

FINAL
May 9, 2022
SUMMARY OF INADEQUATE SECTIONS
DRAFT ENVIRONMENTAL IMPACT STATEMENT

**STRONG'S YACHT CENTER – PROPOSED BOAT STORAGE
BUILDINGS
3430 MILL ROAD
MATTITUCK, TOWN OF SOUTHOLD, NY
SCTM No.: DISTRICT 1000, SECTION 106, BLOCK 6, LOTS 10 & 13.4**

Page Numbers Correlate to the Amended Final Scope or Noted Otherwise

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Review the estimates of traffic anticipated to be generated during the construction of the proposed development. Determine the make-up of the added traffic and hourly new traffic volumes to be placed on the existing road system.

STAFF: INADEQUATE. The magnitude and duration of expected large adverse impacts (significant) to the quality of life of residents and visitors, community character, and infrastructure that is being proposed regarding the number of vehicle trips for this action have not been adequately discussed.

Notably, a total of 40 truck trips per day from 7:00 am to 5:00 pm five days per week (Monday to Friday) are proposed on local and regional roadways (Sound Avenue) for approximately 5 to 6 months has been presented in the DEIS.

The DEIS combines both directions when assessing the adverse impacts of a truck trip when in fact the total number of trips is expected to be much greater and is not discussed in the document.

Therefore, the Planning Board finds that the discussion provided in the document on impacts to transportation, community character and infrastructure is not a true assessment of what will occur on local and regional roads and the direct and indirect adverse impacts on the quality of life of residents and the character of the impacted areas.

During Phase 1; it is expected that a total of 80 trucks loaded and unloaded with sand would travel the route each weekday passing a single point on the route 9,600 times over a six-month period. For example, a single-family residence (single point) located on Cox Neck Road or Sound Avenue would be subject to these potential large adverse impacts along the specified truck route.

During Phase 2, approximately 12,000 CY of material would be excavated and removed and would generate 400 total trips or 800 trucks passing a single point

loaded and unloaded up to 1 month (2 to 4 weeks) with a commencement date of May 2023.

Phase 3 would generate a total of 60 truck trips for the construction of the retaining wall and another 101 truck trips (12 trucks for material delivery and 89 trucks for concrete foundation) for the two boat storage buildings. over approximately 6 months. This would result in 322 trucks passing a single point along the route over 6 months.

Please provide a more accurate and detailed discussion on the:

- 1. The total number of trucks per day that will travel over local and regional roads over the duration of the project.**
- 2. The mitigation proposed to address potential large adverse impacts from the total number of trucks on the quality of life, community character and infrastructure along the route.**
- 3. Verify that no truck trips will be operating from any phase of this project over local and regional roadways from the site or staging areas along the route.**
- 4. Verify that a staging area to store and transport material during the weekend and holidays over local and regional roadways will not be used.**

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Provide and discuss a vehicle routing plan for all phases of the project (site preparation, construction and operations after construction). Identify the roads used, speed limits, existing road condition with photographic representation, all intersections, all school zones, anticipated traffic levels and traffic chokepoints along a proposed route. Determine the dimensional characteristics of the road and the existing traffic control provided. Examine whether the additional construction related traffic can safely be accommodated on the existing roadways Discuss the suitability of the road capacity. The traffic flow along Cox Neck Lane and West Mill Road and how vehicles will navigate the curves on the roadways.

STAFF: This discussion on this section of potential large adverse impacts is INADEQUATE. There is a direct connection to the magnitude and duration of potential large adverse impacts on the quality of the life of residents and visitors, residences (vibration), community character, and infrastructure (road damage) along an entire route due to the total number of vehicles trips proposed.

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- 4. Include a roadway user group safety study and analysis in the DEIS during all four seasons on the use of the roadways (route) by user groups, including potential adverse impacts on pedestrians walking (with Strollers), jogging, biking and children waiting for the school bus that will could be adversely impacted by vehicles including loaded trucks.**

Include an analysis of the proposed truck route's road width and the capacity to accommodate two vehicles passing at the same time and location as a pedestrian or cyclist, and whether the roads are currently safe for such an interaction, including the perceived safety from the perspective of the pedestrian or cyclist.

