

BABYLON INDUSTRIAL DEVELOPMENT AGENCY

Thomas E. Dolan
Chief Executive Officer

FORM APPLICATION FOR FINANCIAL ASSISTANCE

DATE: October 14, 2019

APPLICATION OF: GreenTek Living, LLC
Company Name of Beneficial User of Proposed Project
(Not Realty or Special Purpose Entity (SPE) created for liability)

CURRENT ADDRESS: 124 Greene Avenue
Amityville, New York 11701

ADDRESS OF PROPERTY TO RECEIVE BENEFITS: 124 Greene Avenue
Amityville, New York 11701 Lot(s) 026.001
Tax Map # District 0101 Section 003.00 Block 03.00 Lot (s) 026.002

INDEX

PART I	USER DATA AND OWNER (IF DIFFERENT)
PART II	OPERATION AT CURRENT LOCATION
PART III	PROJECT DATA
PART IV	PROJECT COSTS AND FINANCING
PART V	PROJECT BENEFITS
PART VI	EMPLOYMENT DATA
PART VII	REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION
PART VIII	SUBMISSION OF MATERIALS
EXHIBIT A	Proposed PILOT Schedule
SCHEDULE A	Agency's Fee Schedule
SCHEDULE B	Recapture Policy*

Part I: User (Applicant) & Owner Data (if different)

I. User Data (Applicant):

A. User: GreenTek Living, LLC (an affiliate of Village by the Bay, LLC)

Address: 124 Greene Avenue

Amityville, New York 11701

Federal Employer ID #: [REDACTED] **Website:** www.landtekgroup.com

NAICS Code: 236116

(The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. www.census.gov/ipeds/www/naics/)

Name of User Officer Certifying Application: [REDACTED]

Title of Officer: [REDACTED]

Phone Number: [REDACTED] **E-mail:** [REDACTED]

B. Business Type:

Sole Proprietorship ☐ **Partnership** ☐ **Privately Held** ☒ **LLC**

Public Corporation ☐ **Listed on**

State of Incorporation/Formation: New York December 15, 2015

C. Nature of Business:

(e.g., "manufacturer of _____ for _____ industry"; "distributor of _____")

Transit Oriented Development - multifamily residential complex

D. User Counsel:

Firm Name: Forchelli Deegan Terrano LLP

Address: 333 Earle Ovinnton Boulevard, Suite 1010

Uniondale, New York 11553

Individual Attorney: Daniel P. Deegan

Phone Number: 516-248-1700 **E-mail:** ddeegan@forchellilaw.com

E. Principal Stockholders, Members or Partners, if any, of the User (5% or more equity):

Name	Percent Owned
GreenTek Living, LLC	65%
Andrew Zucaro	17.5%
Joseph A. Ferrara 2015 Revocable Trust	17.5%

F. Has the User, or any subsidiary or affiliate of the User, or any stockholder, partner, member, officer, director or other entity with which any of these individuals is or has been associated with:

- i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (if yes, please explain)

No.

- ii. been convicted of a felony, or misdemeanor, or criminal offense (other than a motor vehicle violation)? (if yes, please explain)

No.

G. If any of the above persons (see "E", above) or a group of them, owns more than 50% interest in the User, list all other organizations which are related to the User by virtue of such persons having more than a 50% interest in such organizations.

The principal of GreenTek, Michael Ryan, is affiliated with the following:
The LandTek Group, Inc. (80%), Islip Yards LLC (100%), R&S Realty (50% MR/50% Trust),
MR Property Builders LLC (100%), Amityville Waterfront (100%), and River Landing LLC (100%)

H. Is the User related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship:

No.

I. List parent corporation, sister corporations and subsidiaries:

None.

J. Has the User (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

No.

K. List major bank references of the User:

HSBC, 534 Broadhollow Road, Melville, New York 11747

Phillip Panarelli, Sr. Vice President, 631-752-4368

2. Owner Data

****for co-applicants for assistance or where a landlord/tenant relationship will exist between the owner and the user)****

A. Owner (together with the User, the "Applicant"): Same as User

Address:

Federal Employer ID #: _____

Website: _____

NAICS Code: _____

Name of Owner Officer Certifying Application:

Title of Officer: _____

Phone Number: _____

E-mail: _____

B. Business Type:

Sole Proprietorship ☐

Partnership ☐

Privately Held ☒

Public Corporation ☐

Listed on _____

State of Incorporation/Formation: _____

C. Nature of Business:

(e.g., "manufacturer of _____ for _____ industry"; "distributor of _____"; or "real estate holding company")

D. Are the User and the Owner Related Entities?

Yes ☒

No ☐

i. If yes, the remainder of the questions in this Part I, Section 2 (with the exception of "F" below) need not be answered if answered for the Owner.

ii. If no, please complete all questions below.

E. Owner's Counsel:

Firm Name:

Address:

Individual Attorney: _____

Phone Number: _____ **E-mail:** _____

F. Principal Stockholders or Partners, if any (5% or more equity):

Name

Percent Owned

G. Has the Owner, or any subsidiary or affiliate of the Owner, or any stockholder, partner, officer, director or other entity with which any of these individuals is or has been associated with:

i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (if yes, please explain)

ii. been convicted of a felony or criminal offense (other than a motor vehicle violation)? (if yes, please explain)

H. If any of the above persons (see "F", above) or a group of them, owns more than 50% interest in the Owner, list all other organizations which are related to the Owner by virtue of such persons having more than a 50% interest in such organizations.

I. Is the Owner related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship;

J. List parent corporation, sister corporations and subsidiaries:

K. Has the Owner (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

L. List major bank references of the Owner:

Part II -- Operation at Current Location

1. Current Location Address: 124 Greene Avenue, Amityville, NY 11701
2. Owned or Leased: Owned
3. Describe your present location (acreage, square footage, number of buildings, number of floors, etc.):
2.4 acres, 1 building, partial second floor
4. Type of operation (manufacturing, wholesale, distribution, retail, etc.) and products and/or services:
Office and storage space for the LandTek Group
5. Are other facilities or related companies of the Applicant located within the State?
Yes ☒ No ☐
 - A. If yes, list the Address: 235 Countyline Road, Amityville, NY 11701 (LandTek Group)
6. If yes to above ("5"), will the completion of the project result in the removal of such facility or facilities from one area of the state to another OR in the abandonment of such facility or facilities located within the State? Yes ☐ No ☒
 - A. If no, explain how current facilities will be utilized:
The current tenant, LandTek Group, Inc., has pre-existing plans to relocate their facility.
 - B. If yes, please indicate whether the project is reasonably necessary for the Applicant to maintain its competitive position in its industry or remain in the State and explain in full;

7. Has the Applicant actively considered sites in another state? Yes ☐ No ☒

A. If yes, please list states considered and explain: _____

8. Is the requested financial assistance reasonably necessary to prevent the Applicant from moving out of New York State? Yes ☒ No ☐

A. Please explain: without assistance from the IDA, the unpredictable real estate taxes on the property and associated construction costs would make the Project unfeasible.

9. Number of full-time employees at current location and average salary: N/A

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Part III - Project Data

1. Project Type:

A. What type of transaction are you seeking?: (Check one)

Straight Lease ☒ Taxable Bonds ☐ Tax-Exempt Bonds ☐
Equipment Only Straight Lease ☐

B. Type of benefit(s) the Applicant is seeking: (Check all that apply)

Sales Tax Exemption ☒ Mortgage Recording Tax Exemption ☒
Real Property Tax Abatement: ☒

2. Location of project:

A. Street Address: 124 Greene Avenue, Amityville, NY 11701

B. Tax Map: District 0101 Section 00.300 Block 03.00 Lot(s) 026.001, 026.002

C. Municipal Jurisdiction:

- i. Village: Amityville
- ii. School District: Amityville
- iii. Library: Amityville

D. Acreage: 2.4 acres

3. Project Components (check all appropriate categories):

- | | | |
|--|---|--|
| A. Construction of a new building | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| i. Square footage: <u>105,175</u> sq. ft. | | |
| B. Renovations of an existing building | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| i. Square footage: | | |
| C. Demolition of an existing building | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| i. Square footage: <u>22,500</u> sq. ft. | | |
| D. Land to be cleared or disturbed | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| i. Square footage/acreage: <u>2.4</u> acres | | |
| E. Construction of addition to an existing building | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| i. Square footage of addition: | | |
| ii. Total square footage upon completion: | | |
| F. Acquisition of an existing building | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| i. Square footage of existing building: | | |

G. Installation of machinery and/or Equipment

☒ Yes ☐ No

i. List principal items or categories of equipment to be acquired:

Building systems, construction equipment, FF&E for apartment complex.

4. Current Use at Proposed Location:

A. Does the Applicant currently hold fee title to the proposed location? Yes

i. If no, please list the present owner of the site:

B. Present use of the proposed location: Presently occupied by the LandTek Group, Inc. and used for office space and heavy machinery storage.

C. Is the proposed location currently subject to an IDA transaction (whether through this Agency or another?) ☐ Yes ☒ No

i. If yes, explain:

D. Is there a purchase contract for the site? (if yes, attach): ☐ Yes ☒ No

E. Is there an existing or proposed lease for the site? (if yes, attach): ☒ Yes ☐ No
Lease annexed hereto

5. Proposed Use:

A. Describe the specific operations of the Applicant or other users to be conducted at the project site: Transit oriented development comprised of 115 units (studio, 1-bedroom and 2-bedroom)

B. Proposed product lines and market demands: The Project site and surrounding area is in high demand for Transit-Oriented residential development.

C. If any space is to be leased to third parties, indicate the tenant(s), total square footage of the project to be leased to each tenant, and the proposed use by each tenant:

115 apartments; 38 studios (650 sq. ft. per unit); 65 1-bedroom units (750 sq. ft. per unit); and 12 2-bedroom units (1100 sq. ft. per unit).

D. Need/purpose for project (e.g., why is it necessary, effect on Applicant's business):

The proposed Project is in an area where there is a great demand for Transit-Oriented residential development. Currently, the area is lacking a pedestrian connection between downtown Amityville and the Amityville train station. In connection with the Project, the Applicant is proposing to construct a "Pedestrian Connection" which will further contribute to the downtown revitalization by creating an easily accessible path from the train station to downtown shops and restaurants.

E. Will any portion of the project be used for the making of retail sales to customers who personally visit the project location? Yes ☐ No ☒

- i. If yes, what percentage of the project location will be utilized in connection with the sale of retail goods and/or services to customers who personally visit the project location?

6. Project Work:

Construction work has not commenced

A. Has construction work on this project begun? If yes, complete the following:

- | | | |
|--------------------|---|------------|
| i. Site Clearance: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | % Complete |
| ii. Foundation: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | % Complete |
| iii. Footings: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | % Complete |
| iv. Steel: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | % Complete |
| v. Masonry: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | % Complete |
| vi. Other: | | |

B. What is the current zoning? Industrial District

C. Will the project meet zoning requirements at the proposed location?

Yes ☒ No ☐

D. If a variance or change of zoning is required, please provide the details/status of the variance or change of zone request:

A change of zoning application has been granted by the Village of Amityville.

E. Have site plans been submitted to the appropriate planning department? Yes ☒ No ☐

7. Project Completion Schedule:

A. What is the proposed commencement date for the acquisition and the construction/renovation/equipping of the project?

i. Acquisition: Project site has already been acquired.

ii. Construction/Renovation/Equipping: Q4 2019

B. Provide an accurate estimate of the time schedule to complete the project and when the first use of the project is expected to occur:

The Project is expected to be completed approximately twenty-four (24) months after the commencement of construction.

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Part IV -- Project Costs and Financing**1. Project Costs:**

A. Give an accurate estimate of cost necessary for the acquisition, construction, renovation, improvement and/or equipping of the project location:

<u>Description</u>	<u>Amount</u>
Land and/or building acquisition	\$ 8,337,500
Building(s) demolition/construction	\$ 23,133,627
Building renovation	\$
Site Work	\$
Machinery and Equipment	\$
Legal Fees	\$ TBD
Architectural/Engineering Fees	\$ TBD
Financial Charges	\$
Other (Specify)	\$ 4,844,430
Total	\$ 36,315,557

*Land already owed (\$8,337,500 cost)

2. Method of Financing:

	<u>Amount</u>	<u>Term</u>
A. Tax-exempt bond financing:	\$	_____ years
B. Taxable bond financing:	\$	_____ years
C. Conventional Mortgage:	\$ 32,000,000	15 _____ years
D. SBA (504) or other governmental financing:	\$	_____ years
E. Public Sources (include sum of all State and federal grants and tax credits):	\$	
F. Other loans:	\$	_____ years
G. Owner/User equity contribution:	\$ 4,315,557	_____ years

Total Project Costs \$ 36,315,557

i. What percentage of the project costs will be financed from public sector sources?

