

**CALENDAR**  
**for**  
**REGULAR MEETING OF THE COUNCIL**  
**of the**  
**CITY OF LONG BEACH**  
**held**  
**JANUARY 7, 2020**

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**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.

1. Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Adoption of an Amendment to the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning, Determining the Action Classified as a Type I Pursuant to SEQRA and Adopting a Negative Declaration.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.

Legislative Memo: In order to expand economic development opportunities and increase affordable housing within the North Park Neighborhood, it is the desire of the City Council to add a Section to Appendix A-Zoning, entitled “North Park Affordable Housing Overlay District”. The overlay district will permit the construction of new two family homes with one unregulated unit and one unit restricted to families that are at or below 100% of the HUD average median income (“AMI”) for the Nassau/Suffolk area. Rents of the regulated unit are proposed to be no more than 80% of the fair market rent as determined by HUD annually, which would include utilities.

3. Resolution Authorizing Settlement of an Action Brought by Jennifer Hall Against the City of Long Beach, et al.

Legislative Memo: This Resolution authorizes settlement of a personal injury case. The Office of the Corporation Counsel recommends settlement of this matter and has notified the City Council of the specifics in a confidential legal memo.

4. Resolution Authorizing Budget Amendment to the General Fund Budget for the 2019-2020 Fiscal Year.

Legislative Memo: This item appropriates the funds donated by the Honorable Harvey Weisenberg for the purchase of a Post Clock to be placed in front of the Long Island Rail Road Station.

5. Resolution to Appoint a Temporary Audit Committee and Audit Committee Charter Drafting Team

January 7, 2020

Item No. 1  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Adoption of an Amendment to the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning, Determining the Action Classified as a Type I Pursuant to SEQRA and Adopting a Negative Declaration.

WHEREAS, in order to expand economic development opportunities and increase affordable housing within the North Park Neighborhood, it is the desire of the City Council to add a Section to Appendix A-Zoning of the City’s Code of Ordinances, entitled “North Park Affordable Housing Overlay District”; and

WHEREAS, the proposed action is classified as Type I pursuant to the New York State Environmental Quality Review Act (“SEQRA”) for which the City Council of the City of Long Beach is the only involved agency and therefore it is appropriate for the City Council of the City of Long Beach to act as the Lead Agency for the purposes of SEQRA; and

WHEREAS, the City Council of the City of Long Beach, as Lead Agency, has reviewed the provisions of SEQRA as related to the proposed action and the potential impacts and the magnitude and importance of potential impacts and benefits have been considered and a Negative Determination was recommended as the proposed action will not have a significant adverse environmental impact requiring the preparation of a Draft Environmental Impact Statement (“DEIS”); and

WHEREAS, the City Council of the City of Long Beach, hereby determines that the proposed action is desirable, and is in the public interest;

NOW, THEREFORE, BE IT

RESOLVED, that the City Council of the City of Long Beach hereby declares itself Lead Agency and adopts the annexed SEQRA Negative Declaration pursuant to the State Environmental Quality Review Act.

**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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: North Park Affordable Housing Overlay District (NPOD), City of Long Beach, NY		
Project Location (describe, and attach a general location map): s/o E. Pine St.; e/o Park Pl.; w/o LB Blvd; n/o E. Market St. & E. Chester St. incl. residential lots fronting on s/s E. Market & E. Chester (see attached map)		
Brief Description of Proposed Action (include purpose or need): The proposed action involves an amendment to the City of Long Beach Zoning Code creating the North Park Affordable Housing Overlay District (NPOD). The purpose of the proposed NPOD is to: a) permit and encourage the redevelopment of vacant and/or deteriorated residential properties within the North Park Neighborhood to improve the character of the area; remove vacant, incompatible, underutilized and marginal structures which are poorly maintained and have a blighting influence on the surrounding area; and promote additional affordable housing opportunities which do not currently exist in this area. b) encourage local investment and orderly redevelopment of legally existing undersized lots by incentivizing the combining of adjacent substandard lots for the purpose of creating suitably sized residential lots; c) provide the dimensional zoning standards to create a mix of affordable and market rate one-family, two-family, and multifamily housing; d) support efficient residential development that provides adequate space, density, building height, access, and parking, and improves the developed character of the area and quality of life for residents; e) ensure that future residential developments provide sufficient access to light and air and a safe and healthy living environment. The NPOD Study Area roughly encompasses the parcels east of Park Place, south of East Pine Street, west of Long Beach Boulevard and north of the Stop and Shop Plaza and the residences on the south side of East Chester Street.		
Name of Applicant/Sponsor: City Council of the City of Long Beach, NY c/o Greg Kalnitsky		Telephone: (516) 431-1003
		E-Mail: gkalnitsky@longbeachny.gov
Address: City of Long Beach City Hall, 1 West Chester Street		
City/PO: Long Beach	State: NY	Zip Code: 11561
Project Contact (if not same as sponsor; give name and title/role): See contact information above		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): N/A Multiple private property owners in the North Park section of Long Beach		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:



FIGURE 1  
LOCATION MAP

Source: ESRI Web Map Server  
Scale: 1 inch = 450 feet



Proposed City of Long Beach  
North Park  
Affordable Housing  
Overlay District





**FIGURE 2**  
**PROPOSED OVERLAY DISTRICT BOUNDARY**

Source: NYS Orthophotography, 2016; Nassau County GIS Data  
 Scale: 1 inch = 150 feet

NYS ITS GIS Program Office, Esri, HERE, Garmin, (c) OpenStreetMap contributors



Proposed City of Long Beach  
 North Park  
 Affordable Housing  
 Overlay District



**Legend**

- - - Proposed Overlay District Boundary
- 1 Family
- Vacant Land

**FIGURE 3**  
**POTENTIAL REDEVELOPMENT PARCELS**

Source: NYS Orthophotography, 2016; Nassau County GIS Data  
 Scale: 1 inch = 250 feet



