

1.0 INTRODUCTION

This Visual Resource Assessment evaluates the Proposed Action’s potential for visual and aesthetic impacts on scenic, recreational, and historical areas, and identifies and examines the visual resources and the visual qualities of the landscape within a one-mile radius of the Proposed Action Site (the “Study Area”).

2.0 METHODOLOGY

An inventory of sensitive aesthetic and visual resources was prepared following the guidance in the New York State Department and Environmental Conservation (NYSDEC) Program Policy “Assessing and Mitigating Visual Impacts,” including locations or resources identified by local jurisdictions as having scenic or aesthetic quality.

A visual assessment has been conducted to determine the potential for visual impacts associated with the implementation of the Proposed Action. The interconnection to the existing substation was not evaluated since it will be constructed entirely underground. The NYSDEC Visual Policy Document states that the SEQRA analysis must account for “adverse visual and aesthetic impacts on receptors outside of the facility or property”. The Proposed Action Site is predominately sheltered from public view. The visual elements associated with the Proposed Action will be obscured from public view from the south, east, and west by distance, intervening structures, and vegetation. In order to assess the visual impact on the publicly accessible beach to the north, a site visualization was created showing the cross-sectional profile view of the Site from the public beach (**Appendix D**). The location of the visualization vantage point was chosen to maximize the potential of a direct view of the Proposed Action. Assessment of existing conditions and potential impacts of the Proposed Action from this vantage point are discussed below.

One aerial visual from the Town of Brookhaven Tax map is included to capture the existing use at the site (**Figure D-1**). In addition, Google Streetview was used to show public viewsheds of the Site from the nearest public vantage points at North Country Road (**Figure D-2**) and Creek Road (**Figure D-3**).

3.0 NYSDEC GUIDANCE

The Visual Resource Assessment was prepared in accordance with the NYSDEC Program Policy “Assessing and Mitigating Visual Impacts”. NYSDEC Visual Impact Assessment Methodology, “Assessing and Mitigating Visual Impacts”, (DEP-00-2) was developed as guidance for NYSDEC’s review of actions, however the methodology and impact assessment criteria established by the policy are comprehensive and are readily used by other State and local agencies to assess potential impacts.

According to DEP-00-2, a “visual impact” occurs when “the mitigating effects of perspective” do not reduce the visibility of an object to insignificant levels. While beauty does not play a role in whether there is a “visual impact”, it does play a role as to whether there is an “aesthetic impact”:

Aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Mere visibility, even startling visibility of a project proposal, should not be a threshold for decision making. Instead, a project, by virtue of its visibility, must clearly interfere with or reduce the public’s enjoyment and/or appreciation of the appearance of an inventoried resource. (DEP-00-2, p. 9)

The “mitigating effects of perspective” are important to understand in the assessment of visual impact. While tall equipment may be visible over a long distance, “atmospheric perspective”, which DEP-00-2 describes as the “reduction in intensity of colors and the contrast between light and dark as the distance of the objects from the observer increases”, and which is a product of the natural particles within the atmosphere that scatter light, serves to minimize the significance of the object in the overall viewshed. A second factor that reduces the potential for impact is the overall character of the surrounding landscape, including existing vegetation, buildings, and topography. As distance increases, and with potential intervention of topography and structures the visibility of objects become reduced to insignificant levels.

The significance of the visibility is dependent on several factors: the perceived beauty, presence of any designated historic or scenic resources within the viewshed of the Proposed Action; distance; general characteristics of the surrounding landscape; and the extent to which the visibility of the Proposed Action interferes with the public's enjoyment or appreciation of the resource. A significant adverse visual impact will occur when the effects of design, distance, and intervening topography and vegetation did not minimize the visibility of an object and the visibility significantly detracts from the public's enjoyment of a resource.

4.0 STUDY AREA

Although the NYSDEC program policy "Assessing and Mitigating Visual Impacts" provides direction to inventory scenic or aesthetic resources within five miles of the Proposed Action, the Proposed Action is assessed to be non-discernable beyond a distance of one mile due to the existing topography and large vegetative buffers separating the Proposed Action from nearby residences and public vantage points. As such, a radius of one mile (the "Study Area") was assessed to be appropriate for the inventory of scenic and aesthetic resources. Views of the Proposed Action will vary throughout the Study Area as a function of topography, vegetation, and built structures.

