



SUMMARY OF 8-STEP FLOODPLAIN ANALYSIS FOR THE NEW MOXEY RIGBY APARTMENTS PROJECT

Step 1: Determine if the proposed action is in a 100-year floodplain.

This action is the replacement of the existing Moxey Rigby Apartments complex at 33 Buffalo Avenue in the Village of Freeport, Town of Hempstead, Nassau County, New York, with a new apartment complex located across the street at 195 East Merrick Avenue. The two sites are located completely within Special Flood Hazard Area (SFHA) Zone AE (100-year flood areas where the base flood elevation have been determined), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36095C0239G, dated September 11, 2009. This map is attached to this document. Areas designated as an SFHA are those subject to inundation by the 1 percent annual chance flood (e.g., a 100-year flood), also known as the base flood.

Step 2: Notify the public of the intent to locate the proposed action in a floodplain.

An early public notice of proposed activity within the 100-year floodplain was published by the Governor's Office of Storm Recovery on June 16, 2016 (see attached notice). The notice requested comments from the public concerning floodplain and natural resource impacts of the proposed action. The notice explained that the proposed action would be evaluated for potential direct and indirect impacts associated with floodplain development and, where practicable, would be designed or modified to minimize potential adverse impacts to lives, property, and natural values within the floodplain. The notice was published in the *Freeport Leader* and posted at <http://www.stormrecovery.ny.gov/environmental-docs>. The required 15-day period was conducted to allow for public comments, and comments were accepted either electronically or via written correspondence.

Step 3: Identify and evaluate practicable alternatives to locating the proposed action in a floodplain.

Alternatives to the proposed action considered:

Alternative 1: Relocation Outside of 100-year floodplain

The Freeport Housing Authority considered alternatives to the proposed action, but could not acquire an available site outside the floodplain that met the parameters necessary to accommodate this replacement housing project. Mapping of the publicly owned parcels within the Village was prepared and reviewed. The Village of Freeport is an established, wholly developed village that does not have large, vacant properties available for development. The

Village reviewed all publicly owned parcels within the Village that can be converted to residential use, and/or are of sufficient size to accommodate a 100-unit residential apartment building. A review of publicly available properties found that those parcels that met the requirements are also within the 100-year floodplain. Some of these parcels are already committed to and occupied by uses that cannot be converted to residential use and/or are of insufficient size. These parcels included:

- Larger parking lots adjacent to the Long Island Railroad Freeport Train Station that are committed to regional transit use.
- The Village Recreation Center and a large recreational field that are committed to those uses.
- The majority of parcels within the Village are small lot residential properties that are developed, and cannot accommodate the size of building necessary to replace the existing 100 dwelling units at the existing Moxey Rigby complex.

The Village could not acquire an available site outside the 100-year floodplain that met the parameters necessary to accommodate this replacement housing project. The ability to construct this new replacement housing development depends on the availability of “for sale,” private, developed sites with adequate acreage that can be redeveloped for the intended purposes. Private sites of sufficient size to meet the project’s needs are limited to parcels that were previously developed with large warehouse and/or manufacturing buildings, but are no longer being used for those purposes.

Given the limitations described above, the Freeport Housing Authority determined that the subject property at 195 East Merrick Road would best meet its needs to accommodate the replacement building. For the 195 East Merrick Avenue site, the Applicant must assemble multiple properties to ensure that the development site is of sufficient size to accommodate ancillary uses, including on-site parking and recreational space.

Further, and importantly, the 195 East Merrick Road site is located across the street (Buffalo Avenue) from the existing site, so that any adverse socioeconomic impacts associated with relocation are minimized. The proposed site is located in close proximity to the same shopping, school, recreation, transit and other facilities that have been serving the existing residents at the current site.

Alternative 2: Repair in Place

The Freeport Housing Authority considered the remediation and replacement of the damaged infrastructure at the existing Moxey Rigby Apartments. The existing building is also located within the 100-year floodplain, and all remediation and repair work would still occur within the 100-year floodplain. Even with the remediation and repairs that can be implemented within the old structures, the age and design of the structures would not allow for them to be made compliant with modern safety and floodplain development standards. The existing complex could not be elevated above the BFE, as required by Village local law, to meet the standards necessary to secure a floodplain development permit. Under this alternative, the building and tenants would still be at risk for flooding from storm events. The amount of impervious surface in the 100-year floodplain would not be reduced.