STAFF: INADEQUATE. We are of the opinion that sampling methodologies were not representative of timeframes when user groups were expected to use the roadway (morning and evening hours). The sampling methodology was too narrow in scope and does not provide a comprehensive assessment of user groups along the entire route.

Discuss the potential damage and destruction of local and regional roads by trucks and all other vehicle types involved in the staging, clearing, excavation, site preparation, construction and post construction and operations of the facility. Include the aprons at the access points. Provide all specifications of the loaded and unloaded trucks involved in the excavation and construction.

STAFF: INADEQUATE. The route has not been identified. No discussion on the road condition and impacts to Sound Avenue or other roadways in adjacent Towns have been discussed.

Discuss specific provisions for a performance guarantee to assure appropriate reclamation/restoration of any areas (including local roadways) that may be required, or in the event that the project does not come to completion after a specifically defined period of time.

STAFF: INADEQUATE. A performance guarantee discussion has not been provided for all impacted roadways or Townships.

Evaluate and discuss the duration of potential adverse impacts from all vehicle trip types included in each phase and post-construction, the wear and tear on roadways caused by vehicle types, quality of life impacts to the community and receptors along the routes including adjacent Towns where vehicles will be traveling.

STAFF: INADEQUATE. The route has not been identified in detail. No discussion on the road condition and impacts to Sound Avenue and other roadways in adjacent Towns have been discussed. Regional large, adverse impacts are expected.

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5. Discuss the impacts of vibration from loaded trucks on structures along the vehicle route(s).

STAFF: INADEQUATE. The vehicle route is not identified regionally.

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7. Provide a detailed analysis on the potential, long-term adverse impacts to adjacent roadways (surfaces, condition), surrounding properties, neighborhood(s), and region through the clearing, excavation, storing and transporting of cleared vegetation, excavated materials and construction of the site over a multi-month period in multiple phases.

STAFF: INADEQUATE. The total number of vehicle trips is not accurately stated in the DEIS.

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1. The potential adverse impacts from Transportation on community character (see above).

STAFF: INADEQUATE. There is no discussion on the regional, adverse impacts to community character and receptors along the routes.

Page 22

Impact from Noise

STAFF INADEQUATE

Do the noise levels assigned to the tub grinder and wood chipper include the sound generated while grinding and chipping is in progress? The levels shown in the table in the acoustic report are similar to other machinery, which leads us to believe the additional noise from the actual grinding and chipping is not included.

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1. Discuss how the unexpected site conditions, weather, pandemic, and work flow and schedule changes will be addressed to not impact the community?

STAFF: INADEQUATE. The DEIS states that clearing, grubbing and stripping will be conducted in dry weather. Will work be conducted in wet weather conditions?

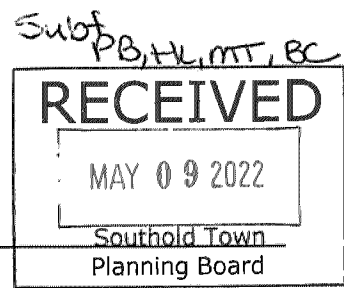
The DEIS also states that “It is noted that the proposed construction schedule is a maximum time period and considers delays that could occur from unexpected weather and task delays.” (DEIS Page 272). What is unexpected weather? What would be considered task delays?

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1. Describe the public benefit to the community.

STAFF: INADEQUATE. The DEIS states that “Constructing and operating winter

boat storage buildings would bring additional jobs and a new tax revenue stream to the Town of Southold. In addition to direct benefits to the Town, the Applicant is responding to market demand for larger boat owners looking for local indoor winter storage” (DEIS Page 231) Please elaborate as to why meeting market demand in this location is a public benefit.



MEMORANDUM

To: Town of Southold Planning Board
From: Carrie O'Farrell, AICP, Senior Partner, Nelson Pope Voorhis and Osman Barrie, P.E.
Nelson +Pope Engineering
Cc: Heather M. Lanza, AICP, Planning Director and Mark Terry, AICP, Assistant Planning Director
Date: May 6, 2022
NPV No: 08265
Re: Strong's Yacht Center Proposed Boat Storage Buildings

Nelson Pope Voorhis, LLC ("NPV") in association with Nelson + Pope Engineers, Architects, Surveyors ("N+P") has conducted a preliminary review of the December 2021 Draft Environmental Impact Statement ("DEIS") for the proposed Site Plan for Strong's Yacht Center's Boat Storage Buildings at 5780 West Mill Road in Mattituck. The purpose of this review is to:

