

COMMENT E-1 (Land Use, Zoning and Public Policy):

We do feel that this project has through its -- it's been back and forth many -- it's a long journey that it's been through and has many elements of smart growth.

To date, our board supports the concept and the -- of this development. They have not approved our formal testimony yet, so we hope to get that in before the deadline.

Some positive comments and then a couple of details that -- further details that Alyssa Ward, our Director of Sustainability, will get into (indicating.)

First off, we do feel that the mix is appropriate. The hotel, the conference center, the residential uses, the smaller amount of retail that's compatible to the downtown and the office uses are appropriate for a renovated waterfront district and incorporate the comments that we've heard throughout the years from the residents and business owners.

And particularly, the original vision that was retail heavy many years ago would really be the death to your downtown. And certainly -- and this plan certainly produces less traffic, so we are glad to see that growth and change.

We do see some -- the recreational uses that were incorporated into this development, particularly the public space, the public access, the view corridors and all of the varying -- that really came out of the concerns from the citizens that we heard.

These were adapted and readapted into the plan. So we're glad to see that the public process has worked to make these changes.

Mr. Eric Alexander, Executive Director, Vision Long Island, Public Hearing Transcript, City of Glen Cove Planning Board Meeting, June 25, 2009, Section 68, lines 24-25; Section 69, lines 1-25, Section 70, lines 1-19, pp.61-62

RESPONSE E-1 (Land Use, Zoning and Public Policy):

Comment noted. The project has evolved over a period of years in consultation with City staff, IDA/CDA representatives, and City consultants. The Applicant has also actively met with local civic groups and other stakeholders. As described above, the project has been designed to support and complement the downtown and to provide a mix of on-site uses that will ensure a vibrant and active neighborhood.

COMMENT E-2 (Land Use, Zoning and Public Policy):

Last two points and I am going to turn it over to Alyssa; we are particularly impressed that the City of Glen Cove embarked on a Master Plan to look at this development in context, and we're glad to see -- we just gave the City of Glen Cove a Smart Growth Award for that plan.

It brought the public into the process, not just as it relates to this one development, but the overall future of the City, and we think that that's exactly the type of planning that our organization is dedicated to seeing move forward.

We're glad to see the City doing that and we're glad to see some connection between that overall Master Plan and this particular development.

Mr. Eric Alexander, Executive Director, Vision Long Island, Public Hearing Transcript, City of Glen Cove Planning Board Meeting, June 25, 2009, Section 73, lines 4-23; p.65

The project fits within the boundaries of the City of Glen Cove Master Plan that was recently adopted and received a Smart Growth Award from our organization.

Eric Alexander and Elissa Ward, Vision Long Island, 24 Woodbine Ave., Northport, NY, letter dated June 25, 2009

RESPONSE E-2 (Land Use, Zoning and Public Policy):

Comment noted. As detailed in the DEIS, the project is consistent with the goals and objectives of the City as expressed in the Glen Cove Master Plan and the Urban Renewal Plan for the Garvies Point Urban Renewal Area.

COMMENT E-3, (Land Use, Zoning and Public Policy):

And my point essentially is that Glen Cove is a city, and it's called a city for a reason. It has city infrastructure, it functions like a city.

It's not like the rest of suburban, sprawled-out Nassau County. In fact, it's very different.

And one of the best parts about Glen Cove being a city is that it's a destination. And the best part about this project is that it enhances Glen Cove as a destination. It brings in new residents and new revenue. That's all good.

But the project itself can't exist in a vacuum. And when you look at the environmental impacts of it, connectivity and its relationship to the other parts of Glen Cove are the most important things to look at.

And walkability is part of that, mitigating traffic is part of that.

But what we tend to do with DEIS, especially in a suburban area, we tend to analyze it the same way we would a project that exists in a more auto-oriented, non-centered type of place.

So you talk about a traffic study, and one of the problems with the traffic study is that a traffic study doesn't necessarily account for the ideas and fundamentals in smart growth.

And smart growth isn't perfect. Every project is not going to work out with nobody ever driving anywhere and zero traffic impact and zero environmental impact.

But if this project gets built and exists in a vacuum, you could potentially have a big traffic problem here.

And that's why part of what the Master Plan does for us is, it is going to help us figure out how we can connect Glen Isle to the downtown, how people -- where people are going to work who live in this area. Can they get to work without using their car?

The point -- the number one thing that will mitigate traffic is not having every resident of Glen Cove have to take their car for every single time they leave their house to go someplace.

And that should be the overarching thought process when we look at mitigating something like traffic in a project of this size.

So I just -- I would urge the Board and all the residents of the community to keep in mind that this project doesn't exist in a vacuum and that the Master Plan is really there for a reason; to put this into some kind of context and build on the future of the City starting with this project and moving on from there.

Gram Long, Glen Cove, New York, Public Hearing Transcript, City of Glen Cove Planning Board Meeting, June 25, 2009, Section 128, lines 9-25; Section 129, lines 1-25, Section 130, lines 1-25, Section 131, lines 1-7, pp.114-116

RESPONSE E-3 (Land Use, Zoning and Public Policy):

Comment noted. The project's compact and mixed use nature, and its accessibility to public transportation and the downtown reflect contemporary Smart Growth principles and reduce anticipated traffic generation compared to conventional suburban development.

