
Appendix A
Comments on the DEIS

**Transportation
Land Development
Environmental
Services**



VHB Engineering, Surveying and Landscape Architecture, P.C. | Affiliated with Vanasse Hangen Brustlin, Inc.

November 30, 2010

Ref: 27707.00

VIA ELECTRONIC MAIL AND U.S. MAIL

Mr. Patrick Hoebich, Esq.
1 School Street, Suite 205
Glen Cove, New York 11542

Re: Final Environmental Impact Statement
The Villa at Glen Cove

Dear Mr. Hoebich:

On behalf of the Planning Board of the City of Glen Cove (hereinafter the "Planning Board"), enclosed herewith are the comments to be addressed in the Final Environmental Impact Statement ("FEIS") for the above-referenced proposed action. Copies of the following correspondence and transcript are enclosed herewith:

1. VHB Engineering, Surveying and Landscape Architecture, P.C. – November 15, 2010;
2. Turner Miller Group – November 15, 2010;
3. Cameron Engineering & Associates, LLP – November 22, 2010;
4. Nassau County Planning Commission – November 16, 2010;
5. Nassau County Department of Health – October 15, 2010; and
6. Public Hearing Transcript – October 19, 2010.

Pursuant to 6 NYCRR §617.9(b)(8):

"A final EIS must consist of: the draft EIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their source (whether or not the comments were received in the context of a hearing); and the lead agency's responses to all substantive comments. The draft EIS may be directly incorporated into the final EIS or may be incorporated by reference. The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it. All revisions and supplements to the draft EIS must be specifically indicated and identified as such in the final EIS." (emphasis added)

In order to facilitate the efficient preparation of the FEIS, the Planning Board requests that you prepare a draft for its review. The Planning Board requests that the DEIS be incorporated by reference into the FEIS, and that the FEIS include copies of all comment letters and the hearing transcript in the appendix of the FEIS. In addition, responses to all substantive comments received on the Draft Environmental Impact Statement ("DEIS") must be listed and responded to. In order to ensure that all substantive comments are addressed, in addition to the copies of the comment letters and transcript listed above, we have also enclosed annotated copies of all letters and the transcript that identify each substantive comment by number. Each comment should be listed in the FEIS, with a response following each comment. Please be cognizant of the fact that the FEIS is the lead agency's

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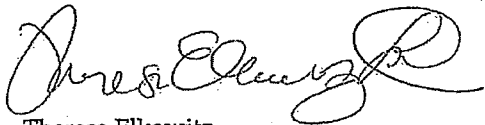
document, thus it should provide factual responses. The opinion of the applicant is not appropriate for inclusion in the FEIS.

Once you have prepared a draft of the FEIS, it should be submitted to the Planning Board so that same can be reviewed for adequacy and accuracy. If you have any questions regarding the preparation of the draft of the FEIS, you may contact Michael Sahn, Esq. If the applicant's environmental consultant has any questions regarding the format of the FEIS or the technical content thereof, either of the undersigned may be contacted.

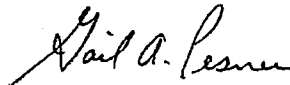
Thank you for your cooperation.

Sincerely,

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



Theresa Elkowitz
Principal



Gail A. Pesner, AICP
Senior Project Manager

TE/GAP/lm

enc.

cc: T. Scott, Chairman and Members of the Planning Board
M. Sahn, Esq.
J. Horowitz, Esq.
M. Stach, AICP
S. Turner, FAICP, PP
A. King, Jr., PE, LEED AP

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**Transportation
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November 15, 2010

Ref: 27707.00

The Honorable Thomas Scott, Chairman
and Members of the Planning Board
City of Glen Cove
City Hall
Nine Glen Street
Glen Cove, New York 11542

Re: Review of Draft Environmental Impact Statement (May 2010)
Villa At Glen Cove
Glen Cove Avenue, City of Glen Cove, Nassau County

Dear Chairman Scott and Honorable Planning Board Members:

As requested by the Planning Board of the City of Glen Cove (hereinafter the "Planning Board"), VHB Engineering, Surveying and Landscape Architecture, P.C. (hereinafter "VHB") has reviewed the above-referenced Draft Environmental Impact Statement ("DEIS"), dated May 2010 for the purpose of identifying technical/substantive comments to be addressed in a Final Environmental Impact Statement ("FEIS"). The following represent VHB's comments, which we recommend be addressed in the FEIS (please note that traffic and site plan issues are being addressed by Cameron Engineering & Associates and zoning, socioeconomic and community facilities issues are being addressed by the Turner Miller Group):

- C-1 1. The FEIS should discuss how the recent adoption of the Glen Cove Avenue Redevelopment Incentive Overlay (GCA-RIO) district (§280-73.3 of the City Code) affects the proposed action. This discussion should include any new or revised requirements, including the requirement to submit applications for waivers of the affordable (inclusionary) housing requirement (added to the City Code in August) and the hillside protection ordinance as well as the requirements to submit an application for incentive bonuses. This section should also describe the new inclusionary housing requirements (§280-75 of the City Code) and how the proposed action will comply with same or, if a waiver is requested, how same complies with the waiver criteria. The status of submission of all required applications/waivers should also be discussed.
- C-2 2. The FEIS should include all relevant plans, and all plans should contain correct and appropriate scales and up-to-date information, which reflects the latest City Code and the proposed action's consistency therewith.

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- C-3 3. The DEIS contains inconsistencies in the discussion of proposed hours of construction on the subject property and whether or not such hours comply with City Code requirements. The FEIS should clearly state the permitted hours of construction of the City, and whether or not the proposed hours of construction conform to City Code requirements.
- C-4 4. The DEIS states that construction would commence in late summer 2010. The FEIS should include an updated project schedule.
- C-5 5. The FEIS should provide an updated list of "Required Permits and Approvals" that reflect recent City Code changes. Also, the specific approvals required from the New York State Department of Environmental Conservation ("NYSDEC") should be identified.
- C-6 6. The DEIS is unclear regarding building height. In one section, the DEIS indicates that height is "the average height of each building throughout the rest of the site as measured from the four corners of a building from the existing natural grade..." and not to exceed 50 feet in height. However, Plan A-2.001 shows a 100±-foot change in elevation from Glen Cove Avenue to the top of Building "A." As such, additional discussion is required in the FEIS with respect to the height of the buildings, based upon the significant grade change from Glen Cove Avenue to the top of Building "A."
- C-7 7. The DEIS indicates that the proposed waiver of affordable housing is based on the applicant's provision of on- and off-site improvements to the neighborhood "that will help enhance the quality of life, including landscaping improvements on the site and along area roads, façade improvements..." The FEIS must clearly demonstrate how the improvements proposed, especially landscaping and amenities on the interior of the proposed project site and available to residents of the proposed development only, benefit the neighborhood. The FEIS must present a clear discussion of proposed on-site and off-site improvements to the neighborhood that would enhance the quality of life for adjacent affordable housing development(s), so that their adequacy, as a basis for the waiver, can be assessed.
- C-8 8. The DEIS indicates that there would not be significant adverse impacts to the hillside and also states that no mitigation is warranted with respect to slopes. However, the DEIS identifies significant cut from the hillside, and acknowledges that the applicant requires a waiver of the City's Hillside Protection ordinance. The FEIS must specifically evaluate the impacts resulting from this cut and identify and assess the effectiveness of the proposed mitigation measures, based upon the criteria set forth in the GCA-RIO for such waiver.
- C-9 9. The proposed buttressed retaining walls on the eastern side of the property, some of which are 30 feet tall, vary in width from 12-to-22-feet (as shown on sheets S401 and S402 in the DEIS) with an area of only 25 feet to the property line. This would appear to create a "gully" effect along the eastern property line. The FEIS should address the relationship of the nearest off-site properties to the proposed retaining wall and buildings.



