be characterized for disposal purposes. Soil wastes would be transported to permitted off-site disposal facilities in accordance with NYSDEC Part 360. Other soils, if determined to have a beneficial use, will be transported to other appropriate sites in accordance with NYSDEC Part 360.
- To prevent tracking of potentially impacted soil into areas where neither remediation nor other risk management measures are planned, the following precautions will be taken: (1) access to areas in which a clean soil cap has been constructed would be limited by temporary barricade fencing until landscaping activities have been completed; (2) vehicles and equipment would be cleaned or washed down prior to moving from impacted areas to areas in which soil mitigation is not necessary or has already been completed; and (3) erosion controls (i.e. silt fencing or equivalent) would be installed to prevent runoff from impacted areas from entering areas in which soil mitigation is not necessary or has already been completed.
- Dust from work activities could contain contaminants of concern. The on-site environmental technician will monitor dust levels and implement a dust control plan if there is any actual or potential visible dust.
- Prior to renovation and conversion of the existing house, an ACM survey would be performed. If ACM is identified, same would be removed in accordance with prevailing regulations.
- The proposed development is not expected to adversely impact the local police department or fire district; however, upon receipt of responses from the Southold Town Police Department and Southold Fire District, the project sponsor would respond to any recommendations should they be offered by either or both agencies.
- The existing on-site sewage disposal system, which current services the single-family residence will be abandoned in place in accordance with SCDHS regulations. The structures will be pumped and cleaned prior to abandonment.
- The existing 275-gallon above ground fuel oil tanks were noted in the Phase I ESA as being empty and currently out of service as the residence is currently heated with natural gas. The

tanks will be cleaned and removed in accordance with applicable regulations as part of the overall project.

4.0 OTHER REQUIRED SECTIONS

4.1 Use and Conservation of Energy

The proposed development would occur on property with existing utility connections for electricity and natural gas. The proposed development would continue the use of electricity and natural gas. There is no heating oil proposed for use of the site.

As the proposed building is larger than the sum total building area of the current development, the electricity and natural gas consumption would be greater. As part of the proposed project, the design would include the installation of high efficiency boilers capable of nearly 98 percent efficiency. The proposed hotel building would consist of heavy thermally broken panels of glass and insulated with art spray foam insulation to not only provide a thermal blanket but also to mitigate air leakage throughout the buildings. The project sponsor is currently investigating the potential for solar energy with the installation of photovoltaic panels mounted on the flat roof areas, which would offer the potential of a “co-generation” system, where excess electricity generated by these panels can either be stored in batteries on site or sold back to PSEG by agreement. Consultations have been undertaken with PSEG Long Island and National Grid and service availability letters are pending. However, it is expected that both service providers would supply the necessary resources without adverse impact to the supply systems.

4.2 Unavoidable Adverse Impacts (Short-Term and Long-Term)

The short-term impacts would occur during the proposed construction activities; however, these impacts would be temporary and cease upon completion of the construction phase of the project. These impacts would include:

- Construction-related noise would be generated during demolition, site preparation, and construction of the proposed building and parking areas. However, construction would be limited to the permitted hours set forth by the Village.
- Although erosion and sedimentation controls would be in place prior to and maintained during the entirety of the proposed construction, limited erosion may occur.
- Fugitive dust may be generated.
- Construction-related vehicles may have adverse impacts on local traffic.

Upon implementation of the proposed action, long-term adverse impacts would occur. These impacts would include:

- Change in the use of the property from a residential parcel to a commercial use, including a restaurant and a hotel use.
- Redevelopment of the site would increase the area of impervious surface by 2.87± acres.
- The loss of 5.49 acres of early successional communities would result in decreased habitat availability for the plants, birds, and wildlife that utilize these habitats and a decrease in the abundance and diversity of the plant and wildlife species present.
- The proposed action would result in an increase of 2.68 acres of mowed lawn and landscaping including trees. The proposed landscaping consists of maintained turf grass with scattered deciduous trees and trimmed hedgerows with the property boundary screening comprised of evergreen trees. The proposed landscaping plantings do not include any species listed as invasive by the Long Island

Invasive Species Management Area or included on Suffolk County’s “No Sale/Transfer List” (Suffolk County Local Law No. 22-2007, Adopted 6-26-2007).

