



**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

Engel Burman Senior Housing at Uniondale LLC

APPLICANT NAME

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate:

- filling in blanks;
- checking the applicable term(s);
- attaching additional text (with notation in Application such as "see Schedule H, Item # 1", etc.); or
- writing "N.A.", signifying "not applicable".

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule I to the Application. If an estimate is given, enter "EST" after the figure. One signed original and one photocopy of the Application (including all attachments) must be submitted.

The following amounts are payable to the Nassau County Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); (ii) a \$3,500 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"), (iii) a \$2,500 expense deposit for the cost/benefit analysis with respect to the project contemplated by this Application (the "Cost/Benefit Deposit"), and (iv) a \$500 expense deposit for the real property tax valuation analysis, if applicable, with respect to the project contemplated by this Application (the "Valuation Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit, the Cost/Benefit Deposit and/or the Valuation Deposit to defray the cost of Transaction/Bond Counsel fees and expenses, the cost of obtaining a cost/benefit analysis and/or the cost of obtaining a real property tax valuation with respect to the Project. In the event that the subject transaction does close, the Counsel Fee Deposit, the Cost/Benefit Deposit and the Valuation Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Every signature page comprising part of this Application must be signed by the Applicant or this Application will not be considered complete or accepted for consideration by the Agency.

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

October 30, 2017

DATE

PART I. APPLICANT

A. APPLICANT FOR FINANCIAL ASSISTANCE:

Name: Engel Burman Senior Housing at Uniondale LLC

Address: c/o The Engel Burman Group, 67 Clinton Road, Garden City, NY 11530

Fax: 516-747-4800

NY State Dept. of
Labor Reg #: _____ Federal Employer ID #: [REDACTED]

NAICS Code #: 531390

Website: engelburman.com

Name of CEO or
Authorized Representative Certifying Application: Steven Krieger

Title of Officer: Authorized Signatory

Phone Number: 516-747-1200 E-Mail: steven@engelburman.com

B. BUSINESS TYPE (Check applicable status. Complete blanks as necessary).

Sole Proprietorship ☐ General Partnership ☐ Limited Partnership ☐

Limited Liability Company ☒ Privately Held Corporation ☐

Publicly Held Corporation ☐ Exchange listed on _____

Not-for-Profit Corporation ☐

Income taxed as: Subchapter S ☐ Subchapter C ☐
501(c)(3) Corporation ☐ Partnership ☒

State and Year of Incorporation/Organization: New York; 2017

Qualified to do Business in New York: Yes ☐ No ☐ N/A ☒

C. APPLICANT COUNSEL:

Firm name: Farrell Fritz, P.C.

Address: 400 RXR Plaza, Uniondale, New York 11556

Primary
Contact: Peter L. Curry, Esq.
Phone: 516-227-0698
Fax: 516-336-2208
E-Mail: pcurry@farrellfritz.com

- D. Principal stockholders, members or partners, if any (i.e., owners of 10% or more of equity/voting rights in Applicant):

Name	Percentage owned
<u>Steven Krieger</u>	<u>29.18%</u>
<u>Jan Burman</u>	<u>20.42%</u>
<u>David Burman</u>	<u>18.95%</u>
<u>Scott Burman</u>	<u>18.95%</u>

- E. If any of the persons described in the response to the preceding Question, or a group of said persons, owns more than a 50% interest in the Applicant, list all other entities which are related to the Applicant by virtue of such persons having more than a 50% interest in such entities:

The principals of the Applicant own numerous other entities involved in the ownership and operation of assisted living facilities and other real estate ventures. In the event that they partner with Harrison Street Real Estate Capital, the answer to Part I.F applies.

- F. Is the Applicant related to any other entity by reason of more than 50% common ownership? If YES, indicate name of related entity and relationship:

YES X NO

Although the Applicant is not currently related to any other organization by reason of more than a 50% common ownership, the Applicant may enter into a joint venture with Harrison Street Real Estate Capital, an entity with which The Engel Burman Group has developed and/or operated numerous real estate projects.

- G. List parent corporation, sister corporations and subsidiaries, if any:

See Part I.E above for further information.

11. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) been involved in, applied for or benefited by any prior industrial development financing in the municipality in which this Project is located, whether by the Agency or another issuer, or in a contiguous municipality? ("Municipality" herein means city, town or village, or, if the Project is not in an incorporated city or village, Nassau County.) If YES, describe:

YES X

NO

1. Engel Burman Senior Housing at East Meadow, LLC
2. Westbury Senior Living, LLC
3. Hungry Harbor LLC
4. HSRE-EB Massapequa LLC
5. CSH Lynbrook LP
6. HSRE-EB North Hills LLC
7. HSRE-EB Lake Success LLC
8. HSRE-EB Garden City, LLC
9. HSRE-EB Jericho LLC

- I. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities involved in any litigation or aware of any threatened litigation that would have a material adverse effect on the Applicant's financial condition or the financial condition of said principal(s)? If YES, attach details at Schedule I.

YES

NO X

- J. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors? If YES, attach details at Schedule I.

YES X

NO

Entities in which Jan Burman held an economic interest declared bankruptcy in the early 1990's, all of which bankruptcies were successfully concluded.

- K. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, ever been convicted of any felony or misdemeanor (other than minor traffic offenses), or have any such related persons or principal(s) held positions or ownership interests in any firm or corporation that has been convicted of a felony or misdemeanor (other than minor traffic offenses), or

are any of the foregoing the subject of a pending criminal proceeding or investigation? If YES, attach details at Schedule I.

YES ☐

NO ☒

- L. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, been cited for (or is there a pending proceeding or investigation with respect to) a civil violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, taxation, or other operating practices? If YES, attach details at Schedule I.

YES ☐

NO ☒

- M. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, delinquent or have any of the foregoing persons or entities been delinquent on any New York State, federal or local tax obligations within the past five (5) years? If YES, attach details at Schedule I.

YES ☐

NO ☒

- N. Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors and, in the case of limited liability company, members and managers) of the Applicant:

<u>Name</u>	<u>Title</u>	<u>Other Business Affiliations</u>
<u>Steven Krieger</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>Jan Burman</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>Scott Burman</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>David Burman</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>Jonathan Weiss</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>Michael Weiss</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>
<u>Sydney Engel</u>	<u>Member</u>	<u>Numerous other real estate ventures</u>

Do any of the foregoing principals hold elected or appointive positions with New York State, any political division of New York State or any other governmental agency? If YES, attach details at Schedule I.

YES ☐

NO ☒

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization?

YES _____

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: N/A – New Facility

(b) Number of Employees: Full-Time: _____ Part-Time: _____

(c) Annual Payroll, excluding benefits: _____

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.)
and products or services: _____

(e) Size of existing facility real property
(i.e., acreage of land): _____

(f) Buildings (number and square footage of each): _____

(g) Applicant's interest in the facility

FEE TITLE: _____ LEASE: _____ OTHER (describe below): _____

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES _____

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES _____

NO X

- P. Has the Applicant considered moving to another state or another location within New York State? If YES, explain circumstances.

YES _____

NO X _____

N/A – New Facility _____

- Q. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively? If YES, attach name and contact information for supplier and/or customer, as applicable:

YES _____

NO X _____

- R. Does the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, have any contractual or other relationship with the Agency or the County of Nassau? If YES, attach details at Schedule I.

YES _____

NO X _____

- S. Nature of Applicant's business (e.g., description of goods to be sold, products manufactured, assembled or processed, services rendered):

Development and operation of multi-family residential rental units for "housing for older persons" within the meaning of the Fair Housing Act.

- T. ANY RELATED PARTY PROPOSED TO BE A USER OF THE PROJECT: N/A

Name: _____

Relationship to Applicant: _____

Provide the information requested in Questions A through S above with respect to each such party by attachment at Schedule I.

PART II. PROPOSED PROJECT

A. Types of Financial Assistance Requested:

- ☐ Tax-Exempt Bonds
- ☐ Taxable Bonds
- ☐ Refunding Bonds
- ☒ Sales/Use Tax Exemption
- ☒ Mortgage Recording Tax Exemption
- ☒ Real Property Tax Exemption
- ☐ Other (specify): _____

B. Type of Proposed Project (check all that apply and provide requested information):

- ☒ New Construction of a Facility
Square footage: Approximately 4 acres to be cleared/disturbed. Ten (10) buildings, consisting of up to 192 units, together with a clubhouse to be built. Each unit is approximately 900 square feet, and each building contains common areas.
 - ☐ Addition to Existing Facility
Square footage of existing facility: _____
Square footage of addition: _____
 - ☐ Renovation of Existing Facility
Square footage of area renovated: _____
Square footage of existing facility: _____
 - ☒ Acquisition of Land/Building
Acreage/square footage of land: 8.16 Acres (leasehold interest)
Square footage of building: N/A
 - ☒ Acquisition of Furniture/Machinery/Equipment
List principal items or categories:
Kitchen appliances for units; furniture for common areas; exercise equipment for the clubhouse; telephone and other audio/visual equipment for the clubhouse; and security systems equipment.
- Other (specify): _____

C. Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

The Applicant will construct and operate a residential real estate development comprised of housing for "older persons" as such term is used in the Fair Housing Act, intended and operated for occupancy by persons aged 55 years and older. The Applicant has a long history of partnering with the Agency on successful residential projects in both the assisted living and multi-family housing areas. The buildings will be constructed to the standard of quality The Engel Burman Group has utilized in each of its projects in Nassau County, and will be a credit to the County and the Agency. The community will serve the housing needs of seniors in Nassau County. Moreover, the Applicant agrees to make ten (10%) percent of the units available to those persons with incomes of 80% or less of the area median income for Long Island. The development costs to construct multi-family housing, and the operating expenses for same, are high compared to other regions of the country, leading to the dearth of such housing in suburban Long Island.

It should also be noted that the land upon which the Facility will be constructed is currently exempt from real estate taxation, and that the PILOT payments sought hereunder shall increase the funds available to all of the affected taxing jurisdictions. If the Project does not move forward, the property will remain exempt from taxes and generate no economic benefit for the County from the construction of the Project and spending by its residents. Further, the Applicant will not pay the building permit and other fees required to be paid in connection with obtaining the approval to construct the Project.

- D. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project)

YES X

NO _____

See response to subsection C above.

- E. If the Applicant is unable to arrange Agency financing or other Agency financial assistance for the Project, what will be the impact on the Applicant and Nassau County? Would the Applicant proceed with the Project without Agency financing or other Agency financial assistance? Describe.

See response to subsection C above.

- F. Location of Project:

Street Address: 875 Jerusalem Avenue

City/Village(s): Uniondale

Town(s): Hempstead

School District(s): Uniondale-2

Tax Map Section: 50 Block: G Lot: p/o 279

Census Tract Number: 36059407501

G. Present use of the Project site: Vacant land

H. (a) What are the current real estate taxes on the Project site? (If amount of current taxes is not available, provide assessed value for each):

General: Exempt

School: Exempt

Village: N/A

(b) Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details at Schedule I including copies of pleadings, decisions, etc.

YES

NO X

I. Describe proposed Project site ownership structure (*i.e.*, Applicant or other entity):

The Project site has been leased to the Applicant by Nassau Health Care Corporation, a New York not-for-profit corporation via a 49-year ground lease with three (3) 15-year extension options.

J. To what purpose will the building or buildings to be acquired, constructed or renovated be used by the Applicant? (Include description of goods to be sold, products to be manufactured, assembled or processed and services to be rendered.)

See response to subsection C above.

K. If any space in the Project is to be leased to or occupied by third parties (*i.e.*, parties not related to the Applicant), or is currently leased to or occupied by third parties who will remain as tenants, provide the names and contact information for each such tenant, indicate total square footage of the Project to be leased to each tenant, and describe proposed use by each tenant:

N/A – residential rental units

L. Provide, to the extent available, the information requested, in Part I, Questions A, B, D and O, with respect to any party described in the preceding response.

N/A

M. Does the proposed Project meet zoning/land use requirements at proposed location?

YES X

NO _____

1. Describe present zoning/land use: Residence B

2. Describe required zoning/land use, if different: GA Zone

3. If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements:

Rezoning has been granted by the Town of Hempstead. Variances have been applied for. A negative declaration under SEQRA has been received, and is attached in Schedule G

N. Does the Applicant, or any related entity or person, currently hold a lease or license on the Project site? If YES, please provide details and a copy of the lease/license.

YES X – see response to subsection I above

NO _____

O. Does the Applicant, or any related entity or person, currently hold fee title to (i.e. own) the Project site?

YES _____

NO X

If YES, indicate:

(a) Date of purchase: _____

(b) Purchase price: \$ _____

(c) Balance of existing mortgage, if any: \$ _____

(d) Name of mortgage holder: _____

(c) Special conditions: _____

If NO, indicate name of present owner of Project site: Nassau Health Care Corporation, a New York not-for-profit corporation

- P. Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site?

YES _____

NO X_____

If YES, attach copy of contract or option at Schedule I and indicate:

(a) Date signed: _____

(b) Purchase price: \$ _____

(c) Closing date: _____

Is there a relationship legally or by virtue of common control or ownership between the Applicant (and/or its principals) and the seller of the Project (and/or its principals)?

If YES, describe:

YES _____

NO X_____

- Q. Will customers personally visit the Project site for either of the following economic activities? If YES with respect to either economic activity indicated below, complete the attached Retail Questionnaire (Schedule E).