Alternative 3: No Action Alternative

Under the no action alternative, the Freeport Housing Authority could implement remediation and replacement of the damaged infrastructure at the existing Moxey Rigby Apartments as described above. However, even with the repairs, the existing the building would not be compliant with modern safety and floodplain development standards and tenants would still be at risk from flooding associated with storm events.

Step 4: Identify and describe the proposed action’s direct and indirect effects associated with occupying or modifying the floodplain.

The 100-year floodplain on both sites is all previously disturbed. The existing development includes impermeable surfaces associated with structures and parking lots.

Under the proposed action, the entire 2.44-acre 195 East Merrick Avenue site would be disturbed, all of which is in the 100-year floodplain. The short-term direct impacts to the 100-year floodplain would consist of demolition of the existing structures, removal of the existing asphalt parking lots, remediation of several areas with contaminated soils, and regrading of the site. Fill would be added to the project site to bring it to an appropriate grade of approximately four (4) feet above the BFE. This elevation would allow space necessary to install drainage facilities. A 5-story multifamily residential building with a ground-floor parking structure would be constructed. Residential units would begin on the second floor. The new site would include a basketball court, playground, and a community room.

Long-term direct impacts would include replacement of impervious surface with new impervious surface, with integral drainage systems. As a result, the proposed action represents short-term impacts to previously disturbed areas.

Currently, the property has virtually no on-site stormwater storage, so most runoff is into the Village’s stormwater system. Adding the fill to the site would allow for the construction of an on-site subsurface stormwater retention and recharge system designed to accommodate a five (5) inch storm event. Retaining and recharging project runoff on-site, would allow for handling of a large storm event with no overflow to the Village’s stormwater drainage network. This represents a long-term beneficial change to the condition of the 100-year floodplain.

The existing Moxey Rigby Apartment complex at the 2.2-acre 33 Buffalo Avenue site would be decommissioned and demolished. The former administrative area on the north end of the existing Moxey Rigby site may be retained and utilized for storage.

Direct impacts include demolition of most of the existing impervious surface. The proposed action represents short-term impacts to previously disturbed areas and may result in a beneficial change to the condition of the 100-year floodplain. As the final use of the existing site is unknown at this time, the long-term impacts to the 33 Buffalo Avenue site are unknown. Additional environmental review may be required when final use is determined.

Step 5: Identify methods to minimize the potential adverse impacts within a floodplain and to restore and preserve its natural and beneficial values.

The short-term impacts would be mitigated by best management practices for debris, dust, and erosion control during demolition and construction activities. The project site is already fully

developed in an urban area and zoned for urban use. Any redevelopment of the site would still be urban. The proposed action overall represents an improvement to the current impervious nature of both sites and would replace the current at-risk apartments with flood-resistant apartments. The proposed action's drainage features would improve the current condition of the floodplain at the 195 East Merrick Avenue site for the new apartments. The Moxey Rigby Apartments site at 33 Buffalo Avenue would be improved by the removal of most impervious surfaces. Any future use would have to be compatible with modern safety and floodplain development standards.

Step 6: Reevaluate the proposed action to determine if it is still practicable given its floodplain effects.

The proposed action would replace the current at-risk apartment complex structures with a new flood-resistant apartment structure, reducing the tenants' risk from flooding associated with storm events. The project, as proposed, would reduce potential hazards to human safety, health, and welfare, and is considered practicable.

The no action alternative remains impracticable because there would be no reduction in at-risk structures, no reduction of tenants' risk from storm events, and no increase in the amount of resilient, sustainable, affordable housing in the region.

Step 7: If the only practicable alternative is locating in a floodplain, publish a final public notice.

It has been determined that there is no practicable alternative to locating the project in the floodplain.

A final public notice will be published in accordance with 24 CFR Part 55 for a minimum 7-day comment period. The final notice will detail the reasons why the action must be located in the floodplain, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed action, in compliance with Executive Order 11988 and 24 CFR Part 55.

