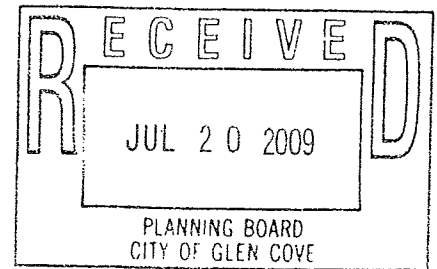


July 13, 2009

Mr. Tom Scott, Chairman
Glen Cove Planning Board
Glen Cove, NY 11542



I am opposed to the current RXR Glen Isle waterfront development proposal to build a mixed-use development including 862 residential units and a 250 suite hotel because we believe that:

- 10-12 story buildings are grossly out of character with our suburban community and will set a precedent for future similar oversized development
- the high density and scale of the project will cause irreparable harm to our environment and quality of life
- the adverse impacts of this project will likely be far greater than the developers' DEIS has stated; while the economic and other benefits have not been adequately demonstrated.

Sincerely,

Signature

Dianne Minardi Mullarkey

Name (print)

Dianne Minardi Mullarkey

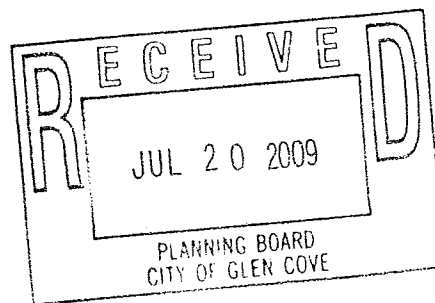
Address

*21 Hammond Road
Glen Cove, NY 11542*

Cc: Mayor Ralph Suozzi
Planning Board Members
Glen Cove City Council
Tina Pemberton, City Clerk
RXR Glen Isle Partners

July 13, 2009

Ms. Lois Stemcosky
Planning Board Secretary
Glen Cove Planning Board
City Hall
9 Glen St., 3rd Floor
Glen Cove, NY 11542
LStemcosky@cityofglencoveny.org



Dear Ms. Stemcosky:

I am opposed to the current RXR Glen Isle waterfront development proposal to build a mixed-use development including 860 residential units and a 250 suite hotel because I believe that:

- 10-12 story buildings are grossly out of character with our suburban community and will set a precedent for future development
- the high density and scale of the project will cause irreparable harm to our environment and quality of life
- the adverse impacts of this project will likely be far greater than the developers' Draft Environmental Impact Statement (DEIS) has stated; while the economic and other benefits have not been adequately demonstrated.
- The noise created during the construction phase will be extremely disruptive to those living in the surrounding area.
- Since parks in the area are already severely under-utilized, there is no need for additional parks in the waterfront area. The height of the buildings should be decreased so that they are not taller than the Avalon.

Sincerely,

Name

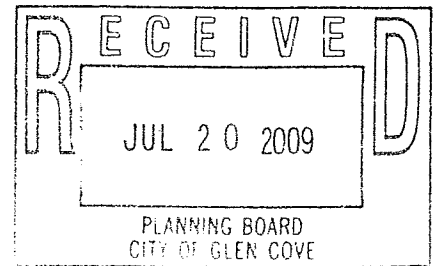
Address

City, State, Zip

Cc: Mayor Ralph Suozzi
Planning Board
Glen Cove CDA/IDA
Glen Cove City Council
RXR Glen Isle Partners

July 13, 2009

Ms. Lois Stemcosky
Planning Board Secretary
Glen Cove Planning Board
City Hall
9 Glen St., 3rd Floor
Glen Cove, NY 11542
LStemcosky@cityofglencoveny.org



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- the high density and scale of the project will cause irreparable harm to our environment and quality of life
- the adverse impacts of this project will likely be far greater than the developers' Draft Environmental Impact Statement (DEIS) has stated; while the economic and other benefits have not been adequately demonstrated.
- the impact of this large scale development will have far reaching negative effects on traffic, air quality, noise and air pollution during construction; our first responders and city services.

Sincerely,

____Marilyn Brenner_____
Name

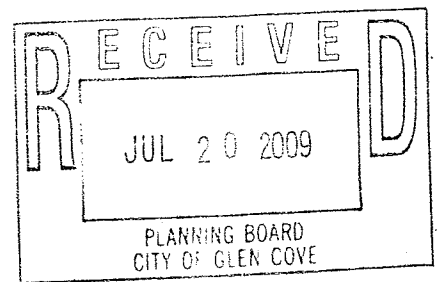
____39 Henry Drive_____
Address

____Glen Cove, NY 11542_____
City, State, Zip

Cc: Mayor Ralph Suozzi
Planning Board
Glen Cove CDA/IDA
Glen Cove City Council
RXR Glen Isle Partners

July 13, 2009

Ms. Lois Stemcosky
Planning Board Secretary
Glen Cove Planning Board
City Hall
9 Glen St., 3rd Floor
Glen Cove, NY 11542



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• THERE ARE WAY TOO MANY RENTAL PROPERTIES
IN GLEN COVE.

• TRAFFIC WILL BE INCREASED NOT ONLY IN GLEN
COVE BUT AT GREENVALE (A GLEN COVE TOWN) WHICH

Sincerely, IS ALREADY TOO ENOUGH.

ROBERT WONG
Name

2 GEORGE ST
Address

GLEN COVE, NY 11542
City, State, Zip

Cc: Mayor Ralph Suozzi
Planning Board
Glen Cove CDA/IDA
Glen Cove City Council
RXR Glen Isle Partners

We, the undersigned, are opposed to the current RXR Glen Isle waterfront development proposal to build a mixed-use development including 862 residential units and a 250 suite hotel because we believe that:

- 10-12 story buildings are grossly out of character with our suburban community and will set a precedent for future similar oversized development
- the high density and scale of the project will cause irreparable harm to our environment and quality of life
- the adverse impacts of this project will likely be far greater than the developers' DEIS has stated; while the economic and other benefits have not been adequately demonstrated.

[illegible]

July 13, 2009

① L Stemcosky City of Glen Cove
② Ralph

Ms. Lois Stemcosky
Planning Board Secretary
Glen Cove Planning Board
City Hall
9 Glen St., 3rd Floor
Glen Cove, NY 11542
LStemcosky@cityofglencoveny.org

Dear Ms. Stemcosky:

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• _____

Sincerely,

LOUIS PAGLIARDA

Name

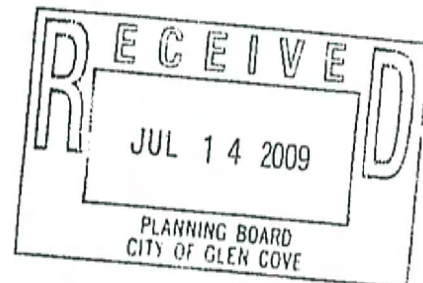
15 Sunset Avenue

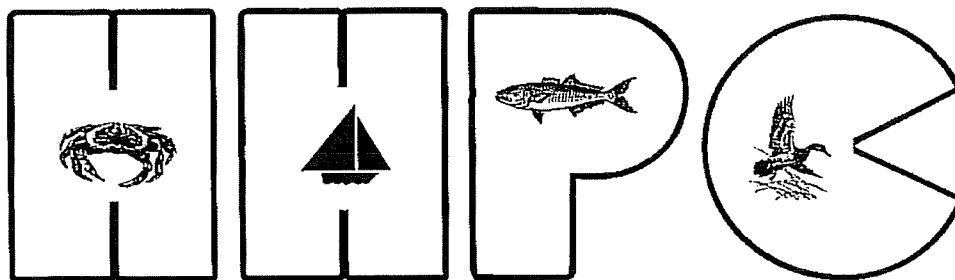
Address

Glen Cove, NY 11542

City, State, Zip

Cc: Mayor Ralph Suozzi
Planning Board
Glen Cove CDA/IDA
Glen Cove City Council
RXR Glen Isle Partners





