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BEFORE THE SURFACE TRANSPORTATION BOARD

Docket No. FD 35141

U S RAIL CORPORATION—CONSTRUCTION AND OPERATION EXEMPTION—BROOKHAVEN
RAIL TERMINAL

Docket No. FD 35819

BROOKHAVEN RAIL TERMINAL AND BROOKHAVEN RAIL, LLC—PETITION FOR
DECLARATORY ORDER

Docket No. FD 36376

SPECTRUM RR HOLDINGS, LLC—OPERATION EXEMPTION—RAILROAD LINE IN THE
TOWN OF BROOKHAVEN, N.Y.

Docket No. FD 36384

SILLS ROAD REALTY LLC—ACQUISITION EXEMPTION—RAILROAD LINE IN THE TOWN OF
BROOKHAVEN, N.Y.

Docket No. FD 36385

SPECTRUM RR HOLDINGS, LLC—ACQUISITION & OPERATION EXEMPTION—LINE OF
SILLS ROAD REALTY LLC, IN THE TOWN OF BROOKHAVEN, N.Y.

Docket No. FD 36398

BROOKHAVEN RAIL LLC—CONSTRUCTION AND OPERATION EXEMPTION—IN SUFFOLK
COUNTY, N.Y.

Docket No. FD 36399

BROOKHAVEN RAIL LLC—PETITION FOR EXEMPTION FROM REQUIREMENTS OF 49 U.S.C.
§ 10909

**Brookhaven Logistics Center LLC's
Response to Request for Information**

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Exhibits

- Exhibit A: Map of Parcels A, B, C, and D
- Exhibit B: Amended and Restated Railroad Operating Agreement and Sublicense Agreement
- Exhibit C: Contract of Sale for Parcel A
- Exhibit D: Continuing Obligations Agreement
- Exhibit E: Proposed Lease of Parcel A Track
- Exhibit F: Verified Statement of Nathaniel Hagedorn
- Exhibit G: MRB Group, Brookhaven Rail Terminal: Economic & Fiscal Impact Assessment (Apr. 28, 2021)
- Exhibit H: Memorandum from Peter E. Fountaine, Division of Environmental Protection, Town of Brookhaven, to James M. Tullo, Commissioner, Dep't of Planning, Environment & Land Management, Town of Brookhaven (Mar. 29, 2023)

Brookhaven Logistics Center LLC (BLC) submits this response to the Board's requests for information in *U S Rail Corporation—Construction & Operation Exemption—Brookhaven Rail Terminal*, FD 34141 et al. (STB served Sept. 27, 2023) (the Order).

BLC desires to address the Board's concerns about activities involving the parcels of land that are the subject of these proceedings, known as Parcels A, B, C, and D. Earlier this year, BLC decided to begin participating in these proceedings voluntarily¹ to help provide the Board with information addressing its concerns related to the parcels. Consistent with this, BLC takes seriously its compliance obligations and seeks the Board's direction on how to address the Board's concern that BLC may have violated 49 U.S.C. § 10901(a)(4).

Part I identifies important facts regarding BLC's ownership of the parcels and plans for development and use of the parcels, including facts demonstrating that proposed activities on Parcels B and C have no connection to a solid waste rail transfer facility that has been proposed by Brookhaven Rail LLC on part of Parcel D that BLC does not own.

¹ BLC replied to the Board's order dated January 6, 2023, that certain other parties respond to certain questions related to Parcel A. Although the Board did not direct BLC to respond to the order, BLC responded to improve transparency regarding Parcel A and demonstrate its willingness to appear before the Board to resolve the issues related to Parcels A, B, C, and D.

Part II responds to the Board's order to show cause² as to why BLC's acquisition of the rail infrastructure on Parcel A should not be found to have violated the prior approval requirement under 49 U.S.C. § 10901(a)(4). BLC explains that the Board should not find a violation because its acquisition and ongoing ownership of the track on Parcel A has been subject to an agreement with a rail carrier, Brookhaven Rail LLC, under which Brookhaven Rail assumes the exclusive common-carrier obligation over the track, BLC is prohibited from unduly interfering with Brookhaven Rail's operations over the track, and BLC does not have any rights to control those operations.

If the Board finds that BLC's agreements with Brookhaven Rail are insufficient to avoid application of 49 U.S.C. § 10901(a)(4), BLC respectfully asks the Board to allow it to own the track without authority provided that BLC enters a lease agreement with Brookhaven Rail that would eliminate the application of 49 U.S.C. § 10901(a)(4). Alternatively, if the Board finds that acquisition authority is necessary for BLC's continued ownership of the track, BLC asks that the Board grant an exemption from the authority requirement pursuant to the Board's exemption authority under 49 U.S.C. § 10502(a).

Part III explains that BLC does not intend for the warehouses on Parcels B and C to be used to store, sort, and ship solid waste from the proposed solid waste transfer facility.

² By responding to the order to show cause, BLC is not waiving any procedural rights, including any rights to the process afforded under 49 U.S.C. § 11701(d) and 49 C.F.R. Part 1122.

Part IV explains that BLC does not intend for the spur track on Parcels B and C to connect directly to the rail line of the Long Island Railroad (LIRR) that runs along the southern border of those parcels. The spur will connect only to the rail line on Parcel A.

Simultaneously with this response, BLC has filed a motion for protective order to protect disclosure of its exhibits that are commercially sensitive.

I. Statement of Facts

This proceeding involves four parcels of land—Parcels A, B, C, and D—in Brookhaven, New York. Parcels A, B, and C are located next to each other on the northern border of an east-west Long Island Railroad (LIRR) line (the LIRR Line). Parcel D is located on the southern border of the LIRR Line, across from Parcel C. BLC owns each parcel, except for 50 acres of Parcel D. A map of Parcels A, B, C, and D is attached as Exhibit A.

A. Parcel A

Parcel A is 28 acres and contains track and a transloading facility. A single lead from the LIRR line connects to the Parcel A track (the Line) at Parcel A's property line. From that connection, the track runs in an easterly direction into Parcel A before turning north, creating a "J" shape.³

In 2010, the Board granted U S Rail Corporation an exemption from 49 U.S.C. § 10901 to construct and operate the Line. *U S Rail Corp.—Construction &*

³ Petition at 9-11, Apr. 28, 2014, *Brookhaven Rail Terminal & Brookhaven Rail, LLC--Petition for Declaratory Order*, FD 35819, contains a fuller description of the Parcel A track.

Operation Exemption—Brookhaven Rail Terminal, FD 35141 (STB served Sept. 9, 2010). Today, U S Rail’s successor, Brookhaven Rail LLC, operates the Line to serve the transloading facility on Parcel A.

BLC purchased Parcel A, including the Line, on May 4, 2022. The purchase involved a two-step transaction in which a prior owner, Sills Road Realty, LLC, transferred Parcel A to its affiliates (the Sills Road Affiliates) that subsequently transferred Parcel A to BLC. (BLC Response, Hagedorn V.S. ¶ 4, Feb. 21, 2023.) Sills Road and the Sills Road Affiliates (together, the Sills Parties) did not have authority pursuant to 49 U.S.C. § 10901 to own the Line.

BLC’s purchase of Parcel A was subject to Brookhaven Rail’s rights under the Amended and Restated Railroad Operating Agreement and Sublicense Agreement that gave Brookhaven Rail a license to use and operate over the Line (the Sublicense) (Ex. B).⁴ The Sublicense expressly provides Brookhaven Rail a right to operate the Line as a common-carrier railroad without restrictions, interference, or hindrance. Ex. B § 1.2(a).

Consistent with BLC’s prior statement that it and Brookhaven Rail have been pursuing a new agreement under which Brookhaven Rail would continue to provide rail service on Parcel A (BLC Response, Hagedorn V.S. ¶ 4, Feb. 21, 2023),

⁴ The sale contract for Parcel A states that the sale of Parcel A was subject to the “rights granted to Brookhaven Rail, LLC in [the Sublicense].” Ex. C § 26(ii). Upon closing of the sale of Parcel A to BLC, BLC and the sellers of Parcel A, including the licensor under the Sublicense, entered a “Continuing Obligations Agreement” that implemented this provision of the sales contract. Ex. D § 2. Although the sale contract names Northpoint Development, LLC, as the purchaser, Northpoint assigned its rights under the contract to BLC and never acquired Parcel A.

BLC and Brookhaven Rail have developed a proposed lease attached as Exhibit E (the Lease) to replace the Sublicence. Under the Lease, Brookhaven Rail would agree to continue assuming the exclusive common-carrier obligation to provide service over the Line. Ex. E §§ 3(a), (b). BLC would continue to agree not to interfere with the service and would not have any right to exercise control over Brookhaven Rail's operations on the Line. Ex. E § 2(a). Although BLC and Brookhaven Rail are still finalizing provisions related to reimbursement of maintenance expenses, fees, liability for injuries and damage to property, insurance, and similar commercial items, they do not anticipate material changes to provisions providing Brookhaven Rail with access to the Line, free of undue interference or control by BLC. Further, as explained below, BLC seeks the Board's guidance on whether entering this Lease would eliminate the need for BLC to hold acquisition authority under 49 U.S.C. § 10901(a)(4) for its ownership of the Line.

B. Parcels B and C

Parcels B and C are essentially undeveloped parcels, except for approximately 50 feet of track on Parcel B that connects to the Parcel A track, cleared trees, and a partially graded pad for the first of two warehouse buildings that BLC plans to construct on the parcels. Ex. F ¶ 5.

BLC plans to construct two rail-served warehouses on Parcels B and C along with a rail spur connecting the warehouses to the Line. (*See* SEQR Negative Declaration Notice 1, *in* Town Adoption of SEQRA Negative Declaration, Apr. 19, 2023, FD 35141 et al. (EI 32837) (hereinafter 2023 SEQR Negative Declaration Notice).) BLC's plans for Parcels B and C show that the rail spur will not connect

directly to the LIRR Line. (Layout & Materials Plan C-100 *in* Memorandum from Peter E. Fountaine, Pr. Environmental Analyst, Town of Brookhaven, to Martin Oberman, Chairman, STB, Feb. 22, 2023, FD 35141 et al. (EI 32828).)

In 2016, the Board issued a declaratory order finding that track proposed to be built on Parcels B and C and connect to Parcel A track would be spur track, which is excepted from Board licensing under 49 U.S.C. § 10906. *Brookhaven Rail Terminal & Brookhaven Rail, LLC—Petition for Declaratory Order*, FD 35819 (STB served Aug. 30, 2016).⁵

C. Parcel D

Parcel D is a vacant, 228-acre parcel. In 2020, Brookhaven Rail filed a petition for exemption from 49 U.S.C. § 10901 to construct and operate a new rail line that would connect to the LIRR Line via a turnout at the north end of Parcel D and run southward into Parcel D. (Pet. Ex. C, June 25, 2020, *Brookhaven Rail LLC—Construction & Operation Exemption—In Suffolk County, N.Y.*, FD 36398.) BLC plans to construct four warehouses on Parcel D that would be served from the proposed rail line on Parcel D, although BLC will determine the exact number of warehouses as it finalizes its conceptual layout for Parcel D, and it may choose not to establish rail service for these warehouses. Ex. F ¶ 9. Construction of the warehouses and the associated line on Parcel D has not begun. Ex. F ¶ 8.

⁵ The underlying petition for declaratory order describes the Parcel B and C track as connecting to Parcel A. (Pet. at 4, 11, 21, 22, Ex. 1, Apr. 28, 2014, *Brookhaven Rail Terminal & Brookhaven Rail, LLC—Petition for Declaratory Order*, FD 35819.)

Brookhaven Rail also had proposed to construct and operate a solid waste rail transfer facility on a 50-acre lot owned by Winters Brothers Shamrock Realty LLC on Parcel D. (Order 2 n.8.; Pet., July 27, 2020, *Brookhaven Rail LLC—Petition for Exemption*, FD 36399 (denied by decision served Oct. 23, 2020).) BLC is not under common control with Winters Brothers Shamrock Realty LLC and does not have an ownership interest in the lot. Ex. F ¶ 10.

II. Response to Order to Show Cause

Board precedent reflects that a noncarrier can acquire a rail line without Board authorization under 49 U.S.C. § 10901(a)(4) if a rail carrier assumes the common-carrier obligation concerning the line and the noncarrier does not have a right to unduly interfere with or exercise control over the carrier's operations over the line. *E.g.*, *Anthony Macrie—Continuance in Control Exemption—N.J. Seashore Lines, Inc. (Macrie)*, FD 35296, slip op. at 3 (STB served Aug. 31, 2010). BLC believes it purchased the Line consistent with this precedent. The purchase was subject to the Sublicense, under which Brookhaven Rail fully assumed the common-carrier obligation concerning the line and BLC could not unduly interfere with or exercise control over Brookhaven Rail's service over the Line. Further, BLC and Brookhaven Rail plan to replace the Sublicense with the Lease, under which Brookhaven Rail would continue to exclusively assume the common-carrier obligation over the Line (Ex. E §§ 3(a), (b)) and BLC would agree to provisions that continue to prevent it from unduly interfering with or exercising control over Brookhaven Rail's operations over the Line (Ex. E § 2(a). For these reasons, BLC asks the Board to find that BLC has not violated § 10901(a)(4).

If the Board determines that BLC has not complied with 49 U.S.C. § 10901(a)(4), BLC respectfully asks that the Board allow BLC to continue ownership of the line without § 10901 authority, provided that BLC and BHR enter the Lease. This would be consistent with BLC's consistently held intentions not to assume a common-carrier obligation concerning the Line and to allow Brookhaven Rail to operate the Line without interference or BLC control. *See* Ex. F ¶ 3. If Lease modifications are necessary, BLC also seeks a technical conference with Board staff and Brookhaven Rail to determine actions that the Board would find appropriate.

Further, if the Board determines that BLC must obtain acquisition authority under 49 U.S.C. § 10901(a)(4) for its purchase of the Line, BLC respectfully asks that the Board grant an exemption from § 10901(a)(4) pursuant to its exemption authority under 49 U.S.C. § 10502(a) so that BLC can continue its ownership of the Line, albeit with a residual common-carrier obligation.

At bottom, BLC desires to ensure that its ownership of the Line complies with 49 U.S.C. § 10901(a)(4) and is willing to take appropriate actions to secure such compliance.

A. BLC's purchase of the Line did not trigger 49 U.S.C. § 10901(a)(4) because Brookhaven Rail maintained the common-carrier obligation over the Line.

The requirement under 49 U.S.C. § 10901(a)(4) that a noncarrier obtain Board authority before purchasing a rail line applies only where the noncarrier is obtaining a common-carrier obligation concerning the line. *Anthony Macrie—Continuance in Control Exemption—N.J. Seashore Lines, Inc. (Macrie)*, FD 35296, slip op. at 3-4 (STB served Aug. 31, 2010); *Maine, Dep't of Transp.—Acquisition &*

Operation Exemption—Maine Central R.R (State of Maine), 8 I.C.C.2d 835, 836-37 (1991) (“Under § 10901, we have exclusive jurisdiction over the acquisition of a railroad line by a non-carrier (including a State) *where the common carrier rights and obligations are also to be transferred, in whole or in part.*”) (emphasis added). Here, Brookhaven Rail has always maintained the common-carrier obligation concerning the line. Further, Brookhaven Rail’s rights over the Line do not permit BLC to exercise control over or interfere with Brookhaven rail’s ability to provide common-carrier service. The Board thus should find that BLC has not violated § 10901(a)(4).

Under Board precedent, a noncarrier may acquire a rail line without obtaining Board authority if a rail carrier assumes the common-carrier obligation concerning the line and the noncarrier cannot unduly interfere with or exercise control over the carrier’s operations. In *State of Maine*, the Interstate Commerce Commission held that it did not have jurisdiction over a noncarrier’s acquisition of a rail line where a carrier retained the common-carrier obligation and held rights to the line that prevented interference with this obligation. *State of Maine*, 8 I.C.C.2d 836-37. Although *State of Maine* involved a noncarrier purchaser that was a governmental entity, the Board recognized in *Macrie* that its *State of Maine* precedent extends to rail-line acquisitions by noncarriers that are not governmental entities. *Macrie*, FD 35296, slip op. at 3 (STB served Aug. 31, 2010). In *Macrie*, the Board found that a private noncarrier owner of an abandoned rail line did not need acquisition authority to lease the line to a rail carrier to operate it as a common

carrier. *Id.* at 2. The Board reasoned that the lease did not provide the owner with enough control over the carrier’s operations to impute a common-carrier obligation to the owner or allow the owner to interfere with the carrier’s freight operations on the line. *Id.* at 3.

BLC’s acquisition and ownership of the Line is consistent with *Macrie*. First, since BLC acquired the Line, Brookhaven Rail has held a right to exclusively provide common-carrier service over the Line. Ex. B §§ 1.2(a) (providing a right to provide common-carrier operations on the Line without interference), 2.1 (recognizing that Brookhaven Rail would have a common-carrier obligation over the Line), 2.5 (designating Brookhaven Rail as the exclusive provider of “Rail services”⁶); *see* Ex. E § 2(a). Second, Brookhaven Rail has held its right to provide common-carrier service over the Line free of interference. Ex. B § 1.2(a) (stating that the right to provide common-carrier service is “free from restrictions, interference, or hindrance” from BLC); *see* Ex. E §§ 2(a), 3(a), 3(b). Third, nothing in the Sublicense or Lease would provide BLC with a right to exercise control over BLC’s common-carrier service over the Line. Thus, BLC respectfully requests that

⁶ “Rail Services” is unartfully defined as services that are a part of fulfilling Brookhaven Rail’s common-carrier obligation. Ex. B § 2.1. But “Rail Services” should be interpreted broadly as covering common-carrier services over the Line. This reading avoids a conflict with Brookhaven Rail’s right under the Sublicense to provide common-carrier services without interference. Ex. B § 1.2(a). Additionally, the Sublicense defines “Rail Services” to delineate common-carrier services over the Line from services that are not unique to common-carrier operations, like “transloading, stevedoring, warehousing, etc.” Ex. B § 2.7.

the Board find that BLC's acquisition of the Line is not subject to 49 U.S.C. § 10901(a)(4).

B. If the Board finds that BLC needed authority to acquire the Line, BLC asks that the Board allow BLC to continue ownership without 49 U.S.C. § 10901 authority, provided the Lease is amended as necessary to eliminate the Board's jurisdiction over BLC.

If the Board finds that BLC needed authority to acquire the Line, BLC requests that the Board resolve the issue by allowing BLC to continue ownership of the Line without obtaining 49 U.S.C. § 10901 authority, provided that BLC and Brookhaven Rail enter the Lease, amended as necessary to remove the Board's jurisdiction over BLC's ownership of the Line consistent with *Macrie*. Several reasons warrant this approach.

First, this approach would reflect that BLC never intended to assume a common-carrier obligation over the Line and has not sought to interfere with or control Brookhaven Rail's operations over the Line. When BLC purchased Parcel A, it understood that BHR had the sole common-carrier obligation for Parcel A. (BLC Response, Hagedorn V.S. ¶ 6, Feb. 21, 2023.) It also understood that the prior owners of Parcel A, the Sills Parties, did not have authority concerning Parcel A. (*Id.* ¶ 5). It thus believed that it was not assuming any common-carrier obligation over the line. (*Id.* ¶¶ 6, 7.)

Additionally, BLC has sought to maintain Brookhaven Rail's service over the Line. Since BLC's acquisition of Parcel A, Brookhaven Rail has remained the sole provider of common-carrier service over the Line. BLC has not interfered with this service or tried to exercise control over it. (Brookhaven Rail Reply 5, Feb. 15, 2023

(ID 306156).) Instead, it has attempted to clarify Brookhaven Rail's status as a common-carrier and its right to operate free of undue interference or control by developing the Lease.

BLC's willingness to lease the Line to Brookhaven Rail consistent with *Macrie* confirms that its failure to obtain 49 U.S.C. § 10901(a)(4) authority to purchase the Line was an unintentional error. BLC regrets this error, which it could have avoided by engaging rail counsel to advise on the transaction or seeking the Board's advice on whether authority was necessary. BLC thus respectfully requests that the Board allow it to fix this error by leasing the line to Brookhaven Rail consistent with *Macrie*, which would remove the Board's jurisdiction over BLC's ownership of the Line.

Second, BLC's acquisition of the Line has not impacted freight rail service over it. Brookhaven Rail has explained that its service to shippers on Parcel A "has indeed continued uninterrupted" since BLC purchased Parcel A. (Brookhaven Rail Reply 5, Feb. 15, 2023 (ID 306156).)

Third, while BLC is not opposed to seeking retroactive authority, it would not seem appropriate under the circumstances. If BLC leases the line to Brookhaven Rail consistent with *Macrie*, it would simultaneously seek discontinuance authority to remove BLC's residual common-carrier obligation. Also, Brookhaven Rail was exclusively providing common-carrier service over the Line throughout BLC's ownership of it. (Brookhaven Rail Reply 11, Feb. 15, 2023 (ID 306156)). Retroactive authority thus does not appear to provide any benefit to shippers on the Line.

In sum, BLC regrets any noncompliance with 49 U.S.C. § 10901(a)(4) concerning its acquisition of the Line. Since this was unintentional and did not harm rail service on the Line, BLC asks the Board to allow it to continue to own the Line without seeking authority if it leases the line to Brookhaven Rail consistent with *Macrie* or takes other appropriate actions to remove the Board's jurisdiction over BLC's ownership of the Line.

C. If the Board determines that BLC must obtain § 10904(a)(4) acquisition authority for its purchase of Parcel A, BLC requests an exemption from this requirement pursuant to 49 U.S.C. § 10502.

If the Board decides that a lease of the Line to Brookhaven Rail will not extinguish BLC's need for authority under § 10904(a)(4), BLC requests that the Board exempt BLC's acquisition of Parcel A from the prior approval requirement of § 10904(a)(4) pursuant to its exemption authority under 49 U.S.C. § 10502(a).

Under 49 U.S.C. § 10502(a), the Board must exempt a transaction from 49 U.S.C. § 10901 if the Board finds that: (1) applying 49 U.S.C. § 10901 to the transaction is not necessary to carry out the Rail Transportation Policy at 49 U.S.C. § 10101 (RTP); and (2) either the transaction is of limited scope or the application of 49 U.S.C. § 10901 is not needed to protect shippers from the abuse of market power.

Here, detailed scrutiny of the transaction through an application for review and approval under 49 U.S.C. § 10901 is unnecessary to carry out the RTP. An exemption would promote the RTP by, among other things: minimizing the need for Federal regulatory control over the transaction (49 U.S.C. § 10101(2)); ensuring the continuation of a sound rail transportation system (49 U.S.C. § 10101(4)); reducing

regulatory barriers to entry into the rail industry (49 U.S.C. § 10101(7)); and providing for the expeditious handling and resolution of proceedings (49 U.S.C. § 10101(15)). Also, an exemption would not adversely affect the policy to operate transportation facilities without detriment to the public health and safety (49 U.S.C. § 10101(8)) because BLC's acquisition of the Line does not change the commodities carried on the Line since BLC is not a shipper. BLC's acquisition of the Line also does not impact operations on the Line since the Sublicense makes clear that BLC cannot interfere with these operations. Ex. B § 1.2(a). Additionally, no other RTP policies will be adversely affected because BLC's acquisition of the Line does not impact rail service over the Line.

Also, approval of BLC's acquisition of Parcel A is unnecessary to protect shippers from the abuse of market power. Because the acquisition does not change Brookhaven Rail's status as the sole carrier on the Line, it has no impact on rail competition over the Line. Also, shippers would not experience any loss of service, because they would continue receiving the same service from Brookhaven Rail. *See Ark.-Okla. R.R.—Acquisition & Operation Exemption—State of Okla.*, FD 36323 at 2 (STB served Sept. 19, 2019) (finding no change in service where shippers would continue to receive service from the same rail carrier that had been operating the line).

While exemptions are not permissible if they relieve a carrier of its obligation to protect the interests of its employees (49 U.S.C. § 10502(g)), this exemption

would not involve this obligation. Under 49 U.S.C. § 10901(c), the Board may not impose labor protective provisions on noncarrier acquisitions of rail lines.

The exemption also will not affect environmental or historic review. Under 49 C.F.R. § 1105.6(c), no environmental review is necessary for transactions that do not result in significant changes in carrier operations. Here, the BLC's acquisition of the Line has no impact on carrier operations because Brookhaven Rail has a right to continue providing service on the Line without interference from BLC. Ex. D § 2 (stating that BLC's rights are subject to Brookhaven Rail's rights under the Sublicense; Ex. B § 1.2(a) (stating that Brookhaven Rail has a right to operate the Line as a common carrier "free from restrictions, interference, or hindrance. Also, under 49 C.F.R. § 1105.8(b)(1), a historic report is unnecessary for a transfer of a rail line for continued rail operations where further STB approval is required to abandon any service and there are no properties subject to STB jurisdiction that are at least 50 years old. Here, the acquisition involves continued rail operations by Brookhaven Rail, the service cannot be abandoned without Board approval, and no properties on the Line are at least 50 years old (Ex. F ¶ 4).

III. The warehouses on Parcels B and C are not intended for use to store, sort, and ship solid waste from the proposed solid waste transfer facility on Parcel D.

The Order directs BLC to "explain whether the warehouses on Parcels B and C are intended for use to store, sort, and ship solid waste from the proposed solid waste transfer facility." (Order 3.) BLC responds that it does not intend for the warehouses on Parcels B and C to store, sort, and ship solid waste from the proposed solid waste transfer facility. Ex. F ¶ 6.

The Board’s concern about a connection between the warehouses and the proposed solid waste transfer facility appears to arise from statements in a local-news post⁷ that are inaccurate. (Order 2-3.) The news post takes aim at the Town of Brookhaven’s adoption in March 2023 of a SEQRA Negative Declaration that found, among other things, that the development of transloading warehouses and associated spur track on Parcels B and C will have “no significant impact” on the environment. Allen, *supra* n.7. (See Town Adoption of SEQRA Negative Declaration, Apr. 19, 2023, FD 35141 et al. (EI 32837) (finding no significant environmental impact).)