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10. As requested in prior comments relating to the completeness of the DEIS, the accepted DEIS includes environmental site assessments ("ESAs"). The Phase I ESA prepared by Merritt Engineering identified issues related to 1) the historic use (circa 1955 though at least 2008) of the property as an auto body (collision) repair shop; 2) two on-site above-ground storage tanks ("ASTs"); and 3) a former hydraulic vehicle lift. A Limited Phase II Subsurface Investigation was conducted by Odelphi Environmental, Inc. ("Odelphi") to evaluate environmental concerns identified in the Phase I ESA report. Odelphi drilled four soil borings (SB-1 through SB-4) at the site. Borings SB-1 and SB-2, located within the building and proximate to the former hydraulic lift, were each drilled to depths of four feet below grade. One soil sample was collected from each of the two borings for analysis of Spills Technology and Remediation Series ("STARS") list semi-volatile organic compounds ("SVOCs") by Method 8270. Boring SB-3, located within the paved area south of the building and adjacent to the existing AST, was drilled to a depth of ten feet below grade. One soil sample was collected from this boring for analysis of volatile organic compounds ("VOCs") by Method 8260 (New Jersey VOCs+10 list) and STARS list SVOCs. The NJ VOCs+10 list is comparable to the STARS VOC list. Boring SB-4, located within an area of patched asphalt north of the building, was drilled to a depth of four feet below grade. One soil sample was collected from this boring for analysis of STARS list SVOCs.

There are no regulatory requirements (i.e., laboratory analysis methods) specific to site investigation in New York State and Nassau County, except for those related to petroleum storage tanks and underground injection control ("UIC") structures. Given the nature of the property's use, the Nassau County Department of Health ("NCDH") (an involved agency) protocols for site investigation would typically require the sampling for chlorinated solvents to evaluate potential impacts related to auto body repair operations. Of Odelphi's four sample locations, only SB-4 appears to specifically address historic site operations. No samples were analyzed for VOCs (to evaluate the potential existence of petroleum or chlorinated solvents) from this location, and no other samples were collected/analyzed for VOCs indicative of chlorinated solvents at the site. The potential presence of VOCs, specifically chlorinated solvents, represents a risk to site workers and future site occupants. As such, sampling for chlorinated solvents should be conducted.

Hydraulic lifts and associated hydraulic oil reservoir tanks have the potential for the presence of PCBs. Samples (SB-1 and SB-2) collected by Odelphi proximate to the former hydraulic lift were only analyzed for SVOCs, and should be analyzed for PCBs as well.



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Sample SB-3 collected proximate to the AST was correctly analyzed for VOCs and SVOCs, although it is unclear as to why the sample was collected from a depth of ten feet below grade and not immediately below the pavement, if the purpose was to evaluate potential spills or releases from the AST. Impacts related to the lift and AST (if any) can be dealt with during construction as suggested in the DEIS.

These issues should be addressed in the FEIS, and the FEIS should present a protocol for the additional testing specified herein, a protocol for conducting any potential mitigation that may be required, and a procedure for addressing any environmental issues that may not have been previously identified but may be encountered during construction.

- C-11 11. The DEIS discusses mitigation measures for potential noise impacts resulting from the installation of soldier piles during the sheeting and shoring process, and states that "pre-augering of holes for piles may (emphasis added) be performed to accelerate the schedule and decrease the noise generating duration." Elsewhere the DEIS states, in a discussion relative to potential vibration impacts states, "...the pre-augering of soldier piles in close proximity to the adjacent homes will (emphasis added) occur..." The FEIS should confirm whether pre-augering of holes will occur.
- C-12 12. The *Vibration* section of the DEIS states that the "closest neighboring property is approximately 50 feet from the eastern portion of the foundation wall..." According to Sheet A-Z.001 (and numerous others) contained in the DEIS, the setback for Building "A" is shown as 25 feet from the eastern property line. This difference is significant since vibration impacts can be felt at 25 feet (as stated on Page 24 of 24 of the DEIS). Therefore, the FEIS must clarify this issue.
- C-13 13. The FEIS should definitively present the overall amount of pervious and impervious areas, as well as the change from the existing conditions.
- C-14 14. The DEIS indicates that the "roof of the proposed building would be in line with the roofs of those existing detached residences located directly east of the project site..." The DEIS also indicates that any potential visual impacts from this area would be seasonal water views. However, if the proposed building and the existing residences have the same roof height, the bulk/mass of the building will block light and all views of the water, regardless of the season. This must be evaluated in the FEIS.
- C-15 15. There is an inconsistency in the DEIS regarding roof gardens and deck plantings. In some places the DEIS indicates that there will be roof gardens, while in other places, the DEIS indicates that no rooftop vegetation would be included as part of the proposed action. The issue of whether roof gardens and/or deck plantings would be included in the proposed action should be clarified in the FEIS, as it affects the visual analysis.