Sales of Goods: YES _____ NO X_____ Sales of Services: YES _____ NO X_____

- R. Describe the social and economic conditions in the community where the Project site is or will be located and the impact of the proposed Project on the community (including impact on infrastructure, transportation, fire and police and other government-provided services):

See response to subsection C above.

- S. Identify the following Project parties (if applicable):

Architect: H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C.

Engineer: VHB Engineering, Surveying and Landscape Architecture, P.C.

Contractors: EB Construction II, LLC

- T. Will the Project be designed and constructed to comply with Green Building Standards? (if YES, describe the LEED green building rating that will be achieved):

YES _____

NO X_____

- U. Is the proposed Project site located on a Brownfield? (if YES, provide description of contamination and proposed remediation)

YES _____

NO X_____

- V. Will the proposed Project produce a unique service or product or provide a service that is not otherwise available in the community in which the proposed Project site is located?

YES X_____

NO _____

See response to subsection C above.

- W. Is the proposed Project site currently subject to an IDA transaction (whether through the Agency or otherwise)? If yes, explain.

YES _____

NO X_____

PART III. CAPITAL COSTS OF THE PROJECT

A. Provide an estimate of cost of all items listed below:

	<u>Item</u>	<u>Cost</u>
1.	Land and/or Building Acquisition	\$ _____
2.	Building Demolition	\$ _____
3.	Construction/Reconstruction/Renovation	\$40,560,000
4.	Site Work	\$ 3,000,000
5.	Infrastructure Work	\$ _____
6.	Architectural/Engineering Fees	\$ 800,000
7.	Applicant's Legal Fees	\$ 200,000
8.	Financial Fees	\$ 400,000
9.	Other Professional Fees	\$ _____
10.	Furniture, Equipment & Machinery Acquisition (not included in 3. above)	\$ 2,500,000
11.	Other Soft Costs (describe)	\$ _____
12.	Other (describe)	\$ _____
	Total	\$47,460,000

B. Estimated Sources of Funds for Project Costs:

a.	Tax-Exempt IDA Bonds:	\$0
b.	Taxable IDA Bonds:	\$0
c.	Conventional Mortgage Loans:	\$35,595,000
d.	SBA or other Governmental Financing:	\$0
	Identify: _____	
e.	Other Public Sources (e.g., grants, tax credits):	\$0
	Identify: _____	
f.	Other Loans:	\$0
g.	Equity Investment:	\$11,865,000
	(excluding equity attributable to grants/tax credits)	
	TOTAL	\$47,460,000

What percentage of the total project costs are
funded/financed from public sector sources: _____ 0%

C. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES ☒ (see attached) NO ☐

- D. Are items of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of the bond proceeds (if applicable)? If YES, provide details:

YES _____ NO _____ NOT APPLICABLE X _____

- E. Will any of the funds to be borrowed through the Agency's issuance of bonds, if applicable, be used to repay or refinance an existing mortgage, outstanding loan or an outstanding bond issue? If YES, provide details:

YES _____ NO _____ NOT APPLICABLE X _____

- F. Has the Applicant made any arrangement for the marketing or the purchase of the bonds or the provision of other third party financing (if applicable)? If YES, indicate with whom (subject to Agency approval) and provide a copy of any term sheet or commitment letter issued with respect to such financing.

YES _____ NO _____ NOT APPLICABLE X _____

- G. Construction Cost Breakdown:

Total Cost of Construction: \$46,060,000 (sum of 2-5 and 10 in Question A above)

Cost for materials: \$26,458,000

% Sourced in County: 50 %

% Sourced in State: 80 % (incl. County)

Cost for labor: \$19,602,000

% Sourced in County: 60 %

% Sourced in State: 90 % (incl. County)

Cost for "other": \$0

% Sourced in County: _____ %

% Sourced in County: _____ % (incl. County)

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

PART IV. COST/BENEFIT ANALYSIS

- A. If the Applicant presently operates in Nassau County, provide the current annual payroll. Estimate projected payroll at the Project site in First Year, Second Year and Third Year after completion of the Project:

	Present	First Year	Second Year	Third Year
Full-time:	\$ 0	\$255,000	\$262,650	\$270,529
Part-time: ¹	0	0	0	0

In addition to the above direct salaries, the Applicant will contract with landscaping and snow removal; heating, venting and air conditioning; sprinkler; painting and carpeting; and numerous other vendors to provide maintenance services to the Facility on an ongoing basis.

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Nassau County as a result of the proposed Project:

<u>Category of Jobs to be Retained:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
	N/A	N/A
Management		
Professional		
Administrative		
Production		
Supervisor		
Laborer		
Independent Contractor ²		
Other		

<u>Category of Jobs to be Created:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management	\$60,000	\$18,600
Professional		
Administrative	\$45,000	\$13,950
Production		

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

² As used in this chart, this category includes employees of independent contractors.

Supervisor	\$60,000	\$18,600
Laborer	\$45,000	\$13,950
Independent Contractor		
Other		

The Agency may utilize the foregoing employment projections and the projections set forth in Schedule C, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the number of jobs, types of occupations and amount of payroll with respect to the Project set forth in this Application.

- B. (i) Will the Applicant transfer current employees from existing location(s)? If YES, describe, please describe the number of current employees to be transferred and the location from which such employees would be transferred:

YES _____

NO X_____

- (ii) Describe the number of estimated full time equivalent construction jobs to be created as a result of undertaking the project, to the extent any:

75

- C. What, if any, is the anticipated increase in the dollar amount of production, sales or services following completion of the Project?

\$4,100,000

What percentage of the foregoing amount is subject to New York sales and use tax?

0 _____%

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Nassau and Suffolk Counties)?

0 _____%

Describe any other municipal revenues that will result from the Project (excluding the above and any PILOT payments):

The sales tax revenue resulting from the spending of several million dollars within Nassau County by the construction workers and permanent employees of the Project

D. What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project and what portion will be sourced from businesses located in the County and the State (including the County):

	Amount	% Sourced in County	% Sourced in State
Year 1	\$500,000	60%	75%
Year 2	\$525,000	60%	75%
Year 3	\$550,000	60%	75%

E. Describe, if applicable, other benefits to the County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

The sales tax revenue to be received from the direct, indirect and induced impacts of the Project will be developed by the Agency's consultants. The other societal benefits of the Project have been discussed earlier in the Application.

F. Estimated Value of Requested Financial Assistance:

Estimated Value of Sales Tax Benefit: \$2,282,002.00
(i.e., gross amount of cost of goods and services
that are subject to state and local sales and use taxes
multiplied by 8.625%)

Estimated Value of Mortgage Tax Benefit: \$266,963.00
(i.e., principal amount of mortgage loans
loans multiplied by 0.75%)

Estimated Property Tax Benefit:

Will the proposed Project utilize a property tax
exemption benefit other than from the Agency: No
(if so, please describe)

Term of PILOT Requested: 15 years

Existing Property Taxes on Land and Building: EXEMPT

Estimated Property Taxes on completed Project: UNKNOWN
(without Agency financial assistance)

NOTE: Upon receipt of this Application by the Agency,
the Agency's staff will create a PILOT schedule and estimate
the amount of PILOT Benefit/Cost utilizing anticipated
tax rates and assessed valuation, and attach such information
as Exhibit A hereto.

G. Describe and estimate any other one-time municipal revenues (not including fees payable to the Agency) that the Project will create:

For both projects at 875 Jerusalem Avenue, Uniondale – permit fees of approximately \$600,000, the payment of \$150,000 toward the construction of soccer fields and the payment of \$600,000 toward the construction of a community center.

PART V. PROJECT SCHEDULE

- A. If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

- | | | | | |
|----|-------------------------------|----------|------------------|----------------|
| 1. | (a) Site clearance | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (b) Environmental Remediation | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (c) Foundation | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (d) Footings | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (e) Steel | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (f) Masonry | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (g) Interior | YES ____ | NO <u>X</u> ____ | ____% complete |
| | (h) Other (describe below): | YES ____ | NO <u>X</u> ____ | ____% complete |

2. If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project?

December 2017/February 2018

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

December 2019/February 2020

PART VI. ENVIRONMENTAL IMPACT

- A. What is the expected environmental impact of the Project? (Complete the attached Environmental Assessment Form (Schedule G)).

The Project will result in no significant adverse impacts on the environment.

- B. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)?

YES X

NO

- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Assessment Form. If an environmental report has been or is being prepared in connection with the Project, please provide a copy.

- D. The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

THE UNDERSIGNED HEREBY CERTIFIES, under penalties of perjury, that the answers and information provided above and in any schedule, exhibit or statement attached hereto are true, accurate and complete, to the best of the knowledge of the undersigned.

Name of
Applicant: Engel Burman Senior Housing
at Uniondale LLC
Signature: _____
Name: Steven Krieger
Title: Authorized Signatory
Date: _____

Sworn to before me this 31
day of October, 2017

Jessica F. Alfani
Notary Public

JESSICA F. ALFANI
NOTARY PUBLIC, State of New York
No. 01AL6137529
Qualified in Suffolk County
Commission Expires November 28, 2017

CERTIFICATIONS AND ACKNOWLEDGMENTS OF THE APPLICANT

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State.

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

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

SEVENTH:

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

EIGHTH:

(i) Does the Project propose the creation of housing?

YES X NO

If YES, how many units? up to 192

If YES, the Applicant hereby certifies that:

(a) the Applicant has adopted a Fair Housing/Equal Housing Opportunity Policy substantially in the form of Exhibit B to this Application;

(b) the proposed Project complies with applicable fair housing laws and that eligibility criteria for housing in any part of the Project will not include any residency requirements or preferences, including durational ones, age restrictions (unless for senior housing permitted by law), or other discriminatory criteria;

(c) the Applicant (1) has posted its Fair Housing/Equal Housing Opportunity Policy publicly; and (2) will display fair housing law posters for consumers in its rental or sales office(s), in a form substantially similar to the model fair housing posters attached to this Application as Exhibit C (the Agency will provide applicants with fair housing law posters for display upon request by an applicant); and

(d) key employees of the Applicant in charge of marketing and rental of the Project have completed (or will complete within one year of closing) four (4) hours of fair housing training provided by Long Island Housing Services ("LIHS") at a reasonably acceptable time and location and at no additional cost to the Applicant. In the event LIHS declines to provide or make available reasonably acceptable no-cost fair housing training, the provisions of this Certification VIII(i)(d) shall cease to be of any force and effect.

(ii) If YES to (i) above, does the Project propose the creation of "affordable" or "workforce" housing ("Affordable Housing")?

YES X NO

If YES, the Applicant hereby certifies that the Applicant (1) has adopted a non-discriminatory affirmative marketing plan that meets the criteria set forth in Exhibit D to this Application; and (2) will submit such marketing plan to the Agency in writing prior to closing.

If YES, answer the following questions:

(a) What portion of the Project would consist of Affordable Housing (e.g., number of units)?

Ten percent (10%) of the units (19 units).

(b) What are the eligibility requirements for the Affordable Housing?

Residents with incomes of 80% or less of the area median income for Long Island.

(c) Cite the specific source of such eligibility requirements (e.g., federal, state or local law).

Applicant voluntarily agreed to provide.

Name of
Applicant:

Engel Burman Senior Housing at Uniondale LLC

By: 

Name: Steven Krieger
Title: Authorized Signatory

**CERTIFICATION AND AGREEMENT
WITH RESPECT TO FEES AND COSTS**

Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the Nassau County Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other attorneys, experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses (including attorneys' fees) incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:


- (A) Taxable Bond Issues Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (B) Tax-Exempt Bond Issues – Six-tenths (6/10) of one percent (1%) of total project costs.
- (C) Straight-Lease Transactions Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs
- (D) General Counsel Fee – One-tenth (1/10) of one percent (1%) of total project costs, with a minimum fee of \$2,000.
- (E) All Initial Transactions - Two Thousand Five Hundred Dollars (\$2,500) closing compliance fee payable at closing and One Thousand Dollars (\$1,000) per year (or part thereof) administrative fee, payable in advance, at the closing for the first year (or part thereof) and on January 1st of each year for the term of the financing. The annual service fee is subject to periodic review and may be adjusted from time to time in the discretion of the Agency.
- (F) Refundings – The Agency fee shall be determined on a case-by-case basis.
- (F) Assumptions – The Agency fee shall be determined on a case-by-case basis.
- (G) Modifications – The Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

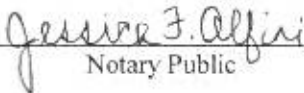
The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Upon the termination of the financing of the Project, Applicant agrees to pay all costs in connection with any conveyance by the Agency to the Applicant of the Agency's interest in the Project and the termination of all related Project documents, including the fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.


Name: Steven Krieger
Title: Authorized Signatory of Engel Burman
Senior Housing at Uniondale LLC

Subscribed and affirmed to me this 31
day of October, 2017


Notary Public

JESSICA F. ALFINI
NOTARY PUBLIC, State of New York
No. 01AL6137529
Qualified in Suffolk County
Commission Expires November 28, 2017

TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question H of Application, if applicable
B.	New York State Financial and Employment Requirements for Industrial Development Agencies	All applicants
C.	Guidelines for Access to Employment Opportunities	All applicants
D.	Anti-Raiding Questionnaire	If Applicant checked "YES" in Part I, Question O.2. of Application
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question Q of Application
F.	Applicant's Financial Attachments, consisting of:	All applicants
	1. Applicant's financial statements for the last two fiscal years (unless included in Applicant's annual reports).	
	2. Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years.	
	3. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.	
	4. In addition, attach the financial information described above in items F1, F2, and F3 of any anticipated Guarantor of the proposed transaction, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natural person.	
G.	Environmental Assessment Form	All applicants
H.	Form NYS-45 (and 45-ATT)	All applicants
I.	Other Attachments	As required

N/A

Schedule A

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

(To be completed by the Applicant if the Applicant checked "YES" in Part I, Question H of the Application for Financial Assistance, if applicable).