**Hempstead
Harbor
Protection
Committee**

www.HempsteadHarbor.org

An Inter-municipal Watershed Protection Committee of the County of Nassau, the Towns of North Hempstead and Oyster Bay, the City of Glen Cove, and the Villages of Sea Cliff, Roslyn Harbor, Roslyn, Flower Hill and Sands Point

"Alone we can do so little; together we can do so much." - Helen Keller

July 13, 2009

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

RE: Written Comments on RXR Glen Isle's Mixed-Use Waterfront Development DEIS

Dear Ms. Stemcosky:

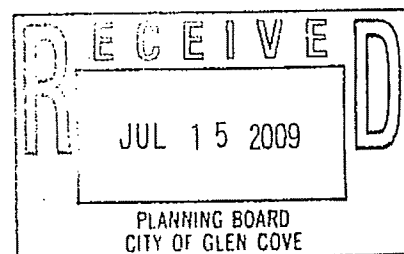
On behalf of the Hempstead Harbor Protection Committee, please find attached our written comments on the RXR Glen Isle Mixed-Use Waterfront Development's Draft Environmental Impact Statement (DEIS).

If the Planning Board or its consultant would like these in electronic format, please advise me and I will be more than glad to provide them. Thank you for the opportunity to provide these comments.

Sincerely,

Eric Swenson
Executive Director

*Copies to: William Clemency, HHPC Chair
William Archambault, P.E., HHPC Representative*



Our efforts would not be possible without the assistance of the NYS Dept. of State, the NYS Dept. of Environmental Conservation, the United Civic Council of Glen Head and Glenwood Landing, NY Sea Grant, the Coalition to Save Hempstead Harbor and the Glenwood / Glen Head Civic Association

**HHPC WRITTEN COMMENTS
ON RXR GLEN ISLE'S PROPOSED
MIXED-USE WATERFRONT DEVELOPMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

July 13, 2009

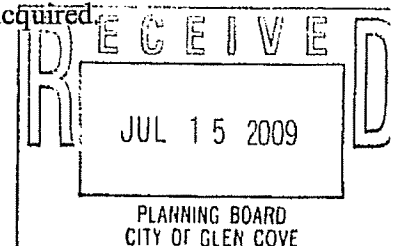
The Hempstead Harbor Protection Committee, which is comprised of the nine local governments (including the City of Glen Cove) that surround Hempstead Harbor, does not take positions for or against any project that is decided upon by our member municipalities. Our purpose in providing these written comments is to provide the City's Planning Board with an analysis of how well the Draft Environmental Impact Statement (DEIS) addresses potential impacts to the water quality of Glen Cove Creek and Hempstead Harbor; how well it addresses the public's access to these waterways; and to provide constructive suggestions that we believe will further protect these valuable resources and enhance their usage. As such, this document will only comment on those sections of the DEIS that directly or indirectly deal with water quality and public access to waterways.

Community Facilities

OVERVIEW: *The HHPC wholeheartedly supports the inclusion of public amenities in this project. We believe that the more access and contact that the public has with our waterways, the more incentive they will have to become better stewards of this valuable resource. Many of the public amenities that are associated with this project are proposed for the Gateway Properties that are not currently under the control of the developer. Further complicating this is the fact that a Phase I environmental assessment report concluded that there is reason to believe that contamination may exist on these properties. The potential for additional remediation in this area would add another roadblock that could delay or preclude acquisition. The DEIS does not adequately address the viability and sequencing of these amenities in the event that some or all of these parcels are not acquired.*

HHPC COMMENT # 1: The largest concentration of this project's proposed public amenities is located within Block J. This includes the Turning Basin, Pratt Park pedestrian linkage, kayak and paddle boat rental, lawn amphitheatre, water plaza, a portion of the esplanade and public parking. This area is largely, if not entirely, the same as what the DEIS refers to as The Gateway Properties which are seven parcels currently owned by others and not within the control of the developer (including Windsor Fuel, Nassau Redi-Mix, Brilliant Electric and Air and an office building). The DEIS does not adequately address the impact on the public amenities, or the project as a whole, if some or all of these parcels are unable to be acquired.

RECOMMENDATIONS: The FEIS should address the viability and sequencing of the public amenities in the event that these parcels or some of them are not acquired.



Green Building Components

OVERVIEW: *The HHPC believes that the incorporation of environmental amenities into the design of buildings and other facilities can go a long way toward mitigating the adverse environmental impacts generated by the project. We are pleased that the developer, from the outset, has recognized this and has committed to incorporating green building components into the design. However, the level of commitment and the level of detail provided in the DEIS are less than we had hoped.*

HHPC COMMENT # 2: The DEIS states (on p. II-45) that the project “would contain” numerous green building strategies and components that are potentially eligible for LEED certification. Later in the same paragraph, it states that the project “would likely include” many of the design features and practices that would qualify for LEED credits. It then goes on to state that as the specific building design advances the applicant “will explore...to the extent feasible” methods to incorporate current environmentally responsible techniques, recognizing that the LEED rating systems are dynamic and changing over time. These statements are somewhat contradictory and therefore the extent to which the applicant is committed is unclear.

RECOMMENDATIONS: The FEIS should contain a list of green building components that the applicant is committed to incorporating and others that it is considering. The document should also state whether or not the applicant will seek LEED certification for any or all of the buildings and specify which buildings and which level of LEED certification they will be designed to. If the decision is made not to seek LEED certification, the document should state this and explain why. If an alternate rating system will be used, details should be provided on this rating system and which buildings will be designed around this system. With respect to EnergyStar compliance, the FEIS should specify which, if any buildings will be Energy Star-rated and what overall percentage of energy savings they will be designed to achieve as compared with constructing the same buildings to the current state and city code requirements.

HHPC COMMENT # 3: Vegetative roofs provide an aesthetically pleasing and natural way to beneficially utilize some of the stormwater that would otherwise contribute to stormwater runoff. The HHPC has long advocated the use of “green roofs” as a stormwater good management practice. While mention is made of “green roofs” as part of the design and mitigation measures, there is no definition of a “green roof” provided in the DEIS. Exhibit II-12 depicts green areas on the roofs of most of the proposed structures and labels these “roof deck open spaces”. This implies that there will be some public or private use of the space in addition to, or possibly in place of, the vegetation. It is unclear as to how much of this space is devoted to vegetation and how much is devoted to walking paths, seating or other amenities and thus it is not possible to determine the extent of mitigation that they will provide.

RECOMMENDATIONS: The proposed green roofs and roof deck open spaces should be better defined. Details should be provided as to what percentage will be devoted to vegetation and what other amenities will be included.