The news post incorrectly contends, without any attribution, that the proposed warehouses on Parcels B and C will “store, sort, and ship tons of trash from a proposed waste transfer station.” Allen, *supra* n.7. While the post mentions that the warehouses “would require the management or disposal of at least 41 tons of waste per month,” documents filed with the Board related to the SEQRA Negative Declaration explain that this would be waste that the warehouses’ operations *generate*, not waste that they would store, sort, or ship as part of a solid waste transfer facility. Specifically, Part 1.D.2.r. of BLC’s Full Environmental Assessment Form (FEAF), which is BLC’s application for the SEQRA review leading to the Negative Declaration, states that the warehouses will involve or

⁷ J.D. Allen, *Brookhaven Finds Proposed Rail Terminal to Have No Significant Environmental Impact*, Apr. 4, 2023, <https://www.wshu.org/long-island-news/2023-04-04/brookhaven-finds-proposed-rail-terminal-to-have-no-significant-environmental-impact> (last visited Oct. 15, 2023).

require the management or disposal of solid waste insofar as their operations will generate approximately 41 to 52 tons of solid waste per month. (FEAF 8, *in* Memorandum from Peter E. Fountaine, Pr. Environmental Analyst, Town of Brookhaven, to Martin Oberman, Chairman, STB, Feb. 22, 2023, FD 35141 et al. (EI 32828).) The footnote accompanying this statement explains that BLC calculated this waste estimate assuming a generation rate of 7 pounds per person per day for factories with 400-3,000 employees, as identified in J.A. Salvato, *Solid Waste Management, Environmental Engineering and Sanitation* (6th ed.), and 547-684 full-time employees⁸ at the warehouses, per MRB Group, Brookhaven Rail Terminal: Economic & Fiscal Impact Assessment (Apr. 28, 2021) (Ex. G at 2).⁹ (FEAF 8, *in* Memorandum from Peter E. Fountaine, *supra*.) Accordingly, the waste that the post incorrectly associates with the proposed solid waste transfer facility is solid waste that employees of the warehouses are likely to generate from normal activities of employees that work in a warehouse.

IV. Parcels B and C will not have a direct connection to the LIRR line.

The Order indicates that the Board has misinterpreted certain statements in the 2023 SEQR Negative Declaration Notice as indicating that the proposed track on Parcels B and C will connect directly to the LIRR Line. BLC clarifies that the

⁸ Page 2 of the MRB Group assessment shows that the proposed warehouses on Parcels B, C, and D will create 1,094-1,367 full time jobs. Ex. G at 2. BLC divided these numbers in half to estimate the jobs that Parcels B and C would create.

⁹ BLC's calculation of 41 tons is based on 7 pounds * 546 employees * 21 working days per month. BLC's calculation of 52 is based on 7 pounds * 684 employees * 21 working days per month.

proposed track on these parcels will connect to the LIRR Line only via the track on Parcel A.

Although the 2023 SEQRA Negative Declaration Notice makes two references to a connection to the LIRR line, related documents that the Town of Brookhaven filed with the Board demonstrate that the Board should not interpret the references as indicating a direct connection to Parcels B and C. These documents are the FEAF application for the SEQRA review leading to the negative declaration, the proposed site plan for Parcels B and C, and the 2017 SEQRA Negative Declaration Notice related to Parcels B and C, which are in Memorandum from Peter E. Fountaine, Pr. Environmental Analyst, Town of Brookhaven, to Martin Oberman, Chairman, STB, Feb. 22, 2023, FD 35141 et al. (EI 32828) (hereinafter SEQRA Application Memo).

The 2023 SEQRA Negative Declaration Notice first refers to an LIRR connection by stating:

The development plan includes a rail spur extension for the proposed transloading buildings on Parcels B and C. Approximately 7,906 linear feet of track would serve two (2) transloading buildings and would connect to the LIRR Line along the southern boundary of both parcels.

(2023 SEQRA Negative Declaration Notice, *supra*, 1.) The proposed site plan for Parcels B and C confirms that this statement should not be read as indicating that the track will connect directly to the LIRR Line. The site plan clearly shows that that the track on Parcels B and C would extend onto Parcel A, rather than across

the southern boundary of Parcels B and C to the LIRR Line.¹⁰ (Layout & Materials Plan C-100, *in* SEQRA Application Memo, *supra*). Thus, this statement in the SEQR Negative Declaration Notice should be interpreted as stating only that the proposed spur on Parcels B and C will connect to the LIRR Line, which runs along the southern boundary of Parcels B and C.

The 2023 SEQR Negative Declaration Notice's other reference to an LIRR connection states:

[T]he current proposed action will provide turnout from the LIRR rail line, which the applicant asserts is a more efficient means of access, and will result in significantly less material being removed from Parcels B and C.

(2023 SEQR Negative Declaration Notice, *supra*, 5.) This statement refers to a turnout that would directly connect the LIRR Line to *Parcel D* only. That turnout replaces a prior proposed tunnel under the LIRR Line that would have connected proposed track on Parcel D to the track on Parcels A, B, and C. (2023 SEQR Negative Declaration Notice, *supra*, 5; SEQR Negative Declaration Notice 2, *in* SEQRA Application Memo, *supra* (hereinafter 2017 SEQRA Negative Declaration Notice); NYS Dep't of Environmental Conservation, ENB – Region 1 Notices 9/27/2017, *in* SEQRA Application Memo, *supra*.); Ex. H at 2. By substituting the turnout for the planned tunnel, BLC has avoided tunnel excavation that would have removed material from Parcels B and C. Ex. H at 2. It also has created more

¹⁰ At its lower left corner, the proposed site plan shows the planned Parcel B and C track crossing over the western edge of Parcel B to Parcel A. The map also shows that the proposed track does not cross the LIRR property line at the southern border of Parcels B and C.

efficient access between *Parcel D* and the LIRR Line by connecting them directly and eliminating routing of potential Parcel D traffic over Parcels A, B, and C.

V. Conclusion

BLC seeks to address any compliance concerns about its acquisition of the Line. While it urges the Board to find that BLC's acquisition of the Line did not trigger prior approval under 49 U.S.C. § 10901(a)(4), BLC is ready to take appropriate action as outlined in this Response to address any noncompliance by BLC with the prior approval requirement.

Respectfully submitted,

/s/Jason D. Tutrone

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*Counsel for Brookhaven Logistics Center
LLC*

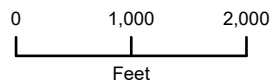
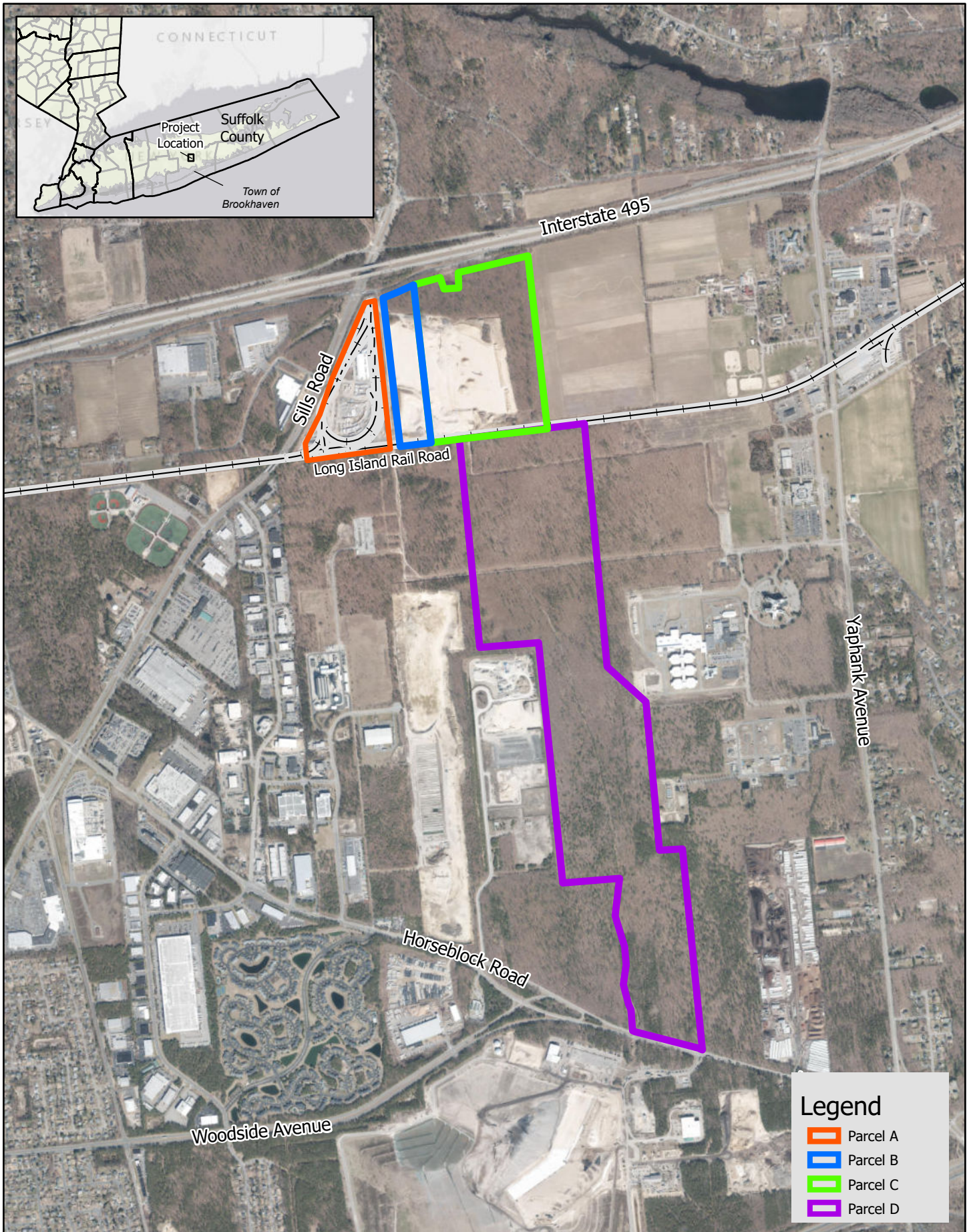
Dated: October 24, 2023

CERTIFICATE OF SERVICE

I certify that I have this October 24, 2023, served copies of the foregoing Response to Request for Information upon all parties of record in Docket Nos. FD 35141, FD 35819, FD 36376, FD 36384, FD 36385, FD 36398, and FD 36399 by email or first-class mail.

/s/Jason D. Tutrone
Jason D. Tutrone

Exhibit A



BROOKHAVEN RAIL TERMINAL (BRT)

PARCELS A, B, C & D

FIGURE 2

Exhibit B

**(Redacted-Highly
Confidential)**

Exhibit C

**(Redacted-Highly
Confidential)**

Exhibit D

**(Redacted-Highly
Confidential)**

Exhibit E

**(Redacted-Highly
Confidential)**

Exhibit F

BEFORE THE SURFACE TRANSPORTATION BOARD

Docket No. FD 35141

**U S RAIL CORPORATION—CONSTRUCTION AND OPERATION
EXEMPTION—BROOKHAVEN RAIL TERMINAL**

Docket No. FD 35819

**BROOKHAVEN RAIL TERMINAL AND BROOKHAVEN RAIL, LLC—
PETITION FOR DECLARATORY ORDER**

Docket No. FD 36376

**SPECTRUM RR HOLDINGS, LLC—OPERATION EXEMPTION—RAILROAD
LINE IN THE TOWN OF BROOKHAVEN, N.Y.**

Docket No. FD 36384

**SILLS ROAD REALTY LLC—ACQUISITION EXEMPTION—RAILROAD LINE
IN THE TOWN OF BROOKHAVEN, N.Y.**

Docket No. FD 36385

**SPECTRUM RR HOLDINGS, LLC—ACQUISITION & OPERATION
EXEMPTION—LINE OF SILLS ROAD REALTY LLC, IN THE TOWN OF
BROOKHAVEN, N.Y.**

Docket No. FD 36398

**BROOKHAVEN RAIL LLC—CONSTRUCTION AND OPERATION
EXEMPTION—IN SUFFOLK COUNTY, N.Y.**

Docket No. FD 36399

**BROOKHAVEN RAIL LLC—PETITION FOR EXEMPTION FROM
REQUIREMENTS OF 49 U.S.C. § 10909**

**Verified Statement of Nathaniel Hagedorn
Manager of NPD Management, LLC, the Administrative Manager
of Brookhaven Logistics Center, LLC**

1. I, Nathaniel Hagedorn, submit this verified statement in support of the Brookhaven Logistics Center LLC's response to the request for information in the decision served on September 27, 2023, in the above-captioned proceedings.
2. I am the Manager of NPD Management, LLC, a Missouri limited liability company ("NPD"), the Administrative Manager of BLC. NPD, as the Administrative Manager of BLC, has the legal duty and authority to manage the operations, development, and leasing of the real property holdings of BLC. I, as Manager of NPD, have the legal authority to manage the affairs of that entity.
3. BLC has intended for Brookhaven Rail LLC to operate the track on Parcel as the exclusive common-carrier on the track without any interference or control by BLC.
4. When BLC acquired Parcel A, no structures on the Parcel were at least 50 years old. Also, no structures currently on Parcel A are at least 50 years old.
5. The only developments on Parcels B and C are 50 feet of track from Parcel A onto Parcel B, cleared trees, and a partially graded pad for the first of the two warehouses that BLC plans to build on Parcels B and C.
6. BLC does not intend for the warehouses planned on Parcels B and C to be used to store, sort, or ship solid waste in connection with a proposed solid waste transfer facility on Parcel D.
7. BLC changed prior plans for a proposed tunnel linking rail line on Parcels B and C to Parcel D by eliminating the tunnel and associated rail link. Instead of connecting Parcel D to the Long Island Railroad line on its northern edge via the

tunnel, BLC plans to use a direct turnout from the LIRR line to Parcel D. Under this plan, Parcel D will not have a direct rail connection to Parcels A, B, or C.

8. The only development work that has occurred on the BLC-owned portion of Parcel D is tree clearing. No track construction has occurred on BLC's portion of Parcel D.

9. BLC is planning to construct four rail-served warehouses on Parcel D, although it will determine the exact number of warehouses as it finalizes its conceptual layout for the parcel. BLC may choose not to establish rail access for any of the warehouses.

10. BLC has no ownership interest Winters Brothers Shamrock Realty LLC, which owns the portion of Parcel D that BLC does not own.

VERIFICATION

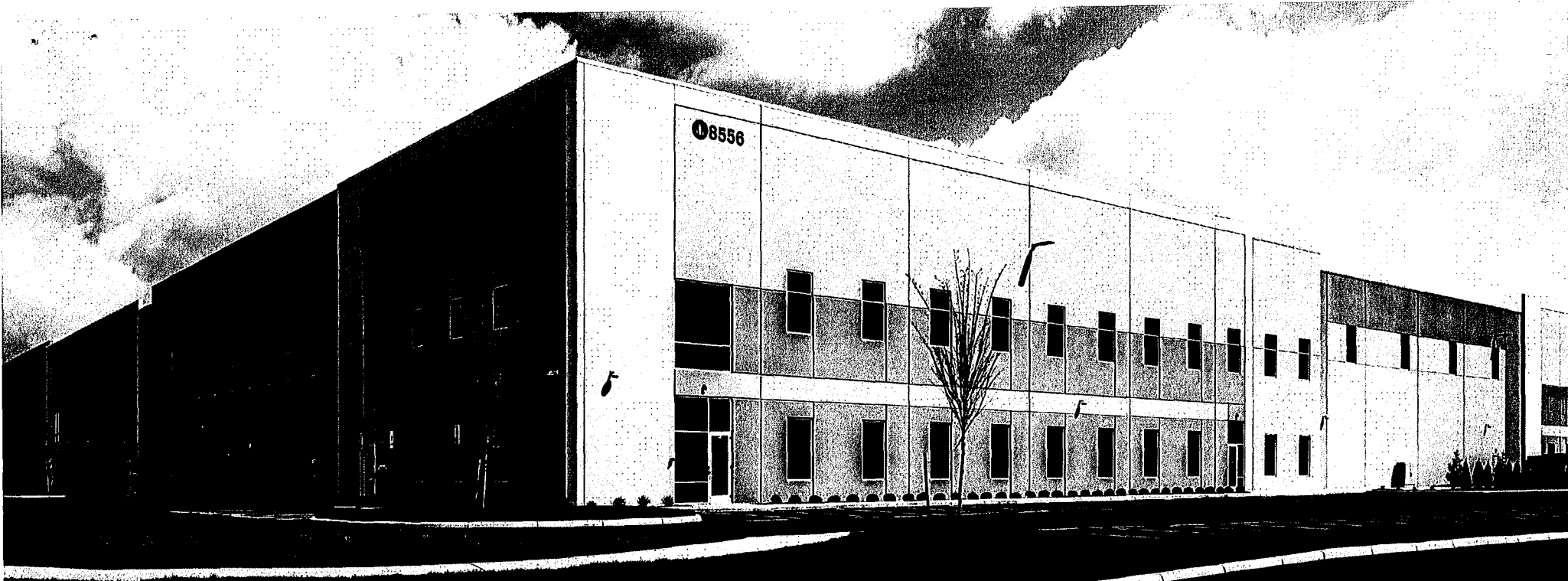
I, Nathaniel Hagedorn, verify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this statement.

Executed on 10/24/2023



Nathaniel Hagedorn

Exhibit G



Brookhaven Rail Terminal: Economic & Fiscal Impact Assessment

Prepared by:

MRB | *group*

Prepared for:
NorthPoint Development, LLC

Date:
April 28, 2021

Executive Summary

NorthPoint Development, LLC (the "Developer") is proposing an industrial real estate development project located south of the Long Island Expressway, north of Horseback Road, and West of Yaphank Avenue in the Town of Brookhaven (the "Site"). The proposed project includes the construction of four rail-served industrial buildings totaling approximately 2.5 million square feet (the "Project"). The Developer has requested an economic and fiscal impact analysis from MRB Group to enumerate the impacts of the Project on the Town of Brookhaven (the "Town"), Suffolk County (the "County"), the South Country Central School District (the "South Country CSD"), the Longwood Central School District (the "Longwood CSD"), and other affected taxing jurisdictions.

MRB Group conducted an assessment of the economic and fiscal impacts of the Project, including both the one-time construction phase impacts as well as the ongoing impacts of the operation phase once the Project is complete and future industrial tenants (the "Tenants") occupy the Site. The economic impacts considered in this analysis include the direct and indirect jobs, wages, and sales created by the Project. The fiscal impacts include one-time and ongoing new sales tax revenue created by the Project as well as revenue to be received by the various taxing jurisdictions under a presumed Payment in Lieu of Taxes (PILOT) agreement between the Developer and the Town of Brookhaven Industrial Development Agency (IDA).

Note that, because the exact employment counts of the Tenants are not yet known, we provide two cases in our analysis: the "Low Case" is based upon the assumption of one Tenant job per 2,250 square feet of space created and the "High Case" is based upon the assumption of one Tenant job per 1,800 square feet of space created.

Economic Impact Summary

As shown in the table to the right, we estimate that the construction phase of the Project will create 1,151 direct, on-site construction jobs and 670 indirect jobs. Therefore, in total, the construction phase of the Project will create 1,821 jobs generating \$124.4 million in wages in the County.

When occupied by the Tenants, we estimate between 1,094 and 1,367 ongoing, permanent jobs will be created on Site, with a further 383 to 479 indirect jobs. Therefore, in total, we

Summary of Economic Impacts

	Direct	Indirect	Total
Construction Jobs	1,151	670	1,821
Construction Wages	\$81,313,295	\$43,064,638	\$124,377,933
Ongoing Jobs - Low Case	1,094	383	1,477
Ongoing Wages - Low Case	\$55,502,073	\$21,826,637	\$77,328,710
Ongoing Jobs - High Case	1,367	479	1,846
Ongoing Wages - High Case	\$69,352,225	\$27,273,320	\$96,625,545

estimate that the Project will create between 1,477 and 1,846 permanent jobs in the Town with associated annual earnings of between \$77.3 million and \$96.6 million¹.

Fiscal Impact Summary

In terms of fiscal benefits, the Project will increase tax revenues for the County, Town,² South Country CSD, and Longwood CSD³. We estimate that the County will earn sales tax revenue in the amount of \$925,061 during the construction phase of the Project, as a result of a portion of the construction phase worker earnings being spent locally. During the 20-year term of the presumed PILOT, we estimate the County will collect a further \$15.7 million of sales tax revenue as a result of the operation phase earnings.

As shown in the table below, under the terms of the presumed PILOT, we estimate the County will collect \$9.4 million *more* in PILOT payments from the Project than the property taxes it would otherwise collect without the Project. Therefore, in total, we estimate the County's fiscal benefit from the Project over the 20 years of the presumed PILOT would be \$26.0 million.

The Town of Brookhaven would likewise collect \$13.0 million more in PILOT payments than it would in property taxes without the Project; the Longwood CSD would collect \$31.0 million more than it would without the Project; and the South Country CSD would collect \$26.1 million more than it would without the Project. Therefore, in total, all four jurisdictions would collectively benefit from \$96 million in new revenues as a result of the Project moving forward.

Summary of Fiscal Benefits Over 20 Year PILOT Term

	County	Town	Longwood CSD	South Country CSD	Total
Sales Tax, One-Time	\$925,061				\$925,061
Sales Tax, Operations (Midpoint)	\$15,717,784				\$15,717,784
Increase In Property Tax Revenues	\$9,364,636	\$12,980,829	\$30,997,967	\$26,112,910	\$79,456,342
Total Fiscal Benefits	\$26,007,480	\$12,980,829	\$30,997,967	\$26,112,910	\$96,099,187

¹ Note that the jobs reported for the construction phase are with respect to Suffolk County, whereas the operation phase jobs are with respect to the Town of Brookhaven. The direct, ongoing wages reported include estimated employee benefits. See the body of this report for the definition and explanation of "Indirect" jobs and wages.

² As noted elsewhere in this report, the fiscal impacts to the Town include the Town's general funds, highway funds, and various special districts of the Town. See Appendix B for representative tax bills that show all relevant districts.

³ Note that the Site spans the border of the two school districts mentioned.

Other Benefits of the Project

In addition to those impacts described above, the Project will also benefit the Town of Brookhaven and Long Island in a number of indirect ways. One such way is that the Project will provide a rail connection for the proposed Solid Waste Rail Transfer Facility (SWRTF) to the Long Island Railroad and eventually to the Norfolk Southern and CSX rail lines, thereby allowing for the environmentally friendly transportation of waste by rail to off-Island disposal sites.

Specifically, there is a solid waste disposal crisis on Long Island which will worsen with the planned closure of the Brookhaven Landfill in 2024. A cost-effective and environmentally sound process is needed to manage the thousands of tons of waste that Long Island's inhabitants and businesses produce daily. The Brookhaven landfill currently accepts about 1,200,000 tons per year of construction waste, automobile fluff from metal shredders, and ash from incinerators. The rail transfer facility will allow the material to be processed and then transported by rail to distant landfills for proper disposal. Without a rail-served solid waste facility, an additional 60,000 truck trips per year will be needed to transport this waste.

Therefore, the Project's rail connection to the proposed SWRTF allows the Town to avoid this additional truck traffic while still allowing for the proper disposal of these solid waste streams.

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Introduction

NorthPoint Development, LLC is proposing an industrial real estate development project located south of the Long Island Expressway, north of Horseback Road, and West of Yaphank Avenue in the Town of Brookhaven. The proposed project includes the construction of four rail-served industrial buildings totaling approximately 2.5 million square feet. The Developer has requested an economic and fiscal impact analysis from MRB Group to enumerate the impacts of the Project on the Town of Brookhaven, Suffolk County, the South Country Central School District, the Longwood Central School District, and other affected taxing jurisdictions.

MRB Group conducted an assessment of the economic and fiscal impacts of the Project, including both the one-time construction phase impacts as well as the ongoing impacts of the operation phase once the Project is complete and future industrial tenants occupy the Site. The economic impacts considered in this analysis include the direct and indirect jobs, wages, and sales created by the Project. The fiscal impacts include one-time and ongoing new sales tax revenue created by the Project as well as revenue to be received by the various taxing jurisdictions under a presumed Payment in Lieu of Taxes (PILOT) agreement between the Developer and the Town of Brookhaven Industrial Development Agency (IDA).

Market Overview

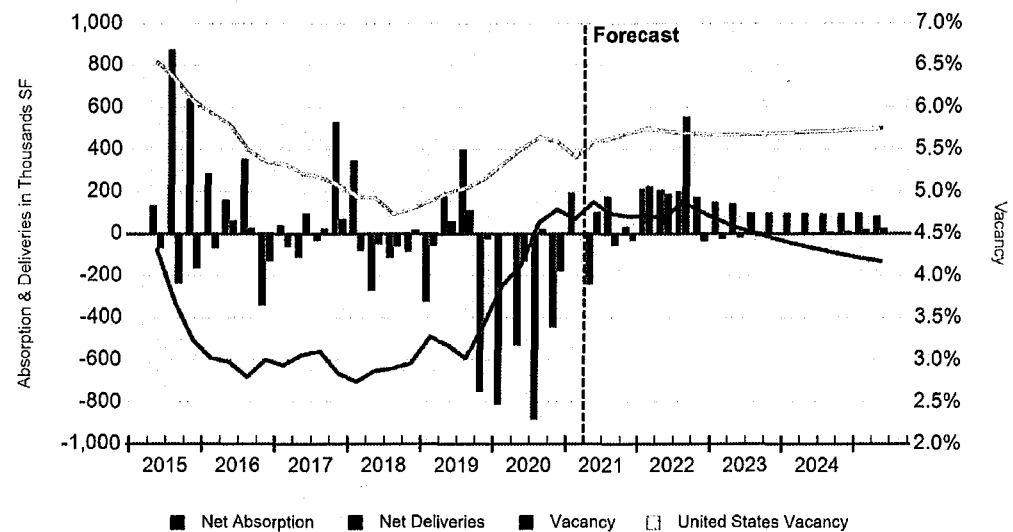
Long Island's industrial real estate market has exhibited low vacancy rates in recent years, as shown in the table to the right. Vacancy rates have remained under 5%, well below national averages. (Source: CoStar.)

The COVID-19 pandemic has impacted nearly every property type of real estate. Industrial space and logistics, however, have been less sensitive to these adverse conditions and, in many cases, demand for logistics and distribution space has actually increased.

