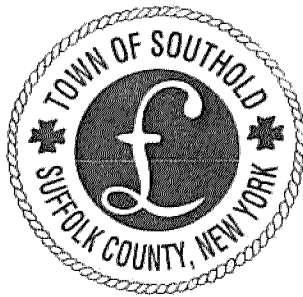


**OFFICE LOCATION:**  
Town Hall Annex  
54375 State Route 25  
(cor. Main Rd. & Youngs Ave.)  
Southold, NY



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**PLANNING BOARD OFFICE**  
TOWN OF SOUTHOLD  
State Environmental Quality Review  
**POSITIVE DECLARATION**  
Notice of Intent to Prepare a Draft EIS  
Determination of Significance

**Tax Map Number:**

**Date: August 10, 2020**

**1000-106.-6-13.4**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

On February 10, 2020 the Planning Board determined that the action is a Type I action pursuant to the following.

617.4(b)(10)

"any Unlisted action, that exceeds 25 percent of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks pursuant to 36 CFR Part 62, 1994 [see 617.17], or"

The physical alteration of 3.9 acres exceeds 25% of the 10 acre threshold listed in 617.4(b)(6) below.

617.4(b)(6)

"activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds, or the expansion of existing non-residential

facilities by more than 50 percent of any of the following thresholds:

- A project or action that involves the physical alteration of 10 acres.

The project will physically alter greater than 5 acres or 50 percent of 10 acres.

The Town of Southold Planning Board as lead agency, has determined that the proposed action described below may have a significant impact on the environment and issues a Positive Declaration and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:** Strong's Storage Buildings

**SEQR Status:** Type 1        X    
Unlisted                            

**Description of Action:**

This Site Plan is for the proposed construction of two (2) buildings for boat storage, one at 52,500 sq. ft. and the other at 49,000 sq. ft., located on 32.6 acres in the MII and R-80 Zoning Districts where there is 69,245 sq. ft. of existing boatyard buildings. The project involves the clearing of 3.9 acres on a parcel substantially contiguous to a Town of Southold owned open space parcel (SCTM# 1000-106-6-20.3) to the south.

On February 10, 2020 the Planning Board determined that the action is a Type I action pursuant to the following.

617.4(b)(10)

"any Unlisted action, that exceeds 25 percent of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks pursuant to 36 CFR Part 62, 1994 [see 617.17], or"

The physical alteration of 3.9 acres exceeds 25% of the 10 acre threshold listed in 617.4(b)(6) below.

617.4(b)(6)

"activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds, or the expansion of existing non-residential facilities by more than 50 percent of any of the following thresholds:

- A project or action that involves the physical alteration of 10 acres

### **Evaluation:**

The proposed action has been evaluated for the potential to cause moderate to large adverse impacts using Part 2 - Identification of Potential Project Impacts of the Environmental Assessment Form (EAF). Based on this evaluation, the project has the potential to cause moderate to large adverse impacts. The categories and numbering below correlate to the impact categories in the Part 2 EAF.

#### **1. Impact on Land**

- b. The proposed action may involve construction on slopes of 15% or greater.*

A potential large, adverse impact may occur through the excavation of 134,921 CY (cut) of earthwork/sand/soil removal, construction on slopes of 15% or greater, excavating steep slopes, leaving slopes steeper than that which exist and removing large areas of vegetation on steep slopes and in other areas from the site.

- d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.*

A potential large, adverse impact may occur through the excavation and removal of 134,921 CY of sand (364,286,700 lbs) or 182,143.35 tons.

- e. The proposed action may involve construction that continues for more than one year or in multiple phases.*

A potential large, adverse impact may occur to adjacent roadways, surrounding properties, neighborhood(s), and region through the clearing, excavation, transporting of materials and construction of the site during a multi-year period in multiple phases. The proposed action may significantly adversely impact the quality of life of residents and visitors.

- f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).*

A large increase in erosion may occur through the clearing and excavation of a total of 3.94 acres which includes the removal of large amounts of vegetation in multiple phases.

### 3. Impacts on Surface Waters

- 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.*

The proposed action involves construction on a parcel adjoining a tidal wetland: Mattituck Creek. An area of tidal marsh located in the east of the property.

- e. *The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.*

The proposed action proposes to remove and transport large quantities of upland soils, including during the winter months. A moderate adverse impact could occur.