Soils and Topography

OVERVIEW: *The possible presence of contaminated soils in close proximity to Glen Cove Creek and Hempstead Harbor and the disturbance of them could lead to contamination of these water bodies. The HHPC feels that care must be taken during the construction process to ensure that contaminants from the soils or the contaminated soils themselves, if they exist, do not end up in our waters. The DEIS does not provide the level of detail that should be provided.*

HHPC COMMENT # 4: A description of standard sediment and erosion control measures are provided on pages III.A-14-15 and a draft Site Management Plan is found on one of the appendix disks. That draft plan states (on page 7) that a Soil Management Plan is included as Appendix 3 to the agreement but Appendix 3 is not provided (only a title page is included on one of the disks). While brief mention is made of some potential mitigation measures, the document defers details to the site plan process. The DEIS further states (at p.V-1) that "...the Site Management Plan (SMP) is not intended to address any additional remediation if hot spots are uncovered during site excavation work or to deal with portions of the site that do not meet current standards". There does not appear to be a plan to deal with newly found hot spots that require remediation.

RECOMMENDATIONS: A more thorough discussion is needed on building on the soils on the site and the safeguards that will be utilized to ensure that contaminated soils do not enter the adjacent waters, especially with regard to new "hot spots" of contamination that would not be covered by the Site Management Plan. The FEIS should also include the Soil Management Plan (Appendix 3 to the draft Site Management Plan).

HHPC COMMENT # 5: In the event that stormwater comes into contact with residual contaminants in the subsurface soils, there is a possibility that contaminants may end up in nearby surface waters (Glen Cove Creek and Hempstead Harbor) either by direct flow to these water bodies or indirect flow through groundwater. The proposed Environmental Easement and the accompanying draft Site Management Plan appear to only address the potential for groundwater contamination and soil vapor intrusion with little or no consideration for addressing surface water contamination.

RECOMMENDATIONS: The developer should commit, through the FEIS and other means, to seeking provisions in the Environmental Easement and the Site Management Plan or other legal mechanism that would allow for the protection of surface waters.

Water Resources (Stormwater)

OVERVIEW: *Stormwater has long been our number one concern as it is the most prevalent means for contaminants to enter the waterways. We feel that it is essential that the developer commit to and design to an effective level of control of stormwater to be generated by the project. While we are very pleased that the developer has committed to using vegetated (or "green") roofs, to re-using some of the stormwater for irrigation and to providing filtration for some of the stormwater prior to its discharge through the outfalls, we are disappointed that the stormwater system as a whole appears to only be*

designed to meet the minimum standard. We also feel that the developer may be hasty in assuming that the project will not be required to meet the Nassau County stormwater requirements. If the stormwater system is designed for the bare minimum or even a 2" storm, any runoff from storms exceeding that level will be discharged into the creek or the harbor. This is especially important given recent experience that seems to indicate that weather patterns are changing and we are experiencing larger rain events on a more frequent basis.

We also feel that long term maintenance of any stormwater system is essential to ensure that the systems continue to function as designed. The DEIS does state that the maintenance responsibilities will be handed by the property owners association and that a manual and maintenance schedule will be provided but there is no discussion regarding mechanisms to ensure the necessary funding for this or to methods to ensure that such maintenance is carried out.

The DEIS also does not adequately address the issue of pet wastes, which are known to contribute significant bacterial contamination to nearby waters if not properly disposed of.

HHPC COMMENT # 6: The DEIS states on p. III.C-25 that under the state's Phase II regulations, the stormwater system in this area only needs to be designed to handle a 1.2" storm. It mentions the county's 8" requirement and goes on to state that the county recognizes that this cannot always be obtained and that the county has an absolute minimum of 2". It then states that because the project does not abut a county road or tie into a county system, the county has no jurisdiction and therefore the project will be designed in accordance with NYS standards (1.2"). The applicant may be incorrect regarding the applicability of the county's stormwater requirement. The county does have jurisdiction over subdivisions and therefore the county stormwater requirements may apply in this case. In fact, the DEIS, at page I-6, points out that it is possible that subdivision approval will be required. The design of the stormwater system presented in the DEIS assumes that this is not the case.

RECOMMENDATIONS: Regardless of whether or not it is determined that the county's stormwater requirements apply, the stormwater system should be designed to meet Nassau County's 8" requirement or if this can be shown not to be feasible, then to the maximum degree feasible, not simply to the minimum that the law will require. The FEIS should clearly state the number of inches of stormwater that the system will be designed to accommodate and explain the reasons for that determination. The FEIS should also clarify whether Nassau County subdivision approval is required.

HHPC COMMENT # 7: The DEIS states that the first 1.0" of runoff from the buildings will flow to an irrigation chamber system with larger storms being diverted to infiltration basins which will be designed to handle and treat up to 2.0" with the rest discharging directly to the creek or harbor. However, at p.III.C-29, it states the possibility that if none of the soils are suitable or if the groundwater table is too high throughout the site, there will be no infiltration systems used and the water will be diverted through an overflow control pipe and discharged to the creek or harbor. It is not clear in the DEIS as to whether this discharge would flow through the Contech Stormfilters.

RECOMMENDATIONS: Better analysis is needed of the soils and water table so that a definitive analysis of stormwater mitigation can be provided in the FEIS. If the soils are found to be insufficient or the groundwater table too high to accommodate infiltration, consideration should be given to expanding the acreage of green roofs from the current 6.0 acres to a greater percentage or if possible, all 14 acres of roof surfaces or to providing additional technology for treating stormwater prior to discharging it to the adjacent waters.

HHPC COMMENT # 8: The proposed stormwater system is based largely on infiltration and yet the possibility exists that the EPA and/or DEC will require the use of engineering controls that may preclude such infiltration in certain areas. At present, the Captain's Cove parcel is precluded under the NYS DEC's Record of Decision ("ROD") from residential use. However, according to the Environmental Condition Report Section 2.2.6, the DEC has informally stated that it will consider residential use provided that certain engineering controls are utilized such as covering the existing soils with an impermeable barrier to prevent soil vapor intrusion. If such barriers are installed, it would appear to preclude infiltration of the stormwater in those areas with the barriers and thus may require direct discharge to Glen Cove Creek and Hempstead Harbor if there is not sufficient remaining space to allow for infiltration. This could significantly increase the volume of stormwater that would need to be handled by the Contech Stormfilters.

RECOMMENDATIONS: The FEIS should address how stormwater will be handled in the event that engineering controls preclude infiltration and whether the Contech Stormfilters are adequate to provide treatment. To the extent that infiltration is not feasible, the applicant should commit to filtration prior to discharge to the creek or harbor.

HHPC COMMENT # 9: The purpose of a stormwater system should not only be to quickly remove stormwater from roadways and other surfaces but to provide treatment of the runoff so that it does not contaminate groundwater or surface waters. The proposed StormTech stormwater system does not appear to incorporate any filtration system other than the filter fabric that would be placed at the bottom of the StormTech chambers used for the stormwater system. The design manual for that system shows that their system does allow for the incorporation of pre-treatment devices. While the filter fabric will provide some benefit, we do not feel that it goes far enough. The addition of pre-treatment devices would reduce the long term maintenance requirements of the StormTech chambers and allow for more convenient maintenance of the system.

RECOMMENDATIONS: To the extent possible, the StormTech stormwater system should incorporate pre-treatment devices or filters for sediment removal and typical stormwater contaminants such as nutrients, hydrocarbons, dissolved metals and bacteria. The FEIS should state that pre-treatment devices will be added to the StormTech chambers or explain why this cannot be done.