COMMENT E-4 (Land Use, Public Policy and Zoning):

The Department has enjoyed its ongoing partnership with the City of Glen Cove for many years since early work on the development of the Glen Cove Creek Revitalization Plan (GCCRP) on through to the most recent project to develop a Downtown Gateway to Glen Cove Creek. Throughout this partnership the Department has continued to be a proponent of the revitalization of the Glen Cove Creek waterfront area to return some of its former vitality. The Department provided both financial and technical assistance for the development of the 1996 GCCRP which stated that its purpose was "to provide a framework for public and private actions that will reverse the physical decline of the creek area and restore significant economic activity to it." The RXR Glen Isle project site includes Sectors 2 and 3 of the GCCRP; land uses proposed for those two sectors in the GCCRP included a ferry, a hotel/conference center, commercial/retail use, water-dependent uses, and clean light-industrial uses.

Jaime Ethier, Coastal Resources Specialist, New York State Department of State, Office of Coastal, Local Government and Community Sustainability, letter, dated July 20, 2009

RESPONSE E-4 (Land Use, Public Policy and Zoning):

Comment noted.

COMMENT E-5 (Land Use, Public Policy and Zoning):

In addition to the GCCRP, the revitalization of the Glen Cove Creek was highlighted in the 1999 Long Island Sound Coastal Management Program (LISCMP), which establishes the State's coastal management policies for New York's Long Island Sound shorelines. The LISCMP defines what constitutes a balance between appropriate and needed economic development and protection of natural and living resources of the Sound. In the LISSCMP the City of Glen Cove was identified as one of ten maritime center where efforts should be focused to "protect and enhance the economic, physical, cultural and environmental attributes which support each maritime center" (LISCMP Policy 10.2) and also as a "waterfront redevelopment area" that possessed the necessary characteristics for redevelopment.

Upon review of the DEIS, we find that the current proposal for the northern shore and upland area along the Glen Cove Creek demonstrates the natural progression of earlier revitalization efforts. The currently proposed mixture of public access/recreation, multi-family residential, townhouse/condominium, marinas, ferry service and other water-dependent and water-enhanced commercial uses exemplifies the type of mixed use development project necessary to revitalize the Glen Cove Creek waterfront. Furthermore, we are pleased to see that the City has taken the necessary steps in both the language of the MW-3 Zone and the City's Master Plan (adopted in May 2009) to enable this type of mixed-use project.

Jaime Ethier, Coastal Resources Specialist, New York State Department of State, Office of Coastal, Local Government and Community Sustainability, letter, dated July 20, 2009

RESPONSE E-5 (Land Use, Public Policy and Zoning):

Comment noted.

COMMENT E-6 (Land Use, Zoning and Public Policy):

Hopefully, that blighted waterfront will soon be a viable, attractive community offering to the citizens of Glen Cove public parks, marinas, waterfront walkways, new cultural attractions, all skillfully integrated with new businesses and residential units.

Looking at the presentation today of Matt Frank, that's what I saw...

Mr. Jadwiga Brown, resident of Sea Cliff, business owner, 40 Garvies Point Road, Glen Cove, Public Hearing Transcript, City of Glen Cove Planning Board Meeting, June 25, 2009; Section 109, lines 16-25; Section 113, lines 16-25, p.101

RESPONSE E-6 (Land Use, Zoning and Public Policy):

Comment noted. The project's mix of uses has been designed to complement the downtown, bring new vitality to abandoned sites, and dramatically expand public access to the waterfront.

COMMENT E-7 (Land Use, Zoning, and Public Policy):

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.

Peter Musso, Village Tanning Spa, 20 Glen Street, Glen Cove, NY, undated letter, received July 15, 2009

RESPONSE E-7 (Land Use, Zoning, and Public Policy):

Comment noted. The new residents, workers and visitors at the site will expand the potential stable customer pool for downtown businesses. As detailed in DEIS Section K, this will have a significant positive economic benefit for local businesses.

COMMENT E-8 (Land Use, Zoning and Public Policy):

As a Glen Cove native and resident, I am writing to speak out in support of the mixed use redevelopment of the waterfront by RXR Glen Isle Partners.

I am a college student that would love to see more shopping and entertainment opportunities within Glen Cove. People continually talk about traffic in our area, however we would have far less need to get in a car if we had enough options within our own community. The focus on a walkable mixed use neighborhood next to our current downtown is exactly the type of development that Glen Cove - and truthfully, all of Long Island - needs.

I am also considering becoming a business owner myself in town, and the amount of people and potential new shoppers would be a boon to a new business in the Downtown. My parents tell me stories about the hey day of Glen Cove's downtown, and the Glen Isle project is, in my opinion, our best chance to bring that back.

Melissa Gaudesi, 29 Wedgewood Court, Glen Head, NY, undated letter received July 10, 2009

RESPONSE E-8 (Land Use, Zoning and Public Policy):

Comment noted. See also Response E-7.

COMMENT E-9 (Land Use, Zoning and Public Policy):

As Executive Director of the Glen Cove Downtown Business Improvement District (BID), I am writing on behalf of the Glen Cove Downtown BID Board of Directors and the approximately 360 businesses that are encompassed by the Downtown BID, in support of the waterfront redevelopment as proposed in the Draft Environmental Impact Statement currently under review by the Glen Cove Planning Board.

It is our opinion that the redevelopment plan proposed by RXR Glen Isle Partners contains many of the best principles of Smart Growth. This huge commitment of private capital into our local economy underscores an enormous confidence in Glen Cove. Redeveloping the blighted, unutilized portion of Glen Cove's waterfront is a project that can provide the opportunity for significant economic development for Glen Cove and its downtown commercial district.

