

COMMENT O-1 (Construction Impacts):

... there will be piles driven into the sand. We will have to hear the noise and feel the vibration from the installation of these 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? If we experience the noise, the sound and the disruption, what happens if the buildings fall down in the first Nor'easter?

Ms. Pat Tracy, resident, Public Hearing Transcript, City of Glen Cove Planning Board Meeting, June 25, 2009; Section 102, lines 21-25; Section 103, lines 1-13, pp. 91-92 and letter dated July 16, 2009.

RESPONSE O-1 (Construction Impacts):

During each phase of construction at the project site, measures would be implemented to reduce construction noise and vibration levels to within the limits required by applicable codes and regulations. Where feasible and practicable, various noisy operations would be scheduled to occur simultaneously. Scheduling activities in this manner has the potential to eliminate the decibel level increase from every piece of equipment except one. During periods of extensive excavation activity, measures would be taken to ensure that no structural damage to adjacent structures would occur. For example, if deemed necessary: 1) on-site vibration monitoring equipment and crack measurements will be employed; 2) the excavation contractor may install soldier piles and bracing to stabilize the foundations of the adjacent buildings and structures; and, 3) in more extreme cases, the entire foundation of the adjacent building can be braced with horizontal members held in place with vertical and batter piles. The proposed buildings will be designed based on applicable building codes and the site-specific characteristics of the project site.

Preliminary investigations have revealed the need for the project to be constructed on piles to address site soil conditions. Specific details regarding the length and type of each pile will be provided at the individual site plan level. The design of the piles will vary depending on the size of the individual structures to be supported.

COMMENT O-2 (Construction):

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

Carlos A. Pareja, P.E., Bureau of Environmental Engineering, Nassau County Department of Public Health, letter, July 13, 2009.

RESPONSE O-2 (Construction):

The requested certification will be provided.

COMMENT O-3 (Construction):

A New York State Department of Labor (NYSDOL) licensed inspector must survey any existing

buildings or structures for the presence of Asbestos Containing Building Material (ACBM) prior to demolition. If ACBM's are identified, they must be handled in accordance with NYSDOL and USEPA regulations.

Carlos A. Pareja, P.E., Bureau of Environmental Engineering, Nassau County Department of Public Health, letter, July 13, 2009.

RESPONSE O-3 (Construction):

The requested inspections and certification will be provided.

COMMENT O-4 (Construction):

The DEIS projects that Glen Isle will be complete and operational in 2016, seven (7) years after the date (June 2009) that the DEIS was considered complete. According to the text of the construction section in the DEIS, the projected construction schedule is seven years long. The Anticipated Phasing Schedule (Exhibit III.O-1) indicates a start date of January 18, 2010, which is barely six months after the date the DEIS was deemed complete. Given the extent of required approvals before construction can begin, the seven-year construction duration should be reconsidered. Six months appears to be a tight timeframe for all of the following required SEQRA tasks and municipal approvals that are required to be given before construction can begin:

- City of Glen Cove Agencies: Special Use Permit, PUD Site Plan/PUD Subdivision, MW-3 District Ordinance Amendment, Determination and Findings regarding acquisition of Gateway properties, Permits for water connection and tree removal
- Nassau County Agencies: Planning Commission comments, possible subdivision, environmental remediation framework, 239f permits for road openings/sewer connections/drainage design/traffic signal timing changes; Fire Marshall approvals
- New York State Agencies: certification of compliance with public health and safety, multi-agency accord, environmental remediation procedures, Coastal Consistency Certification, permits for freshwater and tidal wetlands/pollution discharge, off-site traffic signal timing changes, vehicle movement prohibitions
- Federal Agencies: environmental remediation framework (plus permits for dredging and widening in Glen Cove Creek which may be underway while construction begins)

The DEIS needs to explain how the construction schedule might be altered, or how early phases could be accelerated, in order for construction to be finished by 2016.

Alan J. King, Jr., P.E., LEED AP, partner, Cameron Engineering & Associates, LLP, letter dated July 20, 2009.