HHPC COMMENT # 10: Long term performance of the stormwater system and the removal of sediment are two important factors to consider in a stormwater system design. The StormTech website states that a sediment and maintenance plan is key to long term performance of their system and that a “treatment train” approach to isolating sediment prior to inletting the chamber systems is recommended for easy inspection and maintenance.

RECOMMENDATIONS: These and all other recommendations by StormTech for its system should be incorporated in the design of the system.

HHPC COMMENT # 11: Details regarding the design of the stormwater system such as green roofs, rain gardens, irrigation systems, catch basins, filtration devices, storm drains and outfalls are largely lacking in the DEIS. At p. III.C-26 it states that the “stormwater management plan will employ various practices to meet NYSDEC water quality design standards for total suspended solids (TSS), total Nitrogen (TN) and total phosphorous (TP) removal” and then lists several practices including green roofs and other techniques. The appendix disk contains a series of drainage area maps and documents showing calculations for units to store and recharge stormwater underground. Page III.C-31 states that there will be 8.0 acres of non-vegetated roof surfaces. Page III.C-32 makes reference to 6.0 acres of green roofs. Drawing STM-1 in the stormwater appendix is a site drawing that shows the locations of the StormTech infiltration devices, the outfalls and the Contech StormFilters that would filter stormwater prior to discharge. The stormwater appendix does not contain a narrative description of the system.

RECOMMENDATIONS: The FEIS should include a stormwater management plan with narratives that depict the proposed locations and types of stormwater structures proposed with manufacturer and model number as well as the discharge points to the creek and/or harbor. The plans for specific buildings should be included. We suggest that green roofs be included on the first buildings to be constructed so that experience with this new technology can be gleaned and if necessary, provide the basis for refinements in design for future buildings.

HHPC COMMENT # 12: The DEIS at p. III.C-46 states that the Glen Isle Property Owner’s Association will be responsible for maintenance and that manuals and schedules will be provided to them. The DEIS does not make it clear as to whether the maintenance of the stormwater system will be performed by the overall property owners association, the individual building homeowners associations or the city or a combination of these entities. We believe that it would make most sense for the overall property owners association to bear this responsibility as it would more likely ensure that no portions of the system are overlooked and there would be an economy of scale in terms of cost of maintenance. Methods for ensuring sufficient funding for the maintenance or for ensuring that maintenance is carried out were not addressed.

RECOMMENDATIONS: Since stormwater systems require regular inspection and maintenance and will function poorly or not at all if not properly maintained a mechanism for ensuring such funding and that inspection and maintenance are carried out are essential components of any maintenance plan. The FEIS should address this.

Consideration should be given to the establishment of a stormwater maintenance trust fund with such funds being provided through a portion of the rents and sales of condominium units. Consideration should also be given to the incorporation of covenants and restrictions on the property to ensure that stormwater systems are inspected, maintained, repaired and upgraded as necessary. Finally, consideration should be given to having the overall property owners association bear the responsibility for maintenance of the stormwater system.

HHPC COMMENT # 13: There are several potential sources of contamination of Glen Cove Creek besides the project itself. In the event that contamination is detected in the creek, it is important to be able to determine its source. Having an up-to-date analysis of all outfalls along the creek and their inter-connections would greatly assist this effort. The DEIS (at p. III.C-14) provides details on the storm drain system along Garvies Point Road and the Garvies Point Preserve. No details were provided for the south side of the creek. While this is not within the Glen Isle Project Area, the Conceptual Site Plan for the East Parcel which was presented as part of the PowerPoint presentation at the DEIS Public Hearing shows a possible bridge to the south side of the creek and the creation of new recreation fields.

RECOMMENDATIONS: An up-to-date baseline of existing outfalls along the creek should be provided (both above the water line and below it) along with their inter-connections (where known) and a description of any new outfalls to be constructed and existing outfalls to be decommissioned.

HHPC COMMENT # 14: The DEIS (at p.III.C-30) states that pet waste will be minimized by enforcing the city's pooper scooper ordinance. At page III.J-6, it states that pet waste stations will be strategically located along the public areas and esplanade with no further details.

RECOMMENDATIONS: The FEIS should state the number and location of pet waste stations and state who will maintain them.

HHPC COMMENT # 15: If stormwater is recharged onsite, there is a potential for contact with contaminants which may remain in the soils and thus a potential for migration into the waterways either indirectly through hydraulic groundwater flow or directly through the soils and into the water. If significant quantities of contaminated soils are found, they would likely be addressed through the federal or state superfund remediation process. While the DEIS does address existing subsurface conditions and sets forth a proposed mechanism for the various parties to come to agreement on the responsibilities for such issues, no such agreement is currently in place. Given the potential for costly remediation and the current state of the economy, it is conceivable that a situation may arise where neither party is willing or able to pay for site remediation. In that case, the very future of the proposed project could be in jeopardy. This needs to be addressed. The DEIS at p.III.B-1 discusses existing subsurface conditions and the Appendix disk contains a more detailed Environmental Condition Report. The DEIS states that the applicant and the city need to have a coordinated

approach to handle residual environmental issues at the properties and suggest that the best approach is a multi-agency agreement that includes the applicant. A Draft Site Management Plan which is included on the Appendix disk attempts to address this but it is in draft form, not complete and apparently has not been entered into.

RECOMMENDATIONS: The FEIS should address the possibility that the various parties will not be able to reach agreement on the proposed Site Management Plan or on responsibilities in the event that additional site remediation is required and discuss how this will affect the project.

HHPC COMMENT # 16: Sea Cliff, Glenwood Landing and Glen Head are currently served primarily by aging and in some cases, failing septic and cesspool systems. When these systems fail, there is a possibility of septic wastes entering Hempstead Harbor. The availability of excess capacity at the Glen Cove Wastewater Treatment Facility presents the only real viable opportunity available to these nearby communities for connecting to a local wastewater treatment facility. As such, the City and County should carefully consider how it allocates this excess capacity. The DEIS states that the county's wastewater treatment plant can handle 5.5 MGD; that the average daily flow is 3.5 MGD and the peak flow was 4.5 MGD. The addition of the 507,000 GPD to the peak flow of 4.5 MGP brings the potential peak flow to over 5.0 MGD. The document also indicates that three additional developments (The Villa at Glen Cove, the Glen Cove Mews and Lee Gray Court) will collectively utilize an additional 166,500 gallons per day of capacity. At the same time, other projects have been approved for connection including The Birches and Glen Harbor Partners. The DEIS does not provide the figures from these projects. This leaves little excess capacity for the 5.5 MGD plant.

RECOMMENDATIONS: The FEIS should more fully address the capacity issue taking into account other approved and pending hookups and what the project would do to the ability of the plant to accept future hookups from the city and other local communities.

HHPC COMMENT # 17: The DEIS (at p. II-56) states that there will be three new marinas constructed. We are pleased that the applicant states that it will adopt the HHPC's Clean Marinas program. However, while the DEIS describes the components of the program, it does not state whether there will be fueling facilities at the marinas or who will operate and maintain the marinas. At page III.J-6, it states that pump outs would be handled by portable pump out boats, which we understand to mean those operated by the Towns of Oyster Bay and North Hempstead. Because those boats primarily serve Oyster Bay Harbor and Manhasset Bay respectively, this is not the ideal solution. Since we understand that a sewer line will be extended to the area by the proposed relocated Glen Cove Angler's Club marina, it would be ideal to incorporate a pump out at that location.