N/A

3. Project Financing: (*)Complete only if Bond Financing is being utilized(***)**

A. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? Yes ☐ No ☐

i. If yes, provide detail on a separate sheet.

B. Are costs of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of bond proceeds? Give details:

N/A.

C. Will any of the funds borrowed through Agency Bonds be used to repay or refinance an existing mortgage or outstanding loan? Give details:

N/A.

D. Has the Applicant made any arrangements for the marketing or the purchase of the bond or bonds? If so, indicate with whom:

N/A.

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Part V – Project Benefits**1. Mortgage Recording Tax Benefit:**

- A. Mortgage Amount for exemption (include sum total of construction/permanent/bridge financing):

\$ 32,000,000

- B. Estimated Mortgage Recording Tax Exemption (product of Mortgage Amount and current Mortgage Recording Tax Rate):

\$ 240,000

2. Sales and Use Tax Benefit:

- A. Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax (such amount to benefit from the Agency's exemption):

\$ 11,566,813

- B. Estimated State and local Sales and Use Tax exemption (product of current State and Local Sales and Use Tax Rate and figure above):

\$ 997,638

- C. If your project has a landlord/tenant (owner/user) arrangement, please provide a breakdown of the number in "B" above:

i. Owner: \$ N/A

ii. User: \$ N/A

3. Real Property Tax Benefit:

- A. Identify and describe if the project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit:

N/A

- B. Agency PILOT Benefit:

i. Term of PILOT requested: 15 years 20 years

- ii. Upon acceptance of this application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit based on anticipated tax rates and assessed valuation and attached such information to Exhibit A hereto. At such time, the Applicant will certify that it accepts the proposed PILOT schedule and requests such benefit to be granted by the Agency.

**** This application will not be deemed complete and final until Exhibit A hereto has been completed and executed.****

Part VI – Employment Data

1. List the Applicant's and each users present employment, and estimates of (i) employment at the proposed project location at the end of year one and year two following project completion and (ii) the number of residents of the Labor Market Area* ("LMA") that would fill the full-time and part-time jobs at the end of year second year following completion:

	Present	First Year	Second Year	Residents of LMA
Full-Time	0	5	5	5
Part-Time**	0	0	0	N/A

* The Labor Market Area includes the Town of Babylon, Nassau and Suffolk Counties.

Full-Time Employee shall mean, with respect to an Annual Period, an individual on the payroll of, receiving customary benefits from, and directly employed during such Annual Period by, any Company Group Entity (and excluding any individuals employed by temporary employment or similar agencies) and each of whom works within the Town for any Company Group Entity during such Annual Period on a "full-time basis" (i.e., working at least a 35-hour week, subject to customary vacation, holiday and sick leave).

****Agency converts Part-time staff to Full-Time Equivalent Employee** as follows, with respect to an Annual Period, two (2) individuals on the payroll of, receiving customary benefits from, and directly employed during such Annual Period by, any Company Group Entity (and excluding any individuals employed by temporary employment or similar agencies) and each of whom works within the Town for any Company Group Entity during such Annual Period on a "part-time basis" (i.e., working at least a 20-hour week, subject to customary vacation, holiday and sick leave).

2. Salary and Fringe Benefits:

Category of Jobs to be Retained and Created	Number of Employees	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	1	\$100,000	\$29,150
Professional			
Administrative	1	\$52,000	\$13,920
Production			
Supervisor			
Laborer			
Other			
Sales	1	\$75,000	\$20,075
Maintenance	1	\$45,000	\$12,015
Mechanic (HVAC)	1	\$65,000	\$17,400

Note: The Agency reserves the right to visit the facility to confirm that job creation numbers are being met.

3. Annualized salary range of jobs to be created in the first two years (see question #1).

FROM \$ 45,000 TO \$ 100,000

4. List the number of *Construction jobs (if applicable) to be created by the Applicants Project.

	<u>First Year</u>	<u>Second Year</u>	<u>Third Year</u>
* Full-Time	<u>47</u>	<u>47</u>	<u>N/A</u>
** Part-Time	<u>0</u>	<u>0</u>	<u>N/A</u>

*Construction jobs are defined as full-time equivalents (FTE), or 2,080-hour units of labor (one construction period job equates to one full-time job for 1 year).

**A part-time or temporary job may be considered one job by other models, but would constitute only a fraction of a job. For example, if a laborer or craftsman worked only 3 months on a construction or renovation project (assuming no overtime), that would be considered one-quarter of a job.

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Part VII -- Representations, Certifications and Indemnification

1. Is the Applicant in any litigation which would have a material adverse effect on the Applicant's financial condition? (if yes, furnish details on a separate sheet)

Yes ☐ No ☒

2. Has the Applicant or any of the management of the Applicant, the anticipated users or any of their affiliates, or any other concern with which such management has been connected, been cited for a violation of federal, state or local laws or regulations with respect to:

- a. Labor practices,
(with respect to workers and/or their working conditions and/or their wages, including but not limited to pending or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents; unfair labor practices complaints; incurred, or potentially incurred, liability including withdrawal liability with respect to an employee benefit plan, including a pension plan; any complaints, claims, proceedings or litigation arising from alleged discrimination in the hiring, firing, promoting, compensating or general treatment of employees. Please consider "discrimination" to include sexual harassment.)

Yes ☐ No ☒ (If yes, furnish details on a separate sheet)

- b. hazardous wastes, environmental pollution,

Yes ☐ No ☒ (If yes, furnish details on a separate sheet)

- c. other operating practices

Yes ☐ No ☒ (If yes, furnish details on a separate sheet)

3. Is there a likelihood that the Applicant would not proceed with this project without the Agency's assistance? (If yes, please explain why; if no, please explain why the Agency should grant the benefits requested)

Yes ☒ No ☐

Without the Agency's assistance the current tax rates and unpredictable construction costs on the Property would make the Project unfeasible.

4. If the Applicant is unable to obtain financial assistance from the Agency for the project, what would be the impact on the Applicant and on the municipality?

As stated above, LandTek would still proceed forward with its relocation. As a result, the site would remain a vacant industrial lot and the rental housing needs of the community would not be met.

5. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

Initial MN

6. The Applicant understands and agrees that in accordance with Section 858-b(2) of the General Municipal Law, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the project will be listed with the New York State Department of Labor, Community Services Division and with the administrative entity of the service delivery area created pursuant to the Job Training Partnership Act (PL 97-300) in which the project is located (collectively, the "Referral Agencies"). The Applicant also agrees, that it will, except as otherwise provided by collective bargaining contracts or agreements to which they are parties, first consider for such new employment opportunities persons eligible to participate in federal job training partnership programs who shall be referred by the Referral Agencies

Initial MN

7. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

Initial MN

8. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

Initial MN

9. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Initial MN

10. In accordance with Section 862(1) of the New York General Municipal Law the Applicant understands and agrees that projects which result in the removal of an industrial or manufacturing plant of the project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the project occupant within the State is ineligible for financial assistance from the Agency, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or to discourage the project occupant from removing such other plant or facility to a location outside the State.

Initial 

11. The Applicant represents and warrants that to the Applicant's knowledge neither it nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become a person or entity with who United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List or under any statute, executive order including the September 24, 2001, Executive Order Block Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, or other governmental action and is not and will not assign or otherwise transfer this Agreement to, contract with or otherwise engage in any dealings or transactions or be otherwise associated with such persons or entities.

Initial 

Initial after receipt and acceptance of Schedule A and Schedule B

12. The Applicant confirms and hereby acknowledges it has received the Agency's fee schedule attached hereto as Schedule A and agrees to pay such fees, together with any expenses incurred by the Agency, including those of Transaction Counsel, with respect to the Facility. The Applicant agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the project.

Initial 

13. The Applicant hereby agrees to comply with Section 875 of the General Municipal Law. The Company further agrees that the financial assistance granted to the project by the Agency is subject to recapture pursuant to Section 875 of the Act and the Agency's Recapture Policy, attached hereto as Schedule B.

Initial 

Part VIII - Submission of Materials

Please send under separate cover all information directly to Agency Counsel:

**William F. Dudine, Partner
Katten Muchin Rosenman LLP
575 Madison Avenue
New York, NY 10022-2585**

- 1. Financial statements for the last two fiscal years (unless included in the Applicant's annual report).**
- 2. Applicant's annual reports (or 10-K's if publicly held) for the two most recent fiscal years.**
- 3. Quarterly reports (form 10-Q's) and current reports (form 8-K's) since the most recent annual report, if any.**
- 4. In addition, please attach the financial information described in items A, B, and C of any expected guarantor of the proposed bond issue.**
- 5. Completed Long Environmental Assessment Form.**
- 6. Most recent quarterly filing of NYS Department of Labor Form 45, as well as the most recent fourth quarter filing. Please remove or redact any employee Social Security numbers and note the full-time equivalency for part-time employees.**

(Remainder of Page Intentionally Left Blank)

Part IX - Certification

Michael Ryan (name of representative of company submitting application) deposes and says that he or she is the member (title) of GreenTek Living, LLC, the corporation (company name) named in the attached application; that he or she has read the foregoing application and knows the contents thereof; and that the same is true to his or her knowledge.

Deponent further says that s/he is duly authorized to make this certification on behalf of the entity named in the attached Application (the "Applicant") and to bind the Applicant. The grounds of deponent's belief relative to all matters in said Application which are not stated upon his/her personal knowledge are investigations which deponent has caused to be made concerning the subject matter this Application, as well as information acquired by deponent in the course of his/her duties in connection with said Applicant and from the books and papers of the Applicant.

As representative of the Applicant, deponent acknowledges and agrees that Applicant shall be and is responsible for all costs incurred by the Town of Babylon Industrial Development Agency (hereinafter referred to as the "Agency") in connection with this Application, the attendant negotiations and all matters relating to the provision of financial assistance to which this Application relates, whether or not ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application or if the Applicant is unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees to bond or transaction counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency in accordance with its fee schedule in effect on the date of the foregoing application, and all other appropriate fees, which amounts are payable at closing.


Representative of Applicant

Michael F. Ryan
Member

Sworn to me before this 22nd

Day of October, 20 19


(seal)

Christine Whalen
Notary Public, State of New York
No. 01WH6195529
Qualified in Suffolk County
Commission Expires October 27, 2020

Part IX - Certification

Property Owner (If different from Applicant)

Same as Applicant

_____, (name of representative of owner submitting application)
deposes and says that he or she is the _____ (title) of
the corporation (company name) named in the attached application; that he or she has read the foregoing
application and knows the contents thereof, and that the same is true to his or her knowledge.

Deponent further says that s/he is duly authorized to make this certification on behalf of the entity
named in the attached Application (the "Applicant") and to bind the Applicant. The grounds of
deponent's belief relative to all matters in said Application which are not stated upon his/her personal
knowledge are investigations which deponent has caused to be made concerning the subject matter this
Application, as well as information acquired by deponent in the course of his/her duties in connection
with said Applicant and from the books and papers of the Applicant.

As representative of the Applicant, deponent acknowledges and agrees that Applicant shall be and is
responsible for all costs incurred by the Town of Babylon Industrial Development Agency (hereinafter
referred to as the "Agency") in connection with this Application, the attendant negotiations and all
matters relating to the provision of financial assistance to which this Application relates, whether or not
ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or
consummate necessary negotiations or fails to act within a reasonable or specified period of time to take
reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application or if
the Applicant is unable to find buyers willing to purchase the total bond issue required, then upon
presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred
with respect to the application, up to that date and time, including fees to bond or transaction counsel for
the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the
transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the
Agency in accordance with its fee schedule in effect on the date of the foregoing application, and all
other appropriate fees, which amounts are payable at closing.

