

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

DATE: NOVEMBER 5, 2019

LEAD AGENCY: SMITHTOWN TOWN 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.

SCOPING OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT WILL BE CONDUCTED. FURTHER NOTICE WILL BE PROVIDED WHEN A DRAFT SCOPE HAS BEEN PREPARED AND IS AVAILABLE FOR PUBLIC REVIEW AND COMMENT.

PROJECT: Special Exception Petition # 2018-01 (SSRC Realty LLC);
BZA Case # 18200 (SSRC Realty LLC (Watermill))

PETITIONER: SSRC Realty LLC
ADDRESS: 711 Smithtown Bypass
Smithtown, New York 11787

SUFFOLK COUNTY TAX MAP PARCEL #: 0800-106-5-32.1, 32.2, & 33; and
0800-134-5-4.3, 5, 6, 7, & 8

LOCATION: SE/c/o Smithtown Bypass (NYS Route 347) and Terry Road, Smithtown, Town of Smithtown, Suffolk County, New York.

DESCRIPTION OF PROJECT: Petition for a Town Board Special Exception for a Hotel and an Application to the Board of Zoning Appeals for Variances of Special Exception standards that require adequate lot area, parking, and buffers, and Height (from 35' to 45'), Environmentally Sensitive Lands, Number of guest rooms (from 100 to 130), Parking (from 501 to 337 spaces), Gross Floor Area (from 50% to 59%), Landscaping (from 8% to 3%), and Parking Setback Variances, to facilitate the construction of a proposed 96,788 square foot four-story, 130-room hotel with miscellaneous facilities.

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

E Mail: DEW@smithtownny.gov

www.smithtownny.gov

SEORA POSITIVE DECLARATION – PAGE 2

PROJECT: Special Exception Petition # 2018-01 (SSRC Realty LLC);
BZA Case # 18200 (SSRC Realty LLC (Watermill))

DESCRIPTION OF PROJECT (continued): The proposed project is located on a currently developed 7.16 acre parcel of land zoned WSI and NB which contains an existing 22,810 square foot restaurant/catering facility (to remain) and steep slopes in excess of 25%.

SEQRA CLASSIFICATION: Unlisted Action

REASONS SUPPORTING THIS DETERMINATION:

- A. The proposal appears to represent the overintensification of development and use of the subject parcel, as evidenced by the large number and extent of area variances requested by the applicant.
- B. The proposal has the potential to result in significant increases in water use and wastewater generation and associated significant impacts upon groundwater quality and quantity in an area with known high groundwater conditions.
- C. The proposal to connect this project to an existing off-site sewage treatment plant (STP) would represent a lost opportunity to provide such STP capacity to existing area residences with flooded septic systems, thereby perpetuating existing adverse impacts upon groundwater quality and upon public health and welfare.
- D. The proposal has the potential to result in significant increases in traffic generation in an area with known traffic congestion.
- E. The height and density of the proposed development appear to be inconsistent with the character of the surrounding community.
- F. The proposal has the potential to set an undesirable precedent with respect to future applications for increased height and floor area of buildings in the WSI zoning district and along the NYS Route 347 corridor.
- G. The proposal has the potential to set an undesirable precedent with respect to future applications for increased unit density of hotels in the town.
- H. The proposal has the potential to result in significant increases in noise, visual, and fugitive light impacts upon neighboring residential parcels.
- I. The proposed increased height and reduced buffers appear to be incompatible with existing residential land uses in the vicinity of the subject parcel.
- J. The proposal appears to be inconsistent with the planned use of the subject parcel as established by prior Town Board decisions and conditions regarding the subject parcel.

SEORA POSITIVE DECLARATION – PAGE 3

PROJECT: Special Exception Petition # 2018-01 (SSRC Realty LLC);
BZA Case # 18200 (SSRC Realty LLC (Watermill))

- K. Practicable measures to mitigate or avoid adverse environmental impacts associated with this project must be identified, considered, and subjected to public review.
- L. Alternatives to the proposed action, including development of the subject parcel in full conformance with all existing zoning requirements, must be identified, considered, and subjected to public review.

FOR FURTHER INFORMATION CONTACT:

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

BY ORDER OF: SMHTOWN TOWN BOARD
AS PER RESOLUTION DATED NOVEMBER 5, 2019

CC: EDWARD R. WEHRHEIM, TOWN SUPERVISOR
PETER HANS, PLANNING DIRECTOR
SMHTOWN BOARD OF ZONING APPEALS
VINCENT PULEO, TOWN CLERK
SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
SUFFOLK COUNTY PLANNING DEPARTMENT
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS
SUFFOLK COUNTY WATER AUTHORITY
DIVISION OF REGULATORY AFFAIRS, NYS-DEC REGION I
ENVIRONMENTAL NOTICE BULLETIN
PETITIONER