- assist the Town Planning Board as lead agency in determining the DEIS's consistency with the scope and content requirements of the adopted February 8, 2021, Final Scope, as amended by the Planning Board's April 5, 2021 "Response to Final Scope Amendment Request from the Applicant"; and
- review the DEIS for compliance with the State Environmental Quality Review Act ("SEQRA") and its implementing regulations established pursuant to 6 NYCRR Part 617, Subsection 617.9(b) "Environmental impact statement content."

This review, along with the Town Planning Department's assessment of other pertinent topics outlined by the Final Scope and amended scope, is specifically intended to assist the Planning Board in determining whether to accept the DEIS as adequate with respect to its scope and content for the purpose of commencing public review or if additional revisions or amendments are necessary to satisfy these requirements. Per our agreement with the Town, NPV's primary review responsibilities for this DEIS completeness review include consideration of hydrology, hydrogeology and associated factors (e.g., groundwater, surface water, wetlands, soils, and topography). N+P's focus was on the DEIS's completeness in terms of traffic and transportation related analyses.

Based on our review of the DEIS submission, NPV and N+P recommend the Planning Board deem the DEIS "Incomplete" and that the following comments be addressed prior to DEIS acceptance, distribution, and review by the public and involved and interested agencies.

HYDROLOGY/HYDROGEOLOGY

Comments:

1. There appears to be limited information on existing groundwater quality in the area. The Existing Conditions section under the Water Resources section should include a general discussion of existing groundwater *quality* in the area based on recent available drinking water quality data such as is available

from the SCWA for its nearby Inlet Drive wellfield, SCWA Annual Drinking Water Quality reports, or other available sources. This information will provide a necessary baseline for the groundwater (and surface water) quality assessment including current conditions and any existing groundwater quality issues that may be exacerbated by the project.

2. The Applicant was required by the Final Scope and April 5, 2021 "Planning Board Clarifications and Comments in Response to Final Scope" memo to assess groundwater quantity available to neighboring wells over the course of four seasons. Instead, as noted in the DEIS, the Applicant utilized a numerical 3-D groundwater modeling assessment and provided a report to address the potential impacts from the soil excavation on-site that the Amended Final Scope identified as "potentially capable of affecting the hydrology and zones of influence for nearby private wells, and the quantity of water available after excavation is completed. The groundwater model was employed rather than taking monthly water level observations over the course of a year because the model can reliably predict groundwater levels and aquifer responses under numerous different conditions and scenarios. Also, rather than one year of data, multiple years of groundwater level data were used to construct and calibrate the model (in this particular case some of the local monitoring wells used to construct the model had monthly data going back as far as 1975), which allowed for more long-term averages to be used. This also allowed for the identification of anomaly years, such as when drier or wetter conditions may prevail. Longer term groundwater trends (rising or falling water levels and potential causes) can be observed as well when looking back over many years as opposed to a single year.

NPV reviewed PWGC's October 2021 Groundwater Modeling Report and concurs with the Applicant's contention that the model provides a suitable methodology using appropriate data to analyze and address the issues and parameters the Town has requested.

3. The assessment of tidal flow restrictions did not include the use of a model. Instead, as permitted by the April 5, 2021 "Clarifications and Comments in Response to Final Scope memo," a quantitative and qualitative discussion was provided that included NOAA and Mattituck Inlet Survey data. The vessel trip generation estimates for the two eight-week periods when boats are expected to arrive and depart is 11 boats per week over eight weeks or 1.57 trips per day during this period, but this does not take into consideration peak periods of vessel activity within those eight weeks that may be preferred by boaters (e.g., certain weeks during the eight-week arrival and departure periods), certain days of the week (e.g., Saturdays or Sundays rather than Tuesdays or Wednesdays), and preferred hours of the day (e.g., midday rather than midnight). With this information, a determination of peak vessel traffic times and an assessment of queueing boats within the creek can be more accurately assessed. It is recommended that the yacht center's records be researched to identify peak periods of vessel activity, boat trips in the Creek should be tallied, and any vessel trip generation numbers be sought or generated to provide a more reasonable peak trip count. NPV also recommends that a simple sketch be provided depicting a vessel of the size anticipated to be stored onsite along the property's shoreline being docked (parallel and perpendicular to the shoreline as may be expected), any conceivable queueing, creek depths at that location, and the space available for boats to pass without surface and bottom obstructions.
4. Page iv, next to last paragraph, indicate that surface elevations are "AMSL".
5. Page vi, first paragraph states that potable water usage for post-development conditions would increase by 18 gpd from 1,058± gpd to 1,076± gpd. Please indicate how this was estimated including sources and applicable multiplier(s). Other information provided in the DEIS indicates that upon implementation of