RECOMMENDATIONS: The FEIS needs to specify whether the marinas will have fueling facilities, provide details including the volumes and their expected impacts, if any. The FEIS should state who will own, operate and maintain them and should address the mechanism for ensuring that the Clean Marinas program will be adopted and carried

out by the eventual owners and/or operators of the marinas. The FEIS should address the issue of installing one or more pump out facilities at the marinas.

HHPC COMMENT # 18: The proposed weir at the Turning Basin presents a possible opportunity for stormwater mitigation. The incorporation of an ultraviolet ("UV") treatment device at the weir would assist in the control of stormwater-laden algae and bacteria flowing from the upstream Cedar Swamp Creek subwatershed through Mill Pond (Pratt Park) and into the Turning Basin, creek and ultimately harbor. Since the Turning Basin will result in less natural circulation and since this area will be used for kayaking and as the gateway to the project, cleaning the water at this point could present multiple benefits to the developer and to the residents.

RECOMMENDATIONS: The feasibility of the incorporation of an ultraviolet ("UV") stormwater treatment device at the weir and its impacts should be explored and discussed.

Transportation

OVERVIEW: *The City and the HHPC have long advocated opening up the city's waterfront area to the public and to the downtown area. The developer has responded by providing for a number of public amenities as part of the project. However details appear to be lacking in the DEIS.*

HHPC COMMENT # 19: While the DEIS (at p. II-63) states that "public access to the waterfront is a central element of the proposed development...", details are lacking on public parking locations and number of spaces, kayak offloading areas, public restrooms and other amenities that are needed to make public access a workable reality.

RECOMMENDATIONS: The FEIS needs to provide greater details on public access to the waterfront including, but not limited to public parking locations and number of spaces, kayak offloading areas and public restrooms.

Utilities

OVERVIEW: *Part of the developer's open space mitigation includes the removal of invasive species and the planting of wetlands vegetation. We applaud these efforts but feel that a better plan is needed for carrying out the plantings.*

HHPC COMMENT # 20: The DEIS (at p. III.D-36) states that wetland plant survivorship will be monitored annually for two years and that monitoring will cease after two years if plant survivorship reaches 85%. If 85% is not attained, monitoring will then continue until it does. It also states that the redeveloper will be responsible for re-plantings until that level is reached. Annual monitoring for two years seems to indicate that the plantings will be looked at twice. Protective fencing and bird deterrent flags and other devices could be knocked down in a storm leading to plants being eaten by wildlife, etc. To check them once a year is simply not adequate. This should be done at least

weekly during the first months and after any major storms. The monitoring can then taper off gradually.

RECOMMENDATIONS: The FEIS should state that wetland plantings will be monitored weekly and after every major wind or rain storm for the first three months, then taper off gradually.

Growth-inducing Aspects

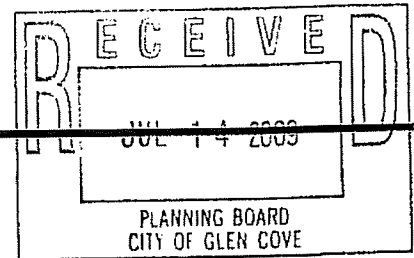
***OVERVIEW:** What happens in one community often does affect what happens in other communities. While other multi-family facilities have been built or proposed for former industrial sites around the harbor in recent years, the density and extent of this project is unprecedented in Hempstead Harbor. While the DEIS does explain the developer's position that there is a regional need for such this project, there is no discussion of the precedent-setting nature of this project or its impacts.*

HHPC COMMENT # 21: The DEIS does not fully address the potential for precedent-setting for these types of facilities. The DEIS (at p. II-63) states that the project will satisfy a regional housing need but does not address the potential for precedent-setting

RECOMMENDATIONS: The FEIS should address the precedent-setting potential for the project and the impacts of such precedent-setting.

Lois Stemcosky

From: Joan Harrison [joanh@earthlink.net]
Sent: Tuesday, July 14, 2009 10:56 AM
To: Lois Stemcosky; Ralph Suozzi
Subject: RXR Comment Period



Henry J. Scudder in his address to the town at the May 25, 1868 Bi-Centennial celebration said: " Let it not be said of you that the lessons of the past have fallen upon indifferent minds; that the monuments you build today will be the mockeries of your children tomorrow."

The RXR Glen Isle waterfront development will be a mockery. The City of Glen Cove is losing the opportunity to restore and preserve an open green space that would serve as a recharge area for wildlife and the spirit of man for generations to come. Instead the city, without foresight, is choosing to sell out our last remaining waterfront acreage based on fear of a lawsuit and the misguided idea that this will increase the tax base and add substantial revenue. What we will actually get is character-less city within the city that costs more than it ever brings in.

REASONS TO RE-CONSIDER THE WATERFRONT PLAN

1. ENVIRONMENTAL CONCERNS

- a. The area is naturally a wetland below flood plain.
- b. We need to preserve open space.
- c. We are on the coastal fly way for the Avian population and if the next generation is to know what a bird is, the birds need a re-charge habitat. Tall buildings and a paved landscape will destroy an area that has increasingly been populated by wildlife pushed out of other areas by development.
- d. The area is still polluted to a degree that it does not meet standards for residential use.. The only way it will meet standards is to lower the standards. The area is known locally as "TOXIC."

2. SOCIAL CONCERNS

- a. The project will not attract a population that will add anything to the community. It will be a warehouse for rich elderly people at best and at worst eventually section 8 high- rise slums that will eventually be bulldozed for something more sensible. Young professionals DO NOT want to live in an isolated suburb with few amenities.
- b. The project will destroy the quality of "life as we know it" for the Glen Covers who live here presently. There will be construction noise, pollution, and traffic related to the building of the area for a decade. When the area is built it will not add ANYTHING to the city but more people, more traffic and more pollution! This is not desirable.
- c. The waterfront community will be a community unto itself with little connection to Glen Cove.

3. ECONOMIC CONCERNS

- a. The economic disparity between rich and poor will increase. There is already "middle class flight" from Glen Cove Schools. It is not a racist flight, it is a "class" flight. Ask any realtor how easy it is to sell a house to any young professional with children.
- b. Services for this new city within a city will cost more than they bring in revenue. Do the math! Factor in the fire department (Currently volunteer), the police department, EMS, Garbage collection, snow removal etc. The revenue the development will generate is a pittance compared to the costs.
- c. The project will not generate jobs paying a living wage for this area. The average job generated will pay \$54,450. This is less than the \$55,503 medium income of current Glen Cove residents. Workforce housing in the new development will require a median income between \$79,200 and \$86,400. This means that people working in the development and the average resident currently living in the city will NOT qualify for even the least expensive housing RXR plans to build!

SAY NO RXR, YOU DO NOT HAVE BROAD BASED COMMUNITY SUPPORT!

WAKE UP GLEN COVE BEFORE YOU WAKE UP IN QUEENS!

