



March 9, 2021

Ref: 20570.00

John DiMascio, Chairman, and Members of the Planning Board
City of Glen Cove
9-13 Glen Street
Glen Cove, New York 11542

Re: RXR Glen Isle Partners LLC
Technical Memorandum for Application for PUD Amendment – REVISED
Garvies Point Mixed-Use Waterfront Development Project, City of Glen Cove

Dear Chairman DiMascio and Members of the Planning Board:

This Revised Technical Memorandum is submitted by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. (VHB) on behalf of RXR Glen Isle Holdings LLC (RXR, or the "Applicant") in support of its application to amend the current Planned Unit Development (PUD) Master Development Plan for the Garvies Point Mixed-Use Waterfront Development Project (the "Project"). The current PUD, portions of which are currently under construction, is located on approximately 56 acres situated on the north side of Glen Cove Creek (the "Subject Property" or the "Site") in the City of Glen Cove (the "City"), New York.

This Technical Memorandum has been revised from its previous version (dated December 16, 2020) to address the comments received from the City of Glen Cove Planning Board (the "Planning Board") and its consultants offered within the following correspondence:

- › January 29, 2021 Memorandum from Brad Schwartz, Esq., Zarin & Steinmetz, Counsel to the Planning Board
- › January 14, 2021 Memorandum from Patrick Cleary, AICP, Cleary Consulting, Planning Consultant to the Planning Board
- › January 29, 2021 Memorandum from Robert G. Nelson, Jr., PE, Engineering Consultant to the Planning Board, regarding the Second Amended PUD Master Development Plan Application
- › January 29, 2021 Memorandum from Robert G. Nelson, Jr., PE, Engineering Consultant to the Planning Board, regarding Phase IIB (Blocks D, E & F) PUD Site Development Plan Application.
- › February 25, 2021 Memorandum from Saratoga Associates, Landscape and Architecture Consultant to the Planning Board

The revisions to the December 16, 2020 Technical Memorandum contained herein address the detailed comments by each party listed above.



In addition to the various aspects of the proposed PUD Amendment detailed and analyzed in this document, this application also ultimately contemplates an amendment to the current PUD to incorporate one of two additional properties measuring approximately 6.35 acres and 17.6 acres, respectively, which are contiguous to the existing PUD. The two properties specifically include the property at 1 Garvies Point Road (the “1 GPR Property”) and the former Konica Minolta property (the “Konica Property”). An application for the amendment of the PUD to include one of these properties will be submitted in the future, after it is determined which of the properties will be pursued. However, for the purposes of comprehensive environmental review, as required by the State Environmental Quality Review Act (SEQRA) and requested by the City, conceptual plans have been developed to determine a reasonable worst-case development of the entirety of each property. An environmental impact analysis of the conceptual full build-out of the 1 GPR and Konica Properties will be undertaken and provided for review under separate cover.

OVERVIEW

In 2011, the City of Glen Cove Planning Board (the “Planning Board”) adopted the New York State Environmental Quality Review Act Findings of the Planning Board of the City of Glen Cove Respecting the RXR Glen Isle Mixed-Use Waterfront Development Project, City of Glen Cove, New York - dated December 19, 2011 (the “Findings Statement”) for the RXR-Glen Isle Mixed-Use Development Project known as Garvies Point located on the 56±-acre Subject Property. In 2011, the Planning Board also approved the original PUD Master Development Plan for the Project (the “2011 PUD Master Plan”). In October 2015, the Planning Board approved an Amended PUD Master Development Plan for the Project (the “Current PUD Plan”), which primarily authorized certain changes on the west side of the Site.

Pursuant to the flexibility incorporated into the framework of the previous approvals for the Project, the Applicant is proposing revisions to the development plan contemplated in the Findings Statement and 2011 PUD Master Plan, as modified by the Current PUD Plan adopted in 2015. The subsequently approved PUD Site Plan Applications and ongoing construction of the Project have been in furtherance of the Current PUD Plan.

The Applicant is now proposing revisions to the Current PUD Plan to account for changing market conditions, some of which pertain to the current pandemic and are historic in their impacts. The Applicant is also seeking to improve the configuration of the parcels and open space in a way that benefits the general public, residents of Garvies Point, and surrounding communities. The proposed PUD Amendment relates, in general, to a reconfiguration of Blocks A, D, E, F and J, the proposed relocation of required workforce housing to either the 1 GPR Property or Konica Property, enhancements to open space throughout the Project, and expansion of on-site parking capacity (collectively, the proposed “PUD Amendment” or the proposed “Amendment”).

In accordance with the requirements for the Planning Board’s review of such applications, VHB has prepared this Technical Memorandum to evaluate the consistency of the proposed PUD Amendment with the Findings Statement and the environmental review that was conducted in connection with the 2015 PUD Amendment. Where any aspect of the proposed PUD Amendment would exceed a threshold set



forth in the Findings Statement, this Technical Memorandum evaluates the potential for significant adverse impacts associated with such exceedance. Based on the analysis presented below, it is concluded that the proposed PUD Amendment would not result in any significant impacts that were not addressed in the Findings Statement, and, therefore, no further proceedings under SEQRA are required.

The proposed PUD Amendment consists of the following five components, which are more fully discussed in the ensuing section of this document titled "Description of Proposed PUD Amendment":

1. Reconfiguration of the residential development on Block A, while maintaining the approved 346-unit residential yield. These changes are designed to reduce the building heights, break up the massing of the previously approved Block A building, and improve view corridors of Glen Cove Creek and Hempstead Harbor from within the Garvies Point Project, as well as from residential properties and public vantage points in the vicinity of the Site. Most importantly, the open space in Block A would be significantly enhanced. Under the proposed PUD Amendment, the Block A buildings have been pulled back from the water's edge, and there is no longer an asphalt roadway and parking immediately facing the water as is included in the Current PUD Plan. This would create space for an expansive lawn adjacent to Hempstead Harbor and the waterfront esplanade, which would improve access to and views of the water. The bulk of the public park space would now face the waterfront and feature wide, unobstructed views of Hempstead Harbor. Additional features have been added to enhance and diversify the user experience within the Block A open space, allowing for passive viewing spaces, participatory recreational amenities, and shading opportunities. These additional features include a spray pad feature, gazebo, chess tables, and a rain garden, among others. A public restroom would be provided at the north end of the open space near the parking lot, and the southern point of the open space would be maintained as a fishing area. The stand-alone restaurant previously planned for Block A would be incorporated into the residential building located furthest west and adjacent to Mercadante Beach (Building A1), which would reduce the need for a separate parking area to support the restaurant, yet still allow the restaurant to have significant outdoor seating along the harbor that contributes to the vitality of the open space.
2. Reconfiguration of the development layout on Block J to provide additional parking and open space without altering the previously approved public amenity elements or building floor area for retail space. Similar to Building A, this reconfiguration would result in significant improvements to the Block J open space. The open space would become more accessible from Herb Hill Road and the esplanade, rather than sitting tucked behind the buildings on the street. This open space would continue to provide additional areas for people to sit and enjoy the views along the waterfront, or enjoy performances from the stage that remains part of the Block J program. A public restroom would be provided, as well as public art installations by local artists throughout the space, power hookups to support food vendors, and site furnishings including benches, tables, seat walls, and trash receptacles. A paved area has been added to the Block J performance area to enhance ADA accessibility.



3. Elimination of the 50,000-square-foot approved office building on Block D. Market conditions did not reveal strong demand for this type of professional office product, and as such, the Applicant is proposing to replace the office building with a surface parking lot that is primarily intended to serve the nearby ferry terminal, supporting a critical form of public transportation to Manhattan during the weekdays, while also providing valuable overflow parking for all users of Garvies Point during the weekend. This expanded parking would enable more members of the public to access and enjoy the public parks and other open spaces within Garvies Point.
4. Revision of the approved plan for the multi-building development of Blocks E and F. The Current PUD Plan calls for 101 market-rate rental units (on Block E) and 56 workforce housing units (on Block F); the PUD Amendment proposes 172 market-rate rental units in a single building covering both blocks. This revision is a result of continued interest from the market for new rental product with significant indoor and outdoor amenities, as evidenced by the Applicant's other rental buildings that have opened in Garvies Point Phase I within the last 18 months. This change would increase the overall residential yield within Blocks E and F by 15 units, and overall yield in the Project by 79 units (see further information below). Additionally, Building E would now include a restaurant, to be located near the roundabout, which would feature extensive outdoor seating to activate this new public space along Dixon Street. A restaurant is not proposed at this prominent location on the Project's east side in the Current PUD Plan. Blocks E and F open space would include a natural area to the west of the proposed building with a gazebo and hiking trails that connect to the Garvies Point Preserve. A plaza with seating would also be provided at the southeast corner of the proposed building, adjacent to the proposed restaurant.
5. Relocation of the 56 workforce housing units that were approved for Block F to a parcel adjacent to the 56±-acre PUD area. This Technical Memorandum conceptually studies the addition of one of two potential locations for these housing units. The property (i.e., either the 1 GPR or the Konica Property) will support the workforce housing component of the PUD formerly planned for Block F. The Applicant intends to plan and design these workforce housing units to be integrated into an upcoming phase of market-rate development, rather than remain in a stand-alone, isolated building as approved by the Current PUD Plan. Including the relocated workforce units (see "Relocation of Workforce Housing Units" in the "Description of the Proposed PUD Amendment," below), the total number of residential units would be 1,189, an increase of 79 units beyond the existing threshold of 1,110 units studied in the Findings Statement and approved by the Current PUD Plan. As a reminder, the Planning Board already approved a PUD Site Plan for 55 rental workforce units on Block G. Georgica Green expects to start construction of these 55 rental workforce units by spring of 2021. The proposal to relocate the workforce housing units that were approved for Block F under the Current PUD Plan represents the continued phasing of the overall Project, with the additional workforce housing units intended to come on-line in conjunction with an upcoming phase of construction. As detailed above, an environmental impact analysis of the conceptual full build-out of the 1 GPR and Konica Properties, representing this conceptual future phase of construction, will be undertaken and provided for review the under separate cover.



In sum, the proposed PUD Amendment seeks to expand and improve the functionality of the public parks and open space throughout the Project site, reduce building heights and massing on Block A to improve visual corridors, add public parking, and respond to evolving economic conditions and demands in the real estate market. In particular, there has been a persistent, strong demand for market-rate rental units, as demonstrated by the robust leasing that has occurred with RXR's Harbor Landing and Village Square rental communities located elsewhere within Garvies Point or nearby in downtown Glen Cove. This demand comes from empty nesters looking to downsize but upgrade to modern amenities, and from City dwellers looking for more space and access to the outdoors, especially now in the post-pandemic environment.

The remainder of this Technical Memorandum provides a more detailed description of the components of the proposed PUD Amendment, followed by an analysis of the consistency of the Amendment with the thresholds and criteria established in the Findings Statement, and in the subsequent environmental review conducted in 2015 in connection with the Current PUD Plan. The following attachments are included with this submission to support the analyses:

- Attachment A – Renderings of development of Block A from Hempstead Harbor and Cliff Way, as approved in the 2015 PUD Amendment and under the proposed PUD Amendment. These are the same vantage points studied during the 2015 PUD Amendment process
- Attachment B – Water use and sewage flow calculations prepared by Paulus, Sokolowski and Sartor Engineering, P.C. (PS&S), dated December 4, 2020
- Attachment C – Garvies Point 2020 Parking Assessment Update, prepared Walker Consultants, dated February 11, 2021
- Attachment D – Open Space Analysis/Landscape Plan and Program Diagram
- Attachment E – Correspondence from Roux Associates regarding status of remediation at the One Garvies Point Road and Konica Minolta properties

It is important to recognize that the present analysis relates to the Applicant's request for amendment of the Current PUD Plan, which pertains to the broader aspects of the overall development of the Subject Property and relocation of the workforce housing component to either the 1 GPR or Konica Property. The review process established by the City provides for a subsequent step in the process, during individual PUD Site Plan applications, at which time there will be a more detailed analysis of the specific development proposal for each parcel. A PUD Site Plan Application for Blocks D, E, and F is expected to be submitted shortly under separate cover so that it can be reviewed in conjunction with the proposed PUD Amendment.

DESCRIPTION OF PUD AMENDMENT

In accordance with the intent of the Findings Statement to provide flexibility in the overall build-out of the multi-phase PUD Master Plan, the proposed PUD Amendment would update the development program



for Blocks A, D, E, F, and J in response to economic and market conditions, including recent trends emerging from the Covid-19 pandemic, that have changed over time. The proposed PUD Amendment would also provide enhanced open space amenities and parking within the PUD area.

The components of the proposed PUD Amendment are described in more detail as follows.