Please complete the following questions for each facility to be financed. Use additional pages as necessary.

1. Describe the production process which occurs at the facility to be financed.

2. Allocate the facility to be financed by function (expressed in square footage) (e.g., production line, employee lunchroom, offices, restrooms, storage, warehouse, loading dock, repair shop, parking, research, sales, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.). Please attach blueprints of the facility to be financed.

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

3. Of the space allocated to offices above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.).

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to storage of the following:

SQ. FOOTAGE**LOCATION**Raw Materials used
for production of
manufactured goods

Finished product storage

Component parts of
goods manufactured at
the facility

Purchased component
parts

Other (specify)

TOTAL

5. List raw materials used at the facility to be financed in the processing of the finished product(s).

6. List finished product(s) which are produced at the facility to be financed.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true and correct.

Name of
Applicant:

Signature:

Name:

Title:

Date:

**NEW YORK STATE FINANCIAL AND EMPLOYMENT REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

- A. Pursuant to applicable law, the Agency requires the completion of an Initial Employment Plan (see Schedule C) and a year-end employment plan status report, both of which shall be filed by the Nassau County Industrial Development Agency (the "Agency") with the New York State Department of Economic Development. The Project documents will require the Applicant to provide such report to the Agency on or before February 11 of the succeeding year, together with such employment verification information as the Agency may require.

Except as otherwise provided by collective bargaining agreements, the Applicant agrees to list any new employment opportunities with the New York Department of Labor Community Services Division and the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (P.L. 97-300), or any successor statute thereto (the "JTPA Entities"). In addition, except as otherwise provided by collective bargaining agreements, the Applicant, where practicable, will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for such new employment opportunities.

- B. The Applicant will be required to file annually a statement with the New York State Department of Taxation and Finance and the Agency of the value of all sales or use tax exemptions claimed in connection with the Project by reason of the involvement of the Agency.
- C. The following information must be provided for all bonds issued, outstanding or retired during the year:

Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.

Date of issue; interest rate at end of year; bonds outstanding at beginning of year; bonds issued during year; principal payments made during year; bonds outstanding at end of year; federal tax status; and maturity date(s).

Failure to provide any of the aforesaid information will be constitute a DEFAULT under the Project documents to be entered into by the Agency and the Applicant in connection with the proposed Project.

Please sign below to indicate that the Applicant has read and understood the above and agrees to provide the described information on a timely basis.

Name of
Applicant: Engel Burman Senior Housing
at Uniondale LLC
Signature: _____
Name: Steven Krieger
Title: Authorized Signatory
Date: _____

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES**INITIAL EMPLOYMENT PLAN**

Prior to the expenditure of bond proceeds or the granting of other financial assistance, the Applicant shall complete the following initial employment plan:

Applicant Name: Engel Burman Senior Housing at Uniondale LLC

Address: c/o The Engel Burman Group, 67 Clinton Road, Garden City, NY 11530

Type of Business: Development and operation of multi-family residential rental units for "older persons" as such term is used in the Fair Housing Act, intended and operated for occupancy by persons aged 55 years and older.

Contact Person: Steven Krieger Tel. No.: 516-747-1200

Please complete the following table describing the projected full-time equivalent employment plan for the proposed Project following receipt of financial assistance:

Current and Planned Occupations	Present Jobs Per Occupation	Estimated Number of Full Time Equivalent Jobs After Completion of the Project: ³			Estimate of Number of Residents of the LMA ⁴ that would fill such jobs by the third year
		1 year	2 years	3 years	
Management	0	1	1	1	1
Professional					
Administrative	0	1	1	1	1
Production					
Supervisor	0	1	1	1	1

³ NOTE: Convert part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

⁴ The "LMA" means the Local Market Area, which is defined by the Agency as Nassau and Suffolk Counties. The Labor Market Area is the same as the Long Island Economic Development Region, as established pursuant to Section 230 of the New York State Economic Development Law.

Laborer	0	2	2	2	2
Independent Contractor					_____
Other (describe)					_____

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: 75

Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required:

March 2020 for Employees.

December 2017/February 2018 for Construction Jobs.

Are the Applicant's employees currently covered by a collective bargaining agreement?

YES _____

NO X (N/A – New Facility)

IF YES, Union Name and Local: _____

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

Attached hereto as Schedule II is a true, correct and complete copy of the Applicant's most recent Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return (Form NYS-45 and 45-ATT). Upon request of the Agency, the Applicant shall provide such other or additional information or documentation as the Agency may require with respect to the Applicant's current employment levels in the State of New York.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant:

Engel Burman Senior Housing
at Uniondale LLC

Signature:

Name:

Steven Krieger

Title:

Authorized Signatory

Date:

N/A

Schedule D

ANTI-RAIDING QUESTIONNAIRE

(To be completed by Applicant if Applicant checked "YES" in Part I, Question O of the Application for Financial Assistance)

- A. Will the completion of the Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant or of a proposed user, occupant or tenant of the Project, from an area in New York State (but outside of Nassau County) to an area within Nassau County?

YES ____

NO ____

If the answer to Question A is YES, please provide the following information:

Address of the to-be-removed plant or facility or the plants or facilities from which employees are relocated: _____

Names of all current users, occupants or tenants of the to-be-removed plant or facility: _____

- B. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of a proposed user, occupant or tenant of the Project, located in an area of the State of New York other than in Nassau County?

YES ____

NO ____

If the answer to Question B is YES, please provide the following information:

Addresses of the to-be-abandoned plants or facilities: _____

Names of all current occupants of the to-be-abandoned plants or facilities:

- C. Has the Applicant contacted the local industrial development agency at which its current plants or facilities in New York State are located with respect to the Applicant's intention to move or abandon such plants or facilities?

YES _____

NO _____

If the answer to Question C is YES, please provide details in a separate attachment.

IF THE ANSWER TO EITHER QUESTION A OR B IS "YES", ANSWER QUESTIONS D AND E.

- D. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES _____

NO _____

- E. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES _____

NO _____

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", PLEASE PROVIDE DETAILS IN A SEPARATE ATTACHMENT.

Accordingly, the Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

NOTE: If the proposed Project involves the removal or abandonment of a plant or facility of the Applicant, or a proposed user, occupant or tenant of the Project, within the State of New York, notification will be made by the Agency to the chief executive officer(s) of the municipality or municipalities in which such plant or facility was located.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant: _____

Signature: _____

Name: _____

Title: _____

Date: _____

N/A

Schedule E

RETAIL QUESTIONNAIRE

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question Q of the Application for Financial Assistance)

- A. Will any portion of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?

YES _____

NO _____

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

- B. If the answer to Question A is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?

_____ %

- C. If the answer to Question A is YES, and the amount entered for Question B is greater than 33.33%, indicate whether any of the following apply to the Project:

1. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Nassau and Suffolk Counties) in which the Project is or will be located?

YES _____

NO _____

2. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

YES _____

NO _____

3. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES _____

NO _____

If the answer to any of the subdivisions 1 through 3 of Question C is YES, attach details.

- D. If the answer to any of the subdivisions 2 through 3 of Question C is YES, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? If YES, attach details.

YES _____

NO _____

- E. State percentage of the Applicant's annual gross revenues comprised of each of the following:

Retail Sales: _____ %

Services: _____ %

- F. State percentage of Project premises utilized for same:

Retail Sales: _____ %

Services: _____ %

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant: _____

Signature: _____

Name: _____

Title: _____

Date: _____

APPLICANT'S FINANCIAL ATTACHMENTS

The Applicant is a Newly-Formed Entity and Does not Have Any Tax Returns

ENVIRONMENTAL ASSESSMENT FORM

[SEE ATTACHED]

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: Proposed Change of Zone, Lot Line Modification, and Site Plan Approval for Residential Development at the existing A. Holly Patterson Site		
Project Location (describe, and attach a general location map): 878 Jerusalem Avenue, hamlet of Uniondale, Town of Hempstead, Nassau County (see attached Site Location Map)		
Brief Description of Proposed Action (include purpose or need): See Attachment		
Name of Applicant/Sponsor: The Engel Burman Group		Telephone: (516) 747-1200 E-Mail: ateven@engelburman.com
Address: 87 Clinton Road		
City/PO: Garden City	State: NY	Zip Code: 11530
Project Contact (if not same as sponsor; give name and title/role): Mr. Steven Krieger		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Nassau Health Care Corporation		Telephone: (516) 572-0123 E-Mail:
Address: 2201 Hempstead Turnpike		
City/PO: East Meadow	State: NY	Zip Code: 11554

B. Government Approvals See Attachment

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ 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 I

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

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

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

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?

A Residence District of the Town of Hempstead

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? See Attachment

C.4. Existing community services.

a. In what school district is the project site located? Unionsdale Union Free School District

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

Nassau County Police Department

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

Unionsdale Volunteer Fire Department

d. What parks serve the project site?

See Attachment

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)?
Residential (Multi-family)

b. a. Total acreage of the site of the proposed action? 17.66± acres

b. Total acreage to be physically disturbed? 17.66± acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0* 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 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 TBD

• Anticipated commencement date of phase 1 (including demolition) TBD month TBD year

• Anticipated completion date of final phase TBD month TBD year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

TBD

* The subject property will continue to be owned by Nassau County, but will be developed, managed, and operated by the applicant.

** The proposed action includes a lot line modification to create three parcels where currently four tax parcels comprise the overall existing A. Holly Patterson Extended Care Facility. Only two of the parcels would be operated by the Applicant.

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	0	0	0	TBD
At completion of all phases	0	0	0	368

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

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

*The proposed action is in a conceptual design stage, such that preliminary engineering details (including grading and drainage plan details) are not available and remain to be determined.

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

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: 114,500± 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: Town of Hempstead Water Department (Uniondale Water District)
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

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

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

vi. If water supply will be from wells (public or private), 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: 114,500± gallons/day

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

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

- Name of wastewater treatment plant to be used: Cedar Creek Water Pollution Control Plant
- Name of district: Massau County Sewage Disposal District #3
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p><u>N/A</u></p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: <u>TDD</u></p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="margin-left: 40px;"> <u> </u> Square feet or <u>11.414</u> acres (impervious surface) <u> </u> Square feet or <u>17.684</u> acres (parcel size) </p> <p>ii. Describe types of new point sources: <u>None</u></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p><u>Stormwater runoff would be directed to on-site drainage structures (e.g., catch basins, leaching pools) to contain and recharge all stormwater on-site. Drainage design is to be determined.</u></p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: <u>N/A</u> 	
<p>• Will stormwater runoff flow to adjacent properties? _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p><u>None</u></p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p><u>TDD</u></p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p><u>Heating fuel (type to be determined) combustion for residential building, hot water</u></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • <u> </u> Tons/year (short tons) of Carbon Dioxide (CO₂) • <u> </u> Tons/year (short tons) of Nitrous Oxide (N₂O) • <u> </u> Tons/year (short tons) of Perfluorocarbons (PFCs) • <u> </u> Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • <u> </u> Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • <u> </u> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If Yes: <ul style="list-style-type: none"> i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____ 			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes: <ul style="list-style-type: none"> i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____ ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ N/A iii. Parking spaces: Existing <u>598±</u> Proposed <u>839</u> Net increase/decrease <u>241</u> iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: <u>See project description on pages 1 and 2 of Attachment</u> 			
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes: <ul style="list-style-type: none"> i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No 			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 A.M. - 6:00 P.M.</u> • Saturday: <u>None</u> • Sunday: <u>None</u> • Holidays: <u>None</u> </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 A.M. - 6:00 P.M.</u> • Saturday: <u>None</u> • Sunday: <u>None</u> • Holidays: <u>None</u> 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 A.M. - 6:00 P.M.</u> • Saturday: <u>None</u> • Sunday: <u>None</u> • Holidays: <u>None</u> 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

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:
Existing ambient noise levels may be exceeded during construction. However, construction would not occur during noise sensitive hours (i.e., 6:00 p.m. - 7:00 a.m.), as set forth in Chapter 144 of the Code of the Town of Hampstead.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No
Describe: noise levels above ambient conditions are expected during construction only.

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 final exterior lighting design is to be developed. However, all outdoor lighting would be shielded and downward facing to preclude light spill over onto adjoining properties or roadways.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No
Describe:

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:

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 proposed storage facilities: _____

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): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ 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: _____ tons per _____ (unit of time)
- Operation: _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Extended Care Facility, Library, Public School, Religious Institutional

ii. If mix of uses, generally describe: _____

See Attachment

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4.33±	11.09±	+6.76±
• Forested	0	0	No Change
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	No Change
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	No Change
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	No Change
• Wetlands (freshwater or tidal)	0	0	No Change
• Non-vegetated (bare rock, earth or fill)	0	0	No Change
• Other Describe: <u>Grass fields/Landscape</u>	13.33±	8.87±	-6.76±

*An unknown quantity of hazardous housekeeping material was documented in connection with Spill No. 9825027. The spill was closed in 1998 (see Item E.1.h).