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- C-16 16. The *Visual Resources* section of the DEIS discusses the graphic illustrations (i.e., Figures 8-3.1-8-3.5) prepared to show what the proposed project would look like after completion. It should be noted that existing utility poles, overhead wires and even a traffic light have been eliminated from the graphic illustrations (although 8-3.5b still has the "stump" of a utility pole visible). There is also a uniform depiction of rooftop vegetation/plantings despite the fact that other sections of the DEIS indicate that "the Applicant/Project Sponsor is not planning to include any rooftop vegetation as part of the proposed action..." The FEIS must contain accurate photosimulations. While the removal of features, such as utility poles, from the photosimulations may enable the reader to see the building better, they do not accurately portray the future visual conditions. The FEIS must include accurate simulations that address post-development conditions (what receptors will actually see upon implementation of the proposed action, and should consider any rooftop installations, such as HVAC systems).
- C-17 17. The DEIS indicates that "[a]lthough the building would contain seven-stories, the building would range in height up to 52-feet tall, as measured from the mean grade of the property line boundaries. The roof of the proposed building would be in line with the roofs of those existing detached residences located directly east of the project site, which are set on top of the hill that extends eastward up Craft Avenue..." The DEIS also indicates that any potential visual impacts from this area would be seasonal views of the water. Plans AS.001 and C701.00 in the DEIS appear to indicate that the roof of Building "A" would be at least 10 feet taller than the standard two-story house to the east, which is approximately 25 feet tall. The reference to potential seasonal water views of the houses to the east is also questionable, as daylight through trees, deciduous or evergreen would be eliminated entirely with the new mass of a building to the west. The FEIS should accurately address these impacts (i.e., will certain homes that currently have a water view no longer have a water view upon implementation of the proposed action? will certain homes be looking directly at the rooftop of the proposed building?).
- C-18 18. Although a grading plan and four grading detail plans are provided in the DEIS (Sheets C601.00 and C651.00 - C654.00), there is no detail plan for Building "A." Due to the proximity of the retaining walls along the eastern side of the property line to Building "A," it is unclear how proposed landscaping will survive much less mitigate potential adverse visual impacts. The FEIS must address these issues and the feasibility of survival of the proposed landscaping.
- C-19 19. The DEIS states that "the majority of each housing unit [sic] would contain individual HVAC units." The FEIS must confirm the source of HVAC for the buildings and the noise and visual impacts related thereto (e.g., should the housing units not contain an individual HVAC unit, would HVAC be placed on the rooftops, and would such placement result in adverse visual and/or noise impacts to nearby residences?). If, in fact, each unit has a separate HVAC unit, the cumulative impacts of all of the individual HVAC units as well as any proposed rooftop units must be evaluated. Moreover, any buffering and/or screening of any proposed rooftop units must be presented in the FEIS.



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- C-20 20. The FEIS should explain if and how the as-of-right alternative would change based upon the recently adopted overlay zoning district for the site, and compare the impacts of same to the impacts of the proposed action. Also, the analysis of this alternative in the DEIS mentions the steep slopes and assumes that those portions of the property would not be developed under the as-of-right alternative. However, given the percentage of the overall property with slopes provided in the analysis earlier in the DEIS, this is unlikely. Thus this statement should be clarified or revised, as appropriate.
- C-21 21. The DEIS presents a Redistributed Density Alternative, but does not indicate the mechanism for the achievement of a 12-story and a 13-story building, which are not currently permitted by the City of Glen Cove. The FEIS must explain the procedure to achieve the redistributed density alternative under the GCA-RIO.

VHB recommends that the Planning Board, as lead agency, direct the applicant to prepare a draft of the FEIS for the Planning Board's review¹ that responds to the comments contained herein, the comments prepared by Cameron Engineering & Associates and the Turner Miller Group, and all other substantive comments received by the lead agency during public comment period (whether verbal or written).

Should you have any questions, please do not hesitate to contact either of the undersigned.

Sincerely,

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

Theresa Elkowitz
Theresa Elkowitz
Principal

Gail A. Pesner
Gail A. Pesner, AICP
Senior Project Manager

TE/GAP/ba
cc: M. Sahn, Esq.
J. Horowitz, Esq.
M. Stach
A. King
L. Stemcosky

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¹Pursuant to §617.9(b)(8), it is the responsibility of the Planning Board, as lead agency, to ensure adequacy and accuracy of the FEIS, regardless of who prepares it.





Turner Miller Group

planning consensus community

Land use, economic development, and environmental planning
Facilitating consensus among diverse constituents
Creating sustainable communities

MEMORANDUM

TO: TOM SCOTT, CHAIRMAN
MEMBERS, CITY OF GLEN COVE PLANNING BOARD

FROM: MAX STACH, AICP
STUART TURNER, FAICP, PP

SUBJECT: SUBSTANTIVE REVIEW OF THE DEIS FOR THE VILLA AT GLEN COVE

DATE: NOVEMBER 15, 2010

CC: THERESA ELKOWITZ
GAIL PESNER, AICP
RICHARD SUMMA, AIA, IIDA, LEED AP
JASON HOROWITZ, ESQ.
MICHAEL SAHN, ESQ.

This memorandum supersedes our earlier substantive review memorandum dated October 15, 2010.

We have conducted a substantive review of the Draft Environmental Impact Statement (DEIS) for the Villas at Glen Cove prepared by AECOM and dated May 2010. We have focused our review on the Project Description; Land Use, Zoning and Public Policy; Socioeconomic and Demographic Conditions; Ecological Conditions; Aesthetics and Visual Resources; Historic and Archaeological Resources; and Community Facilities and Services. We defer to the technical expertise of others for other chapters, but have reviewed all chapters in our capacity as City Planners. We defer to VHB for providing guidance to the Board on proceeding under SEQRA.

We have the following questions and observations:

1. Page 1-1 – The RIO-GCA has been adopted by the City of Glen Cove and mapped. It should be clarified that this is no longer part of the proposed action.
2. Page 1-1 – It should be noted that the Glen Cove Zoning Ordinance defines an acre as 40,000 square feet – commonly referred to as a builder's acre. So while the project site is 3.96 acres, it is 4.33 Glen Cove acres.

3. Page 1-9 – Pursuant to the provisions of the adopted RIO-GCA district, the project will also require authorization of incentive density bonuses from the City Council.
- C-22 4. Page 1-10 – Another principal entry is the Cedar Swamp Road/Glen Street corridor, which is currently undergoing streetscape improvements. With regard to the Glen Cove Avenue gateway, it should be noted that Nassau County has designed proposed improvements for Glen Cove Avenue at Sea Cliff Avenue. Have additional improvements been designed for the area near to the proposed project site? Will the project sponsor be incorporating or proposing any design changes for the roadway in the vicinity of the project site, especially given the incentive bonuses being requested?
- C-23 5. Page 2-16 – The list of permitted and special permit uses for the B-2 zoning district has changed since the acceptance of the DEIS as complete. Mixed-uses are now permitted along the Cedar Swamp Road corridor of the B-2 zoning district. This has no effect on the impacts of the proposed project.
- C-24 6. Page 2-20 – The Hillside Protection provisions were amended following the acceptance of the DEIS as complete. The deductions mandated under the provisions must now only be applied pre-construction.
- C-25 7. Page 2-25 – The application for Lee Gray Apartments has been withdrawn. The Glen Cove Mansion has not formally applied for the 50 townhouses, and it is unlikely that the proposal will be constructed by the end of 2012.
8. Page 2-28 – To clarify - the proposal for 216 units yields a density of less than 50 units per Glen Cove acre. The proposal yields a density of 54.5 units per standard acre.
- C-26 9. Page 2-32 – With regard to the density bonus for streetscape improvements, it should be noted that the City Council will be considering the value to the City of the proposed streetscape improvements in deciding whether or not to authorize this density bonus. That is, the City will be determining whether new sidewalks and crosswalks add enough value to the area to allow an additional 10 units per acre. We imagine the City may want to consider what work is already proposed by the County for this corridor. We note that the Master Plan specifically described a landscaped median, reduced curb cuts and on- and off-site landscaping as being appropriate reasons for additional density in this location. The project sponsor should detail what is more specifically being done to provide these types of improvements as part of density bonus considerations.
- C-27 10. Page 2-33 – It is the opinion of the project sponsor that the walls and engineering practices employed are adequate to meet the requirements for waiver of hillside protection provisions. However, ultimately it will be the decision of the City Council based on input from the City's reviewing engineer. A better description of the reasons why the project sponsor believes that the proposal complies with waiver requirements follows shortly after these more generalized statements.