Step 8: The proposed action can be implemented after steps 1 through 7 have been completed.

Implementation of the proposed action may require additional local and state permits, which could place additional design modifications or mitigation requirements on the project.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations and Transect Data tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations and Transect Data tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was New York State Plane FIPSZONE 3104. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSM-C-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3182
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was provided in digital format by the New York State Office of Cyber Security and Critical Infrastructure Coordination. This information was derived from digital orthophotography produced at a 1.0-foot pixel resolution from photography dated 2007.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for the Northeast Branch Nissequogue River in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map showing the layout of map panels for this jurisdiction.

The AE Zone category has been divided by a **Limit of Moderate Wave Action (LMWA)**. The LMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LMWA (or between the shoreline and the LMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfp>.

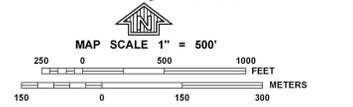
COASTAL BARRIER RESOURCES SYSTEM (CBRS) LEGEND

- 11-16-1990 CBRS Area**
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1990, IN DESIGNATED CBRS AREAS.
- 11-16-1991 Otherwise Protected Area (OPA)**
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 16, 1991, IN DESIGNATED OPAs WITHIN THE CBRS.
- 11-15-1993 CBRS Area**
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER NOVEMBER 15, 1993, IN DESIGNATED CBRS AREAS.
- 2-24-1997 Otherwise Protected Area (OPA)**
FLOOD INSURANCE NOT AVAILABLE FOR STRUCTURES NEWLY BUILT OR SUBSTANTIALLY IMPROVED ON OR AFTER FEBRUARY 24, 1997, IN DESIGNATED OPAs WITHIN THE CBRS.

Boundaries of the **John H. Chafee Coastal Barrier Resources System (CBRS)** shown on this FIRM were transferred from the official CBRS source map(s) for this area and are depicted on this FIRM for informational purposes only. The official CBRS maps are enacted by Congress via the Coastal Barrier Resources Act, as amended, and maintained by the U.S. Fish and Wildlife Service (FWS). The official CBRS maps used to determine whether or not an area is located within the CBRS are available for download at <http://www.fws.gov>. For an official determination of whether or not an area is located within the CBRS, or for any questions regarding the CBRS, please contact the FWS field office for this area at (631) 776-1401.

LEGEND

- SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**
- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently identified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE**
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS**
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- Base Flood Elevation line and value; elevation in feet* (EL 987)
- Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988
- Cross section line
- Limited detail cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 18
- 5000-foot grid values: stateplane State Plane coordinate system, szone (FIPSZONE fipszone), spherename projection
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- River Mile
- MAP REPOSITORY
Refer to listing of Map Repositories on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
April 2, 1997
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
September 11, 2009 - Change Base Flood Elevations to change Special Flood Hazard Areas, to update map format, to change zone designations, to update the effects of wave action, to incorporate Primary Frontal Dune analysis, to reflect revised shoreline, to reflect the effects of coastal erosion, and to reflect updated topographic information
- For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.
- To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6623.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0239G

FIRM
FLOOD INSURANCE RATE MAP
for NASSAU COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
FREEPORT, VILLAGE	360464
OF HEMPSTEAD, TOWN OF	360467

PANEL 239 OF 366
MAP SUFFIX: G
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