Block A

Block A is located in the westernmost portion of the PUD area, fronting on Hempstead Harbor. The Current PUD Plan for this parcel contains a single, 11-story building with 346 condominium units in two towers. The building was designed to be constructed in a single phase, and many of the units would face the interior courtyard, with limited views of the water. Under the proposed PUD Amendment, Block A would retain the approved 346-unit residential yield. However, the development would be modified by splitting the single 11-story building into three individual buildings with reduced height and massing as set forth below:

- Building A1 – 136 units/10 stories
- Building A2 – 75 units/8 stories
- Building A3 – 135 units/9 stories

Although the development yield for this portion of the Site would remain unchanged under the proposed PUD Amendment, the prominent location of Block A, on the shorefront of Hempstead Harbor and at the entrance to Glen Cove Creek, is a critical consideration. Therefore, although many environmental impact parameters (e.g., traffic generation, water consumption, sewage and solid waste generation, etc.) would not be affected by this change, revisions to the development plan for this parcel have the potential to significantly affect the visual and aesthetic character of the overall PUD Master Plan and analysis of this parameter for Block A was identified for special attention. As discussed briefly below, and in more detail in section “m” of this document titled “Aesthetics” (including supporting graphic exhibits as attachments), the proposed PUD Amendment would enhance the visual character of the development on Block A as compared to the Current PUD Plan.

Under the Amendment, the three proposed buildings on Block A would have different heights to create variety, human scale, and visual appeal. The buildings would be pulled back from the western waterfront boundary to create a promenade and a large harborfront park space. Waterfront parking that is included in the Current PUD Plan primarily for the stand-alone restaurant would be relocated to Garvies Point Road and restaurant parking would be provided within the building parking garage, with the City’s permission.

This proposed redesign for Block A would create an expanded public space with unobstructed, panoramic views of Hempstead Harbor and the western end of Glen Cove Creek, consolidating the fragmented park area that was to be situated between the east side of Block A and the west side of adjacent Block B under the Current PUD Plan, with other open space located adjacent to the water on Block A. The stand-alone restaurant proposed under the Current PUD Plan would be moved to the interior of Building A1, located at the northwest corner of Block A, thereby eliminating additional building construction in the expanded open space and reserving this area for public passive recreational use including a spray pad feature, areas



for corn-hole and other lawn games, chess tables, and site furnishings consistent with the completed portions of the PUD area, to be further detailed in future site plan submissions. Lighting features are proposed with this area and will be consistent with the lighting provided throughout the development. Outdoor restaurant seating is included in the amended plan, which would better integrate the restaurant into the open space. By locating the restaurant at one of the primary entrances to the waterfront open space, this area would be infused with energy and vitality. The restaurant and its seating would be located adjacent to and within one of the residential buildings, which lends activity to the open space, but would not occupy prime waterfront space for the restaurant. Further, the restaurant's elevation would be slightly higher than the water, allowing views from the restaurant while keeping the restaurant space physically separate from the rest of the open space.

Under the Block A reconfiguration, building footprints would be varied (e.g., diagonal, or perpendicular to the creek) to avoid the prior design which would have resulted in a large building wall running parallel along the creek. Upper floors would be stepped-back to minimize visual impacts, and enhance view corridors around and through the buildings. The Gross Floor Area (including parking) of the combined buildings proposed for Block A would increase slightly, from 940,000 square feet to 981,400 square feet under the proposed PUD Amendment as a result of larger unit sizes, which is also a response to market demand. This increase is minimized by a decrease in the parking and service areas of the buildings, which would now incorporate more tandem parking spaces, allowing increased efficiency.

Overall, the proposed modifications to Block A would enrich the sense of place and better complement the development layout throughout the entire PUD as compared to the Current PUD Plan. By breaking up the approved single building massing into three smaller buildings, the 346 residential units can be delivered gradually over multiple phases in response to market conditions and expected absorption rates. As the approved 346-unit residential yield for the overall block would not change, there are no anticipated adverse impacts to environmental parameters (e.g., water use, sewage flow, traffic and solid waste generation, etc.) as a result of the proposed PUD Amendment for Block A.

Blocks D, E and F

The previously approved six-story, 50,000-square foot office building on Block D would be replaced with a surface parking area with 165 spaces that is intended primarily to serve the nearby ferry terminal, as well as other public facilities in the area (especially on weekends). This change is also driven by a lack of demand for professional office space in the current market. As discussed in more detail in section "k" of this document titled "Economics", there has been a well-documented decline in demand for office space on Long Island, accelerated by conditions brought on during the COVID-19 pandemic. The effect of this proposed revision, when considered individually, is a decrease in the magnitude of development in the PUD area and an increase in the on-site parking capacity, both of which provide benefits that help to offset the potential impacts associated with other components of the proposed PUD Amendment.

The previous approval included a four-story building over a one-level garage on Block E containing 101 market-rate residential rental units and a pair of four-story buildings on Block F containing 56 workforce condominium units (i.e., a combined total of 157 units); this is proposed to be replaced with a single four-



story building over a two-level garage spanning between both blocks, containing 172 market-rate rental units (i.e., a 15-unit increase above the total for the Current PUD plan – see separate discussion below), a 5,000 square-foot restaurant, and a 2,000 square-foot wellness center/spa. The residential building in the proposed Amendment would feature larger units and more generous amenities, including an outdoor pool and extensive terraces, which are designed to meet the market demand for a more upscale product with significant outdoor spaces, as revealed during the initial phases of Project construction.

As indicated, the proposed PUD Amendment would result in a net increase of 15 residential units for Blocks E and F, along with the addition of a restaurant, as compared to the Current PUD Plan for these two parcels. However, there would be an offset for this additional proposed development on Blocks E and F with the elimination of the approved office building on the adjoining parcel at Block D. Additionally, as with the revisions proposed for Block A described above, improvements would be included in the aesthetic design and layout of Blocks E and F, including an augmented landscape buffer along Garvies Point Preserve to the north-northwest, replacing the surface parking that had been approved for that location that would have directly faced the preserve, and proposing a pedestrian link to the Preserve, to be coordinated with Nassau County. Additionally, the new building on Blocks E and F would create a continuous street wall along Dixon Street, consistent with modern land design precepts, and would place the parking underground, as opposed to the surface parking that had previously been proposed/approved. The south end of the proposed building would angle away from Dixon Street, opening up the southward view corridor toward Glen Cove Creek and providing a public open space with outdoor seating in that area. The proposed restaurant would also be situated here.

The revised proposal for Blocks E and F also includes expanded public open space to the northwest of the building, with pedestrian access planned between this area and the adjacent Garvies Point Preserve. This space would be utilized for passive recreation, in a manner similar to how the Preserve is currently utilized. This component of the proposed PUD Amendment would provide an additional 1.6-acre area of open space (i.e., 6.8 acres as proposed, versus 5.2 acres in the Current PUD Plan).

As indicated, with its proposal for Amendment of the development plan for Blocks E and F, RXR is seeking a 15-unit increase on Blocks E and F (or a 79-unit increase in the residential build-out for the overall Project), from the 1,110 approved units, to a total of 1,125 units within the current PUD area (or 1,189 units overall – see explanation in the section on “Relocation of Workforce Housing Units,” below). The exact boundaries of the PUD area would be determined once the final site is selected for the remainder of the workforce units. As detailed above, an environmental impact analysis of the conceptual full build-out of the 1 GPR and Konica Properties will be undertaken and provided for review the under separate cover.

Relocation of Workforce Housing Units

The Findings Statement requires a minimum of 10 percent of the total residential units to be designated as workforce housing units. Under the Current PUD Plan, 111 workforce housing units would be located on Blocks G (55 units) and F (56 units). As a reminder, the Planning Board already approved a PUD Site Plan for 55 rental workforce units on Block G. Georgica Green expects to start construction on those units by spring of 2021.



Under the proposed PUD Amendment, workforce housing would still comprise ten percent of the overall number of housing units, thereby retaining this important component of the Project. Consistent with the phase-in of Phase 1 of the Project, in which the 55-workforce rental units will commence construction after the completion of Buildings H, I, and B, the Applicant is proposing to phase-in workforce units that had previously been planned for Parcel F. These units would be relocated to either the 1 GPR Property or Konica Property, both adjacent to the current boundary of the 56-acre PUD area. Furthermore, an additional eight workforce housing units would be provided to meet the 10 percent requirement, as detailed below.

Current PUD Plan –

- 1,110 total residential units
- Block G - 55 workforce housing units
- Block F - 56 workforce housing units
- 111 total workforce housing units (10 percent)

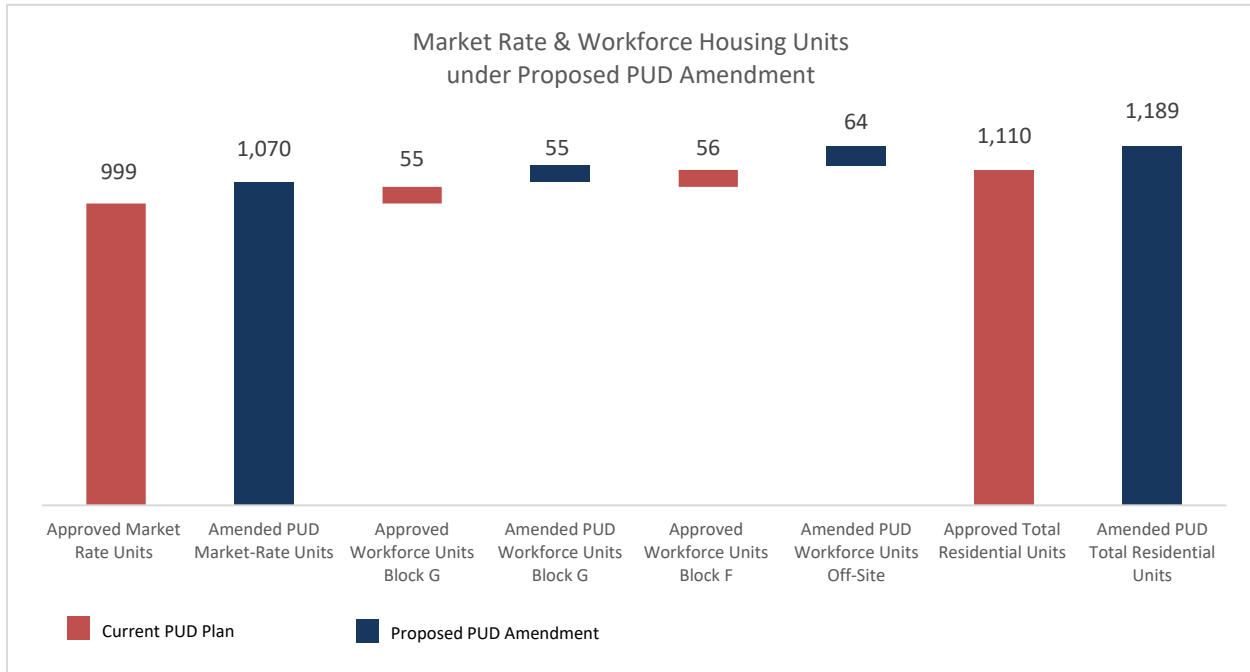
Proposed PUD Amendment –

- Increases the market-rate rental units approved for Block E by 71 units from 101 to 172 units
- Relocates 56 workforce housing units from Block F to a location adjacent to the current PUD area, where the units can be integrated into an upcoming phase with other market-rate units.
- Increases the total number of residential units located within the existing PUD area by 15, from 1,110 to 1,125, which is accounted for by the increase in the number of units on Blocks E and F from 157 (101 market-rate rental units on Block E and 56 workforce housing units on Block F) to 172 (all market-rate rental units, spanning across both blocks)
- Increases the total workforce housing by 8 units (10 percent of the 71 additional units on Block E), from 56 to 64 units
- Increases the total residential units (within and adjacent to the existing PUD boundary) by 79 (64 + 15) units, for a total of 1,189 residential units.

As outlined above, the proposed PUD Amendment would result in a total increase of 79 residential units, comprised of 71 additional market rate units, and 8 additional workforce housing units. A total of 64 workforce housing units would be provided on either the 1 GPR or Konica Properties adjacent to the current PUD area; and 119 workforce housing units would be provided (55 units on Block G, and 64 units at the adjacent location), consistent with the 10 percent requirement set forth in the Findings Statement.



The graphic below illustrates the proposed changes to the total residential yield and workforce housing component:



As detailed above, two parcels are being considered for the proposed relocation of the workforce housing units from Block F, both of which are contiguous to the existing boundary of the PUD area, as follows:

- 1 Garvies Point Road (1 GPR Property) – 6.35± acres on the north side of Garvies Point Road, to the immediate west of PUD Block D
- Konica Minolta Site (Konica Property - 71 Charles Street) – 17.6± acres on the north side of Herb Hill Road, to the immediate east of PUD Block I.