5.0 EXISTING CONDITIONS

5.1 Land Use

The visual character of the overall parcels where the Proposed Action is located (SCTM Number 0200-039.00-02.00-002.000 and SCTM Number 0200-040.00-01.00-001.000), is generally industrial in nature and is developed with numerous structures, including warehouses, outdoor storage, electrical substation, and power supply support facilities. The area where the BESS Facility is proposed is in use as a training facility and the area where the training facility will be relocated to, just east of where the BESS Facility will be located, is currently an unused administrative building. See **Figure D-1** which captures the existing conditions/use at the site.

The nearest public road is North Country Road, located approximately 1,000 feet south of the Proposed Action Site. The Proposed Action Site is isolated from the public road by a security gate at the entrance on Lilco Road. The Site itself cannot be viewed from the public roadway. See **Figure D-2**.

The nearest public vantage point to the northeast is Creek Road, located approximately 1,200 feet from the Proposed Action. The view from this roadway is obscured by the large, decommissioned power structure and other buildings on the LIPA property. The Site of the proposed BESS Facility is not visible from the residences along Creek Road or the right-of-way. See **Figure D-3**.

Land uses adjoining the Site include vacant/natural areas to the west, northwest, northeast, east and southeast; surface waters to the north; and utility uses to the south. Land uses that occur within a half mile of the Proposed Action Site primarily include utilities; vacant; residential; surface waters; and preserved land, open space, and recreation. A map depicting the Site of KCE NY 31 in relation to nearby existing land uses is provided in **Figure B-1**.

5.2 Topography

The existing topography is generally flat with gradual slope changes ranging from 0-10% with some areas of significant slope change greater than 30%. The elevations throughout the Proposed Action Site range from 15 to 50 feet above mean sea level (AMSL). Specifically, the area where the BESS Facility is proposed ranges from 20 to 35 feet AMSL the area where the interconnect line is proposed ranges from 35-50 feet AMSL, and the area where the relocated training facility is proposed ranges from 15 to 30 feet AMSL. The trend of the land slopes generally downward to the north toward the Long Island Sound.

6.0 INVENTORY OF RESOURCES

An inventory of sensitive aesthetic and visual resources was prepared following the guidance in NYSDEC Program Policy “Assessing and Mitigating Visual Impacts” (DEP-00-2, July 31, 2000). Visual resources are landscape areas and features that are significant because of either their inherent visual quality or their cultural importance, including, landscapes that demonstrate historical significance, designated recreation and scenic areas, natural features, naturally occurring landscapes and manmade features. The NYSDEC’s Program Policy, Assessing and Mitigating Visual Impacts¹ identifies 15 categories of aesthetic resources of statewide significance which have been recognized through either national or state designations. An inventory of visual resources designated by NYSDEC located within the Study Area is included below.

1. *A property on or eligible for inclusion in the National or State Register of Historic Places [16 U.S.C.§470a et seq., Parks, Recreation and Historic Preservation Law Section 14.07].*

A review of the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) Cultural Resource Information System (“CRIS”) ²identified four (4) OPRHP listed or eligible sites within the Study Area, as listed in **Table D-1** below.

OPRHP ID No	Site/Property	Status	Date
10302.001287	Josiah Woodhull House - 170 N Country Rd 11786	Listed	8/24/2011
10306.000236	Tuthill-Lapham House - 324 Sound Rd	Listed	03/13/2009
10306.000245	Benjamin King Woodhull House - 126 Sound Rd	Listed	06/13/2008
10302.001281	Former Nike Missile Launch Facility - NY 25A & WM Floyd Pkwy	Eligible	12/31/2018

A consultation request was submitted to the OPRHP on May 04, 2023, in order to evaluate the potential impact from the Proposed Action on archaeological and/or historic resources.

2. *State Parks [Parks, Recreation and Historic Preservation Law Section 3.09].*

No State Parks, as defined by Parks, Recreation and Historic Preservation Law §3.09 were identified within the Study Area.

