



PUBLIC NOTICE

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI),
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF),
AND FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED
ACTION IN A 100-YEAR FLOODPLAIN**

**RIVERVIEW LOFTS PROJECT
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK**

July 21, 2017

Name of Responsible Entity and Recipient: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Lori A. Shirley (518) 474-0755.

Pursuant to 24 CFR Section 58.43, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR.

Project Description: The Governor's Office of Storm Recovery (GOSR), an office of HCR's HTFC, is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to provide CDBG-DR funding to the Nelson Development Group to demolish and replace two buildings located at 221 East Main Street and 31 McDermott in Riverhead, Suffolk County, New York with a single five-story mixed use and mixed income building.

The 0.85-acre Project site consists of two developed parcels. The northern parcel is currently occupied on the north side by a vacant brick commercial structure that previously held a small "Dinosaur Museum". It was damaged by both Hurricane Irene and Superstorm Sandy and closed after the storms. There is an underground fuel oil tank (UST) at the northern boundary underneath East Main Street. The southern parcel is occupied by a two-story frame commercial/residential building that fronts on McDermott. On the northern parcel, in between the two buildings, is an at-grade parking lot that is accessed from McDermott Avenue. There is a small parking lot south of the building on the southern parcel that is accessed from McDermott Avenue. The Project site is zoned "DC-Downtown Center," which allows multi-family housing.

The proposed Project site is on the north shore of the Peconic River. Approximately 60 percent of the southern portion of the site, is within the 100-year floodplain in FEMA Flood Zone AE (1.0 percent chance annual flood hazard).

The proposed Project would include the demolition of the existing buildings and parking lots and removal of the UST. A new five-story mixed-use structure would be constructed on the north end of the site featuring about 16,000 square feet of first-floor commercial spaces (at-grade with East Main Street) and four floors of apartments (117 units) of apartments. The new building is designed with the finished area on the first floor

above the level of flooding. A 59 space parking structure would occupy the most of on-grade portion of the building with only a small section of the first floor outside the floodplain being on-grade. Additionally, all residential units and the critical structural and mechanical components will be located above the parking structure, above the base flood elevation (BFE).

The Project would connect to all existing utilities including the Town of Riverhead municipal water system, Riverhead Sewage District municipal sewer, and NYSEG electric and natural gas. The estimated total cost for the Proposed Project is \$47,500,000, funded with up to \$6,500,000 from the CDBG-DR program.

FINAL NOTIFICATION OF ACTIVITIES IN A FLOODPLAIN

This is to give notice that the GOSR has conducted an evaluation as required by Executive Order 11988 and executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management, to determine the potential effects that its activity in the floodplain would have on the human environment. An early public notice of proposed activity within the 100-year floodplain was published by the Governor's Office of Storm Recovery on June 8, 2017, in the Riverhead News Review and is posted at <http://www.stormrecovery.ny.gov/environmental-docs>. No comments were received.

Approximately 0.5 acres of the 0.85-acre site lie in the 100-year floodplain. The northern portion of the Project site lies within the Special Flood Hazard Area Zone AE (within the one percent annual chance flood), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 36103CO466H, Revised September 25, 2009. Part of the new structure would be within SFHA Zone AE. The proposed activity entails building a new five-story multi-family, mixed-use development building in place of two buildings located at 221 East Main Street and 31 McDermott.

The Project will result in the redevelopment of the entire 0.85-acre site including the 0.5 acres in the 100-year floodplain. The proposed new building is designed with the finished area on the first floor above the level of flooding. A parking structure would occupy the most of on-grade portion of the building with only a small section of the first floor outside the floodplain being on-grade. Additionally, all residential units and the critical structural and mechanical components will be located above the parking structure, above the base flood elevation (BFE). There would be no relative change to the level of development of the floodplain at the project site.

The project site has been 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 a moderate improvement to the floodplain by replacing to the current impervious nature of the project site with new impervious surface with integral drainage systems that direct stormwater to leaching galleys/chambers beneath the parking areas using a system of catch basins and piping. and would support the existing structures to each side. The new building would be a flood resistant structure.

Floodplain maps based on the most recent FEMA Preliminary FIRM Data for the Project Areas and a draft Floodplain Management Plan (8-step process) documenting compliance with Executive Order 11988 can be viewed online at: <http://www.stormrecovery.ny.gov/environmental-docs>

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains/ wetlands 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/ wetlands, it must inform those who may be put at greater or continued risk.

Prior to finalization on August 7, 2017, any individual, group, or agency may submit written comments on the Draft Floodplain Management & Wetland Protection Plan to Lori A. Shirley, Governor's Office of Storm Recovery, HCR, 38-40 State Street, Albany, NY 12207, 9:00 AM- 5:00 PM; email: NYSCDBG_DR_ER@nyshcr.org; phone: (518) 474-0700. All comments must be received no later than 5pm on Monday, August 8, 2017.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for the Proposed Project has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EA is incorporated by reference into this FONSI. Subject to public comments, no further environmental review of the Proposed Project is anticipated. HCR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR has determined that the Proposed Project will have no significant impact on the human environment and therefore does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the EA is available online at <http://stormrecovery.ny.gov/environmental-docs> and is also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Contact: Lori A. Shirley (518) 474-0755.

Further information may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyshcr.org, or by calling (518) 474-0755. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

Public Comments on FONSI and/or NOIRROF: Any individual, group or agency may submit written comments on the Project. The public is hereby advised to specify in their comments which "notice" their comments address. Comments should be submitted via email, in the proper format, on or before Monday, August 7, 2017 at NYSCDBG_DR_ER@nyshcr.org. Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before July 31, 2017: Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 pm on Monday, August 7, 2017 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or about Tuesday, August 8, 2017, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

HCR certifies to HUD that Lori A. Shirley, in her capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use CDBG-DR program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request

(whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Lori A. Shirley
Certifying Officer
July 21, 2017