Although RXR is pursuing the purchase of both of these parcels, negotiations are ongoing and neither parcel is presently in RXR’s ownership. Therefore, the analysis of this component of the proposed PUD Amendment within this technical memorandum includes a generic evaluation of the potential candidate sites for relocation of the workforce housing units to demonstrate their feasibility for the proposed use and the potential for significant environmental impacts related to such development. It is noted that a report to be submitted under separate cover is being prepared to evaluate a conceptual full build-out of each of these properties at the request of the City of Glen Cove Planning Board and for the purposes of comprehensive environmental review of the PUD amendment pursuant to SEQRA regulations. It is anticipated that the Applicant will apply for an amendment to the PUD boundary to accommodate the additional development within the PUD, subsequent to RXR obtaining ownership interest in the parcel(s). The Planning Board is empowered with the authority under the City Zoning Code, at §280-73.2.C(3), to approve such extensions of the PUD boundary. It is also understood that a detailed, site-specific analysis



would be conducted as necessary at the time of application for site plan review for development of either the 1 GPR or Konica Properties.

Block J

The development proposal for Block J under the proposed PUD Amendment retains the 8,320-square foot Garvies Point Brewery, which recently received site plan approval from the Planning Board and also includes the construction of an additional 6,250 square feet of retail space, which was accounted for in the SEQRA consistency analysis that was performed for the Brewery site plan application. The total combined building floor area, at 14,570 square feet, equals what was approved for Block J in the Current PUD Plan and was considered in the Findings Statement. The Brewery, while it sits just outside of Block J, is included in the commercial floor area maximum for Block J.

The Arts and Culture Park at this location will be retained under the proposed PUD Amendment to provide the important open-air, public gathering function of this area. This area would include art sculptures throughout the open space, and would maintain space for events such as outdoor markets to be accommodated. Additionally, this area would include site furnishings such as benches, tables and chairs, trash receptacles, and seat walls. The layout of this parcel would be reconfigured, resulting in a net increase in open space of 0.78± acres and expanded surface parking, as compared to the Current PUD Plan. Other aspects of the redevelopment of this parcel specified under the Current PUD Plan, including waterfront enhancements (e.g., bulkhead repairs), would be retained under the proposed Amendment. Overall, the intent for Block J under the proposed Amendment remains consistent with the Current PUD plan, to ensure that this important gateway parcel serves its proper role in linking the Garvies Point PUD Master Plan development to the adjacent downtown area.

SEQRA CONSISTENCY AND IMPACT ANALYSIS

Analysis and conclusions regarding the consistency of the proposed PUD Amendment with the Findings Statement and the environmental review that was conducted in connection with the 2015 PUD Amendment are presented below, arranged by the environmental topics that are covered in the Findings Statement. Note that the presentation of this information varies among the topics, with some providing separate analysis of the components of the proposed PUD Amendment (e.g., revisions to the development plans for individual parcels, relocation of workforce housing to an adjacent parcel while retaining this component as an upcoming phase of the development, etc.), while other topics are covered by a single, broader discussion. For topics that include separate discussions of individual components of the proposed Amendment, there is also a cumulative assessment at the end to tie all the pieces together.

At the request of the City of Glen Cove Planning Board and for the purposes of comprehensive environmental review pursuant to the SEQRA regulations, a report to be submitted under separate cover is being prepared to evaluate a conceptual full build-out of the 1 GPR and Konica Properties, including, but not limited to, the workforce housing to be relocated out of the boundaries of the current PUD.



a. Land Use, Zoning and Public Policy

Block A – The number of units on this parcel remains at 346 under the proposed PUD Amendment, but in a reconfigured layout that divides development into three discrete phases, which is generally consistent with the approved single-building/two-tower design. As discussed previously, although the development yield for Block A would remain unchanged under the proposed Amendment, the prominent location of Block A, on the shorefront of Hempstead Harbor and at the entrance to Glen Cove Creek, is a critical consideration; and building height is an important parameter affecting the potential for impacts. The development of Block A would be modified by splitting the single 11-story building into three individual buildings with reduced height (and massing), at 8 stories for Building A2, 9 stories for Building A3, and topping out at 10 stories for Building A1. Thus, in terms of building height considerations, the proposed Amendment would further reduce potential impacts as compared to the Current PUD Plan, which itself was scaled-down from prior proposals that were analyzed, and modified, through the SEQRA process that culminated in the Findings Statement. Further analysis for each sub-phase of the development of Block A will occur during subsequent site plan review of each of the three sub-phases.

Blocks D, E, and F – The proposed development of these parcels, as modified, retains the previously approved multi-family residential use contemplated for Blocks E and F, and would reduce the magnitude of the overall development on Block D by replacing the previously approved 50,000-square foot office building with surface parking. As the purpose of the Block D surface parking lot is to maximize parking capacity, the layout design proposed at the time of site plan application may not meet all the dimensional requirements (e.g., minimum setbacks and use of landscape islands), which potentially would require waivers; however, as with all such aspects of development under the proposed PUD Amendment, such specific design details would be determined at the time of site plan application, and subject to review and approval by the Planning Board.

The proposed PUD Amendment includes a 15-unit increase in the total residential yield above the 1,110 units in the Current PUD plan for the 56±-acre PUD area on Blocks E, and F. Since the residential component as-approved was at the 20-unit per acre maximum permitted, build-out under the current proposal would require zoning relief. However, the development plan for Block A involves three phases, each entailing a discrete, independent building, such that it is not believed that the need for the specified relief would arise until site plan approval for the final phase is sought. Concurrently, RXR will continue to negotiate for the purchase of either the 1 GPR Property or the Konica Property to accommodate the 64 workforce housing units that are required under the proposed PUD Amendment. Accordingly, at the time an actual development proposal is submitted for one of these parcels, the yield would be adjusted to absorb the 15-unit overage within the expanded PUD area, such that zoning relief for residential density under the PUD Master Plan would not be needed at the time final approval is sought (see next section).

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – As discussed above, the workforce housing component that had been approved for Block F would be relocated to an alternate, adjacent location under the proposed PUD Amendment, on either the 1 GPR Property or the Konica Property. The provisions of the MW 3 Zoning District empower the Planning Board with the authority under the City Code to approve extensions of the geographic boundaries of the PUD area to include



either of the parcels under consideration, which would allow the proposed relocation of workforce housing units to occur entirely within the framework of the PUD Master Plan. Further, future development of these parcels would allow the workforce units to be integrated within an upcoming phase of the project, rather than sit in a stand-alone location, isolated from the greater Garvies Point project.

From a land use and zoning perspective, development of the 1 GPR or Konica Properties with workforce housing, and extension of the PUD area to include these properties, would not be expected to result in significant adverse impacts, as it would:

- Further enhance the overall benefits of the PUD to redevelop former contaminated industrial properties to create a vibrant waterfront community.
- Provide further remediation on both the 1 GPR and Konica Properties pursuant to ongoing EPA and DEC regulatory programs.
- Replace blighted and underutilized former industrial areas with compatible waterfront land uses.

The compliance of such development with the various policy and planning documents that guide development in the area, including the City of Glen Cove Master Plan and Third Amended Urban Renewal Plan for Garvies Point Urban Renewal Area, will ultimately depend, in part, on the specific use, design and layout of the development on the 1 GPR or Konica Properties. This will be explored in further detail in the environmental impact analysis of the conceptual full build-out of the 1 GPR and Konica Properties, to be provided for review the under separate cover. Overall, the redevelopment of either parcel would not be expected to result in a significant adverse impact that has not been previously addressed in the Findings Statement.

Block J – The proposed PUD Amendment would retain the same building floor area and uses on this block – i.e., 14,570 square feet of commercial space, including the 8,320-square foot Garvies Point Brewery which has already received site plan approval – as under the PUD Master Plan on which the Findings Statement was based. Additionally, the important public open space resource in this block would continue to be provided and would be expanded by 0.78 acre; and the intended open-air, public gathering space function of this parcel would also be retained. These proposals for Block J under the PUD Amendment, in conjunction with the approved site plan for the Garvies Point Brewery, would establish this location as a suitable gateway between the Garvies Point PUD Master Plan development and the adjacent downtown area.

Cumulative Assessment

50 Percent Rental Cap – The 2011 Findings Statement establishes a cap on the number of rental units at 50 percent of the total number of residential units in the PUD Master Plan. With an as-approved total of 1,110 total residential units within the Current PUD Plan, a 50 percent rental cap would allow for a total of 555 rental units. Expansion of the residential yield under the proposed PUD Amendment, including both the 15 additional units within Blocks E, and F, and the 64 workforce units to be relocated, would increase the total, Project-wide number of units to a maximum of 1,189 with 595 rental units representing the 50 percent cap.



The number of rental units that have been approved to-date totals 541, not including the revisions to the development plan that are the subject of the proposed PUD Amendment (i.e., the proposed changes on Blocks A, E, and F, and the workforce units at an adjacent location). When also accounting for the housing that would be constructed under the proposed PUD Amendment, rental housing would increase by 79 units – i.e., 71 market-rate rental units within the current PUD area (which encompasses the proposed 15-unit increase above the 1,110-unit maximum, and is accounted for within the 172 units currently proposed for Blocks E and F) plus 8 of the 64 workforce rental units at an adjacent location; the remaining 56 units of workforce housing at the adjacent location, which are being transferred from the approved plan for Block F, would be condominiums, while the 346 residences on Block A remain entirely owner-occupied. Thus, under the proposed PUD Amendment, the residential rental total would be increased to 620 units, which exceeds by 25 units the aforementioned 595-unit cap on total rental units allowable. Therefore, as part of the proposed PUD Amendment, the Applicant is requesting the Planning Board’s approval to exceed the 50 percent rental cap.

The Findings Statement is clear that the 50 percent rental cap is subject to the Applicant’s ability in the future to seek discretionary approval from the Planning Board to exceed the cap based on current market conditions, provided that the Applicant has proceeded with implementation of earlier phases of development in good faith and in compliance with other conditions set forth by the Findings. The Applicant may seek approval from the Planning Board to exceed the 50 percent rental cap; however, in no instance may the number of rental units exceed 65 percent of the total residential unit count.

If the proposed PUD Amendment is approved, the resulting 620 rental units would compose approximately 52.1 percent of the 1,189 total residential yield, which is only slightly greater than the 50 percent cap and is well below the 65 percent threshold of 772 units established by the Findings Statement. Moreover, the Applicant submits that it has proceeded with implementation of earlier phases of development in good faith and in compliance with other conditions set forth by the Findings Statement; and, as discussed previously, the proposal to exceed the 50 percent cap by 2.1 percent is in response to current market conditions, which show a strong current demand for market rate rental units. Therefore, conditional to the granting of a waiver to exceed the 50 percent rental cap, while remaining well below the 65 percent threshold established by the Findings Statement, the proposed PUD Amendment would be consistent with the Findings Statement in regard to the rental cap.

Cumulative Land Use, Zoning and Public Policy Assessment – The overall set of revisions included as part of the proposed PUD Amendment provides an updated development plan of integrated, mixed uses for the amended PUD area that responds to current market conditions and other essential considerations – e.g., the need for additional public parking to be satisfied by the current proposal for the development of Blocks D and J, and the enhancement of public open spaces throughout the Site. The total gross aggregate floor area excluding parking, measures 1.804 million square feet, and including an allowance for changes in unit geometry of 26,103 sf, the total gross floor area would reach 1.828 million square feet. This figure is the same as shown in the Current PUD Plan.

As discussed throughout this analysis, the proposed action would be no less protective of the environment than the plan on which the Findings Statement, as amended by the Current (2015) PUD Plan,



was based. Importantly, inclusion of either the 1 GPR Property or Konica Property, which would be integrated into the PUD, would maintain the requisite number of workforce housing units for the PUD Master Plan, thereby ensuring that the project continues to incorporate this important element as intended in the Planning Board’s approval. Further, more detailed analysis of the land use, zoning and public policy objectives of the Findings Statement would occur during the Planning Board’s review of Applicant’s submissions for approval of each individual site plan on a parcel-by-parcel basis.

b. Soils and Topography

Blocks A, D, E, F and J – The Findings Statement accounted for the effect of the proposed development of these parcels with respect to soils and topography. Proposed changes to building footprints on Block A would not impact unstable soils or meet new topographic constraints not previously affected. In addition, the proposed updates to Blocks D, E, and F would preserve the existing grading at the northwest corner of Block F where public outdoor amenities including trails are proposed. A geotechnical report will be submitted with the detailed site plan submission associated with Blocks D, E, and F. Overall, the modifications in the proposed PUD Amendment for these blocks do not substantially change the extent or intensity of site disturbance at these locations, pose the potential for increased impacts with respect to same, or alter the measures that would be needed to effectively mitigate such impacts.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – As with the current PUD area, the 1 GPR Property and the Konica Property are both previously disturbed areas. According to the United States Department of Agriculture (USDA) Soil Survey,¹ soils within the 1 GPR Property include Urban Land (Ug) and Udorthents, refuse substratum (Uf). Soils within the Konica Property include Ug, Urban Land – Montauk complex (UnB and UnC), and Urban Land – Riverhead complex (UrB). Soils found within the 1 GPR and Konica Properties are generally consistent with the remainder of the PUD area and do not present new soil limitations that would cause a significant adverse impact resulting from new development.