Proposed City of Long Beach  
 North Park  
 Affordable Housing  
 Overlay District



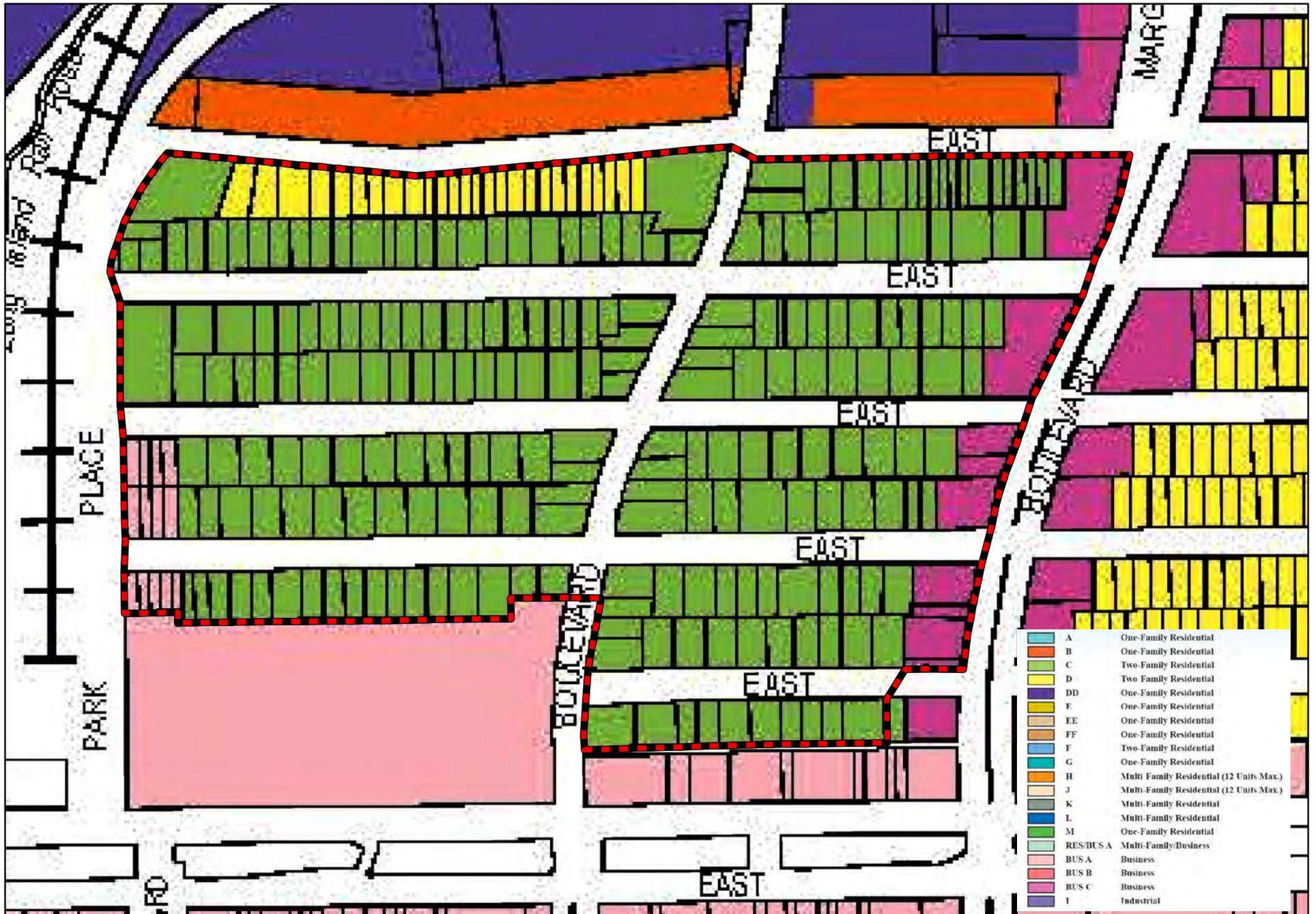


FIGURE 4  
ZONING MAP

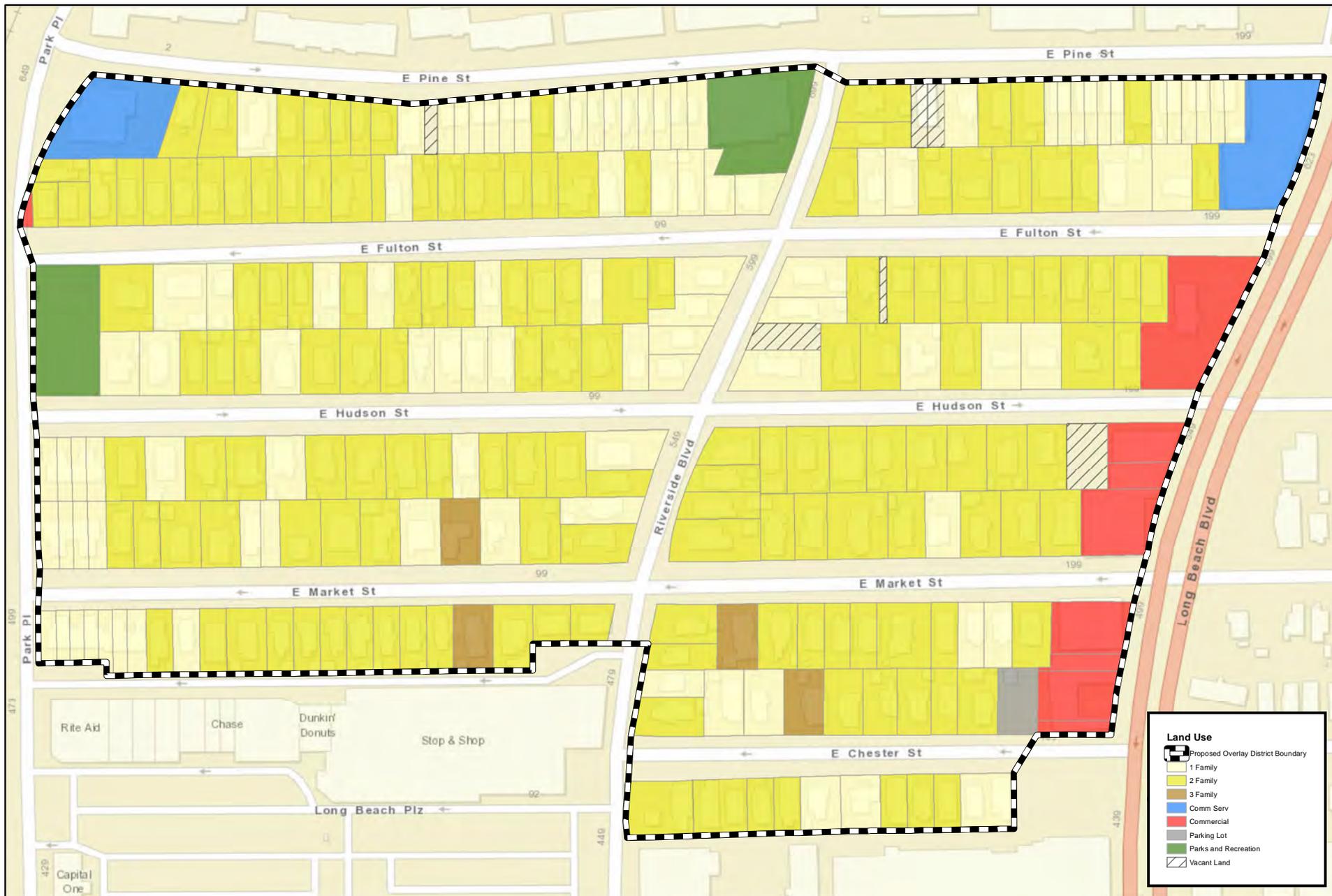
Source: NYS Orthophotography, 2016;  
City of Long Beach Zoning Map, dated 8/21/87  
Scale: 1 inch = 250 feet

 Proposed Overlay District Boundary



Proposed City of Long Beach  
North Park  
Affordable Housing  
Overlay District





**Land Use**

- Proposed Overlay District Boundary
- 1 Family
- 2 Family
- 3 Family
- Comm Serv
- Commercial
- Parking Lot
- Parks and Recreation
- Vacant Land