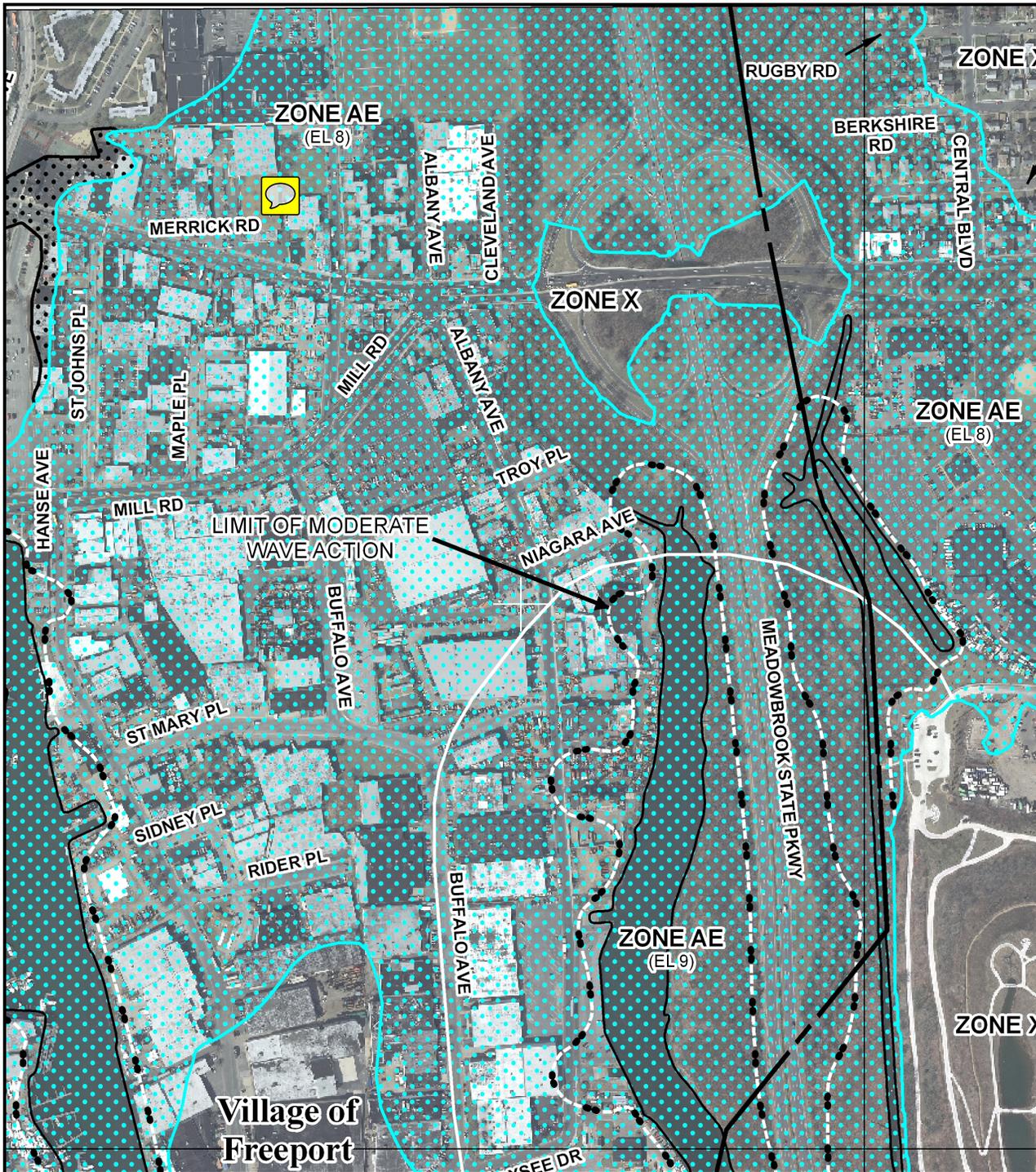
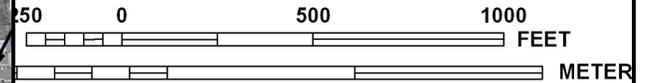
MAP NUMBER
36059C0239G

MAP REVISED
SEPTEMBER 11, 2009

Federal Emergency Management Agency



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0239G

FIRM

FLOOD INSURANCE RATE MAP

for NASSAU COUNTY, NEW YORK
(ALL JURISDICTIONS)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>
FREEPORT, VILLAGE OF	360464
HEMPSTEAD, TOWN OF	360467

- NOTE -

THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

PANEL 239 OF 366

MAP SUFFIX: G

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36059C0239G

MAP REVISED
SEPTEMBER 11, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

*Baldwin Herald
Bellmore Herald Life
East Meadow Herald
Franklin Square/Elmont Herald
Freeport Leader
Long Beach Herald
Lynbrook/East Rockaway Herald
Malverne/W.Hempstead Herald*