Glen Cove's waterfront has been remediated and is ready for development. At this critical juncture it is important to make sure that the adjacent downtown and surrounding areas continue to thrive and prosper. Since my office is in downtown Glen Cove, I am continually reminded of the importance of maintaining the stability of downtown, and its proximity to the waterfront.

Glen Cove's downtown is truly its "heart," as it sits in the center of the city and is closely annexed to the waterfront area under discussion. The appropriate connectivity between the waterfront and the downtown is critical to keep this vital economic organ functioning. The Glen Cove Downtown BID has worked closely with RXR Glen Isle partners over the past several years to ensure that the proposed waterfront redevelopment provides an essential gateway and connection to the downtown.

The City of Glen Cove has developed its "vision" through its newly adopted Master Plan. The Glen Cove Downtown BID supports this vision and encourages the Planning Board to ensure that this project moves forward, to the benefit of the downtown district and the entire City of Glen Cove.

Francine Koehler, Executive Director, Glen Cove Downtown BID, letter dated July 17, 2009.

RESPONSE E-9 (Land Use, Zoning and Public Policy):

Comment noted.

COMMENT E-10 (Land Use, Zoning and Public Policy):

I am a senior citizen living at 12 Doxey Drive in Glen Cove - I have lived at that address since 1961. In the years of living in Glen Cove I have seen many changes - I have seen Glen Cove go from a thriving city with a friendly downtown to almost a ghost town. Today under the present

administration I see Glen Cove waking up - we have music in the streets; fine restaurants; people enjoying lunch in the open air it is exciting for me to see this rebirth.

Over the past few years I have followed the controversy over the development of the Glen Cove waterfront with great interest and have written a number of letters in support of this project. I am delighted to see the project finally in the hands of the planning board. I now feel that, at last, we are moving toward a solution that will give the people of Glen Cove a new revitalized waterfront offering housing opportunities; recreational facilities; even a cultural venue.

Sarah Constance Fisher, letter dated July 18, 2009.

RESPONSE E-10 (Land Use, Zoning and Public Policy):

Comment noted.

COMMENT E-11 (Land Use, Zoning and Public Policy):

I am writing this letter to support the vision for the Glen Cove Waterfront project. I am a lifelong resident of this city and have followed this project closely in its development and am glad to see it moving forward after changes and revisions to the original plan. There are what are called "cool downtowns" popping up all over Long Island and I think in the best interest of downtown merchants and businesses this project can only help them. We have seen too many businesses come and go in the downtown area and I look forward to an influx of new people and consumers to stimulate our downtown businesses and busy those streets with foot traffic. During these difficult economic times a project like this will bring more spending and more tax dollars to our community in need. We need our own "cool downtown" and a unique waterfront development like this is the answer.

Roberto DeLuca, letter dated July 20, 2009.

RESPONSE E-11 (Land Use, Zoning and Public Policy):

Comment noted.

COMMENT E-12 (Land Use, Public Policy and Zoning):

I write to you as a lifelong Glen Cover, whose family has deep ties within our community. As someone who cares deeply about this City, I am ecstatic to see progress on the waterfront in regard to revitalizing what can and should be a great asset to those of us who live and work here in Glen Cove.

As someone who is involved with a business downtown, I overhear the conversations of countless residents of and visitors to our City and can tell you that my support for the Glen Isle project is a sentiment that is shared amongst many of my friends and colleagues. We are eager to see a blighted eyesore get back on the tax rolls and more importantly, become a public space that will benefit residents of all of our area's towns and villages.

My one question is how is the connection between the downtown and the waterfront will be reinforced to ensure our local business Community flourishes as a result of this promising development.

I look forward to watching continued progress for the waterfront and once again, applaud the efforts of the City and your Board for moving this process forward.

Frankie Basile, Glen Cove resident, electronic message, dated July 21, 2009

The mix of uses within this development seems to be appropriate for complementing rather than competing with downtown Glen Cove. The earlier proposal promoted by former Mayor Suozzi with a much higher retail component would have added to the over saturation of retail on Long Island in general, and compete with the existing businesses in downtown Glen Cove.

Adding a large number of residents close to the downtown should help existing businesses as well as attract new businesses to the downtown. The number of residences currently proposed should make up for any lost income from the loss of retail as well as follow more recent real estate trends towards multi family housing. However, since the residents will not be in downtown, but adjacent to it, the connection between the property and the downtown should be strengthened in order to encourage residents to patronize the downtown businesses and not drive elsewhere to shop.

Eric Alexander and Elissa Ward, Vision Long Island, 24 Woodbine Ave., Northport, NY, letter dated June 25, 2009

RESPONSE E-12 (Land Use, Public Policy and Zoning):

The project's connection to the downtown will be reinforced in a variety of ways. First, the new residents, workers and visitors at the site will expand the potential stable customer pool for downtown businesses. The project has also been designed with a limited amount of retail at the eastern end in order to serve as a land use "bridge" to the more robust commercial offerings downtown. In addition, the project will create physical linkages including a continuous esplanade along the entire waterfront that connects with Pratt Pond and the downtown. Additional measures that are proposed include coordinated signage to guide visitors between the waterfront parks and downtown, and special events programming.

COMMENT E-13 (Land Use, Zoning, and Public Policy):

The waterfront community will be a community unto itself with little connection to Glen Cove.