**FIGURE 5**  
LAND USE MAP

Source: Base from ESRI Web Map Server  
Scale: 1 inch = 200 feet



Proposed City of Long Beach  
North Park  
Affordable Housing  
Overlay District



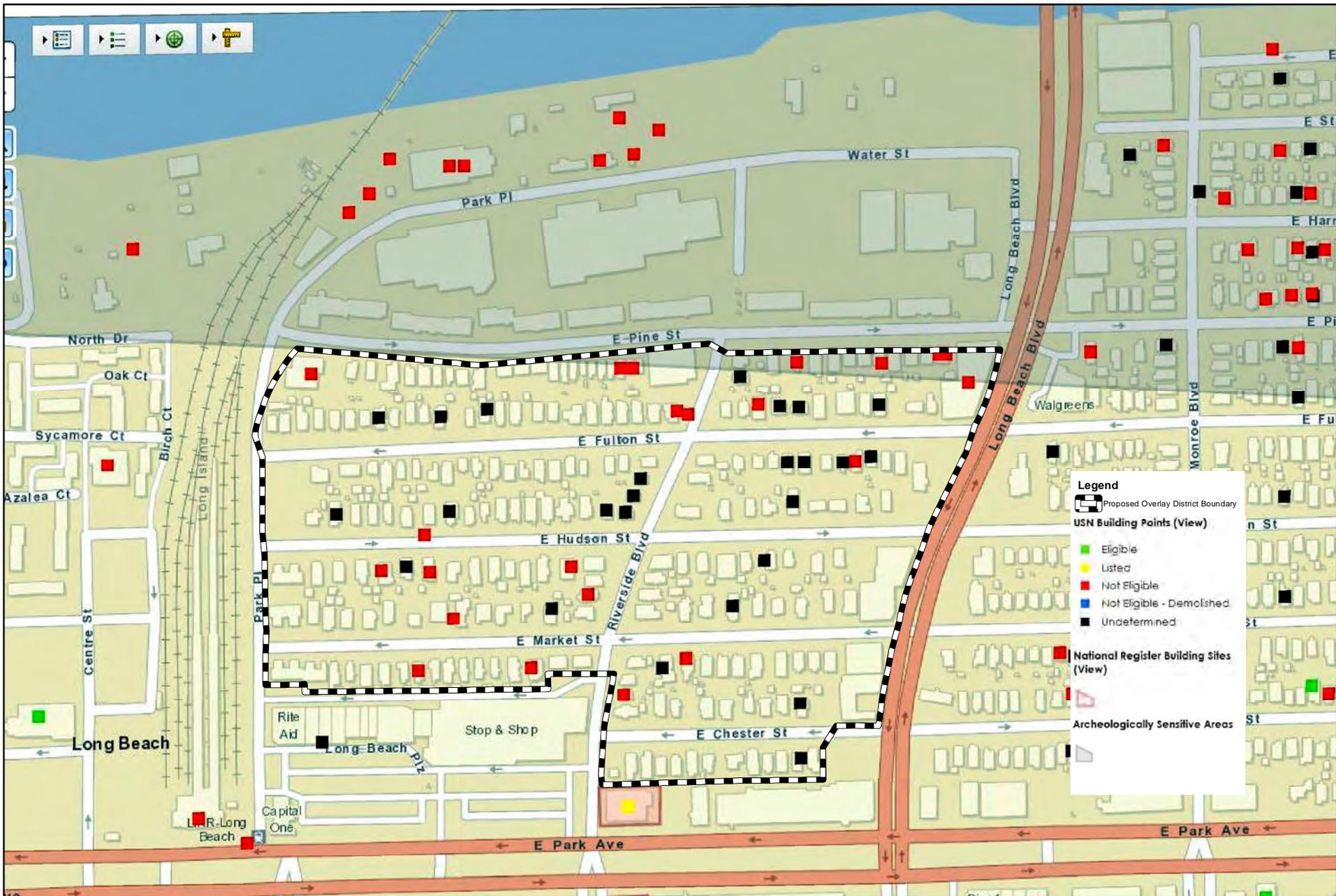


FIGURE 6  
CULTURAL RESOURCES MAP

Source: Base from ESRI Web Map Server  
Scale: 1 inch = 350 feet

Proposed City of Long Beach  
North Park  
Affordable Housing  
Overlay District





FIGURE 7  
FEMA FLOODPLAINS

Source: NYS Orthophotography, 2016; FEMA  
Scale: 1 inch = 350 feet



Proposed City of Long Beach  
North Park  
Affordable Housing  
Overlay District

**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 Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council of the City of Long Beach, NY; adoption of zoning amendments (NPOD)	December 2019
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input 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?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**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?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  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?)  Yes  No

If Yes, identify the plan(s):

Long Island South Shore Estuary Reserve Comprehensive Management Plan, City of Long Beach Brownfield Opportunity Program Study, Coastal Protection Study Bayside Flood Protection Plan, Long Beach New York Rising Community Reconstruction Plan

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?  Yes  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.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Land within the proposed North Park Affordable Housing Overlay District is zoned either Residence C, Residence D or Business A

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? Project involves the creation of a new zoning overlay district (NPOD) in North Park

**C.4. Existing community services.**

a. In what school district is the project site located? Long Beach City School District

b. What police or other public protection forces serve the project site?  
City of Long Beach Police Department, City of Long Beach Ambulance in conjunction with South Nassau Communities Hospital

c. Which fire protection and emergency medical services serve the project site?  
City of Long Beach Fire Department

d. What parks serve the project site?  
Sherman Brown Park, Leroy Conyers Park, Long Beach Recreation Center and Fishing Pier, Long Beach Municipal Ice Arena and Youth, Long Beach recreation Campus, Long Beach Skate Park

**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)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  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?  Yes  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?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  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?  Yes  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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  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?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  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?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 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?  Yes  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?  Yes  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?  Yes  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 the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will the 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: \_\_\_\_\_ 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: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  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), what is the 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: \_\_\_\_\_ 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): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? If Yes: <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul> <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?  _____ Square feet or _____ acres (impervious surface)  _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>_____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p> <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  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): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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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?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.  
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  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 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  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?  Yes  No