Topographic profiles of each of the properties were reviewed using USGS Long Island 2014 LiDAR Collection data. The 1 GPR Property increases in elevation in a northerly direction, with an elevation of approximately 8 feet above mean sea level (msl) at the south end of the property along Garvies Point Road and approximately 34 feet above msl at the north end of the property. Similarly, the Konica Property contains elevations that generally increase in a northerly direction, from approximately 20 feet to over 60 feet above msl.

As with the existing PUD, site-specific grading plans would be developed and presented for review by the City of Glen Cove for either the 1 GPR or Konica properties, at the time of Site Plan application, which would detail the specific grading strategy and any measures needed to address the particular layout proposed at that time.

¹ United States Department of Agriculture, SSURGO Soil Database accessed via the Web Soil Survey, February 2021



As both the 1 GPR Property and the Konica Property have experienced previous site disturbance, the proposed expansion of the PUD area to accommodate the workforce housing units on either of these properties would not result in significant adverse impacts associated with on-site soil types or to topography.

Cumulative Assessment – As part of the site plan package for the development of parcels covered under the proposed PUD Amendment, a Soil Erosion and Sediment Control Plan(s) would be prepared by the Applicant’s site engineer to provide site-specific control measures that would be implemented throughout construction and remain in effect until disturbed areas are permanently stabilized. Additionally, a geotechnical report would be prepared for submission to the City to demonstrate the suitability of on-site soils to support the proposed development. Upon the implementation of the Soil Erosion and Sediment Control Plan(s) and the recommendations of the geotechnical report(s), development under the proposed PUD Amendment, including on either the 1 GPR Property or the Konica Property, would be consistent with the requirements of the Findings Statement with respect to soils and topography. Therefore, no significant adverse impacts to Soils and Topography are anticipated that have not already been identified and addressed in the Findings Statement.

c. Subsurface Environmental Conditions

Blocks A, D, E, F and J - Following the completion of soil remediation on the overall Master Development site in 2016-2017, an Interim Site Management Plan (SMP) was prepared and approved, covering all of the area within the PUD. The Interim SMP requires the following:

- An engineered composite cap would be installed throughout most of the Subject Property, consisting of two feet of clean fill, concrete, or asphalt
- Soil vapor mitigation systems would be installed within all occupied structures
- Construction would adhere to soil/materials management procedures outlined in the Interim SMP
- A project-specific Excavation Work Plan (EWP) would be prepared in conjunction with each site plan application, for submission to and approval by the New York State Department of Environmental Conservation (NYSDEC), New York State Department of Health (NYSDOH), and U.S. Environmental Protection Agency (USEPA) prior to redevelopment
- The EWP would include an up-to-date summary of existing environmental conditions on each parcel proposed for development, with all recent testing results, in addition to the excavation work plan itself.

NYSDEC would reserve the right to be present during construction at any given location within the PUD area. Upon the completion of construction, documentation would be submitted to the Planning Board to demonstrate that any necessary cleanup has achieved the required standards; and suitable controls would be established, as determined by NYSDEC and the USEPA, for construction and post-construction periods. It is anticipated that these engineering controls would consist of a composite cover system, soil vapor mitigation, French drain system, and groundwater monitoring well network.



As indicated previously, the proposed development of Blocks A, D, E, F, and J, as amended, is generally consistent with the development that was contemplated in the Findings Statement. More specifically, Block A would remain predominantly as a multi-family residential development area, with the addition of a small commercial (restaurant) component; multi-family residential use would still occur on Blocks E and F; Block D had been approved for office use in the Current PUD Plan and now is proposed for parking, thereby eliminating the commercial (office) occupancy that was previously approved at this location; Block J would continue to be occupied by commercial uses; and all involved blocks would include public open space. Therefore, the Interim SMP would not require modification for the proposed amendments to Blocks A, D, E, F and J, and would be governed by the aforementioned project-specific EWP, which would ensure that the requirements of the SMP are properly implemented on a site-specific basis. In other words, the individual changes proposed at these Blocks would not require a change in the SMP, since they would not change the existing conditions present within the PUD. It is noteworthy that, with respect to Blocks D, E and F, the proposed amendments would result in a change to a less sensitive land use, e.g., surface parking in lieu of an occupiable commercial office use. A Change of Use form would be prepared and submitted to the involved agencies at the appropriate time, as necessary for each component of the development under the proposed PUD Amendment.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – The Applicant realizes that this is an important issue to the Planning Board, the IDA and others. The intent is to ensure that the proposal to phase-in the provision of required workforce housing approved for Block F is realistic and not open-ended, that one or more specific properties have been identified for this housing, and that site investigations establish that the environmental condition of these properties either presently is suitable or reasonably can be made suitable for the type of housing proposed. As discussed below, both properties under consideration have been subject to extensive environmental investigation and remediation and, as indicated, both are suitable candidates for the type of development contemplated under the proposed PUD Amendment.

Konica Property – This parcel was used for various industrial purposes, starting in the early 1900s, including manufacturing of photographic equipment and supplies. On-site discharges of hazardous and industrial wastes occurred, which contained toluene, ethylbenzene, ethyl acetate, and other residues from the formulation of printing inks, among other chemicals

Correspondence from Roux Associates Inc. (Roux), the environmental remediation consultant for the Konica Property, is included in Attachment E. As indicated, “the site has been investigated and remediated under the Resource Conservation and Recovery (RCRA) Closure Program and the NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) (also known as the State Superfund) Program. A Site Management Plan (SMP) was prepared for the Site and was approved by NYSDEC on May 15, 2017. The SMP says that “[t]he property may be used for restricted residential use (commercial and industrial uses allowed, per zoning).” The executive summary from the SMP and approval letter is included in Attachment E.



1 GPR Property - This parcel was occupied by former industrial owners General Dynamics and Lunn Industries, which conducted operations from 1959 through 1988. These operations included machining for military machines/materials, and involved the generation of large quantities of hazardous waste and the use of large quantities of solvents for parts cleaning. This site subsequently has been occupied by multiple commercial operations from at least 2003 through the present.

Correspondence from Roux, the environmental consultant leading the remediation effort for the 1 GPR Property, is included in Attachment E. Roux confirms that in September 2017, the site was entered into the New York State Brownfield Cleanup Program (BCP – Site No. C130223) and was intended for multifamily residential and commercial uses. NYSDEC’s approval of the Brownfield Cleanup Agreement is included in Attachment E. As indicated, a Remedial Investigation (RI) has been performed at the site and Roux is currently in the process of revising its Remedial Investigation Report (RIR). The RIR confirms that the proposed remedy to be detailed in the Remedial Action Work Plan will include addressing impacted soil, groundwater, and soil vapor using excavation, cover system installation, and other engineering controls to ensure that the site is safe for residential uses. Roux confirms that the site can be safely completed in a manner acceptable to the NYSDEC through these measures.

As indicated above, the existing information indicates that both of the adjacent parcels under consideration for the relocation of workforce housing are suitable candidates for multi-family housing, consistent with the planned use of these parcels under the proposed PUD Amendment. Furthermore, the intended use of these parcels is consistent with the reuse of formerly contaminated lands throughout the current PUD area, which have also been required to undergo remediation to make them suitable for residential development. Both of the adjacent parcels being considered for development under the proposed Amendment would be subject to the same requirements during construction and operation that have been established in the Findings Statement for the lands within the current PUD area, as discussed above with respect to Blocks A, D, E, F, and J, thereby assuring the protection of human health and safety, and the environment.

Cumulative Assessment – As discussed above, the Findings Statement establishes comprehensive requirements to address subsurface environmental conditions in a manner that ensures the health and safety of construction workers and nearby sensitive receptors during site disturbance activities, and of residents and other site occupants and visitors during long-term project operations, and also protects the environment. These requirements would be extended to either of the adjacent location(s) that ultimately will accommodate the workforce housing relocated from Block F under the proposed PUD Amendment, thereby ensuring that this upcoming phase of PUD development is governed by the same provisions that have been established in the Findings Statement for the current PUD area. The environmental site assessment information for the 1 GPR and Konica Properties, as summarized above, establishes that they are feasible for occupancy with multifamily housing, thereby demonstrating that RXR’s intended acquisition of these lands would realistically serve the planned purpose of allowing the PUD Master Plan, as amended under the current application, to provide the requisite workforce housing.



d. Water Resources

Blocks A, D, E, F and J – As indicated previously, the proposed development of these parcels, as amended, is generally consistent with the development that was contemplated in the Findings Statement, and is not expected to require modification of the general measures that were specified for the protection of water resources, as discussed below. All of these parcels are included in the Stormwater Pollution Prevention Plan (SWPPP) which has been prepared for the Current PUD Plan development, and would be subject to the requirement for the preparation of site-specific Erosion and Sediment Control Plans, which would provide various detailed measures to protect Glen Cove Creek and Hempstead Harbor throughout the construction period. The SWPPP also establishes stormwater management measures that would be in-place over the long-term operation of the project upon the completion of construction.

In accordance with the requirements specified in the Findings Statement, stormwater runoff generated on Blocks A, D, E, F, and J would be collected into catch basins that would be constructed for the proposed development; and prior to discharge into Glen Cove Creek via outfalls through the bulkhead, this runoff would be conveyed through “Jellyfish” devices, and/or equivalent water quality treatment technology depending on site-specific considerations to be evaluated in detailed engineering design during the site plan review process. “Jellyfish” devices and outfalls have already been installed as part of the Site-wide infrastructure improvements, and this system would be reevaluated during the ensuing site plan design phase to determine whether the development layout revisions included in the proposed PUD Amendment require any additional measures or modifications. Updated stormwater calculations would be performed and submitted to the Planning Board as part of the site plan application process, which would show that the proposed development, as amended, does not adversely impact the adequacy of the stormwater management system.

Note that Block G discharges to the City drainage system per the approved stormwater design of the overall Phase 1 and Phase 2 Garvies Point Redevelopment.

As appropriate, subsequent to the proposed PUD Amendment, the detailed site plans to be prepared for the buildings in Blocks A, D, E, F, and J (except for the Garvies Point Brewery immediately adjacent to Block J, which has already received site plan approval) would identify the green roof ratio for rooftop and amenity courtyards, consistent with the green infrastructure and stormwater methodology for the overall PUD Master Plan. The package of detailed site plans for these parcels also would include landscape and grading/drainage plans, which would address on a site-specific basis the relevant information pertaining to the protection of water resources as required by the Findings Statement, consistent with the manner in which this issue has been addressed in previous site plan submissions to the Planning Board.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – As discussed previously, the two parcels being considered as sites for the relocated workforce housing – i.e., 1 Garvies Point Road and the Konica Minolta Site – have already been essentially fully disturbed and developed, conditions which help to facilitate the implementation of standard stormwater management measures that are specified in the Findings Statement for all areas of development within the current PUD area. Such measures, including catch basins and water quality treatment devices, would help to minimize development-related



surface water impacts. The incorporation of either of these properties into the PUD in connection with the relocation of workforce housing under the proposed PUD Amendment would also subject them to the requirements of the Findings Statement for stormwater management during construction, including the preparation of a SWPPP (or incorporation into the existing SWPPP for the PUD Master Plan) and the associated preparation of a site-specific Erosion and Sediment Control Plan, which would mitigate the potential for construction activities to adversely impact Glen Cove Creek and Hempstead Harbor.

PS&S, designer of the stormwater management system for the Current PUD Plan, has conducted a preliminary review of site conditions at the 1 GPR and Konica Properties, and indicates that the two potential properties are expected to be capable of accommodating the necessary stormwater infrastructure to comply with water quality requirements. The full stormwater system design, including design details and locations of the facilities, will be prepared at the time of the detailed site plan application, and will take into account the amount of impervious surface and other relevant stormwater design factors. It is expected that, as with the existing PUD development, the stormwater system would be designed in accordance with the New York State Pollutant Discharge Elimination (SPDES) System General Permit for Stormwater Discharges from Construction Activity, and an approved SWPPP would be implemented at these properties pursuant to the specific site design to be reviewed and approved by the City.