Joan Harrison, resident, 39 Northfield, Glen Cove, NY, electronic mail, July 14, 2009, p. 1

RESPONSE E-13 (Land Use, Zoning, and Public Policy):

As detailed in the DEIS, the project is not proposed as a gated community. The intent is to establish a clear connection between downtown and the project site through a series of new open spaces, an enhanced pedestrian environment, a retail land use connection, and shuttle bus service. In addition, these connections are proposed to be enhanced through a coordinated wayfinding signage program that would be jointly sponsored by the Redeveloper and the City of Glen Cove.

COMMENT E-14 (Land Use, Zoning, and Public Policy):

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

Louis Pagliara, 15 Sunset Avenue, Glen Cove, NY, letter dated July 13, 2009

10-12 story buildings are grossly out of character with our suburban community and will set a precedent for future similar oversized development.

Dianne Minardi Mullarkey, letter dated July 13, 2009. Similar comment from Michael Brenner, Marilyn Brenner, Robert Wong, Louis Pagliara, A. Gutierrez

The density of the development is out of character with our community.

Raymond & Nansi Borom, 2 Laurel Way, Sea Cliff, NY, letter dated June 19, 2009.

The 12-story buildings will set a precedent for other development in Glen Cove

Alan Mitzner, President, American Pie, LLC, Sea Cliff resident, electronic mail, dated June 19, 2009. Similar comment from Raymond & Nansi Borom, 2 Laurel Way, Sea Cliff, NY, letter dated June 19, 2009

Further, the size and density of this waterfront project are unprecedented, not only for the City of Glen Cove but also for other areas along the north shore of Long Island. There is no recognition in the DEIS that the development creates an urban landscape on the waterfront that essentially overwhelms any other development in Glen Cove and neighboring communities. The development project will permanently change the character of Glen Cove and other communities around Hempstead Harbor, and this is obvious from the developer's own photo simulations (see Attachments A-D).

Karen Papasergious and Carol DiPaolo, President and Programs Director and Water-Monitoring Coordinator, Coalition to Save Hempstead Harbor, letter dated July 20, 2009

OVERVIEW: What happens in one community often does affect what happens in other communities. While other multifamily 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.

Eric Swenson, Executive Director, Hempstead Harbor Protection Committee, letter, dated July 13, 2009

RESPONSE E-14 (Land Use, Zoning, and Public Policy):

The buildings would represent a departure from conventional suburban development patterns and the heights of certain building elements would be higher than the predominant development pattern elsewhere in the City. However, the proposed building heights are in conformance with the requirements of the MW-3 district, which the City previously adopted to encourage waterfront redevelopment. In addition, the Glen Cove Creek waterfront is a distinct area with a different visual and land use context than the bulk of Glen Cove. It has also been identified both locally and at the State level as an area for concentrated redevelopment. (The project area is one of only four waterfront redevelopment areas on the North Shore identified by the Long Island

Sound Coastal Management Program.) A variety of regional planning organizations, including Vision Long Island, have also recognized that the conventional development pattern that characterizes much of Long Island is failing to meet some vital planning objectives, including minimizing sprawl, supporting and enhancing the County's downtowns, providing for a variety of housing types to meet changing demographic needs, and enhancing public access to the coastline, and that more dense development within the core of the Island's communities will be necessary to achieve a sustainable development pattern.

The heights for the various buildings proposed for the site vary, ranging from four stories up to 10 and 12 stories on the western parcels (Blocks A-C) and from one to two stories up to eight stories on the eastern parcel (Blocks D-J). Only two of the ten blocks include elements with heights of 10 to 12 stories, and as illustrated in the FEIS visuals, these are only a portion of each building. (For example, only 9% of the building footprint on the west parcel rises to levels 11 and 12. The building area on levels 11 and 12 accounts for approximately 4% of total building square footage. See Exhibit I-15F.) Along the esplanade, the buildings are primarily four and five stories tall and faced with townhouses. Behind the townhouses, the buildings begin to set back and step up, breaking down the overall massing of the buildings. The multiple setbacks also provide variety in the building massing, avoiding the effect of otherwise bulky buildings with uniform floor plates and uniform height. The proposed building heights are also in conformance with the requirements of the MW-3 district.

Development activity throughout the City is regulated by the Zoning Ordinance. The project is located in the MW-3 district. The only area of MW-3 in the City is along the Glen Cove Creek. There is, therefore, no potential for the project to set a precedent in relation to allowable heights or scale elsewhere in Glen Cove.

COMMENT E-15 (Land Use, Zoning, and Public Policy):

The high density and scale of the project will cause irreparable harm to our environment and quality of life.

Dianne Minardi Mullarkey, letter dated July 13, 2009. Similar comment from Michael Brenner, Marilyn Brenner, Robert Wong, Louis Pagliara

Although we fully support the cleanup and redevelopment of brownfields, we do not support the proposition that any development would be an improvement over conditions that exist currently at such sites. The development project has many features that would certainly improve the area north of Glen Cove Creek and provide valuable amenities to area residents. However, we believe the density and scale of the project and the potential build-out of the project site will cause far reaching and irreversible adverse impacts to community residents and the local environment.

Karen Papasergious and Carol DiPaolo, President and Programs Director and Water-Monitoring Coordinator, Coalition to Save Hempstead Harbor, letter dated July 20, 2009

RESPONSE E-15 (Land Use, Zoning, and Public Policy):

See Response E-14 in regards to building scale. The DEIS studies and discloses the full range of potential environmental impacts from the project. None of them are found to result in significant adverse impacts that would be otherwise avoidable. The project will also produce numerous

positive impacts for the community. As outlined in the State Environmental Quality Review Act (6 NYCRR Part 617.11.d), in making a decision, the Lead Agency must “weigh and balance relevant environmental impacts with social, economic and other considerations.”