- 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.*

Extensive site work is proposed that will clear large areas of vegetation and cause landform changes that could potentially cause turbid storm water runoff to enter Mattituck Creek during storm events.

- i. *The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action*

The proposed action may affect water quality of Mattituck Creek and Long Island Sound. Adverse impacts from storm water runoff capable of overflowing impervious surfaces may introduce chemicals, nutrients, sediments or other pollutants into the waterbody.

### 4. Impacts on Groundwater

- f. *The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.*

The proposal includes the bulk storage of chemical and/or petroleum products over the Sole Source Aquifer Nassau-Suffolk. Four 2,000 gallon liquid propane aboveground tanks are proposed. The storage of chemicals used in Marina and vessel maintenance is expected.

### 5. Impact on Flooding

- b. *The proposed action may result in development within a 100 year floodplain.*

The proposed action will develop a 100 year and 500 year floodplain adjoining Mattituck Creek. Flooding of portions of the parcel during storm events is expected within the FEMA Flood Zone AE El 8. The proposed storage buildings are located within Flood Zone X; (unshaded); an area of minimal risk. However, the potential effects of climate change on the site must be evaluated.

- d. *The proposed action may result in, or require, modification of existing drainage patterns.*

The proposed action involves the clearing, excavation and manipulation of the existing landform and therefore existing natural drainage patterns will be

altered. A large area of the lot will be converted to impervious surfaces that require engineered storm water controls. A potential, moderate adverse impact could occur to existing drainage patterns as a result of the action.

## 6. Impact on Air

### *f. Other:*

The proposal involves the operation of heavy machinery and trucks on and off site over a long duration of time that could result in moderate adverse impacts to local air quality.

The proposal also involves the removal 3.94 acres of soil and vegetation including 493+ hardwood trees contributing to carbon sequestering. Carbon sequestration is the process by which atmospheric carbon dioxide is taken up by trees, grasses, and other plants through photosynthesis and stored as carbon in biomass (trunks, branches, foliage, and roots) and soils. The oak is the genus with the most carbon-absorbing capabilities, there are other notable deciduous trees that sequester carbon as well.

## 7. Impact on Plants and Animals

### *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.*

NYSDEC records indicate that the piping plover (*Charadrius melodus*) and the southern sparrow (*Nehalennia integricollis*) potentially occur near the site. However, due to landform changes and use of the site, the occurrence of these species near or on-site is unlikely and low.

Conversely, the Northern long-eared bat (*Myotis septentrionalis*) a listed federally-threatened species under section 4(d) of the federal Endangered Species Act of 1973 could potentially occur on the parcel. The clearing of 3.94 acres of woodland habitat could result in large, adverse impacts to the protected species.

### *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.*

The proposed action could result in a moderate to large adverse impacts to habitat. Habitats are used by insects, reptiles, amphibians, fish, mammals, birds for breeding, hibernation, reproduction, feeding, sheltering, migration or overwintering. The habitats may be used year-round, seasonally, or on a transient basis (passing through the area or during migration.). The clearing, excavation and grading of 3.94 acres of woodland habitat (a large area of woodland when assessed locally) may result in potentially large, adverse impact to all fauna on site (protected and unprotected). Death and displacement of species could occur.

- 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.*

The proposed action could result in a moderate to large adverse impact to the Woodland Box Turtle (*Terrapene carolina carolina*), a New York State-listed species of Special Concern on the parcel. The clearing, excavation and grading of 3.94 acres of woodland habitat (a large area of woodland when assessed locally) may result in potentially large adverse impacts to the species.

- 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.*

The proposed action could result in a moderate to large adverse impact through the clearing and excavation of 3.94 acres of woodland habitat resulting in a Reduction or elimination of the Woodland Box Turtle (*Terrapene carolina carolina*), a New York State-listed species of Special Concern from the area.

- 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.*

The proposed action could result in a moderate to large adverse impact and significantly interfere with nesting/breeding, foraging or overwintering habitat by removing 3.94 acres of vegetation, including the removal of important habitat features such as dead trees used for nesting and cover. This habitat area is connected to a 25.29 acre parcel with similar habitat that is protected by the Town of Southold (SCTM# 106-6-20.3) to the south. This woodland assemblage comprises the largest undeveloped acreage in the Mattituck Creek watershed.

Other areas of woodland to the south and to the west on the R-80 zoned portion of the parcel may also be affected.