Representative of Applicant

Sworn to me before this

day of _____, 20__

(seal)

EXHIBIT A

Proposed PILOT Schedule

Upon acceptance of the Application and completion of the Cost Benefit Analysis, the Agency will attach the proposed PILOT Schedule, together with the estimates of net exemptions based on estimated tax rates and assessment values to this Exhibit.

EXHIBIT A

GreenTek Living LLC (an affiliate of Village by the Bay)

Payments in Lieu of Taxes on the Land and the Buildings:

The Project facility constituting the facility realty and improvements constructed thereon (the "Facility") constitutes an affordable housing project under the Town of Babylon IDA's (the "Agency" of "IDA") Uniform Tax Exemption Policy and it will qualify for a partial abatement of real property taxes for a period not to exceed twenty (20) years. The abatement provided will be broken into two parts. Part one of the partial abatement will be structured such that payments in lieu of real property taxes for the twenty (20) years of the abatement will equal an amount equal to a "Stabilized Base Assessed Value", multiplied by the then applicable current tax rates for such year levied against land and improvements in the Village of Amityville and the Town of Babylon (the "Base Pilot").

For the second part of the abatement, the Company will be required to pay the "Base Pilot" plus an "Incremental Pilot". The "Incremental Pilot" will be based upon the then current full assessed value of the completed Facility less the "Stabilized Base Assessed Value"; which multiplied by an amount equal to 6.25% in year six (6), and such amount increasing by 6.25% each year thereafter through and including year twenty (20); and then multiplied by the then applicable current tax rates for such year levied against land and improvements in the Village of Amityville ("the "Village") and the Town of Babylon (the "Town"). Commencing in year twenty-one (21) the Pilot will terminate and the Company will be required to pay full unabated real property taxes. In accordance with the above the Pilot for the Facility will be calculated as follows:

For Payments in Lieu of Village Real Property Taxes:

For the period commencing on the Abatement Commencement Date (hereinafter defined) until the earlier of the date on which the straight lease transaction (i) expires, (ii) is terminated or (iii) the date on which the IDA no longer maintains a leasehold interest in the Facility, the Company shall make PILOT payments with respect to Village real property taxes as follows:

Definitions

Abatement Commencement Date = the Taxable Status Date of the Village (i.e., January 1) immediately following the issuance of a certificate of occupancy (final or temporary), certificate of completion or any other document that attests to compliance with applicable building codes after substantial completion of construction of the Facility ("Certificate of Occupancy").

A = The "Village Full Assessed Value" of the Facility as determined by the Village Tax Assessor immediately after the issuance of the Certificate of Occupancy for the Facility and any modification of the assessed value as thereafter determined by the Village Tax Assessor.



- B = the "Village Base PILOT" which equals the Village Stabilized Base Assessed Value multiplied by the then current tax rate of the Village for such Village Tax Year.
- C = The current tax rate of the Village then in effect for such Village Tax Year.
- S = The "Village Stabilized Base Assessed Value" \$69,020.

Village Tax Year = Each Tax Year of the Village currently commences June 1 and ends May 31. The first Tax Year below shall commence on the June 1 of the year immediately following the January 1 of such year immediately succeeding issuance of the Certificate of Occupancy.

Village Tax Year

1 through 5, inclusive	B	+	0				
6	B	+	((A-S)	x	6.250%)	x	C
7	B	+	((A-S)	x	12.500%)	x	C
8	B	+	((A-S)	x	18.750%)	x	C
9	B	+	((A-S)	x	25.000%)	x	C
10	B	+	((A-S)	x	31.250%)	x	C
11	B	+	((A-S)	x	37.500%)	x	C
12	B	+	((A-S)	x	43.750%)	x	C
13	B	+	((A-S)	x	50.000%)	x	C
14	B	+	((A-S)	x	56.250%)	x	C
15	B	+	((A-S)	x	62.500%)	x	C
16	B	+	((A-S)	x	68.750%)	x	C
17	B	+	((A-S)	x	75.000%)	x	C
18	B	+	((A-S)	x	81.250%)	x	C
19	B	+	((A-S)	x	87.500%)	x	C
20	B	+	((A-S)	x	93.750%)	x	C

21 and thereafter

Full Village taxes due on the assessed value of the Facility Realty in accordance with the then current tax rate of the Village and then current assessed value of the Facility Realty.

For the first five (5) years, annual payments under the PILOT with respect to the Village will be equal to the "Village Stabilized Base Assessed Value" of \$69,020 multiplied by the then current tax rate of the Village for such Village Tax Year (the "Village Base PILOT"). In years six (6) through twenty (20), inclusive, annual Village PILOT payments will equal the Village Base PILOT plus an incremental amount equal to the then Village Full Assessed Value of the Facility less the Village Stabilized Base Assessed Value multiplied by an amount equal to 6.25% in year six (6), and such amount increasing by 6.25% each year thereafter through and including year twenty (20), which value shall then be multiplied by the current tax rate of the Village then in effect for such Tax Year. In year twenty-one (21) and thereafter, Village PILOT payments will equal 100% of full Village taxes due for the Facility.

For Payments in Lieu of all other Real Property Taxes (County, Town, School District and Library):

For the period commencing on the Abatement Commencement Date (hereinafter defined) until the earlier of the date on which the straight lease transaction (i) expires, (ii) is terminated or (iii) the date on which the IDA no longer maintains a leasehold interest in the Facility, the Company shall make PILOT payments with respect to real property taxes other than Village real property taxes as follows:

Definitions

Abatement Commencement Date = the Taxable Status Date of the Town (i.e., March 1) immediately following the issuance of a Certificate of Occupancy.

A = The "Town Full Assessed Value" of the Facility as determined by the Town Tax Assessor immediately after the issuance of the Certificate of Occupancy for the Facility and any modification of the assessed value as thereafter determined by the Town Tax Assessor.

B = the "Town Base PILOT" which equals the Town Stabilized Base Assessed Value multiplied by the then current tax rate of the Town for such Town Tax Year.

C = The current tax rate of the Town then in effect for such Town Tax Year.

S = The "Town Stabilized Base Assessed Value" of \$31,550 for the Town.

Town Tax Year = Each Tax Year of the Town currently commences December 1 and ends November 30. The first Tax Year below shall commence on the December 1 of the year immediately following the March 1 of such year immediately succeeding issuance of the Certificate of Occupancy.

mn

Town Tax Year

1 through 5, inclusive	B	+	0				
6	B	+	((A-S)	x	6.250%)	x	C
7	B	+	((A-S)	x	12.500%)	x	C
8	B	+	((A-S)	x	18.750%)	x	C
9	B	+	((A-S)	x	25.000%)	x	C
10	B	+	((A-S)	x	31.250%)	x	C
11	B	+	((A-S)	x	37.500%)	x	C
12	B	+	((A-S)	x	43.750%)	x	C
13	B	+	((A-S)	x	50.000%)	x	C
14	B	+	((A-S)	x	56.250%)	x	C
15	B	+	((A-S)	x	62.500%)	x	C
16	B	+	((A-S)	x	68.750%)	x	C
17	B	+	((A-S)	x	75.000%)	x	C
18	B	+	((A-S)	x	81.250%)	x	C
19	B	+	((A-S)	x	87.500%)	x	C
20	B	+	((A-S)	x	93.750%)	x	C

21 and thereafter Full taxes due on the assessed value of the Facility Realty (other than Village real property tax) in accordance with the then current tax rate of the Town and then current assessed value of the Facility Realty.

For the first five (5) years, annual payments under the PILOT with respect to the Town will be equal to the "Town Stabilized Base Assessed Value" of \$31,550 multiplied by the then current tax rate of the Town for such Town Tax Year (the "Town Base PILOT"). In years six (6) through twenty (20), inclusive, annual Town PILOT payments will equal the Town Base PILOT plus an incremental amount equal to the then Town Full Assessed Value of the Facility less the Stabilized Base Assessed Value multiplied by an amount equal to 6.25% in year six (6), and such amount increasing by 6.25% each year thereafter through and including year twenty (20), which value shall then be multiplied by the current tax rate of the Town then in effect for such Tax Year. In year twenty-one (21) and thereafter, Town PILOT payments will equal 100% of full taxes due for the Facility (other than Village real property taxes).

The tax benefits provided for in the above schedule shall be deemed to commence on the Abatement Commencement Date. In no event shall the Company be entitled to receive real property tax benefits due to the Project for a period longer than the period set forth in the schedules immediately above. Notwithstanding the foregoing schedule, the Company further covenants and agrees that for any period that the Agency continues to hold a leasehold interest in the Facility after the Expiration Date the Company shall pay 100% of the taxes due on the assessed value of the Facility in accordance with the then current tax rate of the Village and the Town together with any special assessment and services charges relating to the Facility whichever may be imposed for special district improvements in the Village or the Town.

December 3, 2019

38 Studio (11 Affordable)
65 1-Bdrm (11 Affordable)
12 2-Bdrm (11 Affordable)

Greentek
Amityville, NY 11701
0101 003.00 03.00 026.001

Assuming Constants of:

	Current tax		Total Units	Town		Village	
	Base AV	Estimated Incremental AV					
	0		115	\$ 32,315	\$ 78,011	\$	110,326
				31550	69020		
				151010	461720		
				182560	530740		
				217.7389	35.89		
Projected Assessed Value							
Town	2018-2019	Rate per \$100		\$ 397,504	\$ 190,483		
Village	2019-2020	Rate per \$100		11,735			
				\$ 409,239	\$ 190,483	\$	599,722

Estimated Current tax eligible for PILOT
Other Non-Abated taxes

Number of Years	Base PILOT	Incremental Abatement %	PILOT %	Combined		Estimated Taxes To be Paid Town	Estimated Savings Town	Estimated To be Paid Village	Estimated Savings Village
				Estimated to be Paid	Estimated Savings				
1	99,076	100.000%	0.000%	\$ 110,911	\$ 524,190	\$ 84,553	\$ 348,536	\$ 26,258	\$ 175,654
2	101,058	100.000%	0.000%	112,793	534,673	86,010	355,506	26,783	178,167
3	103,078	100.000%	0.000%	114,913	545,368	87,495	362,617	27,318	182,751
4	105,141	100.000%	0.000%	116,976	556,274	89,011	369,869	27,865	186,405
5	107,243	100.000%	0.000%	118,978	567,401	90,556	377,267	28,422	190,134
6	109,387	93.750%	6.250%	157,300	542,571	116,188	360,755	41,112	181,815
7	111,575	87.500%	12.500%	197,112	516,522	142,813	343,436	54,299	173,086
8	113,807	81.250%	18.750%	238,429	489,243	170,436	325,303	67,993	163,940
9	116,083	75.000%	25.000%	281,355	460,636	199,138	306,281	82,217	154,355
10	118,405	68.750%	31.250%	325,907	430,690	228,925	286,368	96,982	144,322
11	120,773	62.500%	37.500%	372,133	399,361	259,827	265,537	112,306	133,824
12	123,189	56.250%	43.750%	420,079	366,609	291,880	243,756	128,199	122,853
13	125,652	50.000%	50.000%	469,802	332,385	325,115	220,999	144,687	111,386
14	128,165	43.750%	56.250%	521,321	296,676	359,537	197,265	161,784	99,411
15	130,728	37.500%	62.500%	574,748	259,374	395,242	172,461	179,506	86,913
16	133,343	31.250%	68.750%	630,104	220,466	432,236	146,587	197,868	73,879
17	136,010	25.000%	75.000%	687,454	179,892	470,556	119,606	216,898	60,284
18	138,730	18.750%	81.250%	746,850	137,609	510,240	91,493	236,610	46,116
19	141,505	12.500%	87.500%	808,320	93,593	551,297	62,236	257,023	31,357
20	144,335	6.250%	93.750%	871,982	47,735	593,829	31,740	278,153	15,995
				\$ 7,877,167	\$ 7,501,268	\$ 5,434,884	\$ 4,987,621	\$ 2,392,283	\$ 2,513,647

Handwritten signature

SCHEDULE A

Agency's Fee Schedule

SCHEDULE A - AGENCY'S FEE

Greentek
124 Greene Ave
Amityville, NY 11701
0101 003.00 03.00 026.001

Application Fee		\$	1,500
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Estimated Public Hearing Notice & Deviation memo delivery			1,000
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Large Development

1-15 M	15,000,000	1.00%	150,000
15- 25 M	10,000,000	0.75%	75,000
25 - 35 M	10,000,000	0.50%	50,000
< 35 M	1,315,557	0.25%	3,289

Estimated Project costs	pg 14	\$	36,315,557		\$278,289
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Estimated Savings			
Est PILOT savings	20 year	\$	7,501,268

0.75 Est Mtg Rec	page 16	\$	32,000,000	240,000
0.08625 Sales Tax - Reno & Equip			11,566,813	<u>997,638</u>

Estimated Savings	0.75%	8,738,906	\$65,540
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Estimated Closing Fee		<u>\$343,829</u>
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Discount	-35%	(121,199)
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** Discounted Estimated Closing Fee	222,630	222,630
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Total Estimated Fee	\$	225,130
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Plus an Annual Reporting / Compliance fee of \$1,000 per year for the duration of the PILOT

** Legal Fees: The Applicant/Owner is responsible for all legal fees at closing, which include both local and project counsel. Legal fees can generally range from \$50,000 to \$65,000 depending upon the size and complexity of the project. These fees can be rolled into your financing.