- Stormwater generation would increase post-development due to the projected increase in impervious surface area. However, the proposed drainage plan would accommodate all stormwater on-site and designed for a two-inch rain event.

4.3 Irretrievable and Irreversible Commitment of Resources

For any development or new land use, there is a certain commitment of resources (natural and human or manmade) for consumption, conversion or made unavailable for further use as a result of the development and/or use. The construction and operation of the proposed development would require a commitment of natural and human resources, as follows:

- Building and construction-related materials would be committed to achieving the proposed development, including but not limited to wood, steel, concrete, and topsoil.
- The operation of construction equipment and post-development operations would require electricity, water resources and fossil fuels.
- Approximately 6.4±-acres of pervious land would be lost to impervious surfaces in order to accommodate the proposed hotel building, cottages, parking areas and internal driveway.
- The proposed action would result in the loss of 5.49 acres of successional southern hardwoods and old fields.
- Water demand would increase by approximately 8,520± gpd (from 300± gpd to 8,820± gpd) for the proposed development.
- On-site sewage disposal would increase by approximately 7,040± gpd (from 300± gpd to 7,340± gpd), with all sanitary waste being accommodated with an on-site STP to be constructed in the rear of the property.

4.4 Growth-Inducing Impacts

Growth-inducing aspects can be generally described as long-term secondary effects of a development, which are either directly or indirectly related to the project. The direct growth-inducement aspects of a project would include the attraction of a significant increase in population to the area due to the creation of jobs, new institutions (e.g., universities, hospitals) or support facilities (e.g., major retail stores). Indirect growth-inducement aspects are those that increase the development potential of an area.

The proposed hotel and restaurant uses would generate jobs of various types associated with those operations. As evaluated in Section 3.1.2 of this DEIS, the proposed restaurant and hotel uses are projected to generate approximately 10 and 43 employees, respectively, for a total of 53 jobs. These projected jobs would include food preparation and service, housekeeping, maintenance, and managerial positions, among others. There is a resultant beneficial impact of additional employment and wages for the local population.

As indicated in the Market Study (see Appendix G), the proposed hotel would meet an existing demand. Rather visitors travel by car for “day trips,” the proposed hotel would allow for guests to overnight for one or several days. Upon implementation of the proposed action, it is expected that most visitors would frequent the Hamlet Center businesses, taking advantage of the hamlet’s walkability and diverse business offerings. It would be

expected that the proposed hotel would serve as a catalyst for existing businesses to extend evening operating hours and potentially encourage the development of new businesses. As explained in Section 3.1 of this DEIS, these were noted goals for Southold Hamlet Center in the 2005 Town of Southold Hamlet Study.

The proposed development does not require expenditures in establishing new services or infrastructure to accommodate its demand. For example, the proposed action would not introduce a significant population to the area that would require the public school district to increase spending for student education.

4.5 Impacts on Solid Waste Management

As evaluated in Section 1.2.9 of this DEIS, based upon factors of two (2.0) pounds per meal per day for the restaurant use and three (3.0) pounds per unit for the proposed hotel, it is estimated that the proposed development would generate approximately 11.01± tons per month of solid waste. All solid waste from the proposed development would be collected and disposed of by a licensed private carter.

Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. As part of the proposed project, best management practices for reduction in solid waste generation and product selection would be incorporated into the business plans. Such practices would include, but not be limited to, the following:

- Sustainable product selection - Take away bags and containers for the restaurant should include recyclable products, limiting plastic use.
- Utilize highly concentrated cleaning supplies and refillable dispensers for soaps, lotions, etc. to eliminate bottle waste.
- Use washable cloth products and dishware instead of disposable ones.
- Request that hotel and restaurant suppliers reduce excess packaging on delivered products.