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ _____													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? 1,300± feet below grade surface (bgs)													
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: none;"> <tr> <td style="width: 80%;">RdA - Riverhead Sandy loam, 0 to 3 percent slopes</td> <td style="width: 20%; text-align: right;">73± %</td> </tr> <tr> <td>Ug-Urban land</td> <td style="text-align: right;">24± %</td> </tr> <tr> <td>UrA - Urban land- Riverhead complex 0 to 3 percent slopes</td> <td style="text-align: right;">3± %</td> </tr> </table>		RdA - Riverhead Sandy loam, 0 to 3 percent slopes	73± %	Ug-Urban land	24± %	UrA - Urban land- Riverhead complex 0 to 3 percent slopes	3± %						
RdA - Riverhead Sandy loam, 0 to 3 percent slopes	73± %												
Ug-Urban land	24± %												
UrA - Urban land- Riverhead complex 0 to 3 percent slopes	3± %												
d. What is the average depth to the water table on the project site? Average: 18± feet													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	100 % of site	<input type="checkbox"/> Moderately Well Drained:	_____ % of site	<input type="checkbox"/> Poorly Drained	_____ % of site						
<input checked="" type="checkbox"/> Well Drained:	100 % of site												
<input type="checkbox"/> Moderately Well Drained:	_____ % of site												
<input type="checkbox"/> Poorly Drained	_____ % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	100 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input checked="" type="checkbox"/> 0-10%:	100 % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
If Yes to either i or ii, continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">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)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name _____	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____													
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">i. Name of aquifer:</td> <td>Nassau - Suffolk Sole Source Aquifer</td> </tr> </table>		i. Name of aquifer:	Nassau - Suffolk Sole Source Aquifer										
i. Name of aquifer:	Nassau - Suffolk Sole Source Aquifer												

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ <small>Typical suburban birds and mammals - no natural areas are present at the subject property.</small></p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: <u>Meadowbrook State Parkway, Southern State Parkway, Wantagh State Parkway, Northern State Parkway</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Scenic Byways</u> iii. Distance between project and resource: <u>0.2, 0.5, 1.3, 4.4, respectively</u> miles.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

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

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

G. Verification

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

VHB Engineering, Surveying and Landscape Architecture,
P.C. as Environmental Consultant to Engel Burman of

Applicant/Sponsor Name Unilever, LLC

Date June 22, 2016

Signature _____

Kim Threlfall, PMP, LEED AP

Title Director of Environmental Services

Engel Burman at Uniondale, LLC
Proposed Change of Zone, Lot Line Adjustment and Residential Community at
A. Holly Patterson Extended Care Facility
875 Jerusalem Avenue
Hamlet of Uniondale, Town of Hempstead
Nassau County, New York

SUPPLEMENT TO FULL ENVIRONMENTAL ASSESSMENT FORM – PART 1

March 28, 2017

Introduction

This document has been prepared to supplement the Full Environmental Assessment Form – Part 1 (EAF), dated June 22, 2016, which was prepared for the above referenced proposed action. The intent of this supplement is to provide sufficient information to the involved agencies, and the Town Board of the Town of Hempstead in particular, to serve as a basis for a Determination of Significance pursuant to Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQRA), and the implementing regulations thereto at 6 NYCRR Part 617.

Description of Proposed Action

The proposed action involves redevelopment by Engel Burman at Uniondale, LLC (the "Applicant") of a portion of the 64.07±-acre A. Holly Patterson property (the "AHP property" or "overall property") located at 875 Jerusalem Avenue in the hamlet of Uniondale, Town of Hempstead, Nassau County, identified on the Nassau County Land and Tax Map as Section 50 – Block G – Lots 276, 277, 278 and 279. Specifically, 388 units of multi-family housing would be constructed on 17.66± acres (the "subject property") on the western side of the AHP property. As proposed, Nassau Health Care Corporation (NHCC) will retain ownership of the subject property, pursuant to a long-term lease/license agreement with the Applicant to allow the Applicant to construct and operate the proposed development.

Through a proposed lot-line adjustment, the subject property, which currently is developed with paved parking, lawn areas and landscaping, would be divided into two tax parcels; and the balance of the AHP property would be retained as a separate tax lot. Parcel 1, consisting of 9.50± acres in the southwest portion of the AHP property, is proposed for rezoning from B Residence to CA Residence and development with 190 units of non-age-restricted multi-family ("Millennial"¹) housing. Parcel 2, consisting of 8.16± acres in the northwest portion of the AHP property, is proposed for rezoning from B Residence to Golden Age (GA) Residence and development with 198 units of age-restricted multi-family housing; the applicant is also requesting relaxation of the minimum age requirement in the GA district, from 62 to 55.

Together, the two parcels would contain 19 two-story and three-story residential buildings, and two one-story clubhouse buildings. Each residential building would have a common entryway leading to a lobby with an elevator. The majority of the proposed residential units would have two bedrooms with a kitchen and living/dining room, and a unit floor area of approximately 950 square feet (Sf). Each residential building would also have a single one-bedroom unit on the first floor, which would be slightly smaller than the two-bedroom units. All residences would be rental apartments, with monthly rents expected to be in the \$1,900-to-\$2,200 range for both the age-restricted and non-age-restricted two-bedroom units; the one-bedroom units would have a slightly lower monthly rent.

¹ See section below titled "Consistency with Community Character" for a discussion of this term.

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form – Part 1

The existing AHP Extended Care Facility on the eastern portion of the overall property would remain in place under the proposed action. Certain existing facilities on the subject property (i.e., soccer fields and parking) would be displaced by the proposed development, and would be relocated onto the remaining portion of the AHP property as part of the proposed action.

A detailed description of the proposed development of the subject property is provided below:

Parcel 1 – This 9.50±-acre parcel is situated in the southwestern portion of the overall property, adjoining Jerusalem Avenue to the south and 1st Street to the east. The proposed development of this parcel would include 190 non-age restricted ("Millennial") multi-family rental housing units, which, at 20.00 units per acre, corresponds to the maximum density permitted in the CA Residence district. These units would be housed in nine buildings, four of which would be two stories in height on the west side of the parcel, adjacent to an existing neighborhood of single-family residences, and five of which would be three stories in height on the remainder of the parcel, primarily along 1st Street. As mentioned previously, each building would contain a single, first-floor, one-bedroom unit (total of nine), with the remaining 181 units containing two bedrooms. A centrally-located clubhouse would be provided, with a one-story, 3,580±-SF building (containing a bistro, billiards/game room, lounge, media center, fitness center, marketing office, coin-operated laundry room, and basement storage area), outdoor swimming pool, volleyball court and picnic area. A divided, two-way access driveway would be provided to the parcel via a curb cut on 1st Street to the east. On-site parking would be provided for 508 vehicles, including 16 handicapped-accessible spaces.

Parcel 2 – This 8.16±-acre parcel is situated in the northwestern portion of the overall property, adjoining 1st Street to the east. The proposed development of this parcel would include 198 age-restricted (55 and older) multi-family rental housing units, which, at 24.26 units per acre, complies with the 30-unit-per-acre maximum density permitted in the GA Residence district. These units would be housed in ten buildings, four of which would be two stories in height on the west side of the parcel, adjacent to an existing neighborhood of single-family residences, and six of which would be three stories in height on the remainder of the parcel, primarily along 1st Street, opposite the existing AHP Extended Care Facility. Each building would contain a single, first-floor, one-bedroom unit (total of ten), with the remaining 188 units containing two bedrooms. A centrally-located clubhouse would be provided, with a one-story, 5,050±-SF building (containing a card room, billiards/game room, lounge, living room, fitness center, marketing office, coin-operated laundry room, and basement storage area) and outdoor swimming pool. A divided, two-way access driveway would be provided to the parcel via a curb cut on 1st Street to the east; and an emergency access driveway with crash gate would be provided at the dead-end of Berkley Street to the north. On-site parking would be provided for 331 vehicles, including 20 handicapped-accessible spaces.

Each two-bedroom unit on both parcels would include a kitchen and living/dining room, and each bedroom would have its own bathroom. The 1st Street entrance to each of the two development parcels would be controlled by an automated, card-activated entry gate; there would be no guard booth or staffing at the gate.

Current information indicates that the following permits and approvals are required for the proposed action:

- Hempstead Town Board – change of zone for both parcels; site plan approval for both parcels; modification of minimum age requirement in GA district for Parcel 2, from 62 to 55 (per §121.1 of the Town of Hempstead Building Zone Ordinance)
- Hempstead Town Board of Appeals – variances, including:
 - Parking for Parcel 2 – 331 parking spaces provided, 529 required (if Town Board relaxes the minimum age requirement from 62 to 55)
 - Parking in front yard setback (along Jerusalem Avenue) for Parcel 1
 - Stall size for Parcel 2 – 9 feet by 18 feet proposed, 9 feet by 20 feet required
 - Building height on both lots – three stories proposed, 2-½ stories permitted; the proposed 34-foot height is slightly less than the 35-foot zoning requirement in the CA and GA districts

Engel Burman at Uniondale, LLC

Supplement to Full Environmental Assessment Form – Part 1

- Side yard setback for Parcel 1 – 15 feet provided, 20 feet required
- Nassau Health Care Corporation (NHCC) – project approval, as owner of the subject property
- Nassau County Planning Commission – lot line adjustment; GML §239-m referral and recommendation
- Nassau County Department of Public Works – GML §239-f review; sewer connection
- Town of Hempstead Water Department (Uniondale Water District) – water supply
- Nassau County Department of Health – water supply; swimming pool approvals
- New York State Department of Environmental Conservation – SPDES Permit (GP-0-15-002); oversight and approval of remedial activities (see section below titled “Impact on Groundwater” for discussion on this topic)

Impact Analysis

The following is an analysis of the potential impacts of the proposed action described above with respect to the various environmental parameters which are identified under SEQRA for consideration in arriving at a Determination of Significance.

Impact on Land

The proposed facilities would be constructed on land without steep slopes, shallow depth to groundwater, or any similar, potentially significant development constraints. The soil types found on the subject property (i.e., Riverhead Sandy Loam, 0-3% Slopes; Urban Land; and Urban Land Riverhead Complex, 0-3% Slopes) do not have development limitations.

To the extent that excavation is needed for the installation of building foundations, basements, and stormwater infrastructure, excavated material would be retained on-site for re-use to the degree practicable. Construction would be phased, as appropriate, to minimize potential impacts; for example, buildings would be constructed in sequence, rather than parallel schedules, to limit the extent of site disturbance at any given time. A range of standard control measures would be implemented during construction to minimize potential impacts due to erosion and sediment transport; these are expected to include the installation of silt fencing and/or hay bales at the limits of clearing, stabilized construction entrances at appropriate locations, drainage inlet protection, temporary stabilization of soil stockpiles, wetting of exposed soils to prevent the generation of wind-borne dust, etc.

Impact on Geological Resources

The subject property does not contain or lie substantially contiguous to such resources (e.g., cliffs, dunes, etc.).

Impact on Surface Water

The subject property does not contain and is not located in close proximity to any surface water resources.

Impact on Groundwater

Sanitary wastes from the proposed development would be discharged to the existing municipal sewer line which serves the AHP property. The proposed action does not involve the on-site subsurface discharge of wastewater, thereby avoiding potential impacts to groundwater that may be associated with same. Furthermore, the proposed residential development does not include uses that utilize or store hazardous materials, other than typical household products, and does not otherwise involve activities that are associated with a significant potential for chemical releases that may impact groundwater quality.

The proposed development would utilize existing water supply services (i.e., Uniondale Water District), and would not require the installation of new wells or the construction of other major water supply infrastructure; it would be necessary, however, to install new distribution piping and appurtenances normally associated with applications of

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form – Part 1

this nature. Confirmation of water availability would be obtained from Uniondale Water District as part of the project review and approval process.

A number of minor hazardous material spills are reported to have occurred on the AHP property, as documented in the New York State Department of Environmental Conservation (NYSDEC) database. All of these spills have been closed by NYSDEC.

The AHP property also is listed on the NYSDEC Site Remediation Database due to soil and groundwater impacts from historical agricultural pesticide applications between the late 1800s and some time prior to the mid-1960s when the AHP nursing home facility was constructed. Testing on the subject property indicates levels of residual arsenic and chlordane in shallow soils (i.e., generally less than one-foot depth) slightly exceeding the NYSDEC standard for Restricted Residential Use, which is the applicable standard for multi-family housing developments such as the proposed project. Based on input from NYSDEC it is understood that, prior to the start of construction, further remedial activities would have to be completed, the primary components of which include:

- preparation of a Remedial Action Work Plan for review and approval by NYSDEC;
- additional shallow soil testing to better delineate the extent of impacted soils;
- design of a remedial action program to address impacted soils; and
- implementation of the NYSDEC-approved remedial action program.

In initial discussions with the Applicant, NYSDEC has agreed, subject to the signing of a formal agreement, to a remedial concept consisting of scraping shallow soils and using this material to construct the base of low berms along the site perimeter. These berms would be capped with clean fill and topsoil and planted with evergreen trees. In addition to avoiding the substantial expense that would be incurred with the alternative of transporting and disposing marginally impacted soils off-site, such a plan also would provide enhanced visual screening around the perimeter of the site, to the benefit of the adjoining residential neighbors, while still protecting the health and safety of the new residents of the proposed development as well as residents in the surrounding area.

Impact on Flooding

The subject property is not located in an area that is prone to flooding, and is not within any special flood hazard area as identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. The proposed development would include on-site infrastructure (e.g., catch basins, leaching pools, etc.) to accommodate stormwater runoff in compliance with applicable regulatory standards. The subject property does not occur in an area of shallow groundwater, does not contain soils that are poorly drained or that have other significant development limitations; and does not otherwise have physical characteristics that could potentially contribute to localized flooding.