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l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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 the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <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"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

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 the 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: \_\_\_\_\_

---

b. Land uses and covertypes on the project site.

Land use or Covertypes	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:  
\_\_\_\_\_

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? \_\_\_\_\_ 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: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

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

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % 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: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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 City Council of the City of Long Beach Date December 26, 2019

Signature  Title Nelson, Pope & Voorhis, LLC (Planning Consultant)

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

<b>Agency Use Only [If applicable]</b>
Project : North Park Affordable Housing Overlay District
Date : December 26, 2019

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input checked="" type="checkbox"/> <b>NO</b>	<input type="checkbox"/> <b>YES</b>
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.  NO  YES  
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  NO  YES  
 (See Part 1. E.2)  
*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
 (See Part 1. C.1, C.2. and C.3.)  
 If “Yes”, answer questions a - h. If “No”, go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached determination.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Part I EAF and Part II and Part III narrative

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City Council of the City of Long Beach as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: North Park Affordable Housing Overlay District

Name of Lead Agency: City Council of the City of Long Beach

Name of Responsible Officer in Lead Agency: Anissa D. Moore

Title of Responsible Officer: City Council President

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)



Date:

12/26/2019

**For Further Information:**

Contact Person: Greg Kalnitsky, Assistant Corporation Counsel

Address: 1 West Chester Street, Roslyn, Long Beach 11561

Telephone Number: (516) 431-1003

E-mail: gkalnitsky@longbeachny.gov

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**Full Environmental Assessment Form Part II and Part III Narrative**  
**North Park Affordable Housing Overlay District**  
**City of Long Beach**  
**December 26, 2019**

**Impact on Land.** The Proposed Action involves seeks to amend Appendix A, Zoning, of the City Code to include a new overlay zoning district, the North Park Affordable Housing Overlay District (NPOD), which encompasses approximately 39 acres in the City of Long Beach. Specifically, the amendments to the Zoning Appendix within the City Code will include additional definitions, purpose, applicability and standards associated with the NPOD.

The adoption of the proposed zoning amendments in and of itself would not result in land disturbances or impact geology, topography or soils. Based on review of existing mapping tools, the average depth to bedrock is more than 1,400 feet below grade surface (bgs) in the NPOD Study Area. According to the United States Department of Agriculture (USDA) Natural Resources Service Web Soil Survey, the NPOD Study Area is comprised of the following:

- Urban Land (Ug) - (6.8 acres of 17.4% of the NPOD Study Area)
- Urban land (Uw) - Udipsamments, wet substratum complex (32.3 acres or 82.6% of the NPOD Study Area)

Both mapping units consist of urban areas where there is a high percentage of manmade impervious surface coverage. Urban Land (Ug) consists of areas where at least 85 percent of the surface is covered with asphalt, concrete or other impervious building material with small areas that have not been significant altered or are not under impervious coverages (e.g., lawns or other landscaped areas). Comparatively, Uw mapping units are excessively drained to moderately well drained and have been filled with sandy material. Limitations associated with Uw soils include dwellings with basements as the water table is generally high in areas with this type of soil.