SCHEDULE B

Agency's Recapture Policy

Schedule B – Recapture of Benefits – 20 Year PILOT

Recapture of Agency Benefits. It is understood and agreed by the parties hereto that the Agency is entering into this Lease Agreement in order to provide financial assistance to the Company for the Facility and to accomplish the public purposes of the Act. In consideration therefor, the Company hereby agrees as follows:


(a) If there shall occur a Recapture Event after the date hereof, the Company shall pay to the Agency, or to the State of New York, if so directed by the Agency (except as otherwise specified below) as a return of public benefits conferred by the Agency, the following amounts:

- (i) one hundred percent (100%) of the Recaptured Benefits (as defined below) if the Recapture Event occurs within the first five (5) years after the date hereof;
- (ii) fifty percent (50%) of the Recaptured Benefits (as defined below) if the Recapture Event occurs during the period from the sixth (6th) to the tenth (10th) year after the date hereof;
- (iii) twenty-five percent (25%) of the Recaptured Benefits (as defined below) if the Recapture Event occurs during the eleventh (11th) to the fifteenth (15th) year after the date hereof;

(b) The term “**Recaptured Benefits**” shall mean all direct monetary benefits, tax exemptions and abatements and other financial assistance, if any, derived solely from the Agency’s participation in the transaction contemplated by the Lease Agreement including, but not limited to, the amount equal to 100% of:

- (i) the Mortgage Recording Tax Exemption; and
- (ii) Sales Tax Exemption savings realized by or for the benefit of the Company, including any savings realized by any Agent pursuant to the Lease Agreement and each Sales Tax Agent Authorization Letter issued in connection with the Facility (the “**Company Sales Tax Savings**”); and
- (iii) real property tax abatements granted pursuant to Section 5.1 hereof (the “**Real Property Tax Abatements**”);

which Recaptured Benefits from time to time shall upon the occurrence of a Recapture Event in accordance with the provisions of subsection (c) below and the declaration of a Recapture Event by notice from the Agency to the Company be payable directly to the Agency or the State of New York if so directed by the Agency within ten (10) days after such notice.



(c) The term "**Recapture Event**" shall mean any of the following events:

- (1) sale or closure of the Facility;
- (2) a material violation of the terms and conditions of the Transaction Documents, including failure to complete the Facility in accordance with Section 3.6 hereof;
- (3) a material misrepresentation made by the Company and contained in the application for Financial Assistance, any Transaction Documents or any other materials delivered pursuant to the Transaction Documents;
- (4) the Company shall have liquidated its operations and/or assets at the Facility (absent a showing of extreme hardship);
- (5) the Company shall have ceased all or substantially all of its operations at the Facility (whether by relocation to another facility or otherwise, or whether to another facility either within or outside of the Town) through no force majeure event;
- (6) (Reserved);
- (7) the Company shall have subleased all or any portion of the Facility in violation of the limitations imposed by the Transaction Documents, without the prior written consent of the Agency;
- (8) the Company shall have sold, leased, transferred or otherwise disposed of all or substantially all of its interest in the Facility without the prior written consent of the Agency;
- (9) the failure by the Company to complete the Project on or before the Completion Date substantially in accordance with the Plans and Specification and the Project Budget;
- (10) the Company receives Company Sales Tax Savings in connection with the Project Work in excess of the Maximum Company Sales Tax Savings Amount; provided, however, that the foregoing shall constitute a Recapture Event with respect to such excess Company Sales Tax Savings only. It is further provided that failure to repay the Company Sales Tax Savings within thirty (30) days shall constitute a Recapture Event with respect to all Recaptured Benefits; and
- (11) The Company fails to use and maintain the Facility as an Affordable Housing Project for the term of this Lease Agreement.

(d) Furthermore, notwithstanding the foregoing, a Recapture Event shall not be deemed to have occurred if the Recapture Event shall have arisen as a result of (i) a "force majeure" event (as more particularly defined in Section 10.1(b) hereof), (ii) a taking or condemnation by



governmental authority of all or part of the Facility, or (iii) the inability or failure of the Company after the Facility shall have been destroyed or damaged in whole or in part (such occurrence a "Loss Event") to rebuild, repair, restore or replace the Facility to substantially its condition prior to such Loss Event, which inability or failure shall have arisen in good faith on the part of the Company or any of its affiliates so long as the Company or any of its affiliates have diligently and in good faith using commercially reasonable efforts pursued the rebuilding, repair, restoration or replacement of the Facility or part thereof.

(e) The Company covenants and agrees to furnish the Agency with written notification (i) within thirty (30) days of the end of each Tax Year the number of FTEs located at the Facility for such Tax Year, and (ii) within thirty (30) days of actual notice of any facts or circumstances which would likely lead to a Recapture Event or constitute a Recapture Event hereunder. The Agency shall notify the Company of the occurrence of a Recapture Event hereunder, which notification shall set forth the terms of such Recapture Event.

(f) In the event any payment owing by the Company under this Section shall not be paid on demand by the Agency, such payment shall bear interest from the date of such demand at a rate equal to one percent (1%) plus the Prime Rate, but in no event at a rate higher than the maximum lawful prevailing rate, until the Company shall have made such payment in full, together with such accrued interest to the date of payment, to the Agency (except as otherwise specified above).

(g) The Agency shall be entitled to deduct all reasonable out of pocket expenses of the Agency, including without limitation, reasonable legal fees, incurred with the recovery of all amounts due under this Section 5.4, from amounts received by the Agency pursuant to this Section 5.4.

The obligations of the Company under this Section 5.4 shall survive the termination or expiration of this Lease Agreement for any reason whatsoever. The Agency, in its sole discretion and in furtherance of the purposes of the Act, may waive, the payment of Recaptured Benefits in whole or in part, for good cause shown.



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Transit Oriented (TO) District		
Project Location (describe, and attach a general location map): The area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west.		
Brief Description of Proposed Action (include purpose or need): An amendment to Chapter 183 of the Code of the Village of Amityville to enable the creation of a Transit Oriented (TO) Zoning District, an amendment of the Village Building Zone Map for certain parcels to be included in the TO District and a request for approval certain incentives and bonuses pursuant to the TO District. Please refer to Exhibit A for proposed TO District boundary and development properties. Please refer to Exhibit B for the Site Master Plan and Architectural Illustrations associated with the GreenTek Living, LLC proposed TO development.		
Name of Applicant/Sponsor: GreenTek Living, LLC		Telephone: 631 691-2381
Address: 235 County Line Road		E-Mail: mryan@landtekgroup.com
City/PO: Amityville	State: New York	Zip Code: 11701
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Village Board of Trustees	May 2017
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Village Planning Board	May 2017
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Suffolk County Water Authority	May 2017
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Suffolk County Department of Public Works, Suffolk County Department of Health Services	May 2017
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MTA	May 2017
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part I 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? "Industrial"	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? Transit Oriented (TO)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? Amityville UFSD	
b. What police or other public protection forces serve the project site? Amityville Police Department	
c. Which fire protection and emergency medical services serve the project site? Amityville Fire Department	
d. What parks serve the project site? Field of Dreams Park (west of County Line Road), Massapequa Dog Park (west of County Line Road)	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Transit-oriented multifamily development	
b. a. Total acreage of the site of the proposed action?	N/A acres
b. Total acreage to be physically disturbed?	TBD acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	2.44 acres
c. Is the proposed action an expansion of an existing project or use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? %	Units:
d. Is the proposed action a subdivision, or does it include a subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Number of lots proposed?	
iv. Minimum and maximum proposed lot sizes? Minimum	Maximum
e. Will proposed action be constructed in multiple phases?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If No, anticipated period of construction:	months
ii. If Yes:	
• Total number of phases anticipated	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.	
<u>One Family</u> <u>Two Family</u> <u>Three Family</u> <u>Multiple Family (four or more)</u>	
Initial Phase	115
At completion of all phases	TBD

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe. _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description). _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):

- proposed method of plant removal:

- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day:

36,200 gallons/day *

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: Suffolk County Water Authority (District: Babylon)
- Does the existing public water supply have capacity to serve the proposal?
- Is the project site in the existing district?
- Is expansion of the district needed?
- Do existing lines serve the project site?

☒ Yes ☐ No

☒ Yes ☐ No

☐ Yes ☒ No

☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), maximum pumping capacity: gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day:

36,200 gallons/day *

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Bergen Point Wastewater Treatment Plant
- Name of district: Southwest Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project?
- Is the project site in the existing district?
- Is expansion of the district needed?

☒ Yes ☐ No

☒ Yes ☐ No

☐ Yes ☒ No

* NOTE: Includes GreenTek Living, LLC property and potential TO property located at John Street

Page 6 of 13

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____ ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ iii. Parking spaces: Existing Proposed Net increase/decrease iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Estimate annual electricity demand during operation of the proposed action. _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: 7AM - 8 PM • Saturday: 7AM - 8 PM • Sunday: N/A • Holidays: N/A </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: 24 hrs (residential) • Saturday: 24 hrs (residential) • Sunday: 24 hrs (residential) • Holidays: 24 hrs (residential) </td> </tr> </table>		i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: 7AM - 8 PM • Saturday: 7AM - 8 PM • Sunday: N/A • Holidays: N/A 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: 24 hrs (residential) • Saturday: 24 hrs (residential) • Sunday: 24 hrs (residential) • Holidays: 24 hrs (residential)
i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: 7AM - 8 PM • Saturday: 7AM - 8 PM • Sunday: N/A • Holidays: N/A 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: 24 hrs (residential) • Saturday: 24 hrs (residential) • Sunday: 24 hrs (residential) • Holidays: 24 hrs (residential) 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p><i>Certain construction activities may temporarily increase ambient noise levels but these will be restricted to the hours specified above</i></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe:</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p><i>(B) following preparation of photometric plan</i></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe:</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities:</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation: _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction • Operation: <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: • Operation: 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Comprises the area near the URR Amityville Station, which features a mix of industrial, commercial and residential uses.

b. Land uses and covertypes on the project site. TBD following preparation of detailed site plans

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe:			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes, explain:

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☒ Yes ☐ No
If Yes,
i. Identify Facilities:
Park Avenue School

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification:
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation:
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
iii. Describe any development constraints due to the prior solid waste activities:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes -- Spills Incidents database Provide DEC ID number(s):
☐ Yes -- Environmental Site Remediation database Provide DEC ID number(s):
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures:
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s):
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ Greater than 100 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: Urban Land (Ur) 61 %
Riverhead and Haven soils (RhB) 39 %
% _____

d. What is the average depth to the water table on the project site? Average: _____ 15 feet

e. Drainage status of project site soils: ☒ Well Drained: 100 % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC)	_____	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:

i. Name of aquifer: Sole Source Aquifer Names: Nassau-Suffolk SSA

Page 12 of 13

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?

☐ Yes ☒ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name:

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

☒ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?

☐ Yes ☒ No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?

☐ Yes ☒ No

If Yes:

i. Identify resource:

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?

☐ Yes ☒ No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?

☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

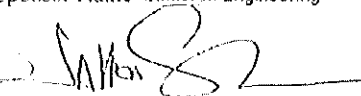
G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Camaron Engineering

Date May 3, 2017

Signature



Title SENIOR Project Manager

PRINT FORM

**Board of Trustees
Minutes
June 25, 2018**

Request to pay Dynaire Service Corp. for renewal of labor and inspection agreement 2nd installment in the amount of \$4,300.00 (A1623.460).