RESPONSE O-4 (Construction):

It is acknowledged that there are a number of agency approvals that will need to occur following the adoption of Findings by the Glen Cove Planning Board. However, the proposed phasing plan is primarily intended to indicate the relationship and relative timing of construction among the

various components of the project. The time necessary to obtain the other required agency permits could push back the start date of certain phases of the project, but would not affect the overall period of construction activity, which as currently projected, would be anticipated to last approximately seven years. It is also acknowledged, however, that it is possible that the ultimate timing of construction may be modified as the project develops. For example, changes in real estate market conditions or the availability of financing for the various parts of the project could affect the actual dates of building. See Section I, Introduction and Project Description for more on the plan's flexibility to accommodate potential changes in market conditions. The DEIS and FEIS address the project as it has evolved, in its current configuration, within the requirements of the adopted scope. The Findings will reflect the conclusions of the Planning Board's review of the DEIS/FEIS, and these conclusions should not change with a later completion date, assuming other factors remain reasonably the same.

COMMENT O-5 (Construction):

The DEIS should discuss whether the proposed construction schedule accounts for the additional time it will take to conform to the Site Management Plan (SMP), a Health and Safety Plan (HASp), and a Community Air Monitoring Plan (CAMP) prepared for the Glen Isle site, as well as the installation of monitoring systems. The additional tasks unique to the Glen Isle site include certifying compliance with the above-mentioned plans, and accounting for time for remediation and/or work stoppages should anything not in compliance be identified.

Customizing the seven-year construction schedule is especially important because the anticipated Phase I includes work on the Li Tungsten site, which (according to the Subsurface Environmental Conditions section) will require monitoring of pollutants that are unable to be remediated, as well as inter-municipal understandings about the extent of the needed additional controls.

Alan J. King, Jr., P.E., LEED AP, partner, Cameron Engineering & Associates, LLP, letter dated July 20, 2009.

RESPONSE O-5 (Construction):

The construction schedule was developed taking into consideration the site's condition as a brownfield. The Applicant is experienced with brownfield redevelopment projects, and their specialized construction management needs and procedures, such as Site Management Plans, Community Air Monitoring Plans, and Health and Safety Plans. Since monitoring occurs at the same time as construction activity and the management and safety plans principally dictate how construction activities are to occur, these requirements would not be expected to significantly affect project scheduling. In the event that remediation work takes longer than anticipated and/or work stoppages occur due to identification of non-compliant circumstances, particular construction phases may have a longer duration than currently projected. The project schedule would be adjusted accordingly. It is not possible at this point to quantify the potential added time that would be required for remediation and/or work stoppages should anything not in compliance be identified.

COMMENT O-6:

The Applicant should address how potential impacts from vibratory or hammer equipment will be monitored.

Alan J. King, Jr., P.E., LEED AP, partner, Cameron Engineering & Associates, LLP, letter dated July 20, 2009

RESPONSE O-6:

See Response O-1.

COMMENT O-7:

Page III.O-17: The Applicant should address truck wash areas, concrete wash-out areas, and spoil/stockpile areas as part of the erosion and sediment control (ESC) measures. The Applicant should address any potential impacts from admixtures that may be used, particularly as they relate to the marine community.

Alan J. King, Jr., P.E., LEED AP, partner, Cameron Engineering & Associates, LLP, letter dated July 20, 2009

RESPONSE O-7:

Erosion and sediment control measures will be detailed as part of the SWPPP plan prepared for individual site plans and will include specifics relative to truck wash areas, concrete wash-out areas, spoil / stockpile areas and all erosion and sediment control measures. Requisite notes will be included on the plans prohibiting the contractor from using admixtures and / or adhesives for erosion control, thereby minimizing impacts to the marine community during construction.

COMMENT O-8:

Appendix G. Draft SMP § 2.12

Provide for asbestos monitoring during earthwork on the Gladsky property based on the current investigative findings.

James A. Perazzo, Principal, Environmental Resources Management, letter dated July 20, 2009

RESPONSE O-8:

Asbestos monitoring will be provided as needed based on the results of the Gladsky remediation.

COMMENT O-9:

§ G, Table I-3, pg I-14

Add the Community Air Monitoring Program (CAMP) to the Construction Impacts portion of the Summary of Mitigation Measures.

James A. Perazzo, Principal, Environmental Resources Management, letter dated July 20, 2009

RESPONSE O-9:

Comment noted. The Community Air Monitoring Program is another type of air quality mitigation measure that will be employed by the project.