All trash enclosures (i.e., central dumpster areas for the restaurant and hotel) would be screened with vegetation and pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

Overall, no significant adverse impacts associated with solid waste generation are expected.

5.0 ALTERNATIVES AND THEIR IMPACTS

Pursuant to §617.9(b)(5)(v) of the implementing regulations of SEQRA, a DEIS is to include a range of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The Final Scope dated April 19, 2018 requires the SEQRA-mandated No-Action alternative, as well as an As-of-Right Plan (Development Pursuant to Prevailing Zoning [Permitted HB Use and no variances]).

The following sections evaluate each of the aforementioned alternatives to the proposed action. The table below provides a comparative analysis of the site and project-related details for the proposed action, the No-Action alternative and the As-of-Right alternative.

Table 25 – Comparative Analysis of Proposed Plan and Alternatives

	No-Action/Existing	Proposed Site Plan	As-of-Right Plan
Land Use	Existing Residential Structure	Hotel and Restaurant	Restaurant and Non-Medical Office Building
Zoning	Hamlet Business	Hamlet Business	Hamlet Business
Total Gross Floor Area	3,027± SF	65,582± SF	35,032± SF
Building Height/Stories	32.93 ft. / 2	32.93 ft. / 2	32.93 ft. / 2
Total Landscaped Area	0.936± acre	3.563± acres	2.295± acres
Total Impervious Surface Area	0.125± acre	2.991± acres	3.68± acres
Natural Area to Remain	5.692± acres	0.2± acre	0.20± acre
Front yard	17.16 feet	17.16 feet	17.16 feet
Side yard	49.6 feet	32 feet	49.6 feet
Both side yards	147.44 feet	80.66 feet	147.44 feet
Rear yard	819.41 feet	153.83 feet	147.33 feet
Landscape area - % of Site	13.9%	58.62%	34%
Lot coverage	1.0±%	16.3±%	14.13±%
Parking Required / Provided	-	94/160	345/347
AM Peak Hour Generation	-	29 trips	60 trips
PM Peak Hour Generation	-	39 trips	68 trips
Saturday Peak Hour Generation	-	46 trips	38 trips
Potable Water Consumption	300 gpd	8,820± gpd	4,050± gpd
Sanitary Waste Generation	300 gpd	7,340± gpd	4,050± gpd

5.1 Alternative 1: No-Action Plan

The No-Action alternative involves leaving the site as it currently remains, absent the proposed action and the continuation of the site for residential use. The No-Action alternative would not result in any changes to traffic patterns, the current noise environment, community services, or utilities provided (e.g., water usage, sanitary discharge, and electrical usage). There would be no changes to the visual quality of the site, or the character of the community. The projected job generation, increased tax revenue and secondary economic benefits of a proposed hotel in the hamlet center would not be realized. Overall, the subject property is a privately owned, 6.75-acre parcel situated within the HB zoning district of the Town of Southold. The No-Action alternative does not achieve the objectives of the project sponsor.

5.2 Alternative 2: Permitted-Use (As-of-Right) Plan

The Permitted-Use (As-of-Right) Alternate Plan (see Appendix M) would include the conversion of the existing residence to a 74-seat restaurant use (similar to the proposed action) and the construction of a one-story, 30,650 SF non-medical office building. The non-medical office building would be situated in the rear of the subject property, in a similar location to the proposed hotel building with surface parking surrounding the building. The As-of-Right Plan includes dedicated on-site parking for each land use, including 38 spaces for the restaurant and 309 paved spaces for the office building. The area of impervious surface would be increased by 3.555± acres (from 0.125± acre to 3.68± acre), while the area of lawn and landscaping would also increase by 1.36± acres (from 0.936± acre to 2.295± acres).