the proposed action, an additional 11 full-time positions are expected to be created to service the boats in storage (pp. 14 and 292). However, this additional demand alone, would suggest a larger increase in water use than 18 gpd. Also, please indicate whether additional groundwater water will be used for other activities associated with 88-boat storage area, such as washing, detailing, painting, antifouling and how much water, if any, would be needed for these operations?

6. Page viii, fourth paragraph, states that higher levels of dissolved oxygen and HAB events indicate the water quality of Mattituck Creek trends towards poor. Aren't higher concentrations of dissolved oxygen considered indicator of good water quality rather than poor quality?
7. Page viii, fifth paragraph provides the acronym "HAB" for "Harmful Algal Blooms". The full term should be indicated in this paragraph, where it first appears in the fourth paragraph (see No. 7 above).
8. Page 27, first paragraph, uses the phrase "poorly rated sand". Shouldn't this say, "poorly graded" or perhaps "poorly aerated"? If "poorly rated" is the intended description, please define this term.
9. Page 27, last paragraph provides the soil classifications "SP", "SP-SM", and "SM". The Geotechnical Memo defines these classifications; however, the DEIS should also define them either by text, chart, or footnote.
10. Page 35, first paragraph mentions the need for soil mixing to loosen over consolidated soils. Will there be any need to ship poorly drained soils such as clays offsite and import clean sand as fill?
11. Pages 37-38 discuss erosion and sedimentation controls, but do not mention the requirement to submit a Stormwater Pollution Prevention Plan ("SWPPP").
12. Page 41/42, regarding the 2018 McDonald Geoscience borings: Please provide a generalized written description of where these borings were dug, similar to the PWGC 2021 borings discussion that follows it.
13. Page 48 contains a list of the existing storage tanks currently onsite and indicates that an Article 12 permit is in place for any hazardous materials stored on the property. Even though these are existing tanks, it would be beneficial to know for the existing onsite conditions inventory, if any existing safeguards are in place such as secondary containment, double walled tanks, overfill protection, spill detection, etc.
14. Page 93, last paragraph states that: "...land disturbance within 100 feet of the regulated tidal wetland area would not alter the existing grade and would not increase the likelihood of flooding." Will there be an increase in impervious surfaces within 100 feet of a wetland that may impact wetlands?
15. Page 104, first paragraph under "Precipitation" states: "the average annual precipitation was 3.97± inches." This appears to be monthly precipitation rather than annual precipitation.
16. Page 108, first sentence says: "Elevating structures two feet above the BFE for non-critical infrastructure and three feet above BFE for critical infrastructure is also recommended." Does critical infrastructure include sanitary systems?
17. Page 109, footnote to Table 17 states: "***2050 Separation is less than the current recommended separation distance to groundwater for sanitary effluent (3 feet) or stormwater (2 feet)." Is providing final grade at 11 or 12 feet AMSL rather than 10 feet AMSL been considered? Is this practical and feasible?

18. Page 138, third paragraph states that: "It is estimated that approximately 547 boats are active in Mattituck Creek on a peak season day. Therefore, the increase in vessel traffic of 0.48 boat trips per day is nominal and the potential for increased erosion of tidal marshes due to vessel traffic is not significant." The impact of increased vessel traffic in Mattituck Creek should be based on the eight weeks when boats are expected to arrive and the eight weeks when the boats are expected to leave storage, rather than average traffic over the course of a full season. This, as previously noted on page 8 of the DEIS is 11 trips per week on average, or the equivalent of 1.57 trips per day. See also comment above.