Joan Harrison
39 Northfield



EZ Fast Realty of LI, LLC

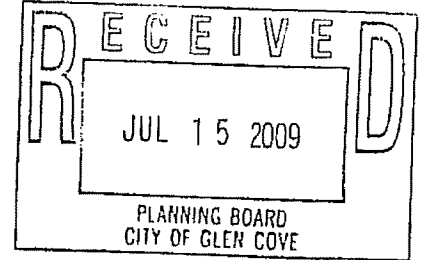
NYS Licensed Real Estate Brokers, Investment Consulting and Property Management

29 Glen Cove Avenue, Suite 210, Glen Cove, NY 11542

Tel. (516) 609-3311 * Fax (516) 609-3310* Cell (917) 428-3300 *

E-Fax (917) 677-8410

E- Mail ednazfast@yahoo.com



To: Glen Cove Planning Board

From: Edna Fast,

Re: Glen Isle Project

Date: July 14, 2009

As a Realtor in Glen Cove, it is my business to stay on top real estate trends and what is happening in our community. I have been following the Glen Isle Project for many years now, attending Council meetings and have written letters to the Glen Cove papers. I cannot begin to tell you the amount of clients that I have that are interested in this project. I also have several friends in the area, who are planning their retirement now and would love to move to this future Glen Cove waterfront community that is going to have such great amenities and an easy commute to the city.

My question for you is when can local Realtors begin to market this project and when will pre-sales commence?

Thanks for your help and cooperation in this matter,

Edna Fast
Edna Fast, LREB

Director, EZ Fast Realty of LI, LLC

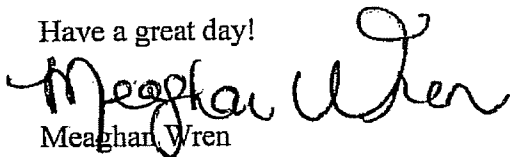
Glen Cove Planning Board
9 Glen Street
Glen Cove NY 11542

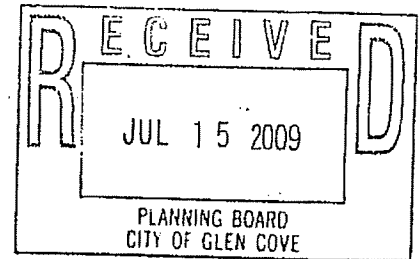
To Whom It May Concern:

I am a life long Glen Cove resident, recently married and looking to purchase a home. It is an exciting time in my life as well as an exciting time for Glen Cove with this new development of the waterfront. This will create different housing options for people like my self and my husband to explore within the upcoming years during construction.

I am particularly excited about the workforce housing option as this is something my husband I would be greatly interested. I suppose my question is if Glen Cove residents will be the first to have an opportunity to purchase these units. I am also interested in what the qualifications are.

Have a great day!

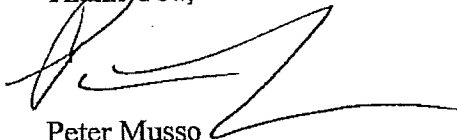

Meghan Wren
2 Center Street
Glen Cove NY 11542



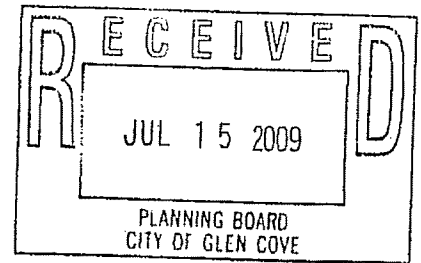
Planning Board,

My wife and I are local business owners in the Glen Cove downtown. Regarding the Glen Cove Waterfront Development, our business would certainly benefit from the additional people living in the city, especially those who will walk to the downtown to shop as opposed to drive. I am confident that the project will be developed smartly with the intent of improving the Glen Cove downtown thus increasing business revenues. We support the Waterfront project.

Thank You,



Peter Musso
Villagio Tanning Spa
20 Glen Street

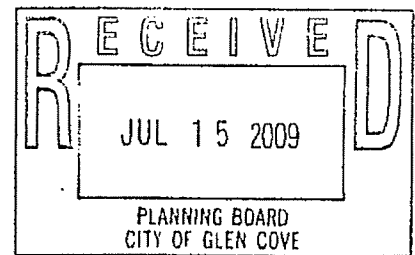


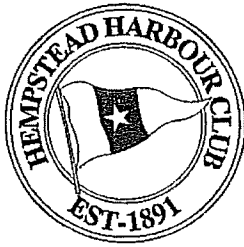
Members of the Planning Board

I am a new resident to Glen Cove from Setauket and I am thrilled to see that Glen Cove is developing the waterfront. The City is also taking advantage of the economic crisis in planning this project so that when the market returns (hopefully) it will be under construction. My wife and I would love to live on the waterfront and I would also take the ferry to work as opposed to the train.

I do not have any questions at the moment, I just wanted to let the Board know that we support this project and look forward to its completion over the next few years.

Tony Oliveri
Avalon North
Glen Cove NY 11542

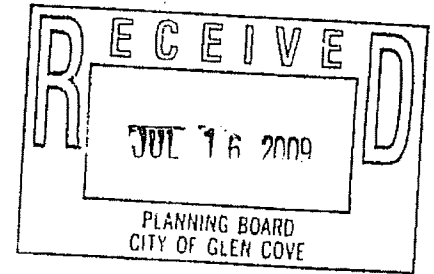




Hempstead Harbour Club

PO Box 192
Glen Cove, NY 11542

(516) 671-0600



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

July 15, 2009

Mayor Ralph V. Suozzi
City Hall
9 Glen St.
Glen Cove, NY 11542

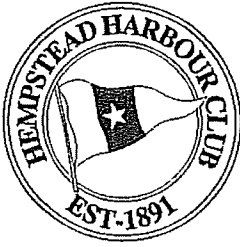
Reference: (a) Draft Environmental Impact Statement (DEIS) for the RXR Glen Isle Mixed-Use Waterfront Development Project, Last Revised June 1, 2009

Dear Mayor and Members of the Planning Board:

The Hempstead Harbour Club is in receipt of the Reference (a) DEIS and had a representative present at the Public Hearing on June 25, 2009. At this meeting the deadline for submittal of written comments was extended to July 20, 2009.

We have previously met with representatives of RXR Glen Isle and were pleased with the cooperation that we received with changes made to alleviate some of our concerns. However we have reviewed the Reference (a) document and have the following concerns with the Project as described therein:

- The Exhibit II-6 West Parcel Plan shows a walking trail which appears to enter the Club property from the east. We feel that this trail on our property is unnecessary because the trail can take a path from the newly added parking lot on Garvies Point Road northward into the Garvies Point Preserve property without passing through private property.
- In order to accommodate our Boat Moving Program, we must have a roadway at least 30ft. wide and clear vertically with no overhead obstructions from the entrance to our property to the Boat Launching Ramp. Exhibit II-6 shows trees and shrubbery planted close to the roadway which when grown will interfere with our boat moving operations.
- We are still concerned with the traffic pattern at the entrance to our property with cars with trailers leaving the parking lot and cars entering the Club Driveway. Even with signage indicating the proper traffic flow, we feel that there may be



Hempstead Harbour Club

PO Box 192
Glen Cove, NY 11542


(516) 671-0600

some who don't understand or violate the required flow. This problem is increased by the shrubbery or trees shown in Exhibit II-6. We request that a qualified traffic engineering consultant review this situation.

