



**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

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

Hollis 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

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

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 before me this 16 day
2016

Hollis Farberman
 Notary Public

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 No. 01FA6045890
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Boulevard, Garden City, New York 11530
Phone: 516-569-4000 Fax 516-569-4942

LEGAL NOTICE

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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

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James Slator

scribed and sworn to
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2016

Haus Farberman

Notary Public

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

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