The Long Island industrial market has yet to capture much of this demand, likely due to the limited highway capacity to get on and off the island and lack of inventory. In its most recent Long Island industrial space market commentary, CoStar analysts stated:

"Though the logistics industry is better positioned than other property types in the pandemic, Long Island has not captured much of this demand. [...] Once a major area for rail freight transportation, New York City and Long Island have seen commercial railroading all but disappear, ***amplifying reliance on highway connections*** for the local logistics industry. I-495 (the Long Island Expressway) runs east-west through the entirety of Long Island and Queens, providing access to the more than 900,000 households in the metro. The route also provides access to roughly 1.7 million households across Brooklyn and Queens. The bulk of the inventory is located within four miles of the Long Island Expressway, and ***large modern buildings are generally an anomaly*** in the metro. [...] Development is hindered by a lack of industrial sites available for development and [Long Island's] relative isolation."⁴

NET ABSORPTION, NET DELIVERIES & VACANCY



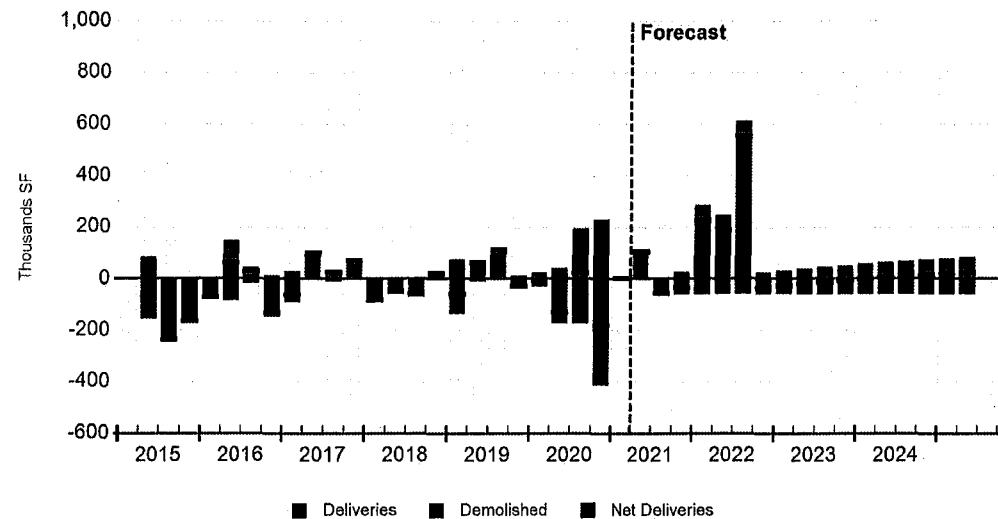
⁴ Emphasis added. Source: CoStar Industrial Market Report for Long Island NY, accessed April 2021, pages 3 and 9.

Indeed, the data show that deliveries in the Long Island industrial real estate market have been minor in recent years. There has been only one quarter where deliveries exceeded 200,000 sf, and most quarters actually saw negative net deliveries due to demolitions.

It appears that the proposed project would substantially improve the Long Island industrial market, bringing nearly 2.5 million square feet of new space to the market with rail access, circumventing the need to rely on an already-congested road network.

Therefore, we conclude that the proposed Project, providing Tenants with large, modern buildings and access to freight transportation routes, is additive to the market and represents product not currently available. We thus treat any new Tenants as "net new" to the Suffolk County economy.

DELIVERIES & DEMOLITIONS



Economic Impact Analysis

The Project would have economic impacts on the County and Town in a number of ways. These include one-time impacts to jobs, earnings, and sales during the construction phase of the Project, which we estimate for the entire County. They also include ongoing impacts related the operations of the Project, which we estimate for the Town.⁵

Methodology

Both one-time, construction-phase impacts and ongoing, operation-phase impacts have “direct” and “indirect” components. For the construction phase:

- Direct jobs, wages, and sales are those that occur on-site related to labor and materials used in the construction of the Project.
- Indirect jobs, wages, and sales are those caused by the direct impacts, and result from business-to-business purchases (e.g. a contractor buying a piece of equipment from a dealer) and from employees spending a portion of their wages locally.

For the operation phase:

- Direct jobs, wages, and sales are those created from the operations of the presumed Tenants (e.g. on-site warehousing employment).
- Indirect jobs, wages, and sales are those caused by the direct impact, such as business-to-business purchases by the Tenants and by the Tenants’ employees spending a portion of their wages locally.

To estimate the direct and indirect impacts, MRB Group employed the Emsi⁶ economic modeling system. We used data from the Developer and from publicly-available and proprietary data sources as inputs to the Emsi modeling system. Where needed, we adjusted the Emsi model to best match the Project specifics. We then reported the results of the modeling.

⁵ By their nature, construction-related impacts tend to be somewhat more diffuse, which is why we report them as County-level impacts.

⁶ Emsi, formerly “Economic Modeling Systems, Intl.,” uses data from the US Bureau of Labor Statistics, the US Bureau of Economic Analysis, the US Census, and other data sources to model out economic impacts.

Construction Phase

The Developer provided an estimate of the total cost of construction of the Project at \$262 million.⁷ For the construction, we used an estimate of 75% for the portion of materials and labor to be sourced from within the County. Therefore, in total, the construction phase of the Project will result in \$196.4 million of construction spending in the County.

Construction Spending In County

	\$ Total	% Region	\$ Region
Materials & Labor	\$261,920,591	75%	\$196,440,443

Source: Developer, MRB

In-County construction spending of \$196,440,443 (direct "sales" in the table) was used as an input into the Emsi economic modeling system and was attributed to "Industrial Building Construction" (NAICS 236210). This level of spending is projected to result in the creation of approximately 1,151 direct jobs and direct earnings of approximately \$81.3 million. Indirect impacts resulting from direct spending were also modeled, with 670 new jobs, \$43.1 million in new earnings, and \$122.9 million in new sales. Therefore, the total, one-time, construction-phase impacts of the Project on the County would be 1,821 jobs, \$124.4 million in wages, and \$319.3 million in sales.

Economic Impact of Construction Phase, One-Time

	Direct	Indirect	Total
Jobs	1,151	670	1,821
Earnings	\$81,313,295	\$43,064,638	\$124,377,933
Sales	\$196,440,443	\$122,850,555	\$319,290,998

Source: Emsi, MRB

⁷ To isolate the actual construction costs, we ignored the Developer's costs related to land acquisition as well as legal and financial costs.

Operation Phase

An important distinction between construction and operation phase impacts is the geographical level at which impacts were measured. Because the operational impact will be more localized in comparison to the County-level construction impacts, the economic impact of the operation phase was measured for the Town of Brookhaven.⁸

Note that, because the exact employment counts of the Tenants are not yet known, we provide two cases in our analysis: the "Low Case" is based upon the assumption of one Tenant job per 2,250 square feet of space created and the "High Case" is based upon the assumption of one Tenant job per 1,800 square feet of space created. Therefore, the Low Case yields 1,094 direct on-Site jobs and the High Case yields 1,367 direct, on-Site jobs across the four proposed buildings.

We modeled these direct jobs using the "General Warehousing and Storage" industry code (NAICS 493110) and adjusted the model for earnings of \$55.5 million and \$69.4 million annually for the Low Case and High Case, respectively.⁹ Indirect impacts include 383 to 479 additional jobs earning \$21.8 to \$27.3 million in wages, and \$60.9 million to \$76.1 million in indirect sales.

Therefore, we estimate that the Project will generate annual, operation-phase impacts of between 1,477 and 1,846 jobs, \$77.3 million and \$96.6 million in earnings, and between \$235.0 million and \$293.7 million in sales in the Town.

Economic Impact of Operation Phase - Low Case

	Direct	Indirect	Total
Jobs	1,094	383	1,477
Earnings	\$55,502,073	\$21,826,637	\$77,328,710
Sales	\$174,134,746	\$60,891,664	\$235,026,411

Source: Emsi, MRB

Economic Impact of Operation Phase - High Case

	Direct	Indirect	Total
Jobs	1,367	479	1,846
Earnings	\$69,352,225	\$27,273,320	\$96,625,545
Sales	\$217,588,847	\$76,086,751	\$293,675,597

Source: Emsi, MRB

⁸ For purposes of this analysis, the Town of Brookhaven was approximated using 36 ZIP codes that best cover the Town's geographical boundaries. A map and full list of these ZIP codes are included in Appendix A.

⁹ Annual earnings figure includes both the salary and benefits of the associated positions, provided by the Developer.

Fiscal Impact Analysis

The Project would also have fiscal impacts on the various taxing jurisdictions by virtue of new tax revenues being created through the sales tax and a presumed PILOT agreement. Using the following assumptions, we are able to approximate the increase in tax revenue generated by the Project.

Assumptions

- The current assessed value (AV) of the Site is \$77,926, and the uniform percentage of value is 0.77%, yielding a current market value (MV) for tax purposes of \$10 million across all parcels. Currently these parcels generate approximately \$295,755 in property tax revenue for the various taxing jurisdictions. Note that all parcels fall within the County and Town. However, Parcels B & C fall within the Longwood CSD and Parcel D falls within the South Country CSD. See Appendix C.
- The Developer provided us estimates of the future AV of the Site, based on future square footages, of \$861,149 for Parcels B & C and \$889,228 for Parcel D. Using the same uniform percentage of value of 0.77%, we arrived at a total future MV of over \$227 million.
- We began with the current tax rates applicable to each parcel (see "Year 1" in the table on the following page) and escalated them at 2% per year for twenty years. Note that "Town" includes all Town general/highway funds and relevant special districts.
- As described more fully below, for this analysis, we have assumed a 20-year PILOT agreement whereby the Site would pay full taxes on the current AV, plus a gradually-increasing percentage of the value of the improvements created by the Project.

Current Market and Assessed Value

Line	Value
Parcels B & C - Market Value	\$3,752,078
Parcel D - Market Value	\$6,368,182
Total Current Market Value	\$10,120,260
Uniform % Value	0.77%
Parcels B & C - Assessed Value	\$28,891
Parcel D - Assessed Value	\$49,035
Total Current Assessed Value	\$77,926

Future Market and Assessed Value

Line	Value
Parcels B & C - Market Value	\$111,837,520
Parcel D - Market Value	\$115,484,120
Total Future Market Value	\$227,321,640
Uniform % Value	0.77%
Parcels B & C - Assessed Value	\$861,149
Parcel D - Assessed Value	\$889,228
Total Future Assessed Value	\$1,750,377

Tax Rates

- The table below shows the current (Year 1) tax rates and future tax rates used in this analysis. Please note that "Town" includes all Town general/highway funds and relevant special districts. Because the set of special districts differs between Parcels B & C and Parcel D, the total Town rate changes. See Appendix B for two representative tax bills that show the districts and tax rates of each.

Tax Rates

Year	Parcels B & C				Parcel D			
	<i>Longwood</i> CSD	County	Town	Total	<i>South Country</i> CSD	County	Town	Total
Year 1	301.851	45.379	59.558	406.788	251.880	45.379	66.215	363.474
Year 2	307.888	46.287	60.749	414.924	256.918	46.287	67.539	370.743
Year 3	314.046	47.212	61.964	423.222	262.056	47.212	68.890	378.158
Year 4	320.327	48.157	63.203	431.687	267.297	48.157	70.268	385.722
Year 5	326.733	49.120	64.467	440.320	272.643	49.120	71.673	393.436
Year 6	333.268	50.102	65.757	449.127	278.096	50.102	73.107	401.305
Year 7	339.933	51.104	67.072	458.109	283.658	51.104	74.569	409.331
Year 8	346.732	52.126	68.413	467.272	289.331	52.126	76.060	417.517
Year 9	353.667	53.169	69.782	476.617	295.118	53.169	77.581	425.868
Year 10	360.740	54.232	71.177	486.149	301.020	54.232	79.133	434.385
Year 11	367.955	55.317	72.601	495.872	307.040	55.317	80.716	443.073
Year 12	375.314	56.423	74.053	505.790	313.181	56.423	82.330	451.934
Year 13	382.820	57.552	75.534	515.906	319.445	57.552	83.977	460.973
Year 14	390.476	58.703	77.045	526.224	325.834	58.703	85.656	470.192
Year 15	398.286	59.877	78.586	536.748	332.350	59.877	87.369	479.596
Year 16	406.252	61.074	80.157	547.483	338.997	61.074	89.117	489.188
Year 17	414.377	62.296	81.760	558.433	345.777	62.296	90.899	498.972
Year 18	422.664	63.542	83.396	569.601	352.693	63.542	92.717	508.951
Year 19	431.118	64.812	85.063	580.993	359.747	64.812	94.571	519.130
Year 20	439.740	66.109	86.765	592.613	366.942	66.109	96.463	529.513

Property Taxes Without the Project

We begin this portion of the analysis by estimating the future property tax payments that would be made on the Site if the Project were not to move forward. We applied the current AV to the tax rates shown on the previous page. As shown in the table below, if the Project did not occur, the Site would generate \$2.1 million for the Longwood SCD, \$3.0 million for the South Country CSD, \$0.9 million for the County, and \$1.2 million for the Town.

Property Taxes Without the Project

Year	Parcels B & C				Parcel D				Total				
	Longwood CSD	County	Town	Total	South Country CSD	County	Town	Total	Longwood CSD	South Country CSD	County	Town	Total
Year 1	\$ 87,208	\$ 13,110	\$ 17,207	\$ 117,525	\$ 123,509	\$ 22,252	\$ 32,469	\$ 178,229	\$ 87,208	\$ 123,509	\$ 35,362	\$ 49,675	\$ 295,755
Year 2	\$ 88,952	\$ 13,373	\$ 17,551	\$ 119,876	\$ 125,980	\$ 22,697	\$ 33,118	\$ 181,794	\$ 88,952	\$ 125,980	\$ 36,069	\$ 50,669	\$ 301,670
Year 3	\$ 90,731	\$ 13,640	\$ 17,902	\$ 122,273	\$ 128,499	\$ 23,151	\$ 33,780	\$ 185,430	\$ 90,731	\$ 128,499	\$ 36,791	\$ 51,682	\$ 307,703
Year 4	\$ 92,546	\$ 13,913	\$ 18,260	\$ 124,719	\$ 131,069	\$ 23,614	\$ 34,456	\$ 189,139	\$ 92,546	\$ 131,069	\$ 37,526	\$ 52,716	\$ 313,857
Year 5	\$ 94,396	\$ 14,191	\$ 18,625	\$ 127,213	\$ 133,691	\$ 24,086	\$ 35,145	\$ 192,921	\$ 94,396	\$ 133,691	\$ 38,277	\$ 53,770	\$ 320,134
Year 6	\$ 96,284	\$ 14,475	\$ 18,998	\$ 129,757	\$ 136,364	\$ 24,568	\$ 35,848	\$ 196,780	\$ 96,284	\$ 136,364	\$ 39,043	\$ 54,846	\$ 326,537
Year 7	\$ 98,210	\$ 14,764	\$ 19,378	\$ 132,352	\$ 139,092	\$ 25,059	\$ 36,565	\$ 200,715	\$ 98,210	\$ 139,092	\$ 39,823	\$ 55,943	\$ 333,068
Year 8	\$ 100,174	\$ 15,060	\$ 19,765	\$ 134,999	\$ 141,873	\$ 25,560	\$ 37,296	\$ 204,730	\$ 100,174	\$ 141,873	\$ 40,620	\$ 57,061	\$ 339,729
Year 9	\$ 102,178	\$ 15,361	\$ 20,161	\$ 137,699	\$ 144,711	\$ 26,071	\$ 38,042	\$ 208,824	\$ 102,178	\$ 144,711	\$ 41,432	\$ 58,203	\$ 346,524
Year 10	\$ 104,221	\$ 15,668	\$ 20,564	\$ 140,453	\$ 147,605	\$ 26,593	\$ 38,803	\$ 213,001	\$ 104,221	\$ 147,605	\$ 42,261	\$ 59,367	\$ 353,454
Year 11	\$ 106,306	\$ 15,982	\$ 20,975	\$ 143,262	\$ 150,557	\$ 27,125	\$ 39,579	\$ 217,261	\$ 106,306	\$ 150,557	\$ 43,106	\$ 60,554	\$ 360,523
Year 12	\$ 108,432	\$ 16,301	\$ 21,395	\$ 146,128	\$ 153,568	\$ 27,667	\$ 40,371	\$ 221,606	\$ 108,432	\$ 153,568	\$ 43,968	\$ 61,765	\$ 367,734
Year 13	\$ 110,601	\$ 16,627	\$ 21,823	\$ 149,050	\$ 156,640	\$ 28,220	\$ 41,178	\$ 226,038	\$ 110,601	\$ 156,640	\$ 44,848	\$ 63,000	\$ 375,088
Year 14	\$ 112,813	\$ 16,960	\$ 22,259	\$ 152,031	\$ 159,773	\$ 28,785	\$ 42,001	\$ 230,559	\$ 112,813	\$ 159,773	\$ 45,745	\$ 64,260	\$ 382,590
Year 15	\$ 115,069	\$ 17,299	\$ 22,704	\$ 155,072	\$ 162,968	\$ 29,361	\$ 42,842	\$ 235,170	\$ 115,069	\$ 162,968	\$ 46,659	\$ 65,546	\$ 390,242
Year 16	\$ 117,370	\$ 17,645	\$ 23,158	\$ 158,173	\$ 166,227	\$ 29,948	\$ 43,698	\$ 239,873	\$ 117,370	\$ 166,227	\$ 47,593	\$ 66,857	\$ 398,047
Year 17	\$ 119,718	\$ 17,998	\$ 23,621	\$ 161,337	\$ 169,552	\$ 30,547	\$ 44,572	\$ 244,671	\$ 119,718	\$ 169,552	\$ 48,545	\$ 68,194	\$ 406,008
Year 18	\$ 122,112	\$ 18,358	\$ 24,094	\$ 164,564	\$ 172,943	\$ 31,158	\$ 45,464	\$ 249,564	\$ 122,112	\$ 172,943	\$ 49,515	\$ 69,558	\$ 414,128
Year 19	\$ 124,554	\$ 18,725	\$ 24,576	\$ 167,855	\$ 176,402	\$ 31,781	\$ 46,373	\$ 254,556	\$ 124,554	\$ 176,402	\$ 50,506	\$ 70,949	\$ 422,410
Year 20	\$ 127,045	\$ 19,099	\$ 25,067	\$ 171,212	\$ 179,930	\$ 32,416	\$ 47,301	\$ 259,647	\$ 127,045	\$ 179,930	\$ 51,516	\$ 72,368	\$ 430,859
Total	\$ 2,118,919	\$ 318,549	\$ 418,082	\$ 2,855,551	\$ 3,000,953	\$ 540,655	\$ 788,900	\$ 4,330,507	\$ 2,118,919	\$ 3,000,953	\$ 859,205	\$ 1,206,982	\$ 7,186,059

PILOT Payments with the Project

To calculate the payments that would occur under the presumed 20-year PILOT, we first calculate the equivalent taxable AV for each year under the terms of the presumed PILOT. As noted above, the presumed PILOT payment would be based on the current AV of the Site, plus a phased-in portion of the improvements to the Site, starting a 0% in Year 1 and ending at 95% in Year 20, after which the PILOT would terminate and the Site would pay full property taxes. We show the results of these calculations in the table below.

PILOT-Equivalent Taxable Assessed Value

Year	Parcels B & C				Parcel D			
	Current AV	% Value Subject*	Improv. Taxable AV	Total Equivalent Taxable AV	Current AV	% Value Subject*	Improv. Taxable AV	Total Equivalent Taxable AV
Year 1	\$ 28,891	0%	\$ -	\$ 28,891	\$ 49,035	0%	\$ -	\$ 49,035
Year 2	\$ 28,891	5%	\$ 41,613	\$ 70,504	\$ 49,035	5%	\$ 42,010	\$ 91,045
Year 3	\$ 28,891	10%	\$ 83,226	\$ 112,117	\$ 49,035	10%	\$ 84,019	\$ 133,054
Year 4	\$ 28,891	15%	\$ 124,839	\$ 153,730	\$ 49,035	15%	\$ 126,029	\$ 175,064
Year 5	\$ 28,891	20%	\$ 166,452	\$ 195,343	\$ 49,035	20%	\$ 168,039	\$ 217,074
Year 6	\$ 28,891	25%	\$ 208,064	\$ 236,955	\$ 49,035	25%	\$ 210,048	\$ 259,083
Year 7	\$ 28,891	30%	\$ 249,677	\$ 278,568	\$ 49,035	30%	\$ 252,058	\$ 301,093
Year 8	\$ 28,891	35%	\$ 291,290	\$ 320,181	\$ 49,035	35%	\$ 294,067	\$ 343,102
Year 9	\$ 28,891	40%	\$ 332,903	\$ 361,794	\$ 49,035	40%	\$ 336,077	\$ 385,112
Year 10	\$ 28,891	45%	\$ 374,516	\$ 403,407	\$ 49,035	45%	\$ 378,087	\$ 427,122
Year 11	\$ 28,891	50%	\$ 416,129	\$ 445,020	\$ 49,035	50%	\$ 420,096	\$ 469,131
Year 12	\$ 28,891	55%	\$ 457,742	\$ 486,633	\$ 49,035	55%	\$ 462,106	\$ 511,141
Year 13	\$ 28,891	60%	\$ 499,355	\$ 528,246	\$ 49,035	60%	\$ 504,116	\$ 553,151
Year 14	\$ 28,891	65%	\$ 540,968	\$ 569,859	\$ 49,035	65%	\$ 546,125	\$ 595,160
Year 15	\$ 28,891	70%	\$ 582,581	\$ 611,472	\$ 49,035	70%	\$ 588,135	\$ 637,170
Year 16	\$ 28,891	75%	\$ 624,193	\$ 653,084	\$ 49,035	75%	\$ 630,145	\$ 679,180
Year 17	\$ 28,891	80%	\$ 665,806	\$ 694,697	\$ 49,035	80%	\$ 672,154	\$ 721,189
Year 18	\$ 28,891	85%	\$ 707,419	\$ 736,310	\$ 49,035	85%	\$ 714,164	\$ 763,199
Year 19	\$ 28,891	90%	\$ 749,032	\$ 777,923	\$ 49,035	90%	\$ 756,173	\$ 805,208
Year 20	\$ 28,891	95%	\$ 790,645	\$ 819,536	\$ 49,035	95%	\$ 798,183	\$ 847,218

*The percentage of improvement value subject to tax.

To calculate the PILOT payments, we apply the "Equivalent Taxable AV" from the table on the previous page to the estimated tax rates for each year of the analysis. The table below shows the results of this calculation. Over course of the 20-year PILOT, the Site would generate a total of \$33.1 million for the Longwood CSD, \$29.1 million for the South Country CSD, \$10.2 million for the County, and \$14.2 million for the Town.

PILOT Payments with Project

Year	Parcels B & C				Parcel D				Total				
	Longwood CSD	County	Town	Total	South Country CSD	County	Town	Total	Longwood CSD	South Country CSD	County	Town	Total
Year 1	\$ 87,208	\$ 13,110	\$ 17,207	\$ 117,525	\$ 123,509	\$ 22,252	\$ 32,469	\$ 178,229	\$ 87,208	\$ 123,509	\$ 35,362	\$ 49,675	\$ 295,755
Year 2	\$ 217,073	\$ 32,634	\$ 42,831	\$ 292,537	\$ 233,910	\$ 42,141	\$ 61,491	\$ 337,542	\$ 217,073	\$ 233,910	\$ 74,775	\$ 104,321	\$ 630,079
Year 3	\$ 352,098	\$ 52,933	\$ 69,472	\$ 474,503	\$ 348,677	\$ 62,818	\$ 91,661	\$ 503,156	\$ 352,098	\$ 348,677	\$ 115,751	\$ 161,133	\$ 977,659
Year 4	\$ 492,437	\$ 74,031	\$ 97,162	\$ 663,631	\$ 467,941	\$ 84,305	\$ 123,014	\$ 675,259	\$ 492,437	\$ 467,941	\$ 158,336	\$ 220,176	\$ 1,338,890
Year 5	\$ 638,249	\$ 95,952	\$ 125,932	\$ 860,133	\$ 591,836	\$ 106,626	\$ 155,584	\$ 854,045	\$ 638,249	\$ 591,836	\$ 202,578	\$ 281,516	\$ 1,714,179
Year 6	\$ 789,697	\$ 118,720	\$ 155,814	\$ 1,064,231	\$ 720,500	\$ 129,806	\$ 189,407	\$ 1,039,713	\$ 789,697	\$ 720,500	\$ 248,526	\$ 345,222	\$ 2,103,943
Year 7	\$ 946,947	\$ 142,360	\$ 186,841	\$ 1,276,148	\$ 854,073	\$ 153,871	\$ 224,521	\$ 1,232,466	\$ 946,947	\$ 854,073	\$ 296,231	\$ 411,363	\$ 2,508,613
Year 8	\$ 1,110,171	\$ 166,898	\$ 219,047	\$ 1,496,116	\$ 992,702	\$ 178,846	\$ 260,964	\$ 1,432,512	\$ 1,110,171	\$ 992,702	\$ 345,745	\$ 480,011	\$ 2,928,628
Year 9	\$ 1,279,545	\$ 192,361	\$ 252,466	\$ 1,724,372	\$ 1,136,533	\$ 204,759	\$ 298,775	\$ 1,640,068	\$ 1,279,545	\$ 1,136,533	\$ 397,121	\$ 551,242	\$ 3,364,440
Year 10	\$ 1,455,250	\$ 218,776	\$ 287,134	\$ 1,961,161	\$ 1,285,721	\$ 231,637	\$ 337,994	\$ 1,855,353	\$ 1,455,250	\$ 1,285,721	\$ 450,413	\$ 625,129	\$ 3,816,514
Year 11	\$ 1,637,472	\$ 246,171	\$ 323,088	\$ 2,206,731	\$ 1,440,422	\$ 259,508	\$ 378,663	\$ 2,078,593	\$ 1,637,472	\$ 1,440,422	\$ 505,679	\$ 701,751	\$ 4,285,324
Year 12	\$ 1,826,400	\$ 274,573	\$ 360,366	\$ 2,461,339	\$ 1,600,797	\$ 288,402	\$ 420,823	\$ 2,310,021	\$ 1,826,400	\$ 1,600,797	\$ 562,975	\$ 781,188	\$ 4,771,360
Year 13	\$ 2,022,231	\$ 304,014	\$ 399,005	\$ 2,725,249	\$ 1,767,011	\$ 318,347	\$ 464,517	\$ 2,549,875	\$ 2,022,231	\$ 1,767,011	\$ 622,360	\$ 863,522	\$ 5,275,124
Year 14	\$ 2,225,164	\$ 334,522	\$ 439,045	\$ 2,998,731	\$ 1,939,232	\$ 349,374	\$ 509,791	\$ 2,798,398	\$ 2,225,164	\$ 1,939,232	\$ 683,896	\$ 948,837	\$ 5,797,129
Year 15	\$ 2,435,405	\$ 366,129	\$ 480,528	\$ 3,282,062	\$ 2,117,636	\$ 381,516	\$ 556,691	\$ 3,055,843	\$ 2,435,405	\$ 2,117,636	\$ 747,644	\$ 1,037,219	\$ 6,337,905
Year 16	\$ 2,653,167	\$ 398,866	\$ 523,494	\$ 3,575,527	\$ 2,302,400	\$ 414,803	\$ 605,262	\$ 3,322,466	\$ 2,653,167	\$ 2,302,400	\$ 813,669	\$ 1,128,757	\$ 6,897,993
Year 17	\$ 2,878,664	\$ 432,766	\$ 567,987	\$ 3,879,417	\$ 2,493,708	\$ 449,269	\$ 655,554	\$ 3,598,531	\$ 2,878,664	\$ 2,493,708	\$ 882,036	\$ 1,223,541	\$ 7,477,949
Year 18	\$ 3,112,120	\$ 467,863	\$ 614,050	\$ 4,194,033	\$ 2,691,747	\$ 484,948	\$ 707,615	\$ 3,884,311	\$ 3,112,120	\$ 2,691,747	\$ 952,811	\$ 1,321,665	\$ 8,078,344
Year 19	\$ 3,353,763	\$ 504,191	\$ 661,729	\$ 4,519,682	\$ 2,896,711	\$ 521,875	\$ 761,496	\$ 4,180,082	\$ 3,353,763	\$ 2,896,711	\$ 1,026,065	\$ 1,423,225	\$ 8,699,764
Year 20	\$ 3,603,827	\$ 541,784	\$ 711,068	\$ 4,856,679	\$ 3,108,796	\$ 560,084	\$ 817,250	\$ 4,486,130	\$ 3,603,827	\$ 3,108,796	\$ 1,101,868	\$ 1,528,318	\$ 9,342,809
Total	\$ 33,116,887	\$ 4,978,652	\$ 6,534,269	\$ 44,629,808	\$ 29,113,862	\$ 5,245,188	\$ 7,653,543	\$ 42,012,593	\$ 33,116,887	\$ 29,113,862	\$ 10,223,840	\$ 14,187,812	\$ 86,642,401

Increase in Property Tax Revenue

Because we want to isolate only the **increase** in revenue to the various taxing jurisdictions that result from the Project, we subtract the "Property Taxes Without the Project" from the estimated "PILOT Payments with Project." The table to the right shows that, if the Project moves forward, the Longwood CSD will collect \$31 million **more** in PILOT payments than property taxes over the next 20 years. The figure for the South Country CSD is \$26.1 million, the County's is \$9.4 million, and the Town's is \$13.0 million.