Development permitted under the proposed NPOD could result in approximately 96 additional units in the NPOD Study Area based on a buildout of existing eligible single family lots. As a result, future development would result in land disturbances. However, future land development applications will be subject to site-specific review and environmental review under the NYS Environmental Quality Review Act (SEQRA). Future land disturbances could result in vegetative removal, and cut and fill of soils on the site to bring lands to appropriate grade to support a proposed development. Grading, drainage and erosion control plans would be required as part of such applications to ensure proper grading and soil erosion and sediment controls are provided. Any area that will not be developed with buildings or impervious surfaces will be landscaped in accordance with a landscaping plan as required by the City's zoning code. The increase in stormwater runoff that will also result is addressed under "Impact on Flooding" below. With inclusion of appropriate construction standards and soil erosion controls, the Proposed Action is not anticipated to have any significant adverse impact.

**Impact on Geological Features.** Based on a review of the NYS Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper, the proposed action will not impact any unique or unusual landform as they are not present on or adjoining the NPOD Study Area, nor are there landforms present in the overall City. See <https://www.dec.ny.gov/permits/53826.html>.

**Impact on Surface Water.** Based on a review of the NYSDEC Environmental Resource Mapper, there are no NYSDEC-regulated wetlands within or adjacent to the NPOD Study Area. Additionally, review of the United States Fish and Wildlife Service National Wetland Inventory (NWI) maps indicates that are no wetlands regulated by the U.S. Army Corps of Engineers in the NPOD Study Area. The City is bounded by the Atlantic Ocean to the south and Reynolds Channel to the north, both of which constitute NYSDEC tidal wetlands, however no disturbance to these wetland areas is anticipated as a result of the proposed NPOD.

**Full Environmental Assessment Form Part II and Part III Narrative**  
**North Park Affordable Housing Overlay District**  
**City of Long Beach**  
**December 26, 2019**

**Impact on Groundwater.** Adoption of the proposed zoning amendments will not have any significant adverse impact on groundwater. Based on review of existing mapping tools, depth to groundwater within the NPOD Study Area ranges from approximately 8 feet bgs to 11 feet bgs. The proposed action is located over the Nassau-Suffolk Sole Source aquifer.

Redevelopment under the proposed NPOD could result in approximately 96 additional units, which would result in an estimated 28,800 gallons per day of wastewater generation and drinking water demand. The Study Area is within the jurisdiction of the City of Long Beach Sewer District and the City of Long Beach Water District. The City of Long and Nassau County have recently received a New York State consolidation grant to reroute the City's wastewater to the County's Bay Park Sewage Treatment Plant, which has sufficient capacity to treat all of the wastewater generated by the City of Long Beach. Based on the input from City managers, both the Bay Park Sewage Treatment Plant and the City Water District have sufficient capacity to serve the additional units that could be generated as a result of the proposed NPOD.

**Impact on Flooding.** Adoption of the proposed zoning amendments will not have any significant adverse impact on floodplains. Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRMS) show that the NPOD Study Area is located in Map Panel 0308G, Community Number 365338, last revised September 11, 2009. As depicted in this FIRM, the majority of the NPOD Study Area is located in Zone AE, which is within the 100 year flood limits and have required base flood elevations (see attached figure). There is a small portion of the NPOD Study Area that is located in Zone X, which is within the 500 year flood limits but do not have required base flood elevations (i.e., certain parcels on East Chester Street and on the south side of East Market Street between Riverside Boulevard and Long Beach Boulevard). The required base flood elevations as illustrated on the FIRM is 9 feet above grade level in the NPOD Study Area, such that new construction and substantial improvements *"must be elevated on pilings, columns or shear walls and the bottom of the lowest horizontal structural member supporting the lowest elevated floor...is elevated to or above two feet above base flood elevation so as not to impeded the flow of water"* as stated in §7-228 of the City Code. It should be noted that the majority of the City is located in in Zone AE and has required base flood elevations ranging from 8 feet above grade level to 18 feet above grade level.

Chapter 7 of the City Code provides specific review procedures and required information for floodplain development permits for the construction and other development to be undertaken in areas of special flood hazard for the purpose of protecting its citizens from increased flood hazards and ensuring that new development is constructed in a manner that minimizes its exposure to flooding. It is unlawful to undertake any development in an area of special flood hazard without a valid floodplain development permit.

**Impacts on Air.** The proposed action, adoption of zoning amendments, will not have any impact on existing ambient air quality. Redevelopment of existing single family homes as two family homes would allow for newer, more energy efficient homes that meet current building code requirements. Short term impacts from construction activities are anticipated to result in minimal air impacts based on a limited use of heavy equipment and scale of construction activities.

**Impacts on Plants and Animals.** Adoption of the zoning amendments would not result in any impact to plants and animals. Site-specific impacts would be reviewed at the time a specific land development application is submitted. Based on a review of the NYSDEC Environmental Resource Mapper, there are no significant natural communities nor are there rare plant and/or animal species within the NPOD Study Area. However, there are significant natural communities present in Reynolds Channel to the north of the NPOD Study Area. These significant natural communities are part of the NYS DEC tidal wetlands ecological system.

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A review of U.S Fish and Wildlife Service data indicates that the following species may be affected by activities in the Study Area: Piping Plover (federally threatened); Red Knot (federally threatened); Northern Long-eared Bat (federal threatened); Roseate Tern (federally endangered); Sandplain Gerardia (federally endangered); and Seabeach Amaranth (federally threatened). However, suitable habitat or growing conditions for these species are not located within the study area as the entirety of the Study Area is developed with impervious surface and buildings. Therefore, the presence of these species within the Study Area is unlikely.

Northern long-eared bats (NLEB) are primarily forest-dependent insectivores. They utilize a diversity of forest habitats for roosting, foraging and raising young. In general, any tree large enough to have a cavity or that has loose bark may be utilized by NLEB for roosting or rearing young. Since they feed predominantly on flying insects, they hibernate through the late fall and early spring to save energy when food is not available. Most known hibernation sites are caves or abandoned mines<sup>1</sup>, which the City does not contain. Moreover, the study area is almost entirely comprised of impervious surfaces and does not contain any wooded areas. Based on review of the NYSDEC's NLEB occurrences by Town map, there have not been any NELB occurrences in the City of Long Beach.