3. *Urban Cultural Parks [Parks, Recreation And Historic Preservation Law Section 35.15].*

The State Heritage Areas program has replaced the urban cultural parks program. The Long Island North Shore State Heritage Area (LINSHA) is defined as the entire north shore of Long Island from

¹ New York State Department of Environmental Conservation Assessing and Mitigating Visual and Aesthetic Impacts. Available from: [DEP-00-2 - Assessing and Mitigating Visual and Aesthetic Impacts \(ny.gov\)](https://www.dec.ny.gov/programs/assessing-and-mitigating-visual-and-aesthetic-impacts). Accessed April 2024.

² New York State Office of Parks, Recreation and Historic Preservation Cultural Resource Information System. Available from: <https://cris.parks.ny.gov/>. Accessed April 2024.

Great Neck to Orient Point, with its southern boundary generally following the Long Island Expressway. The Proposed Action is located within the LINSHA.

4. *The State Forest Preserve [NYS Constitution Article XIV].*

The state forest preserve is limited to Adirondack and Catskill Parks, and some portions of the counties where these two parks are located. No such lands are present on Long Island. Thus, the Proposed Action is not located in the state forest preserve.

5. *National Wildlife Refuges; [16 U.S.C. 668dd], State Game Refuges and State Wildlife Management Areas [ECL 11-2105].*

No National or State refuges or wildlife management areas are present within the Study Area.

6. *National Natural Landmarks [36 CFR Part 62].*

No National Natural Landmarks are located within the Study Area.

7. *The National Park System, Recreation Areas, Seashores, Forests [16 U.S.C. 1c].*

No national parks are located within the Study Area.

8. *Rivers designated as National or State Wild, Scenic or Recreational [16 U.S.C. Chapter 28, ECL 15-2701 et seq.].*

No National or State Wild, Scenic or Recreational rivers are located within the Study Area.

9. *A site, area, lake, reservoir or highway designated or eligible for designation as scenic [ECL Article 49 or DOT equivalent and APA Designated State Highway Roadside].*

Areas subject to Article 49 designation include Scenic Byways (now under the purview of the New York State Department of Transportation), parkways designated by OPRHP, and other areas designated by the NYSDEC. No designated areas are located within the Study Area.

10. *Scenic Areas of Statewide Significance [of Article 42 of Executive Law].*

No Scenic Areas of Statewide Significance are located within the Study Area.

11. *National or State Designated Trails; A State Or Federally Designated Trail, Or One Proposed For Designation [16 U.S.C. Chapter 27 Or Equivalent].*

No state or federally designated trails are located within one mile of the Study Area.

12. *State Nature and Historic Preserve Areas; [Section 4 of Article XIV of the State Constitution].*

There are no State Nature or Historic Preservation Areas located within the Study Area.

13. *Palisades Park; [Palisades Interstate Park Commission].*

Palisades Park is not located within the Study Area.

14. *Bond Act Properties purchased under Exceptional Scenic Beauty or Open Space category.*

No Bond Act Properties purchased under Exceptional Scenic Beauty or Open Space category were identified within the Study Area.

7.0 LOCALLY SIGNIFICANT RESOURCES

An inventory of additional visual resources including public parks and recreation areas is also considered within the context of the NYSDEC Program Policy “Assessing and Mitigating Visual Impacts”.

Five (5) municipally owned recreational sites and one (1) privately owned recreational site were identified within the Study Area, as summarized in **Table D-2** below. These municipal and private recreational areas include beaches, playgrounds, sports fields, hiking trails, and bike paths.