Impact on Air

The proposed residential development does not entail a significant new source of air emissions.

Impact on Plants and Animals

The proposed action would result in the expansion of impervious surfaces (i.e., buildings and pavement) into areas that currently are vegetated. However, existing vegetation on the subject property consists predominantly of managed turf and landscaping, and does not include vegetation or habitat that is unusual, rare or otherwise significant. Published information sources (e.g., NYSDEC Natural Heritage Program Nature Explorer and U.S. Fish and Wildlife Service Trust Research Report) do not indicate that the subject property and/or vicinity may contain threatened, endangered, and/or special concern species, nor does the vegetation present on the site provide the type of habitat that would support such species. Wildlife on the site consists entirely of typical suburban species, especially rodents and common songbirds, which are adapted to coexisting with humans in a developed

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form -- Part 1

environment and are expected to continue occupying the subject property upon completion of the proposed development.

Impact on Aesthetic Resources

The proposed action would result in the development of land that currently is mostly vacant. However, the following considerations and mitigation measures would help to avoid significant adverse impacts with respect to aesthetic resources:

- The subject property does not contain and is not proximate to any officially designated federal, state or local scenic resource, and would not obstruct, eliminate or significantly screen one or more officially designated views.
- Although the proposed development would be visible from certain publicly accessible vantage points, such views would occur primarily from other portions of the AHP property and from Jerusalem Avenue, in an area where the visual environment already is dominated by development, including the dense suburban development along Jerusalem Avenue in the vicinity of the subject property (e.g., Turtle Hook Middle School, Stratford Farms multi-family residential facility, and commercial shopping centers to the east and southeast; and Nassau Library Systems and Hempstead Housing Authority facilities to the south).
- The proposed development includes attractive architectural features and exterior finishes, as depicted in the building elevations included with the site plan application drawings. These architectural features and materials would be consistent with those of the residences in the surrounding area. Such features include pitched roofs with shingles, paneling, columns at building entrances, and decorative brick along the front elevations. The proposed clubhouses would have similar architectural features as the residential buildings, but would also contain decorative cupolas atop the pitches roofs.
- The proposed development includes a landscape plan, which would create a more naturalized and aesthetically appealing visual setting as viewed from off-site locations. This landscape plan includes substantial deciduous and evergreen plantings around the perimeter of the site, which would provide screening along roadway frontages (i.e., Jerusalem Avenue to the south and 1st Street to the east), as well as along the westerly property line where the subject property adjoins an existing community of single-family residences. Landscaped medians with deciduous trees would be constructed throughout the interior of the proposed development, providing additional screening from nearby uses. Roadway access would occur via curb cuts on 1st Street to the east, and not to the south; and this, combined with the dense vegetated buffer along the southerly property line, would limit views that passersby along Jerusalem Avenue would have of the interior of the site.
- The proposed development layout places three-story buildings on the interior and easterly side of the subject property, and limits the height buildings to two stories on the west side of the site where neighboring residences are located. Each clubhouse building would be situated on the central portion of the respective parcel, and would be screened by the proposed residential buildings. The two-story residential buildings would be approximately 25 feet in height, while the three-story residential buildings would be approximately 34 feet in height. These heights would be consistent with the single-family homes and multi-family developments and other facilities in the vicinity of the subject property. There are taller structures nearby that well exceed the height of typical two- and three-story buildings (e.g., the water district tanks to the north and east of the subject property, and the AHP Extended Care Facility to the immediate east). Therefore, the proposed buildings would not be the most visually prominent structures in the immediate area, and would not create a condition that sharply contrasts with the existing visual character of the surrounding community.

- All lighting fixtures in the proposed development would be properly shielded, in accordance with good engineering practice and typical site plan approval standards, to prevent significant illumination across the property line. Some light would be expected to reach beyond the property boundary at the proposed access driveways on the 1st Street to the east; however, this would be necessary to provide for the safe operation of the access road, and would be internal to the AHP property and would not intrude onto adjacent properties.

Impact on Historical and Archaeological Resources

The proposed development site does not contain or lie substantially contiguous to designated historic resources, including resources listed in the State or National Registers of Historic Places or local historic landmarks identified by the Town of Hempstead. Furthermore, based on review of the New York State Historic Preservation Office's Cultural Resource Information System, no portion of the subject property contains designated archaeologically sensitive areas.

Impact on Open Space and Recreational Resources

The subject property contains existing soccer fields which would be eliminated under the proposed development plan. However, as a condition to approval, the Applicant has committed to providing replacement fields on the remainder of the AHP property, at a suitable location to be determined by NHCC. The existing soccer fields have poor quality playing surfaces, and their relocation to a different portion of the AHP property would retain the availability of this community resource while improving its quality. Based on review of the *Nassau County Open Space Plan*, the subject property is not shown as existing or potential open space.

The subject property currently contains 13.3± acres of grass fields and landscaping, which would be reduced to 6.6± acres under the proposed development plan. The project area currently is a portion of an active hospital grounds and is not designated open space. Furthermore, as noted previously, the portion of the site that has been established for a public recreational/open space purpose (i.e., the soccer fields) would be replicated at another location on the AHP property as part of the proposed action.

Impact on Critical Environmental Area

The subject property does not contain or lie substantially contiguous to any Critical Environmental Area (CEA).

Impact on Transportation (Traffic and Parking)

A Traffic Impact Study Report (TIS) has been prepared for the proposed action, dated March 2017. This TIS includes analysis of project-related impacts at six nearby intersections along Jerusalem Avenue, five of which are signalized (Uniondale Avenue, Liberty Street, Nostrand Avenue/County Complex, Union Drive, and Northgate Drive) and one of which is un-signalized (1st Street). The intersection capacity analysis methodology involved the following steps:

- Existing turning movement counts were recorded at each study intersection during typical weekday morning and afternoon peak hours ("AM peak" and "PM peak"), and Saturday mid-day peak hour ("Saturday peak").
- The growth in background traffic growth on area roadways through the 2019 anticipated date of project build-out was assumed to be 1.0 percent per year, which is higher than the 0.6 percent rate published by the New York State Department of Transportation for the Town of Hempstead.
- Project-generated traffic volumes were estimated using empirical data in the 9th Edition of *Trip Generation* published by the Institute of Transportation Engineers (ITE), which is a widely referenced

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form – Part 1

resource for such analyses. Using different factors for the two components of the proposed development (i.e., 190 units of general multi-family housing and 198 units of age-restricted multi-family housing), total trip generation was calculated at 128 two-way trips for the AM peak, 153 two-way trips for the PM peak, and 136 two-way trips for the Saturday peak.

- Trip distribution and assignment between the subject property and the surrounding roadway network were determined based on the locations of the site access points, the characteristics of roadways in the site vicinity and the likely origins and destinations of trips to and from the proposed development.
- Computer modeling was performed using Synchro software (Version 9), based on methodologies in the *Highway Capacity Manual* (2000 and 2010), to determine the operation of the study intersections during peak hours under No Build and Build conditions.

The TIS analysis shows that project-generated traffic would result in only minor increases in overall delay (on the order of a few seconds, at most) at the six study intersections during peak hours for the 2019 Build versus 2019 No-Build condition. However, the results indicate that one intersection, Jerusalem Avenue at Uniondale Avenue, would experience somewhat greater delays for certain movements, particularly in the westbound direction. Consequently, mitigation was examined, in the form of an adjustment to the traffic signal's phase splits to better correlate green time to future Build volumes (while retaining the existing signal cycle length). This adjustment would result in improved operations at this intersection, with delays under the Build condition that are less than the No Build condition.

Based on the results of the analysis, as summarized above, the TIS concludes that the proposed action would not significantly impact local traffic conditions.

As noted, the intersection of Jerusalem Avenue at 1st Street is un-signalized, with stop-control for southbound vehicles on 1st Street. A prohibition is in place for the southbound left-turn movement at this location. The TIS analysis indicates that a traffic signal is not warranted for this intersection, particularly since southbound drivers wishing to make a left turn to travel eastbound on Jerusalem Avenue can use an internal roadway (i.e., Avenue A) on the AHP property to access the nearby traffic signal at the County Complex driveway/Nostrand Avenue. It is recommended, however, that a missing "No Left Turn" sign on the south side of Jerusalem Avenue opposite the southerly end of 1st Street be re-installed.

The TIS also examined local traffic accident data for the most recent three-year period available. This analysis did not reveal any patterns to suggest that project-generated traffic would result in a significant increase in the occurrence or severity of accidents on the roadway network around the subject property.

In addition, the TIS assessed the adequacy of parking for the proposed development. The site plan for Parcel 1 (190 non-age-restricted units) includes 508 on-site parking spaces, which corresponds to the regulatory requirement (at a rate of 2.67 spaces per unit) specified under the Town of Hempstead Zoning Code. However, this parking capacity greatly exceeds what would be needed to serve the expected demand. The 4th Edition of ITE's *Parking Generation*, which like ITE's *Trip Generation* is a widely referenced resource for such analyses, indicates that the peak parking demand for multi-family housing is 1.38 parked vehicles per unit, or a total of 263; this is 245 spaces fewer than the Code requirement.

The site plan for Parcel 2 (198 age-restricted units) includes 331 on-site parking spaces, which is the requirement that would apply under the Town of Hempstead Zoning Code for a development of this size with an age-62 restriction in the GA zone. However, since the subject application requests relaxation of this provision, lowering the age restriction to 55, the Code specifies that the non-age-restricted parking requirement (i.e., the same standard as pertains to the proposed development of Parcel 1 in the CA zone, at 2.67 spaces per unit) would be in effect, which results in a requirement under the Code of 529 spaces, such that a parking variance would be needed.

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form – Part 1

In justifying the requested parking variance for Parcel 2, the TIS utilizes ITE's *Parking Generation* which, as mentioned above, indicates that the peak parking demand for multi-family housing is 1.38 parked vehicles per unit, or a total of 274 spaces for the 198-unit proposal (not accounting for a decrease in parking demand which usually is associated with rental units as compared to ownership units and with senior units as compared to non-age-restricted units). On this basis, the proposed development of Parcel 2 would provide a 57-space (21 percent) surplus from an operational perspective.

The TIS concludes that the proposed internal roadway system provides adequate circulation for the subject property given the proposed use and vehicle types that are expected to utilize the site.

An existing area of paved parking situated on the subject property which serves the AHP facility would be displaced by the proposed development. This parking area, which contains approximately 570 spaces, currently is significantly underutilized, having an occupancy typically less than 50 percent based on recent aerial photographs and spot field inspections, indicating that it would not be necessary to reconstruct its full capacity to support AHP's continued operations. However, some amount of replacement parking would be required, and the Applicant has committed to providing such parking on the remainder of the AHP property, at a suitable location to be determined by NHCC.

Impact on Energy

The proposed development of 388 multi-family residences under the proposed action would increase energy consumption on the subject property. However, the project would comply with the requirements of the New York State Building Code, including provisions governing energy conservation. As indicated previously, the subject property is close to various services (e.g., shopping, parks, library, etc.) which would reduce automobile travel by site residents as compared to locations where such facilities are more spatially dispersed. Additionally, the proposed development plan includes a centrally-located clubhouse center on each parcel, which residents would access on foot from their homes, thereby reducing vehicular fuel consumption compared to a residential site that lacks such facilities. Although an increase in energy usage associated with the proposed development is anticipated, correspondence will be sent to PSEG Long Island and National Grid informing them of the project and requesting service availability.

Impact on Noise, Odor and Light

Noise during construction of the proposed development would be governed by the relevant provisions of Hempstead Town Code including, but not limited to, Chapter 144 (Unreasonable Noise), which would preclude construction activities during sensitive hours and would help to minimize noise intrusion to surrounding uses when construction is in progress; and any such noise generation would be temporary, ceasing upon completion of construction. Operation of the proposed development, consisting of residential uses, is not expected to generate noise in excess of ambient levels, given the densely developed suburban setting in which the subject property is located. All lighting fixtures in the proposed development would be properly shielded, in accordance with good engineering practice and typical site plan approval standards, to prevent significant illumination across the property line. Residential uses of the type proposed do not typically produce odors.

Impact on Human Health

As discussed previously, the proposed residential development does not include uses that utilize or store hazardous materials, other than typical household products, and does not otherwise involve activities that are associated with a potential for causing significant impacts to human health.

As also noted previously, if the proposed action is approved, the Applicant would undertake remedial activities, under NYSDEC oversight, to prepare the subject property for the proposed residential development; see further discussion in the section above titled "Impact on Groundwater".

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form – Part 1

Consistency with Community Plans

As discussed in detail below, this topic pertains to the consistency of the proposed development with: (a) existing zoning and land uses on the AHP property and in the surrounding area; and (b) community planning initiatives that include the subject property. The latter category primarily is reflected in the *Uniondale Community Vision Plan* (Town of Hempstead Department of Planning & Economic Development, August 2012).

The subject property consists of parking and maintained lawn/landscaping areas adjacent to the A. Holly Patterson Extended Care Facility. Land uses within a half-mile radius are varied, and include educational, municipal, commercial, transportation, public utility, recreational, vacant land, institutional, single-family and multi-family residential uses. Five multi-family developments are located within a half-mile of the subject property, which are discussed in further detail below.