Cumulative Assessment – As noted previously, the site plan package for the development of parcels covered under the proposed PUD Amendment would include a Soil Erosion and Sediment Control Plan(s), prepared by the Applicant’s site engineer to provide site-specific control measures that would be implemented throughout construction and remain in effect until disturbed areas are permanently stabilized. Each site plan submission will also include site-specific details regarding stormwater management, including the integration of the new infrastructure to be installed on the given parcel into the overall system for collecting and treating runoff prior to discharge into the ground or via overflow to surface waters (e.g., “jellyfish” devices and outfalls that are already in-place, along with new structures of a similar nature that may be needed to accommodate drainage from the expanded development area). Upon the implementation of these plans, development under the proposed PUD Amendment would be consistent with the requirements of the Findings Statement with respect to the protection of water resources.

e. Ecology

Blocks A, D, E, F, and J – The Findings Statement indicates the Planning Board’s determination that the overall PUD Master Plan poses no significant adverse ecological impacts. Ecological topics considered in the SEQRA process include the loss of existing habitat, collision-related mortality of birds due to impacts with the project’s buildings, potential effects on woodlands including shading from the proposed buildings, increased noise, and increased invasive plants.

Blocks A, D, E, F, and J have been previously cleared and do not contain areas of significant habitat; and, thus, the proposed amendments to the development plan for these parcels would not result in the loss of such habitat. The Findings Statement concluded that the proposed development would not result in



significant shadow impacts to the Garvies Point Preserve, located to the north of the Subject Property, based on building heights ranging up to twelve stories on the west parcel and up to eight stories on the east parcel. At a proposed maximum height of ten stories on Block A and four stories on Blocks E and F (with no building currently proposed for Block D), and with Block J located along the waterfront at a significant distance from the Preserve, potential ecological impacts due to shading are not anticipated.

The specific architectural design for the buildings on Blocks A, E, and F, and J would be decided during the site plan phase of the review process (which has already occurred for the Garvies Point Brewery on Block J). However, as a general matter, the buildings that have been constructed for the PUD, and which are contemplated for future phases of the project, do not contain exterior glass walls; but, rather, have masonry façades with extensive articulations, including balconies. These features are known to discourage collision-related bird mortality.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – The two parcels being considered as sites for the relocated workforce housing (1 GPR and Konica Properties) have already been essentially fully disturbed and developed, and lack significant ecological resources, similar to conditions on the adjacent lands contained within the current PUD boundary. Therefore, similar to the current PUD, relocation of the workforce housing component of the PUD onto either of these properties would not be expected to result in a significant adverse impact on ecological resources. It is expected that the development of either of these parcels as part of the PUD would be conducted in a manner akin to the existing PUD area, namely, to avoid the use of large exterior glass walls, incorporate architectural embellishments and articulations, and use native, naturalized, and non-invasive trees and shrubs for the landscaped areas. Therefore, it is similarly expected that this component of the proposed PUD Amendment would not result in a significant ecological impact not already identified and addressed in the Findings Statement.

Cumulative Assessment – As indicated above, the entire land area involved in the proposed PUD Amendment is extensively developed and devoid of significant ecological resources. The Findings Statement requires “that the potential for an increased abundance of exotic or invasive species in the Garvies Point Preserve shall be minimized by the use of native, naturalized, and non-invasive trees and shrubs for the landscaped areas...” Conformance with this requirement would be ensured by the Planning Board’s review of landscaping plans that are required to be included in the drawing packages submitted for site plan approval. Accordingly, it is expected that the redevelopment of the PUD area, including additional parcels that are being considered to satisfy the workforce housing requirements, would result in a slight improvement in ecological conditions on the site.

f. Transportation and Parking

The Findings Statement includes a summary of the detailed analysis of potential traffic impacts resulting from the PUD Master Plan development, as discussed in the Draft and Final Environmental Impact Statements (DEIS and FEIS; collectively the EIS) on which the Findings Statement was based. Below is a description of proposed changes to a number of components of the PUD that constitute the proposed PUD Amendment. Next, a cumulative analysis examining the combined effect on the overall trip



generation associated with the proposed PUD Amendment is presented. A parking analysis has been performed by Walker Consultants (see Attachment C), which also examines the various components of the proposed PUD Amendment, as well as the overall cumulative effect.

Block A – As the proposed Amendment would reconfigure the development layout within Block A, while retaining the approved number of residential units at 346, there would be no change in the traffic volumes generated at this location.

Blocks D, E and F – The Current PUD includes 50,000 square feet of office space on Block D, 101 apartment units on Block E, and 56 workforce condominium units on Block F. The proposed PUD Amendment would eliminate the office use (replaced with parking to support the ferry terminal and other nearby public uses) while increasing the number of rental apartments from 101 units to 172 units spanning Blocks E and F. The 56 workforce units previously approved for Block F would be relocated to an adjacent parcel, which is addressed separately below. Additionally, Building E would include a 5,000 sf restaurant, to be located near the roundabout, which would feature extensive outdoor seating to activate this new public space along Dixon Street, as well as a new 2,000 sf wellness center. As the wellness center will operate as a concierge service, rather than a traditional spa, the traffic generation for this use is best calculated using Medical-Dental Office as included in the table to follow after this section.

Relocation of Workforce Housing Units – As discussed previously, the proposed PUD Amendment requires that a total of 64 workforce housing units be constructed at an adjacent location, to account for the 56 workforce units that were approved for Block F, as increased to satisfy the 10 percent requirement (8 units) for the additional non-workforce housing proposed for the current PUD area. **Block J** – The scenario analyzed for the 2015 PUD Master Plan in the EIS included the construction of 14,570 square feet of retail space within Block J, of which 8,320 square feet has been recently allocated to a Brewery (treated as restaurant space for trip generation purposes), while the balance of 6,250 square feet remains as general retail space.

Cumulative Assessment – To demonstrate consistency with thresholds established in the Findings Statement as related to traffic, VHB utilized data contained within the *Trip Generation Manual* (7th Edition) published by Institute of Transportation Engineers (ITE) to determine the projected number of trips associated with the amended PUD, incorporating the changes described above. The 7th Edition of the ITE was used to allow for consistency with the trip generation calculations in the EIS performed for the evaluation of the PUD.

Additionally, as the thresholds presented in the Findings Statement were adjusted to account for internal capture and transit interactions, the same reductions were applied to each component for the PUD with the proposed changes. The trip generation for the entirety of the PUD, with the proposed changes are presented in the following table, along with the thresholds from the Findings Statement.

Project Component	Component Size	AM Peak Hour		PM Peak Hour		Saturday Midday		AM Trip Reduction			PM Trip Reduction			Saturday Trip Reduction			Net External Trips															
		Entering	Exiting	Entering	Exiting	Entering	Exiting	Transit	Internal	Total	Transit	Internal	Total	Transit	Internal	Total	AM Peak Hour		PM Peak Hour		Saturday Midday											
Residential ITE # 220 Apartments	509 Units	T=0.49(X)+3.73 Entering 20% 51 Total =		T=0.55(X)+17.65 Exiting 80% 202 Total =		T=0.41(X)+19.23 Entering 50% 114 Total =		5%	5%	10%	5%	8%	13%	0%	5%	5%	10% Reduction Entering 46 Exiting 182 Total =		13% Reduction Entering 169 Exiting 90 Total =		5% Reduction Entering 108 Exiting 108 Total =											
Residential ITE # 230 Condos/Townhouse	680 Units	Ln(T)=0.80 Ln(X)+0.26 Entering 17% 41 Total =		Ln(T)=0.82 Ln(X)+0.32 Entering 67% 194 Total =		T=0.29(X)+42.63 Entering 54% 130 Total =		5%	5%	10%	5%	8%	13%	0%	5%	5%	10% Reduction Entering 37 Exiting 178 Total =		13% Reduction Entering 169 Exiting 83 Total =		5% Reduction Entering 124 Exiting 105 Total =											
Marina ITE # 420 Marina	84 Slips	Rate = 0.08 Entering 33% 2 Total =		Rate = 0.19 Entering 60% 10 Total =		Rate = 0.27 Entering 44% 10 Total =		0%	0%	0%	0%	5%	5%	0%	5%	5%	0% Reduction Entering 2 Exiting 5 Total =		5% Reduction Entering 10 Exiting 6 Total =		5% Reduction Entering 10 Exiting 12 Total =											
Wellness Center ITE # 720 Medical Office Building	2,000 SF	Rate = 2.48 Entering 79% 4 Total =		Rate = 3.72 Entering 27% 2 Total =		Rate = 3.63 Entering 57% 5 Total =		0%	0%	0%	0%	0%	0%	0%	0%	0%	0% Reduction Entering 4 Exiting 1 Total =		8% Reduction Entering 2 Exiting 6 Total =		0% Reduction Entering 5 Exiting 3 Total =											
Shopping Center ITE # 820 Retail	9,235 SF	Ln(T)=0.60 Ln(X)+2.29 Entering 61% 23 Total =		Ln(T)=0.66 Ln(X)+3.40 Entering 48% 62 Total =		Ln(T)=0.65 Ln(X)+3.77 Entering 52% 96 Total =		0%	10%	10%	0%	8%	8%	0%	10%	10%	10% Reduction Entering 21 Exiting 13 Total =		8% Reduction Entering 57 Exiting 63 Total =		10% Reduction Entering 86 Exiting 79 Total =											
Restaurant ITE # 931 Quality Restaurant	19,379 SF	Rate = 0.81 Entering 67% 11 Total =		Rate = 7.49 Entering 67% 97 Total =		Rate = 10.82 Entering 59% 124 Total =		0%	0%	0%	0%	10%	10%	0%	10%	10%	0% Reduction Entering 11 Exiting 5 Total =		10% Reduction Entering 87 Exiting 43 Total =		10% Reduction Entering 112 Exiting 77 Total =											
Total	AM Peak Hour Trips		PM Peak Hour Trips		Saturday Midday Trips											AM Peak Hour Trips		PM Peak Hour Trips		Saturday Midday Trips												
	Entering		Exiting		Entering		Exiting		Entering		Exiting											Entering		Exiting		Entering		Exiting				
	132		425		559		327		479		414											121		384		494		291		445		384
557		886		893											505		785		829													

Findings Statement Trip Thresholds					
AM Peak Hour		PM Peak Hour		Saturday Peak Hour	
Entering	Exiting	Entering	Exiting	Entering	Exiting
259	432	520	434	479	413
691		954		892	

The Findings Statement establishes thresholds for the net project-generated vehicular traffic during the three-key peak-hour analysis periods, at 691 trips during the weekday a.m. peak hour, 954 trips during the weekday p.m. peak hour, and 892 trips during the Saturday midday peak hour. The above analysis indicates that the proposed modification of the development plan as described above would result in 186 fewer trips during the weekday a.m. peak hour, 169 fewer trips during the weekday p.m. peak hour, and 63 fewer trips during the Saturday peak hour, as compared to the scenario evaluated during the preparation of the EIS and on which the Findings Statement was based.

Based on the data summarized above, as compared to the development scenario examined in the Findings Statement, the cumulative effect of the various components of the proposed PUD Amendment would result in a net decrease in trip generation during the weekday a.m., weekday p.m. and Saturday midday peak hours.

The proposed PUD Amendment would expand the proposed development onto one of the aforementioned 1 Garvies Point Road or Konica Properties. To evaluate the potential traffic effects of the future conceptual full build-out of the 1 Garvies Point Road and Konica Parcels, conceptual plans have been prepared for each of these sites. The cumulative environmental impact of the conceptual full build-outs, including the relocation of the workforce housing, in addition to the remainder of the changes in the proposed PUD Amendment, will be the focus of a detailed supplemental traffic study, to be undertaken and submitted to be under separate cover for review by the Planning Board.

A comprehensive parking analysis has been prepared by Walker Consultants for submission to the Planning Board to provide an assessment of the parking demand associated with the proposed PUD Amendment and the availability of on-site parking to serve this demand – see Attachment C. Walker Consultants' parking analysis indicates that sufficient parking would be provided throughout the Subject Property, consistent with Findings Statement. More specifically, the development plan under the proposed PUD Amendment would exceed the minimum parking requirement under the City Zoning Code by 226 spaces based on the current site layout concepts for Blocks A, D, E, F, and J, without applying a "shared-parking credit." Walker Consultants further indicates that the development plan would provide adequate parking supply on the weekends. On weekdays, if the ferry parking is fully utilized, there would be a shortage of up to 86 spaces for the commercial uses on the East Parcel, but this shortage may be reduced with surplus on-street parking and the use of valet parking. Parking adequacy may be reviewed on an ongoing basis by a parking or property manager to ensure that parking demand is met as each new site is developed and occupied.

The site plan for the relocated workforce housing, along with any other development that may be proposed for those involved parcel(s), would be designed with parking capacity that is sufficient to serve

the anticipated need. This conclusion would be demonstrated by means of an appropriate technical analysis, similar to those performed by Walker Consultants, as presented in the analysis in Attachment C, for the other components of the proposed Amendment within the current PUD boundaries.