Soils and Topography

The As-of-Right Plan would include similar impacts to that of the proposed action, as the development of the site includes a commercial building and the conversion of the residence for a sit-down restaurant. The soils on the subject property do not present development limitations, with exception to the areas of loam within the footprint of the proposed hotel, which would be overcome with removal of all of the loam and, if needed, replaced with a clean inorganic granular material. As the site is relatively flat, the slopes on the site would not be significantly modified. The grading program for construction of the As-of-Right plan would be expected to include a similar volume of cut, with excess materials being transported off-site. Given the soil conditions, the SMMP, as described in Section 2.1.2 and 3.6.2 of this DEIS would also be implemented for the As-of-Right plan. Overall, therefore, the As-of-Right plan would have no significant adverse impacts associated with on-site soils, removal of soils or topographic changes.

Water Resources

Based upon a design flow factor of 0.06 gpd/SF for the 30,650 SF non-medical office building and the factors of 10 gpd/seat and kitchen load of 20 gpd/seat for the restaurant, the projected potable water demand and sewage discharge for the As-of-Right plan is approximately 4,050 gpd. As noted in Section 3.2.2 of this DEIS, the allowable sanitary density flow is 600 gpd/acre or 4,050 gpd for the subject property. As such, the As-of-Right plan would utilize a conventional subsurface sanitary system. Utilizing a nitrogen mass balance calculation, as shown below, the difference in nitrogen loading between the As-of-Right development and the proposed development can be shown:

As of Right Development – Allowable Sanitary Flow

Area = 6.75 acres

Flow = 4,050 gpd (4,050 gpd/1,000,000 = 0.004050 mgd)

Total Nitrogen Influent Concentration (TN) = 50 mg/L

Total Nitrogen Influent Quantity = 50mg/L * 8.34 * 0.004050 mgd = **1.68885 lbs. /day**

Proposed Development with STP

Hotel and Cottages Flow = 44 units * 150 gal/unit = 6,600 gpd

Restaurant Flow = 74 seats * 30 gpd/seat = 2,220 gpd

Total Flow = 6,600 + 2,220 = 8,820 gpd (8,820 gpd/ 1,000,000 = 0.008820 mgd)

Total Nitrogen Effluent Concentration = 7 mg/L

Total Nitrogen Effluent Quantity = 7 mg/L * 8.34 * 0.008820 mgd = **0.5149116 lbs. /day**

Based upon the above calculations, the proposed STP provides a level of treatment of the sewage far greater than that of a conventional subsurface sanitary system. The As-of-Right development would result in approximately 430.7 lbs. per year of more nitrogen. As such, while the proposed action is of higher density, the nitrogen loading is approximately one-third of the nitrogen loading if the property were developed as of right. Additionally, based upon the BURBs model results, the as-or-right plan would leach approximately 333.74 pound per year of nitrogen, which is 54.83 pounds per year more than the proposed development. This increase is due to the lack of wastewater treatment and from the increase in imperious area to accommodate the larger parking requirements.

Irrigation supply for the As-of-Right plan would be accommodated with the existing on-site irrigation well or a new well, similar to the proposed action. As the area of lawn and landscaping is less than that proposed, i.e., 2.295± acres for the As-of-Right plan as compared to the 3.563± acres for the proposed action, the irrigation demand would also be less.

The As-of-Right plan would be developed with a stormwater management system similar to that which is proposed, i.e., catch basins, leaching pools and the various lawn areas for infiltration. There are no areas of pervious pavement included for the As-of-Right plan. Based on the preliminary plan, the area of impervious surface would increase by 3.555± acres (to 3.68± acres), which is greater than that of the proposed site plan due to the large surface parking area to provide the requisite number of parking spaces for the office use, pursuant to Town Code. Accordingly, the volume of stormwater generation would be greater than that of the proposed action. However, all stormwater would be accommodated and recharged on-site, thus not resulting in any off-site impacts. Proper erosion and sedimentation controls in accordance with Town Code as well as NYSDEC regulations would be implemented. A SWPPP would also be prepared and filed. Overall, there would be no significant adverse impacts associated with stormwater or drainage.