Name	Facilities	Location	Bearing and Distance
Wading River Marsh Preserve (private)	Hiking trails	Sound Rd, Wading River, NY 11792	0.20 miles east
Shoreham Beach	Beach	North Country Rd. Shoreham, NY 11786	0.24 miles northwest
Wading River Beach	Beach, playground, boat ramp	Creek Rd, Wading River, NY 11792	0.30 miles northeast
Defense Hill	Sports fields	26 Defense Hill Road Shoreham, NY 11786	0.50 miles south
North Shore Rail Trail	Hiking and biking trail	Within transmission right-of-way	0.92 miles south
Jomar Park	Playground	21 Royal Way, Shoreham, NY 11786	0.98 miles west

8.0 HISTORIC, ARCHAEOLOGIC AND ARCHITECTURAL RESOURCES

The FEA Part 1 identified that portions of the Proposed Action are located within OPRHP designated archaeologically sensitive areas. In addition (as discussed above in Section 6.0), several properties that are listed on, or eligible for listing, on the State or National Register of Historic Places are located within the Study Area.

A consultation request was submitted to the OPRHP on May 04, 2023, in order to evaluate the potential impact from the Proposed Action on archaeological and/or historic resources. A response was received from the OPRHP on May 20, 2023. A copy of the OPRHP’s letter is provided in **Appendix E**.

9.0 POTENTIAL IMPACTS OF THE PROPOSED ACTION

9.1 Impact on Inventoried Resources

As discussed in Sections 6.0 and 7.0, limited visual resources (four (4) properties listed or eligible for listing on National or State Register of Historic Places; one (1) NYS Heritage Area; and six (6) locally significant resources) were identified within the Study Area. The Proposed Action will not have any potential for significant adverse visual impacts for resources that exist outside of the Study Area.

The Proposed Action Site is predominately sheltered from public view. The visual elements associated with the Proposed Action will be obscured from public view from the south, east, and west by distance, intervening structures, and vegetation. The BESS Facility will not be visible from the public beach due to topography, except for the lightning masts which will be visible in the distance (**Appendix D**).

The inventory of visual resources identified three (3) State Register of Historic Places Listed properties located within the Study Area (Josiah Woodhull House, Tuthill-Lapham House, and Benjamin King Woodhull House). The Josiah Woodhull House (OPRHP ID 10302.001287) located approximately 1,100 feet from the Proposed Action was designated as a historic resource by OPRHP due to its representative example of 18th-century and Colonial Revival architecture in the Town of Brookhaven. Views from this property facing in the direction of the Proposed Action consist of existing trees and intervening structures and the view of the Proposed Action is screened by these existing trees and intervening structures as well as the topography. The Tuthill-Lapham House (OPRHP ID 10306.000236) is located approximately 0.8 miles from the Proposed Action; the Proposed Action is not visible from the Tuthill-Lapham House due to distance and the presence of intervening vegetation and intervening structures. The Benjamin King Woodhull House (OPRHP ID 10306.000245) is located approximately 0.75 miles from the Proposed Action; the Proposed Action is not visible from the Benjamin King Woodhull House due to distance and the presence of intervening trees. Therefore, the Proposed Action will either be not visible or minimally visible from these properties. One property eligible for listing in the State or National Register of Historic Places was identified within the Study Area, Former Nike Missile Launch Facility (OPRHP ID 10302.001281). The Former Nike Missile Launch Facility is located approximately 0.61 miles from the Proposed Action; the Proposed Action is not visible from the Former Nike Missile Launch Facility due to distance and the presence of intervening trees. Therefore, the Proposed Action will not be visible from this property.

The NYS Heritage Area identified is the Long Island North Shore State Heritage Area (LINSHA), which is defined as the entire north shore of Long Island from Great Neck to Orient Point, with its southern boundary generally following the Long Island Expressway. As the site is fully developed, the proposed action is consistent with existing conditions, and blighted areas of the site will be improved, no impact on the LINSHA is anticipated.

In addition, six (6) locally significant resources were identified within the Study Area. Of these six resources, two are identified as having potential visibility of the Proposed Action (Shoreham Beach and Wading River Marsh Preserve). The BESS Facility will not be visible from Shoreham beach due to topography, except for the lightning masts which will be visible in the distance (**Appendix D**). These structures have a minimal profile and a comparable visual aesthetic to existing intervening structures on the site and are therefore not anticipated to have a significant impact on the viewshed. The Proposed Action will not be readily visible from the Wading River Marsh Preserve as there is existing vegetation separating the preserve from the Proposed Action as well as existing structures, buildings, and equipment located on the eastern portion of the LIPA-owned property. The remaining locally significant resources will have no visibility of the Proposed Action, due to distance from the activity and presence of trees and intervening structures between each location and the Proposed Action.