MOTION to APPROVE was made by Trustee Whalen seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	5 ayes	0 nays
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Resolution

WHEREAS, the Board of Trustees of the Village of Amityville has served as the Lead Agency for the purposes of the State Environmental Quality Review (SEQR) process in considering the adoption of an amendment to Chapter 183 (Zoning) of the Code of the Village of Amityville for the purpose of enacting a Transit Oriented (TO) District with associated amendments and in also considering the application of GreenTek Living, LLC and R & S Realty Corp. for an amendment of the Village Building Zone Map for one site.

Village Attorney Bruce Kennedy explained this is the final step in the SEQR process, leading to adoption of a Finding Statement, based on the final environmental impact statement. It is the final action in the process that paves the way for the zoning law itself and the rezoning law of the GreenTek property. No audience or Board commentary was received.

MOTION to APPROVE was made by Trustee Whalen seconded by Trustee Bernius.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	5 ayes	0 nays
-----------------	--------	--------

**State Environmental Quality Review Act
GENERIC ENVIRONMENTAL IMPACT STATEMENT
FINDINGS STATEMENT**

***PROPOSED TO (TRANSIT ORIENTED) DISTRICT &
GREENTEK LIVING, LLC TRANSIT ORIENTED DEVELOPMENT***

Village of Amityville, Suffolk County, New York

INTRODUCTION

Pursuant to Article 8 of the New York State Environmental Quality Review Act of the New York State Environmental Conservation Law and the implementing regulations contained in Title 6 of the New York State Code of Rules and Regulations (6 NYCRR Part 617), collectively referred to as SEQR, the Board of Trustees of the Village of Amityville makes the following findings.

This Findings Statement confirms that the Board of Trustees Village of Amityville has given due consideration to the GEIS prepared in conjunction with this action and the comments provided by the public and the Involved and Interested agencies. Further, this Findings Statement sets forth the facts and conclusions relied upon by the Board of Trustees to support its decision and indicates the social, economic and other considerations which form the basis thereof 6 NYCRR § 617.11(d).

Name of Action

Proposed TO (Transit Oriented) District & Greentek Living, LLC Transit Oriented Development

Description of Proposed Action (as modified¹)

The Proposed Action comprises the establishment of a new Transit Oriented (TO) zoning district that could potentially apply to properties within the vicinity of the Amityville LIRR train station and the Village of Amityville downtown commercial district. In addition, one site is proposed for rezoning to TO District. Specifically, the Proposed Action consists of the following:

- Amendment to Chapter 183 (Zoning) of the Code of the Village of Amityville to establish a Transit Oriented (TO) District, including:
 - An amendment to Chapter 183.1 of the Code of the Village of Amityville (Definitions and Word Usage) to add a definition for Floor Area Ratio;

¹ As a result of the comments received during the public comment period, the Board of Trustees has amended the Proposed Action from that presented in the DGEIS. The overall district boundary of the proposed TO District has been reduced from approximately 48 acres to 32 acres. This change was made following the concerns expressed by residents about the inclusion of residentially-zoned properties within the proposed TO District. As a result, these residential properties are no longer included within the proposed district boundary (approximately 58 properties).

- An amendment to Chapter 183.3 of the Code of the Village of Amityville (Establishment of Districts) to include the Transit Oriented District in the enumeration of districts;
- As a related action, an amendment to Chapter 144 of the Code of the Village of Amityville to modify signage regulations that will apply to the TO district;
- Amendment to the Village's Building Zone Map to rezone the ±2.44 acre GreenTek Living, LLC/R & S Realty Corp. (herein after referred to as GreenTek Living, LLC or GreenTek) property from Industrial District to the TO District;
- Development Incentive Bonuses pursuant to the TO Zoning for the GreenTek Living, LLC site;
- Site Plan Approval for the GreenTek Living, LLC property.²

SEQR Classification

Type 1

Location

Village of Amityville, Suffolk County, New York, within the area zoned Industrial District and generally bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west excluding any property that is currently within (fully or partially) the B Residence District, or partially within the Industrial District. Specific application of the TO District is proposed at the following location: GreenTek Living, LLC for an amendment of the Village Building Zone Map for one site (two lots) into such district (235 County Line Road, 124 Greene Avenue; respectively, Suffolk County Tax Map numbers 0101-003.00-03.00-026.002 and 0101-003.00-03.00-026.001).

Lead Agency

Board of Trustees of the Village of Amityville

Contact

Catherine C. Murdock, Village Clerk/Treasurer
Village Hall, 21 Ireland Place, Amityville, New York 11701
Telephone: 631-234-6000 Email: cmurdock@amityville.com

SEQR Review Process

The following steps have been or undertaken during this SEQR review process:

² The site plan is subject to the review and approval of the Village of Amityville Planning Board. The site plan for the Greentek site has been included in the Proposed Action considered in the GEIS. If there are no substantive changes to the site plan, no further SEQR review is required. The Planning Board will need to adopt findings prior to rendering a decision on the site plan application.

Environmental Assessment Form (EAF) – a Full EAF was prepared and submitted to the Board of Trustees in August 2017. The EAF provided preliminary analysis of the potential impacts associated with the Proposed Action.

Coordinated Review- the Board of Trustees contacted the Involved Agencies and indicated their intent to serve as the Lead Agency for the purposes of the SEQR process. A copy of the EAF was included with the coordinated review. No objections were received to the Board's intent to serve as the Lead Agency.

Positive Declaration- the Board of Trustees assumed Lead Agency status on September 25, 2017. At this time the Board also determined that the Proposed Action had the potential for significant adverse environmental impacts and required the preparation of Generic Environmental Impact Statement (GEIS) and issued a positive declaration for the Proposed Action (Resolution 17-09-25-01)

Draft Generic Environmental Impact Statement – a Draft Generic Environmental Impact Statement (DGEIS) was accepted as adequate and complete for the purposes of public review by the Board of Trustees on February 12, 2018 (Resolution 18-2-12-01).

Public Review and Comment Period- the Board established a public comment period beginning on February 16, 2018. The DGEIS was distributed to the Involved and Interested Agencies, posted to the Village website, and was made available for public review at Village Hall and at the Amityville Public Library. A notice of the acceptance of the DGEIS was published in the NYS Department of Environmental Conservation's Environmental Notice Bulletin. A public hearing was conducted on April 9, 2018, at an evening meeting of the Board of Trustees. The hearing was closed after all members of the public were given the opportunity to be heard. Written comments on the DGEIS were accepted for an additional ten days, through April 19, 2018. In total, the comment period extended for 63 days.

Final Generic Environmental Impact Statement– a Final Generic Environmental Impact Statement (FGEIS) was accepted by the Board of Trustees at a meeting held on June 11, 2018 (Resolution 18-06-11-02). The FGEIS provided information on revisions to the Proposed Action, additional SEQR information and also responded to all substantive environmental comments made on the DGEIS.

Findings Statement – a Findings Statement must be adopted Board of Trustees as Lead Agency no sooner than ten days and not more than 30 days after publication of the FGEIS. This document constitutes that statement.

Involved and Interested Agency Review

The following agencies Involved and Interested Agencies and were identified at the start of the SEQR process. They have received all required SEQR notices including the DGEIS and FGEIS.

Involved Agencies

Metropolitan Transportation Authority
Suffolk County Department of Public Works
Suffolk County Department of Health Services

Suffolk County Planning Commission³
Suffolk County Water Authority
Village of Amityville Planning Board

Interested Agencies

Village of Amityville Department of Public Works
Village of Amityville Building Department
Village of Amityville Police Department
Amityville Volunteer Fire Department
Amityville Union Free School District
Town of Babylon
Town of Oyster Bay
Nassau County Planning Commission
Long Island South Shore Estuary Reserve
Bay Village Civic Association

Copies of all notices as well as the draft and final GEIS were also sent to the following:

NYS Department of Environmental Conservation, Environmental Notice Bulletin
NYS Department of Environmental Conservation, Region One
Applicant/Petitioner (GreenTek)
Amityville Public Library

Regulatory/Approval Process

The following regulatory approvals will be required to finalize the proposed TO District, rezone the GreenTek site to TO District, and approve the redevelopment of the GreenTek site.

Village of Amityville: Board of Trustees, Planning Board

Amendment to Chapter 183 of the Code of the Village of Amityville for the adoption of TO Zoning
Amendment of the Village Building Zone Map to change GreenTek property to TO Zoning
Approval of petition for incentive bonuses based on community benefits
Site Plan
Building Permit
Stormwater Pollution Prevention Plan (SWPPP)

Suffolk County Water Authority

Approvals would be required from SCWA to modify the public water connection

³ A referral of the Proposed Action to the Planning Commission is mandatory but no other approvals or permits are required, except if there is an objection filed with the Commission by an adjacent municipality.

Suffolk County

Department of Health Services
Department of Public Works (Southwest Sewer District - SD-3)
Referral to Suffolk County Planning Commission

New York State

General Permit for Stormwater Discharge from Municipal Stormwater Sewer System (MS4)
State Pollutant Discharge Elimination System (SPDES)

ENVIRONMENTAL IMPACTS, MITIGATION AND FINDINGS

LAND USE, ZONING AND COMMUNITY CHARACTER/VISUAL RESOURCES

The area proposed for the TO District is currently developed with a mix of commercial, industrial and municipal/institutional land uses. In general, the uses reflect the zoning that is in place, which includes industrial and business district categories. It is likely that much of this zoning dates back to the implementation of a zoning code in the Village in 1930.

Industrial uses are concentrated on both the north and south sides of the LIRR tracks in the western portion of the proposed TO District. The site proposed for rezoning to TO District (GreenTek) represents the largest industrial use in the area. The next largest industrial use is the self-storage/auto repair facility located just north of the LIRR tracks in the eastern portion of the proposed district. Existing building space on these properties includes approximately 27,000 s.f. at GreenTek Living, LLC (including the ±1,800 s.f. historic building to remain); ±26,000 s.f. for the self-storage facility; and ±3,600 s.f. for the existing auto service shop. The GreenTek site also includes extensive outside storage of trucks and materials associated with the current business operation.

Commercial uses predominate in the east end of the proposed TO District in the vicinity of Broadway in the downtown area. These include retail stores, personal service establishments and restaurants.

Community services within the proposed district are primarily municipal uses - including the Amityville Public Library, Amityville Fire Department, Amityville Department of Public Works and surface parking areas for commuter and business district purposes. Public service uses within the proposed district include the LIRR station and a Suffolk County Water Authority facility.

The character of development surrounding the proposed TO District is mixed. A single family residential neighborhood exists to the north of the district in an area located east of County Line Road and south of Sterling Place. This area was originally included in the proposed TO District boundary but was subsequently removed from consideration. This area encompasses an area of about 16 acres and

includes about 58 properties and several local roads. Residential uses also exist along the north side of Sterling Place. To the east of the proposed district is the downtown commercial district of the Village. To the south is a mix of commercial uses and, to the south of that, residential uses predominate.

Impacts of Proposed Action

Of the approximate 32 acres of the proposed TO District, only two sites consisting of ± 2.44 acres and ± 1.87 acres were considered as potential development sites for the purposes of the GEIS. Of the two sites, only the GreenTek site was considered for its full development potential at this time and is the subject of a specific development application.

Development that would be possible due to adoption of the TO zoning are the 115 units of multifamily housing on the GreenTek site (along with the reuse of the historic Amityville Light and Power building for office purposes at ± 1800 s.f.) and the potential for another 65 units of multifamily housing on the self-storage/auto repair site. This site is not the subject of an application for the TO District at this time.

The change in land use that would accompany this action would be expected to have positive impacts on adjoining properties due to the enhanced synergy with nearby transit, the downtown revitalization component, and the expectation that new residential use would include new landscaping and sidewalk treatments. It is also noted that residential development would be more compatible with surrounding residential neighborhoods than the present industrial uses that exist.

It is noted that several regional studies have supported the development of higher density residential development in and around downtown commercial districts on Long Island. These include the Suffolk County Smart Growth Policy Plan and Shopping Centers and Downtowns, Suffolk County, New York, both prepared by the Suffolk County Planning Commission. The latter report specifically recommended that towns and villages "Encourage the development or redevelopment of higher density housing in and adjacent to downtown areas." More recently, the Suffolk County Master Plan entitled, Framework for the Future - Suffolk County Comprehensive Master Plan 2035, also strongly recommended higher density housing in downtown centers.