*Merrick Herald Life
Nassau Herald
Oceanside/Island Park Herald
Oyster Bay Guardian
Rockaway Journal
Rockville Centre Herald
South Shore Record
Valley Stream Herald
Seaford Herald Citizen
Wantagh Herald Citizen*

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
COUNTY OF NASSAU

James Slatus being duly sworn,
deposes and says that he/she is the principal clerk
of Richner Communications, Inc., publishers of the

Freeport Leader

A weekly newspaper published and mailed at

Freeport

New York, and the attached Notice of

Moxey Rigby Apartments

was published in the issue(s) of that paper as
follows: 6/16/16

James Slatus

Subscribed and sworn to
before me this day
of 2016

Haus Farberman

Notary Public

HOLLIS FARBERMAN
Notary Public, State of New York
No. 01FA6045890
Qualified in Nassau County
Commission Expires July 31, 2018

**2 Endo Boulevard, Garden City, New York 11530
Phone: 516-569-4000 Fax 516-569-4942**

Baldwin Herald
Bellmore Herald Life
East Meadow Herald
Franklin Square/Elmont Herald
Freeport Leader
Long Beach Herald
Lynbrook/East Rockaway Herald
Malverne/W.Hempstead Herald



Merrick Herald Life
Nassau Herald
Oceanside/Island Park Herald
Oyster Bay Guardian
Rockaway Journal
Rockville Centre Herald
South Shore Record
Valley Stream Herald
Seaford Herald Citizen
Wantagh Herald Citizen

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
 COUNTY OF NASSAU

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A weekly newspaper published and mailed at

Freeport

New York, and the attached Notice of

Publication of the New Moxey Rigby Apartments

published in the issue(s) of that paper as

follows: 6/16/16

James Slater

scribed and sworn to

before me this day

2016

Hollis Farberman

Notary Public

HOLLIS FARBERMAN

Notary Public, State of New York

No. 01FA6045890

Qualified in Nassau County

Commission Expires July 31, 2018

Boulevard, Garden City, New York 11530

Phone: 516-569-4000 Fax 516-569-4942

LEGAL NOTICE

EARLY NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN NEW MOXEY RIGBY APARTMENTS

Village of FREEPORT, Town of Hempstead
 Nassau County, New York
 Lori A. Shirley, Certifying Environmental Officer
 Governor's Office of Storm Recovery

38-40 State Street
 Albany, NY 12207

NOTIFICATION OF ACTIVITY IN A 100-YEAR FLOODPLAIN

To: All interested Agencies, Groups, and Individuals
 This document gives notice

that the Governor's Office of Storm Recovery (GOSR) under 24 CFR Part 58 has determined that the New Moxey Rigby Apartments Project in the Village of Freeport, Town of Hempstead, Nassau County, New York (Project) is located in the 100-year floodplain. GOSR is conducting an environmental review of the Project on behalf of the State of New York as the recipient of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 USC 5304(g) and 70 Fed. Reg. 62,182 (Oct. 16 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, GOSR will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as potential impacts on the floodplain.

Pursuant to the CDBG-DR Program and Federal Register Notices 78 Fed. Reg. 14329, 78 Fed. Reg. 69104, and 79 Fed. Reg. 62194 (Notices), published March 5, 2013, November 18, 2013, and October 16, 2014, respectively, the State of New York has been allocated approximately \$4.4 billion of CDBG-DR funds for storm recovery activities, including but not limited to the acquisition, demolition, reconstruction, improvement, financing and use of existing properties in storm-impacted communities and counties.