Based on the foregoing, potential habitats for the aforementioned protected species are not present in the NPOD Study Area. However, based on consultation with the USFWS and NYSDEC, site specific field surveys may be necessary during relevant future site-specific site plan review, and appropriate measures to protect any species, if found, would be determined at that time.

**Impacts on Agricultural Uses.** There are no agricultural uses within or immediately adjacent to the Study Area. Moreover, there are no agricultural districts within the City or Nassau County. See <https://www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html>.

**Impact on Aesthetic Resources.** Adoption of the proposed zoning amendments is not anticipated to have a significant adverse impact on aesthetic resources. There are no scenic overlay zoning districts or protected scenic roads in the Study Area. The intention of the NPOD is to encourage the redevelopment of vacant and/or deteriorated residential properties within the North Park Neighborhood to improve the character of the area and to remove vacant, incompatible, underutilized and marginal structures which are poorly maintained and have a blighting influence on the surrounding area. Future redevelopment will undergo site specific review to ensure the proposed redevelopment is compatible with the surrounding neighborhood.

**Impact on Historic and Archaeological Resources.** Adoption of the and zoning amendments will not have a significant adverse impact on historic or archaeological resources. As per a review of the NYS Office of State Parks, Recreation and Historic Preservation (NYSOPRHP) Cultural Resources Information System (CRIS) website, there are no National Register of Historic Places listed or eligible resources within the Study Area. However, the National Register of Historic Places listed Long Beach United States Post Office (#90NR01716) is located immediately south of the Study Area (see attached figure). However, adoption of the zoning amendments would not alter the property or the Post Office building itself.

The CRIS mapping tool identifies areas that are "archaeologically sensitive". These areas are generally within a certain radius of a known archaeological site. The northern portion of the Study Area identified as an "archeologically sensitive" area. However, the designation of archaeological sensitivity in CRIS does not definitively determine that the Study Area contains archaeological resources, only that such resources have been identified in the area and the designated locations warrant on-site investigation. The NPOD is

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<sup>1</sup> <http://www.dec.ny.gov/animals/106713.html>

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comprised of previously disturbed areas. Future redevelopment will be subject to individual application review. At such time, the potential effect of a project on individual properties would be determined through consultation with the NYSOPRHP.

**Impact on Open Space and Recreation.** The proposed action will not result in any reduction in public open space or recreational land or uses. The proposed zoning amendments will not impact the status of the existing recreation and open space resources in the Study Area (i.e., Leroy Conyers Park and the Martin Luther King Center). As such, no significant impact to Open Space or Recreation is anticipated as a result of this action.

**Impact on Critical Environmental Area.** A review of the NYSDEC website indicates that there no Critical Environmental Areas within or in close proximity to the Project Area. Therefore, no impact is anticipated to this resource. Refer to <http://www.dec.ny.gov/permits/25131.html>.

**Impact on Transportation.** Adoption of the proposed zoning amendments is not anticipated to have a significant adverse impact on transportation facilities. The proposed action is located immediately east of the Long Beach Long Island Rail Road station and is surrounded by major roadways with bus transportation (i.e., along Long Beach Boulevard to the east and Park Avenue to the south). Additionally, the Study Area is located within close proximity to shopping opportunities and goods and services such that residents can utilize alternative modes of transportation (i.e., walking and cycling). Based on the build out analysis, the maximum number of additional single family units is 96 units, which would be built over time if property owners decide to redevelop. The additional trips associated with the additional units is expected to be minimal based on the limited number of additional units anticipated and the location of the NPOD.

**Impact on Energy.** The proposed zoning amendments will not generate demand for, or impact any existing or planned energy facilities. Any new development application will be reviewed, and a determination made as to the potential energy demand generated by the site-specific use. Any new buildings will be required to be designed in accordance with the New York State Energy Code.

**Impact on Noise, Odor and Light.** Adoption of the proposed amendments will not generate noise, odor or light and will not have any significant adverse impact as a result. Future land development applications will be subject City construction standards. Individual properties will be subject to site-specific land development and SEQRA review at the time an application is made.

**Impact on Human Health.** The adoption of the zoning amendments is not anticipated to have any significant adverse impact on human health. Any future projects will be reviewed against applicable wastewater and water supply standards promulgated by the City's Department of Public Works, the Nassau County Department of Health, New York State Department of Health, and NYSDEC. Based on a review of the NYSDEC Environmental Facilities Navigator, there are no remediation sites or active solid waste sites within the Study Area. Individual properties will be subject to site-specific review at the time an application is made.

**Consistency with Community Plans.** To date, the most recently adopted comprehensive planning document is the 2007 Comprehensive Plan, as the 2018 Comprehensive Plan remains in draft form. The proposed action involves amendments to the City's zoning code to permit and encourage the redevelopment of vacant and/or deteriorated residential properties in the North Park Neighborhood to improve the community character of the area, encourage local investment and create a mix of affordable and market rate housing, in accordance with the goals and objectives, Proposed Land Use Plan and implementation measures provided in the 2007 Comprehensive Plan. Individual properties will be subject to site-specific review at the time an application is made to ensure that potential impacts on community

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character are evaluated at that time.

**Consistency with Community Character.** Adoption of the zoning amendments will not have an adverse impact on community character. Rather, the intention of the proposed NPOD is to permit and encourage redevelopment of vacant and/or deteriorated residential properties within the North Park Neighborhood in a manner that will improve community character, as well as remove structures that have a blighting influence on the surrounding area. Additionally, the proposed NPOD will also encourage local investment and the orderly redevelopment of legally existing undersized lots by incentivizing the combining of adjacent substandard lots for the purpose of creating suitably size residential properties. Individual properties will be subject to site-specific review at the time an application is made to ensure that potential impacts on community character are evaluated at that time.