COMMENT E-16 (Land Use, Zoning, and Public Policy):

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.

Joan Harrison, resident, 39 Northfield, Glen Cove, NY, electronic mail, July 14, 2009, p. 1

RESPONSE E-16 (Land Use, Zoning, and Public Policy):

The project will generate increased vehicle trips. This is analyzed in DEIS Section III.F and FEIS Section II.F and mitigation measures have been proposed to minimize the potential adverse impacts on the traffic network. As detailed in the DEIS, the project is not expected to generate significant air or water pollution. The increase in population adjacent to the City’s core is expected to have a positive impact by increasing the vitality of the downtown. The project would have a further positive economic impact by generating a net fiscal benefit to both the City of Glen Cove and the Glen Cove City School District, expanding available employment opportunities, and generating additional economic activity and sales tax collection. The project will also create approximately 20 acres of publicly-accessible open space. Publicly-accessible open space on the waterfront is a significant and valuable public amenity. This is particularly true for inner-ring suburban communities, such as Glen Cove, that are highly developed and where most of the shoreline is in private control and access restricted and where opportunities for park expansion are limited. See also Response E-24.

COMMENT E-17 (Land Use, Zoning and Public Policy):

It has been only a few years since I moved to Glen Cove. What amazed me was how a city could conserve a village feeling. What attracted me was the peacefulness of its sleepy streets; even the major thoroughfares rarely felt crowded or rushed. Glen Cove has always been careful to preserve its natural resources. We have Morgan Park. We have Garvies Point. We have a wealth of greens and blues that deserve tender care. There is pride in those who live here. And now the city wants to ignore its past wisdom and far-sighted planning in favor of the super development of one of Long Island’s last undeveloped waterfronts. Glen Isle will help us become yet another small town strip-mall in a long line of nondescript over-developed towns like those on the South Shore.

Lynne Normandia, email dated July 16, 2009.

RESPONSE E-17 (Land Use, Zoning and Public Policy):

The proposed project is designed to avoid and counteract the cookie-cutter, conventional strip-mall development pattern referenced by the commentor and that characterizes much of Long Island. As detailed in this section and DEIS Section III.E, this site has been identified both locally and at the State level as an area for concentrated redevelopment. The project also includes extensive restoration of the City’s “blue” (e.g., wetland restoration) resources and an dramatic expansion of the City’s “green” (park) network.

COMMENT E-18 (Land Use, Zoning and Public Policy):

The height of the buildings should be decreased so that they are not taller than the Avalon.

Michael Brenner, letter dated July 13, 2009

RESPONSE E-18 (Land Use, Zoning and Public Policy):

The Avalon buildings are approximately five stories high (six stories with tower features). However, it has a different surrounding context and is subject to different zoning regulations. Therefore, there is no direct relationship between the Avalon building and the proposed project.

COMMENT E-19 (Land Use, Zoning and Public Policy):

The feeling of community is lost in apartment buildings, luxury or otherwise. If a city neglects its existing residents in order to attract new ones, what happens to the pride? Please do not oversaturate/populate the place we call Our Town.

Lynne Normandia, email dated July 16, 2009.

RESPONSE E-19 (Land Use, Zoning and Public Policy):

The introduction of a new residential population in close proximity to the City's core is a key feature of the redevelopment and is intended to help create a critical mass of local shoppers/patrons that will help spur revitalization of the downtown. Attention has also been paid to integrating the project into the community and surrounding urban fabric, rather than creating an isolated enclave. Elements that have been designed to integrate the project into the community include the esplanade and open space connections along the length of the project site between Garvies Point Beach and Pratt Park, an enhanced pedestrian environment, a retail land use connection, and a coordinated wayfinding signage program.

COMMENT E-20 (Land Use, Zoning and Public Policy):

I will stop here. I am a fan of innovative and attractive development, which this is not. The kind of development Glen Cove deserves is not 12 stories tall and depends on the questionable success of the future ferry. We deserve an attractive, mix used development that attracts visitors and compliments the sea shore with lower buildings of a traditional Victorian urban brick design or Nantucket style. You want to create a neighborhood of mixed used, not a complex that overshadows the landscape and darkens the natural light of our beautiful seashore. Let's say, development for the citizens, not just a developer of insipid sincerity who is out to make a buck. I am sincere about wanting the best possible and citizens friendly community.

Eileen Aherne, email dated July 20, 2009.

RESPONSE E-20 (Land Use, Zoning and Public Policy):

See Response E-14 for discussion related to building scale. As detailed in Responses E-1 the project has been designed to support and complement the downtown and to provide a mix of on-site uses that will ensure a vibrant and active neighborhood. The DEIS also includes a series of shadow studies in Section III.M. The analyses indicate that the proposed buildings will not result in significant shading of public open space.

COMMENT E-21 (Land Use, Zoning and Public Policy):

In opening we refer to the objectives stated in the DEIS, Goal #8 outlined under Land Use, Zoning and Public Policy (III.E-27)

"Engage in a collaborative effort among municipalities surrounding Hempstead Harbor, by means of innovative inter-municipal planning and community development techniques that link environmental protection, economic prosperity, and community well being, so as to ensure long term community, regional and watershed vitality"

With regard to this immediate neighborhood, Prospect/Albin the DEIS does not stand up to the spirit of intent of this statement, with the emphasis on "community well-being".

Pamela Tamaddon, Coordinator Prospect/Albin Traffic Calming Initiative, letter dated July 20, 2009.