The Applicant has conducted initial outreach to the City DPW regarding the proposed parking modifications at the west end of Garvies Point Road, and will provide full details of this coordination once available. Prior to the commencement of construction on any given development parcel, further, detailed analysis of transportation and parking will be conducted during the site plan review phase of the application process to demonstrate continuing compliance with the thresholds and criteria of the Findings Statement pertaining to these parameters.

g. Air Quality (Including Construction-Related Air Quality)

Blocks A, D, E, F and J – The use of Blocks A, E, F and J under the proposed PUD Amendment is consistent with the residential and commercial use of these areas contemplated in the Findings Statement, and does not involve activities that are associated with the potential for significant air quality impacts during operation. The proposed conversion of the use of Block D to serve as a parking area to support other nearby uses on the Subject Property, instead of the approved office building in the 2015 Amended PUD Master Development Plan, also does not pose the potential for significant air quality impacts during operation.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – Similar to the proposed use of Blocks A, D, E, F, and J as discussed above, the proposed use of adjacent parcels to satisfy the workforce housing requirement for the PUD Master Plan would not involve activities that are associated with the potential for significant air quality impacts during operation. However, as with the existing PUD area, construction at either of the adjacent parcels would have the potential to adversely affect air quality as a result of diesel emissions and fugitive dust during construction. As detailed below, development on the 1 GPR Property would be required to incorporate the same construction-related air quality mitigation measures listed in the Findings Statement, including, but not limited to, reduction in the use of diesel equipment to the maximum extent practicable, idle time restrictions, locating emission sources far from existing sensitive uses, and implementation of fugitive dust control plans.

Cumulative Assessment (including Construction-Related Air Quality) – Air quality was not found to be a significant environmental issue in the evaluation of the PUD Master Plan or the Findings Statement. However, all development under the PUD Master Plan is required to incorporate the construction-related air quality mitigation measures listed in the Findings Statement, as well as project-specific measures, including air monitoring of suspended particulates, watering of all trucks and exposed excavation areas, dust control measures, proper maintenance of construction vehicles, conformance to the Site Management Plan and Soil Management Plan, etc. All buildings constructed on the Subject Property would employ systems and equipment and would be constructed in a manner that ensures compliance with the applicable requirements of the Findings Statement for minimizing air emissions during operation.

Since the proposed PUD Amendment would cumulatively result in a marginal increase in vehicular trip generation during operation only during the Saturday mid-day peak hour and would result in a net

decrease in trip generation for the weekday AM and PM peak hours, as compared to the development scenario on which the Findings Statement was based, as discussed above in section “f. Transportation and Parking” of this analysis, associated mobile air emissions would not be significantly increased.

Previous environmental review of the PUD Master Plan, as summarized in the Findings Statement, included an assessment of nearby industrial sources as well as project-related greenhouse gas emissions. As the five nearby industrial sources are either further from or equidistant to the 1 GPR and Konica Properties compared with the current PUD area, no significant adverse industrial source air quality impacts are anticipated. In addition, similar measures to reduce the carbon footprint of the PUD area outlined in the Findings Statement, such as the use of energy efficient HVAC systems, would be employed on the 1 GPR and Konica Properties.

Overall, no significant adverse air quality impacts are anticipated as a result of the relocation of workforce housing under the proposed PUD Amendment at either the 1 GPR Property or the Konica Property.

h. Noise (Including Construction-Related Noise)

Blocks A, D, E, F and J – The use of Blocks A, E, F, and J under the proposed PUD Amendment is consistent with the residential and commercial use of these areas contemplated in the Findings Statement, and does not involve activities that are associated with the potential for significant noise impacts during operation. The proposed conversion of the use of Block D to serve as a parking area to support other nearby uses on the Subject Property, instead of the approved office building in the 2015 Amended PUD Master Development Plan, also does not pose the potential for significant noise during operation.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – Similar to the proposed use of Blocks A, D, E, F, and J as discussed above, the proposed use of adjacent parcels to satisfy the workforce housing requirement for the PUD Master Plan would not involve activities that are associated with the potential for significant noise impacts during operation. Similar to the current PUD area blocks, construction on either of these two properties would comply with the City of Glen Cove Noise Code (Chapter 196 of the City Code).

In addition, as discussed in section “f. Transportation and Parking” above, increases in vehicular trips generated by the relocation of the workforce housing during the Saturday mid-day peak hour would be marginal as compared to the development scenario on which the Findings Statement was based, and would have minimal effect on the surrounding roadway network. The proposed PUD Amendment would result in a net decrease in trip generation for the weekday AM and PM peak hours. Therefore, it is not anticipated that the PUD Amendment would result in significant traffic-related noise impacts at locations not already identified as having the potential for impacts. However, as outlined in the Findings Statement, the Applicant will monitor conditions at this location during future construction, and will implement similar mitigation measures identified previously, including: installation of double-glazed windows or storm windows with good sealing properties which result in a minimum of 27 dBA window/wall attenuation; and inclusion of alternative means of ventilation. As with the current PUD area sites, further

measures for noise mitigation, including mitigation measures to be employed during construction, would be identified and evaluated during the site plan review process for each property.

Cumulative Assessment (including Construction-Related Noise) – The environmental analysis summarized in the Findings Statement did not find that there would be a significant adverse noise impact. However, recommendations were provided to further reduce potential noise associated with future development; and all such development would comply with the applicable requirements of the Findings Statement, including construction-related noise abatement measures, architectural noise attenuation features, and compliance with relevant provisions of the City’s noise ordinance.

Since the proposed PUD Amendment would cumulatively result in a marginal increase in vehicular trip generation during operation, as compared to the development scenario on which the Findings Statement was based, as discussed above in section “f. Transportation and Parking,” traffic-related noise levels would not be significantly increased.

i. Community Facilities and Services

Blocks A, D, E, F and J – The proposed plan for the Block A public open space compared with the Current PUD Plan would better take advantage of the proximity to the waterfront, providing space with unobstructed views to the Harbor. Sunset Park has been expanded to the western waterfront of the PUD, and will provide an outlook pier and waterfront gazebo as points of interest adjacent to open lawn area with pedestrian pathways, offering opportunity for event programming. The proposed plan for Blocks E and F includes the provision of passive recreational facilities and an expanded open space area to the northwest of the building, to include amenities such as a gazebo, walking paths, and a rain garden. This entire on-grade area west of the building is intended for public use. The amenities provided within the Blocks E and F building courtyards are intended for private use only by residents of the building. The proposed plan for Block J includes an expansion of public open space. In addition to the amphitheater and surface parking that is provided, Block J will also include ample lawn area, a shade structure, a patio with movable seating, and ADA-accessible pathways and seating throughout the site connecting from the Herb Hill Road/Charles Street intersection at the northeast to the brewery and continuation of the esplanade at the southwest. See Attachment D for the open space Program Diagram, as well as an enlargement diagram of Block A showing the open space areas to be included as part of the future Block A site development. Cumulatively, the Site-wide area of open space would increase by 1.8 acres under the proposed PUD Amendment (see Attachment D), while retaining the functions of the open space provided in the Current PUD Plan. Thus, the proposed PUD Amendment would enhance the Site-based community amenities for use by residents of and visitors to the Subject Property, as compared to the Current PUD Plan.

Relocation of Workforce Housing Units (1 GPR and Konica Properties)

As discussed above, the workforce housing component that had been approved for Block F would be relocated to an alternate, adjacent location under the proposed PUD Amendment, on either the 1 GPR Property or the Konica Property. The Findings Statement evaluation regarding this parameter focused on measures that should be implemented during the site plan approval process, including a requirement for

the installation of sprinklers and automated external defibrillators, the need to consult with the Fire Department to obtain input regarding potential emergency response limitations, and details regarding solid waste management. All site plans submitted for development within the PUD area under the proposed Amendment, including either the 1 GPR Property or Konica Property, would comply with these requirements. Recreational amenities provided in connection with the relocation of the workforce housing component would also be addressed during detailed site plan review.

Cumulative Assessment - Under the proposed PUD Amendment, there would be a 79-unit increase in the total number of residential units (including the adjacent placement of 64 workforce housing units), an approximate seven percent increase above the approved 1,110 units Site-wide, offset by the removal of the 50,000-square foot office building that was approved for Block D. Thus, it is not expected that the proposed PUD Master Plan revisions would alter the Findings Statement conclusion that the overall PUD development would not result in significant adverse impacts with respect to community facilities and services.

j. Utilities

Blocks A, D, E, F and J – Underground utility services for the Subject Property were previously constructed within Garvies Point Road and Dickson Street as part of the City roadway project and Phase I improvements. Pending coordination with National Grid and PSE&G Long Island, no additional utility connections are anticipated beyond those that currently exist.

During the site plan review process, water and sewer availability would be confirmed, and updated water demand and sewage flow calculations would be provided to demonstrate compliance of the cumulative “running tallies” for these utilities with the respective caps specified in the Findings Statement. PS&S has calculated water consumption and sewage flows for the current proposal for development of Blocks D, E and F under the PUD Amendment, as compared to the development of these parcels under the Current PUD plan. This analysis shows: an estimated water demand of 59,703 GPD for Blocks D, E and F under the proposed PUD Amendment (consisting of 172 residential units and a 5,000-square foot restaurant), as compared to 48,455 GPD under the Current PUD plan (consisting of 50,000 square feet of office on Block D, 101 residential units on Block E and 56 residential units on Block F); and an estimated sewage flow of 54,275 GPD under the proposed PUD Amendment, as compared to 44,650 GPD under the Current PUD plan. See further details of PS&S’s engineering analysis in Attachment B.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – PS&S indicates that the two adjacent parcels under consideration should have adequate water and sewer availability to accommodate the proposed relocated workforce housing. Existing and recently constructed water and sewer mains within Herb Hill Road and Garvies Point Road account for, and would allow for, connections to serve this upcoming phase of development – see PS&S’s engineering evaluation in Attachment B. A conservative estimate of water consumption and sewage flows for the proposed PUD Amendment accounting for the conceptual full build-outs of the 1 GPR and Konica Properties will be provided under separate cover to demonstrate the availability for water and sewer service.

In addition, at the time that initial outreach with utility providers was made for the PUD Master Plan on which the Findings Statement was based, the Applicant provided National Grid/LIPA with a conservative estimate for future build-out of the full MW 3 Zone to make local utilities aware of this overall zone build-out potential. No issues were raised by LIPA or National Grid the time of this initial outreach (around 2008/2009). The Applicant will continue outreach to National Grid and PS&G in connection with the relocation of the workforce housing units to determine if any improvements are necessary to provide service to either the 1 GPR or Konica Properties.

Cumulative Assessment – PS&S has performed calculations of the cumulative projected water use and sewage flow (i.e., “running tallies”) for the PUD Master Development Plan under the proposed PUD Amendment, for comparison to the volumes on which the Findings Statement was based. These calculations are contained in a memo prepared by PS&S – see Attachment B.

The Findings Statement included various scenarios of water demand for the PUD Master Plan development at build-out, ranging between 647,545 GPD and 662,063 GPD. The average daily demand estimated by PS&S for build-out under the proposed PUD Amendment is 380,986 GPD, which is only 58.8± percent of the lower end of the range of volumes analyzed in the Findings Statement.

PS&S estimates the average daily sewage flow for full build-out under the proposed PUD Amendment at 346,351 gallons per day (GPD), with a total projected peak flow of approximately 1.178 million gallons per day (MGD). These quantities are well below the average daily demand of 493,270 GPD originally anticipated per the Findings Statement, and well below the sewage demand utilized for design of the pump station (i.e., 63.7± percent of both the 544,118 GPD design average daily flow and 1.85 MGD design peak flow).

Follow-up evaluations of potential project-related impacts on water supply and sewage systems will be conducted during the site plan review phase of the application process to demonstrate continuing compliance with the relevant thresholds and criteria of the Findings Statement prior to the commencement of construction on any given development parcel.

k. Economics

The Findings Statement does not identify significant issues with respect to economics. However, it is noted that implementation of the proposed PUD Amendment would continue the overall repurposing of the Subject Property as well as the 1 GPR or Konica Properties and the associated revitalization of the Glen Cove Creek waterfront.