9.2 Historic, Archaeologic and Architectural Resources

OPRHP responded to KCE's consultation request on May 20, 2023, and advised that if the Proposed Action will not be visible from the Josiah Woodhull House, they would not have concerns regarding potential impacts to historic/cultural resources. A copy of the OPRHP's letter is provided in **Appendix E**. The Josiah Woodhull House is located on North Country Road over 900 feet south of the proposed BESS Facility. The Josiah Woodhull House is currently closed to the public and secured by a tall chain link gate, preventing public access. Aerial and street view images were reviewed to consider potential visibility of the Proposed Action from the historic resource. The images showed a number of intervening features, including topography, over 250 feet of treed land, existing outdoor storage, and existing buildings, which will prevent the proposed BESS Facility and relocated training facility from being visible from the Josiah Woodhull House. OPRHP did not have any concerns regarding archaeological sensitive areas and/or other historic resources listed in or eligible for the New York State and National Register of Historic Places. Considering the foregoing, no significant adverse impacts to historic/cultural resources are anticipated.

9.3 Visual Assessment Illustrations

The potential visibility of the Proposed Action is illustrated by various images prepared as part of this Visual Assessment and include the following: **Appendix D**: Site Visualization, **Figure D-1**: Existing Conditions – Site Overview, **Figure D-2**: Existing Conditions – View from Public Roadway, and **Figure D-3**: Existing Conditions – View from Creek Road. A summary of these illustrations and a description of the proposed structure modifications are discussed below.

Appendix D was prepared to assess the impact of the Proposed Action from the publicly accessible beach to the north. The site visualization was created showing the cross-sectional profile view of the Site from the public beach. The location of the visualization vantage point was chosen to maximize the potential of a direct view of the BESS Facility. This exhibit demonstrates that the BESS Facility will not be visible from the public beach due to topography, except for the lightning masts which will be visible in the distance. These structures have a minimal profile and a comparable visual aesthetic to existing power structures on the site and are therefore not anticipated to have a significant impact on the viewshed.

Figure D-1 is an aerial visual from the Town of Brookhaven Tax map which captures the existing use at the site.

Figure D-2 is an image from Google Streetview to show public viewsheds of the site from the nearest public vantage points at North Country Road. The Proposed Action Site is isolated from the public road by a security gate at the entrance on Lilco Road. The Site itself cannot be viewed from the public roadway.

Figure D-3 is an image from Google Streetview to show public viewsheds of the site from the nearest public vantage points at Creek Road. The view from this roadway is obscured by the large, decommissioned power structure and other buildings on the LIPA property. The Site is not visible from the residences along Creek Road or the right-of-way.

10.0 CONCLUSION

The Site Visualization (**Appendix D**) and **Figures D-2** and **D-3** illustrate that the Proposed Action will not be visible from public rights-of-way and visual resources located within the Study Area. Most of the identified visual resources within the Study Area have intervening vegetation and/or structures that block the view of the Proposed Action. Given the location of the BESS Facility, setback distance, existing tree/vegetation screening, and consistency with onsite and surrounding uses/facilities, the BESS Facility does not have the potential to result in significant increased adverse visual impacts.

The relocation of the training facility, construction of the interconnect line, upgrades to the existing LIPA substation, and the proposed BESS facility were accounted for and will not have any adverse visual impacts. The relocation of the training facility includes the removal of the larger existing administrative building, replacement with the training facility and will be consistent with onsite and surrounding uses/facilities.

Based on the results of the visual impact assessment, the Proposed Action will not result in significant adverse impacts on the visual character of the Study Area and will not result in significant alteration to the existing visual quality and resources in the Proposed Action. The Proposed Action will not significantly impair the visual landscape as experienced from scenic or aesthetic resources and will not interfere with or reduce the public's enjoyment or appreciation of the appearance of any inventoried scenic, open space, or other resource. Thus, there will be no significant adverse visual impacts from the Proposed Action.