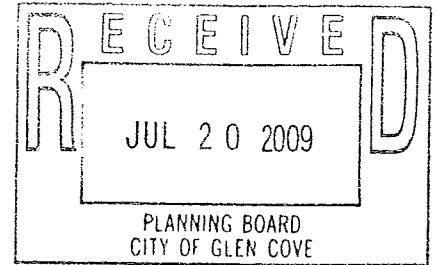
- We are concerned about the design of the landscaping between our lower Parking Lot and the Boat Ramp Approach Road. Exhibit II-6 shows two rows of trees or shrubs, one row on our property and one on City property. The row of shrubs on our property will impede the storage of boats on our property. The row of trees or shrubs on the City property will limit the parking available for cars with trailers. The space taken by shrubbery must be kept to a minimum on both sides of the fence. We also need to have an agreement concerning the replacement of the existing concrete retaining wall which was erected by the City partially on our property.
- We request that gas and sewer lines be located close to the entrance to our property so that we may connect to them if we desire.
- We request that during construction, there is no prolonged interruption of electric or telephone service. Our Fire/Burglar Alarm System is dependent on these services.

The Hempstead Harbour Club recognizes that the documents presented by RXR Glen Isle are preliminary and will undoubtedly change during the design process. The Club will be willing to work with the City and/or the Developer to resolve the above issues in an amicable manner.

Sincerely,


James Riordan
Commodore

Mrs. Karen Davy
29 Butler St.
Glen Cove, NY 11542



July 15, 2009

Dear Planning Board,

I understand there is a proposed development project for Glen Cove that would bring 850 condo units (each averaging a 2-car household), a 250 room hotel, rental units and an additional 2000 to 2500 automobiles into the city. I am wholeheartedly opposed to the project. It is not the time for this country or this city to be trying to employ worn-out models of growth, which succeed only in draining our natural resources straining the infrastructure, congesting roads, and in benefitting only the people at the top rungs of the economic ladder. This development is not needed. I have read the developer's plans and find them highly suspicious and self-serving. The climate of the country has changed. We need to get with the new program.

With each tax dollar that comes in, the same, if not more would have to be paid out to constantly update the roads, sewers, utilities and the like. Glen Cove will never make money, taxes or otherwise, on this ill conceived plan. We need to conserve, not falsely expand.

Sincerely,

Karen Davy

27 Summit Ave
Sea Cliff NY 11579
July 15, 2009

Dear Mayor Suozzi, & Chairman T. Scott

I am opposed to the RXR Glen Isle mixed-use development project proposed for the north side of Glen Cove Creek because:

The density of such a development is out of character for the community

a 12 story building would be out of character for the area

It might encourage other such development in Glen Cove

Local traffic would increase in the area

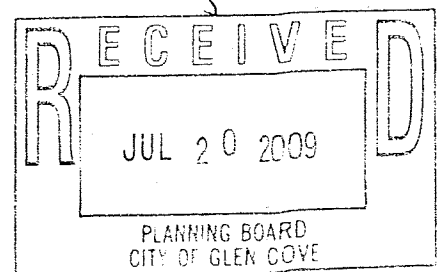
Such a development would adversely affect the habitat of fish + bird habitats

Lighting + noise would adversely affect us.

It would have a negative affect on fire + police services, + the quality of life in this area

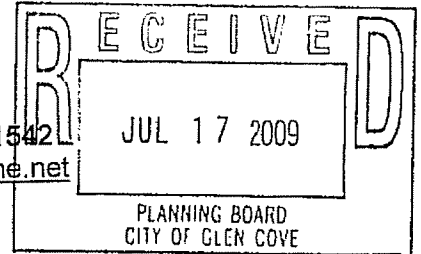
If there should be development along the water-front, it should be modified to protect the local environment + preserve the quality of life along our coastline

Sincerely
Mrs A. Gutierrez



Peter W. Rapelje
48 Circle Drive
Glen Cove, NY 11542
prapelje@optonline.net

July 16, 2009



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

Mayor Ralph V. Suozzi
City Hall
9 Glen St.
Glen Cove, NY 11542

Reference: (a) Draft Environmental Impact Statement (DEIS) for the RXR Glen Isle Mixed-Use Waterfront Development Project, Last Revised June 1, 2009

Dear Mayor and Members of the Planning Board

I would like to express a comment concerning the Reference (a) DEIS.

Exhibit II-6 of the Reference (a) document shows that a "Restored Natural Shoreline" is planned for the western waterfront of the project which faces onto Hempstead Harbor. Since the rebuilding of the City Launching Ramp in about 1980 the beach in this area has eroded away at least 200 ft. easterly into the beach. The sand lost has been deposited by water action into the mouth of Glen Cove Creek. This has caused shallow water, thereby restricting boat traffic in the creek and creating the need for dredging.

If sand is added as part of the planned "Restored Natural Shoreline" it will also end up in the creek, again restricting boat traffic in the creek until an expensive and hard to obtain dredging project is authorized and completed.

This situation must be studied by a qualified engineering organization such as the Corps of Engineers. A good example of this phenomenon was the history of Weshampton Beach, NY. There, the addition of groins to a portion of the beach caused an entire community to be partially washed into the sea until a proper engineering solution saved what was left of the community and allowed it to again be rebuilt on firm ground.

I have observed this water and sand flow condition in Hempstead Harbor for many years. This action occurs when a heavy wind blows from the North West, especially during winter. It is exactly the same phenomena as has occurred at Weshampton Beach except on a smaller scale.

If sand is added to this beach there must also be a properly engineered means of retaining the sand added.

Sincerely,

Peter W. Rapelje

"Do unto others as you would have them do unto you."

When Jesus said that, he was referencing the law and prophets as in the book of Leviticus (19:18) "...thou shalt love thy neighbor as thyself." Or otherwise from the Talmud: "What is hateful to you, DO NOT to your fellow man. (Talmud, Shabbat 31a.) Or as stated by the Dalai Lama, "Every religion emphasizes ... sharing other people's suffering. On these lines every religion has more or less the same viewpoint and the same goal." This idea is expressed more familiarly in the expression "What goes around comes around."

We don't have time now to go into the entire story from the LaDew family who made a fortune in World War I operating a tannery and dumping into the creek, the same property which later became Li Tungsten. It is also probable that the Li family made a fortune, but Mrs. Li died of cancer. And similarly, even though Mr. Mattiace also probably made a fortune, he also spent years in prison for what he did to the Creek, and his wife died of cancer, too. We have all heard of numerous anecdotal stories of people who worked at Columbia Ribbon and Carbon dying of cancer.

Fast forward to three years ago, when there was held a meeting here in City Hall, and the head of the IDA said, those properties are "All Cleaned up." While at the same time, the NYSDEC was not invited to the meeting, an attempt was made to intentionally suppress what was written in the NYSDEC Record of Decision of 1999, which was "There can be no residential development on Captains Cove for 50 years." And I know that we provided a copy of this Record of Decision to every member of the Planning Board. So fast forward again to today, and now it is described in this DEIS that the NYSDEC has invented a new category called "Restricted Residential." And it says no one can use the groundwater there for any reason whatsoever, and there can be no vegetable gardening or farming. But interestingly enough, it states that an organization formed by the City, the Industrial Development Agency and the Developer are now going to be charged with the responsibility to protect the people's health and safety, by making sure that no one uses the groundwater, or grows vegetables and that all the sub slab depressurization system devices are installed and are working properly. This is the same Organization who a mere three years ago told the people "It's all cleaned up." And even though they mention their commitment to protecting the people's health and safety, at the end of the Site Management Report, they state that they are not going to take any responsibility for Mattiace. All through this DEIS it states over and over, that material coming from Mattiace is affecting Li Tungsten and Captain's Cove and all the other properties. It would seem to me that even if all the land were to be dug up and replaced with new dirt, Mattiace would still be leaking poisons into the new dirt. It even says in the DEIS that the "pump and treat" method currently use at Mattiace is no longer working, so they are looking for some other method. I think if the IDA and the developer were serious about protecting the health and safety of the public they would implement phytoremediation. This is the planting of 400 trees per acre, and it incorporated the poisons into the wood.