The Freeport Housing Authority and GG Acquisitions, LLC, (a joint venture) proposes to replace the existing Moxey Rigby Apartment complex at 33 Buffalo Avenue in the Village of Freeport, Town of Hempstead, Nassau County, New York with a new apartment complex located across the street at 195 East Merrick Avenue. The Project would include demolition of the

story storage, warehouse, and distribution facility. The new apartment building would meet modern and sustainable building design standards. The two sites are located completely within Special Flood Hazard Area (SFHA) Zone AE (100-year flood areas where the base flood elevation have been determined), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36095C0239G, dated September 11, 2009. All 2.44 acres of the new site would be disturbed by the Project. The existing buildings would be demolished and existing footings and other subsurface structures removed. Several areas with contaminated soils would be remediated. Fill would be added to the project site to bring it to an appropriate grade of approximately four (4) feet above the base flood elevation. This elevation would allow space necessary to install drainage facilities. A 5-story multifamily residential building with the ground floor designed as a parking structure would be constructed. Residential units would begin on the second floor. The new site would include a basketball court, playground, and a community room. After the residents are relocated from the existing Moxey Rigby Apartment complex to the new apartment building, the residential buildings of old Moxey Rigby Apartment complex would be decommissioned and demolished. The former administrative area on the north end of the existing Moxey Rigby site may be retained and also be utilized for storage. The final use of the existing site is unknown at this time. There are three primary purposes for this notice. First, citizens who may be affected by activities in floodplains and

Freeport, Town of Hempstead, Nassau County, New York (Project) is located in the 100-year floodplain. GOSR is conducting an environmental review of the Project on behalf of the State of New York as the recipient of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 USC 5304(g) and 70 Fed. Reg. 62,182 (Oct. 16 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, GOSR will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as potential impacts on the floodplain.

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The existing Moxey Rigby Apartment complex, owned by the Freeport Housing Authority, consists of six (6) above ground buildings located on approximately 2.2 acres with an administrative building located on the north end of the existing site. The existing complex was constructed in and around 1957 and is not designed to modern floodplain development standards. As a result, it has been subjected to recurring flooding, and most recently sustained significant damage as a result of Superstorm Sandy.

The proposed site for the new Moxey Rigby Apartments is a 2.44 acres site located across Buffalo Avenue to the east of the existing apartment complex. The proposed site is made up of parcels located at 12 Buffalo Avenue and 195 East Merrick Avenue and is currently occupied by a one-

story storage, warehouse, and distribution facility. The new apartment building would meet modern and sustainable building design standards. The two sites are located completely within Special Flood Hazard Area (SFHA) Zone AE (100-year flood areas where the base flood elevation have been determined), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36095C0239G, dated September 11, 2009. All 2.44 acres of the new site would be disturbed by the Project. The existing buildings would be demolished and existing footings and other subsurface structures removed. Several areas with contaminated soils would be remediated. Fill would be added to the project site to bring it to an appropriate grade of approximately four (4) feet above the base flood elevation. This elevation would allow space necessary to install drainage facilities. A 5-story multifamily residential building with the ground floor designed as a parking structure would be constructed. Residential units would begin on the second floor. The new site would include a basketball court, playground, and a community room. After the residents are relocated from the existing Moxey Rigby Apartment complex to the new apartment building, the residential buildings of old Moxey Rigby Apartment complex would be decommissioned and demolished. The former administrative area on the north end of the existing Moxey Rigby site may be retained and also be utilized for storage. The final use of the existing site is unknown at this time. There are three primary purposes for this notice. First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk. PUBLIC COMMENTS Any individual, group, or agency may submit written comments on the proposed action or a request for further information to: Thomas King, Assistant General Counsel and Certifying Environmental Officer. Governor's Office of Storm Recovery 38-40 State Street Albany, NY 12207 Attn: Lori A. Shirley, Certifying Environmental Officer All comments received by July 1, 2016 will be considered. Lori A. Shirley, Certifying Environmental Officer June 16, 2016 847464

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Haus Farberman

Notary Public

HOLLIS FARBERMAN
Notary Public, State of New York
No. 01FA6045890
Qualified in Nassau County
Commission Expires July 31, 2018

Boulevard, Garden City, New York 11530
one: 516-569-4000 Fax 516-569-4942



**EARLY NOTICE AND PUBLIC EXPLANATION OF
A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN
NEW MOXEY RIGBY APARTMENTS
VILLAGE OF FREEPORT, TOWN OF HEMPSTEAD
NASSAU COUNTY, NEW YORK**

Lori A. Shirley Certifying Environmental Officer
Governor's Office of Storm Recovery
38-40 State Street
Albany, NY 12207