Increase in Property Tax Revenue

Year	All Parcels				
	Longwood CSD	South Country CSD	County	Town	Total
Year 1	\$ -	\$ -	\$ -	\$ -	\$ -
Year 2	\$ 128,121	\$ 107,930	\$ 38,706	\$ 53,652	\$ 328,410
Year 3	\$ 261,367	\$ 220,178	\$ 78,960	\$ 109,451	\$ 669,956
Year 4	\$ 399,892	\$ 336,872	\$ 120,809	\$ 167,460	\$ 1,025,033
Year 5	\$ 543,853	\$ 458,145	\$ 164,301	\$ 227,746	\$ 1,394,044
Year 6	\$ 693,412	\$ 584,135	\$ 209,483	\$ 290,376	\$ 1,777,407
Year 7	\$ 848,736	\$ 714,982	\$ 256,407	\$ 355,420	\$ 2,175,546
Year 8	\$ 1,009,996	\$ 850,828	\$ 305,125	\$ 422,950	\$ 2,588,899
Year 9	\$ 1,177,367	\$ 991,823	\$ 355,688	\$ 493,039	\$ 3,017,917
Year 10	\$ 1,351,029	\$ 1,138,116	\$ 408,152	\$ 565,762	\$ 3,463,060
Year 11	\$ 1,531,166	\$ 1,289,865	\$ 462,573	\$ 641,197	\$ 3,924,801
Year 12	\$ 1,717,968	\$ 1,447,229	\$ 519,007	\$ 719,423	\$ 4,403,627
Year 13	\$ 1,911,630	\$ 1,610,371	\$ 577,513	\$ 800,522	\$ 4,900,035
Year 14	\$ 2,112,351	\$ 1,779,460	\$ 638,152	\$ 884,576	\$ 5,414,539
Year 15	\$ 2,320,337	\$ 1,954,668	\$ 700,985	\$ 971,673	\$ 5,947,663
Year 16	\$ 2,535,796	\$ 2,136,173	\$ 766,076	\$ 1,061,900	\$ 6,499,946
Year 17	\$ 2,758,947	\$ 2,324,156	\$ 833,491	\$ 1,155,347	\$ 7,071,941
Year 18	\$ 2,990,008	\$ 2,518,804	\$ 903,296	\$ 1,252,108	\$ 7,664,216
Year 19	\$ 3,229,209	\$ 2,720,309	\$ 975,560	\$ 1,352,276	\$ 8,277,353
Year 20	\$ 3,476,782	\$ 2,928,866	\$ 1,050,353	\$ 1,455,951	\$ 8,911,951
Total	\$ 30,997,967	\$ 26,112,910	\$ 9,364,636	\$ 12,980,829	\$ 79,456,342

Sales Tax Revenue

As per the economic impact analysis, we anticipate approximately \$124.4 million in total earnings during the construction phase of the Project. We assume 70% of those earnings will be spent in Suffolk County and 25% of that spending amount will be subject to the sales tax, yielding \$21.8 million in taxable sales within the County.

Therefore, applying the County's sales tax rate of 4.25%, we conclude that the construction phase earnings will lead to \$925,061 in sales tax revenue for the County.

Likewise, we estimated between \$77.3 million and \$96.6 million in total new earnings in Year 1 for the jobs associated with the operation phase of the Project. We use the midpoint of those figures, or \$87.0 million, and again assume 70% of earnings will be spent in the County and 25% of those will be on items subject to the sales tax, yielding \$15.2 million in taxable sales.

Applying the County's sales tax rate of 4.5%, we arrive at \$646,892 in sales tax revenue for the County in Year 1 of the analysis. We then applied an escalation factor of 2% per year to those taxable sales over the presumed 20-year PILOT agreement to arrive at total sales tax revenue related to the operation phase of the Project of \$15.7 million.

County Sales Tax Revenue - Construction Phase

Line	Value
Total New Earnings	\$124,377,933
% Spent in County	70%
\$ Spent in County	\$87,064,553
% Taxable	25%
\$ Taxable	\$21,766,138
County Sales Tax Rate	4.25%
\$ County Sales Tax Revenue	\$925,061

Source: Developer, MRB

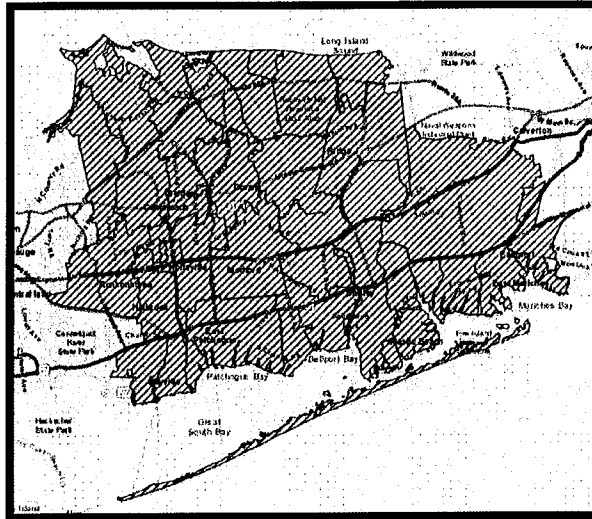
County Sales Tax Revenue - Operation Phase

Line	Value
Total New Earnings - Year 1*	\$86,977,128
% Spent in County	70%
\$ Spent in County	\$60,883,989
% Taxable	25%
\$ Taxable	\$15,220,997
County Sales Tax Rate	4.25%
\$ County Sales Tax Revenue - Year 1	\$646,892
Total Sales Tax Rev. - Years 1-20**	\$15,717,784

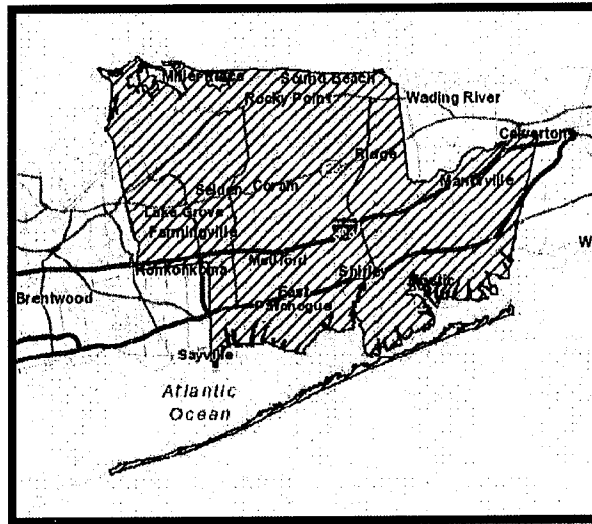
Source: MRB. *Year 1 earnings are the midpoint earnings between the "High Case" and "Low Case" **Escalated at 2% per year.

Appendix A – Town ZIP Codes

36 ZIP Codes of the Town of Brookhaven



Town of Brookhaven



ZIP	Description
11705	Bayport, NY (in Suffolk county)
11713	Bellport, NY (in Suffolk county)
11715	Blue Point, NY (in Suffolk county)
11719	Brookhaven, NY (in Suffolk county)
11727	Coram, NY (in Suffolk county)
11733	East Setauket, NY (in Suffolk county)
11738	Farmingville, NY (in Suffolk county)
11741	Holbrook, NY (in Suffolk county)
11742	Holtsville, NY (in Suffolk county)
11755	Lake Grove, NY (in Suffolk county)
11763	Medford, NY (in Suffolk county)
11764	Miller Place, NY (in Suffolk county)
11766	Mount Sinai, NY (in Suffolk county)
11772	Patchogue, NY (in Suffolk county)
11776	Port Jefferson Station, NY (in Suffolk county)
11777	Port Jefferson, NY (in Suffolk county)
11778	Rocky Point, NY (in Suffolk county)
11779	Ronkonkoma, NY (in Suffolk county)
11782	Sayville, NY (in Suffolk county)
11784	Selden, NY (in Suffolk county)
11786	Shoreham, NY (in Suffolk county)
11789	Sound Beach, NY (in Suffolk county)
11790	Stony Brook, NY (in Suffolk county)
11934	Center Moriches, NY (in Suffolk county)
11940	East Moriches, NY (in Suffolk county)
11941	Eastport, NY (in Suffolk county)
11949	Manorville, NY (in Suffolk county)
11950	Mastic, NY (in Suffolk county)
11951	Mastic Beach, NY (in Suffolk county)
11953	Middle Island, NY (in Suffolk county)
11955	Moriches, NY (in Suffolk county)
11960	Remsenburg, NY (in Suffolk county)
11961	Ridge, NY (in Suffolk county)
11967	Shirley, NY (in Suffolk county)
11973	Upton, NY (in Suffolk county)
11980	Yaphank, NY (in Suffolk county)

Appendix B – Representative Tax Bills

Property SÇTM Number: 0200705000100040001

STATEMENT OF TAXES: 2020-2021

PHYSICAL ADDRESS: PLEASANT ST
 SCTM: 0200-705.00-01.00-040.001
 ITEM NUMBER: 2401811
 CURRENT AS OF: 1618295964000
 SCHOOL PHONE: 631-345-2782

OWNER NAME: SILLS ROAD REALTY LLC
 STAR SAVINGS:

LAND ASSESSMENT 810	FULL ASSESSED VALUE 810	UNIFORM % WHICH IS 0.79% of	FULL VALUE 102,531	
LEVY DESCRIPTION	TAXABLE VALUE	TAX RATE PER 100	TAX AMOUNT W/ EXEMPTIONS	TAX AMOUNT W/O EXEMPTIONS
School Tax	74.2% OF TOTAL BILL		\$2,444.99	\$2,444.99
SCHOOL DISTRICTS - LONGWOOD CSD	810	286.958	\$2,324.36	\$2,324.36
LIBRARY DISTRICTS - LONGWOOD CSD	810	14.893	\$120.63	\$120.63
County Tax	11.16% OF TOTAL BILL		\$367.57	\$367.57
COUNTY OF SUFFOLK	810	2.894	\$23.44	\$23.44
COUNTY OF SUFFOLK - POLICE	810	42.485	\$344.13	\$344.13
Town Tax	6.02% OF TOTAL BILL		\$198.43	\$198.43
TOWN - TOWN WIDE FUND	810	5.836	\$47.27	\$47.27
HIGHWAY - TOWN WIDE FUND	810	1.564	\$12.67	\$12.67
TOWN - PART TOWN FUND	810	2	\$16.20	\$16.20
HIGHWAY - PART TOWN FUND / SNOW REMOVAL	810	15.097	\$122.29	\$122.29
Other Taxes	8.62% OF TOTAL BILL		\$284.00	\$284.00
NEW YORK STATE MTA TAX	810	.142	\$1.15	\$1.15
OPEN SPACE PRESERVATION	810	2.207	\$17.88	\$17.88
FIRE DISTRICTS - YAPHANK	810	27.602	\$223.58	\$223.58
LIGHTING DISTRICTS - BROOKHAVEN	810	1.201	\$9.73	\$9.73
REAL PROPERTY TAX LAW	810	3.008	\$24.36	\$24.36
OUT OF COUNTY TUITION	810	.691	\$5.60	\$5.60
SUFFOLK COUNTY COMMUNITY COLLEGE TAX	810	.21	\$1.70	\$1.70
Total Tax Rate/Tax Amounts		406.788	\$3,294.99	\$3,294.99

BILLED AMOUNTS

1ST HALF: \$1,647.50 - 2ND HALF: \$1,647.49 - TOTAL: \$3,294.99

PAYMENTS

Type	Process Date	RCPT	Pmt_Date	Penalty	Amt Paid	Payor	Operid
FN	01/14/2021	NBIL	01/11/2021		\$1,647.50	NEW YORK COMMUNITY BANK	N

Zoom to

Property SCTM Number: 0200815000100006002

STATEMENT OF TAXES: 2020-2021

PHYSICAL ADDRESS: ASTOR ST
 SCTM: 0200-815.00-01.00-006.002
 ITEM NUMBER: 3731094
 CURRENT AS OF: 1618295964000
 SCHOOL PHONE: 631-730-1501

OWNER NAME: NEW YORK SITE OPERATIONS LLC
 STAR SAVINGS:

LAND ASSESSMENT
 26,615

FULL ASSESSED VALUE
 27,815

UNIFORM %
 WHICH IS 0.79% of

FULL VALUE
 3,520,886

LEVY DESCRIPTION	TAXABLE VALUE	TAX RATE PER 100	TAX AMOUNT W/ EXEMPTIONS	TAX AMOUNT W/O EXEMPTIONS
School Tax	69.3% OF TOTAL BILL		\$70,060.42	\$70,060.42
SCHOOL DISTRICTS - SOUTH COUNTRY CSD	27,815	238.63	\$66,374.93	\$66,374.93
LIBRARY DISTRICTS - SOUTH COUNTRY CSD	27,815	13.25	\$3,685.49	\$3,685.49
County Tax	12.48% OF TOTAL BILL		\$12,622.17	\$12,622.17
COUNTY OF SUFFOLK	27,815	2.894	\$804.97	\$804.97
COUNTY OF SUFFOLK - POLICE	27,815	42.485	\$11,817.20	\$11,817.20
Town Tax	6.74% OF TOTAL BILL		\$6,813.84	\$6,813.84
TOWN - TOWN WIDE FUND	27,815	5.836	\$1,623.28	\$1,623.28
HIGHWAY - TOWN WIDE FUND	27,815	1.564	\$435.03	\$435.03
TOWN - PART TOWN FUND	27,815	2	\$556.30	\$556.30
HIGHWAY - PART TOWN FUND / SNOW REMOVAL	27,815	15.097	\$4,199.23	\$4,199.23
Other Taxes	11.48% OF TOTAL BILL		\$11,603.87	\$11,603.87
NEW YORK STATE MTA TAX	27,815	.142	\$39.50	\$39.50
OPEN SPACE PRESERVATION	27,815	2.207	\$613.88	\$613.88
FIRE DISTRICTS - BROOKHAVEN	27,815	22.115	\$6,151.29	\$6,151.29
LIGHTING DISTRICTS - BROOKHAVEN	27,815	1.201	\$334.06	\$334.06
AMBULANCE DISTRICT - SOUTH COUNTRY	27,815	12.144	\$3,377.85	\$3,377.85
REAL PROPERTY TAX LAW	27,815	3.008	\$836.68	\$836.68
OUT OF COUNTY TUITION	27,815	.691	\$192.20	\$192.20
SUFFOLK COUNTY COMMUNITY COLLEGE TAX	27,815	.21	\$58.41	\$58.41
Total Tax Rate/Tax Amounts		363.474	\$101,100.30	\$101,100.30

BILLED AMOUNTS

1ST HALF: \$50,550.15 - 2ND HALF: \$50,550.15 - TOTAL: \$101,100.30

PAYMENTS

Type	Process Date	RCPT	Pmt_Date	Penalty	Amt Paid	Payor	Operid
FR	12/30/2020	0098	12/30/2020		\$50,550.15	WINTER BROS WASTE SYSTEM	1

Appendix C – List of Tax ID Numbers, AV, Rate and Taxes

List of Tax ID Numbers, AV, Rate and Taxes

Parcel ID	AV	Rate	Taxes	Parcel ID	AV	Rate	Taxes
B 0200-663.00-03.00-029.001	\$ 7,800	\$ 406.788	\$ 31,729	C 0200-704.00-03.00-010.000	\$ 75	\$ 406.788	\$ 305
C 0200-663.00-03.00-003.000	\$ 5	\$ 406.788	\$ 20	C 0200-704.00-03.00-022.001	\$ 835	\$ 406.788	\$ 3,397
C 0200-663.00-03.00-010.001	\$ 125	\$ 406.788	\$ 508	C 0200-704.00-03.00-022.001	\$ 835	\$ 406.788	\$ 3,397
C 0200-663.00-03.00-007.001	\$ 260	\$ 406.788	\$ 1,058	C 0200-704.00-02.00-023.001	\$ 1,225	\$ 406.788	\$ 4,983
C 0200-663.00-03.00-018.001	\$ 925	\$ 406.788	\$ 3,763	C 0200-664.00-02.00-040.001	\$ 460	\$ 406.788	\$ 1,871
C 0200-705.00-01.00-032.001	\$ 855	\$ 406.788	\$ 3,478	C 0200-705.00-01.00-017.001	\$ 860	\$ 406.788	\$ 3,498
C 0200-663.00-03.00-025.003	\$ 550	\$ 406.788	\$ 2,237	C 0200-705.00-01.00-017.001	\$ 860	\$ 406.788	\$ 3,498
C 0200-663.00-03.00-026.000	\$ 145	\$ 406.788	\$ 590	C 0200-705.00-01.00-021.001	\$ 200	\$ 406.788	\$ 814
C 0200-664.00-02.00-023.001	\$ 955	\$ 406.788	\$ 3,885	C 0200-704.00-02.00-029.001	\$ 1,630	\$ 406.788	\$ 6,631
C 0200-664.00-02.00-017.001	\$ 935	\$ 406.788	\$ 3,803	C 0200-705.00-01.00-040.001	\$ 810	\$ 406.788	\$ 3,295
C 0200-664.00-02.00-029.001	\$ 950	\$ 406.788	\$ 3,864	C 0200-705.00-01.00-077.001	\$ 180	\$ 406.788	\$ 732
C 0200-664.00-02.00-008.001	\$ 970	\$ 406.788	\$ 3,946	C 0200-705.00-01.00-073.001	\$ 840	\$ 406.788	\$ 3,417
C 0200-664.00-02.00-002.000	\$ 110	\$ 406.788	\$ 447	C 0200-705.00-01.00-054.001	\$ 841	\$ 406.788	\$ 3,421
C 0200-664.00-02.00-033.001	\$ 920	\$ 406.788	\$ 3,742	C 0200-705.00-01.00-079.000	\$ 80	\$ 406.788	\$ 325
C 0200-664.00-02.00-053.001	\$ 930	\$ 406.788	\$ 3,783	C 0200-705.00-01.00-085.001	\$ 280	\$ 406.788	\$ 1,139
C 0200-664.00-02.00-044.001	\$ 200	\$ 406.788	\$ 814	C 0200-705.00-01.00-089.001	\$ 250	\$ 406.788	\$ 1,017
C 0200-664.00-02.00-035.001	\$ 120	\$ 406.788	\$ 488	C 0200-705.00-01.00-092.001	\$ 140	\$ 406.788	\$ 570
C 0200-664.00-02.00-037.000	\$ 120	\$ 406.788	\$ 488	C 0200-705.00-01.00-019.000	\$ 140	\$ 406.788	\$ 570
C 0200-663.00-03.00-012.007	\$ 415	\$ 406.788	\$ 1,688	C 0200-705.00-01.00-110.001	\$ 95	\$ 406.788	\$ 386
C 0200-664.00-02.00-042.001	\$ 140	\$ 406.788	\$ 570	D 0200-815.00-01.00-006.003	\$ 10,045	\$ 363.474	\$ 36,511
C 0200-664.00-02.00-059.000	\$ 15	\$ 406.788	\$ 61	D 0200-815.00-01.00-006.002	\$ 27,815	\$ 363.474	\$ 101,100
C 0200-664.00-02.00-057.000	\$ 50	\$ 406.788	\$ 203	D 0200-815.00-01.00-004.004	\$ 11,175	\$ 363.474	\$ 40,618
C 0200-704.00-03.00-006.001	\$ 380	\$ 406.788	\$ 1,546				
C 0200-704.00-03.00-009.001	\$ 380	\$ 406.788	\$ 1,546	Total	\$ 77,926		\$ 295,755

Exhibit H



Town of Brookhaven Long Island

Edward P. Romaine, Supervisor

TO: James M. Tullo, Commissioner, PELM

FROM: Peter E. Fountaine, Pr. Environmental Analyst, Division of Environmental Protection, PELM

PEF

DATE: March 29, 2023

RE: State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form Part 3
Reasoned Elaboration
Waiver of Site Plan for the Brookhaven Rail Terminal (BRT) Expansion
March 17, 2016 Stipulation of Settlement
Brookhaven Logistics Center, LLC
Parcels B and C (92.96-acres)
S/s Express Drive South, E/s of Sills Road (County Road 101), N/o Horseblock Road (County Road 16),
and approximately 2,000 feet W/o Yaphank Avenue (County Road 21), Yaphank

The Town of Brookhaven has received a modified proposed site plan for the above referenced action. Coordination pursuant to the State Environmental Quality Review Act (SEQRA) for a Type 1 Action was initiated on February 22, 2023 and included Part 1 of the New York State Department of Environmental Conservation (NYSDEC) Full Environmental Assessment Form (FEAF), the proposed site plan, and the September 14, 2017 Town Board SEQRA Negative Declaration.

Please note that the BRT Expansion underwent a prior comprehensive SEQR process, which culminated in the issuance of a Negative Declaration, adopted by the Town of Brookhaven Town Board on September 14, 2017. Due to modifications to the project, which included significant changes to site grading that reduced the amount of material to be removed from the site and the impacts associated therewith, changes to rail layout, and changes to internal access, the Town Board has conducted an environmental review of the modified proposed site plan.

According to the Town of Brookhaven procedures for implementation of the State Environmental Quality Review Act (SEQRA), this project is a Type 1 action with possible significant environmental impacts. The Town of Brookhaven Town Board has assumed the SEQRA lead agency status and have prepared Parts 2 and 3 of the Full Environmental Assessment Form (FEAF) with this reasoned elaboration.

The proposed action consists of the development of two parcels (Parcels B and C), totaling approximately 92.96 acres, which are situated on the south side of Express Drive South, east of Sills Road (County Road 101), north of the Ronkonkoma-to-Greenport Line of the Long Island Railroad (LIRR), and approximately 2,000 feet east of Yaphank Road (County Road 21), in the hamlet of Yaphank, New York. Parcels B and C were part of an overall previously proposed railway terminal and associated development on a 350± acre Brookhaven Rail Terminal (BRT) property (hereinafter the "prior BRT proposal"), which consisted of four parcels known as Parcels A, B, C and D (Parcel A is 29± acres, Parcels B and C total 92.96± acres, and Parcel D is 229± acres). This proposed action and the associated environmental review address solely Parcels B and C.

The prior BRT proposal was the subject of a comprehensive Voluntary Draft Environmental Impact Statement, prepared in 2017 (hereinafter the "2017 VDEIS"). That SEQR process culminated in the adoption of a Negative Declaration by the Town of Brookhaven Town Board on September 14, 2017 (hereinafter the "2017 Negative Declaration"). The 2017 VDEIS set forth the existing conditions of the approximately 350 acres of which Parcels B and C (the subject of the instant SEQR process) are a part, evaluated the potential significant adverse impacts associated with implementation of the prior BRT proposal, and identified mitigation measures for those impacts identified as significant and adverse. The 2017 VDEIS also evaluated alternatives to the prior BRT proposal. The

Department of Planning, Environment and Land Management
James M. Tullo, Commissioner

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www.brookhavenny.gov

SEQR compliance activities for the BRT proposal and those associated with the current proposed action are required to conform to the requirements of the March 17, 2016 Stipulation of Settlement (herein after the “Stipulation”).

Pursuant to the Stipulation:

The [SEQR] review and approval process for the Railway Expansion shall proceed before the Town Board on an expedited basis under an established and agreed upon process and procedure complying with the Administrative SEQR/Plan Review process and Applicable Town Code Provision applicable to resolution of litigated environmental matters, and without public hearings.

The 2017 VDEIS further explained that it was not possible (as specific users were not identified at the time) to determine what the precise development would be. Accordingly:

BRT has indicated that its preference would be for transloading facilities. However, since this cannot be guaranteed, it has been assumed that there would be a mix of transloading and non-transloading facilities. As a conservative approach for purpose of comprehensive environmental analysis, this VDEIS assumes 50 percent of development on Parcels B, C, and D would be rail related Support Structures, as defined in the 2016 Stipulation of Settlement, while the remaining 50 percent would be non-rail related. This is an important distinction as non-transloading uses and other facilities that are not defined as rail “Support Structures” in the Stipulation of Settlement would be subject to Town jurisdiction and would be required to undergo applicable Town review and approval requirements (e.g., site plan, building permits, etc.).

While Brookhaven Logistics, LLC has indicated that specific users of the site have not yet been identified, the documentation that it has submitted has confirmed that the proposed action would similarly conform to all requirements of the Stipulation and that rail would be provided to all buildings developed on Parcels B and C, such that they are built to accommodate transloading.

With respect to Parcels B and C, the 2017 VDEIS evaluated the following:

- Preparing Parcels B and C for development
- Constructing buildings and other infrastructure to support the rail terminal operations on Parcels B and C
- Constructing an underpass beneath the LIRR tracks between Parcels C and D
- Constructing new access ways and on-site roads.

The current proposed action no longer includes the construction of an underpass beneath the LIRR tracks between Parcels B and C. Excavation for the underpass, which was part of the prior BRT proposal, set the requirements for excavation and material removal from the site, and resulted in the potential removal of between 960,000 to 1,150,000 cubic yards (cy) of material. This proposed action will not remove any material from Parcels B or C. It is anticipated, however, that material will be required to be brought onto the site (i.e., approximately 52,000 cy). This material will be taken from Parcel D. Accordingly, this proposed action will result in fewer impacts relating to excavation, soil removal and transport than the prior BRT proposal.