RESPONSE E-21 (Land Use, Zoning and Public Policy):

As described in Response E-15 above, the DEIS studies and discloses the full range of potential environmental impacts from the project that would affect community well-being. The project is intended to transform a blighted area into a mixed-use, transit-oriented neighborhood that supports Glen Cove's downtown and reintroduces public access to the waterfront. The project is also consistent with the City's vision for this area, as expressed in its Master Plan.

It is noted that the referenced area has been a source of repeated complaints from residents, particularly with regard to the speed of traffic along the Albin Street/Prospect Avenue section. As a result of these complaints, the City of Glen Cove and the Village of Sea Cliff commissioned a joint traffic safety study, which resulted in the implementation of traffic calming measures, including speed humps and the installation of additional stop signs.

COMMENT E-22 (Land Use, Zoning and Public Policy):

"It is horrifying that we have to fight our own government to save the environment." Ansel Adams.

Why are we willing to impose on and compromise today's quality of life for a population that they are presuming will eventually want to live on a dead end waterfront?

Unknown commenter, letter signed as A combined voice of Glen Cove residents, dated July 20, 2009.

RESPONSE E-22 (Land Use, Zoning and Public Policy):

In this instance, government and the private sector have partnered to reclaim a heavily disturbed and impacted industrial and hazardous site, which has and will in fact improve environmental quality.

The project site is not a "dead end waterfront." It is located adjacent to the City's downtown, and implementation of the project is intended to transform the waterfront into a destination, provide public access to the waterfront, and bring vitality to the area.

COMMENT E-23 (Land Use, Zoning, and Public Policy):

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.

Joan Harrison, resident, 39 Northfield, Glen Cove, NY, electronic mail, July 14, 2009, p. 1

RESPONSE E-23 (Land Use, Zoning, and Public Policy):

As noted in recent newspaper articles, and the Long Island Index report, Nassau County is underserved in terms of housing variety and availability, which contributes to an exodus of relatively young households and workers. The Glen Cove Master Plan also recognizes the need to begin expanding available variety: “Accommodate a diverse population by providing a variety of housing options in terms of type and affordability.” Cities across the nation have witnessed an increasing demand for urban, amenity rich living alternatives – a trend noted as a “return to downtown.” In addition, the project itself contains a number unique public amenities and transportation accessibility to the region’s core that can be expected to attract a variety of buyer profiles.

COMMENT E-24 (Land Use, Public Policy and Zoning):

Glen Cove has ample beach and park space already and the justification to build such a high density project as a trade-off for a few amenities of dubious value, is simply not there. A project with far fewer residential units and much lower building heights would be much more desirable to the countless residents I've spoken to, and in the opinion of many residents, far more sustainable over time.

Carol E. Kenary, President, Landing Pride Civic Association, Glen Cove, NY, letter dated July 20, 2009

RESPONSE E-24 (Land Use, Public Policy and Zoning):

Twenty acres of publicly-accessible open space on the waterfront is a significant and valuable public amenity. This is particularly true for inner-ring suburban communities, such as Glen Cove, that are highly developed and where most of the shoreline is in private control and access restricted and where opportunities for park expansion are limited. The Master Plan specifically notes in its goal and objectives for Glen Cove’s natural areas: “and, at the Glen Cove Creek waterway, amplify park amenities, public access and boating activity, linked to complementary development.”

The Glen Cove Creek is also identified by the NYS Department of State’s Long Island Sound Coastal Management Plan as an area where concentrated waterfront redevelopment should occur (one of only four areas along the North Shore.) In addition, there are economic realities that must be confronted when developing brownfield sites, and density is required to provide the opportunity to remedy brownfield conditions and supply desired public amenities.

COMMENT E-25 (Land Use, Public Policy and Zoning):

Please develop this area, but don't build hotel/apartments. How about restaurants & bars to get \$\$\$ flow in GC.

J M (illegible), Glen Cove resident, attachment to letter from Carol E. Kenary, President, Landing Pride Civic Association, Glen Cove, NY, dated July 13, 2009

RESPONSE E-25 (Land Use, Public Policy and Zoning):

The proposed development program includes an approximately 5,000 square foot restaurant at the mouth of Glen Cove Creek, additional restaurant opportunities in the hotel, and 20,000 square feet of commercial space at the eastern end of the project, a portion of which could be used for cafes, restaurants or other food/beverage establishments.

COMMENT E-26 (Land Use, Zoning and Public Policy):

SECTION I-Executive Summary, Page 7

The developer states that it may petition the City Council to amend MW-3 zoning provisions to include a "vested rights provision." (See also Section II, pp. 65-66.) We are concerned about the period over which these rights would vest and the extent to which the provision would allow the developer to go forward with the development plan under changed circumstances. The circumstances under which the vested rights could come into play should be specified.

Karen Papasergious and Carol DiPaolo, President and Programs Director and Water-Monitoring Coordinator, Coalition to Save Hempstead Harbor, letter dated July 20, 2009

RESPONSE E-26 (Land Use, Zoning and Public Policy):

The "vested rights" provision referred to in the DEIS would, in concept, vest the applicant's rights to develop any element of the approved PUD Master Development Plan in accordance with the requirements of the MW-3 District, as they existed on the date when the PUD Master Development Plan was approved, for a period that recognizes the significant investment made by the Applicant, the significant benefits to be realized from this Project by the City of Glen Cove and its residents, and the impact of market conditions. The Applicant may, in the future, petition the City Council to amend the MW-3 District regulations to include language that preserves an Applicant's rights to proceed with a development in accordance with a PUD Master Development Plan Approval and protects an Applicant from any zoning amendments that prohibit or restrict the approved use(s), buildings or other aspects of the approved development, in any way, for a period of time following the date of the PUD Master Development Plan Approval that corresponds to the project's actual build-out period. Since a vesting provision will merely maintain (but not expand) the development rights obtained by an Applicant following the Planning Board's completion of the SEQRA process, the Applicant maintains that it will not have any corresponding adverse impact if adopted by the City Council.