The following Ordinance was moved by  
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE  
CITY OF LONG BEACH RE: APPENDIX A- ZONING.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as  
follows:

Sec. 1. Section 9-104 of Appendix A of the Code of Ordinances of the City of  
Long Beach, New York, as heretofore amended, shall be and the same is hereby added to with  
the rest of the Section remaining in full force and effect, to read as follows:

“Sec. 9-104. Definitions.

(a) In addition to the definitions set forth in the state building construction code, the following  
terms shall, for the purposes of this appendix, have the meanings ascribed to them as  
follows:

...

***Housing, Affordable:*** For the purposed of the North Park Affordable Housing  
Overlay District requirements, affordable housing is to be defined as dwelling units  
constructed for families whose annual income is no more than the Nassau Suffolk NY  
Metro Area Median Income (AMI) for a family of four, as defined by and periodically  
updated by the United States Department of Housing and Urban Development (HUD), and  
the annual rental cost of which does not exceed 80% of the HUD Fair Market Rental Value  
for Nassau-Suffolk County in effect at the time of the execution of the lease agreement, or  
for sale units, the annual cost of the sum of principal, interest, taxes and insurance does not  
exceed 30% of said income.

...

***Rental, Affordable:*** In developments where the units are specifically approved for  
rental, the monthly rental price shall be no greater than 80% of the HUD Fair Market  
Rental Value for Nassau-Suffolk County in effect at the time of the execution of the lease  
agreement, provided all utilities are included in the rental price. If all utilities are not  
included, the monthly rental price shall be no greater than the HUD Fair Market Rental  
Value for Nassau-Suffolk County reduced by the monthly utility allowance in effect at the  
time the lease agreement is executed.”

...

Sec.2. Section 9-105.20 of Appendix A of the Code of Ordinances of the City of  
Long Beach, New York, as heretofore amended, shall be and the same is hereby added to  
Appendix A, with the rest of the Sections remaining in full force and effect, to read as follows:

“Sec. 9-105.20 North Park Affordable Housing Overlay District.

**A. Purpose.**

(1) The purpose of the North Park Affordable Housing Overlay District (“NPOD”) is  
to:

- a) **permit and encourage the redevelopment of vacant and/or deteriorated residential properties within the North Park Neighborhood in a manner that will improve the character of the nearby environs which include an established neighborhood important to the character of the City; remove vacant, obsolete, incompatible, underutilized and marginal structures which are poorly maintained and have a blighting influence on the surrounding area; and to promote additional affordable housing opportunities which do not currently exist in this area;**
- b) **encourage local investment and the orderly redevelopment of legally existing undersized lots by incentivizing the combining of adjacent substandard lots for the purpose of creating suitably sized residential lots;**
- c) **provide the dimensional zoning standards to create a mix of affordable and market rate one-family, two-family, and multifamily housing;**
- d) **support efficient residential development that provides adequate space, density, building height, access, and parking, and improves the developed character of the area and quality of life for residents;**
- e) **ensure that future residential developments provide sufficient access to light and air and a safe and healthy living environment.**

**B. Applicability.**

- (1) **The NPOD shall comprise those areas within the City’s existing Residence C, Residence D, and Business A Zoning Districts within the boundaries of the NPOD as shown on the amended City of Long Beach Zoning Map. The NPOD is further defined as that area within the North Park section of the City of Long Beach that is located:**
  - a) **South of East Pine Street;**
  - b) **East of Park Place (Rev. J.J. Evans Boulevard);**
  - c) **West of Long Beach Boulevard;**
  - d) **North of East Market Street and East Chester Street, inclusive of the existing residential lots fronting the south side of East Market Street and East Chester Street.**
- (2) **The provisions contained herein are additive or supersede any requirements of the underlying zoning district as applicable.**

**C. Permitted principal uses.**

- (1) **All principal uses permitted in the underlying zoning district, subject to applicable restrictions, including bulk requirements, as prescribed therein, except as may be superseded by this section.**
- (2) **Detached two-family dwelling unit, so long as one of every two dwelling units shall be marketed as “affordable” in accordance with the provisions set forth in in Subsection E, subject to the following conditions:**

- a) **In areas zoned Residence D or Business A:**
    - i. **The Minimum lot size shall be thirty (30) by one hundred (100).**
    - ii. **No residence shall be erected or altered to make provision for more than two families for each three thousand (3,000) square feet except for legally existing substandard lots in accordance with subsection C(3) below.**
  - b) **In areas zoned Residence C:**
    - i. **The minimum lot size shall be forty (40) by one hundred (100).**
    - ii. **No residence shall be erected or altered to make provision for more than two families for each four thousand (4,000) square feet except for legally existing, single and separate, lots with a minimum width of 30 feet and minimum lot size between 3,000 square feet to 4,000 square feet. Legally existing substandard lots less than 3,000 square feet in lot size may be redeveloped in accordance with subsection C(3) below.**
- (1) Attached two-family dwelling units on legally existing substandard lots, so long as one of every two dwelling units shall be marketed as “affordable” in accordance with the provisions set forth in in Subsection E, subject to the following conditions:**
- a) **In areas zoned Residence D or Business A:**
    - i. **For substandard lots legally existing as single and separate as of the date of the adoption of this Overlay Zone, two, two-family attached units may be permitted if two or more legally existing substandard lots are combined to to provide a minimum lot width of forty eight (48) and a minimum lot area of 4,000 square feet.**
    - ii. **One additional two-family attached unit may be permitted for combining any additional legally existing substandard lot that has a minimum lot width of 20 feet and a minimum lot area of 2,000 square feet up to a total of five (5) contiguous lots or five (5) two-family attached dwelling units. No row of one-family or two-family attached buildings shall exceed 120 feet in length.**
    - iii. **A minimum five-foot wide side yard setback shall be provided from the building(s) to the property line on each side yard.**
    - iv. **Building area shall not exceed fifty (50) percent of the lot area.**
    - v. **All other dimensional standards shall be consistent with the underlying zoning district.**
  - b) **In areas zoned Residence C:**
    - i. **For legally existing single and separate lots less than 3,000 square feet of lot area as of the date of this amendment, the provisions of Subsection C.3(a) shall apply.**

**D. Parking.**

A minimum of one parking space per dwelling unit shall be provided on-site, exclusive of any interior garage space. Covered spaces are preferred. All side yards shall extend unobstructed and unencumbered above grade level from the front yard to the rear yard. There shall be no parking of motor vehicles in side yards.