I wonder if all the environmental details shown in the DEIS will be revealed to the prospective condo purchasers? Will these prospective purchasers be notified that poisons such as Trichloroethylene, and Perchloroethylene, known carcinogens, will be leaking under their property from Mattiace until 2031? Or will this information be suppressed and the people be told, oh, "It's OK as long as you don't eat any vegetables grown there?"

If you read what is described in the DEIS, these properties are very far from being all cleaned up. It may be many years before people will actually get sick from living or working in these proposed buildings, but I would suggest that all the members of the Planning Board, the Mayor and the City Council should become personally liable for people who get cancer from it. If this were to be the case, I think you would see no approvals given to this project.

This proposed development is not necessary. There exist already at least 40 residences in zip code 11542 for sale in this proposed price range. Many estimates say there is well over a year of unsold residential real estate inventory in our region. The existing hotel, the Glen Cove Mansion, has a 48% occupancy rate. There are very many other commercial real estate locations, already built, which currently sit empty. We can see many empty for rent Reckson buildings all along the expressway. Building an office building is not going to bring office jobs here, especially when there is the very real possibility of sick building syndrome.

There are very many negative impacts which neither the City nor the developer has any plans to mitigate. In fact, the way they plan to take care of the traffic is to merely flatly state that there is not going

to be any. Preposterous. I wonder how many truck loads of material there will be, such as 2,500 bathtubs and toilets barreling down my street?

Jesus said a fool builds a house on sand. But here, there will be piles driven into the sand. We will have to hear the noise and feel the vibration from the installation of the pilings. The noise, the smell and the disruption to our neighborhood is a major and unacceptable negative impact of this project. And who even knows whether buildings of that size and weight can be built on sand? What if we experience the noise, the sound and the disruption and then the buildings fall down in the first Nor'easter?

We will suffer from the noise and smell of the big trucks on our street. Prospect / Albin Street is a narrow, windy residential street which is used as a cut through. Despite all our requests, even though there are signs forbidding trucks on our street, they still speed along at all hours of the day. We have respectfully requested that the developer require all deliveries of material to travel by Route 107, and to obey the no trucking regulation on Prospect Albin. In the Site Management Plan, it speaks of a route map for trucks, but it is located in Appendix xxx. I was unable to find it.

Well over 1,700 people have expressed their opposition to this project. This petition was previously supplied to the Planning Board.

The entire area is in the FEMA 100 year flood plain, and was actually under water in 1992. You can see a picture of the area under water in Hurricane Donna in 1960 on the Landing Pride Website. The City has no plans for evacuation and housing of all those people in the case of Hurricane or flooding. Can 1,844 people and animals be housed in our High School? I think not. What about all their cars?

Glen Cove is a place where the N21 bus begins and ends its route to Flushing. At the place where the bus stop is, there is not even a bench for the people to sit while they wait for the bus. Yet, the City is planning to spend \$32 million dollars of public funds for a Ferry Terminal. I protest the misappropriation of public funds to build a housing project for the rich.

I protest very strongly the use of data from the 2000 Census in the DEIS. It shows that the writers of this document are just trying to mislead the public. We have a very different economic reality since the economic crisis of 2008. This DEIS contains bogus employment and demographic data which is just not worth anyone reading. It makes me wonder if the writers of this document are even on the same planet with us.

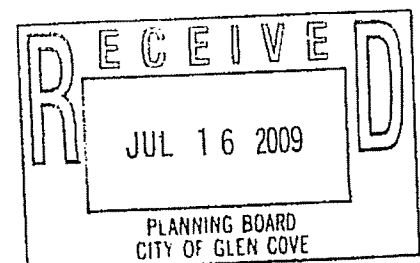
These gigantic, proposed buildings are ugly, and way out of character with our neighborhood.

The page in the DEIS which shows the expected revenues did not show expected expenses: especially the cost of a new well, and the cost for the installation of water infrastructure. It is not a correct assertion to say that this projected revenue will cover the expected expenses, when these expenses have not been quantified. And the City also did not quantify the costs of any lawsuits should the City and the IDA fail to protect the public health and safety. Neither our Mayor nor the Acting Director of the IDA is qualified to protect the health and safety of the proposed residents.

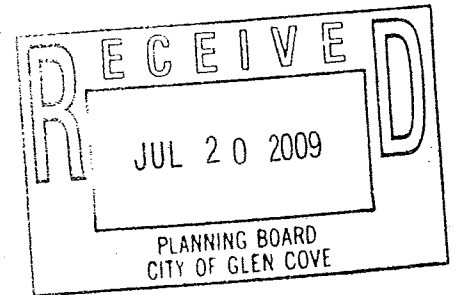
I protest most strongly the use of eminent domain. Only a person who has never struggled to own something of his own, such as our Mayor, would agree to this. In the case of Kelo v. New London, Suzette Kelo was kicked out of her home, and her life was disrupted in a major way. And the project sits today as a field of weeds. Nothing was ever built there, but Suzette Kelo and her neighbors still lost their homes and their community. I can only say "What goes around comes around." Taking a person's property by eminent domain is stealing and I strongly protest the use of eminent domain in our City.

Just as you can't make a silk purse out of a pig's ear, you can't make a luxury condo development out of a garbage dump, especially in a town where most people are opposed to this development and are opposed to this misuse and misappropriation of public funds.

Pat Tracy
SOS Glen Cove



Gail Lafferty
134 7th Avenue
Sea Cliff, NY 11579
516 671 9755



Lois Stemcosky
Mayor Suozzi
Planning Board of Glen cove
City of Glen Cove
Glen Cove, NY 11542

July 16, 2009

Dear Lois Stemcosky, Mayor Suozzi and Planning Board of Glen Cove:

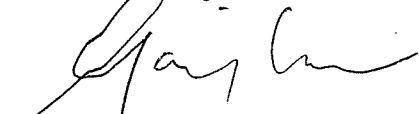
I live in the village of Sea Cliff, but support Glen Cove businesses as much as possible, as do most of my neighbors. We use the medical facilities, dine in the restaurants, go to the theatre and shop in the markets.

In the last few years I have been a frequent visitor to the waterfront site of the former ferry landing. This place is truly spectacular. It is a birdwatcher's paradise, supporting families of osprey, heron, egrets, plovers and many other waterfowl and songbirds. It is obvious that this area has become a special nesting place as well as a migration stopover. Growing almost completely over the ugliness of former "development projects" is a profusion of wildflowers and other indigenous plants. The many freshwater ponds are alive with frogs, turtles and all kinds of creatures. 12 months a year, it is full of life.

It would be wrong to develop this land, for so many reasons. Life is returning to a place we humans had almost destroyed! Let's celebrate that fact and leave it to nature. I believe that these wild areas will be more and more valuable to us in the coming decades. Glen Cove will be a more desirable place to live because of them.

Please reconsider the impact of such a development. We don't want it, we don't need it.

Sincerely,



Gail Lafferty