TOD in Amityville would also be consistent with recent local planning efforts including the work of the Village of Amityville Downtown Revitalization Committee and downtown plan sponsored by the Suffolk County Industrial Development Agency and prepared by the Regional Plan Association (2015).

The proposed project will serve as a key gateway to the Village – both from the Long Island Rail Road and for automobiles entering the Village at West Oak Street/County Line Road. The change in zone that would be required to redevelop either property would fit the character of the neighborhood and would help revitalize the Village downtown. The architectural style of the building would be in keeping with the "Bay Village" theme adopted by the Village. Landscaping and streetscape improvements would create a much more attractive built environment. The GreenTek property will retain the existing historic building at the corner of County Line Road-Greene Avenue (Amityville Power and Light Building), further adding to the positive context of the development in the community.

Mitigation

In order to encourage development in accordance with the TO Zoning, the Board of Trustees can approve zoning incentives or bonuses in exchange for specific physical, social, or cultural benefits or amenities. The community benefits or amenities are specified as follows:

- Public parking: municipal or public parking provided in addition to the minimum required on-site parking. Alternatively, monetary contribution to the creation or improvement of public parking elsewhere in the community.
- Open or park space: additional or passive open or park space available to the public. Alternatively, monetary contribution to the creation or improvement of open or park space elsewhere in the community.
- Infrastructure improvements: Infrastructure improvements above and beyond minimum requirements in the form of street furniture, lighting, pavers, plazas, and related public amenities, as well as improvements to sewer and water systems. Alternatively, monetary contribution to the creation or enhancement of similar improvements elsewhere in the community.
- Other facilities or benefits to the residents of the community, as determined by the Board of Trustees.
- Any combination of the above listed community benefits or amenities.

The incentives or bonuses are specified as follows:

- Increased residential density. The Board of Trustees may grant an increased residential density of up to 48 units per acre. The highest density shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
- Increased FAR. The Board of Trustees may grant an increased FAR of up to 1.75. The highest FAR shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
- Increased height. The Board of Trustees may grant an increased building height of up to four stories or 48 feet in height. Increased height shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
- Reduced parking requirements. The Board of Trustees may reduce the parking requirements for applications that demonstrate elevated transit usage, significant pedestrian and walkability amenities, and have a total lot area greater than two (2) acres.
- Modifications to other land development standards or dimensional requirements. The Board of Trustees, at its discretion, may modify other land development standards or dimensional requirements of the Code.

In order to obtain the incentives or bonuses an applicant must submit an application to the Board of Trustees which includes the following:

- A description of the incentive being requested.
- A description of the proposed community benefit or amenity.
- An estimate of the economic value of the proposed benefit or amenity to the public.
- A narrative statement which:
 - Describes the benefits to be provided to the community by the proposed amenity.
 - Demonstrates that adequate services and facilities exist in the community that could accommodate the additional demand that would be generated by granting the incentive or bonus.
 - Explains how the proposed amenity promotes implementation of physical, social, or cultural policies.
- Any additional information, as may be requested by the Board of Trustees.

Specific to the GreenTek site, the building design and site planning has been arranged to mitigate any adverse effects of the development on the community. The site layout is organized with the proposed multi-family residential building purposely located as a "cornerstone" building; prominently sited at the corner of West Oak Street and Burch Avenue. The interior wing of the u-shaped building is designed perpendicular to the LIRR to minimize building exposure to the train activity and to form an exterior courtyard amenity space framed on three sides by the building. The main entrance to the building is at the corner of West Oak Street and Burch Avenue. This highly visible corner is designed with an enhanced streetscape treatment including decorative hardscape, planters, bollards and lighting to "announce" the building entrance. The proposed project has been designed to reduce overall mass and bulk and to match the "Bay Village" architectural theme. Only a small portion of the proposed GreenTek project will reach four stories, with this portion containing 12 out of the 115 residential units.

Vehicle access is proposed off of Greene Avenue with on-site parking provided to the west of the building. The building entrance will be located off the main parking lot at the southwest corner of the building. The parking area has been designed to be completely screened from West Oak Street and primarily screened from County Line Road by the adjacent auto repair shop and the former Amityville Power and Light Building (located at the northwest corner of the property at County Line Road and Greene Avenue).

The following improvements and financial contributions have been offered by the applicant/petitioner for the GreenTek property:

- Preservation and restoration of the former Amityville Power and Light Building
- Contribution to a new pedestrian connection from the Amityville LIRR station to Broadway
- Contribution to the Village Fire Department
- Contribution to 9/11 Memorial Plaza
- Enhanced architectural façade treatments in the GreenTek development

The use of the TO zoning district is expected to have positive impacts on adjoining properties due to the enhanced synergy with nearby transit, the downtown revitalization component, and the expectation

that new residential use would include new landscaping and sidewalk treatments. Changes in the visual environment would be positive, and multi-family residential is consistent with downtowns and nearby commuter rail transit. New redevelopment would follow all landscaping and buffer requirements to minimize visual impacts.

Finding # 1:

The Proposed Action is not expected to result in any significant adverse impacts to land use, zoning or community character and visual quality. The proposed TO District is to be established as a floating zone that can be applied to property only within the area prescribed in the district boundaries and only submission of upon a parcel specific application and approval by the Board of Trustees. The standards for development within the proposed district will ensure that any development that occurs as a result of this action is appropriate to local and regional planning policies.

COMMUNITY SERVICES

Vital community services are currently provided to the properties within the proposed TO District. These include:

- Police- The proposed TO District is served by the Village of Amityville Police Department. The Police Station is located approximately 600 feet south of the proposed TO District boundary (about two blocks).
- Fire/Ambulance- The site is served by the Amityville Fire District. The main fire station for the Fire District is located within the proposed TO District area at is 55 West Oak Street. Relative to the GreenTek application, the fire station is about one quarter of a mile from the site.
- Schools- The proposed TO District is located in the Amityville Union Free School District. Relative to the GreenTek application, the current industrial use does not generate any students.

Impacts of Proposed Action

Community services would be required for new development that could occur in the proposed TO District. Based upon the analysis conducted in the DGEIS, the impacts of development associated with the two sites studied are not expected to be significant.

The Police Department indicated that they could serve the proposed development and it would not "adversely affect our ability to provide services to the residents of the Village."

The Amityville Fire Department also indicated that the Department could serve the proposed development.

With regard to potential impacts to the school district, new residential development at the GreenTek site has the potential to generate school-age children. The analysis provided in the GEIS examined various data sources to estimate the number of public school-age children that could reside at the

location. Based on this data, the number of children generated by the proposed project is anticipated to be quite low. The separate data sources examined provide multipliers of 0.017, 0.02, 0.025, 0.016, and 0.03. Applying these rates to the GreenTek project would yield an estimated range of two to 10 public school-aged children. At the top end, this would be an average of less than one child per grade level and is not anticipated to result in any significant impact to the school district.

Mitigation

The impact on community services is not expected to be significant. However, the applicant/petitioner for the GreenTek development has offered financial mitigation in exchange for certain development bonuses including \$25,000 for the Amityville Fire Department. In addition, when developed, the GreenTek site will be generating property taxes that contribute to public services at a much greater rate than the present use.

Finding # 2:

The Proposed Action is not expected to result in any significant adverse impacts to community services. Vital police, fire and emergency response services have sufficient capacity to accommodate the change in development that would be enabled under this proposal. Further, the potential impact to the school system is estimated to be less than one student per grade level and is deemed to be insignificant.

TRANSPORTATION AND PARKING

The proposed TO District is located in heart of the transportation network of the Village of Amityville. It is served by several transportation systems including excellent mass transit service. The proposed TO District is in immediate proximity to the Amityville LIRR train station and the downtown commercial district.

Existing transportation options include the following:

Rail service-The Amityville LIRR train station is located in the center of the proposed TO District. The station is a few hundred feet west of Broadway/Route 110, the main commercial street of the Village. The station provides rail service that connects to employment centers in Hicksville, Mineola and New York City including Queens, Brooklyn and Manhattan. According to the 2012-2014 LIRR Origin Destination Report, Amityville is the 2nd most popular of the Suffolk County stations on the Babylon line.

Bus service- The railroad station is a hub for several bus routes in the area. This includes the Nassau Inter County Express (NICE) N54 and N55 lines and the S 1 and S 20 Suffolk County Transit System routes.

Future Bus Rapid Transit (BRT) - The Town of Babylon commissioned a Route 110 BRT study and Alternatives Analysis, which were completed in 2015. The recommended BRT would begin at the Amityville LIRR station and parallel the S1 bus route, providing limited-stop service with dedicated bus lanes, transit signal priority, and other rider amenities. While the system is not yet in operation, it is noted as a significant future transportation option that could benefit the proposed TO District.

Highway/road- Downtown Amityville and the train station are also convenient to several major highways including the Route 110 corridor, Montauk Highway/Merrick Road, Sunrise Highway, Southern State Parkway and the Long Island Expressway.

Because of the close proximity to two frequent, high-ridership transit modes, the two potential redevelopment sites and the proposed TO district fit the definition of "transit-oriented."

The two sites examined as part of this GEIS are currently developed with industrial/commercial uses. The Greentek site in particular generates extensive truck traffic along with employee vehicle traffic. The self-storage facility is a relatively low traffic generator.

The GreenTek site currently contains limited on-site parking. The parking is not functional for the proposed development and will be redeveloped as part of the site reconstruction.

Impacts of Proposed Action

The GreenTek rezoning would reduce overall traffic by roughly 37 to 59 trips during the weekday AM and PM peak hour periods. Additionally, the existing industrial site has fifty (50) trucks and trailers entering and exiting throughout the day, whereas residential apartments and a small office use will generate almost no truck traffic on a regular basis.

This site will satisfy TO code requirements for parking with 138 parking spaces provided. Based on national and local data sources, the rate of parking required for the proposed GreenTek development is expected to be sufficient.

There is no site plan yet for the other eligible property, but the site plan will be developed to satisfy required parking, and the trip increase will be negligible (8 to 19 trips per hour).

Parking for the GreenTek site will be provided in accordance with the requirements of the proposed TO District code. This is in line with national and local studies that reflect counts at fully/nearly fully occupied existing multi-family TOD.

Mitigation

For the GreenTek site, trip generation will be substantially reduced from the existing traffic levels. As such, traffic mitigation measures are not necessary. With regard to parking, the applicant/petitioner for the GreenTek site will provide 138 spaces of parking to Village construction standards.

The site will have new sidewalks along the street frontage and will be walkable to the shops, restaurants, banks, library, Post Office, as well as park, and religious uses in the Village's downtown. The downtown is within a five-to-ten minute walk (with shorter travel time via bicycle). The proposed TO district would also provide the opportunity for Complete Streets improvements such as bicycle parking, sharrows lane markings, and related signage, which would dovetail with pedestrian signal improvements that Suffolk County Department of Public Works (DPW) is implementing on County Line Road and Oak Street.

Finding # 3:

The Proposed Action is not expected to result in any significant adverse impacts to the transportation systems or parking facilities within the Village. To the contrary, the amount of traffic generated from the Proposed GreenTek development is estimated to be significantly less than the traffic generated from the existing industrial use of the site. The traffic increase from the self-storage/auto repair use is estimated to be very minor and insignificant.

INFRASTRUCTURE AND UTILITIES

The infrastructure and utilities necessary to support the development projected in the GEIS was closely examined. This included an evaluation of services for water supply, wastewater disposal, solid waste, electric and natural gas. Infrastructure also includes roads and drainage as well as the capital improvements for the mass transportation systems. These items are addressed in the Transportation section of the GEIS where it was observed that traffic generation from the GreenTek site would be substantially reduced as a result of the Proposed Action compared to the existing use. The physical improvements required where the site interfaces with the public road system (sidewalks, curbs, drainage, tie-in asphalt, landscaping, lighting, etc.) will be improved to the standards of the Village or Suffolk County, depending on the location and jurisdiction. This will be fully addressed as part of the site plan review process by the Village of Amityville Planning Board.