- C-28 11. Page 2-33 – There is no height requirement related to 150 feet above mean sea level.
- C-29 12. Page 2-34 – The project sponsor concludes here that the proposed development includes adequate on-site and off-site improvements to waive affordable housing. However, this determination is not for the project sponsor to make. The project sponsor should detail the type of neighborhood improvements they are offering and document that they will benefit five times the number of the units they are requesting waiver from (5 x 22 units = 110 affordable units available to persons making less than 80% of median income). The code specifically cites the types of neighborhood improvements that the City is looking for in determining whether to waive the affordable housing requirements, which include without limitation, "landscaping improvements, mass transit improvements, facade improvements, and lighting and security improvements." Additionally, the project sponsor should describe any measures the project sponsor may have taken in relocating any existing tenants of affordable unit (affordable to 80% of AMI) which may have resided or currently reside at the site, as this is also a consideration that the City Council must include.
- C-30 13. Page 2-40 – The downtown is not generally considered the uses along Pratt Boulevard. It is generally considered the frontages of Glen, School and Bridge Streets.
- C-31 14. Page 2-41 – Although we believe that the proposed development has been well-designed with consideration to incorporating the topography of the site into the design of the buildings, we cannot agree with categorizations that the proposed development, "limits development and excavation of the project site to the greatest extent practicable away from the steep slope areas, particularly at the northeast corner of the site." The steepest slopes are located centrally in the parcels south of Craft Avenue and along the east side of the area north of Craft Avenue. Clearly, there have not been attempts to avoid these slopes, but rather to incorporate these slopes as opportunities to provide for underground parking. The location of the steepest slopes also clearly cannot be characterized as being located in the "northeastern portion of the project site."
- C-32 15. Page 2-43 – With adoption of the RIO-GCA by the City as part of the recent code amendments, much of the discussion here is moot. However in response to the argument made here regarding the compatibility of density, we note that the base density of the RIO-GCA (20 units per acre) is directly compatible with the density of the Housing Authority buildings across the street. It is only through the provisions of incentives, notably structure parking, streetscape improvements and on-site recreation, that the density cited as being permissible in the B-1, one-half mile to the north would be appropriate here. This bonus density requires an additional finding of the City Council that the benefits being sought are achieved by the project sponsor's proposal, and that with such a finding, the proposed development will be compatible with public policy (such as Master Plan objectives) and zoning.
16. Page 2-44 – As discussed previously in our completion reviews, the "Conclusion" and "Introduction" sections of the document generally only include the opinions of the project sponsor based on the analyses provided. We believe the deliberations of the lead agency would be better served if it were to rely instead only on the information and analyses contained in the chapters, reserving its conclusions for the Findings Statement. Therefore, when the

DEIS is incorporated by reference into the FEIS, these particular sections should be specifically omitted. We defer ultimately to VHB on this point.

- C-33 17. Page 3-1 – We do not understand why displacement must be involuntary and thus a negative impact. The project sponsor may utilize incentives or other measures to have existing residents and tenants voluntarily leave. Further in addition to displacement, additional demographic impacts include direct population increase and indirect population increase.
- C-34 18. Page 3-1 - The description of the three bulleted conditions that are raised for consideration are never addressed. Our suggestions regarding these three questions are:
1. There will be a significant alteration of the demographic and economic profile of the area. That is to say that the area is currently marked by greater concentrations of minority race and ethnicity and lower incomes. The proposed action will likely increase incomes and reduce the concentration of minority race and ethnicity in this particular area, and bring the area closer to City averages for income and diversity.
 2. There are no significant employers at the site.
 3. The proposed development would be markedly different from the existing surrounding area in terms of quality of construction and appearance. There is no basis to believe that this proposal would lead to indirect displacement of residents or businesses. The sizable residential multifamily development across the street is owned and operated by the Glen Cove Housing Authority, for the express purpose of providing affordable housing. The availability of this housing for low-income individuals is assured. If the project is approved, the surrounding neighborhood would still remain available to low-income families.
19. Chapter 3 – Fiscal Impact Generally – It is interesting to note that the proposed development will result in a negative impact to the municipality and a positive impact on the school district. Most residential development is opposite. We imagine that this effect is mostly due to the bedroom mix, which will discourage occupancy by families. It is further noted that the municipal and school district boundaries are coterminous in Glen Cove. It would therefore be sensible to view fiscal impacts on the City as a total of these two jurisdictions. The impact on City jurisdictions will be the introduction of approximately \$400,000 of new net revenue after costs are deducted. More specifically, the project would likely have resulted in a decrease in taxes were it constructed and occupied in 2009. While County impacts are important, ultimately, the development is too small to result in a significant impact on County finances.
- C-10A 20. Page 4-14 – The document identifies that Benzopyrene was detected at levels above NYSDEC established soil criteria. However, there is no discussion of properly mitigating this condition as part of the proposed action.
- C-35 21. Page 4-18 – Again, statements that the steepest slopes are at the northeast corner of the site conflict with more accurate statements that the steepest slopes are on the eastern side of both the southern and northern tracts. Additionally, there has been no effort to avoid disturbance of these slopes.

22. Page 4-19 – The statement that no contamination was found conflicts with previous statements that Benzopyrene was found at levels above NYSDEC standards.