The surrounding land uses within a half-mile include:

North: To the immediate north of the subject property are single-family residential and public utility (Uniondale Water District) uses, followed by educational uses (Uniondale Senior High School and Walnut Street Elementary School). Beyond the educational uses (to the north and northwest) are mixed commercial (e.g., retail, automobile-related, restaurants), religious, single- and multi-family residential uses along Front Street. A multi-family development with associated parking is located at 1140 Front Street, along the northern boundary of the half-mile radius. According to its website, the St. Michael's Home property along the northernmost boundary of the half-mile radius (located at 1220 Front Street) intends to expand its religious facility to include 27 one-bedroom independent living units, as well as 50 studio apartments for assisted living, a nursing facility and an Alzheimer's/dementia unit. To the northeast are transportation (Meadowbrook Parkway) and single-family residential uses.

East: Immediately east of the subject property is the AHP Facility. East of the AHP Facility is the St. Agnes Village (age-restricted) multi-family development along St. Agnes Road. Also to the southeast of the property, along Jerusalem Avenue, is the Stratford Farms multi-family development. Land uses further to the east include educational (Turtle Hook Middle School), public utility (East Meadow Water District), commercial (e.g., grocery store, retail), transportation (Meadowbrook Parkway) and vacant land. Beyond Meadowbrook Parkway are single-family residential uses.

South: Along the south side of Jerusalem Avenue (to the south, southeast and southwest of the subject property) are a mix of uses including single-family residential, educational (Nassau Library System), mixed-commercial (retail, gas station, restaurant) and multi-family (Meadowbrook Gardens at the Hempstead Housing Authority). Farther south are single-family residential and transportation (Southern State Parkway) uses.

West: Abutting the subject property to the west are single-family residential uses, which continue to Uniondale Avenue. Along Uniondale Avenue are a mix of uses including mixed commercial (e.g., retail, restaurants, automobile-related), municipal (Uniondale Fire Department), religious, institutional (Uniondale Public Library), recreational (Cedar Street Park) and single-family residential. West of Uniondale Avenue are additional single-family residential and commercial uses (along Jerusalem Avenue), as well as the Bishop Daly Gardens senior citizen multi-family development along Greengrove Avenue, just north of Jerusalem Avenue.

Outside of the half-mile radius, there are additional multi-family residential uses in Uniondale and neighboring communities (i.e., Hempstead and East Meadow). Thus, the proposed action would be consistent with the uses in the surrounding area.

As part of the proposed action, zoning at the overall subject property would change from B Residence to allow the development of a 388-unit multi-family residential community. Specifically, Parcel 1 would be rezoned to CA

Engel Burman at Uniondale, LLC
Supplement to Full Environmental Assessment Form -- Part 1

Residence district and Parcel 2 would be rezoned to GA Residence district. The proposed zoning of the subject property is consistent with the zoning in the surrounding area, as there are a numerous zoning districts throughout the half-mile radius and elsewhere in Uniondale. Moreover, according to the Town of Hempstead Zoning Map (East Hempstead No. 60), the Hempstead Housing Authority property immediate southwest of the site and the St. Agnes Village property to the east of the site are noted as "Residence B to Golden Age District".

The *Uniondale Community Vision Plan* (the "Vision Plan") was developed by the Town of Hempstead through a community-driven process that began in 2011 and involved numerous community participation activities. This plan contains four guiding principles that arose from the initial community input: enhance Uniondale's community identity and image, building on Uniondale's character as a global village, strengthen ties with Hofstra University, and tap into the potential as a sustainable community. Based on these goals, the community identified four areas of concern:

- *Beautification*
- *Traffic and Transportation*
- *Economic Development*
- *Sustainability of the Residential Neighborhoods*

The Vision Plan provides key vision elements within each of these four areas of concern that should be applied to enhance the community, guide development for short-term needs and identify long-term strategic actions to shape Uniondale. Figure V-1 in the Vision Plan presents the overall conceptual community plan and notes that the AHP Extended Care Facility is a key redevelopment site.

Specific objectives and elements in the Vision Plan that are relevant to the proposed action are as follows:

- *Economic Development:*
 - *Redevelop vacant and underutilized properties within the community, notably at the important intersections of Uniondale Avenue and Front Street and Uniondale Avenue and Jerusalem Avenue, as well as underutilized parcels, such as the A. Holly Patterson and St. Pius X properties, through tools such as urban renewal and environmental remediation. The A. Holly Patterson site, in particular, has the potential to become a recreation, residential and business (RRB) center.*
- *Sustainability of the Residential Neighborhoods:*
 - *Provide a greater range of housing opportunities in the community*
 - *Balance the community needs of seniors, teens and others*

As 190 non-age-restricted ("Millennial") multi-family units would be developed on Parcel 1 and 198 age-restricted (55 and older) multi-family units would be developed on Parcel 2, the proposed action would provide a variety of housing opportunities for the community, which would help to address a shortage of alternative housing options (beyond single-family residences). Moreover, the project would provide rental options for young adults, including students at nearby universities, as well as seniors. Discussed throughout the Vision Plan, Hofstra University was an active participant in the visioning process, as there is potential for the University to support economic development efforts and improve livability of Uniondale (its host community). The Applicant has met with local university administration and has accounted for their input in designing the non-age-restricted component of the proposed action.

Based on the above, the proposed multi-family development would provide environmental benefits in expediting the completion of environmental remediation, and would provide economic benefits by redeveloping an underutilized property to provide much needed, diverse housing options for the community. Thus, the proposed action is consistent with the intent and relevant elements of the Vision Plan.

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Supplement to Full Environmental Assessment Form – Part 1

Consistency with Community Character

As noted previously, the proposed action would help to address a shortage of alternative housing options, beyond the single-family homes which predominate in the Town of Hempstead, Nassau County, and Long Island. More specifically, two particular products are proposed: “Millennial” rental housing for young adults, including students at nearby universities; and rental housing for senior, “empty nesters”. In designing the former units, the Applicant met with local university administration and has accounted for their input; and, although these units are not proposed to be age-restricted, their design is intended to appeal to a target market of young adults.

The proposed development would place an additional demand on community services, including emergency services (fire and police protection, and ambulance service). However, it is not anticipated that this increase in demand would be significant, as the subject property and proposed magnitude of development represents a small proportion of the existing service area and customer base for these agencies, and any such costs would be offset, at least partially, by property tax revenues which the proposed project would generate for the respective taxing agencies; currently, the subject property, in public ownership and use, generates no property tax revenues. Furthermore, the Applicant would retain control over the subject property, by means of a long-term lease/license agreement with NHCC, and would provide and/or contract for all on-site maintenance services (e.g., common facility repairs and maintenance, snow removal, solid waste collection and removal, etc.). Additionally, if the proposed action is approved, the Applicant would assume responsibility for maintaining 1st Street (e.g., snow removal, pavement repairs, etc.); this roadway currently is not dedicated to the Town of Hempstead and is under Nassau County’s maintenance jurisdiction.

The Applicant has discussed fire safety and emergency access aspects of the proposed project with representatives of Uniondale Fire Department, and no significant issues were identified by that agency. Continued coordination would occur to ensure that the final project design addresses any further input from the Fire Department. All buildings would be sprinklered and fitted with fire alarms.

It is intended that the proposed development be serviced by a private carter for solid waste collection and disposal. However, on-site solid waste collection facilities would be designed in compliance with Town of Hempstead standards, to allow for ready conversion to municipal collection if there is a switch to such service in the future. On-site accommodations will be provided for recycling, in accordance with Town of Hempstead requirements.

The proposed 198 units of age-restricted housing on Parcel 2 would not include any minor residents and, therefore, would not generate any new students requiring services from Uniondale School District. The proposed 190 units of non-age-restricted units on Parcel 1 could include school-aged residents, as minors cannot be prohibited in such housing. To estimate the potential public student population for proposed residential development, demographic multipliers published by Rutgers University, Center for Urban Policy Research² are often used. Using this reference resource, the public school-aged population generated by nine one-bedroom units (rents of more than \$1,000/month) and 181 two bedroom units (rents of more than \$1,100/month) is calculated at 30 students. However, this reference does not account for the unique characteristics of the proposed development – such as a layout designed and intended specifically for young adults, including college students, would be less appealing to families or parents with young children – and the actual number of school children generated by the proposed action is not expected to exceed more than a handful.

² Burchell, Robert W., David Listokin, William Dolphin Center for Urban Policy Research, Edward J. Bloustein School of Planning and Public Policy, Residential Demographic Multipliers, Estimates of the Occupants of New Housing (Residents, School-Age Children, Public School-Age Children) by State, Housing Type, Housing Size, and Housing Price. June 2006.

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Supplement to Full Environmental Assessment Form – Part 1

As previously mentioned, the subject property contains existing soccer fields which would be eliminated under the proposed development plan. However, as a condition to approval, the Applicant has committed to providing replacement fields on the remainder of the AHP property, at a suitable location to be determined by NHCC.

The proposed development would be consistent with predominant architectural scale and suburban character in the vicinity of the subject property. Although a variance would be requested for building height, this pertains to the number of stories (i.e., three stories proposed, 2-½ stories permitted); the proposed three-story buildings would be compliant in terms of roof height in feet above grade. Furthermore, in order to provide for enhanced compatibility, the buildings constructed on the west side of the subject property, adjacent to the existing single-family homes, would only be two stories in height, and an extensive landscaping plan would be implemented which includes dense buffer plantings (consisting of a combination of deciduous tree plantings and evergreen screening plantings) on a low berm along the perimeter of the subject property. Landscaped medians with deciduous trees would be constructed throughout the interior, providing additional screening from nearby uses.

Overall, the character of the surrounding community is mixed, with numerous residential uses in the vicinity of the subject property. Several existing multi-family developments occur within a half-mile radius, and as previously discussed in the "Consistency with Community Plans" section above, the St. Michael's Home property along the northernmost boundary of the half-mile radius intends to expand its religious facility to include 27 one-bedroom independent living units. Therefore, the proposed residential development would be consistent with the established neighborhood character in the vicinity of the subject property, and is in a compatible location given the surrounding land uses.



A. Holly Patterson Extended Care Facility
875 Jerusalem Avenue
Hamlet of Uniondale, Town of Hempstead
Nassau County, New York

Site Location Map

Source: Bing Maps

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

Agency Use Only (If applicable)
 Project : Engel Burman at Uniondate, LLC
 Date : April 25, 2017

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>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2c, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

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

☒ NO☐ YES

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

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

3. Impacts on Surface Water

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

☒ NO☐ YES

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

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

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5. <div style="text-align: right;"> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6. <div style="text-align: right;"> <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h., D.2.g.)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	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	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/4 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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 or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

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

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.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☐ NO☒ YES

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

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

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☐ NO☒ YES

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

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

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☐ NO☒ YES

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

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See Attachment for discussion/analysis for all questions on the EAF-Part 2.

Determination of Significance - Type 1 and Unlisted Actions

SLQR 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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town Board of the Town of Hempstead 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.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: Engel Burman at Uniondale, LLC

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

Name of Responsible Officer in Lead Agency: Town Attorney's Office

Title of Responsible Officer: Chief Deputy Town Attorney

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Charles S. Kovit, Chief Deputy Town Attorney

Address: Hempstead Town Hall; One Washington Street; Hempstead, NY 11550

Telephone Number: (516) 812-3205

E-mail: ckovit@tohmail.org

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>

Engel Burman at Uniondale, LLC
Proposed Change of Zone, Lot Line Adjustment and Residential Community at
A. Holly Patterson (AHP) Extended Care Facility
875 Jerusalem Avenue
Hamlet of Uniondale, Town of Hempstead
Nassau County, New York

ATTACHMENT TO FULL ENVIRONMENTAL ASSESSMENT FORM – PART 3

April 25, 2017

The following is a detailed analysis of potential environmental impacts based on the specific questions in the Full Environmental Assessment Form–Part 2 (EAF-Part 2) and the information in the Full Environmental Assessment Form–Part 1 (EAF-Part 1) which have been prepared for the above referenced Proposed Action. This analysis establishes the basis for the issuance of a Negative Declaration pursuant to Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQRA), and the implementing regulations thereto at 6 NYCRR Part 617.

1. Impact on Land –

- a. Proposed action may involve construction on land where depth to water table is less than 3 feet – Not applicable to Proposed Action. Groundwater depth at the subject location is approximately 18 feet below the grade surface.
- b. Proposed action may involve construction on slopes of 15% or greater – Not applicable to Proposed Action. The topography of the subject property is generally level.
- c. Proposed action may involve construction on land where bedrock is exposed or within five feet of the ground surface – Not applicable to Proposed Action. Depth to bedrock is greater than 1,000 feet at the subject location.
- d. Proposed action may involve the excavation or removal of more than 1,000 tons of natural material – Excavation will occur across most of the site with grading, construction of building foundations (none of the dwellings will have basements), and installation of pavement areas and drainage infrastructure. The total amount of excavation involved is not known; however, even if the 1,000-ton threshold is exceeded, potential impacts will be minimized through the implementation of standard erosion and sediment control practices, including stabilized construction entrances at appropriate locations, perimeter hay bales/silt fencing at the limits of clearing, drainage inlet protection, temporary stabilization of soil stockpiles, wetting of exposed soils to prevent the generation of wind-borne dust, etc. Furthermore, excavated material will be retained on-site for re-use to the degree practicable; and construction will be phased, as appropriate, to minimize potential impacts (e.g., buildings will be constructed in sequence, rather on parallel schedules, to limit the extent of site disturbance at any given time).
- e. Proposed action may involve construction for more than one year or in multiple phases – The duration of construction and the question as to whether phasing will occur have not yet been determined. However, even if construction is phased and/or extends for more than one year, potential impacts will be minimized through the implementation of standard erosion and sediment control practices, including those identified in 1.d, above.
- f. Proposed action may result in increased erosion – See responses 1.d and 1.e.