As noted previously, the proposed PUD Amendment reflects the Applicant’s response to current conditions in the residential real estate market and, more specifically, is directed at addressing the strong demand for market-rate rental units that is evidenced by the high absorption rate of new units of this type which recently have been constructed in the Glen Cove Creek area. Conversely, there has been a well-documented decline in demand for office space on Long Island, accelerated by conditions brought on during the COVID-19 pandemic. This is evidenced by declining absorption rates and overall increased availability in the office market across Long Island. The CBRE Long Island Office Q4 2020 MarketView

report notes that “Long Island posted negative 325,000 sq. ft. of net absorption in Q4 2020, the third consecutive quarter of negative absorption, raising Long Island’s availability rate to 12.4%. Space additions in Q4 of 895,000 sq. ft. greatly outpaced the quarter’s limited leasing activity.”² Being responsive to these market trends would help the project maintain its momentum and promote its continuing success, while also advancing the economic and fiscal benefits being realized by the City. The proposed PUD Amendment, including the relocation of the workforce housing units, would remove the office component within the PUD compared with the Current PUD Plan, to respond to these market trends. As acknowledged by the Findings Statement, build-out of the project components be will driven by a response to market opportunities.

Similar to the Current PUD Plan, the PUD Amendment would contribute significant economic benefits from construction of the project, as well as ongoing operational benefits including on-site employment, property tax revenues, and on-site retail sales. Any PILOT is subject to consideration and approval by the IDA.

I. Demographics

The Findings Statement does not identify significant issues with respect to demographics. Although the proposed development under the PUD Amendment would relocate the workforce housing component that had been identified for construction on Block F in the Current PUD Plan, this important residential component of Plan would still be retained, to be relocated to an appropriate adjacent location.

The Findings Statement establishes caps on the total population (at 2,539) and the number of public school-aged children (PSAC, at 239) in the PUD Master Plan development. The following table shows the cumulative totals under the proposed PUD Amendment, using the demographic multipliers from the Rutgers University Center for Urban Policy Research (June 2006):

² <https://www.cbre.us/research-and-reports/Long-Island-Office-MarketView-Q4-2020>

Unit Type	Number of Units	Total Persons Multiplier	Projected Total Persons	PSAC Multiplier	Projected PSAC
Rental (5+ Units Rent, 2-BR, More than \$1,100)	620	2.31	1,432.2	0.16	99.2
Condo (5+ units Own, 2-BR, All values)	569	1.88	1,069.7	0.09	51.2
Total	1,189		2,502		151

Anecdotally, the Applicant indicates that there very few school children in the approximately 350 residential units that currently are occupied on the site.

As indicated above, the demographic totals would remain below the thresholds in the Findings Statement.

m. Aesthetics

General – The Findings Statement establishes requirements for the aesthetic characteristics of future development under the PUD Master Plan. As part of the current application for PUD Amendment, RXR has prepared suitable conceptual drawings to show that the PUD Amendment is consistent with the conclusions and requirements of the Findings Statement and the subsequent environmental review conducted in connection with the Planning Board’s approval of the 2015 PUD Amendment, as they relate to aesthetic resources and related parameters. As noted previously, Block A was identified for special consideration as part of the current review because of its prominent location facing outward toward Hempstead Harbor, at the mouth of Glen Cove Creek. Therefore, a more detailed analysis is presented below for Block A, including conceptual renderings comparing the proposed development layout under the PUD Amendment to the layout under the Current PUD plan. The aesthetic implications of the Amendment proposal for Blocks D, E and F, and J are evaluated on a more conceptual basis, which will be followed by detailed visual graphics, in addition to certain detailed site plan drawings (e.g., photometrics and lighting design, landscape plans, architectural details, etc.), during the subsequent site plan review phase of the application process for each component, consistent with the process that has applied to the individual site plan applications that have already been submitted to the Planning Board.

The development of workforce housing at adjacent locations can only be analyzed in this Technical Memorandum at a broad level to demonstrate basic feasibility and to generically evaluate potential for impacts at the two parcels currently under consideration. Additional, more detailed analysis for a future proposed amendment to expand the PUD area to include the additional parcel and to account for the

proposed conceptual development of same, and subsequently for site plan review, would be undertaken upon RXR's acquisition of the involved parcel and formulation of a specific plan for development.

Block A – The proposed modification to the development of Block A would retain the approved number of residential units at 346. However, as shown in the renderings in Attachment A, the proposed PUD Amendment would enhance the aesthetic characteristics of the development at this highly visible location on the waterfront of Hempstead Harbor, at the mouth of Glen Cove Creek. More specifically, the appearance of building bulk would be reduced in the modified plan, as the current proposal calls for three discrete buildings containing greater step backs at the upper floors, as compared to a single-building/two-tower design with a boxier profile under the Current PUD Plan. Additionally, the maximum building height has been reduced to ten, nine, and eight stories (120 feet, 108 feet, and 96 feet in height, respectively) for the three proposed buildings, from 11 stories for both building towers as-approved (132 feet in height). This is a reduction of 12 feet in total height (at a minimum) on Block A. In addition, the base height of the building would be reduced by approximately 12 feet. The architectural design in the amended proposal is consistent with the prior version of the plan for Block A and with the theme for the overall development. The modified configuration also enhances the interface between the buildings and the waterfront, creating a more open sky plane, rather than having taller building walls in closer proximity to the shoreline. As depicted in the renderings submitted with the PUD application (see Attachment A), the general architectural design on the proposed buildings on Block A, as amended, would be consistent with the Current PUD Plan, even though the gross floor area of the buildings has increased slightly.

Development of Block A would also include landscaping throughout and along the perimeter of the building to increase the visual appearance of the site and provide screening of the proposed uses on-site. In addition to the planting of deciduous trees on Block A, evergreen trees are proposed to be installed between Building A and Sunset Park. Further details would be provided in the Block A Site Plan submission.

Blocks D, E and F – Although the details of the architectural design for the proposed building on Blocks E and F would not be finalized until the ensuing site plan review step in the process, it is anticipated based on the current concept that this building would be clad in red brick, with repetitive windows, flat roof and continuous cornice, which would lend an historic industrial character and complement the design of the nearby, recently approved Garvies Point Brewery. This would pay homage to the industrial history and architectural character of buildings that once lined Glen Cove Creek, such as the former red brick Glen Cove Starch Works that was located on the south side of the creek.

The proposed building on Blocks E and F would act as a visual terminus to Garvies Point Road and would line Dickson Street to create a walkable street/community; the building would activate the important intersection and roundabout at Herb Hill Road and Dickson Street with a restaurant and outdoor dining area. A driveway would extend opposite Herb Hill Road between Block D and Blocks E and F to provide access to potential future development to the west. Importantly, the proposed building would be pulled back along its northern edge to accommodate a pedestrian path giving access for the community to Garvies Point Preserve from Dickson Street.

The overall bulk of building to be constructed on Blocks D, E, and F under the proposed PUD Amendment would be less than the development on these parcels under the 2015 Amended PUD Master Development Plan, as the previously approved six-story, 50,000-square foot office building has been deleted from the plan, and the single proposed building with 172 apartment units at this location would be of a height and overall bulk similar to the approved 101-unit apartment building and 56-unit pair of condominium buildings for workforce housing.

The proposed Block E and F building has been designed to mirror the building on Block H across Dickson Street. Similar setbacks and landscaping have been provided on each side of the road to promote open views along the street and a green buffer between the road/sidewalks and buildings. Given the position and shape of the buildings, this space has been designed to feel both vibrant, open, and aesthetically pleasing for pedestrians.

As mentioned above, the previously approved office building on Block D is proposed to be replaced with a surface parking lot intended to serve the nearby ferry terminal and provide overflow parking for all users of Garvies Point. The proposed parking lot would preserve sight lines at the roundabout and along adjacent roadways and would provide open views toward the waterfront from Blocks E and F. The parking lot would be screened along the outer edge of the parking lot adjacent to the roadway with the installation of varied plantings including trees and hedges. Trees and hedges would also be installed along the western boundary of the parking lot to provide screening from adjacent uses, and on all interior islands within the parking lot to enhance aesthetics of the parking lot. The proposed hedges will be evergreen species and will provide all-season screening. Additionally, lighting would be installed along the publicly-accessible pathways.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – This component of the proposed PUD Amendment is presented in terms of a preliminary feasibility analysis. Full design would not be available until RXR acquires one of the target parcels and formulates a more detailed development strategy that includes the required workforce housing component. However, any such development plan would be subject to the aesthetic requirements that have been established for all construction within the PUD area, as discussed elsewhere in this subsection of the analysis.

Block J – The aesthetic character of the Brewery was considered during the Planning Board’s review of the site plan application for that parcel, which was approved. The architectural design of the building included features that will add visual interest. Consistent with the intent of the design of the previously approved marina building, the Brewery building design also includes materials, finishes and details that give the appearance of the repurposing of a 20th Century factory building to pay homage to the historical use of the Glen Cove Creek waterfront. More specifically, the Brewery building’s features characterize the Ladew Leatherworks facility which historically had operated in the vicinity of Block J, including the facades, windows, doors, roofing, canopies, and exterior metal fire escapes.

It is expected that the architectural design, features and visual character of the separate 6,250-square foot retail building to be constructed on Block J will be consistent with the Brewery building, as described above, and with the overall theme of the development of the Subject Property. A detailed proposal and

final determination regarding these specific aspects of the project will occur during the site plan review phase of the application process, as is the case for the development of the individual parcels throughout the entire PUD Master Plan. The Applicant is fully cognizant of the importance of this parcel, and will ensure that the aesthetic design serves to enhance the function of this parcel as a link between the PUD Master Plan development and the adjacent downtown.

Cumulative Assessment – Overall, the development under the proposed PUD amendment would be harmonious with the prior concepts that were considered in the Findings Statement and incorporated into the Current PUD Plan. The revised plans submitted for the proposed PUD Amendment show general aesthetic consistency with the previous plans for the respective, individual parcels involved (i.e., Blocks A, D, E, F and J), as well as with the broader themes that are being expressed across the Subject Property. Development of the adjacent parcels that are being considered for incorporation into the PUD would be subject to similar guidelines to ensure a high level of visual quality.

In addition to a package of site plan drawings and renderings that would demonstrate consistency with the aesthetic character objectives promulgated in the Findings Statement, all future site plan submissions in furtherance to the proposed PUD Amendment would be required to include lighting plans to similarly show such consistency, including compliance with the City's exterior lighting regulations, as well as signage plans to demonstrate compliance with the signage package approved for the overall PUD Master Plan, and landscaping plans to soften the appearance of the new development and integrate it into the natural environment.

n. Cultural Resources

The Applicant received a "No Effect" letter from the State Historic Preservation Office, which was previously submitted to the Planning Board; and, as such, no further review of cultural resources is required for development within the current PUD area, including the proposed modifications for Blocks A, D, E, F and J. Copies of all available correspondence are provided at the State Historic Preservation Office.

The two adjacent parcels that are being considered for workforce housing are similarly situated as the current PUD area; they do not contain listed historical resources, and having previously been essentially fully developed, they are not likely to contain significant archaeological resources. A site-specific review through the New York State Historic Preservation Office (SHPO) would be undertaken, along with other necessary investigations, once a specific parcel(s) has been identified for development by the Applicant.

o. Construction Impacts

Blocks A, D, E, F and J – Conceptual phasing scenarios were analyzed by the Planning Board and were found to be acceptable, subject to the conditions included in the Findings Statement. The Findings Statement sets forth various construction mitigation measures that must be followed to minimize potential impacts due to diesel emissions and activities that generate fugitive dust, noise, erosion and sediment transport, and to ensure vehicular and pedestrian access to the waterfront.

The revisions under the proposed PUD Amendment are consistent with the phasing plans studied in the DEIS and FEIS and would comply as applicable with the recommendations of a geotechnical report(s) that

would be prepared at the time of site plan application, including details on foundation piles. In order to minimize potential vibration-induced impacts during construction, preconstruction inspections of adjacent buildings and properties would be conducted prior to commencing the pile-driving program. The Applicant would document existing conditions as a baseline, to be used in assessing any damages resulting from the pile-driving. Additionally, the Applicant would utilize a qualified geotechnical firm to install vibration and crack monitors to observe any impacts caused by pile-driving activities, and to ensure that any existing conditions do not worsen.

Site-specific Construction Management Plans and Soil Erosion and Sediment Control Plans would be included with the site plan applications for the development of the blocks covered in the proposed PUD Amendment. During construction, ambient air monitoring would be undertaken, and provisions included in the 2016 Site Management Plan would be implemented to mitigate potential airborne dust generation. Additionally, construction activities would adhere to the restrictions specified in the City's noise ordinance regarding days and times.

Relocation of Workforce Housing Units (1 GPR and Konica Properties) – The development of this component of the proposed PUD Amendment would entail similar construction activities, and be governed by the same mitigation provisions, as apply to the components of the proposed Amendment within the current PUD area discussed above. These mitigation measures would minimize or eliminate potential adverse impacts related to air quality due to diesel emissions and activities that generate fugitive dust; construction noise; erosion and sedimentation; and vehicular and pedestrian access to the waterfront due to construction activities.