COMMENT E-27 (Land Use, Zoning and Public Policy):

The balance between ownership and rental units within this project seems to be appropriate for a healthy community. There are 594 condo and 180 apartments with 86 workforce units (10%). Assuming workforce units are rental, since it doesn't appear to be stated in the document, the

ratio is 69% ownership and 31 % rental. This should provide a good variety of housing options for different types of people.

Eric Alexander and Elissa Ward, Vision Long Island, 24 Woodbine Ave., Northport, NY, letter dated June 25, 2009

RESPONSE E-27 (Land Use, Zoning and Public Policy):

Comment noted. The project includes a mix of ownership and rental units in order to provide for a variety of housing opportunities. At this time, the workforce units are proposed to be a mix of rental and ownership units.

COMMENT E-28 (Land Use, Zoning and Public Policy):

The 10% workforce housing proposed in this application conforms to existing State laws and are the minimum amount required for a project of this type. Given the existing affordable housing stock in Glen Cove compared to surrounding communities this balance, though at a minimum, is appropriate.

Eric Alexander and Elissa Ward, Vision Long Island, 24 Woodbine Ave., Northport, NY, letter dated June 25, 2009

RESPONSE E-28 (Land Use, Zoning and Public Policy):

Comment noted. The quantity of workforce housing proposed is in conformance with the requirements of the MW-3 district.

COMMENT E-29 (Land Use, Zoning and Public Policy):

[Page III.E-37 4th ¶] What are the “more technical recorded instruments?” Do they have the potential to require plan modifications or revisions?

Pat Cleary, AICP, Cleary Consulting, letter dated July 20, 2009

RESPONSE E-29 (Land Use, Zoning and Public Policy):

DEIS Appendix T contains all recorded instruments that affect the project site. The “more technical recorded instruments” refers to certain restrictions related to the use of groundwater on the site, the need to implement a long-term ground water monitoring program, and other environmental restrictions as described in Section III.B. Any instruments of record that could be in conflict with the proposed plan would have to be modified or extinguished prior to conveyance.

COMMENT E-30 (Land Use, public Policy and Zoning):

The following amendments should be considered to improve the FEIS:

Despite statements in the DEIS on pages II-12 and III.E-23 "Although never formerly adopted..," it is our understanding that the GCCRP was adopted in 1996 and if this is in fact the case, the FEIS should reflect that it was adopted.

Jaime Ethier, Coastal Resources Specialist, New York State Department of State, Office of Coastal, Local Government and Community Sustainability, letter, dated July 20, 2009

RESPONSE E-30 (Land Use, public Policy and Zoning):

Comment noted. The GCCRP was adopted by the City in 1996.

COMMENT E-31 (Land Use, Zoning and Public Policy):

16. Section III.E.1.a (*Environmental Impacts and Mitigation Measures: Land Use, Zoning and Public Policy: Existing Conditions: Land Use*), page III.E-2, 1st ¶- The DEIS points an appendix which is said contains detailed information about mitigation efforts and recommendations for collection of additional site data, however, the appendix noted is not identified.

Steven Perotta, Cashin Spinelli & Ferretti, LLC, letter dated July 20, 2009

RESPONSE E-31 (Land Use, Zoning and Public Policy):

The comment refers to remediation activities. Further information is available in DEIS Section III.B and the Environmental Condition Report provided as Appendix F.1.

COMMENT E-32 (Land Use, Zoning and Public Policy):

17. Section III.E.1.b (*Environmental Impacts and Mitigation Measures: Land Use, Zoning and Public Policy: Existing Conditions: Zoning*), page III.E-7, last ¶ - The DEIS points to Exhibit III.E-3 which shows existing zoning categories for the properties within the project site, as well as surrounding properties. The zoning of surrounding areas is difficult make out, specifically those properties directly north of the central and eastern portion of the subject site.

Steven Perotta, Cashin Spinelli & Ferretti, LLC, letter dated July 20, 2009

RESPONSE E-32(Land Use, Zoning and Public Policy):

The properties directly north of the central and eastern portion of the subject site are within the R-4 and MW-3 districts. Please see Exhibit II.E-1, which presents the City's zoning map.

COMMENT E-33 (Land Use, Zoning and Public Policy):

18. Section III.E.1.c (*Environmental Impacts and Mitigation Measures: Land Use, Zoning and Public Policy: Existing Conditions: Public Policy*), page III.E-30 - The DEIS discusses the *Smart Growth Policy Plan for Suffolk County (2000)* without providing an explanation as to why this plan has been included in the Public Policy analysis. Considering the subject property is located in Nassau County, the FEIS should provide a "Smart Growth" justification for the proposed project based on a Nassau County plan, New York State plan or a broader study of "smart growth" principles provided by the Congress for New Urbanism, or other appropriate organization.