19. Sections 3.7 and 3.8, air and noise analysis: Please see comment #20 and comments under the Traffic and Transportation heading below which will impact the assumptions and findings of the air and noise analyses.
 - a. Page 254, Fugitive Dust – the total suspended particulate (TSP) concentration utilized is based on "apartment and shopping center construction projects." The applicability of this TSP rates should be verified and explained, particularly given the nature of the proposed project, which includes significant slope excavations.
 - b. Page 246, Construction Noise and Global comment – the DEIS text states that "there is a significant increase in noise at Receivers R1-R9. These increases would be considered a significant and adverse impact, as defined by the NYSDEC criteria, during the periods of excavation and construction." The DEIS does not adequately address the quality of life impacts associated with significant noise (as well as dust and potential vibration) associated with the necessary heavy construction trucks on local roadways. The applicant has provided no meaningful and enforceable mitigation to address these impacts.

20. Page 269, Section 3.10.2: Construction Schedule and Activities (also Section 1.4).
 - a. The scope requires a construction vehicle routing plan for all phases of the construction. As the construction period will overlap with peak periods (summer and fall), the DEIS should evaluate potential routing using both the Sound Ave. and Main Road due to backups that commonly occur on Sound Ave. in the peak seasons. Additionally, the entire construction route should be identified and evaluated from the subject site to the Long Island Expressway (i.e., West Mill Road, Cox Neck Road, Sound Ave./Main Road, Northville Turnpike, Route 25, etc.).
 - b. The basis of truck trip analysis for the construction period assumes use of 22-wheel, 30 yard dump trailers for the removal of excavated material over the course of construction. The size, mobility, and wear and tear on local roadways from repeated use of these large heavy construction vehicles has not been adequately addressed in the DEIS to ensure that trucks of this size and weight can be reasonably utilized for the extensive construction period proposed. Such analysis should include
 - i. A truck turn radius evaluation along the entire construction route to ensure such large construction vehicles can properly maneuver within the existing paved roadway while allowing for passage of on coming traffic and pedestrians. The basis for the construction truck traffic analysis and potential construction duration is largely reliant on the use of large 30 yard trailers, therefore the feasibility of use of this equipment must be fully evaluated to determine if the projected construction duration is reasonably analyzed, or

if smaller (i.e., 20 yard trucks) will be necessary (which would increase the number of truck trips and may impact the expected construction duration accordingly).

- c. This section describes a 1,454 linear foot haul road that would be utilized by heavy equipment to transport construction materials and excavated soils to and from the site. The road is shown in areas of steep topography. The estimated timeframe and feasibility of construction of the haul road should be further evaluated, including evaluation of the necessary grading that may be required to establish the haul road with grades viable for use by the various heavy equipment necessary to construct the project as well as for future fire trucks/emergency vehicles as the applicant indicates that this road is proposed for long term use as an emergency access road – this equipment has limited mobility on steep grades. Additionally, the estimated quantity of RCA needed to stabilize the access road for use by heavy equipment should be provided and the analysis of truck trips updated to address the number of truck trips required to bring this material to the site.
21. Page 295, Barge Alternative – The applicant indicates that the purpose of the proposed project is to provide for storage of yachts, but states that the limitation in utilizing barges for material transport off site is limitations in bottom depth. Additional information should be provided to explain the typical draw and bottom depth limitations for the larger boats targeted for storage at this location.

TRAFFIC AND TRANSPORTATION

1. According to the Final Scope, accident analyses should be conducted for the most recent three-year of accident data published by the NYSDOT and accident data from the Southold Police department if more recent or more detailed than that available from the NYSDOT. From a review of the accident data analyses in the Traffic Study, it appears accident records for the most recent 3-year period were only obtained from the NYSDOT and there was no mention of any data request from the Southold Police Department. Written confirmation for a request for accident data to the Southold Police Department should be provided.
2. Existing Traffic Flow Conditions – Figures 5-7 of the Traffic study provide useful comparisons of the weekday traffic volumes. A figure should also be provided for weekend traffic volumes to better describe variations in seasonal traffic volumes during various times of day.
3. The Traffic Study assumed increased trip generation rates based on an increased number of employees. However, this does not address the increased truck trips expected to support future operations (increased deliveries). The truck volumes associated with the current use should also be increased proportionally with the increased storage capacity and the traffic analysis updated accordingly. This will also impact the modeling assumptions of the air and noise analyses included in the DEIS.
4. The Traffic Study discussed the vehicle routing plans for all phases of the project and identified the roads used, speed limits, existing road conditions, but did not provide any photographic representations.
5. The Traffic Study did not address how vehicles, especially construction trucks and equipment will navigate the curves along Cox Neck Lane Road and West Mill Road (see comment #19 above). Given the size and extent of heavy construction equipment anticipated for the proposed project and nature of local roadways, the DEIS must evaluate the feasibility of use of 30 yard trucks along the proposed construction route, including truck turn radius evaluation along the proposed construction route to ensure such large construction vehicles can properly maneuver within the existing paved roadway while allowing

