

# TOWN OF SMITHTOWN

**SUPERVISOR**

EDWARD R. WEHRHEIM

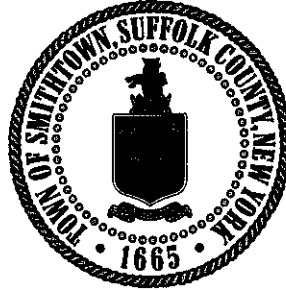
**TOWN COUNCIL**

THOMAS J. McCARTHY

LYNNE C. NOWICK

LISA M. INZERILLO

THOMAS W. LOHMANN

**Department of Environment & Waterways**

RUSSELL K. BARNETT, DIRECTOR

124 West Main Street

PO Box 9090

Smithtown, NY 11787

**SEQRA POSITIVE DECLARATION  
DETERMINATION OF SIGNIFICANCE  
AND  
NOTICE OF SCOPING**

**DATE: MAY 9, 2018**

**LEAD AGENCY:** SMITHTOWN PLANNING BOARD

**ADDRESS:** C/O SMITHTOWN DEPARTMENT OF ENVIRONMENT & WATERWAYS  
124 WEST MAIN STREET  
SMITHTOWN, NEW YORK 11787

THIS NOTICE IS ISSUED PURSUANT TO 6 N.Y.C.R.R. PART 617, THE IMPLEMENTING REGULATIONS PERTAINING TO ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (STATE ENVIRONMENTAL QUALITY REVIEW ACT).

THE LEAD AGENCY HAS DETERMINED THAT THE PROPOSED ACTION DESCRIBED BELOW MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND THAT PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT WILL BE REQUIRED.

THE LEAD AGENCY HAS ALSO DETERMINED THAT FORMAL SCOPING OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT WILL BE CONDUCTED. A COPY OF THE DRAFT SCOPE IS AVAILABLE ON-LINE AT [WWW.SMITHTOWNNY.GOV](http://WWW.SMITHTOWNNY.GOV). WRITTEN COMMENTS ON THE DRAFT SCOPE ARE REQUESTED AND WILL BE ACCEPTED BY THE LEAD AGENCY UNTIL JUNE 22, 2018.

**PROJECT:** Gyrodyne Subdivision # 1178

**PETITIONER:** Gyrodyne LLC

**ADDRESS:** One Flowerfield – Suite 24  
St. James, New York 11780

**SUFFOLK COUNTY TAX MAP PARCEL #:** 0800-40-2-4, 13.3, 13.4, 14, & 15

**LOCATION:** SE/c/o NYS Route 25A and Mills Pond Road, St. James, Town of Smithtown, Suffolk County, New York.

**DESCRIPTION OF PROJECT:** Application for subdivision approval to create eight (8) industrial lots (up to six new industrial building lots) and a ninth lot consisting of open space and a sewage treatment plant, with miscellaneous facilities including roadways and recharge facilities, from a partially developed 74.98 acre parcel of land zoned LI and R-43.

**SEQRA CLASSIFICATION:** Type I Action

**Main Office:** (631) 360-7514, **Waste Generation Fee Billing:** (631) 754-4998

**E Mail:** [DEW@tosgov.com](mailto:DEW@tosgov.com)

**[www.smithtownny.gov](http://www.smithtownny.gov)**

## **SEORA POSITIVE DECLARATION AND NOTICE OF SCOPING – PAGE 2**

**PROJECT:** Gyrodyne Subdivision # 1178

### **REASONS SUPPORTING THIS DETERMINATION:**

- A. The proposal has the potential to result in significant adverse visual and community character-related impacts upon unique and highly valuable cultural resources, including but not limited to the adjacent Route 25A Historic Corridor and Mills Pond Road Historic Corridor;
- B. The proposal has the potential to result in significant adverse drainage and wastewater-related impacts upon unique and highly valuable environmental resources, including but not limited to the on-site New York State DEC-mapped freshwater wetlands and the nearby Stony Brook Harbor;
- C. Full details and calculations must be provided and reviewed to ensure that the proposed non-standard drainage system will not result in any discharges to the on-site wetlands and will not exacerbate existing local flooding conditions;
- D. Full details and calculations must be provided and reviewed to ensure that the proposed sewage treatment plant will not result in any significant adverse impacts upon quality or quantity of surface waters or groundwater. The proposed location of the sewage treatment plant must be evaluated relative to the “Subwatersheds Wastewater Plan Groundwater Contributing Area” so as to minimize potential adverse impacts upon Stony Brook Harbor;
- E. The proposal appears to be inconsistent with the Draft Master Plan and Planning Board recommendations regarding the subject parcel, including but not limited to the proposed uses of the subdivided parcels, the depth of the proposed buffer from Route 25A, and the amount of open space to be preserved on-site;
- F. The proposal has the potential to result in significant adverse traffic impacts upon the local roadway network, with associated secondary impacts upon air quality and public safety (by adversely impacting emergency vehicle response times). The feasibility and effectiveness of all proposed traffic mitigation measures must be fully described, documented, and subjected to public review;
- G. Plans for the remediation of on-site arsenic contamination and the prevention of future industrial or medical contamination must be fully described, documented, and subjected to public review;
- H. Cumulative impacts associated with future development of Stony Brook University’s adjacent property, particularly in light of Gyrodyne’s stated intent to re-open the LIRR grade crossing so as to allow the free flow of traffic between the two properties, must be fully described, documented, and subjected to public review;
- I. Growth inducing impacts associated with the potential re-design of the proposed sewage treatment plant with additional capacity to accommodate the sewerage of the St. James business district must be fully described, documented, and subjected to public review;

**SEORA POSITIVE DECLARATION AND NOTICE OF SCOPING – PAGE 3**

**PROJECT:** Gyrodyne Subdivision # 1178

- J. The viability of the project, as well as the specific limitations which the applicant may be willing to impose upon proposed uses and site design parameters such as building height, floor area, limits of clearing, etc., must be fully described, documented, and subjected to public review; and
- K. Alternatives to the proposed action must be identified, considered, and subjected to public review. At a minimum, these alternatives include:
1. No action;
  2. Public acquisition for open space preservation; and
  3. Development of the subject parcel in full conformance with the Draft Master Plan and Planning Board recommendations, including but not limited to 300' deep buffers, fifty-percent open space preservation, and prohibitions of specific uses;

**FOR FURTHER INFORMATION AND TO SUBMIT WRITTEN SCOPING COMMENTS  
CONTACT:**

MR. RUSSELL K. BARNETT, DIRECTOR  
ENVIRONMENT AND WATERWAYS  
124 WEST MAIN STREET  
SMITHTOWN, NEW YORK 11787  
PHONE: (631) 360-7514

**BY ORDER OF:** SMITHTOWN PLANNING BOARD  
AS PER RESOLUTION DATED MAY 9, 2018

**CC:** EDWARD R. WEHRHEIM, TOWN SUPERVISOR  
DAVID FLYNN, PLANNING DIRECTOR  
VINCENT PULEO, TOWN CLERK  
SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES  
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS  
SUFFOLK COUNTY PLANNING DEPARTMENT  
SUFFOLK COUNTY WATER AUTHORITY  
SAINT JAMES WATER DISTRICT  
DIVISION OF REGULATORY AFFAIRS, NYS-DEC REGION I  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
TOWN OF BROOKHAVEN  
ENVIRONMENTAL NOTICE BULLETIN  
APPLICANT