C-36 23. Page 4-21 – The DEIS states that mitigation measures to topography and soils are not warranted, and then goes on to list three pages of mitigations that should be incorporated. In writing the FEIS, the Lead Agency will need to carefully review the document to establish a list of potential significant adverse impacts and the mitigations that the project sponsor is proposing, which are often described or considered in the DEIS as part of the project description. We suggest that a mitigation is an element of the project that the project sponsor would not propose if there was not a chance of an impact. For example, the sprinklering of the buildings, incorporation of erosion control measures, significant street tree plantings, are all described as part of the project description, but are actually mitigations. It will be important to identify these potential impacts and mitigations in any Findings to Approve that the Lead Agency may consider so that the appropriate agencies can subsequently require them and incorporate them as conditions to approval should the project be approved. We ultimately defer to VHB on these matters as they are providing SEQRA guidance.

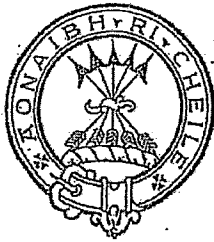
C-37 24. Page 7-15 – The Sea Cliff Station is also located in the City of Glen Cove, just south of the Glen Street Station, and may be the most likely station for use by residents of the proposed development.

25. Page 7-40 – Because the low volumes indicate that closure of Craft Avenue would not have a significant effect on other area roadways, doesn't this further suggest that the closure is not warranted. We understand that the project sponsor does not have a preference for this street to remain open or be closed, but that this was rather a City proposal.

C-38 26. Page 7-50 – The statement that 10% of vehicular trips would be bound for the LIRR railroad stations does not agree with figure 7-7. Figure 7-7 show approximately 20% of vehicular trips being station bound, 10% to each of the Glen Street and Sea Cliff Stations. Regardless of whether it is 10% or 20%, this would appear to be the project sponsor's best guess as there is no rationale for this assignment. The suitability of the proposed units for young professionals would lead us to believe that there may be a higher percentage of persons seeking to use the transit stops (than 10%). This coupled with the valet parking system, which adds time and a planning step for vehicular trips) would lead me to believe that the proposal may significantly impact the commuter loop bus. What is the existing capacity and utilization of the commuter loop bus system? What level of usage can be anticipated from the proposed project, and would this result in significant additional expenditures, including potential capital expenditures for investment of an additional vehicle? Has the project sponsor considered a jitney to be operated by the HOA or under contract with the HOA?

C-39 27. Chapter 8 – The proposed project is clearly a visual improvement to the streetscape in the vicinity of the project site. One large component of this is the undergrounding of utilities. Is the project sponsor proposing to underground all pole-mounted utilities in the vicinity of the project?

- C-40 28. Figure 8.3-4b – The view of the building would be increased at this intersection during leaf-off months. We continue to believe that this view has the greatest potential for impact given the height of the "mid-rise" building. We question whether this building is adequately articulated to reduce the appearance of bulk. Perhaps a rendering without the trees could be provided based on the work that was already performed?
- C-41 29. Figure 8-3-5b – It appears from this view that much of the northern exposure of building B will be blank façade? Are there additional opportunities for windows or architectural detail on this exposure? Again, it is difficult to tell as a leaf-on rendering was provided.



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Robert E. Wilkinson, P.E.
Steven R. Giannunna, P.E.

November 22, 2010

Mr. Thomas Scott
Chairman, Planning Board
City of Glen Cove
9 Glen Street
Glen Cove, NY 11542

Re: Completeness Review – Revised June 2010 DEIS
The Villa at Glen Cove
CE 1008Q

Dear Chairman Scott:

As requested by the City of Glen Cove Planning Board, and pursuant to SEQRA regulations, Cameron Engineering & Associates, LLP has reviewed the above-referenced Draft Environmental Impact Statement ("DEIS") sections related to Traffic, Air Quality, Noise, and Construction for technical content. Please note that Site Plan comments will be provided to the Board under separate cover, in advance of the future site plan hearing.

Pending resolution of the items referenced in our prior letter regarding the completeness of the document, the following additional items should be revised as necessary in the DEIS:

Executive Summary

- C-42 ■ The lot areas given do not add up directly to the total 173,192 s.f. area.
- Aesthetics and Visual Resources – Page 14: The second sentence of second paragraph is ambiguous; revise it to clearly reference the mid-rise building.
- Page 22: The last sentence of the third paragraph should read, "...barely conceivable from background noise..." to "...barely discernible from background noise..."
- C-43 ■ Construction Impacts – Page 31: Construction timeline needs to be updated.
- C-44 ■ Page 35 of 40: Clarify that the insulation described in the second sentence of the first paragraph is the same insulating blue board discussed elsewhere in the document.
- C-45 ■ Pages 36 and 38 of 40: Page 36 indicates work hours of 7:00 am to 5:00 pm. Page 38 indicates work hours of 7:00 am to 6:00 pm. Please correct work times to be consistent throughout DEIS and compliant with requirements of City Code.

"Celebrating 25 Years of Business"

CAMERON ENGINEERING & ASSOCIATES, LLP

Mr. Thomas Scott
Chairman, City of Glen Cove Planning Board

November 22, 2010
Page 2 of 4

Cumulative Impacts

- Section D – Infrastructure and Utilities – Page 37: Correct typographical and grammatical errors in first and last paragraphs on this page.

Traffic and Transportation

- The City of Glen Cove is not subject to New York City Environmental Quality Review (CEQR) constraints, but we find no concern with using the *CEQR Technical Manual*.
- C-46 ▪ Page 31 refers to “field counts of vehicles entering and leaving the site during weekday AM and PM peak hours.” These field counts should be included as part of Appendix D2.
- C-47 ▪ Footnote 3 on page 17 indicates that the City of Glen Cove’s DPW may combine the separate Commuter Bus and Loop Bus services. Pages 28 and 52 indicate that significant changes are not expected in the next two years. This apparent discrepancy should be resolved, such as with the statement that consolidation will not lead to reduction of scheduled trips.
- C-48 ▪ Regarding parking, the document should discuss space reservations, visitor vs. resident parking, and general operational characteristics (e.g., will all drivers need to wait for an attendant?) of the motorized spaces.
- C-49 ▪ The following comments pertain to the signal warrant analysis (in the text and Appendix D11) at the intersections of Glen Cove Avenue with Craft Avenue and the proposed site driveway:
 - Specify why Warrants 3 through 8 do not apply. There is adequate data to discuss, for example, that there are not enough pedestrians, there is no school crossing, and these roads are not all “major routes,” to respectively dismiss Warrants 4, 5, and 8.
- C-50 ▪ Explain why the peak hour volumes “Intersection Turning Movement Volumes” do not match the Build volumes analyzed in the DEIS.
- C-51 ▪ Explain the methodology for calculating Warrants 1 and 2. It appears as though the peak hour volumes were multiplied by 77% and 90% to calculate the 8th and 4th highest hours, respectively, but this is not explained in the document. Moreover, since traffic was counted for four hours to determine the peak hours for the DEIS Traffic Study, the actual four-hour counts should be used to calculate Warrant 2 (Four Hour Volume) instead of a 90% factor applied to a one-hour volume.
- C-52 ▪ The signal warrant analysis should reflect the 2009 MUTCD (the footnote refers to the obsolete 2003 version).
- C-53 ▪ The calculations for Warrant 2 and for Warrant 3 Condition B should be expanded to better reflect the MUTCD required volumes. The required volumes are not static, but are plotted lines representing combinations of major and minor approach volumes; the projected volume plotted points should fall above these plotted lines to meet the warrants. The document should simply show the figures 4C-1 and 4C-2 and show that the projected Build volumes fall short.