for passage of on-coming traffic and pedestrians. The traffic study should also be updated to address the construction of the proposed haul road, including necessary equipment, delivery of RCA, and duration of construction.

6. The Traffic Study discussed the potential impact of construction traffic (trucks and vehicles) on pedestrians walking (with strollers), jogging, biking and children waiting for school buses. The pedestrian analysis must provide additional analysis to fully evaluate the potential for impacts to pedestrians along the entire construction route, including:
 - a. A pedestrian and bicycle count along Cox Neck Road/W Mill Road between 6 am and 6 pm to quantify the number of pedestrians and bicyclists on this roadway segment during the period of the day when construction trucks are arriving and departing the site.
 - b. The width of all the roadways along the entire proposed truck route and the capacity to accommodate two vehicles passing at the same time and location as a pedestrian or cyclist, and whether the roads are currently safe for such an interaction. This should account for the perceived safety from the perspective of the pedestrian or cyclist, as well as areas with known high pedestrian activity for road crossings, particularly during peak tourist activity in the fall months (crosswalks at Harbes Family Farm on Sound Ave., and similar crossings frequented by pedestrians in peak season).
 - c. As stated in the Traffic Report, the Saturday roadway volumes are higher than the weekday volumes. The anticipated timeframes for the various phases of construction described in Section 3.10.2 (and Section 1.4) of the DEIS are not consistent with the timeframes evaluated in the Traffic Study. This should be corrected. Additionally, it is not clear how work on Saturdays during Phase 1 of construction would be prohibited without a formal and enforceable commitment. Unless the applicant is formally committing to no work on Saturday during Phase I, the Traffic study should be updated to account for the worst case condition, which according to the construction schedule provided in the DEIS, will overlap with peak seasons of roadway traffic.
 - d. The Traffic Study provides information on existing truck volumes on the major and minor roadways that were counted. The scope requires an assessment of potential damage of both local and regional roads. The applicant should obtain NYSDOT historical data on major roadways (including Route 48, Route 25 and Sound Ave.) and minor roads that may be utilized for construction routing to determine truck volumes/trends for last 5 years to quantify the increased truck volumes on local and regional roadways.
 - e. Measures to mitigate any impacts on pedestrians and bicyclist during the construction phase of the project.
7. The Traffic study discusses the potential impact of vibrations from loaded trucks on structures along the vehicle route(s) and concludes that the "only existing structure that may be susceptible to increased vibrations from trucks would be the existing water tower located close to West Mill Road on adjoining property to the subject property at the southwest corner." The basis for this conclusion is not clear. The setback distances of historic homes along the construction route should be considered based on the extent and duration of proposed heavy truck trips associated with the proposed action. The discussion of truck trips during construction should also be clearly and consistently described to account for round trips (empty and loaded) trucks passing the residential homes along the route.
8. The Traffic Study did not adequately address the potential long-term adverse impacts to the adjacent roadways (surface conditions), surrounding properties, neighborhood(s), and region through the clearing,

excavation, storing and transporting of cleared vegetation, excavated material and construction of the site over a multi-month period in multiple phases. This should include an analysis of existing heavy truck traffic on these roadways and provide a comparative increased volume of heavy trucks (based on the weights/sizes of required construction vehicles) based on the projected total number of passes of equivalent standard axle loading (ESAL) in accordance with NYSDOT/FHWA standards.

9. While discussed in other portions of the DEIS, the Final Scope requires that the Traffic Study include an evaluation of use of barges as an alternative means to transport materials for mitigating impacts from transporting material associated with the site preparation and construction of the project.