## 9. Impact on Aesthetic Resources

- 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*

The proposed action is of scale and dimension that will be visible from publicly accessible scenic resources (Mattituck Creek) by operators of vessels using the waterway during seasonal use resulting in a potential moderate impact to scenic enjoyment of the waterway. Note that Mattituck Creek is a Federal waterway.

- e. *The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.*

The proposed action could result in a moderate to large adverse impact to the aesthetic resource (Mattituck Creek) through the diminishment of public enjoyment by users and members of the community under different circumstances and activities in a location that also has an important role in recreation and tourism economy. Both are important and changes to scenic and aesthetic resources may have adverse impacts on both the quality of life of residents and broader economic impacts.

### **13. Impact on Transportation**

*a. Projected traffic increase may exceed capacity of existing road network.*

The proposed action could result in a moderate to large adverse impact by significantly increasing the number of vehicles (including construction and service vehicles) on local roads for long durations. Capacity of the roadways may be adversely impacted. The proposed action will add substantial traffic to the area and due to current road conditions, traffic, and intersection conditions, the roads may not have the capacity to handle it.

Capacity considers the traffic conditions, road way characteristics, and traffic controls such as the signing or signals at intersections. It addresses the physical amount of vehicles and pedestrians a road can handle and does not depend on the total number of vehicles demanding service, but is influenced by the relative distribution of vehicles by lane. The geometric design of the road influences capacity (NYSDEC).

The design and condition of the roads leading to the site (route) is a concern. Many areas exhibit stress cracks on the pavement. The design of the roads and the ability to increase traffic, including trucks, is a significant concern. Curves, declines and inclines exist on the route.

The level of service (LOS) at intersections may be adversely impacted. While road capacity gives a quantitative measure of the amount of traffic that can be handled, level of service gives a qualitative measure of how well that traffic flows. For a given road, capacity would be constant, although it may vary at intersections. But actual traffic flow will be different for different days and different during a day itself. The intention of LOS is to relate the quality of traffic service to a given flow rate. LOS is a term that designates a range of operating conditions, based on delay, on a particular road or at an intersection (NYSDEC).

In addition to the above assessment, a routing plan is necessary to adequately assess potential impacts to transportation.

*d. The proposed action will degrade existing pedestrian or bicycle accommodations.*

The proposed action could result in a moderate to large adverse impacts to the public and user groups from the increase of vehicular traffic on local and regional roads affecting the public's use and enjoyment of the roads while conducting activities (driving, walking, biking).

The large number of truck trips proposed could result in large, adverse impacts to West Mill Road, Cox Neck Road, Suffolk County Route 48, New York State Route 25, Sound Avenue, Northville Turnpike, Suffolk County Route 58 and other local and regional roads.

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

- a. *The proposed action may produce sound above noise levels established by local regulation.*

The proposed action could result in a moderate to large adverse impact from excessive noise levels during long duration of site work and construction over a multi-year period. Noise associated with the operation of heavy equipment and trucks includes but is not limited to; engine noise, noise from moving and backing up heavy equipment (reversal warning sound) and the accelerating and deceleration and Jake braking of trucks, both on-site and as they travel through neighborhoods. Similarly, operation of chain-saws and wood chippers for long periods may generate large, adverse noise impacts to receptors in the neighborhood.

**18. Consistency with Community Character**

- e. *The proposed action is inconsistent with the predominant architectural scale and character.*

The proposed action could result in a moderate adverse impact to existing community character (physical alteration on site over a multi-year period, large building size and noise). The intensity of the proposed action operations is different from the surrounding uses.

The potential, adverse moderate to large adverse impacts could occur to community character from the multi-year construction timeframe in intensity and duration. Impacts are expected to be long in duration from the construction and operation of the proposed action.

- f. *Proposed action is inconsistent with the character of the existing natural landscape.*

The proposed action could result in a moderate to large adverse impact to the character of the existing natural landscape through the clearing and excavation of 3.94 acres of land area including woodland in the Mattituck Creek watershed.

- g. *Other:*

The proposed action could result in a moderate to large impact to community character from the increase of vessel traffic and potential, additional dockage in Mattituck Creek thereby affecting the water quality, public use and access of the creek.

The size of expected vessels to be stored and serviced on-site in relation to the adequacy of the navigability of Mattituck Creek must be addressed.