Ecological Resources

The alternative development plan includes the proposed construction of a 30,650 square foot 1-story, non-medical office building, 74-seat restaurant in the existing 2-story building proximal to Main Road, 341-space parking lot and access roads, and associated landscaping. The potential impacts to ecological communities, plants, and wildlife associated with the alternative development plan are similar to the potential impacts of the proposed hotel and restaurant plan, as described in Section 2.3 of this DEIS. The alternative development plan will result in a similar loss of early successional communities (i.e. successional southern hardwood forest and successional old fields) with approximately 0.2± acre remaining post-development. As a result, there would be a decrease in habitat availability for the plants, birds, and wildlife that utilize these habitats and a decrease in the abundance and diversity of the plant and wildlife species present. However, as stated previously in Section 2.3.2 of this DEIS, the loss of successional southern hardwoods and old fields and any subsequent reductions in local abundance of bird or wildlife species is not a significant adverse environmental impact as:

- Successional southern hardwood forests and successional old fields are classified by the New York Natural Heritage Program as “demonstrably secure” both in New York State and globally. Accordingly, these habitats are abundant both locally and throughout New York State.
- The successional forests and old fields present at the site are not known to provide habitat for any endangered, threatened, or rare wildlife or plant species.

- The populations of the commonplace plant and wildlife species inhabiting the old fields and successional forests found at the subject property are largely considered abundant and stable.

Land Use, Zoning and Plans

Similar to the proposed action, the As-of-Right Plan converts the subject property from a residential use and largely vacant land to a commercial use. The As-of-Right Plan introduces non-medical office space with a sit-down restaurant within the existing residence, similar to that which is proposed. The As-of-Right office use would introduce a larger population to the hamlet during the weekday business hours, while leaving the site largely vacant or vacant during the weekend days/times, which does not appear to be consistent with the goals and initiatives of the *2005 Hamlet Study*, as discussed in Section 3.1 and below.

The As-of-Right Plan would include landscaping and plantings, which would consist of retaining select trees, grass seeding and the planting of native species and ornamental species that are suitably adapted to the site conditions to limit or preclude the need for fertilizers and pesticides. Similar to the proposed action, the landscaping would consider recommended native and acceptable ornamentals from regulatory and advisory organizations and boards, including the NYSDEC, CCE, and the Suffolk County Water and Land Invasives Advisory Board.

The As-of-Right Plan includes permitted uses within the HB District, pursuant to § 280-45A (5) and (8). The plan also fully complies with the bulk and dimensional requirements of the HB zoning district, as summarized in Table 25 earlier in this section.

The redevelopment of the subject property for office use would generate jobs for the local community, which is consistent with the goals of the *2005 Hamlet Study*. The *2005 Hamlet Study* seeks to prohibit commercial sprawl and foster a human scale that encourages pedestrian activity and discourages unnecessary vehicle trips. Consistent with this goal, the As-of-Right office building would be expected to introduce a new population to the hamlet that could frequent local businesses without transportation during the weekdays. The office use, however, is an intensive use during weekday business hours that does not entirely satisfy the goals and initiatives in the Hamlet Study, most notably:

- The Hamlet Study indicates that large-scale commercial development is inconsistent with the character of the hamlet center and large-scale was noted as not only referring to the square footage of a given facility, but also the intensity of use, the volume of traffic generated, and the nature of the intended market (i.e., targeting a larger market, and not simply the hamlet itself). The introduction of an office building within the hamlet center would generate significantly more traffic, as evaluated in the TIS and discussed in the following section. Its users would be expected to be comprised of local residents who may come to the site for work or services offered by the users within the office building; however, it could be expected that such use would introduce new population to the area (i.e., workers in the building or users of the services offered within such building).
- The Hamlet Study indicated that stakeholders thought the lack of evening vibrancy was a weakness within the hamlet. The development of an office building would not introduce activity to the hamlet in the evening hours, as the uses would likely have traditional business hours (e.g., 8:30 am to 5:30 pm).
- The Hamlet Study identifies Southold's historic character as a vital aspect of the area's "sense of place" for preservation, protection, and reinforcement. A commercial office building, while providing

economic benefits to the Town (i.e., tax revenues, employment) and increasing the offering of services to the local population, the users of the site would be generally categorized as commuters who would travel to and from the site during the weekday, business hours, and to a limited extent on Saturday. The site, other than the restaurant, would likely be largely vacant or vacant on the weekends.