Engel Burman at Uniondale, LLC
Attachment to Full Environmental Assessment Form – Part 3

- g. Proposed action is, or may be, located within a Coastal Erosion Hazard Area – Not applicable to Proposed Action. The subject property does not contain a CEHA.
- 2. Impact on Geological Resources – Not applicable to Proposed Action. The subject property does not contain or lie substantially contiguous to such resources (e.g., cliffs, dunes, etc.).
- 3. Impact on Surface Water – Not applicable to Proposed Action. The subject property does not contain and is not proximate to any surface water resources.
- 4. Impact on Groundwater –
 - a. Proposed action may require new water supply wells or create additional demand on existing wells – The proposed residences will use public water supplied by the Uniondale Water District, at a rate estimated in the EAF-Part 1 at 114,500 gallons per day. Confirmation of water availability will be obtained from Uniondale Water District as part of the project review and approval process, prior to the commencement of construction.
 - b. Proposed action may exceed safe and sustainable withdrawal capacity rate of the local water supply – See response 4.a.
 - c. Proposed action may result in residential uses in area without water and sewer services – Not applicable to Proposed Action. The proposed development will use existing Nassau County infrastructure for the collection, conveyance, treatment and disposal of sanitary wastewater and, as indicated in response 4.a, existing infrastructure of the Uniondale Water District for water supply. The applicant will install new on-site distribution and collection piping and appurtenances normally associated with development of this nature.
 - d. Proposed action may include wastewater discharge to groundwater – As indicated in response 4.c, wastewater disposal for the proposed development will occur via the municipal system; wastewater will not be discharged to groundwater.
 - e. Proposed action may involve construction of water supply wells in area where groundwater is known or suspected to be contaminated – Not applicable to Proposed Action. The proposed development will be served by existing water supply wells of the Uniondale Water District.
 - f. Proposed action may involve bulk petroleum or chemical storage – Not applicable to Proposed Action. The proposed residential development will not involve bulk petroleum or chemical storage; and, more generally, does not include uses that utilize or store hazardous materials, other than typical household products.
 - g. Proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources – The Proposed Action entails residential development, and may involve only minor application of pesticides for routine landscape maintenance, in the same manner as other, similar projects of this nature.

5. Impact on Flooding – Not applicable to Proposed Action. The subject property is not located in an area that is prone to flooding, and is not within any special flood hazard area as identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. The proposed development will include on-site infrastructure (e.g., catch basins, leaching pools, etc.) to accommodate stormwater runoff in compliance with applicable regulatory standards. The subject property does not occur in an area of shallow groundwater, does not contain soils that are poorly drained or that have other significant development limitations; and does not otherwise have physical characteristics that could potentially contribute to localized flooding.
6. Impact on Air – Not applicable to Proposed Action. The proposed residential development does not entail a significant new source of air emissions.
7. Impact on Plants and Animals –
 - a. Proposed action may result in population reduction or loss of individuals of threatened or endangered species – Not applicable to Proposed Action. Such species are not known to be present on or near the subject property.
 - b. Proposed action may result in loss of habitat for threatened or endangered species – See response 7.a.
 - c. Proposed action may result in population reduction or loss of individuals of special concern species – Not applicable to Proposed Action. Such species are not known to be present on or near the subject property.
 - d. Proposed action may result in loss of habitat for special concern species – See response 7.c.
 - e. Proposed action may impact a registered National Natural Landmark – Not applicable to Proposed Action. The subject property does not contain such a resource.
 - f. Proposed action may result in disturbance of a designated significant natural community – Not applicable to Proposed Action. The subject property does not contain such a resource.
 - g. Proposed action may substantially interfere with nesting/breeding, foraging or over-wintering habitat for the predominant species that occupy or use the project site – Wildlife on the site consists entirely of typical suburban species, especially rodents and common songbirds, which are adapted to coexisting with humans in a developed environment and are expected to continue occupying the subject property upon completion of the proposed development.
 - h. Proposed action would impact ten or more acres of forest or grassland or other regionally important habitat – Not applicable to Proposed Action. The subject property does not contain such habitat, and primarily is covered by managed turf.
8. Impact on Agricultural Resources – Not applicable to Proposed Action. The subject property does not contain such resources.
9. Impact on Aesthetic Resources
 - a. Proposed action may be visible from officially designated federal, state or local scenic resource – Not applicable to Proposed Action. No such resource is located on or proximate to the subject property.
 - b. Proposed action may result in obstruction, elimination or significant screening of one or more officially designated views – Not applicable to Proposed Action. No officially designated views exist in the area of the subject property.

Engel Burman at Uniondale, LLC
Attachment to Full Environmental Assessment Form – Part 3

- c. Proposed action may be visible from publicly accessible vantage points – Although the proposed development will be visible from some locations, such views will occur primarily from other portions of the AHP property and from Jerusalem Avenue, in an area where the visual environment already is dominated by development. The proposed project includes attractive architectural features and exterior finishes, which will be consistent with those of the residences in the surrounding area; a landscape plan, which will create a more naturalized and aesthetically appealing visual setting as viewed from off-site locations.
 - d. Proposed action may be visible during routine travel by residents or during recreational or tourist activities – See response 9.c.
 - e. Proposed action may cause diminishment of public enjoyment and appreciation of designated aesthetic resource – Not applicable to Proposed Action. The subject property is not a designated aesthetic resource and is not proximate to such a resource.
10. Impact on Historical and Archaeological Resources – Not applicable to Proposed Action. The proposed development site does not contain and is not substantially contiguous to designated historic resources, including resources listed in the State or National Registers of Historic Places or local historic landmarks identified by the Town of Hempstead. Furthermore, based on review of the New York State Historic Preservation Office's Cultural Resource Information System, no portion of the subject property contains designated archaeologically sensitive areas.
11. Impact on Open Space and Recreational Resources
- a. Proposed action may result in impairment of natural functions provided by an undeveloped area – The subject property currently contains 13.3± acres of grass fields and landscaping, which will be reduced to 6.6± acres under the proposed development plan (see also response 11.b). However, the project area currently is a portion of an active grounds of a health care facility and is not designated open space, and the *Nassau County Open Space Plan* does not identify the subject property as existing or potential open space.
 - b. Proposed action may result in loss of current or future recreational resource – The existing soccer fields on the site will be eliminated under the proposed development plan. However, as a condition to approval, the applicant has committed to providing replacement fields on the remainder of the AHP property, at a suitable location to be determined by the owner. The existing soccer fields have poor quality playing surfaces, and their relocation and reconstruction on a different portion of the AHP property will retain the availability of this community resource while improving its quality.
 - c. Proposed action may eliminate open space in an area with few such resources – See response 10.b. Several parks maintained by the Town of Hempstead are in the vicinity of the subject property, and on-site recreational facilities for use by residents are included in the proposed development.
 - d. Proposed action may result in loss of area used informally by the community as an open space resource – See response 10.b.
12. Impact on Critical Environmental Area (CEA) – Not applicable to Proposed Action. The subject property does not contain or lie substantially contiguous to any CEA.

Engel Burman at Uniondale, LLC
Attachment to Full Environmental Assessment Form – Part 3

13. Impact on Transportation – Proposed action may result in a change to existing transportation systems.

- a. Projected traffic increase may exceed capacity of existing road network – A Traffic Impact Study Report prepared for the Proposed action shows that project-generated traffic will result in only minor increases in overall delay at area intersections during peak hours.
- b. Proposed action may result in the construction of paved parking area for 500 or more vehicles – The proposed development will provide a total of 839 on-site parking spaces. This includes 508 parking spaces for the 190 non-age-restricted units, which corresponds to the requirement under the Town of Hempstead Zoning Code. On-site parking for 331 vehicles is proposed for the 198 age-restricted units, which is the requirement that would apply under the Zoning Code for a development of this size with an age-62 restriction in the GA zone. However, since the subject application requests relaxation of this provision, lowering the age restriction to 55, the Code specifies that the non-age-restricted parking requirement applies, resulting in a requirement under the Code of 529 spaces, such that a parking variance will be needed. However, the Traffic Impact Study Report shows that this proposed parking capacity will exceed the peak parking demand by 57 spaces (21 percent).

An existing area of paved parking situated on the subject property which serves the AHP facility will be displaced by the proposed development. However, the applicant has committed to providing replacement parking on the remainder of the AHP property, at a suitable location to be determined by the property owner.

- c. Proposed action will degrade existing transit access – Not Applicable to the Proposed Action. The only transit access available at the subject location is Nassau County bus service, which will not be affected by the proposed development.
- d. Proposed action will degrade existing pedestrian or bicycle accommodations – The proposed development will include accommodations for pedestrian and bicycle access.
- e. Proposed action may alter the present pattern of movement of people or goods – See response 13.a through 13.d.

14. Impact on Energy

- a. Proposed action will require a new, or an upgrade to an existing, substation – The energy needs of the proposed development have not yet been calculated. However, the project will comply with the requirements of the New York State Building Code, including provisions governing energy conservation. The subject property is close to various services (e.g., shopping, parks, library, etc.) which will reduce automobile travel by site residents as compared to locations where such facilities are more spatially dispersed. Additionally, the proposed development plan includes a centrally-located clubhouse center on each parcel, which residents will access on foot from their homes, thereby reducing vehicular fuel consumption compared to a residential site that lacks such facilities. Although an increase in energy usage associated with the proposed development is anticipated, correspondence will be sent to PSEG Long Island and National Grid informing them of the project and requesting service availability.

Engel Burman at Uniondale, LLC
Attachment to Full Environmental Assessment Form – Part 3

- b. 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 – See response 14.a.
- c. Proposed action may utilize more than 2,500 MWhrs per year of electricity – See response 14.a.
- d. Proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed – See response 14.a.

15. Impact on Noise, Odor and Light

- a. Proposed action may produce sound above noise levels established by local regulation – Noise during construction of the proposed development will be governed by the relevant provisions of Hempstead Town Code including, but not limited to, Chapter 144 (Unreasonable Noise), which will preclude construction activities during sensitive hours and will help to minimize noise intrusion to surrounding uses when construction is in progress; and any such noise generation will be temporary, ceasing upon completion of construction. Operation of the proposed development, consisting of residential uses, is not expected to generate noise in excess of ambient levels, given the densely developed suburban setting in which the subject property is located.
- b. Proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home – Not applicable to Proposed Action. No blasting will occur during construction.
- c. Proposed action may result in routine odors for more than one hour per day – Not applicable to Proposed Action. Residential uses of the type proposed do not typically produce odors.
- d. Proposed action may result in light shining onto adjoining properties – All lighting fixtures in the proposed development will be properly shielded, in accordance with good engineering practice and typical site plan approval standards, to prevent significant illumination across the property line.
- e. Proposed action may result in lighting creating sky-glow brighter than existing area conditions – See response 15.d.

16. Impact on Human Health

- a. Proposed action is located within 1,500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community – The proposed development will occupy a portion of the existing AHP Extended Care Facility. However, the site will be separated from the remaining campus by 1st Street, and the proposed residential uses will not adversely impact the continuing use of the skilled nursing facility.
- b. Site of the proposed action is currently undergoing remediation – Several minor hazardous material spills which are reported to have occurred on the AHP property have all been closed by the New York State Department of Environmental Conservation (NYSDEC). The AHP property also has been identified as containing levels of residual arsenic and chlordane in shallow soils slightly exceeding applicable NYSDEC standards. Based on input from NYSDEC it is understood that, prior to the start of construction, further remedial activities will have to be completed. In initial discussions with the applicant, NYSDEC has agreed,

subject to the signing of a formal agreement, to a remedial concept consisting of scraping shallow soils and using this material to construct the base of low berms along the site perimeter. These berms will be capped with clean fill and topsoil and planted with evergreen trees. In addition to avoiding the substantial expense that would be incurred with the alternative of transporting and disposing marginally impacted soils off-site, such a plan also will provide enhanced visual screening around the perimeter of the site, to the benefit of the adjoining residential neighbors, while still protecting the health and safety of the new residents of the proposed development as well as residents in the surrounding area.

- c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action – See response 16.b.
- d. Site of proposed action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction) – See response 16.b. The applicant will abide by any institutional controls that may be established in connection with the pending remediation of the subject property.
- e. 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 – See response 16.d.
- f. 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 – Not applicable to Proposed Action, which will not involve the generation, treatment and/or disposal of hazardous wastes.
- g. Proposed action involves construction or modification of a solid waste management facility – Not applicable to Proposed Action. The subject property is not an existing or proposed solid waste management facility.
- h. Proposed action may result in the unearthing of solid or hazardous waste – Not applicable to Proposed Action. The subject property has not been identified as a potential hazardous waste disposal site.
- i. Proposed action may result in an increase in the rate of disposal, or processing, of solid waste – Not applicable to Proposed Action. The subject property is not an existing or former solid waste management facility.
- j. Proposed action may result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste – Not applicable to Proposed Action. No such site is located within 2,000 feet of the subject property.
- k. Proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures – Not applicable to Proposed Action. The subject property is not an existing or former landfill and is not located adjacent to such a facility.
- l. Proposed action may result in the release of contaminated leachate from the project site – Not applicable to Proposed Action. The subject property has not been identified as having underlying groundwater contamination.