It is important to note that the land within the proposed TO District is already developed and serviced with extensive infrastructure and utilities. These include the following:

- Public water supply and distribution infrastructure including fire hydrants
- Sewer district collection and treatment facilities
- Electrical grid service
- Natural gas supply and distribution infrastructure
- Solid waste collection and disposal services and facilities
- Roads and drainage- Village-owned and County
- Public parking

- Railroad infrastructure with grade-separated, electrified service and a passenger station within the TO District
- Bus service infrastructure including signage and shelters

Public water supply mains and associated hydrants and valve infrastructure are located on all perimeter roadways (i.e., County Line Road, Oak Street, Burch Avenue and Greene Avenue). Proposed domestic and fire services are anticipated to be connected to an existing water main on either Greene Avenue or Burch Avenue. The design intent is to not disturb the newly constructed Oak Street right-of-way or the County Line Road right-of-way.

The entire Village is in the Southwest (SD-3) sanitation district; wastewater is handled via the Suffolk County sewer system, which conveys wastewater to the Bergen Point Wastewater Treatment Plant (WWTP), located outside of the Village in the hamlet of West Babylon. Sewer connection for the proposed multi-family residential building is anticipated to occur on Burch Avenue where an existing sewer main and associated infrastructure is located.

The Town of Babylon handles garbage collection in the Village. Household garbage would be picked up at the same interval as the rest of the Village. Based on facility records, the GreenTek site produces approximately 4,260 cubic yards of solid waste per year. Using a rate of 150 pounds/loose cubic foot of solid waste, this equates to approximately 750 pounds per day.

For the self-storage/auto-repair site, solid waste generation was estimated based on generation rates published by the National Solid Waste Management Association. Approximately 510 pounds of solid waste per day is generated at this location. As such, the total estimated amount of solid waste is 1,260 pounds per day under existing conditions.

Impacts of Proposed Action

Water consumption by the proposed action is estimated at 36,075 gallons per day, which is approximately 34,475 gallons per day over existing use on the site. The proposed project may have a minor impact on ground water and would be mitigated by the measures detailed below. It is anticipated that the Suffolk County Water Authority has the capacity to supply water for the proposed action.

Wastewater flow is anticipated to be roughly equal to water consumption - approximately 36,075 gallons per day of wastewater.

Solid waste generation is estimated at four (4) pounds per bedroom per day. The proposed action would therefore generate an estimated 796 pounds per day of solid waste (199 bedrooms x 4 pounds per bedroom day), which is a significant decrease compared to existing conditions (estimated at 1,260 pounds per day).

Electricity and natural gas use are anticipated to increase as a result of the development. As the engineering design of the building is advanced, load letters will be furnished to National Grid and PSEG-

LI for coordination of service connection(s). It is anticipated that National Grid and PSEG-LI have the capacity to serve the proposed development.

Mitigation

Both water usage and sewage flow would be moderated through the use of the water conservation methods. For landscaped areas, the irrigation systems would be tied to moisture sensors and timers set for early morning use to reduce evaporation losses. A combination of high efficiency irrigation rotor heads and drip irrigation loops would be used wherever practical to reduce evaporative losses and soil erosion. Native and drought-tolerant plants would be used where possible to reduce irrigation water needs. Additionally, the use of a mulch layer would conserve moisture in the planting bed areas. Water conservation techniques will be incorporated into the design of the kitchens and bathrooms including low-flow showerheads, faucets, and toilets in accordance with the current building codes. Roof collection systems would return rainwater to the ground through the use of dry wells. Sanitary wastewater discharged from the residential units would be connected to the public sewer system.

Solid waste will be stored in containers in a screened and fenced area. Residents are will be encouraged to participate in Town-sponsored paper, plastic, metal and glass recycling.

To reduce overall electricity and natural gas demand and use, modern energy efficient building materials and energy conservation would be incorporated into the design of the apartments. The apartments would utilize gas heating. Energy efficiency measures would include:

- High efficiency heating/cooling equipment that utilizes environmentally friendly refrigerants
- Programmable thermostats
- Energy Star products/appliances
- Low wattage/fluorescent light bulbs
- Sensor operated light switches
- High R-value insulating materials for building envelope, glass, ductwork, piping, etc.
- High efficiency domestic hot water storage equipment.

Finding # 4:

The Proposed Action is not expected to result in any significant adverse impacts on infrastructure and utilities. The TO District is located in an area of the Village that is extensively developed and is well serviced with the infrastructure necessary to support the development that may result from the development that may result from the implementation of the TO District.

WATER RESOURCES

Nassau and Suffolk counties utilize groundwater as the only source of drinking water. The proposed TO District is located within Hydrogeologic Zone VII, which is characterized by shallow groundwater flow that discharges to streams and bays and has more of a direct impact on these surface waters. Discharges into this system would not impact the deeper aquifers that are typically utilized for water supply. There are no Special Groundwater Protection Areas located within the proposed TO District, which is also outside the 500-year floodplain.

Based upon the USGS Hydrologic Conditions Maps for Long Island, NY, 2013, groundwater is estimated to be approximately 11-20 feet beneath the TO District area, similar to most of the Village.

The area in the proposed TO District is almost entirely impervious, with commercial-industrial buildings, roads and paved parking areas. Stormwater storage for portions of the area is collected in an existing on-site collection system that consists of a series of drainage inlets piped to on-site drywells or open inlet drywells which provide on-site storage and recharge of stormwater. The remainder of the property directs stormwater offsite, which is ultimately collected in the County drainage system.

Impacts

Impacts to groundwater include increased withdrawals from the Babylon District of the Suffolk County Water Authority and impacts from stormwater runoff. The GreenTek project would result in increased withdrawal of groundwater.

Site development will decrease each site's impervious surface. The proposed GreenTek multi-family development would introduce approximately 10,180 square feet of landscaped area (roughly 11% of site area) to a site that is almost entirely comprised of impervious surfaces. However, runoff from new paved areas may carry contaminants such as metals, petroleum hydrocarbons, sand, salt, and other compounds. Runoff from non-vehicle areas (mainly roofs) would be relatively clean. Stormwater could lead to erosion and sedimentation if not properly controlled.

Mitigation

Based on the proposed TO zoning ordinance, the proposed redevelopment will increase the amount of on-site vegetation, which will increase the ratio of pervious area (grass, shrubs, or other plantings) and improve stormwater recharge.

New drainage systems will be sized to store a three (3)-inch rainfall event. Roof and parking lot drainage will be directed to drywells. A Stormwater Pollution Prevention Plan (SWPPP) will include Erosion and Sediment Control Plans with specific measures to minimize stormwater impacts.

Stormwater runoff will be collected on-site, stored and recharged into the underlying sandy subsurface conditions soils. With relatively shallow groundwater conditions (11-20 feet), shallow dry well structures maintaining a two-foot separation to existing groundwater will be utilized across the parking lot area to provide the design storage (three-inch rainfall event) for both impervious (i.e., roof, walkways, asphalt parking area, etc.) and pervious surfaces (i.e., landscape planting areas, lawn/turf

areas, etc.). Roof runoff will be piped directly to subsurface dry well structures. Catch basins and area drains will be utilized within the parking lot, courtyard and landscape areas to collect storm runoff which will be piped to the dry wells. Detailed drainage calculations and verification of depth to groundwater will be provided as part of the engineering plans for the proposed apartments.

The proposed stormwater management approach incorporates green infrastructure components to augment the on-site storage and to provide storm water quality treatment prior to be discharged into the dry wells and/or the ground. Vegetated bio-swales will be utilized within the parking lot medians. Storm runoff will be conveyed into the bio-swales where the vegetation will filter the storm water resulting in nutrient reductions prior to ground water recharge. In a similar manner, a vegetated rain garden and bio-swale will be utilized within the exterior courtyard space to provide stormwater filtration prior to ground water recharge.

No storm runoff from the property will be directly off-site into any of the perimeter roadways.

Finding # 5:

The Proposed Action is not expected to result in any significant adverse impacts to water resources and will further the protection of water quality through improved storm water run-off improvements. The location of the TO District in an area that is not subject to any special water protection requirements (e.g., Special Groundwater Protection Area, FEMA flood hazard zones, tidal and freshwater wetlands) affirms the suitability of the area for development from a water resources perspective.

SOCIOECONOMIC

The impact of the Proposed TO District on property tax revenues was considered in the GEIS. This was done to ensure that the proposal is sustainable in terms of the municipal fiscal impact when compared to the industrial uses that currently occupy the area. In addition, the impact of the proposal on real estate values in the area was also considered.

The analysis primarily focused on the Greentek application since it the subject of an application for an amendment to the Building Zone Map and since it represents a defined example of the type of development that could occur in the TO District. The self-storage/auto use was included in the GEIS analysis but no development applications and plans are pending at the present time.

The two potential parcel combinations that could be redeveloped under the TO zone currently pay property taxes to the Village of Amityville and the Town of Babylon (some of which is then directed to other taxing jurisdictions). The existing self-storage site (24 Sterling Place) is currently receiving financial assistance through the Town of Babylon Industrial Development Agency (IDA). The IDA's assistance program began in 2013 and is scheduled to last through 2026.

For the GreenTek site, the tax revenues for the latest available reporting period (2016-2017) brought \$24,288 in to the Village of Amityville and \$85,898 to the Town of Babylon. Approximately 81% of the Town of Babylon tax revenue, or \$69,684, goes to the Amityville Union Free School District.

The DGEIS included a report prepared by a professional real estate appraiser. The purpose and intended use of the report was to study any possible adverse effects the proposed application and TOD Project will have on real estate values in the surrounding community.

Impacts of Proposed Action

The existing self-storage/auto repair site (located at 24 Sterling Place) is receiving tax abatement assistance from the Town of Babylon Industrial Development Agency (IDA) through 2026. As such, it is anticipated that taxes from this property will remain consistent with the PILOT schedule established for the property in 2013.

GreenTek has had preliminary consultations with the Town of Babylon IDA, including a proposed 20-year PILOT (Payment In-Lieu of Taxes). The PILOT is essential to securing the necessary bank financing for a construction loan, ultimately providing for a feasible project. In Year 1, the Village would receive approximately 2½ times the revenue from the GreenTek site as it would without the TO zoning. This would increase to a factor of approximately 6 times the Village revenues in Year 20. The 2016-2017 Village taxes were \$24,288, whereas GreenTek would provide \$62,806 in Year 1.

At the end of the PILOT abatement period, each subsequent year, the amount of taxes paid will continue to increase, with proposed taxes totaling an estimated \$823,594 in Year 20.

With regard to possible adverse effects on real estate values (based on the expert real estate information provided), "...the GreenTek application will not negatively affect property values in the surrounding area and will not have any adverse effect on the character of the neighborhood or the pattern of its development. In fact, approval of the Application will likely lead to a revitalization of the immediate neighborhood and beyond within the Village of Amityville, and influence property values in a positive manner."

Mitigation

The GreenTek Petition to the Village (see Appendix F of the DGEIS) includes additional payments to the Village and to Village entities (e.g. Fire Department) in excess of Village taxes.

Finding # 6:

The Proposed Action is not expected to result in any significant adverse impacts to municipal finances nor to the value of residential properties in the area. Further, the Proposed Action is anticipated to

provide positive growth in municipal revenues and to the economic strength of the downtown commercial district.

CONSTRUCTION IMPACTS

The GEIS considered the impacts of construction within the proposed TO District and focused on the GreenTek site, the only parcel proposed for development under the TO District at this time. Construction impact effects for other developments proposed in the TO District would have to be assessed more specifically at the time of application.

As previously noted, the GreenTek site is currently developed and the existing buildings and site improvements would be removed. The only exception would be the former Amityville Power and Light Building that will remain on site. According the applicant/petitioner's Phase 1 Environmental Site Assessment (ESA), the buildings consist of a main building that was constructed about 1910 and expanded in 2007 for commercial purposes. The converted office building was originally constructed as a garage and converted into offices circa 1995. The workshop building was constructed in about 1957 as a mechanic shop for repairs.

The GreenTek property could be redeveloped in a single phase that could be completed in approximately 18 months and would occur in the following order:

- Demolition and site clearance will occur during the first three months.
- Excavation and foundation work is scheduled to occur from 3 to 6 months.
- Structural framing is scheduled to occur from 6 to 9 months.
- Building enclosure and the interior fit-out is scheduled to occur from 9 to 15 months.
- Site and landscape development is scheduled to occur from 15 to 18 months.