- The Hamlet Study indicates the need to preserve and support the Hamlet's traditional industries, including the maritime industry, agriculture, and tourism. While the office use could incorporate related businesses, it would be expected that the office uses would be general professional service businesses (e.g., professional law and accountant offices) with a benign effect on the maritime, agriculture or tourism industries.

As with the proposed action, the As-of-Right Plan converts the subject property from a residential use and largely vacant land to a commercial use. In that this plan includes as-of-right permitted uses, includes a design that is fully compliant with the bulk and dimensional regulations of the zoning district and for development within the Town (e.g., landscaping and lighting regulations), it is generally consistent with the LWRP with no adverse impacts on the coastal resources of the Town.

Transportation

The As-of-Right plan was evaluated in the TIS. As excerpted from the TIS, the As-of-Right plan would generate significantly more traffic during the weekday AM and PM peak hours while generating slightly less traffic during the Saturday peak hour.

Table 26 – Site Generated Traffic Comparison, Proposed Project versus Project Alternative

Use	Vehicle Trips per Hour					
	Weekday AM Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Proposed Project	18	11	23	16	26	20
Alternative Project	50	10	21	47	22	16
Difference	+32	-1	-2	+31	-4	-4

Parking for the as-of-right plan includes 38 spaces for the restaurant, similar to that of the proposed action. The required parking for the non-medical office building, pursuant to Town Code, is one per 100 SF of area. Accordingly, 307 spaces are required. The As-of-Right plan provides 309 spaces. As the parking for the As-of-Right uses complies with the Town Zoning Code and is therefore, sufficient for the intended uses.

Aesthetic Resources and Community Character

Implementation of the As-of-Right plan would result in views similar to the proposed action, as the restaurant component with adjacent landscaping along Main Road is similar to that which is proposed. As discussed in Section 3.3.2 of this DEIS, the existing residential building would be preserved and renovated, such that its existing architectural style and the built character it reflects as part of the hamlet of Southold would be maintained and enhanced. The proposed office building placement at the rear of the property combined with

a suitable landscaping design would result in a commercial use that is not easily visible from Main Road. Overall, no significant adverse impacts to the aesthetics or character of the hamlet center would be expected.

Noise and Odor

SoundSense modeled the expected change in sound level at the four receivers of interest based on the expected increase in traffic due to the Alternate Site Plan, as documented in the TIS. As indicated in the table below, the additional traffic due to the Alternate Site Plan is not expected to negatively impact the nearby receivers in most cases. However, at Location 1 there is expected to be a noticeable change in the L90 level during weekday peak hours. Unlike the special event condition of the Proposed Location, this condition is expected to occur all weekdays during peak traffic hours, as opposed to only during special events and may represent a more noticeable and adverse impact on Location 1.

Table 27 - Sound Level Increases at Receiver Locations: Summer 2020 - Alternate Site Plan

Receiver	Condition	Expected Change in L10 (dBA)	Expected Change in L90 (dBA)	Expected Impact
Location 1	2020 Build – Weekday Peak Hour	1.3	4.0	Potential Impact
	2020 Build – Saturday Peak Hour	0.8	1.7	No Impact
Location 2	2020 Build – Weekday Peak Hour	1.1	1.3	No Impact
	2020 Build – Saturday Peak Hour	0.7	0.7	No Impact
Location 3	2020 Build – Weekday Peak Hour	0	0.9	No Impact
	2020 Build – Saturday Peak Hour	0	0.4	No Impact
Location 4	2020 Build – Weekday Peak Hour	0.9	1.2	No Impact
	2020 Build – Saturday Peak Hour	0.5	0.7	No Impact

As with the proposed action, the potential for odors from the restaurant would be controlled through industry-methods for proper exhaust hoods, grease collection, and ventilation. The non-medical office building would not be expected to generate any odors. Accordingly, the As-of-Right plan would not generate any odors that would adversely impact the surrounding area.