In addition to providing a description of the project's compliance to general "smart growth" principles, specific attention should be devoted to one of the core principles of smart growth, walk ability. A generally accepted standard of an acceptable walking distance from residences to the neighborhood center (i.e., retail and other cultural spaces) is said to be 0.25 miles; however, the western portion of the proposed development is located approximately 0.7 miles from retail services provided on the eastern portion of the site and one mile or more from downtown Glen Cove. While the project does include a shuttle bus which will provide transit access to retail

facilities, the likely hood of residents utilizing this service for a trip from one end of the site to the other should be examined, preferably using valid studies aimed at examining pedestrian behavior in a new urbanism/transit oriented development.

Steven Perotta, Cashin Spinelli & Ferretti, LLC, letter dated July 20, 2009

RESPONSE E-33 (Land Use, Zoning and Public Policy):

In the absence of any reports prepared for Nassau County, the Smart Growth Policy Plan for Suffolk County was specifically requested for review in the DEIS scope. In addition to this local plan, the document also analyzed smart growth principles promulgated by the United States Environmental Protection Agency.

The principal of the “quarter mile walk” (or pedestrian shed) was first established in 1929 by city planner Clarence Perry, who proposed an influential theory of neighborhood design as part of the New York City Regional Plan. Perry established the size of an ideal neighborhood by drawing a circle representing the area covered within a five minute walking distance of a central point. The current resurgence of New Urbanism and Smart Growth has embraced this principle (refer to The Smart Growth Manual, by authors Andres Duany, Jeff Speck and Mike Lydon, and New Urbanism Best Practices Guide, by Robert Steuteville and Philip Langdon. However, this is not a hard and fast rule for establishing a comfortable walking distance. As stated in the Smart Growth Manual, “of course, most neighborhoods will not be round or square, as geographic circumstances often distort the outline.” Many commentators often use up to a 10-minute walk standard for transit-oriented development. A 10-minute walk translates roughly into a distance of approximately ½ mile. The distance people are comfortable walking depends on the quality of the streetscape and built environment, and their destination (e.g. commuter transit stop). With a varied, interesting and pleasant environment and important destination (e.g., ferry terminal), a 10-minute walk is a reasonable distance for residents. The proposed shuttle service would provide further incentives for residents to leave their cars at home. It is also important to note that the DEIS traffic study utilized an extremely conservative five percent internal capture rate as a basis for analysis (The results of research at several mixed use sites presented in the *ITE Trip Generation Handbook* reveals an average internal capture rate of 36 percent of the total trips) and a seven percent weekday peak reduction to account for transit oriented development.

COMMENT E-34 (Land Use, Zoning and Public Policy):

The DGEIS should cite other comparable mixed use waterfront developments that have been successful.

Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE E-34 (Land Use, Zoning and Public Policy):

Waterfront redevelopments have been a major focus of city planning and revitalization efforts in recent decades. Successful developments include local communities such as Mystic Connecticut, Yonkers, and Hoboken, New Jersey as well as nationally recognized projects in large cities, such as the Baltimore Harbor and the NYC waterfront (e.g., Battery Park, QueensWest). On Long Island, communities such as Freeport, Greenport, Port Jefferson, and Patchogue provide examples of waterfront revitalization efforts.

COMMENT E-35 (Land Use, Zoning and Public Policy):

A table should be provided showing the number of acres and square footage, as well as percentage of land devoted to the various proposed land uses, including open space.

Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE E-35 (Land Use, Zoning and Public Policy):

The square footage for the various proposed uses are included in Table I-2, Development Program Summary. Publicly-accessible open space accounts for approximately 20 acres, or 35.7% of the site's total 56 acres.

COMMENT E-36 (Land Use, Zoning and Public Policy):

A table should be provided showing FAR ranges for individual land uses and in total under the MW-3 PUD Proposed Action as well as for the alternatives analysis.

Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE E-36 (Land Use, Zoning and Public Policy):

The project is proposed as a Planned Unit Development or PUD under the Special Permit provisions of the MW-3 District. The PUD regulations do not set specific FAR requirements for varying land uses to guide development. Rather, the PUD regulations rely on a clustering and mixing of uses in order to achieve design and planning objectives, including maximization of open space. Because the entire site is considered as a cohesive, planned whole, not a collection of individual, separate land uses with their own allocation of land area, FAR is not an appropriate metric for the project's individual land uses.

COMMENT E-37 (Land Use, Zoning and Public Policy):

This section mentioned that the Proposed Action constitutes Transit Oriented Development (TOD) on several occasion (i.e. Page 64, Policy #1, 1.1). While the Proposed Action shares certain characteristics of a TOD (i.e., density and mix of uses), does the Proposed Action actually constitute a TOD given the criteria that has been established for transit oriented development, specifically proximity and walkability to transit service. Does proximity to possible ferry service and the implementation of a proposed shuttle service to downtown Glen Cove constitute a TOD at this location? Also, this section mentions TOD in the context of the existing N21 and N27 bus routes, but is ambiguous as to whether these routes will actually serve the project area.

Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE E-37 (Land Use, Zoning and Public Policy):

The project is centered around a ferry terminal that is currently under construction and has been located specifically within the project to be accessible via walking. The project has been designed with a diversity of uses, densities appropriate to support transit operations, and an attractive pedestrian environment. Further, the location of the project is adjacent to the Glen Cove downtown with access to public transportation alternatives. These features are hallmarks of transit-oriented design and ferry access to the metropolitan core is a defining characteristic of the project. In addition, the Applicant has committed to the provision of a shuttle service to the LIRR. The potential also exists for extension of the City's Commuter and Loop bus service into the project area. Downtown Glen Cove is also walkable from the ferry and the project site. As a result, the project is considered as a TOD project.