The 2017 VDEIS also explained that, among other things, property had to be secured from the Long Island Power Authority (LIPA) to develop Parcels B and C as was proposed. The current proposed action also requires Brookhaven Logistics, LLC to secure properties from LIPA. This applicant has coordinated with LIPA and has negotiated a Master Agreement with LIPA that grants lease rights to construct the retaining wall and rail tracks on the LIPA property, independent of the relocation of utility poles. The applicant will continue to coordinate with LIPA to secure all required authorizations for the development of the property.

Project Design and Layout

Two buildings are proposed on Parcels B and C: Building 1 is 585,071± SF and Building 2 is 650,900± SF. Building 1 would be positioned within the northern portion of the parcels closer towards Express Drive South and Building 2 would be positioned within the southern portion of the parcels closer towards the LIRR rail line.

The proposed action includes a rail spur extension for the proposed buildings on Parcels B and C. Approximately 7,906 linear feet of rail track would serve the two buildings and would connect to the LIRR Line along the southern boundary of both parcels. The rail would extend along the eastern boundary of Parcel C. Track would be installed midway between Buildings 1 and 2 and extend along the north side of Building 2, parallel to the northern loading docks. Track would be installed at the northeast corner of Building 1 and extend along the north side of Building 1

parallel to the northern loading docks. It is noted that trucks would access the loading docks on both the north and south facades of Buildings 1 and 2.

As part of the proposed action, perimeter landscaping would be installed on Parcels B and C, and existing vegetated and forested areas would be retained. A buffer of evergreen vegetation will be installed, as prescribed by the Town of Brookhaven, along the boundary of the LIE. Landscaped islands would also be installed within the proposed automobile parking areas. In accordance with the 2017 Negative Declaration, approximately 20± acres (19.39± acres were required) of Pitch Pine Oak Forest on Parcels B and C would be preserved.

The proposed drainage includes two recharge basins, which would be created near the northern boundary of Parcels B and C. The proposed drainage plan and methods to accommodate and recharge stormwater are consistent with the 2017 VDEIS (i.e., recharge basins, leaching pools, catch basins).

Grading and Drainage

The proposed action includes site grading for building foundations, internal driveways and parking areas, utilities, and drainage infrastructure. The proposed grading program will require that approximately 52,000 cy of material be taken from Parcel D to facilitate development on Parcels B and C. As topography varies across the site, the proposed action would result in the modifications of slopes to achieve a level building area. Existing elevations range from 33± feet AMSL to 136± feet AMSL. The current proposed action anticipates that following excavation, the elevations at the subject property would range from 40± feet AMSL to 108.53± feet AMSL. Existing grade would be maintained in the natural areas. The higher elevations at the boundaries would be stabilized with a retaining wall.

As previously explained, the current proposed action no longer includes an underpass beneath the LIRR tracks between Parcels B and C, which was previously proposed by the prior applicant, BRT. Excavation for the underpass, which was part of the prior BRT proposal, set the requirements for excavation and material removal from the site, and resulted in the potential removal of between 960,000 to 1,150,000 cubic yards (cy) of material.

This proposed action will not remove any material from Parcels B or C. It is anticipated, however, that material will be required to be brought onto the site (i.e., approximately 52,000 cy). This material will be taken from Parcel D. Accordingly, this proposed action will result in fewer impacts relating to excavation, soil removal and transport than the prior BRT proposal.

Similar to that previously evaluated in the 2017 VDEIS and the associated 2017 Negative Declaration, all stormwater generated on-site by the proposed action would be accommodated and recharged via an integrated system consisting of leaching pools, catch basins, recharge basins, and swales. The proposed action requires 1,219,423.21 cubic feet (cf) of stormwater storage. The proposed drainage plan has been designed to accommodate a five-inch storm event (i.e., 1,794,864.50 cf of stormwater) with an excess of 575,441.29 cf in the storage system. The site soils can infiltrate 10 inches of stormwater an hour. Accordingly, stormwater will be properly accommodated, and no significant adverse environmental impacts associated with same are anticipated.

Access, Traffic and Parking

Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.

With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the above-outlined assumptions set forth in the 2017 VDEIS. The projected traffic associated with Parcels B and C does not exceed that evaluated in the VDEIS for Parcels B, C and D.

With respect to parking, a total of 1,083 parking spaces would be provided for both automobile and truck/loading spaces around the perimeter of the proposed transloading buildings. The applicant's traffic consultant, Stonefield Engineering, evaluated the parking supply using data published within the ITE's Parking Generation, 5th Edition, for Land Use 150 "Warehousing." The average parking demand rate during the peak weekday period for Land Use 150 "Warehousing" is 0.39 vehicle per 1,000-square-feet. For the 1,235,971 SF transloading buildings, this equates to 483 parking spaces. As such, Stonefield Engineering, has represented that the proposed parking supply of 1,083 spaces would be sufficient to support the parking demand of the site.

Wastewater Discharge

The proposed development would be connected to the existing Yaphank County Sewer District #16 for sanitary wastewater treatment which would be conveyed to the Yaphank County Sewage Treatment Plant (STP). On June 21, 2021, the Suffolk County Sewer Agency approved a sanitary flow of 49,240± gpd to Parcels B and C for the proposed buildings. As wastewater will not be discharged on-site and will be accommodated by the County sewer district, no significant adverse impacts relating to wastewater discharge is expected.

Water Supply

The proposed development includes an extension and connection to the Suffolk County Water Authority (SCWA) existing water main located within Sills Road. A letter of water availability was received on May 17, 2022, and a signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022. The total projected potable water demand, based on SCDHS design flow factors, would be approximately 49,240 gpd.

Irrigation supply is also expected for on-site landscaping with a projected irrigation demand of 3,571± gpd/year based upon a volume of one inch of watering per week for the 20± acres of landscaping. During the irrigation period (April to October), the projected irrigation usage would be 7,161 gpd for 26 weeks. It is noted that the projected irrigation for the first year would be greater for the establishment of the proposed landscaped areas (i.e., an irrigation demand of 41,063 gpd/year based upon a volume of two inches of watering per week).

The proposed action would include an irrigation system with smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain. The irrigation system would be installed with a drip line to prevent evaporation as well as rain sensors. The proposed landscaping plan would also consist of native and drought-tolerant species outside of the recharge basin to promote water conservation. Plantings in the recharge basins would be representative of an Ecological Communities of New York State (ECNYS) Successional Old Field community.

The proposed action includes the installation of fire hydrants with a demand of 1,500 gallons per minute (gpm). The overall water flow to the transloading buildings, inclusive of potable water and fire suppression would be 2,341 gpm.

Based on the SCWA's commitment to serve the site and the proposed use of smart irrigation systems, no significant adverse impacts associated with water supply are expected.

Site Landscaping and Outdoor Lighting

Vegetation would be concentrated around the perimeter of Parcels B and C, including an evergreen buffer along the site boundary to minimize views from the LIE; within the recharge basins; and within the proposed drive aisles. The proposed landscaping design includes trees and grasses such as Tupelo (*Nyssa sylvatica*), Eastern White Pine (*Pinus strobus*), Leyland Cypress (*Cupressocyparis leylandii*), Arrowwood (*Viburnum recognitum*) and grass seed mix including 50 percent tall fescue, 25 percent perennial ryegrass, and 25 percent annual ryegrass seeding. Additionally, the proposed action would include an irrigation system with smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain.

The proposed action's consistency with the prior environmental documentation prepared as it relates to green space and buffers for the development of Parcels B and C follows:

Previously Prepared Environmental Documentation	Current Proposed Development Plan
75-foot buffer at eastern border of Parcel C	The buffer at the eastern border of Parcel C is 75 feet.
Preserve pitch pine oak forest on Parcels B and C of 19.39± acres	There would be 6.6± acres of green space along the eastern boundary of Parcel C, 8.25± acres of green space along the western boundary of Parcel B, and existing trees to be retained along the LIE South Service Road for a total of 20± acres of preserved pitch pine oak forest on Parcels B and C. Evergreen plantings will also be placed along the site's boundary with the LIE Service Road to minimize views from the LIE.

Drainage areas on Parcels B and C would be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community to provide additional vegetated habitat at subject property	The species to be planted within the recharge areas would be a mix representative of a Successional Old Field community including Sweet Vernal Grass (<i>Anthoxanthum odoratum</i>), Orchard Grass (<i>Dactylis glomerata</i>), Common Chickweed (<i>Cerastium arvense</i>), Common Evening Primrose (<i>Oenothera biennis</i>), Old- Field Cinquefoil (<i>Potentilla simplex</i>), Calico Aster (<i>Aster/Asteriflorns</i>), and New England Aster (<i>Aster novae-angliae</i>).
Periodic maintenance of wild indigo along LIPA property, assets, and easements to assure the success of the Wild Indigo's and Persius Duskywings habitat type.	Wild Indigo would be planted along the LIPA easement and southern boundary of the subject property and would be seeded and periodically maintained.

A lighting plan has been developed that includes exterior site lighting and wall-mounted fixtures for Parcels B and C. All lighting would be LED and dark sky compliant in accordance with Town Code regulations (§85-862 Exterior Lighting Standards). Based on the design, the proposed exterior lighting would be full cut-off, dark sky compliant pole-mounted light fixtures at 30± feet in height and equipped with housing shields to direct light downward. The proposed wall-mounted light fixtures would be full cut-off, dark sky compliant and mounted at 30± feet above grade level. There would be no light spillover onto adjacent properties.

The proposed landscaping and lighting, which would not allow spill over off the subject property, will mitigate potential adverse impacts to neighboring properties.

Construction Schedule

Construction on Parcels B and C would be completed in two phases over the course of approximately 18 months. Each building would be a separate construction phase. Construction is anticipated to commence shortly after receipt of required approvals and be completed in or around August 2024. The LIPA Master Agreement grants lease rights to construct the retaining wall and rail tracks on the LIPA property independent of the relocation of utility poles. Phase 1 would occur over approximately 12 months and includes the construction of Building 1 and all tracks to connect the LIRR to Building 1. Phase 2 would commence six months into the construction of Phase 1 and would span approximately 12 months. Phase 2 includes the construction of Building 2 and all tracks needed to connect the LIRR to Building 2.

In accordance with §50-6(B)(7) (Noise Control) of the Town Code, all construction would be limited to the hours of 7:00 am to 6:00 pm.

Operations

The end users for Buildings 1 and 2 on Parcels B and C have not been identified at this time. However, it is anticipated that the end users would operate Monday through Friday 8:00 am to 5:00 pm with no operations on weekends. Should hours of operation extend beyond this timeframe, all operations would be compliant with §50-6(B)(7) (Noise Control) of the Town Code and all lighting would be shielded so as not to flow onto adjacent and surrounding properties pursuant to §85-862 (Exterior Lighting Standards) of the Town Code. Although the primary operations would occur as indicated above, railcar deliveries and pickups between the LIRR and the buildings would be subject to the freight carriers' availability and could, therefore, take place outside of Monday through Friday 8:00am to 5:00pm.

CONSISTENCY WITH THE 2017 NEGATIVE DECLARATION

As explained previously, the Town of Brookhaven Town Board issued a Negative Declaration after review of the 2017 VDEIS. As set forth below, the current proposed development of Parcels B and C is substantively consistent with the aforesaid 2017 Negative Declaration, and an analysis follows.

Soils and Topography

In accordance with the Stipulation, the proposed grading process would re-use native soil onsite for fill purposes to the maximum extent feasible, with the goal of minimizing the need to export native sand or import fill materials. The 2017 VDEIS proposed 960,000± to 1,150,000± CY of material to be cut and removed from Parcels B and C. The current grading plan for Parcels B and C indicates that approximately 52,000 cy of material will be taken from Parcel D to facilitate development of Parcels B and C. As the current development plan would result in no net cut in material and only approximately 52,000 cy of material would be transported from Parcel D, the proposed development of Parcels B and C would have lesser impacts than those considered in the 2017 Negative Declaration.

- Consistent with the 2017 Negative Declaration, the following erosion and sediment control measures will be implemented:
 - o Construction fencing will be installed along the limits of the clearing and grading areas. Specifically, silt fencing with orange safety construction fencing to extend 24 inches above the silt fence to ensure no disturbance occurs on the 6.6± acres of area to remain will be utilized.
 - o Existing vegetation to remain will be protected during construction.
 - o Sediment barriers will be installed in critical areas.
 - o Stabilized construction entrances will be installed and maintained.
 - o Clearing and grading will be scheduled to minimize size of exposed areas and the length of time areas are exposed.
 - o Cleared areas and stockpiles have been kept stabilized following the tree clearing on Parcels B and C. Parcels B and C were cleared pursuant to tree clearing permits issued by the Town of Brookhaven on January 25, 2022.
 - o Dust control will be instituted to prevent surface and air movement of dust from areas of soil disturbance.
 - o Drainage inlets will be protected using sediment barriers and traps as required.
 - o Erosion control measures will remain in place until disturbed areas are permanently stabilized.
- Based on the Current Proposed Development Plan for Parcels B and C, the green space to be provided exceeds the 19.39±-acre requirement of the 2017 Negative Declaration.
- The installation of vegetated and pervious areas throughout Parcels B and C was chosen to accommodate stormwater runoff in lieu of pervious concrete due to constructability constraints. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.
- VHB completed on-site observations during grading and excavation activities of the asphalt milling surfacing where cars damaged by Superstorm Sandy had been stored on the northwest portion of Parcel C. VHB observed re-grading and cutting had advanced in all directions on Parcel C and that asphalt milling stockpiles were present in the northern portion of Parcels B and C. The car storage area was removed as part of this. All actions taken were in accordance with NYSDEC regulations. Accordingly, this item of the 2017 Negative Declaration has been addressed.

Ecological Resources

- The 20± acres of green space to be provided on Parcels B and C is consistent with the measures specified in the 2017 Negative Declaration to preserve at least 19.39± acres of Pitch Pine Oak Forest, including the preservation of the existing forest along the eastern boundary of Parcel C and the southern boundary of Parcels B and C. The eastern boundary of Parcel C would include a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields' outer boundaries.
- Tree clearing on Parcels B and C was completed between January 19, 2022 and February 24, 2022 pursuant to the permits issued by the Town of Brookhaven on January 25, 2022. Wildlife sweeps were conducted prior to tree clearing and observed eastern box turtles were relocated, in accordance with the 2017 Negative Declaration.
- To avoid potential adverse impacts to northern-long eared bat, the 2017 Negative Declaration identified a "window" of November 1 through March 31 within which tree clearing would be allowed. This timeframe was consistent with the NYSDEC regulatory window in effect at the time the 2017 Negative Declaration

was adopted. This regulatory window was subsequently amended by NYSDEC to the period between December 1 and February 28 in Suffolk County. The tree clearing was completed between January 19, 2022 and February 24, 2022 in accordance with the NYSDEC restrictions.

- The tree clearing did not adversely affect Wild Indigo observed within the LIPA property, assets, and easements. Wild Indigo is proposed to be planted along the LIPA easement and southern boundary of the subject property.

Water Resources

- Pursuant to the 2017 Negative Declaration, Parcels B and C will be connected to the Yaphank County Center STP. On June 21, 2021, Suffolk County Sewer Agency approved the connection of the Current Proposed Development Plan for Parcels B and C for a sanitary flow of 49,240± gpd.
- The proposed plan does not increase the proposed development density of Parcels B and C, or the associated rate of sewage generation from these parcels from that addressed in the 2017 Negative Declaration and will comply with the applicable requirements of Article 6 of the Suffolk County Sanitary Code.
- The 2017 Negative Declaration discussed utilizing two drainage reserves on Parcels B and C to be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community. The proposed drainage program for Parcels B and C have been modified to include two recharge basins in the northeast and northwest corners of the parcels. The landscaping plan notes the following species to be planted in the recharge basins: Sweet Vernal Grass (*Anthoxanthum odoratum*), Orchard Grass (*Dactylis glomerata*), Common Chickweed (*Cerastium arvense*), Common Evening Primrose (*Oenothera biennis*), Old-Field Cinquefoil (*Potentilla simplex*), Calico Aster (*Aster/Ateriflorns*), and New England Aster (*Aster novae-angliae*). The proposed design will manage stormwater runoff from the proposed development on Parcels B and C.
- Pursuant to the 2017 Negative Declaration, the drainage and erosion and sediment control plans will protect groundwater resources and facilitate stormwater recharge. Erosion and sediment control measures to be implemented will include sediment control, silt fence, construction road stabilization, concrete washout, soil stockpile with wire fencing, filter fabric drop inlet protection, stabilized construction entrance, temporary topsoil, fertilizer, seed, and mulch for stabilization, and temporary tree fencing.
- The 2017 Negative Declaration indicated pervious concrete should be used to the maximum extent practicable to promote the recharge of stormwater. However, it was determined the use of pervious concrete for proposed sidewalks and ADA access ramps would not be structurally feasible. Concrete would be used for all sidewalks and access ramps. In lieu of permeable concrete, the proposed development area on Parcels B and C includes the installation of vegetated and pervious areas throughout the parcels to accommodate stormwater runoff. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.
- A SWPPP waiver was received from the Town of Brookhaven on October 5, 2022 for the Current Proposed Development Plan for Parcels B and C.
- Pursuant to the 2017 Negative Declaration, consultations with the SCWA were undertaken, and a water connection letter was received May 17, 2022. Water service would be connected to the existing water main in Sills Road. A signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022.
- The handling and storage of hazardous materials is not anticipated.

Land Use, Zoning and Community Character

- The buildings proposed on Parcels B and C are similar to those contemplated in the 2017 Negative Declaration and would not adversely affect the overall character of the site and surrounding properties.

- The use of the property for transloading and rail support purposes would continue to advance the goals identified in various County and regional comprehensive and/or strategic development plans, including: The Strategic Economic Development Plan for Long Island 2016 Update, Plan 2040: A Shared Vision for Sustainable Growth, the Suffolk County Comprehensive Master Plan 2035, and the Long Island 2035 Regional Comprehensive Plan.

Transportation

- Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.
- With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the site utilization and traffic assumptions set forth in the 2017 VDEIS.
- The 2017 Negative Declaration proposed an underpass to connect Parcels B and C with Parcel D, which is no longer proposed. The current proposed action will provide turnout from the LIRR rail line, which the applicant asserts is a more efficient means of access, and will result in significantly less material being removed from Parcels B and C.

Socioeconomics

- Consistent with the 2017 Negative Declaration, all assumed economic benefits associated with the prior BRT proposal (i.e., expanded employment opportunities during both construction and operation; increased tax revenues to the Town, County, and other jurisdictions; and enhanced building material supplies to support the local construction industry) would be realized as part of this proposed action.

Community Facilities and Services

- In accordance with the 2017 Negative Declaration, on-site security would be provided, and adequate exterior lighting would be provided throughout the subject property for security purposes on Parcels B and C. Also, future buildings would be constructed in compliance with the latest National Fire Protection Association Codes and Standards, and the project sponsor will consult with the Yaphank Fire Department regarding the placement of fire hydrants.
- In accordance with the 2017 Negative Declaration, one new roadway connection would be created along the Long Island Expressway South Service Road to the north for Parcels B and C as well as an easement to be established along the northern portion of the LIPA property (east of Parcel A) to allow for circulation within Parcels A, B and C. An emergency access ingress and egress road would be constructed at the northeast corner of Parcel C.

Air Quality

- The applicant has indicated that it would comply with the assumptions regarding the development of transloading buildings and rail support structures. Compliance with these assumptions and the 2017 Negative Declaration would yield the regional air quality benefits identified in the 2017 VDEIS as truck deliveries, with their associated air emissions, would be replaced with rail transportation.
- In accordance with the 2017 Negative Declaration, all mitigation measures presented would be implemented for the development of Parcels B and C (i.e., use of antifreeze in locomotives to reduce idling on cold days, use environmentally friendly switching locomotives to move cars, proper emission controls for construction vehicles, limit idling of construction vehicles and on-site equipment during operations, and dust control during construction).

Aesthetics, Community Character, and Visual Resources

- In accordance with the 2017 Negative Declaration, the eastern boundary of Parcel C will contain a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the

proposed construction and allowing for the continuation of the tree lines that currently mark the fields' outer boundaries

- The Current Proposed Development Plan for Parcels B and C includes a proposed retaining wall along the southern, western, and eastern boundaries of Parcels B and C which would reduce visibility of operations. In addition, the applicant has agreed to install evergreen plantings along the boundary with the LIE South Service Road to minimize visual impacts along the LIE. The proposed landscaping and lighting program for Parcels B and C would minimize potential local visual and aesthetic impacts.

Review of the Full Environmental Assessment Forms Parts 1, 2, and 3, the criteria contained in Section 617.7, the application materials, aerial photographs, cultural resource maps, environmental assessments, and other supporting information including the 2017 Voluntary Draft Environmental Impact Statement (VDEIS), the September 14, 2017 SEQRA Negative Declaration, 2023 application materials, the 2016 So-Ordered Stipulation of Settlement, February 16, 2021 letter from the Town of Brookhaven, New York State Department of Environmental Conservation (NYSDEC) Supplemental Report, prepared by PW Grosser Consulting, dated November 2022, revised on December 2022, and February 2023 with appendices that identifies relevant areas of environmental concern find that this action is not anticipated to have a significant adverse impact upon the environment.

Please find attached a SEQRA negative declaration for the consideration of the Town Board and feel free to contact the Town of Brookhaven Department of Planning, Environment, and Land Management if you have any questions or immediate concerns. Thank you.

PEF

Enc: Parts 1, 2, and 3 NYSDEC Full Environmental Assessment Form (FEAF)
Proposed Site Plan
SEQRA Negative Declaration

Cc: Edward P. Romaine, Supervisor, Town of Brookhaven
Kevin J. LaValle, Town Clerk and Registrar, Town of Brookhaven
Annette Eaderesto, Esq., Town Attorney, Town of Brookhaven Law Department
James M. Tullo, Commissioner, PELM, Town of Brookhaven
Terri Elkowitz, Senior Principal, VHB

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: Brookhaven Logistics Center		
Project Location (describe, and attach a general location map): South side of the Express Drive South, east side of Sills Road (County Road 101), north of Horseblock Road (County Road 16), and approximately 2,000 feet west of Yaphank Avenue (County Road 21)		
Brief Description of Proposed Action (include purpose or need): The proposed action includes the construction of transload and warehouse distribution facility consisting of two buildings (i.e., Building 1: 585,071± square foot [SF] and Building 2: 650,900± SF) and rail spur extension from an existing railway terminal located on the south side of Express Drive South, east of Sills Road (CR 101), north of Horseblock Road (CR 16), and approximately 2,000 feet west of Yaphank Road (CR 21) (“subject site”). The subject site consists of two parcels (Parcels B and C) which total 92.96± acres. Approximately 7,906 linear feet of rail track is also proposed to serve the two buildings. The proposed rail track would connect to the LIRR Ronkonkoma-to-Greenport Line along the southern boundary of the site and extend along the eastern boundary of Parcel C. Site access is proposed via one new right-in/right-out driveway along Express Drive South, in addition to the existing access from Sills Road. A total of 1,083 parking spaces would be provided for both automobile and truck/loading spaces. The automobile parking is proposed to the west and east of each transload facility and truck parking is proposed to the north and south of both buildings. Loading areas would be located on the north and south side of the transload facilities with truck loading at bays on the northern and southern façade of both buildings and rail loading at bays on the northern façade of Building 1 and Building 2. Perimeter landscaping would be installed along the boundaries of the site and select vegetated and forested areas would be retained to obscure views of the proposed operations. Landscaped islands within the proposed automobile parking areas are also proposed. A Supplemental Report has been prepared and is appended to this Part 1 EAF to provide a consistency analysis of the Current Proposed Development Plan with the previously completed Voluntary Draft Environmental Impact Statement in 2017 and Negative Declaration issued by the Town of Brookhaven.		
Name of Applicant/Sponsor: Brookhaven Logistics Center, LLC c/o Joe Franek, P.E.	Telephone: 847-845-2998	
	E-Mail: jfranek@northpointkc.com	
Address: 3315 N. Oak Trafficway		
City/PO: Kansas City	State: MO	Zip Code: 64116
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town of Brookhaven Town Board - Administrative SEQR/Plan Review Pursuant to 2016 Stipulation	Ongoing/Pending
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Town of Brookhaven Department of Planning, Environment, and Land Management - Tree Clearing Permit Parcels B&C, Grading Permit Parcels B&C, Site Plan Approval	01-14-2022/01-05-2023/Pending
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☒ No		
d. Other local agencies ☒ Yes ☐ No	Town of Brookhaven Division of Stormwater - SWPPP Conditional Release Approval, Town of Brookhaven Building Department - Building Permit Foundation Only, Building Permit Construction	10-05-2022/Pending/Pending
e. County agencies ☒ Yes ☐ No	SCWA - Water Availability, SCDHS - Water Supply, Sanitary Disposal, No Objection Letter for Foundation Only, Building Permit, SCDPW - Sewer Connection Permit	05-17-2022/Pending/Pending/09-14-2022/Pending/Pending
f. Regional agencies ☒ Yes ☐ No	LIPA - Access Agreement over the subject property to LIPA Transmission and Distribution assets, National Grid - Natural Gas Connection, PSEGLI - Electric Service	08-25-2022/Pending/09-18-2022
g. State agencies ☒ Yes ☐ No	NYS DOT - Highway Work Permit for LIE South Service Road	Pending
h. Federal agencies ☒ Yes ☐ No	Surface Transportation Board - Permit to Construct and Operate New Rail	Pending
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☒ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ 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? The Town of Brookhaven 1996 Comprehensive Land Use Plan identifies Parcels B and C as suitable for High Density development. ☒ 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):

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?

Light Industrial (L1) Zoning District

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? _____

C.4. Existing community services.

a. In what school district is the project site located? Longwood Central School District and South Country Central School District

b. What police or other public protection forces serve the project site?

Suffolk County Police Department (SCPD) - 5th Precinct

c. Which fire protection and emergency medical services serve the project site?

Yaphank Fire Department (provides both fire protection services and emergency services)

d. What parks serve the project site?

N/A - The proposed development includes an industrial use (i.e., transloading warehouse and distribution).

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)? Industrial (Transload Warehouse and Distribution)

b. a. Total acreage of the site of the proposed action? 92.96± acres

b. Total acreage to be physically disturbed? 80.53± acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 350± 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

2

- Anticipated commencement date of phase 1 (including demolition)

Feb month 2023 year

- Anticipated completion date of final phase

Aug month 2024 year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: Phase 1 would occur over approximately 12 months and includes the construction of

Building 1 and all tracks to connect the LIRR to Building 1. Phase 2 would commence six months into the construction of Phase 1 and would span approximately 12 months. Phase 2 includes the construction of Building 2 and all tracks needed to connect the LIRR to Building 2.