Human Health and Safety

The site conditions, as described in Section 3.6 of this DEIS, would not change with the As-of-Right Plan. As such, the SMMP, as described in Section 2.1.2 and 3.6.2 of this DEIS would also be implemented for the As-of-Right plan. Regarding emergency protection services, due to the nature of the land uses associated with the As-of-Right plan, it is not expected that its implementation would cause undue burden or adverse impacts to the local police department or fire district. Overall, based upon the above, the As-of-Right Plan would not result in any human health or safety impacts.

6.0 REFERENCES

- 6 NYCRR Part 575 - Prohibited and Regulated Invasive Species. September 10, 2014.
- Beans BE and L Niles. 2003. Endangered and threatened wildlife of New Jersey. Rutgers University Press. New Brunswick, New Jersey.
- Carroll SK, TC Carter and GA Feldhamer. 2002. Placement of nets for bats: effects on perceived fauna. *Southeastern Naturalist* 1:193-198.
- Cleary Consulting. Prepared for Town of Southold. *Town of Southold Hamlet Study*. July 5, 2005.
- Connor PF. 1971. The mammals of Long Island, New York. New York State Museum and Science Service Bulletin. no. 416. Albany, New York.
- Cornell Cooperative Extension Suffolk County. *Long Island Horticulture Resource Guide 2018*. Retrieved from: <http://ccesuffolk.org/resources/long-island-horticulture-resource-guide-2018>
- Edinger GJ, DJ Evans, S Gebauer, TG Howard, DM Hunt, and AM Olivero (eds.). 2014. Ecological Communities of New York State. Second Edition. A revised and expanded edition of Carol Reschke's *Ecological Communities of New York State*. (Draft for review). New York Natural Heritage Program, New York State Department of Environmental Conservation, Albany, New York.
- Ferrandino & Associates Inc., Hutton Associates, Inc. and Cotilla Associates Inc. Prepared for Town of Southold. *Scenic Southold Corridor Management Plan*. April 2001.
- Fishman M. 2013. The Bats of Long Island. Presentation at Long Island Nature Organization Conference. December 6, 2013. http://longislandnature.org/2013_conference/2013%20Agenda%20Booklet.pdf
- Horsley Witten Group, Inc., *Town of Southold Subwatersheds Management Plan, June 2013*. Prepared for The Peconic Estuary Program, Suffolk County Department of Health Services Office of Ecology, and the Town of Southold.
- Long Island Nitrogen Action Plan (LINAP). Retrieved from: <https://www.dec.ny.gov/lands/103654.html>
- Long Island Regional Planning Board. 1992. *The Long Island Comprehensive Special Groundwater Protection Area Plan*.
- Long Island Regional Planning Board. 1978. *Long Island Comprehensive Waste Treatment Management Plan* (L.I. 208 Study), Hauppauge, New York.
- Massachusetts Division of Fish and Wildlife. 2015. Eastern Box Turtle Fact Sheet. Westborough, MA. 3 pgs. <http://www.mass.gov/eea/docs/dfg/nhosp/species-and-conservation/nhfacts/terrapene-carolina.pdf>