**E. Affordability.**

- (1) At least 50% of the dwelling units shall be offered as Affordable Housing or Affordable Rental units for a period of no less than 15 years from the date of issuance of a Certificate of Occupancy for the home.
- (2) Affordable units shall be of a similar size and quality of construction as the market rate unit(s).
- (3) To comply with this requirement, the owner shall submit documentation for the tenant that indicates median family income that is no more than the Nassau Suffolk NY Metro Area Median Income for the current year.
- (4) Failure to offer the unit as affordable will result in voiding the Certificate of Occupancy for the two-family home.
- (5) Annual rent increases shall be limited to the percentage increase in the median HUD fiscal year income limits for the Nassau-Suffolk NY HUD Metro Fair Market Rent Area.
- (6) To ensure continued affordability of all affordable dwelling units in the NPOD, a restrictive covenant shall be filed with Nassau County with a copy and proof of recording (liber and page number) provided to the City of Long Beach Building Department prior to issuance of a Certificate of Occupancy. The C&R shall be valid for a period of fifteen years indicate the affordability restrictions for the purpose of rental or sale/resale of affordable units and indicate that property may only be rented or sold to income qualified households or individuals in accordance with the NPOD provisions.
- (7) The oversight of rentals and sale and resale of restricted units shall be managed through the City of Long Beach or a qualified not-for-profit institution whose mission includes the management of affordable housing deemed acceptable to the City Council of the City of Long Beach. Applicants applying for the Overlay District will be assessed a fee to cover the cost incurred for income verification and oversight of rentals and sale/resale of the restricted units.

**F. Severability.** Should any provision of this section be rendered invalid, such decision shall not affect the validity of this chapter as a whole or any part thereof, other than the part rendered invalid.”

Sec. 3. This Ordinance shall take effect immediately.

January 7, 2020

Item No. 3  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing Settlement of an Action Brought by  
Jennifer Hall Against the City of Long Beach, et al.

WHEREAS, on or about August 21, 2017, Jennifer Hall, as Plaintiff, represented by Michael A. Santo, P.C., 3047 Lee Place, Bellmore, New York 11710, filed a civil action against the City of Long Beach in the Supreme Court of the State of New York, County of Nassau, for damages arising from personal injuries allegedly sustained by the Plaintiff; and

WHEREAS, after two years of litigation, the Plaintiff made a settlement demand of \$150,000; and

WHEREAS, on multiple occasions, several settlement conferences were conducted within the Supreme Court and it was determined that it would be in the best interest of all parties, based on the fact pattern and the severity of the injury, that the claim of the Plaintiff against the City be settled; and

WHEREAS, the attorneys on behalf of the City negotiated an agreement to compromise and settle all claims and demands of the Plaintiff against the City for the sum of \$75,000, to be paid in installments over two years, which sum said attorneys for the City have recommended as reasonable settlement of the claim of the Plaintiff, and which the City is obligated to pay as a condition of settlement; and

WHEREAS, the schedule of payments is as follows:

- (1) \$37,500 within thirty (30) days of the passage of this resolution; and
- (2) \$37,500 payable on February 8, 2021;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting Corporation Counsel be and he hereby is authorized to settle the above referenced action entitled "Jennifer Hall against the City of Long Beach", for the sum of \$75,000 in settlement of all claims of said Plaintiff, including Plaintiff's claims in the Supreme Court of the State of New York, County of Nassau, Index No. 608545/17, inclusive of costs and attorneys' fees, with prejudice, and the City Comptroller is hereby authorized to make payments to the Plaintiff in full payment of the City's settlement, upon the Acting Corporation Counsel's execution of said settlement. Funds for the first installment payment are available in Account No. C1930.54434 (Judgments and Claims-Insurance Reserve).

January 7, 2020

Item No. 4  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing Budget Amendment to the  
General Fund Budget for the 2019-2020 Fiscal Year.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York,  
that the following amendment to the General Fund Budget for the 2019-2020 fiscal year is  
hereby authorized:

**GENERAL FUND**  
**2019-2020 Fiscal Year**

Increase Estimated Revenues:	A10510		\$25,892.00
A0027.42711 Gifts and Donations		\$25,892.00	
Increase Appropriations:	A20960		\$25,892.00
A1490.52220 Machinery and Equipment		\$25,892.00	

January 7, 2020

Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution to Appoint a Temporary Audit Committee and Audit Committee  
Charter Drafting Team

WHEREAS, the City of Long Beach (“City”) is desirous of establishing an Audit Committee for purposes of the general oversight of the City’s accounting and financial reporting process, audits of financial statements, internal controls, and audit functions; and

WHEREAS, the Audit Committee requires a charter which shall set forth the relationship between the City’s independent auditor and set forth the Audit Committee’s advisory functions; and

WHEREAS, the City is desirous of forming a Temporary Audit Committee, consisting of two members of the City Council and the City Comptroller as a non-voting officer, ex officio, for the purposes of providing interim audit oversight and drafting an Audit Committee Charter; and

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the Acting City Manager shall appoint two members of the City Council of the City of Long Beach in addition to the City Comptroller to the Temporary Audit Committee; the Temporary Audit Committee shall meet regularly and perform interim oversight function pending their completion of the Audit Committee Charter; that when said Audit Committee Charter is complete it shall be presented to the City Council of the City of Long Beach for ratification.