The schedule is subject to change as a result of weather-related delays and other unforeseen events. The specific construction timeframe will not impact the findings in the GEIS.

A Phase I Environmental Site Assessment (ESA) was conducted at the GreenTek site to identify any existing or potential environmental contamination liabilities on the property. A Phase I ESA is used to identify any Recognized Environmental Conditions (RECs), which are defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The Phase I ESA performed at the GreenTek site noted the following RECs:

- Historical usage of the Subject Property for petroleum storage/distribution and auto repair
- Possible discharge of contaminants into on-site drywells and possible residual contamination within recently-cleaned structures
- Former USTs and current USTs/ASTs

De Minimis RECs

- Suspect ACMs, LBPs, and PCBs

Impacts of Proposed Action

Future construction would have short-term environmental impacts which can include soil erosion, noise, traffic disruption, and dust, similar to any construction project. Noise and vibration would be generated from construction and worker traffic, heavy equipment operation, and delivery vehicles. This would include potential impacts for construction work on the GreenTek site and adjacent public right-of-way for improvements such as roads, sidewalks, curbs, drainage, etc.

These activities, are short-term, intermittent in nature, and largely contained on site, and would cease when construction was completed.

Mitigation

All construction will abide by the Village noise ordinance which prohibits "drilling, earthmoving, excavating, or demolition work between the hours of 8:00 p.m. and 7:00 a.m. the following day on weekdays or at any time on weekends or legal holidays." Because the proposed TO district applies to parcels above one acre in size, a Stormwater Pollution Prevention Plan (SWPPP) will be utilized to control erosion and minimize the transfer of site debris onto local roads. Erosion and Sediment Control elements may include silt fences, hay bales, a gravel or crushed-stone construction entrance/exit with a wash-down area, and/or sandbags to protect inlets. Maintenance and Protection of Traffic (MPT)/Work Zone Traffic Control (WZTC) plans will be implemented to ensure continued two-way vehicle and pedestrian access in the area. Typical MPT elements include wayfinding and advance lane/shoulder closure signage, construction fencing, and barricades (possibly with flashing beacons/temporary lighting).

A wide variety of measures can be used to minimize construction noise and reduce potential noise impacts. In addition to complying with local ordinances regarding construction schedule, during each phase of construction at the project site, the following measures will be implemented to control construction noise and vibration levels:

- All contractors and subcontractors will be required to properly maintain their equipment and have the appropriate manufacturer's noise reduction devices, including but not limited to a quality muffler that is free of rust, holes, and leaks.
- Use specially-quieted equipment, such as quieted and enclosed air compressors and properly-working mufflers on all engines.
- Noisy equipment, such as generators, cranes, trailers, concrete pumps, concrete trucks, and dump trucks, will be located away from and shielded from noise sensitive receptor locations.
- Site equipment on the construction lot as far away from noise-sensitive sites as possible.

- Construct noise barriers, such as temporary walls or piles of excavated material, between noisy activities and noise-sensitive receivers.
- Construct walled enclosures around especially noisy activities or clusters of noisy equipment. For example, loaded vinyl curtains can be erected.
- Combine noisy operations to occur in the same time period. The total noise level produced will not be significantly greater than the level produced if the operations were performed separately

Based upon the findings of the Phase 1 ESA, three RECs and one de Minimis REC were identified. Given the intended use of the GreenTek site (multi-family residential housing), a Phase II ESA will be required to determine the extent of the identified RECs (through additional sampling), as well as the development of a more advanced monitoring plan and if needed, remediation plan. The Phase II ESA and associated mitigation measures will be performed with multi-family residential use as the intended use of the property, ensuring that the site meets/exceeds all requirements for residential use.

Finding # 7:

The Proposed Action is not expected to result in any long- term, significant adverse impacts to the use, value and enjoyment of the neighboring area to the TO District as a result of construction activity associated with the development of individual sites. A Phase II ESA will be required to determine the extent of the identified RECs (through additional sampling), as well as the development of a more advanced monitoring plan and if needed, remediation plan

ALTERNATIVES

Three alternatives were evaluated in the GEIS. These include the No Action alternative, the Proposed Action alternative and a redevelopment alternative based on the existing zoning. The alternatives are described as follows:

- No Action- Continued use of the existing industrial uses;
- Proposed Action- Rezoning that would permit owners of selected parcels to rezone. Two potential parcel combinations could yield 115 apartments and $\pm 1,800$ square feet of professional office space (GreenTek site) and 65 apartments (current self-storage/auto service site);
- Alternative 1- Redevelopment at the GreenTek Living, LLC site and the existing self-storage/auto service site with uses permitted in the Industrial District. For the Greentek site this was 25,000 square feet of industrial space, 10,000 square feet of office space, and 2,500 square feet of convenience retail space.

Table 1 on the next page provides a summary comparison of the impacts of each alternative.

Table 1: Comparison of Alternatives

Description	No Action	Proposed Action	Alternate 1
POTENTIAL IMPACT	Existing Industrial (construction, self-storage, auto service)	115 apartments & 65 apartments on two sites	Existing and New Industrial (25,000 square feet of industrial space, 10,000 square feet of office space, and 2,500 square feet of convenience retail space)
Land Use	Industrial	Apartments	Industrial/Office/Retail
Zoning	Industrial	Transit Oriented (TO)	Industrial
Community Character: Compatibility with the adjacent land uses	No Change	Compatible with transit and downtown revitalization	No Change
Improve the visual appearance	No Change	Improve visual appearance	No Change
Landscaping	No Change	Increased landscaping	No Change
Industrial truck and vehicular traffic	No Change	Reduced Truck Traffic, Reduced Traffic	Little to No Change
Air Quality	No Change	Improvement	No Change
Noise	No Change	Less noise	Similar noise
Topography	No Change	Regrading	Regrading
Water Resources	No Change	Improved Stormwater Management	Little to No Change
Schoolchildren Range	0	2-10	0
New AM Peak Hour Trips	0	Decrease of 37 to 47	103
New PM Peak Hour Trips	0	Decrease of 46 to 59	46
Truck Trips	No increase	Decrease of up to 50	No significant increase
Taxes / Economic Impacts	No increase in tax revenues	Village revenues would be $\pm 2\frac{1}{2}$ times the baseline tax amount without the TO zone, starting in Year 1	No significant increase in tax revenues

No Action Alternative

The two sites examined in the GEIS are both zoned Industrial. The sites are currently developed with the Greentek site used as an industrial facility with industrial-type buildings and the outside storage of

trucks and materials. The self-storage/ auto repair site is used for those specific purposes. The No Action alternative assumed that both sites would continue to be used as they are presently with no changes.

The No Action Alternative continues a land development pattern that dates back over 100 years and is characterized by a visual appearance of large, high-bulk buildings as well as smaller industrial/commercial uses. The perpetuation of the status quo that is represented by the No Action alternative is contrary to the interests of the Board to:

- encourage the upgrading of properties in this area and to also provide opportunities for transit-oriented residential development on sites that are suited to such use;
- improve the visual image of the Village at this gateway location- the portals represented by the many arrivals via the LIRR train station and the thousands of drivers a day that enter the Village on West Oak Street;
- Encourage positive economic expansion in the Village, especially in the downtown commercial district;

This alternative would not advance the long-term planning interests of the Village as represented by the proposed TO District.

Proposed Action Alternative

The Proposed Action reflects the alternative that is the subject of the current matter pending before the Board of Trustees. The action involves an amendment of Chapter 183 (Zoning) of the Code of the Village of Amityville and, for the GreenTek site, an amendment of the Village Building Zone Map, approval of development bonuses and a site plan.

As noted, the amount of development that could occur is a maximum of 115 residential apartments and ±1,800 square feet of professional office space (GreenTek site) and 65 apartments (current self-storage/auto service site).

While the alternative would provide have a slight impact on the school district population, that impact is not significant. The remaining impacts are almost universally less than the impacts of the other alternatives.

Alternative 1

Alternative 1 assumes no change of the current Industrial District zoning category but looks at a redevelopment option based on that classification. In considering this alternative, it is important to note that Industrial District is structured in a permissive manner that allows any lawful use of a property except those uses specifically prohibited. As such, there are many uses that would be allowed in the district.

For the analysis of the GreenTek site, it was estimated that the property could be utilized for approximately 25,000 square feet of industrial space, 10,000 square feet of office space, and 2,500

square feet of convenience retail space. Such a redevelopment would require permits from the Village and from other agencies depending on the precise nature of the site development.

According to the ITE *Trip Generation* manual, this alternate would generate 186 AM trips and 150 trips during the PM peak hour. See Table 2 below.

Table 2: Alternative 1 Traffic Generation

	7-Eleven 2,500 s.f.	25,000 s.f. Industrial	10,000 s.f. Office	Total Alternative	Existing LandTek	Proposed TO Yield
AM Peak Hour Enter	78	16	10	104	63	9 to 10
AM Peak Hour Exit	78	2	2	82	20	24 to 33
AM Peak Hour Total	156	18	12	186	83	33 to 43
PM Peak Hour Enter	63	2	2	67	8	25 to 34
PM Peak Hour Exit	60	12	11	83	96	16 to 20
PM Peak Hour Total	123	14	13	150	104	41 to 54

The alternative could involve similar operations to the current use of the property (LandTek): employees come in the early morning, and many are assigned to drive the fleet of vans/trucks for warehouse distribution or similar activity during the day. At the end of the work shift, the vans/trucks are parked on-site overnight. There would also be room for open yard storage for heavy equipment, similar to what LandTek does today. It is realistic to expect up to an 8% truck component for peak hour trips for as of right light industrial uses, with 10-13% trucks over the course of a weekday (24 hours). The daily percentage is higher because truck trips are often made outside typical peak hour periods.

Therefore, the office/warehouse component of the alternative could maintain similar high percentages of truck traffic and ongoing in-and-out traffic as the current LandTek operation, and the overall alternative including the convenience store will generate significantly more overall trips than LandTek.

Compared to the alternative, the potential TO District represents approximately 75% fewer AM trips and 67% fewer PM trips, with little off-hour activity and noticeably reduced truck trips.

Conclusion

Based upon the analysis herein and summarized in Table 1, the Proposed Action Alternative and the redevelopment of the GreenTek site are not expected to have significant impacts on the environment. Overall, the Proposed Action provides a number of benefits, including adding a housing type not available in the Village, significant increase in tax revenues, visual/aesthetic enhancements to a Village

gateway, and a potential catalyst to downtown revitalization with minimal impact on the local school system, community services and infrastructure/utilities.

FUTURE ACTIONS

Future development under the TO District would be required to comply with SEQR procedures and requirements. Title 6, New York Code of Rules and Regulations ("6 NYCRR") Part 617.10(d) states, in pertinent part:

(d) When a final generic EIS has been filed under this part:

(1) No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;

(2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;

(3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;

(4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

For the purposes of this GEIS, the threshold of development considered includes the following:

GreenTek site- up to 115 apartments (38 studios, 65 one-bedroom, 12 two-bedroom) and ±1800 s.f. for office use within the former Amityville Power and Light Building.

Self-Storage and Auto Service site- up to 65 apartments (21 studios, 37 one-bedroom, 7 two-bedroom). If a proposal is submitted to the Board of Trustees for a TO District designation of this assembled site (two separate contiguous tax lots), the partial review included in the DGEIS would be subject to the submission of specific site development plans and to enable the Village to determine the need for any additional SEQR review.

SEQR FINDINGS STATEMENT SIGNATURE PAGE

Certification to Approve/Undertake

Having considered the Draft and Final Generic Environmental Impact Statements for the Proposed Action (as modified) and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that the Board of Trustees as Lead Agency in the subject matter has:

- considered the relevant environmental impacts, facts and conclusions disclosed in the SEQRA documents;
- weighed and balanced relevant environmental impacts with social, economic and other considerations;
- provided a rationale for the agency's decision;
- met the requirements of 6 NYCRR Part 617; and
- found that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Subject Action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures and safeguards that were identified as practicable.

By the Board of Trustees of the Village of Amityville, New York,

Signature of Responsible Official

Denis M. Siry
Name of Responsible Official

Mayor
Title of Responsible Official

Date

Copies of this Findings Statement have been filed with the NYS Department of Environmental Conservation, Involved and Interested Agencies, GreenTek Living, LLC