CAMERON ENGINEERING & ASSOCIATES, LLP

Mr. Thomas Scott
Chairman, City of Glen Cove Planning Board

November 22, 2010
Page 3 of 4

Air Quality

- C-54 ▪ The Capture Criteria for Condition #2 (Increase in traffic volumes) should refer to the change of the "New Villa traffic" and not the "Net New Villa traffic" because the existing trips to be removed are already removed from the base 2012 No Action condition (Figure 12-1).
- C-55 ▪ The DEIS construction vehicle calculations do not all add directly. The Appendix O "Trucks per day" table (dated July 2009) should coordinate the actual months (a January 2011 start is feasible, a July 2010 start is not), and the July 2010 number of "20 demolition trucks" can not yield a total of "16" trucks.

Noise

- C-56 ▪ The numbers in Tables 13-3 and 13-4 (excerpted below) should include the corresponding volumes used to calculate the Existing and No Build volumes on Glen Cove Avenue.

Roadway Length	Existing Conditions		No-Action Conditions	
	AM Peak Period	PM Peak Period	AM Peak Period	PM Peak Period
Glen Cove Ave between Shore Rd. and Craft Ave.	906	1,239	1,031	1,388
Glen Cove Ave. between Craft Ave. and Young Ave.	903	1,246	1,027	1,395

Construction

- C-57 ▪ The Appendix O SWPPP construction sequence schedule has dates beginning in 2007. Dates should be revised to indicate the appropriate start and end dates.
- C-58 ▪ The SWPPP Narrative Report contains some grammatical errors and is not consistent with the rest of the document, such as mentioning "452 parking spaces" (page 1), "three-bedroom units" (page 1), and "slopes over 25 percent and over 25 percent" (page 2). Also, the percentage areas within each slope classification do not match the percentages based on the lot areas discussed in the Executive Summary.
- C-59 ▪ Page 2 of the Narrative Report lists two separate areas with slopes in the 15-25 percent range; one area is likely in the 25-35 percent range.
- The numbers of each type of unit (one- and two-bedroom) do not match the rest of the document.
- C-60 ▪ Chapter 20 refers to multiple "PM peak hours" starting either at 4:30 or 5:00 pm. The peak hour should be consistent with Chapter 7 results.
- C-61 ▪ The Figure 20-2 and Figure 20-3 labels on the X-axis have "..." marks. What is missing in the labels? Also, Figures 20-2 and 20-4 show trucks beginning in September 2010, which predates the environmental approvals and related permits. The figure should be revised to reflect "Month 1, Month 2," etc. as the specific month name does not impact the results of the table.

CAMERON ENGINEERING & ASSOCIATES, LLP

Mr. Thomas Scott
Chairman, City of Glen Cove Planning Board

November 22, 2010
Page 4 of 4

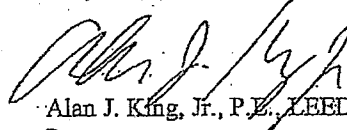
- C-62 ▪ Section C.3 – Noise 9 - Pages 12 and 13: Page 12 indicates work hours of 7:00 am to 5:00 pm. Page 13 indicates work hours of 7:00 am to 6:00 pm. The Appendix O letter from Bernhard Shipp and Associates dated May 3, 2010 refers to work hours between 7:00 and 6:00 pm. Please correct all work time references so they are consistent throughout the DEIS.
- C-63 ▪ The Site Traffic Analysis and Site Traffic Analysis-Private Vehicles in Appendix O need to be revised to match the Conceptual Approval and Conceptual Progress Schedules as well as each other.
- C-64 ▪ In the Executive Summary, Section S – Potential Impacts During Construction, and in Chapter 20, it is described that 22 to 51 daily round-trip truck trips (or 44 to 102 single truck trips) are estimated during excavation work, which is estimated to last for six to seven months. The DEIS should discuss that the peak construction trip volumes are to occur during off-peak hours when the background traffic is much lower than during peak hours, and that construction trips during peak hours will be smaller than the trip volumes analyzed in the DEIS Traffic Study.

Mitigation Measures

- C-65 ▪ Section C – Noise – Page 8: The last paragraph on this page describes a noise barrier being erected within 200 feet of the pile driver. This description is not consistent with the descriptions provided with the Executive Summary and Appendix O as to how and where the sound attenuation barrier will be constructed.
- C-66 ▪ Page 9: Description of sound barrier is not consistent with descriptions provided with the Executive Summary and Appendix O.

Should you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,


Alan J. King, Jr., P.E., LEED AP
Partner

AK/kj

cc: Planning Board Members
Michael Sahn, Esq.
Review Team

Edward P. Mangano
County Executive



Jeffrey H. Greenfield
Chair

Richard A. Blacutti
Executive Commissioner

Nassau County Planning Commission

100 County Seat Drive
Mineola, New York 11501-4841
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516.571.5847

Fax Transmittal Sheet

Date: 11/16/10

To Fax #: 789-6711

From Fax #: (516) 571-1776

To: LOIS STEMCOSKY

From: MARTIN KATZ

Number of Pages (including cover): 5

Subject: STAFF COMMENTS ON DRIS FOR Villa AT GLEN COVE

Special Instructions (if any):

PLEASE ACCEPT THIS "FINAL" VERSION
OF PLANNING DEPT STAFF COMMENTS.
PLEASE GET IT TO APPLICANT TODAY
AS THIS IS final day for accepting
comments. Thanks

Nassau County Planning Dept. Comments on Villa at Glen Cove DEIS

Land Use, Zoning, Public Policy (Chapter 2)