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 <u>2</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>50±</u> feet height; <u>See below*</u> width; and <u>See below*</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>1,235,971±</u> 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: <u>Recharge basins and swale for stormwater runoff</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: _____	
Stormwater runoff _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
N/A _____	
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): <u>Proposed recharge basins would include earth fill and plantings.</u>	

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? <u>Proposed recharge basins and swale</u>	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): <u>None</u> • Over what duration of time? <u>N/A</u>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.	
Pursuant to the 2016 Stipulation of Settlement, "the grading process will re-use native soil onsite for fill purposes to the maximum extent feasible, with the goal of minimizing the need to export native sand or import fill materials. Additionally, the Town of Brookhaven Grading Permit Issued for Parcels B and C, dated January 5, 2023 indicated that, "prior to any fill being brought onto Parcels B or C...the Town shall be provided a revised grading plan that specifies the quantity and source of fill, and such fill material shall not be transported onto the site without the prior approval of the Town of Brookhaven."	
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? <u>5.02±</u> acres	
vi. What is the maximum area to be worked at any one time? <u>5.02±</u> acres	
vii. What would be the maximum depth of excavation or dredging? <u>10</u> feet	
viii. Will the excavation require blasting? ☐ Yes ☒ No	
ix. Summarize site reclamation goals and plan: _____	
The proposed plan is to create two recharge areas and a drainage swale with all cut material to be used on-site. _____	

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): _____	

*Building 1 would be 470 feet by 1,248 feet and Building 2 would be 520 feet by 1,248 feet. Both buildings would be 50 feet high.

**Recharge Area #1 would be 390 feet by 190 feet with an 8-foot depth and storage capacity of 197,069.49 cubic feet. Recharge Area #2 would be 302 feet by 438 feet with a 10-foot depth and storage capacity of 832,305.51 cubic feet. The swale would be 1,460 feet by 35 feet with a depth ranging from 4-to-7 feet and storage capacity of 151,634.70 cubic feet.

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: _____ 49,240±* gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: Suffolk County Water Authority Distribution Area #12
- 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: _____
Connect proposed water main to existing connection within Sills Road
- Source(s) of supply for the district: Suffolk County Water Authority Distribution Area #12

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: _____

N/A

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ N/A gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 49,240± gallons/day

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

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

- Name of wastewater treatment plant to be used: Yaphank Sewage Treatment Plant
- Name of district: Yaphank County Center Sewer District #16
- 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

*The projected water usage of 49,240± gpd plus 7,161± gpd for irrigation between April and October. It is noted that the projected irrigation for the first year would be greater for the establishment of the proposed landscaped areas (i.e., an irrigation demand of 41,063± gpd/year based upon a volume of two inches of watering per week).

**The proposed action requires a 180±-foot water main extension and has received a letter of water availability from SCWA on May 17, 2022.

***The proposed action received Suffolk County Sewer Agency approval on October 5, 2022.

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☒ No ☒ Yes ☐ No
Connect proposed sanitary main to existing Yaphank Sewage Treatment Plant _____ _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No
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): N/A _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ N/A _____ _____	
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: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or 59.87± acres (impervious surface) _____ Square feet or 92.96± acres (parcel size) ii. Describe types of new point sources. Stormwater runoff collected via catch basins and piped to two recharge basins, on-site leaching pools, and one swale from surface and roof runoff. _____ 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)? The proposed stormwater management system includes 8 drainage areas containing leaching pools, catch basins, 2 recharge basins, and one swale. _____ • If to surface waters, identify receiving water bodies or wetlands: _____ N/A _____ • Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
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: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) Trains, fleet and/or delivery vehicles _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) Generators _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) None proposed _____	
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: 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

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): _____			
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): _____			
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): _____ 223 vehicle trips total during the weekday morning and weekday evening peak hours. Type of trucks proposed are fleet and/or delivery vehicles. iii. Parking spaces: Existing <u>0</u> Proposed <u>1,083</u> Net increase/decrease <u>+ 1,083</u> 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: <u>Site access is proposed via one new right-in/right-out driveway along Express Drive South, in addition to the existing access from Sills Road.</u> vi. Are public/private transportation service(s) or facilities available within ½ 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			
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: _____ Buildings 1 and 2 would have a peak daily electric demand of 3,325 kWh. ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): PSEG-LI iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: <u>7:00am-6:00pm**</u> • Saturday: <u>Not permitted**</u> • Sunday: <u>Not permitted**</u> • Holidays: <u>Not permitted**</u> </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: <u>See below***</u> • Saturday: <u>See below***</u> • Sunday: <u>See below***</u> • Holidays: <u>See below***</u> </td> </tr> </table>		i. During Construction: • Monday - Friday: <u>7:00am-6:00pm**</u> • Saturday: <u>Not permitted**</u> • Sunday: <u>Not permitted**</u> • Holidays: <u>Not permitted**</u>	ii. During Operations: • Monday - Friday: <u>See below***</u> • Saturday: <u>See below***</u> • Sunday: <u>See below***</u> • Holidays: <u>See below***</u>
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*A Traffic Assessment Letter Report (dated June 2021, revised November 2022 and revised January 2023) has been prepared by Stonefield Engineering & Design LLC.

**Construction would only take place within the permitted hours pursuant to §50-6(B)(7) of the Town of Brookhaven Town Code - Noise Control.

***It is anticipated the operations of the user would be Monday through Friday 8:00am to 5:00pm. Should the hours of operation extend beyond this timeframe, all operations would be compliant with the Town Noise Ordinance. Although the primary operations would occur as indicated above, railcar deliveries and pickups between the LIRR and the transloading buildings will be subject to the freight carriers availability and could therefore take place outside of Monday through Friday 8:00am to 5:00pm. Additionally, all lighting would be shielded so as not to flow onto adjacent and surrounding properties pursuant to §85-862 of the Town Code.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: Temporary noise during construction would be expected. Construction would occur during non-sensitive hours (7:00am-6:00pm weekdays and none on weekends). There are no significant changes to noise expected from the proposed action. The 2017 VDEIS and 2017 Negative Declaration established no significant adverse impacts would result.	☒ Yes ☐ No
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	☐ Yes ☒ No
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: The proposed Lighting Plan includes exterior site lighting and wall-mounted fixtures. Exterior lighting would be full cut-off, dark sky compliant pole-mounted light fixtures at 30± feet in height and equipped with housing shields to direct light downward. The proposed wall-mounted light fixtures would be full cut-off, dark sky compliant and mounted at 30± feet above grade level. Rail spur ends and switches would also be illuminated. There would be no spillover onto adjacent properties. All lighting would be LED and dark sky compliant in accordance with Town Code regulations (§85-862 Exterior Lighting Standards).	☒ Yes ☐ No
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	☐ Yes ☒ No
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	☐ Yes ☒ No
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? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	☐ Yes ☒ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☒ Yes ☐ No If Yes: i. Describe proposed treatment(s): All landscaped areas would be professionally maintained and consist of native and drought-tolerant species. Additionally, as required by the 2017 Negative Declaration, plantings for the recharge basins consists of species indicative of the Ecological Communities of New York State (ECNYS) Successional Old Field community. If pesticides are required, only registered pesticides would be used and applied by certified applicators. The application of these pesticides would be limited to the impacted areas and would not be spread across all of the landscaped areas.	☒ Yes ☐ No
ii. Will the proposed action use Integrated Pest Management Practices? ☒ Yes ☐ No	☒ Yes ☐ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ TBD tons per _____ TBD (unit of time) • Operation : _____ 41± to 52± tons per _____ month* (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: Recyclables to be disposed of in accordance with established regulations. _____ • Operation: Recyclables to be disposed of in accordance with established regulations. _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: Disposal of solid waste by private carter service at a licensed facility to be determined. _____ • Operation: Disposal of solid waste by private carter service at a licensed facility to be determined. _____	☒ Yes ☐ No

*Source: J. A. Salvato, "Solid Waste Management, Environmental Engineering and Sanitation," 6th Edition and MRB Group, "Brookhaven Rail Terminal: Economic & Fiscal Impact Assessment" dated April 28, 2021. The Solid Waste Management 6th Edition notes that for Industrial Building, Factory with generation rate of 7 lbs/per person/day for 400-3,000 employees. The proposed development is estimated to generate approximately 547 to 684 permanent jobs.

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): Vacant; Municipal (Correctional Facility); Recreational; Institutional

ii. If mix of uses, generally describe:

Surrounding land uses include industrial, agricultural, utilities, vacant, municipal, recreational, institutional and a transportation corridors (Express Drive South and I-495)

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	0±	59.87±	+59.87±
• Forested	6.60±	6.60±	0±
• 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)	86.36±	0±	-86.36±
• Other Describe: <u>Landscaping and recharge areas</u>	0±	26.49±	+26.49±

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	☐ Yes ☒ No
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? If Yes, i. Identify Facilities: _____ _____	☐ Yes ☒ No
e. Does the project site contain an existing dam? 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: _____ _____	☐ Yes ☒ No
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? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	☐ Yes ☒ No ☐ Yes ☐ No
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? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	☐ Yes ☒ No
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? 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 – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	☐ Yes ☒ No ☐ Yes ☐ No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	☐ Yes ☒ No

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? _____ <u>1,400±</u> feet below grade surface (bgs)													
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: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Riverhead sandy loam 0-3% slopes (RdA)</td> <td style="width: 10%; text-align: right;">13.3± %</td> </tr> <tr> <td>Carver and Plymouth sands 15-35% slopes (CpE) 12.2±%</td> <td style="text-align: right;">Haven loam 0-2% slopes (HaA) 21.8± %</td> </tr> <tr> <td>Riverhead sandy loam 3-8% slopes (RdB) 12.8±%</td> <td style="text-align: right;">Plymouth loamy coarse sand 0-3% slopes (PIA) 39.9± %</td> </tr> </table>		Riverhead sandy loam 0-3% slopes (RdA)	13.3± %	Carver and Plymouth sands 15-35% slopes (CpE) 12.2±%	Haven loam 0-2% slopes (HaA) 21.8± %	Riverhead sandy loam 3-8% slopes (RdB) 12.8±%	Plymouth loamy coarse sand 0-3% slopes (PIA) 39.9± %						
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d. What is the average depth to the water table on the project site? Average: _____ <u>32±</u> feet													
e. Drainage status of project site soils: ☒ Well Drained: _____ 100 % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained _____ % of site													
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">☒ 0-10%:</td> <td style="width: 10%; text-align: right;">87.4± % of site</td> </tr> <tr> <td>☒ 10-15%:</td> <td style="text-align: right;">2.2± % of site</td> </tr> <tr> <td>☒ 15% or greater:</td> <td style="text-align: right;">10.4± % of site</td> </tr> </table>		☒ 0-10%:	87.4± % of site	☒ 10-15%:	2.2± % of site	☒ 15% or greater:	10.4± % of site						
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☒ 15% or greater:	10.4± % 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>i</i> or <i>ii</i> , 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: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 10%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
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• 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: <u>Sole Source Aquifer Names: Nassau-Suffolk SSA</u>													

m. Identify the predominant wildlife species that occupy or use the project site: _____ <u>Species in suburban landscapes prefer open, early successional habitats and are tolerant of human activity expected. An ecological study was conducted as part of the August 2017 VDEIS that identified species present at the subject property. Wildlife on site included but were not limited to common birds, mammals and herpetofauna observed during the July 2016 survey and/or expected to be present on the site.</u>	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
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? ☒ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ Northern Long-eared Bat and Eastern Box Turtle. No Northern Long-eared bats were observed. Two Eastern Box Turtles were observed during surveying and were relocated to the 62-acre Conservation Easement.	
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? ☐ Yes ☒ No If Yes: i. Species and listing: _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____	
E.3. Designated Public Resources On or Near Project Site	
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? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. 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? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. 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? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. 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? If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	☐ Yes ☒ No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐ Yes ☒ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	☐ Yes ☒ No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: <i>*See below</i> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <i>*See below</i> iii. Distance between project and resource: _____ <i>*See below</i> miles.	☒ Yes ☐ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	☐ Yes ☒ No ☐ Yes ☐ No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Brookhaven Logistics Center, LLC Date November 18, 2022, Revised December 13, 2022

Revised February 1, 2023

Signature  Title Senior Environmental Planner, Project Manager
 Rebecca R. Morrow, CFM
 P.W.Grosser Consulting, Inc. as environmental consultant
 to the Applicant

*Scenic resources within 5 miles of the subject property include but are not limited to: Montauk Highway State Parkway Suffolk County, NY 1.74± miles; Carmans River State Scenic River Brookhaven, NY 2.48± miles; Wertheim National Wildlife Refuge National Wildlife Refuge 340 Smith Rd, Shirley, NY 2.81± miles; Longwood Pine Barrens State Forest State Forest Reserve Brookhaven, NY 4.37± miles.

B. Government Approvals – List of Involved Agencies with Contact Names and Addresses (As Available)

Town of Brookhaven Town Board

Supervisor Edward P. Romaine
Town Hall
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Division of Planning, Environmental Protection and Engineering

James M. Tullo
Commissioner of Planning
Town of Brookhaven Division of Planning, Environmental Protection and Engineering
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Division of Stormwater

Veronica King
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Building Department

Greg Brown
Building Permits Coordinator
Town Hall
1 Independence Hill
Farmingville, NY 11738

Suffolk County Water Authority

Attn: Lisa Cetta
New Construction
4060 Sunrise Highway, PO Box 38
Oakdale, NY 11769

Suffolk County Department of Health Services

Adrian Casillias
Division of Environmental Quality - Office of Wastewater Management
360 Yaphank Avenue, Suite 2C
Yaphank, NY 11908

Suffolk County Department of Public Works

John Berchtold
335 Yaphank Avenue
Yaphank, NY 11980

Long Island Power Authority

boardoftrustees@lipower.org

National Grid

Rudy Wynter

President – New York
175 East Old Country Road
Hicksville, NY 11801

PSEG – Long Island

PSEG Long Island Building and Renovation Services
BRSLI@pseg.com

New York State Department of Transportation

Olumuyiwa Fajolu
New York State Department of Transportation, Region 10
Traffic & Safety
250 Veterans Memorial Highway, Room 6A-7
Hauppauge, NY 11788

Surface Transportation Board

Martin Oberman
Chairman
395 E Street SW
Washington D.C 20424

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

Agency Use Only [If applicable]
Project : Brookhaven Logistics Center
Date : 3/24/23

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.

1. Impact on Land 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>			
		☐ NO	☒ YES
	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	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts: _____ _____		☐	☐

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	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

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	☐	☐
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	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
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	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
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	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☒ YES
	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	☒	☐
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	☒	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☒	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☒	☐
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	☒	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☒	☐
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	☒	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☒ YES
	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	☒	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☒	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☒	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☒	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☒	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☒	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ 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 ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) 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	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
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	☐	☐
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	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☒ 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	☒	☐
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	☒	☐
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	☒	☐
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	☒	☐

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	☒	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☒	☐
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	☒	☐
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	☒	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☒	☐
j. Other impacts: _____		☐	☐

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

9. Impact on Aesthetic Resources 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>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☒	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☒	☐
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	☒ ☒	☐ ☐
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	☒ ☒	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☒	☐
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	☒	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources 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>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	☐	☐
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	☐	☐
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	☐	☐

d. Other impacts: _____ _____		☐	☐
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: e. i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property’s setting or integrity. 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, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐	☐ ☐ ☐

11. Impact on Open Space and Recreation 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> ☐ NO ☒ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	☒	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☒	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☒	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☒	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas 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> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	☐	☐
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	☐	☐
c. Other impacts: _____ _____		☐	☐

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	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts: _____ _____		☐	☐

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	☒	☐
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	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
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	☒	☐
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	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____ _____		☐	☐

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.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	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	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
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	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
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.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ 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	☐	☐
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	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
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	☐	☐
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	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

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) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☐ 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	☒	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☒	☐
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	☒	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☒	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☒	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☒	☐
g. Other impacts: _____ _____		☐	☐

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.

Please see the State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form Part 3 Reasoned Elaboration Memo to James M. Tullo, Commissioner, PELM, from Peter E. Fountaine, Pr. Environmental Analyst, Division of Environmental Protection, PELM, dated March 29, 2023.

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

The 2017 Voluntary Draft Environmental Impact Statement (VDEIS), the September 14, 2017 SEQRA Negative Declaration, 2023 application materials, the 2016 So-Ordered Stipulation of Settlement, February 16, 2021 letter from the Town of Brookhaven, New York State Department of Environmental Conservation (NYSDEC) Supplemental Report, prepared by PW Grosser Consulting, dated 11/22, revised on 12/22, and 2/23 with appendices.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town Board of the Town of Brookhaven _____ 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: Brookhaven Logistics Center

Name of Lead Agency: Town Board of the Town of Brookhaven

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency: _____

Date: _____

Signature of Preparer (if different from Responsible Officer) _____

Peter E. Fountaine

Date: 3/29/23

For Further Information:

Contact Person: Peter E. Fountaine

Address: One Independence Hill, Farmingville, NY 11738

Telephone Number: 631-451-6455

E-mail: pfountaine@brookhavenny.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>

BROOKHAVEN LOGISTICS CENTER, LLC.
YAPHANK, TOWN OF BROOKHAVEN
SUFFOLK COUNTY, NEW YORK

SITE PLANS

FOR TOWN OF BROOKHAVEN REVIEW
NOT FOR CONSTRUCTION

PLANS

ISSUED FOR: TOWN OF BROOKHAVEN REVIEW
ISSUE DATE: JANUARY 14, 2022
LAST REVISED: MAY 13, 2022
LAST REVISED: AUGUST 23, 2022
BID SET LAST REVISED: SEPTEMBER 30, 2022
BID SET LAST REVISED: NOVEMBER 11, 2022
LAST REVISED: NOVEMBER 23, 2022
LAST REVISED: FEBRUARY 01, 2023

SHEET INDEX

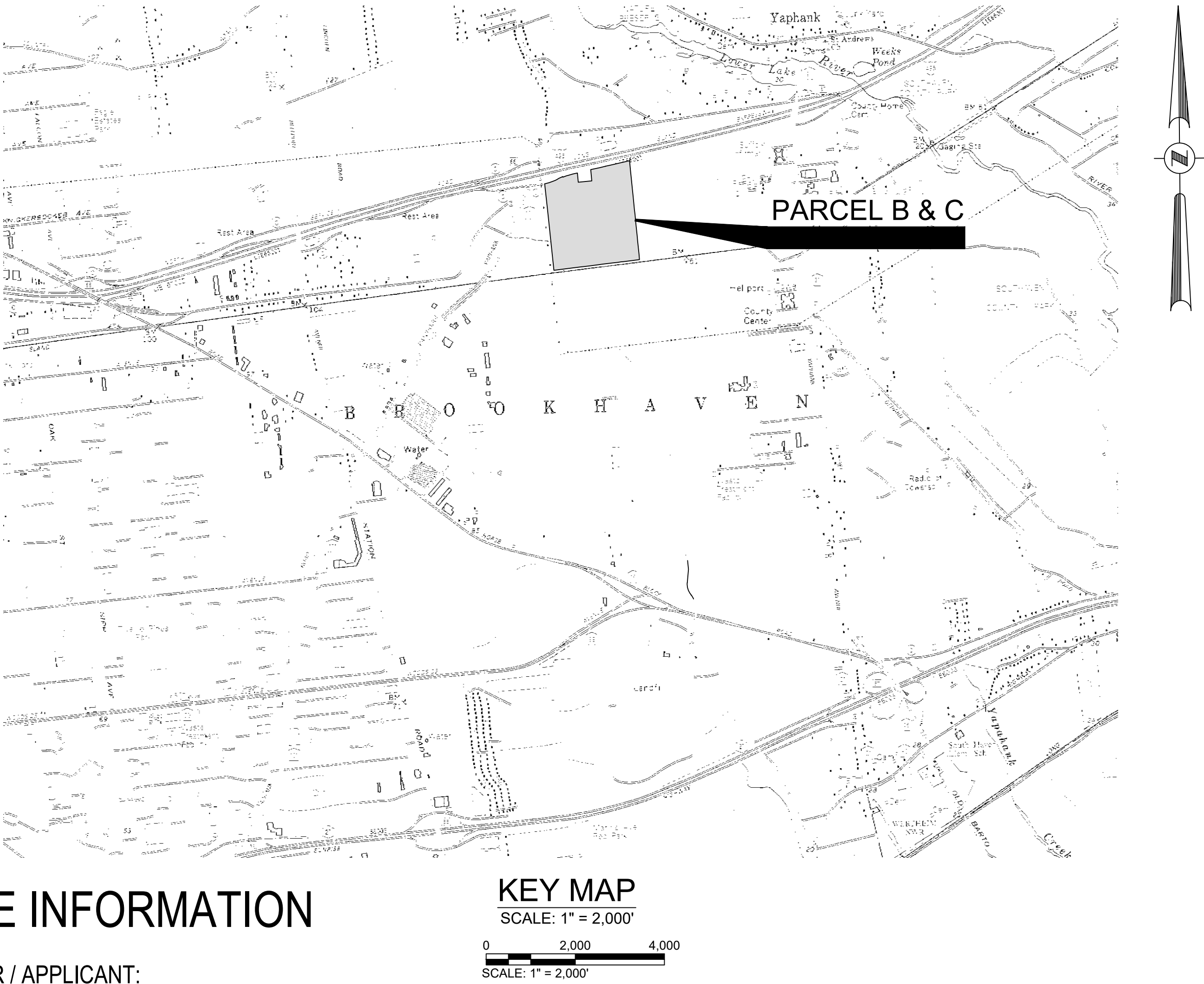
NO.	TAG	TITLE	LAST REVISED	NO.	TAG	TITLE	LAST REVISED
1	C-001	COVER SHEET	02/01/2023	38	C-500	EROSION AND SEDIMENT CONTROL PLAN	02/01/2023
2	C-002	LEGEND & NOTES	02/01/2023	39	C-600	LANDSCAPE PLAN	02/01/2023
3	C-003	EXISTING CONDITIONS PLAN	02/01/2023	40	C-700	VOLUME ANALYSIS	02/01/2023
4	C-004	SOIL BORING LOCATION PLAN	02/01/2023	41	C-700	PROPOSED CUT VOLUME ANALYSIS PLAN 1	02/01/2023
5	C-005	BORING LOGS	02/01/2023	42	C-700	PROPOSED CUT VOLUME ANALYSIS PLAN 2	02/01/2023
6	C-006	BORING LOGS	02/01/2023	43	C-800	SITE DETAILS - 1	02/01/2023
7	C-007	BORING LOGS	02/01/2023	44	C-801	SITE DETAILS - 2	02/01/2023
8	C-100	LAYOUT & MATERIALS PLAN	02/01/2023	45	C-802	DRAINAGE DETAILS & WATER SUPPLY DETAILS	02/01/2023
9	C-200	GRADING PLAN	02/01/2023	46	C-803	DRAINAGE DETAILS	02/01/2023
10	C-201	DRAINAGE PLAN	02/01/2023	47	C-804	ELECTRICAL DETAILS	02/01/2023
11	C-202	DRAINAGE PLAN AREA C	02/01/2023	48	C-805	LANDSCAPE DETAILS	02/01/2023
12	C-203	DRAINAGE PLAN AREA D	02/01/2023	49	C-806	EROSION & SEDIMENT CONTROL DETAILS	02/01/2023
13	C-204	DRAINAGE PLAN AREA E	02/01/2023	50	C-807	SEWER DETAILS	02/01/2023
14	C-205	DRAINAGE PLAN AREA F	02/01/2023	51	C-900	TRAFFIC PLAN AUTO & WB-67 CIRCULATION	02/01/2023
15	C-206	DRAINAGE PLAN AREA G	02/01/2023	52	C-901	TRAFFIC PLAN AERIAL & PUMPER CIRCULATION	02/01/2023
16	C-207	DRAINAGE PLAN AREA H	02/01/2023	53	C-902	TRAFFIC CONTROL PLAN FIRE ROUTE	02/01/2023
17	C-208	DRAINAGE PLAN AREA I	02/01/2023	54	C-903	TRAFFIC CONTROL PLAN	02/01/2023
18	C-209	DRAINAGE PLAN AREA J	02/01/2023	55	C-904	TRAFFIC CONTROL PLAN ISLAND DETAILS	02/01/2023
19	C-210	DRAINAGE PLAN AREA K	02/01/2023	56	LT-100	SITE LIGHTING PLAN	02/01/2023
20	C-300-A	UTILITY LAYOUT PLAN	02/01/2023	57	LT-200	PARTIAL SITE LIGHTING PLAN - 1	02/01/2023
21	C-300-B	OVERALL UTILITY PLAN LAYOUT	02/01/2023	58	LT-300	PARTIAL SITE LIGHTING PLAN - 2	02/01/2023
22	C-301	SEWER PLAN & PROFILE A-A' TO C-C'	02/01/2023	59	WS-001	OVERALL WATER SERVICE PLAN	02/01/2023
23	C-302	SEWER PLAN & PROFILE D-D' TO E-E'	02/01/2023	60	WS-100	WATER SERVICE PARTIAL PLAN A	02/01/2023
24	C-303	SEWER PLAN DETAILS	02/01/2023	61	WS-101	WATER SERVICE PARTIAL PLAN B	02/01/2023
25	C-304	SEWER PLAN EXTENSION TO PARCEL D	02/01/2023	62	WS-102	WATER SERVICE PARTIAL PLAN C	02/01/2023
26	C-305	SEWER PLAN EXTENSION TO PARCEL D	02/01/2023	63	WS-103	WATER SERVICE PARTIAL PLAN D-F	02/01/2023
27	C-306	PARCEL D SEWER PROFILE F-F'	02/01/2023	64	WS-104	WATER SERVICE/RPZ DETAILS	02/01/2023
28	C-307	PARCEL D SEWER PROFILE F-F'	02/01/2023	65	WS-105	WATER SERVICE/RPZ DETAILS	02/01/2023
29	C-308	PARCEL D SEWER PROFILE F-F'	02/01/2023	66	WS-106	SCWA STANDARDS DT-201 DETAILS	02/01/2023
30	C-309	PARCEL D SEWER PROFILE F-F'	02/01/2023	67	A-1	ARCHITECTURAL DETAILS & CODE COMPLIANCE	02/01/2023
31	C-310	ELECTRICAL DETAILS	02/01/2023	68	A-2	PUMP INFRASTRUCTURE FLOOR PLAN	02/01/2023
32	C-311	CONTROL INFRASTRUCTURE AND DETAILS	02/01/2023	69	A-3	PUMP INFRASTRUCTURE ELEVATIONS & SECTIONS	02/01/2023
33	C-400	SPOT ELEVATION KEY MAP	02/01/2023	70	S-1	STRUCTURAL NOTES	02/01/2023
34	C-401	SPOT ELEVATION PLAN - 1	02/01/2023	71	S-2	PUMP INFRASTRUCTURE FOUNDATION & ROOF PLANS	02/01/2023
35	C-402	SPOT ELEVATION PLAN - 2	02/01/2023				
36	C-403	SPOT ELEVATION PLAN - 3	02/01/2023				
37	C-404	SPOT ELEVATION PLAN - 4	02/01/2023				

PROJECT CONTACTS

ENGINEER:
P.W. GROSSER CONSULTING
ENGINEER & HYDROGEOLOGIST, P.C.
630 JOHNSON AVENUE, SUITE 7, BOHEMIA, NY 11716
TEL (631) 589-6353 FAX (631) 589-8705

SITE INFORMATION

OWNER / APPLICANT:
NORTHPOINT DEVELOPMENT
4825 NW 41ST STREET, SUITE 500
RIVERSIDE, MO 64150



Property Tax Map List	
By Parcel	
B 200-663.00-03.00-029.001	C 200-704.00-03.00-006.001
C 200-663.00-03.00-003.000	C 200-704.00-03.00-009.001
C 200-663.00-03.00-010.001	C 200-704.00-03.00-010.000
C 200-663.00-03.00-007.001	C 200-704.00-03.00-022.001
C 200-663.00-03.00-012.007	C 200-704.00-03.00-032.001
C 200-663.00-03.00-018.001	C 200-704.00-02.00-029.001
C 200-663.00-03.00-025.003	C 200-704.00-02.00-023.001
C 200-663.00-03.00-026.000	C 200-705.00-01.00-017.001
C 200-664.00-02.00-023.001	C 200-705.00-01.00-009.001
C 200-664.00-02.00-017.001	C 200-705.00-01.00-021.001
C 200-664.00-02.00-029.001	C 200-705.00-01.00-032.001
C 200-664.00-02.00-008.001	C 200-705.00-01.00-040.001
C 200-664.00-02.00-002.000	C 200-705.00-01.00-077.001
C 200-664.00-02.00-033.001	C 200-705.00-01.00-073.001
C 200-664.00-02.00-053.001	C 200-705.00-01.00-054.001
C 200-664.00-02.00-044.001	C 200-705.00-01.00-079.000
C 200-664.00-02.00-035.001	C 200-705.00-01.00-085.001
C 200-664.00-02.00-036.000	C 200-705.00-01.00-089.001
C 200-664.00-02.00-037.000	C 200-705.00-01.00-092.001
C 200-664.00-02.00-040.001	C 200-705.00-01.00-019.000
C 200-664.00-02.00-042.001	C 200-705.00-01.00-037.000
C 200-664.00-02.00-059.000	C 200-705.00-01.00-110.001
C 200-664.00-02.00-057.000	



CLIENT DRIVEN SOLUTIONS
P.W. GROSSER CONSULTING ENGINEER
AND HYDROGEOLOGIST, P.C.