-
- McGowan KJ and K Corwin. 2008. *The Second Atlas of Breeding Birds in New York State*. . Cornell University Press, Ithaca, NY, USA.
- Nemerow, N.L., Agardy, F.J., Sullivan, P. & Salvato, J.A.. *Environmental Engineering, Sixth Edition. Environmental Health and Safety for Municipal Infrastructure, Land Use and Planning, and Industry*. Hoboken, New Jersey: John Wiley & Sons, Inc. 2009.
- New York State Department of Environmental Conservation. *New York State Stormwater Management Design Manual*. January 2015.
- New York State Department of Environmental Conservation. *New York State Standards and Specifications for Erosion and Sediment Control*. July 2016.
- New York State Department of Environmental Conservation. New York Natural Heritage Program. 2016. Northern Long-eared Bat (*Myotis septentrionalis*): Conservation Guide. Albany, NY. 11 pgs. <http://www.acris.nynhp.org/report.php?id=7407>
- New York State Department of Environmental Conservation. 2009. Herp Atlas Project. A report prepared for New York State Department of Environmental Conservation. New York Natural Heritage Program, Albany, NY.
Retrieved from: <http://www.dec.ny.gov/animals/7140.html>
- New York State Department of Environmental Conservation, Division of Lands and Forests. *Native Plants for Gardening and Landscaping*. March 2016.
Retrieved from: https://www.dec.ny.gov/docs/lands_forests_pdf/factnatives.pdf
- Peconic Estuary Program. 2001. Peconic Estuary Comprehensive Conservation and Management Plan. 866 pp. Sponsored by the United States Environmental Protection Agency under Sec. 320 of the Clean Water Act. Suffolk County Department of Health Services, Program Office.
Retrieved from: <https://www.peconicestuary.org/protect-the-peconic/ccmp/>
- Peter J. Smith & Company, Inc. Prepared for the Long Island North Shore Heritage Area Planning Commission. *Long Island North Shore Heritage Area Management Plan*. November 2005.
- Suffolk County Department of Health Services Division of Environmental Quality. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single-Family Residences*. December 1, 2009
- Suffolk County Department of Health Services. *Suffolk County Comprehensive Water Resources Management Plan*. March 2015. Retrieved from: <https://www.suffolkcountyny.gov/Departments/Health-Services/Environmental-Quality/Water-Resources/Comprehensive-Water-Resources-Management-Plan>
- Suffolk County Department of Health Services. Suffolk County Sanitary Code.

Suffolk County Department of Health Services. Standards For Approval Of Plans And Construction For Sewage Disposal Systems For Other Than Single-Family Residences, December 29, 2017. Retrieved from: https://www.suffolkcountyny.gov/Portals/0/FormsDocs/health/WWM/Commercial_Standards_Final_12-29-17.pdf

Suffolk County Water and Land Invasives Advisory Board. *Suffolk County Do Not Sell/Transfer List of Invasive Species*. Adopted 2011. Retrieved from: https://pb.state.ny.us/assets/1/6/SC_Do_not_sell_list.pdf
Accessed June 2018

Town of Southold Hamlet Study. *Hamlet Stakeholder Implementation Panel Quarterly Status Report - April - June, 2008*.

Town of Southold Hamlet Study. *Hamlet Stakeholder Implementation Panel Quarterly Status Report - July - October, 2008*.

Town of Southold Hamlet Study. *Hamlet Stakeholder Implementation Panel Year End Status Report - 2008*.

Town of Southold Local Waterfront Revitalization Program. Amended June 23, 2011. Retrieved from: https://docs.dos.ny.gov/opd-lwrp/LWRP/Southold_T/Amendment1/Final/SoutholdAmend.pdf

Town of Southold Code. Retrieved from: <https://ecode360.com/SO0452>

United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey Soil Survey. Retrieved from: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

United States Department of Agriculture, Soil Conservation Service and Cornell Agricultural Experiment Station. Soil Survey of Suffolk County, New York. Washington, D.C.: United States Department of Agriculture, 1975.

United States Geological Survey. Long Island Depth to Groundwater Map. 2013. Retrieved from: <https://ny.water.usgs.gov/maps/li-dtw13/>

Yates M and R Muzika. 2006. Effect of forest structure and fragmentation on site occupancy of bat species in Missouri Ozark forests. *Journal of Wildlife Management* 70:1238-1248.