- C-67 • Page 28; 3rd paragraph -- The document states that at 50 units per acre (with a 7-story residential building), the proposed development would not be out of character with surrounding area. It should be noted that while there are two garden-type multi-family developments along the west side of Glen Cove Rd. these developments are nowhere near 50 units per acre. In addition, the residential neighborhoods east of Glen Cove Ave, from where the project is being built are primarily single-family homes. Also, Avalon Bay at 83 units per acre is located in downtown Glen Cove and not in the immediate area of the subject property and may not be comparable in this regard.
- C-68 • Page 31 -- Compatibility with Surrounding Zoning -- The document states that the proposed development at 50 units per acre is not incompatible with existing zoning (which means that it is compatible with existing zoning). At 50 units/acre and building heights ranging from four to seven stories, this development may be viewed as being out of character with surrounding zoning and land use, particularly the east side of Glen Cove Ave.
- C-69 • General Comment - The RIO-GCA district was one of many amendments to the City's ordinance that the City passed earlier this year. While public hearing(s) were held for the Amendments to the City's ordinance as a package, it is unclear as to whether public hearing(s) were held specifically for the creation of the RIO-GCA district which is a significant land use action in and of itself.
- C-70 • Page 32; 1st paragraph -- While the DEIS states that there are no mid-rise buildings of the development that will exceed the roof top elevations of building that are part Glen Cove Housing Authority and will not exceed the height of the tree canopy on the residential parcels east of the subject property, a 7-story residential structure as part of the development may be viewed as being out of out of character with the surrounding area.
- C-71 • Page 32 -- Density Bonuses Allowed for Additional Incentives -- The maximum density permitted in the RIO-GCA district is 20 units per acre. The regulation state that if certain amenities are provided, the district would permit density bonuses that increase the maximum allowable density from 20 units per acre to 50 units per acre. They are as follows: 1. an additional 17 units/acre for structured parking; 2. an additional 10 units per acre streetscape improvements; 3. an additional three units per acre with the provision of on-site recreational amenities. The proposed amenities that result in the density bonuses appear to be for the benefit of residents of the development and may be without benefit to the public or city as a whole. For example, structured parking will be utilized by residents of the proposed Villa. How does this benefit the public? Also, the DEIS indicates

that streetscape improvements will be made. This is true along the development's street frontage on Glen Cove Ave. It is acknowledged that as a "gateway" to the City this amenity would be beneficial to the City, but it is unclear if streetscape improvements are being proposed beyond the boundaries of the development. Finally, the DEIS indicates that on-site recreation amenities will be provided, but it appears that these amenities will be exclusively for the residents of the development.

C-72

Given the various density bonus opportunities as set forth in the Overlay District ordinance, it is odd that an allocation of affordable units would not qualify. While streetscaping improvements may improve off-site conditions for existing residents, it is difficult to establish a relationship between structured parking and on-site private recreation facilities, and enhancing the quality of life for existing affordable housing residents in the neighborhood. Perhaps the criteria for density bonus award should be revised to give the construction of new onsite affordable housing a more feasible chance of being implemented in this area of the City.

- Page 35 - (discussion of Waiver of Hillside Protection Provision) - The DEIS states that the steep slopes on the site are already disturbed and that by limiting development on these steep slopes the residential yield would be significantly reduced. It appears that portions of the subject property that are steeply, particularly the northeast portion, are relatively undisturbed.

As stated in the RIO-GCA zoning text, *"the location of the RIO-GCA District is unique in both its necessity for redevelopment and revitalization and its significant topography...it is therefore necessary to provide incentives and relief so that appropriate developments may capture any density that may be lost from steeply sloping areas of a project site"*.

C-73

Through the increased density requirement of 20 units/acre as per the Overlay District, the ordinance has effectively transferred the development potential of steeply sloping lot areas to facilitate an economically feasible development on the lesser sloping portions of the subject property. Coupled with density bonus allowances for on and offsite amenities, it seems as if *"density that may be lost from steeply sloping areas of a project site"* has been fairly captured. Any waiver from the Hillside Protection Ordinance should strictly consider the ability, or inability, to locate a bulk-conforming structure on the less encumbered portions of the lot, and should not necessarily be applied to permit additional density above what is permitted as of right and through allowable density bonuses in the Overlay District. The waiver from Hillside Protections regulations, thus becomes a self-created hardship. As mentioned above, adequate density incentives and relief are already built into the RIO-GCA ordinance.

- Page 33 – Waiver of Affordable Housing – The DEIS states “The City Council may waive any requirements for the 10 percent set-aside of affordable housing where adequate on-site and off-site improvements of the neighborhood are made which enhance the quality of life of affordable housing residents in the neighborhood, including landscaping improvements, mass transportation improvements, facade improvements and lighting and security improvements. The City Council shall determine that there is approximate equivalence between potential affordable housing lost or gained or that the city has or will take reasonable action to compensate for any negative impact on the availability or potential development of affordable housing caused by the provision of this section.”

C-74

The applicant indicates that the proposed development includes adequate on-site and off-site improvements to the neighborhood that will help enhance the quality of life, including landscaping improvements, mass transportation improvements, facade improvements and lighting and security improvements. The City's rationale for approving a waiver for affordable housing as described in this document are somewhat vague and bear little relationship to increasing affordable housing opportunities for city residents. The applicant provides no compelling reason why it should not comply with a ten percent set-aside or at least a fee in lieu of providing affordable units that is deposited in an affordable housing fund. Again, the rationale behind approving a waiver for affordable housing requirements appears to be tailored to meet the needs of the developer and does not necessarily provide for the “public good”, nor does it provide affordable housing opportunities in any manner of form for residents of the city. It should be noted that in addition to the City's affordable housing regulations that were recently adopted, in January of 2009, New York State passed its own workforce housing law that requires a 10 percent set-aside or fee in lieu.

Socioeconomic and Demographic Conditions (Chapter 3)

- Pages 1 and 2 (Section A) - The plan clearly states the potential socioeconomic and/or demographic changes that could result from the proposed action, including any potentially direct and/or indirect displacement of residential population, businesses, or employees on the project site and within the surrounding study area. However, it also states that in light of the displacement of businesses and residents significant adverse demographic or socioeconomic impacts are not anticipated.

C-75

C-75
(cont.)

- Page 25 - Direct Displacement; Page 26 (Section F) - The DEIS acknowledges the direct displacement of 41 persons and potential displacement of 87 persons, but proposes no mitigation measures in Section F and concludes in Section G that no significant adverse socioeconomic or impacts on the project site, surrounding areas or City of Glen Cove are expected to result from the development. If the applicant proposes to relocate displaced residents or businesses it is not evident in the DEIS.