Engel Burman at Uniondale, LLC
Attachment to Full Environmental Assessment Form – Part 3

17. Consistency with Community Plans

- a. Proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s) – Land uses within a half-mile radius of the subject property are varied and include educational, municipal, commercial, transportation, public utility, recreational, vacant land, institutional, single-family and multi-family residential uses. Five multi-family developments are located within a half-mile of the subject property. The proposed multi-family development is consistent with this existing, mixed-use, land use setting.
- b. 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% – Not applicable to Proposed Action. The population of the proposed development will be much less than five percent of the current population of the Town of Hempstead.
- c. Proposed action is inconsistent with local land use plans or zoning regulations – The Proposed Action requires a change of zone for both parcels. However, both proposed zoning districts are currently provided for in the Town of Hempstead Zoning Code and are in place at various locations in the area surrounding the subject property. Furthermore, the Proposed Action will help to address a shortage of alternative housing options, beyond the single-family homes which predominate in the Town of Hempstead and the region. More specifically, two particular residential options are proposed: "Millennial" rental housing for young adults, including students at nearby universities; and rental housing for senior, "empty nesters". In designing the former units, the Applicant met with local university administration and has accounted for their input; and, although these units are not proposed to be age-restricted, their design is intended to appeal to a target market of young adults.
- d. Proposed action is inconsistent with any County plans, or other regional land use plans – The Proposed Action is consistent with the *Uniondale Community Vision Plan*, which was developed by the Town of Hempstead through a community-driven process that began in 2011.
- e. Proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure – The infrastructure (e.g., roadways, sanitary sewers, are water mains) required for the Proposed Action is available at the subject location.
- f. Proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure – See response 17.a, 17.c, and 17.e.
- g. Proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action) – Existing support facilities (e.g., commercial, community services, recreational, etc.) are available in the surrounding area to serve the needs of the proposed residential development, such that significant secondary development is not expected to occur.

18. Consistency with Community Character

- a. Proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community – Not applicable to Proposed Action. No such facilities, structures or areas are located on the subject property.

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Attachment to Full Environmental Assessment Form – Part 3

- b. Proposed action may create a demand for additional community services (e.g. schools, police and fire) – The proposed development will place an additional demand on community services, including emergency services (fire and police protection, and ambulance service). However, it is not anticipated that this increase in demand will be significant, as the subject property and proposed magnitude of development represents a small proportion of the existing service area and customer base for these agencies. Currently, the subject property, in public ownership and use, generates no property tax revenues. Furthermore, the applicant will retain control over the subject property, by means of a long-term lease/license agreement, and will provide and/or contract for all on-site maintenance services (e.g., common facility repairs and maintenance, snow removal, solid waste collection and removal, etc.). Additionally, if the Proposed Action is approved, the applicant will assume responsibility for maintaining 1st Street (i.e., snow removal, street sweeping, pavement repairs, etc.); currently, 1st Street is part of the internal roadway network on the AHP campus which is maintained by the owner of that facility.

The Applicant has discussed fire safety and emergency access aspects of the proposed project with representatives of Uniondale Fire Department, and no significant issues were identified by that agency. Continued coordination will occur to ensure that the final project design addresses any further input from the Fire Department. All buildings will be equipped with sprinklers and fitted with fire alarms.

It is intended that the proposed development be serviced by a private carter for solid waste collection and disposal. However, on-site solid waste collection facilities will be designed in compliance with Town of Hempstead standards, to allow for ready conversion to municipal collection if there is a switch to such service in the future. On-site accommodations will be provided for recycling, in accordance with Town of Hempstead requirements.

The proposed 198 units of age-restricted housing will not include any minor residents and, therefore, will not generate any new students requiring services from Uniondale School District. The proposed 190 units of non-age-restricted units could include school-aged residents, as minors cannot be prohibited in such housing. Based on available studies, it is estimated that the proposed development could contain a maximum of 30 school-age residents. However, these studies do not account for the unique characteristics of the proposed development – such as a layout designed and intended specifically for young adults, including college students, which will be less appealing to families or parents with young children – and the actual number of school children generated by the Proposed Action is not expected to exceed more than a handful.

As previously mentioned, the subject property contains soccer fields which will be eliminated under the Proposed Action. However, as a condition to approval, the applicant has committed to providing replacement fields on the remainder of the AHP property, at a suitable location to be determined by the owner.

- c. Proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing – Not applicable to Proposed Action. The subject property will not displace affordable or low-income housing.
- d. Proposed action may interfere with the use or enjoyment of officially recognized or designated public resources – Not applicable to Proposed Action. The subject property does not contain such resources.

- e. Proposed action is inconsistent with the predominant architectural scale and character – The proposed development will be consistent with predominant architectural scale and suburban character in the vicinity of the subject property. Although a variance will be requested for building height, this pertains to the number of stories (i.e., three stories proposed, 2-½ stories permitted); the proposed three-story buildings will be compliant in terms of roof height in feet above grade. Furthermore, to provide for enhanced compatibility, the buildings constructed on the west side of the subject property, adjacent to the existing single-family homes, will only be two stories in height, and an extensive landscaping plan will be implemented which includes dense buffer plantings (consisting of a combination of deciduous tree plantings and evergreen screening plantings) on a low berm along the perimeter of the subject property. Landscaped medians with deciduous trees will be constructed throughout the interior, providing additional screening from nearby uses.
- f. Proposed action is inconsistent with the character of the existing natural landscape – The natural landscape in the area around the subject property is highly fragmented by the predominating components of the built environment. The proposed development is consistent with this character, with small-scale multi-family housing, consistent with density provisions in the Town of Hempstead Zoning Code for the applicable districts, as softened by a robust landscaping plan.

FORM NYS-45

Attach most recent quarterly filing of Form NYS-45 and 45-ATT, as well as the most recent fourth quarter filing. Please remove the employee social security numbers and note which employees are part-time.

N/A

OTHER ATTACHMENTS

Part I.J. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors?

In the early 1990s, certain entities in which Jan Burman held a membership interest declared bankruptcy. Proceedings for each of these have been completed.

Part III.C. The Applicant has incurred the following costs as of the date of this Application:

Land Deposit	\$127,500.00
Architect	\$12,000.00
Consultants	\$91,812.00
Applications	\$1,250.00
Accounting	\$1,212.00
Legal	\$36,608.00
Admin	\$3,807.00
Environmental	\$9,750.00
Geotech	\$5,580.00
Survey	\$18,419.00
Market Study	\$1,930.00
TOTAL	\$309,868.00

EXHIBIT A

Upon acceptance of the Application by the Agency for processing and completion of the Cost/Benefit Analysis, the Agency will attach a proposed PILOT Schedule hereto, together with an estimate of the net tax benefit/cost of the proposed PILOT Schedule.

NCIDA-Engel Burman Senior Housing at Uniondale LLC
PILOT Chart
(Section 50, Block G, P/O 279)

Year	Base Taxes¹	Base PILOT²	A/V Phase-In³	PILOT Rate⁴	Improvement PILOT⁵	Total PILOT⁶
1	270,435	0	0	804.806	0	0
2	270,435	0	0	817.434	0	0
3	270,435	0	0	831.003	0	0
4	270,435	284,127	15,471	844.798	130,699	414,826
5	270,435	288,844	30,942	858.822	265,736	554,580
6	270,435	293,639	46,413	873.078	405,222	698,861
7	270,435	298,513	61,884	887.571	549,264	847,777
8	270,435	303,469	77,355	902.305	697,978	1,001,447
9	270,435	308,506	92,826	917.283	851,477	1,159,983
10	270,435	313,627	108,297	932.510	1,009,880	1,323,507
11	270,435	318,834	123,768	947.990	1,173,308	1,492,142
12	270,435	324,126	139,239	963.726	1,341,882	1,666,008
13	270,435	329,507	154,710	979.724	1,515,731	1,845,238
14	270,435	334,976	170,181	995.987	1,694,981	2,029,957
15	270,435	340,537	185,652	1,012.521	1,879,765	2,220,302

1. Base Taxes on land only as estimated by SVS Report dated December 11, 2017 (2017 General; = \$113,119; 2017/18 School = \$157,317).
2. Bases Taxes increased by 1.66% per year after first year (however, Base PILOT is zero for first three years) (rounded).
3. As completed estimated A/V upon completion (\$216,800, as estimated by SVS), less Base Tax A/V (\$31,148) (or \$185,652), phased in evenly over years 4-15 at \$15,471 per year.
4. Sum of tax rates (per \$100 of A/V) in effect at closing (\$735.1100 for 2017 Class II General; \$428.976 for Class II School), increased by 1.66% per year.
5. A/V Phase - In times PILOT Rate.
6. Base PILOT plus Improvement PILOT

EXHIBIT B

Fair Housing/Equal Housing Opportunity Policy to be adopted by Agency Applicants for Housing Projects

As part of our continuing effort to ensure compliance with federal, state, and local anti-discrimination laws, we would like to take this opportunity to remind you of our policies regarding equal housing opportunity. It is important for all employees to review his or her own actions in light of these requirements and for everyone to keep in mind the importance of treating all persons equally.

It is the policy and practice of this company not to engage in or assist the efforts of others to engage in housing discrimination. Consistent with that policy, we remind you that the antidiscrimination laws of the United States, New York State, and local laws are quite specific in the area of housing, and in conformance with those laws, you must not engage in any of the following conduct during the course of your work for this company:

1. Refuse to show, rent, sell, negotiate for the rental or sale of, or otherwise make unavailable or deny, housing to any person because of race, color, religion, creed, sex/gender, familial status (having or expecting a child under 18), national origin, ethnicity, disability, marital status, age, sexual orientation, military status, source of income or status as survivor of domestic violence (each a "prohibited basis");
2. Discriminate against any person in the terms, conditions or privileges of a rental or sale or in the provision of services or facilities in connection therewith because of a prohibited basis;
3. Make any verbal or written statement with respect to the rental or sale of housing that indicates any preference, limitation or discrimination concerning a prohibited basis, or any statement indicating an intention to make any such preference, limitation or discrimination;
4. Represent to any person because of a prohibited basis that any housing or unit is not available for inspection, rental or sale when such apartment is in fact so available;
5. Steer persons into or away from certain areas of a building, development or neighborhood because of a prohibited basis;
6. Refuse to provide a reasonable accommodation in rules, policies, practices or services for tenants, buyers, or applicants with disabilities; and
7. Refuse to allow a reasonable modification to individual units or common areas for tenants, buyers, or applicants with disabilities.
8. We are firmly committed to the goal of fair housing. You should understand that any violation of this Fair Housing/Equal Housing Opportunity Policy will lead to discipline, up to and including discharge.

EXHIBIT C

Sample Fair Housing Posters

U. S. Department of Housing and Urban Development



EQUAL HOUSING
OPPORTUNITY

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- | | |
|--|--|
| <input checked="" type="checkbox"/> In the sale or rental of housing or residential lots | <input checked="" type="checkbox"/> In the provision of real estate brokerage services |
| <input checked="" type="checkbox"/> In advertising the sale or rental of housing | <input checked="" type="checkbox"/> In the appraisal of housing |
| <input checked="" type="checkbox"/> In the financing of housing | <input checked="" type="checkbox"/> Blockbusting is also illegal |

Anyone who feels he or she has been
discriminated against may file a complaint of
housing discrimination:

1-800-669-9777 (Toll Free)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Discrimination is illegal

Form HUD-928.1 (6/2011)

HOUSING
DISCRIMINATION IS
SOMETIMES **BLATANT**,
SOMETIMES
BUT ALWAYS **UNLAWFUL**.

DO YOU SUSPECT YOU HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF YOUR AGE, RACE, DISABILITY, FAMILIAL STATUS, OR BECAUSE YOU ARE A MEMBER OF OTHER PROTECTED CLASSES? IF YOU WITNESS OR EXPERIENCE DISCRIMINATION, CONTACT THE NEW YORK STATE DIVISION OF HUMAN RIGHTS AT 1-888-392-3644 OR WWW.DHR.NY.GOV

This advertisement was developed in cooperation with the NY State Office of Human Rights and the U.S. Department of Housing and Urban Development.

DEPARTMENT OF
HUMAN
RIGHTS

NY
WEIGED



EXHIBIT D
Requirements for Affirmative Marketing Plans for Housing Projects

Affirmative marketing plans submitted by the Applicant shall be required only for affordable or "workforce" units and shall contain the following information:

1. Street address, village, town, zip code, and census tract number for the Project;
2. Number of affordable units to be marketed and whether they will be available for rent or purchase;
3. The number, if any, and location of market rate units included in the Project;
4. Whether the housing will be "housing for older persons", defined as at least 80% occupancy of units with at least one person 55 or older or 100% occupancy of persons age 62 or older;
5. A description of how units will be advertised for sale or rental prior to first occupancy, including whether Applicant will utilize its own website, commercial websites, print media outlets, social media outlets such as Facebook, a sign at the project site, mailings, leaflets/flyers, brochures, and other forms of advertising;
6. A statement that the Applicant will use fair housing logo or phrase "Equal Housing Opportunity" on all advertising described above;
7. A statement that the Applicant will distribute written information regarding the availability of affordable units at the project to a list of organizations provided to the Applicant by the Agency, which list may be updated annually;
8. Whether the Applicant will conduct the marketing and initial rent-up or sales itself or contract with a third-party;
9. A statement that an initial application period with a specific start and end date will be utilized for accepting applications for consideration for the initial rental of the units and that the period will last for at least thirty (30) days after the marketing described in this plan is commenced. In addition, a statement that following the initial application period, all the applications submitted during the initial application period will be considered through the use of a lottery and not on a first-come first-served basis, unless the number of applications received during the initial application period is less than the total number of units available for rental.
10. A statement that the Applicant will maintain records of the activities it undertakes to implement its marketing plan.