630 Johnson Avenue. • Suite 7
Bohemia • NY • 11716-2618
Phone: (631) 589-6353 • Fax: (631) 589-8705
E-mail: INFO@PWGROSSER.COM

Layout and Materials Legend

Existing	Proposed	Notes
Political and Property Boundaries		
		PROPERTY LINE, RIGHT-OF-WAY LINE
		INTERIOR PROPERTY LINE
		BUILDING SETBACK LINE
		EASEMENT
		WETLAND FLAGGING
		LIMITS OF CONSTRUCTION/DISTURBANCE MATCHLINE
Curb and Pavement		
		CONCRETE CURB TO BE REMOVED
		CONCRETE CURB
		PAVEMENT TO BE REMOVED
		EDGE OF PAVEMENT
		SAWCUT LINE
		NEW PAVEMENT
		HEAVY DUTY PAVEMENT
Building and Elements		
		BUILDING TO BE REMOVED
		BUILDING
		CONCRETE TO BE REMOVED
		CONCRETE and CONCRETE WALK
		BUILDING ENTRANCE
		BOLLARD PROTECTION
Fence and Property Features		
		CHAIN LINK FENCE
		STOCKADE FENCE
		FENCE (OTHER)
		RETAINING WALL
		TREE LINE
		EDGE of WATER LINE / HIGH WATER
Parking Features		
		PARKING COUNT
		LANDBANKED PARKING COUNT
		CUMULATIVE PARKING COUNT
		HANDICAPPED ACCESSIBLE PARKING
		STANDARD PARKING SPACES
Sanitary Sewer Facilities		
		SANITARY SEWER STRUCTURE LABEL
		CLEAN OUT
		SANITARY SEWER MANHOLE
		LEACHING POOL w COVER TO GRADE
		SEPTIC TANK w COVERS TO GRADE
		GREASE TRAP w COVERS TO GRADE
		LEACHING POOL w BURIED CONC. COVER
		SEPTIC TANK w BURIED CONC. COVER

Grading and Drainage Legend

Existing	Proposed	Notes
Topographic Features		
		MINOR CONTOURS
		MAJOR CONTOURS
		RIDELINE
		TOP OF SLOPE
		BOTTOM OF SLOPE
		SPOT ELEVATION
		TOP and BOTTOM of CURB ELEVATION
		TOP and BOTTOM of WALL ELEVATION
Drainage Elements		
		DRAINAGE STRUCTURE LABEL
		TRENCH DRAIN
		DRAINAGE MANHOLE with GRATE INLET
		DRAINAGE MANHOLE with SOLID COVER
		CATCH BASIN with CURB INLET
		DRYWELL with GRATE INLET
		DRYWELL with SOLID COVER
		DRYWELL with BURIED CONCRETE COVER
		DRYWELL with CURB INLET
Utilities Legend		
Existing	Proposed	Notes
Utility Features		
		ROOF DRAINAGE
		DRAINAGE
		UNDERDRAINAGE
		FRENCH DRAINAGE
		SANITARY SEWERAGE
		FORCE MAIN
		WATER MAIN
		DOMESTIC WATER SERVICE
		FIRE PROTECTION SERVICE
		NATURAL GAS
		OVERHEAD WIRE
		ELECTRIC POWERLINE
		TELECOMMUNICATION
		FIBER OPTIC CABLE
		CABLE TELEVISION
		FIRE ALARM
		TRAFFIC WIRING
		FIRE HYDRANT
		WATER VALVE
		GAS VALVE
		ELECTRIC MANHOLE
		UTILITY POLE
		LIGHT POLE
		ROOF DRAIN
		POST
		SIGN
		IRON PIPE
		CONCRETE MONUMENT
		IRON ROD
		CAPPED IRON ROD SET
		SOIL BORING
		TELEPHONE MANHOLE
		TELEPHONE PEDESTAL
		TRANSFORMER
		TRAFFIC SIGNAL POLE
		TRAFFIC SIGNAL BOX
		ELECTRIC BOX

Abbreviations

Existing	Proposed	Notes
Topographic Features		
BC	BC	BOTTOM OF CURB
BW	BW	BOTTOM OF WALL
CATV	CATV	CABLE TELEVISION
CB	CB	CATCH BASIN
CO	CO	CLEANOUT
D	D	DRAINAGE
DMH	DMH	DRAINAGE MANHOLE
DW	DW	DRYWELL
EBX	EBX	ELECTRIC BOX
EMH	EMH	ELECTRIC MANHOLE
EX	EX	EXISTING
FA	FA	FIRE ALARM
FD	FD	FRENCH DRAIN
FM	FM	FORCE MAIN
FOC	FOC	FIBER OPTIC CABLE
FP	FP	FIRE PROTECTION SERVICE
G	G	GAS
GV	GV	GAS VALVE
HYD	HYD	HYDRANT
ICV	ICV	IRRIGATION CONTROL VALVE
INV	INV	INVERT
LA	LA	LANDSCAPE
LP	LP	LIGHT POLE
MON	MON	MONUMENT
OHV	OHV	OVERHEAD WIRE
RD	RD	ROOF DRAIN
RIM	RIM	RIM ELEVATION
S	S	SANITARY / SEWER
SMH	SMH	SANITARY / SEWER MANHOLE
SPK	SPK	SPRINKLER HEAD
T	T	TELEPHONE
TC	TC	TOP OF CURB
TMH	TMH	TELEPHONE MANHOLE
TRANS	TRANS	TRANSFORMER
TSB	TSB	TRAFFIC SIGNAL BOX
TSP	TSP	TRAFFIC SIGNAL POLE
TW	TW	TOP OF WALL
UD	UD	UNDER DRAINAGE
W	W	WATER
WV	WV	WATER VALVE
VIF	VIF	VERIFY IN FIELD

Survey Information

Surveyor
SURVEY INFORMATION BY: RLT ENGINEERING, GEOLOGY, AND LAND SURVEYING, PC A LIRO GROUP COMMUNITY 235 EAST JERICHO TURNPIKE MINEROLA, NY 11501 SURVEY DATED: AUGUST 31, 2021
Site Notes
THE TWO PROPOSED RESERVE AREAS AT PARCELS B AND C (AND THE TWO RECHARGE BASINS) WOULD BE PLANTED WITH AND/OR BE COLONIZED BY HERACEOUS PLANTS AND SHRUBS REPRESENTATIVE OF THE ECOS SUCCESSIONAL OLD FIELD COMMUNITY.
THE FOLLOWING MITIGATION MEASURES WERE EMPLOYED PRIOR TO CLEARING, EXCAVATION, AND DEVELOPMENT ACTIVITIES ON THE SUBJECT PROPERTY.
A WILDLIFE SURVEY WAS CONDUCTED BY LAND USE ECOLOGICAL SERVICES, INC. BETWEEN SEPTEMBER 30, 2021 AND OCTOBER 13, 2021 IN ADVANCE OF TREE CLEARING ACTIVITIES. DURING THE SURVEY PERIOD, FIVE TURTLES WERE OBSERVED. THESE TURTLES WERE RELOCATED TO THE 62+ ACRE CONSERVATION EASEMENTS ON PARCEL D.
NON-MESH SILT FENCING WAS USED TO MINIMIZE THE POTENTIAL FOR TURTLE MORTALITY.
REMOVING EROSION CONTROL BARRIERS AS SOON AS WORK IS COMPLETE OR ONCE STABILIZATION HAS OCCURRED ON THE SUBJECT PROPERTY, SO AS NOT TO IMPEDE TURTLE MOVEMENT.
IF ANY FUTURE USES ON THE SITE WILL HAVE CAUSE TO STORE OR HANDLE HAZARDOUS MATERIALS:
• NPD WOULD COMPLY WITH APPLICABLE REGULATIONS SUCH AS ARTICLES 7 AND 12 OF THE SUFFOLK COUNTY SANITARY CODE, CHEMICAL AND/OR PETROLEUM BULK STORAGE REGULATIONS OF THE NYSDC, AND ANY OTHER STATE OR FEDERAL REQUIREMENTS WITH RESPECT TO PASSENGER AND FREIGHT OPERATIONS. THE FOLLOWING MEASURES WOULD BE EMPLOYED AS PART OF THE PROPOSED ACTION TO MINIMIZE AND/OR AVOID POTENTIAL IMPACTS:
• NY AND RBT WOULD WORK CLOSELY WITH LIRR AND MAINTAIN CONSISTENT LINES OF COMMUNICATION TO MINIMIZE POTENTIAL IMPACTS.
AIR QUALITY NOTES:
TO ENSURE NO SIGNIFICANT ADVERSE LOCALIZED AIR QUALITY IMPACTS RESULT FROM IMPLEMENTATION OF THE PROPOSED ACTION, THE FOLLOWING MITIGATION MEASURES WILL BE EMPLOYED:
• MAINTAIN USE OF ANTI-FREEZE IN LOCOMOTIVES TO REDUCE IDLING ON COLD DAYS
• CONTINUE USE OF AN ENVIRONMENTALLY FRIENDLY SWITCHING LOCOMOTIVE TO MOVE CARS EFFICIENTLY.
• ENSURE PROPOSED EMISSION CONTROLS FOR CONSTRUCTION VEHICLES, INCLUDING, AS APPROPRIATE, PROPER MAINTENANCE OF ALL MOTOR VEHICLES, MACHINERY, AND EQUIPMENT ASSOCIATED WITH CONSTRUCTION ACTIVITIES. MAINTENANCE OF MANUFACTURER'S MUFFLER EQUIPMENT OR OTHER REGULATORY REQUIRED EMISSIONS CONTROL DEVICES
• LIMIT IDLING OF CONSTRUCTION VEHICLES AND EQUIPMENT ON SITE
• EMPLOY APPROPRIATE METHODS OF DUST CONTROL, INCLUDING, AS NECESSARY: THE APPLICATION OF WATER, THE USE OF STONE IN CONSTRUCTION ENTRANCES AND ROAD, AND REGULAR SWEEPING OF THE PAVEMENT AND ADJACENT ROADWAY SURFACES DURING CONSTRUCTION.
SECURITY NOTES:
ON-SITE SECURITY WOULD BE PROVIDED DURING AND AFTER CONSTRUCTION, TO INCLUDE ONE OR MORE OF THE FOLLOWING:
• CCTV CAMERAS
• SECURITY OFFICES CONSTRUCTED AT ALL ACCESS POINTS TO THE SUBJECT PROPERTY
• A SECURITY GUARD WOULD BE STATIONED AT EACH SECURITY OFFICE 24 HOURS A DAY, 7 DAYS A WEEK
• STARTING AT 6:00PM AT LEAST ONE ADDITIONAL SECURITY GUARD WOULD PATROL THE SUBJECT PROPERTY UNTIL 6:00AM OR
• EBBX ROVERS TO PATROL THE SUBJECT PROPERTY DURING THE EVENINGS AND OVERNIGHT HOURS.
NOTE:
CONSTRUCTION FENCING TO BE INSTALLED ALONG THE LIMITS OF CLEARING AND GRADING.

Civil Site Notes

Utilities	
1.	THE LOCATIONS, SIZES, AND TYPES OF EXISTING UTILITIES ARE SHOWN AS AN APPROXIMATE REPRESENTATION ONLY. THE OWNER OR ITS REPRESENTATIVE(S) HAVE NOT INDEPENDENTLY VERIFIED THIS INFORMATION AS SHOWN ON THE PLANS. THE UTILITY INFORMATION SHOWN DOES NOT GUARANTEE THE ACTUAL EXISTENCE, SERVICEABILITY, OR OTHER DATA CONCERNING THE UTILITIES. NOR DOES IT GUARANTEE AGAINST THE POSSIBILITY THAT ADDITIONAL UTILITIES MAY BE PRESENT THAT ARE NOT SHOWN ON THE PLANS. PRIOR TO ORDERING MATERIALS AND BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY AND DETERMINE THE EXACT LOCATIONS, SIZES, AND ELEVATIONS OF THE POINTS OF CONNECTIONS TO EXISTING UTILITIES AND SHALL CONFIRM THAT THERE ARE NO INTERFERENCES WITH EXISTING UTILITIES AND THE PROPOSED UTILITY ROUTES, INCLUDING ROUTES WITHIN THE PUBLIC RIGHTS OF WAY.
2.	WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, OR EXISTING CONDITIONS DIFFER FROM THOSE SHOWN SUCH THAT THE WORK CANNOT BE COMPLETED AS INTENDED, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED IN WRITING TO THE OWNER'S REPRESENTATIVE FOR THE RESOLUTION OF THE CONFLICT AND CONTRACTOR'S FAILURE TO NOTIFY PRIOR TO PERFORMING ADDITIONAL WORK RELEASES OWNER FROM OBLIGATIONS FOR ADDITIONAL PAYMENTS WHICH OTHERWISE MAY BE WARRANTED TO RESOLVE THE CONFLICT.
3.	SET CATCH BASIN RIMS, AND INVERTS OF SEWERS, DRAINS, AND DITCHES IN ACCORDANCE WITH ELEVATIONS ON THE GRADING AND UTILITY PLANS.
4.	RIM ELEVATIONS FOR DRAIN AND SEWER MANHOLES, WATER VALVE COVERS, GAS GATES, ELECTRIC AND TELEPHONE PULL BOXES, AND MANHOLES, AND OTHER SUCH ITEMS ARE APPROXIMATE AND SHALL BE SET/RESET AS FOLLOWS: A. PAVEMENT AND CONCRETE SURFACES: FLUSH B. ALL SURFACES ALONG ACCESSIBLE ROUTES: FLUSH C. LANDSCAPE, LOAM AND SEED, AND OTHER EARTH SURFACE AREAS: ONE INCH ABOVE SURROUNDING AREA AND TAPER EARTH TO RIM ELEVATION.
5.	THE LOCATION, SIZE, DEPTH, AND SPECIFICATIONS FOR CONSTRUCTION OF PROPOSED PRIVATE UTILITY SERVICES SHALL BE INSTALLED ACCORDING TO THE REQUIREMENTS PROVIDED BY, AND APPROVED BY, THE RESPECTIVE UTILITY COMPANY (GAS, TELEPHONE, ELECTRIC, FIRE ALARM, ETC.). FINAL DESIGN LOADS AND LOCATIONS TO BE COORDINATED WITH THE OWNER AND ARCHITECT.
6.	CONTRACTOR SHALL MAKE ARRANGEMENTS FOR AND SHALL BE RESPONSIBLE FOR PAYING FEES FOR POLE RELOCATION AND FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE, FIRE ALARM, AND ANY OTHER PRIVATE UTILITIES, WHETHER WORK IS PERFORMED BY CONTRACTOR OR BY THE UTILITIES COMPANY.
7.	UTILITY PIPE MATERIALS SHALL BE AS FOLLOWS, UNLESS OTHERWISE NOTED ON THE PLAN: A. WATER PIPES SHALL BE CEMENT LINE DUCTILE IRON PIPE (CLDI) B. SANITARY SEWER PIPES SHALL BE POLYVINYL CHLORIDE (PVC) C. STORM DRAINAGE PIPES SHALL BE AS SPECIFIED IN PLANS
8.	CONTRACTOR SHALL COORDINATE WITH ELECTRICAL CONTRACTOR AND SHALL FURNISH EXCAVATION, INSTALLATION, AND BACKFILL OF ELECTRICAL FURNISHED SITEWORK RELATED ITEMS SUCH AS PULL BOXES, CONDUITS, DUCT BANKS, LIGHT POLE BASES, AND CONCRETE PADS. SITE CONTRACTOR SHALL FURNISH CONCRETE ENCASUREMENT OF DUCT BANKS IF REQUIRED BY THE UTILITY COMPANY AND AS INDICATED ON THE DRAWINGS.
9.	CONTRACTOR SHALL EXCAVATE AND BACKFILL TRENCHES FOR GAS IN ACCORDANCE WITH GAS COMPANY'S REQUIREMENTS.
10.	ALL DRAINAGE AND SANITARY STRUCTURE INTERIOR DIAMETERS (4" MIN.) SHALL BE DETERMINED BY THE MANUFACTURER BASED ON THE PIPE CONFIGURATIONS SHOWN ON THESE PLANS AND LOCAL MUNICIPAL STANDARDS. FOR MANHOLES THAT ARE 20 FEET IN DEPTH AND GREATER, THE MINIMUM DIAMETER SHALL BE 5 FEET.
Utility Information	
SERVICE	OPERATING AUTHORITY
ELECTRIC	PSE & G
WATER	SUFFOLK COUNTY WATER AUTHORITY
TELEPHONE	VERIZON
SANITARY	SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
GAS	NATIONAL GRID

Site Notes

Site Notes
1. TOWN OF BROOKHAVEN ENGINEERING INSPECTOR IN THE DEPARTMENT OF PLANNING, ENVIRONMENT AND LAND MANAGEMENT SHALL BE NOTIFIED 48 HOURS IN ADVANCE OF ALL CONSTRUCTION AT 631-451-5400 BETWEEN THE HOURS OF 9:00AM - 4:00PM MONDAY THROUGH FRIDAY.
2. PLEASE CONTACT THE DIVISION OF ENGINEERING AT 631-451-5400 TO SCHEDULE A PRE-CONSTRUCTION MEETING 48 HRS PRIOR TO THE COMMENCEMENT OF ANY AND ALL CONSTRUCTION ACTIVITIES.
3. LOCATION AND GRADES FOR CURBS AND WALKS TO BE VERIFIED WITH THE TOWN OF BROOKHAVEN HIGHWAY DEPARTMENT, SCDPW OR NYSDOT PRIOR TO CONSTRUCTION.
4. ALL TRAFFIC CONTROL DEVICES, I.E. SIGNALS, SIGNS, AND PAVEMENT MARKINGS SHALL BE INSTALLED IN CONFORMANCE WITH THE GUIDELINES OF THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND AS DIRECTED BY THE TOWN OF BROOKHAVEN, DIVISION OF TRAFFIC SAFETY.
5. THE CONTRACTORS PERFORMING ANY AND ALL TRAFFIC CONTROL DEVICES LAYOUT AND INSTALLATION WORK SHALL NOTIFY THE TOWN OF BROOKHAVEN DIVISION OF TRAFFIC SAFETY, 48 HOURS IN ADVANCE OF BEGINNING SUCH WORK ALONG A TOWN ROAD.
6. ALL PAVEMENT MARKINGS REQUIRED SHALL BE TEMPORARY (SUFFOLK COUNTY SPECIFICATIONS) UNLESS OTHERWISE NOTED ON PLAN.
7. STOP LINE SIGHT DISTANCE SHALL BE MAINTAINED AT ALL INTERSECTIONS IN ACCORDANCE WITH ASHTO REQUIREMENTS.

Property Information - Zoning

SITE:	PARCEL "B & C" SILLS ROAD SILLS ROAD, YAPHANK, NY 11980 TOWN OF BROOKHAVEN
SCIM #:	200-664-2-53.1, 44.1, 42.1, 40.1, 37, 35.1, 33.1, 29.1, 23.1, 17.1, 8.1, & 2 200-663-3-29.1, 26, 25.3, 18.1, 12.7, 10.1, 8.1, & 3 200-705-1-10.1, 92.1, 90, 89.1, 85.1, 79, 77.1, 73.1, 54.1, 40.1, 32.1, 21.1, 19, 18, 17.1, & 9.1 200-704-3-32.1, 22.1, 13, 12, 11, 10, 9.1, & 6.1 200-704-2-29.1, 23.1, 17 & 16
PROJECT LOT AREA:	93 ACRES

ZONING DATA TABLE : L INDUSTRIAL 1 (LIGHT INDUSTRY)			
	REQUIRED	HSZ REQUIRED	PROPOSED
MIN. LOT SIZE	40,000 SQ. FT.	120,000 SQ. FT.	4,051,096 SQ. FT.
MIN. ROAD FRONTAGE	100'	200'	1,630.56'
MIN. FRONT YARD	100'	--	265.0' (188.0' minimum)
MIN. SIDE YARD	50'	--	265.3'
MIN. REAR YARD	50'	--	215.5'
MAX. FAR	35%	30%	38.5%
MAXIMUM HEIGHT	50'	--	50'
MAX NUMBER OF STORIES	3 STORIES	--	1 STORY
BUFFER AREA (SR. 495)	100'	--	100'
MIN NATURAL LANDSCAPE AREA	20%	--	33.79%
GREEN SPACE	19.39 ACRES	--	31.42 ACRES
UNDISTURBED AREA	6.6 ACRES	--	6.6 ACRES

Parking Totals

	PROVIDED	REQUIRED
TRANS-LOAD BUILDING 1		3,078
AUTOMOBILE TRUCKLOADING	138 (8 ADA / VAN ACCESSIBLE)	RELIEF OF 64.9 %
TRANS-LOAD BUILDING 2		
AUTOMOBILE TRUCKLOADING	467 (9 ADA / VAN ACCESSIBLE)	
LANDBANKED	94	
TOTAL PARKING ON SITE	1,083	

Civil Site Notes

Erosion Control

PRIOR TO STARTING ANY OTHER WORK ON THE SITE, THE CONTRACTOR SHALL NOTIFY APPROPRIATE AGENCIES AND SHALL INSTALL EROSION CONTROL MEASURES AS SHOWN ON THE PLANS AND AS IDENTIFIED IN FEDERAL, STATE, AND LOCAL APPROVAL DOCUMENTS PERTAINING TO THIS PROJECT.

CONTRACTOR SHALL INSPECT AND MAINTAIN EROSION CONTROL MEASURES, AND REMOVE SEDIMENT THEREFROM ON A WEEKLY BASIS AND WITHIN TWELVE HOURS AFTER EACH STORM EVENT AND DISPOSE OF SEDIMENTS IN AN UPLAND AREA SUCH THAT THEY DO NOT ENCUMBER OTHER DRAINAGE STRUCTURES AND PROTECTED AREAS.

CONTRACTOR SHALL BE FULLY RESPONSIBLE TO CONTROL CONSTRUCTION SUCH THAT SEDIMENTATION SHALL NOT AFFECT REGULATORY PROTECTED AREAS, WHETHER SUCH SEDIMENTATION IS CAUSED BY WATER, WIND, OR DIRECT DEPOSIT.

CONTRACTOR SHALL PERFORM CONSTRUCTION SEQUENCING SUCH THAT EARTH MATERIALS ARE EXPOSED FOR A MINIMUM OF TIME BEFORE THEY ARE COVERED, SEEDED, OR OTHERWISE STABILIZED TO PREVENT EROSION.

UPON COMPLETION OF CONSTRUCTION AND ESTABLISHMENT OF PERMANENT GROUND COVER, CONTRACTOR SHALL REMOVE AND DISPOSE OF EROSION CONTROL MEASURES AND CLEAN SEDIMENT AND DEBRIS FROM ENTIRE DRAINAGE AND SEWER SYSTEMS.

Civil Site Notes

Grading and Drainage Notes

1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE TOWN OF BROOKHAVEN, SUFFOLK COUNTY HEALTH DEPARTMENT, SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, AS APPLICABLE.

2. UTILITY INFORMATION SHOWN ON THIS PLAN IS BASED ON VISIBLE FIELD EVIDENCE AND AVAILABLE RECORDS. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING WORK. CARE SHOULD BE TAKEN NOT TO DISTURB EXISTING UTILITIES AND SERVICE CONNECTIONS (OR PORTIONS THEREOF) TO REMAIN. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ABANDONED UTILITY SERVICE CONNECTIONS AND INSTALLATION OF NEW SERVICE CONNECTIONS AND SHALL COORDINATE WORK WITH THE APPROPRIATE UTILITY COMPANY.

3. REMOVAL OF EXISTING STRUCTURES, INCLUDING BUILDINGS, DRAINAGE SYSTEMS AND OTHER STRUCTURE TO BE DONE IN CONFORMANCE WITH THE REGULATIONS OF THE TOWN OF BROOKHAVEN AND APPLICABLE COUNTY, STATE AND FEDERAL AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMIT FOR DEMOLITION AND DISPOSAL OF EXISTING STRUCTURES AND MATERIALS.