NOTIFICATION OF ACTIVITY IN A 100-YEAR FLOODPLAIN

To: All interested Agencies, Groups, and Individuals

This document gives notice that the Governor's Office of Storm Recovery (GOSR) under 24 CFR Part 58 has determined that the New Moxey Rigby Apartments Project in the Village of Freeport, Town of Hempstead, Nassau County, New York (Project) is located in the 100-year floodplain. GOSR is conducting an environmental review of the Project on behalf of the State of New York as the recipient of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds from the US Department of Housing and Urban Development (HUD) under 42 USC 5304(g) and 70 Fed. Reg. 62,182 (Oct. 16 2014). As required by Executive Order 11988, in accordance with HUD regulations 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, GOSR will be identifying and evaluating practicable alternatives to locating the action in the floodplain, as well as potential impacts on the floodplain.

Pursuant to the CDBG-DR Program and Federal Register Notices 78 Fed. Reg. 14329, 78 Fed. Reg. 69104, and 79 Fed. Reg. 62194 (Notices), published March 5, 2013, November 18, 2013, and October 16, 2014, respectively, the State of New York has been allocated approximately \$4.4 billion of CDBG-DR funds for storm recovery activities, including but not limited to the acquisition, demolition, reconstruction, improvement, financing and use of existing properties in storm-impacted communities and counties.

The Freeport Housing Authority and GG Acquisitions, LLC, (a joint venture) proposes to replace the existing Moxey Rigby Apartment complex at 33 Buffalo Avenue in the Village of Freeport, Town of Hempstead, Nassau County, New York with a new apartment complex located across the street at 195 East Merrick Avenue. The Project would include demolition of the existing office/warehouse building at 195 East Merrick Avenue and construction of a new 5-story multifamily residential apartment complex at that site, as well as demolition of the existing apartment complex at 33 Buffalo Avenue. Locating the new apartment complex across Buffalo Avenue from the existing apartment complex is intended to be the least disruptive in relocating the existing tenants.

The existing Moxey Rigby Apartment complex, owned by the Freeport Housing Authority, consists of six (6) above ground buildings located on approximately 2.2 acres with an administrative building located on the north end of the existing site. The existing complex was constructed in and around 1957 and is not designed to modern floodplain development standards. As a result, it has been subjected to recurring flooding, and most recently sustained significant damage as a result of Superstorm Sandy.

The proposed site for the new Moxey Rigby Apartments is a 2.44 acres site located across Buffalo Avenue to the east of the existing apartment complex. The proposed site is made up of parcels located at 12 Buffalo Avenue and 195 East Merrick Avenue and is currently occupied by a one-story storage, warehouse, and distribution facility. The new apartment building would meet modern and sustainable building design standards.

The two sites are located completely within Special Flood Hazard Area (SFHA) Zone AE (100-year flood areas where the base flood elevation have been determined), as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 36095C0239G, dated September 11, 2009.

All 2.44 acres of the new site would be disturbed by the Project. The existing buildings would be demolished and existing footings and other subsurface structures removed. Several areas with contaminated soils would be remediated. Fill would be added to the project site to bring it to an appropriate grade of approximately four (4) feet above the base flood elevation. This elevation would allow space necessary to install drainage facilities. A 5-story multifamily residential building with the ground floor designed as a parking structure would be constructed. Residential units would begin on the second floor. The new site would include a basketball court, playground, and a community room.

After the residents are relocated from the existing Moxey Rigby Apartment complex to the new apartment building, the residential buildings of old Moxey Rigby Apartment complex would be decommissioned and demolished. The former administrative area on the north end of the existing Moxey Rigby site may be retained and also be utilized for storage. The final use of the existing site is unknown at this time.

There are three primary purposes for this notice. First, citizens who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the proposed action or a request for further information to: Thomas King, Assistant General Counsel and Certifying

Environmental Officer.

Governor's Office of Storm Recovery

38-40 State Street

Albany, NY 12207

Attn: Lori A. Shirley, Certifying Environmental Officer

All comments received by **July1, 2016** will be considered.

Lori A. Shirley, Certifying Environmental Officer

June 16, 2016