Transportation (Chapter 7)

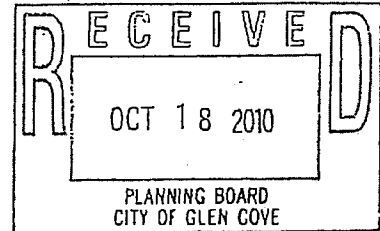
- C-76 • Table 7-2: General Question/Concern - What is the benefit of showing "overall" LOS? Showing "overall" LOS creates a misleading picture of existing conditions.
- C-77 • Page 14, Section 3, Paragraph 1 - To be factually correct, the MTA does not operate the public mass transit systems for the entire region surrounding NYC. This should be revised.
- C-78 • General comment - When citing transit schedules please include the date of the data.
- C-79 • General comment - The LI Bus data needs to be revised because it is now out-of-date. Example - Page 16, first paragraph under "Existing Bus Conditions" cites LI Bus as operating 54 routes, but since the service cuts they now operate only 48 routes.
- C-80 • Page 31 - Trip Generation - Net new trips seems underestimated. Checked with ITE Trip Generation manual and rate for peak hour should be .44 per dwelling unit, which would make the number more like 95.
- C-81 • Figure 7-7 - This figure shows 10% of then trips being distributed onto Glen Keith Road, which is a dead end that is not even adjacent to the site. This seems odd.
- C-82 • Page 50 - Parking section - It is stated that 2 parking spaces will be provided for each unit, making a total of 432 parking spaces. With 432 vehicles, it seems odd to assume only 15% of those vehicles will be making trips in the AM peak hour. Also, the paragraph goes on to state that this parking will accommodate visitors, so is there not going to be separate visitor parking?
- C-83 • Existing Parking Utilization - Were these observations reconciled against LIRR parking utilization numbers?

EDWARD P. MANGANO
COUNTY EXECUTIVE



MARIA TORROELLA CARNEY, M.D., F.A.C.P.
COMMISSIONER

NASSAU COUNTY
DEPARTMENT OF HEALTH
106 CHARLES LINDBERGH BOULEVARD
UNIONDALE, NEW YORK 11558
TELEPHONE 516.227.9672
FAX: 516.227.9613



October 15, 2010

Ms. Lois Stemcosky
Planning Board Secretary
Glen Cove City Hall
9 Glen Street
Glen Cove, New York 11542

Re: Notice of Completion
Draft Environmental Impact Statement
The Villa at Glen Cove
Proposed Realty Subdivision

Dear Ms. Stemcosky:

We have reviewed Draft Environmental Impact Statement prepared pursuant to the State Environmental Quality Review Act for the referenced project that entails the proposed subdivision development for the construction of 216 realty subdivision units at the Glen Cove property and is providing the following information that must be considered:

General Requirements

- C-84 1. Realty Subdivision plans and applications must be submitted to the NCDH for the approval of the design of the water supply and sewage disposal systems to serve each residential development of five (5) or more units or lots.
- C-85 2. Private Sewage Disposal System plans and applications must be submitted to the NCDH for the approval of all individual on site sanitary sewage disposal systems that are proposed to serve apartment buildings and institutions as well as non residential developments including restaurants, office buildings, recreational or other commercial and industrial buildings.
- C-86 3. All land development in the Special Groundwater Protection Areas (SGPAs) of Nassau County must comply with the requirements of Article X of the Nassau

County Public Health Ordinance (NCPHO). This regulation limits the number of dwelling units to one per 40,000 square feet for residential developments, limits the daily design rate of sewage discharged per square foot of net area for non-residential developments to no more than .00375 gallons per square foot, and prohibits all discharges of industrial wastewater, whether or not treated.

- C-87 4. The construction of realty subdivisions, and other residential and non residential developments that require NCDH approval may not proceed until realty subdivision or private sewage disposal system plans are approved by NCDH.

Water Supply

- C-88 5. Engineering plans and specifications for the construction of new or modification of existing water mains which will serve the proposed development must be submitted, through the public water supplier, for review and approval to the NCDH. The installation of private wells as a source of drinking water, cooking, sanitary or laundry use, in an area served by a public water system, is prohibited.
- C-89 6. Evidence must be provided to the NCDH indicating that all water mains constructed as part of the development will be deeded to the public water supplier, along with a dedicated easement as may be necessary, to assure proper operation, repair and maintenance. Dead-end water mains shall not be proposed unless approved by the NCDH pursuant to conditions in Article VI of the NCPHO. All water mains should be connected to adjacent street mains or otherwise looped for improved water distribution.
- C-90 7. The developer must comply with all water supplier requirements for backflow prevention devices on water service lines.

Site Environmental Assessment

- C-91 8. The installation, removal, or abandonment of all toxic and hazardous material storage tanks or areas containing fuel oil, waste oil and regulated petroleum or chemical products must be performed in accordance with the requirements of Article XI of the NCPHO.
- C-92 9. Existing drywells, leaching pools or cesspools must be closed in accordance with all applicable federal (USEPA), state (NYSDEC) or local regulations. The results of approved laboratory testing of soil beneath all drywells, leaching pools or cesspools on the site which have received discharges of sanitary waste, waste water, interior drainage, petroleum products or toxic or hazardous waste must be submitted to the NCDH.
- C-93 10. The NCDH will require the removal of all contamination sources on the site and may require testing to determine if any organic or inorganic chemical contaminants are present in the soil or groundwater at the site. This may include an investigation of soil vapor intrusion to determine if there is potential for

contamination of indoor air by volatile organic chemicals. Soil vapor, indoor and ambient air testing must be conducted in accordance with the NYSDOH *Guidance for Evaluating Soil Vapor Intrusion in the State of New York*. NCDH may also request the installation of a soil gas ventilation system to protect indoor air quality in any proposed new or modified site buildings if warranted.

C-94 11. Any hazardous materials encountered at the site must be removed by an industrial waste transporter registered with the NYSDEC and be taken to an approved hazardous waste disposal facility. The NYSDEC and the NCDH must be notified upon discovery of any hazardous substance in order to determine if further investigation is necessary.

C-95 12. A Phase II and Phase III ESA may be required to be submitted to the NCDH. If any sources of potential contamination are suspected in proximity to the site, the property should be further investigated to determine the impact of this contamination in the soil, groundwater and soil gas beneath the site.

Other Requirements

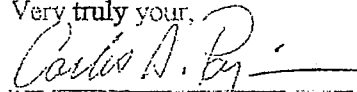
C-96 13. A certification of rodent free inspection for demolition must be obtained from the NCDH Office of Community Sanitation. A copy of the certification must be given to the local building department in order to obtain a demolition permit.

C-97 14. A NYS Dept. of Labor licensed inspector must survey any existing buildings or structures for the presence of Asbestos Containing Building Material (ACBM) prior to demolition. If ACBM's are identified, they must be handled in accordance with NYSDOL and USEPA regulations.

C-98 15. Engineering plans and specifications for the construction of any new or modified public swimming pool must be submitted to the NCDH for review and approval.

The developer or project consultant must submit a written response of this letter to the NCDH. Failure to reply within 60 days of the receipt of this letter will result in the suspension of all engineering plan review. Please contact me at 516.227.9672 should you need additional information or have any questions.

Very truly yours,



Carlos A. Pareja, P.E.

Bureau of Environmental Engineering

cc. Michael J. Alarcon, P.E., Patricia Ramirez, P.E.