COMMENT O-10:

While the DEIS is detailed and very informative, overall, it cannot quantify the quality of life decline that most area residents will endure during and after construction.

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

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.

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

The construction of such mammoth proportions would only be the beginning, at least for the first six years.

Mary Normandia, letter dated July 20, 2009.

Comments on Section VII - Unavoidable Impacts

1. Short Term

a. Construction

"Construction-related activity would... result in limited adverse impacts" COMMENT: Who decides that these are limited? In a buildout period of 7 years a child of 4 living nearby the area of construction when the first shovels hit the dirt will not have childhood memories without noise, dust and heavy trucking in his neighborhood. "Fugitive dust... exhaust and emissions from construction equipment and increased local traffic would impact air quality" COMMENT: Why should this quality of life impact be tolerated for the extended build-out period by local residents - what compensation is offered?

David S. Nieri, letter dated July 18, 2009.

RESPONSE O-10:

Any construction activity, by its nature, will result in certain short-term impacts, as detailed in DEIS Section III.O, Construction Impacts. Generally, these impacts are localized and there are a host of mitigation measures and construction management techniques (also documented in Section III.O) used to minimize their impact. These measures include: noise abatement measures; erosion and sediment control measures; air quality measures such as clean fuels and idle time reductions; dust control measures such as watering; scheduling coordination; and limitations on work hours. It is acknowledged that the size and phasing of the project will result in construction activities that occur over a period of years. (Construction impacts are typically described as "short-term" because the impact ends when the activity ends, in contrast to a "long-term" impact, such as traffic, that would continue for the life of the project.) The construction activity is not constant, however, and would vary and move throughout the project site so that no one area would experience the effects of the project's construction activities for the full duration.

COMMENT O-11:

Residents of Herbill Rd., Janet La., The Place, Dickson St., Daniel Dr., and other streets near the project will be significantly affected for years to come during and after construction. The DEIS minimizes this impact. Furthermore, who will monitor and pay for the mitigation efforts outlined in the DEIS, such as "watering. " truck routes ... as needed... " to minimize fugitive dust, and requiring "all contractors and subcontractors ...to properly maintain their equipment and have the appropriate manufacturer's noise reduction devices, including, but not limited to, a quality muffler that is free of rust, holes, and exhaust leaks installed." Will there be an onsite inspector to be sure that these mitigation efforts will be strictly employed?

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

RESPONSE O-11:

All of the identified construction management and mitigation measures would be the responsibility of, and paid for by, the Applicant. A portion of the General Contractor/Construction Manager's responsibilities will involve inspection of all vehicles leaving the site to ensure that potential impacts related to construction vehicles are mitigated to the maximum extent practicable.

COMMENT O-12:

I have been following the progress of the Glen Isle waterfront project for a number of years now, and am thrilled to see that we may finally be approaching groundbreaking. Considering the economic situation in our nation, our City should jump at the chance for such an opportunity that will provide numerous economic benefits to our City.

As someone who operates a business along Garvies Point road, I have been waiting far too long to see the land across the street from me put to good use. My one question for the Planning Board is what consideration will be given to businesses along Garvies Point road, specifically in regard to access to our properties during construction. So long as the construction won't get in the way of me doing my work, I could not be more supportive of the project and what it will bring to Glen Cove. Good job to all!

Harry Hunt, Marine Solutions, electronic message, dated July 22, 2009

RESPONSE O-12:

Access to adjacent properties will be maintained throughout the construction process. Construction traffic management plans, detailing how vehicular and pedestrian access would be safely maintained during construction, would be submitted for the City's approval during each individual site plan review.

COMMENT O-13:

The Development's construction will disrupt the city for years, if it is not abandoned mid-stream, due, again, to the failing economy, and leaves a semi-wasteland in its wake.

Susan Kotta, email dated July 17, 2009.

RESPONSE O-13:

See Response O-10 for a brief discussion of potential short-term impacts, the proposed means of addressing construction-related impacts, and the proposed phased approach to its scheduling. The project's phased approach allows for each block to be constructed in coordination with real estate market and financing conditions, minimizing the potential for a large construction site to be disturbed and then abandoned.