4. ALL STRUCTURES TO BE REMOVED (FOUNDATIONS, CONCRETE SLABS, DRAINAGE STRUCTURES, ETC.) SHALL BE REPLACED WITH CLEAN, GRANULAR MATERIAL, COMPACTED TO 95% STANDARD PROCTOR DENSITY.

5. ALL PAVEMENT TO BE REMOVED OR REPLACED SHALL BE SAWCUT.

6. THE CONTRACTOR SHALL EMPLOY APPROPRIATE MAINTENANCE AND PROTECTION OF TRAFFIC MEASURES DURING CONSTRUCTION AS APPLICABLE. MEASURES UTILIZED DURING WORK SHALL BE IN ACCORDANCE WITH THE N.Y.S. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

7. EXCEPT WHERE OTHERWISE NOTED, WHERE NEW CONCRETE CURBING AND CURBED ISLANDS ARE PROPOSED, THE BOTTOM OF CURB ELEVATION SHALL BE CALCULATED USING THE EXISTING PAVEMENT ELEVATION. THE TOP OF CURB SHALL BE CALCULATED 6" ABOVE THE EXISTING PAVEMENT ELEVATION. PAVEMENT AROUND THE PERIMETER OF EACH ISLAND SHALL BE GRADED SO THAT WATER IS NOT TRAPPED AGAINST OR NEAR THE CURB, AND WILL FLOW FREELY TOWARDS THE NEAREST EXISTING OR PROPOSED DOWNSTREAM INLET. EXISTING PAVEMENT SHALL BE SAWCUT AT THE LOCATION OF THE PROPOSED CURB. BACKFILL AROUND THE COMPLETED ISLAND SHALL BE CLEAN, GRANULAR FILL COMPACTED TO 95% STANDARD PROCTOR DENSITY. NEW ASPHALT SHALL PROVIDE A SMOOTH TRANSITION TO EXISTING PAVEMENT TO REMAIN. ALL SAWCUT LINES SHALL BE SEALED WHERE NEW PAVEMENT MEETS EXISTING PAVEMENT TO REMAIN.

8. ALL EXISTING CATCH BASINS AND DRYWELLS SHALL BE CLEANED OF SILT AND DEBRIS AT THE COMPLETION OF CONSTRUCTION.

9. THE CONTRACTOR SHALL NOTIFY APPROPRIATE UTILITIES 48 HOURS BEFORE EXCAVATION, CUTTING, REMOVING, OR TAPPING INTO ANY EXISTING UTILITY SERVICE. THE TOWN OF BROOKHAVEN SHALL BE NOTIFIED 48 HOURS BEFORE ANY SITE WORK IS BEGUN.

10. PRIVATE UTILITY POLES TO BE RELOCATED SHALL BE DONE WITH COORDINATION WITH THE APPROPRIATE ELECTRIC AND TELECOMMUNICATION COMPANIES. GAS AND ELECTRIC SERVICE CONNECTIONS AND/OR SERVICE ABANDONMENTS SHALL BE COORDINATED WITH PSEG / NATIONAL GRID, WHERE FEASIBLE, PROPOSED ELECTRICAL WIRING SHALL BE UNDERGROUND.

11. ALL CONNECTING DRAINAGE PIPING SHALL BE SPECIFIED AS SHOWN ON THE PLAN.

12. DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE. ALL UNSUITABLE MATERIAL AND DEBRIS SHALL BE DISPOSED OF IN ACCORDANCE WITH LOCAL TOWN, COUNTY, STATE AND FEDERAL LAWS AND APPLICABLE CODES.

13. ALL SANITARY SEWER PIPING SHALL BE DR-18 PVC OR EQUAL, UNLESS OTHERWISE NOTED ON THE PLAN, WHERE SEWER PIPE COVER IS LESS THAN 4'-0", DUCTILE IRON PIPE IS REQUIRED.

14. REFER TO PSEG STANDARD SHEETS FOR PROTECTIVE BOLLARD SIZES, REQUIRED SETBACKS AND OTHER DIMENSIONS AT TRANSFORMER AND GENERATOR PADS.

15. WATER MAIN TAPS, INCLUDING TAPPING PERMITS AND FEES, METER REQUIREMENTS, ETC., SHALL BE COORDINATED WITH THE SUFFOLK COUNTY WATER AUTHORITY.

16. EXISTING WATER, SEWER AND OTHER CASTINGS DISTURBED DURING WORK SHALL BE ADJUSTED TO GRADE AS REQUIRED.

17. ALL PROPOSED DRYWELLS SHALL BE PRECAST, WITH PRECAST OPENINGS FOR DRAINAGE PIPE AND SHALL CONFORM TO SUFFOLK COUNTY STANDARDS.

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	WOOD UTILITY POLE
	STEEL UTILITY POLE
	GUY POLE
	4"x4" CONCRETE MONUMENT
	CHAIN LINK FENCE
	OVERHEAD WIRES
	GAS MAIN
	EDGE OF WOODED AREA
	BRUSH/WOOD LINE
	FILE MAP BLOCK NUMBER
	FILE MAP LOT NUMBER
0-03.00-009.001	
	SECTION & BLOCK AS SHOWN ON TAX MAP
	GRID LINE NUMBER/LETTER FOR ELEVATION COMPARISON
	GRID LINE INTERSECTION POINT
	PARCEL C: DENOTES PROPERTIES OTHER THAN NORTHPOINT ASSOCIATES, LLC

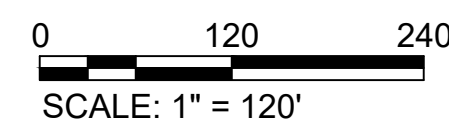
Map of ALTA/NSPS Land Title Survey Parcels B & C
by RLT Engineering, Geology & Land Surveying, P.C. dated
August 4, 2020

Elevations and Contours by GeoMaps International
August 2021 and April 2014

Adjoining Owners as shown on Suffolk County Real
Property Tax Service

1. Area:
Parcel B: 19,298 Acres
Parcel C: 73,669 Acres
Area of Parcel C includes Gore and Out Parcels
2. Horizontal datum for this survey is NAD 83 Long Island Zone. Bearings and distances are not shown in NAD83 on this survey; rather are shown as per Map of ALTA/NSPS Land Title Survey by RLT Engineering, Geology & Land Surveying P.C. dated August 4, 2020.
3. Elevations and contours shown on this map refer to North American Datum of 1988 (NAVD1988). Elevations and contours generated by GeoMaps International August 2021. Elevation comparison was generated using information from maps by GeoMaps International dated August 2021 and April 2014 and are accurate to 0.2' both horizontally and vertically.
4. No certification is made regarding the existence of any physical improvements or possession other than what is shown on this map of survey.
5. Offsets or dimensions shown hereon from improvements to the property lines are for a specific purpose and use, and therefore are not intended to guide the erection of fences, retaining walls, pools, patios, planting areas, building additions or any other construction.
6. Locations of underground utilities shown on this survey are approximate. RLT Engineering, Geology, and Land Surveying, P.C., cannot guarantee the location of underground utilities and structures. The standard of care used by RLT Engineering, Geology, and Land Surveying, P.C. to locate the utilities is reasonable and consistent with the local standard of care used to locate the underground utilities. Locations and sizes are based on utility mark-outs, as-built maps and other visible surface evidence observed in the course of this survey. Prior to excavation or construction the location, size and type of all underground utility locations must be verified by the respective utility company.

SCALE: 1" = 120'

**Surveyor**

SURVEY INFORMATION BY:
RLT ENGINEERING, GEOLOGY, AND LAND SURVEYING, PC
A LIRO GROUP COMMUNITY
235 EAST JERICO TURNPIKE
MINEOLA, NY 11501
SURVEY DATED: AUGUST 31, 2021



630 Johnson Avenue. • Suite 7
Bohemia • NY • 11716-2618
Phone: (631) 589-6353 • Fax: (631) 589-8705
E-mail: INFO@PWGROSSER.COM

FOR
TOWN OF
BROOKHAVEN
REVIEW
NOT FOR
CONSTRUCTION

7		
6	UPDATE AS PER TOWN COMMENTS 12/9/2022	02/01/2023
5	UPDATE AS PER BIDDING 12/12/2022	12/12/2022
4	UPDATE AS PER TOWN COMMENTS 10/17/2022	11/23/2022
3	UPDATE AS PER TOWN COMMENTS 10/17/2022	11/11/2022
2	UPDATE AS PER CONTRACTOR RFI	09/30/2022
1	UPDATE AS PER CONTRACTOR RFI	08/30/2022
Number	Revision Description	Revision Date

Designed By	TC/JJA	Date Submitted	12/12/2022
Drawn By	TC	Date Created	01/10/2022
Approved By	CB	Scale	AS NOTED

NORTHPOINT DEVELOPMENT
3315 N. OAK TRAFFICWAY
KANSAS CITY, MO 64116

Project: **BROOKHAVEN
LOGISTICS
CENTER, LLC**

Project Address:
**PARCELS B & C, SR 495
YAPHANK, TOWN OF BROOKHAVEN
SUFFOLK COUNTY, NEW YORK**

County Tax Map Number:	Contract Number:
Regulatory Reference Number:	

Drawing Number:

C-003

3 71

NPD2001



The proposed Building 1 is 585,071± square feet (SF) and Building 2 is 650,900± SF. Building 1 would be positioned within the northern portion of the parcels closer towards Express Drive South and Building 2 would be positioned within the southern portion of the parcels closer towards the LIRR rail line. The development plan includes a rail spur extension for the proposed transloading buildings on Parcels B and C. Approximately 7,906 linear feet of rail track would serve the two (2) transloading buildings and would connect to the LIRR Line along the southern boundary of both parcels. The rail would extend along the eastern boundary of Parcel C. Track would be installed midway between Buildings 1 and 2 and extend along the north side of Building 2, parallel to the northern loading docks.

As part of the proposed action, perimeter landscaping would be installed on Parcels B and C, and existing vegetated and forested areas would be retained. A buffer of evergreen vegetation will be installed, as prescribed by the Town of Brookhaven, along the boundary of the LIE. Landscaped islands would also be installed within the proposed automobile parking areas. In accordance with the 2017 Negative Declaration, approximately 20± acres (19.39± acres were required) of Pitch Pine Oak Forest on Parcels B and C would be preserved.

The proposed drainage includes two recharge basins, which would be created near the northern boundary of Parcels B and C. The proposed drainage plan and methods to accommodate and recharge stormwater are consistent with the 2017 VDEIS (i.e., recharge basins, leaching pools, catch basins).

Reasons Supporting Determination:

The prior BRT proposal was the subject of a comprehensive Voluntary Draft Environmental Impact Statement, prepared in 2017 (hereinafter the “2017 VDEIS”). That SEQR process culminated in the adoption of a Negative Declaration by the Town of Brookhaven Town Board on September 14, 2017 (hereinafter the “2017 Negative Declaration”). The 2017 VDEIS set forth the existing conditions of the approximately 350 acres of which Parcels B and C (the subject of the instant SEQR process) are a part, evaluated the potential significant adverse impacts associated with implementation of the prior BRT proposal, and identified mitigation measures for those impacts identified as significant and adverse. The 2017 VDEIS also evaluated alternatives to the prior BRT proposal. The SEQR compliance activities for the BRT proposal and those associated with the current proposed action are required to conform to the requirements of the March 17, 2016 Stipulation of Settlement (herein after the “Stipulation”).

Pursuant to the Stipulation:

“The [SEQRA] review and approval process for the Railway Expansion shall proceed before the Town Board on an expedited basis under an established and agreed upon process and procedure complying with the Administrative SEQRA/Plan Review process and Applicable Town Code Provision application to resolution of litigated environmental matters, and without public hearings.”

The proposed action is considered a Type I action and coordinated to interested and involved agencies on February 22, 2023 to satisfy the SEQRA requirements for the establishment of Lead Agency. Comments were received from the Suffolk County Water Authority and the Town’s court appointed consultant, VHB.

As explained previously, the Town of Brookhaven Town Board issued a Negative Declaration after review of the 2017 VDEIS. As set forth below, the current proposed development of Parcels B and C is substantively consistent with the aforesaid 2017 Negative Declaration, as follows.

Soils and Topography:

In accordance with the Stipulation, the proposed grading process would re-use native soil onsite for fill purposes to the maximum extent feasible, with the goal of minimizing the need to export native sand or import fill materials. The 2017 VDEIS proposed 960,000± to 1,150,000± cubic yards (cy) of material to be cut and removed from Parcels B and C. The current grading plan for Parcels B and C indicates that approximately 52,000 cy of material will be taken from Parcel D to facilitate development of Parcels B and C. As the current development plan would result in no net cut in material and only approximately 52,000 cy of material would be transported from

Parcel D, the proposed development of Parcels B and C would have lesser impacts than those considered in the 2017 Negative Declaration.

- Consistent with the 2017 Negative Declaration, the following erosion and sediment control measures will be implemented:
 - o Construction fencing will be installed along the limits of the clearing and grading areas. Specifically, silt fencing with orange safety construction fencing to extend 24 inches above the silt fence to ensure no disturbance occurs on the 6.6± acres of area to remain will be utilized.
 - o Existing vegetation to remain will be protected during construction.
 - o Sediment barriers will be installed in critical areas.
 - o Stabilized construction entrances will be installed and maintained.
 - o Clearing and grading will be scheduled to minimize size of exposed areas and the length of time areas are exposed.
 - o Cleared areas and stockpiles have been kept stabilized following the tree clearing on Parcels B and C. Parcels B and C were cleared pursuant to tree clearing permits issued by the Town of Brookhaven on January 25, 2022.
 - o Dust control will be instituted to prevent surface and air movement of dust from areas of soil disturbance.
 - o Drainage inlets will be protected using sediment barriers and traps as required.
 - o Erosion control measures will remain in place until disturbed areas are permanently stabilized.
- Based on the Current Proposed Development Plan for Parcels B and C, the green space to be provided exceeds the 19.39±-acre requirement of the 2017 Negative Declaration.
- The installation of vegetated and pervious areas throughout Parcels B and C was chosen to accommodate stormwater runoff in lieu of pervious concrete due to constructability constraints. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.
- VHB completed on-site observations during grading and excavation activities of the asphalt milling surfacing where cars damaged by Superstorm Sandy had been stored on the northwest portion of Parcel C. VHB observed re-grading and cutting had advanced in all directions on Parcel C and that asphalt milling stockpiles were present in the northern portion of Parcels B and C. The car storage area was removed as part of this. All actions taken were in accordance with NYSDEC regulations. Accordingly, this item of the 2017 Negative Declaration has been addressed.

Ecological Resources:

- The 20± acres of green space to be provided on Parcels B and C is consistent with the measures specified in the 2017 Negative Declaration to preserve at least 19.39± acres of Pitch Pine Oak Forest, including the preservation of the existing forest along the eastern boundary of Parcel C and the southern boundary of Parcels B and C. The eastern boundary of Parcel C would include a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields' outer boundaries.

- Tree clearing on Parcels B and C was completed between January 19, 2022 and February 24, 2022 pursuant to the permits issued by the Town of Brookhaven on January 25, 2022. Wildlife sweeps were conducted prior to tree clearing and observed eastern box turtles were relocated, in accordance with the 2017 Negative Declaration.
- To avoid potential adverse impacts to northern-long eared bat, the 2017 Negative Declaration identified a “window” of November 1 through March 31 within which tree clearing would be allowed. This timeframe was consistent with the NYSDEC regulatory window in effect at the time the 2017 Negative Declaration was adopted. This regulatory window was subsequently amended by NYSDEC to the period between December 1 and February 28 in Suffolk County. The tree clearing was completed between January 19, 2022 and February 24, 2022 in accordance with the NYSDEC restrictions.
- The tree clearing did not adversely affect Wild Indigo observed within the LIPA property, assets, and easements. Wild Indigo is proposed to be planted along the LIPA easement and southern boundary of the subject property.

Water Resources:

- Pursuant to the 2017 Negative Declaration, Parcels B and C will be connected to the Yaphank County Center STP. On June 21, 2021, Suffolk County Sewer Agency approved the connection of the Current Proposed Development Plan for Parcels B and C for a sanitary flow of 49,240± gpd.
- The proposed plan does not increase the proposed development density of Parcels B and C, or the associated rate of sewage generation from these parcels from that addressed in the 2017 Negative Declaration and will comply with the applicable requirements of Article 6 of the Suffolk County Sanitary Code.
- The 2017 Negative Declaration discussed utilizing two drainage reserves on Parcels B and C to be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community. The proposed drainage program for Parcels B and C have been modified to include two recharge basins in the northeast and northwest corners of the parcels. The landscaping plan notes the following species to be planted in the recharge basins: Sweet Vernal Grass (*Anthoxanthum odoratum*), Orchard Grass (*Dactylis glomerata*), Common Chickweed (*Cerastium arvense*), Common Evening Primrose (*Oenothera biennis*), Old-Field Cinquefoil (*Potentilla simplex*), Calico Aster (*Aster/Ateriflorns*), and New England Aster (*Aster novae-angliae*) The proposed design will manage stormwater runoff from the proposed development on Parcels B and C.
- Pursuant to the 2017 Negative Declaration, the drainage and erosion and sediment control plans will protect groundwater resources and facilitate stormwater recharge. Erosion and sediment control measures to be implemented will include sediment control, silt fence, construction road stabilization, concrete washout, soil stockpile with wire fencing, filter fabric drop inlet protection, stabilized construction entrance, temporary topsoil, fertilizer, seed, and mulch for stabilization, and temporary tree fencing.
- The 2017 Negative Declaration indicated pervious concrete should be used to the maximum extent practicable to promote the recharge of stormwater. However, it was determined the use of pervious concrete for proposed sidewalks and ADA access ramps would not be structurally feasible. Concrete would be used for all sidewalks and access

ramps. In lieu of permeable concrete, the proposed development area on Parcels B and C includes the installation of vegetated and pervious areas throughout the parcels to accommodate stormwater runoff. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.

- A SWPPP waiver was received from the Town of Brookhaven on October 5, 2022 for the Current Proposed Development Plan for Parcels B and C.
- Pursuant to the 2017 Negative Declaration, consultations with the SCWA were undertaken, and a water connection letter was received May 17, 2022. Water service would be connected to the existing water main in Sills Road. A signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022.
- The handling and storage of hazardous materials is not anticipated.

Land Use, Zoning and Community Character:

- The buildings proposed on Parcels B and C are similar to those contemplated in the 2017 Negative Declaration and would not adversely affect the overall character of the site and surrounding properties.
- The use of the property for transloading and rail support purposes would continue to advance the goals identified in various County and regional comprehensive and/or strategic development plans, including: The Strategic Economic Development Plan for Long Island 2016 Update, Plan 2040: A Shared Vision for Sustainable Growth, the Suffolk County Comprehensive Master Plan 2035, and the Long Island 2035 Regional Comprehensive Plan.

Transportation:

- Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.
- With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the site utilization and traffic assumptions set forth in the 2017 VDEIS.
- The 2017 Negative Declaration proposed an underpass to connect Parcels B and C with Parcel D, which is no longer proposed. The current proposed action will provide turnout from the LIRR rail line, which the applicant asserts is a more efficient means of access, and will result in significantly less material being removed from Parcels B and C.

Socioeconomics:

- Consistent with the 2017 Negative Declaration, all assumed economic benefits associated with the prior BRT proposal (i.e., expanded employment opportunities during both construction and operation; increased tax revenues to the Town, County, and other jurisdictions; and enhanced building material supplies to support the local construction industry) would be realized as part of this proposed action.

Community Facilities and Services:

- In accordance with the 2017 Negative Declaration, on-site security would be provided, and adequate exterior lighting would be provided throughout the subject property for security purposes on Parcels B and C. Also, future buildings would be constructed in compliance with the latest National Fire Protection Association Codes and Standards, and the project sponsor will consult with the Yaphank Fire Department regarding the placement of fire hydrants.
- In accordance with the 2017 Negative Declaration, one new roadway connection would be created along the Long Island Expressway South Service Road to the north for Parcels B and C as well as an easement to be established along the northern portion of the LIPA property (east of Parcel A) to allow for circulation within Parcels A, B and C. An emergency access ingress and egress road would be constructed at the northeast corner of Parcel C.

Air Quality:

- The applicant has indicated that it would comply with the assumptions regarding the development of transloading buildings and rail support structures. Compliance with these assumptions and the 2017 Negative Declaration would yield the regional air quality benefits identified in the 2017 VDEIS as truck deliveries, with their associated air emissions, would be replaced with rail transportation.
- In accordance with the 2017 Negative Declaration, all mitigation measures presented would be implemented for the development of Parcels B and C (i.e., use of antifreeze in locomotives to reduce idling on cold days, use environmentally friendly switching locomotives to move cars, proper emission controls for construction vehicles, limit idling of construction vehicles and on-site equipment during operations, and dust control during construction).

Aesthetics, Community Character, and Visual Resources:

- In accordance with the 2017 Negative Declaration, the eastern boundary of Parcel C will contain a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields' outer boundaries
- The Current Proposed Development Plan for Parcels B and C includes a proposed retaining wall along the southern, western, and eastern boundaries of Parcels B and C which would reduce visibility of operations. In addition, the applicant has agreed to install evergreen plantings along the boundary with the LIE South Service Road to minimize visual impacts along the LIE. The proposed landscaping and lighting program for Parcels B and C would minimize potential local visual and aesthetic impacts.

The Proposed Action would result in a net positive impact for the numerous taxing districts, including Suffolk County, the Town of Brookhaven, Longwood Central School District, and South Country Central School District. The proposed action is anticipated to generate a combined total of \$5,912,030 in annual property taxes, which is more than \$5 million greater than the current taxes generated by development of the proposed action. The proposed action is expected to create approximately 650 new permanent jobs, as well as 579 short-term jobs per year during construction. Furthermore, the proposed action is anticipated to result in indirect economic growth to the surrounding area.

The industrial nature of the proposed action will be consistent with various other development near the subject property, as well as the zoning of the subject property. The proposed action will also be consistent with various Comprehensive Plans and other planning documents, and in many cases, will help to achieve planning goals such as, the increased use of freight rail, reduction of traffic and emissions from 40,000 trucks annually, industrial development along the LIE, economic growth, and sustainable transportation. The proposed action is not expected to have a significant adverse impact on socioeconomics or significant cumulative impacts from the BRT expansion and other pending projects in the immediate area. While environmental impacts will occur as a result of the proposed activity, no significant impact is expected to occur to: air, land, aesthetics, ground water, surface water, wetlands, cultural, open space, recreational, transportation or energy resources.

Review of the Full Environmental Assessment Forms Parts 1, 2, and 3, the criteria contained in Section 617.7, the application materials, aerial photographs, cultural resource maps, environmental assessments, and other supporting information including the 2017 Voluntary Draft Environmental Impact Statement (VDEIS), the September 14, 2017 SEQRA Negative Declaration, 2023 application materials, the 2016 So-Ordered Stipulation of Settlement, February 16, 2021 letter from the Town of Brookhaven, New York State Department of Environmental Conservation (NYSDEC) Supplemental Report, prepared by PW Grosser Consulting, dated November 2022, revised on December 2022, and February 2023 with appendices that identifies relevant areas of environmental concern find that this action is not anticipated to have a significant adverse impact upon the environment.

The Town Board of the Town of Brookhaven, as Lead Agency for the action contemplated herein, and after due deliberation, review, and analysis of the so-ordered stipulation of settlement, the VDEIS/EAF, supporting information, recommendations and conclusions of Comprehensive Plans and other planning documents, and the criteria set forth in 6 NYCRR § 617.7 determines that the proposed action will not result in significant impacts to the environment.

Review Agency: The Town Board of the Town of Brookhaven
Contact Person: Peter E. Fountaine, Division of Environmental Protection
Address: One Independence Hill, Farmingville, NY 11738
Phone: (631) 451-6455

Copies of this notice sent to:

ENB

Veronica King, Stormwater Manager, Town of Brookhaven Highway Department
Greg Brown, Building Permits Coordinator, Town of Brookhaven Building Department
Lisa Cetta, Manager of New Construction, Suffolk County Water Authority
Adrian Casillas, Assistant Public Health Engineer, Suffolk County Department of Health Services
John Berchtold, Associate Civil Engineer, Suffolk County Department of Public Works
Mark Fischl, Vice Chair, Long Island Power Authority Board of Trustees
Rudolph Wynter, President, National Grid New York
PSEG Long Island Building and Renovation Services
Olumuyiwa Fajolu, Traffic Operation and Safety Supervisor, New York State Department of Transportation
Martin Oberman, Chairman, Surface Transportation Board
Lisa M.G. Mulligan, CEO Brookhaven Industrial Development Agency
Applicant: Brookhaven Rail LLC f/k/a U.S. Rail New York LLC

Brookhaven Terminal Operations
205 Sills Road
Yaphank, New York 11980

This determination is not authorized and complete until signed and dated as follows:

Brookhaven Town Clerk

Date Resolution Adopted: _____

Property Tax Map List

By Parcel

B 200-663.00-03.00-029.001	C 200-704.00-03.00-006.001
C 200-663.00-03.00-003.000	C 200-704.00-03.00-009.001
C 200-663.00-03.00-010.001	C 200-704.00-03.00-010.000
C 200-663.00-03.00-007.001	C 200-704.00-03.00-022.001
C 200-663.00-03.00-012.007	C 200-704.00-03.00-032.001
C 200-663.00-03.00-018.001	C 200-704.00-02.00-029.001
C 200-663.00-03.00-025.003	C 200-704.00-02.00-023.001
C 200-663.00-03.00-026.000	C 200-705.00-01.00-017.001
C 200-664.00-02.00-023.001	C 200-705.00-01.00-009.001
C 200-664.00-02.00-017.001	C 200-705.00-01.00-021.001
C 200-664.00-02.00-029.001	C 200-705.00-01.00-032.001
C 200-664.00-02.00-008.001	C 200-705.00-01.00-040.001
C 200-664.00-02.00-002.000	C 200-705.00-01.00-077.001
C 200-664.00-02.00-033.001	C 200-705.00-01.00-073.001
C 200-664.00-02.00-053.001	C 200-705.00-01.00-054.001
C 200-664.00-02.00-044.001	C 200-705.00-01.00-079.000
C 200-664.00-02.00-035.001	C 200-705.00-01.00-085.001
C 200-664.00-02.00-036.000	C 200-705.00-01.00-089.001
C 200-664.00-02.00-037.000	C 200-705.00-01.00-092.001
C 200-664.00-02.00-040.001	C 200-705.00-01.00-019.000
C 200-664.00-02.00-042.001	C 200-705.00-01.00-037.000
C 200-664.00-02.00-059.000	C 200-705.00-01.00-110.001
C 200-664.00-02.00-057.000	