Cumulative Assessment – Overall, as discussed above, construction of the improvements encompassing the proposed PUD Amendment entails temporary potential impacts, which would be adequately mitigated by the implementation of proper best management practices, as set forth in the Findings Statement and discussed above.

It is anticipated as a general matter that the development under the proposed PUD Amendment would be implemented in sequential phases, as has been the case for the ongoing construction within the PUD area. In particular, it is noted that the revised plan for Block A splits this component into three separate buildings, as opposed to a single building in the Current PUD plan. Such phasing helps to limit the extent of site disturbance and construction activities occurring at any given time, which moderates the overall magnitude of the associated potential for construction-related impacts. These details would be worked out during the site plan review phase of the application process.

p. Use and Conservation of Energy

All components of the proposed development under the PUD Amendment would include measures and features to minimize energy consumption. As discussed in the Findings Statement, these measures may include, but are not necessarily limited to:

- Natural gas heating
- Energy recovery ventilators (ERV) in the HVAC systems

- Domestic water heating with a minimum thermal efficiency of 90 percent
- Energy Star-compliant appliances, including refrigerators and dishwashers
- Energy-efficient lighting fixtures, which meet Energy Star standards as applicable
- Outdoor lighting that meets, but does not exceed, lighting needs and is “Dark Skies”-compliant
- Use of photo and/or motion sensors to control lighting, where practicable
- Use of energy-efficient building components, such as glazing, insulation, and roofing materials
- Orienting buildings to maximize natural lighting and passive solar energy
- Minimizing the quantity of cement and iron/steel needed for construction
- Utilizing locally produced or extracted materials during construction, to the extent practicable
- Utilizing recycled construction materials and/or materials with recycled content, to the extent practicable
- Utilizing recovered wood or wood that is certified in accordance with the Sustainable Forestry Initiative or the Forestry Stewardship Council’s Principles and Criteria, to the extent practicable.

Energy conservation measures will be determined on a parcel-specific basis during the site plan review phase of the application process to demonstrate continuing compliance with the relevant thresholds and criteria of the Findings Statement prior to the commencement of construction on any given parcel. LEED certification will be pursued for the building on Blocks E and F, details of which will be provided during the site plan review process.

CONCLUSION

Upon review of the Findings Statement and the subsequent environmental review conducted by the Planning Board in connection with its approval of the Current (2015) PUD Plan, it is the opinion of VHB that the program modifications contemplated by the proposed PUD Amendment are consistent and compliant with the applicable conditions and thresholds, and would not result in any significant adverse environmental impacts beyond those that were previously identified, analyzed and mitigated as part of the Planning Board’s previous approvals of the Current PUD Plan.

Should you have any questions or need additional information regarding the environmental review aspects of RXR’s Proposed PUD Amendment, please contact us at your convenience.

Chairman DiMascio and Members of the Planning Board
Ref: 20570.00
City of Glen Cove / Garvies Point – PUD Amendment
March 9, 2021
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Sincerely,

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

A handwritten signature in black ink, appearing to read 'David Wortman', with a long horizontal flourish extending to the right.

David Wortman

Senior Environmental Manager
DWortman@vhb.com



Attachment A

Renderings of Development of
Block A, as Approved and Under the
Proposed PUD Amendment



PREVIOUSLY APPROVED



PROPOSED

2016 PUD Approved Plan – Building A

- 346 condo units
- 11 stories
- Large massing of the building meant that many units faced interior courtyard; limited views of water
- Building not designed for phasing



Current Proposed: Building A

346 condo units.

Split between 3 Phases, and reduced the heights and massing:

- A1 – 136 units / 10 stories
 - A2 – 75 units / 8 stories
 - A3 – 135 units / 9 stories
- **Logical** arrangement of units and buildings

Open space will better take advantage of proximity to waterfront

- **Special** open space, with unobstructed views and access to Harbor, will complement the entire Garvies Point



Current Proposed: Block A

DESIGN CONSIDERATIONS

Broken-up mass of building

- Allows better views to and from the Creek and Harbor, from all angles

Additional “step backs” in the upper floors

- Further minimizes the massing and enhances views from all directions

Building footprints are varied

- Some buildings take diagonal shapes or run perpendicular to the creek
- Avoids prior design of a large building wall running parallel along the Creek

Better View Corridors from Garvies and across the Creek

- Facilitated by less mass and more separation between the buildings



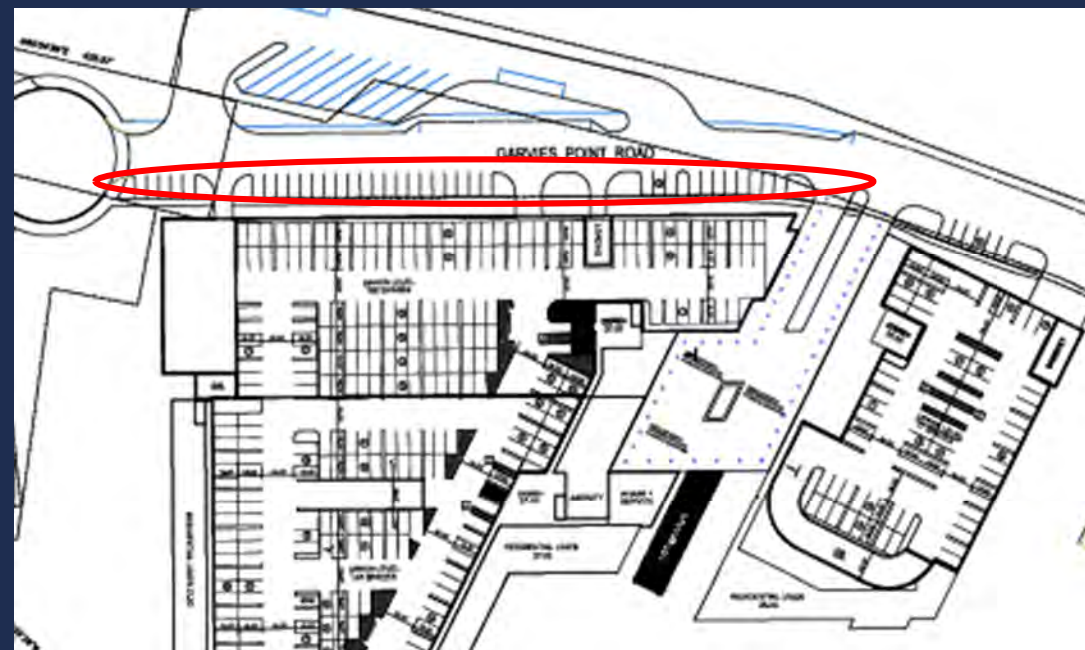
Current Proposed: Block A

Restaurant at Point:

- Moved interior of Building A1, to eliminate additional buildings in the Open Space
- Will be integrated into the Open Space to create vibrancy

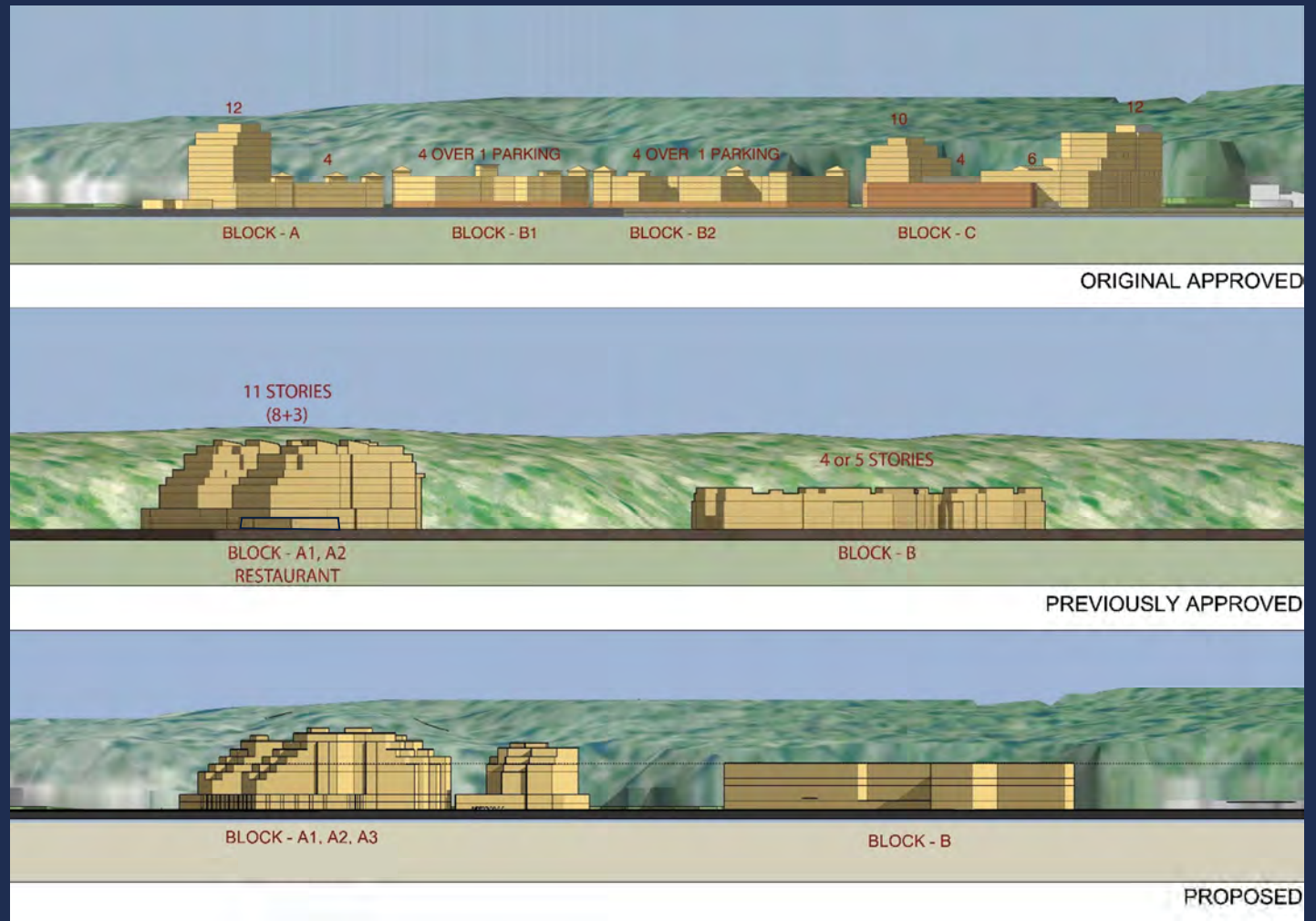
Parking:

- Current plan provides adequate parking to meet the demand for restaurant, condo units, and open space, by increasing the head-in parking on Garvies Point Road and adding capacity within the Parcel A garage



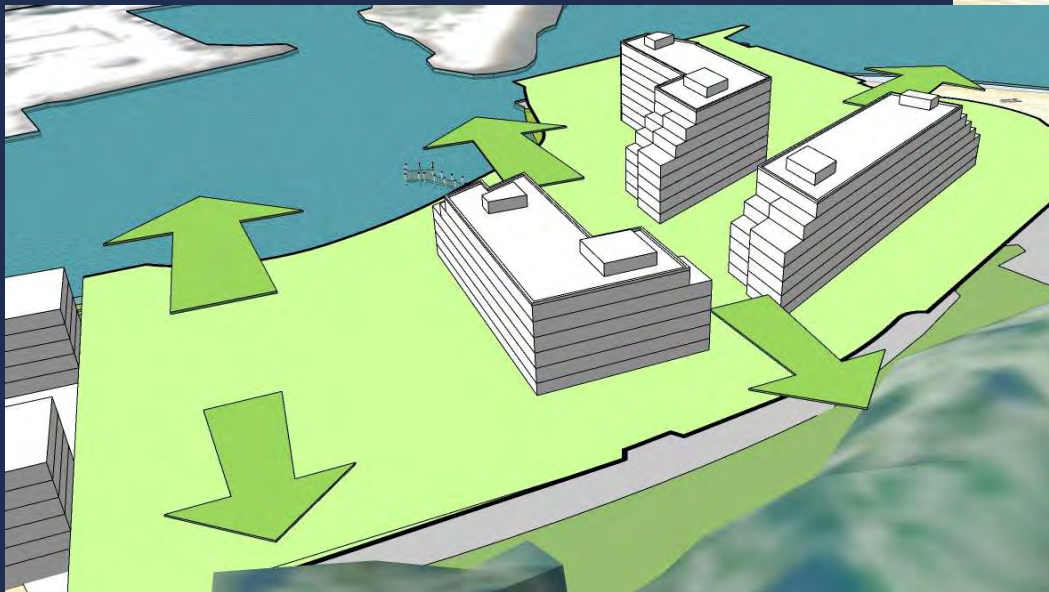
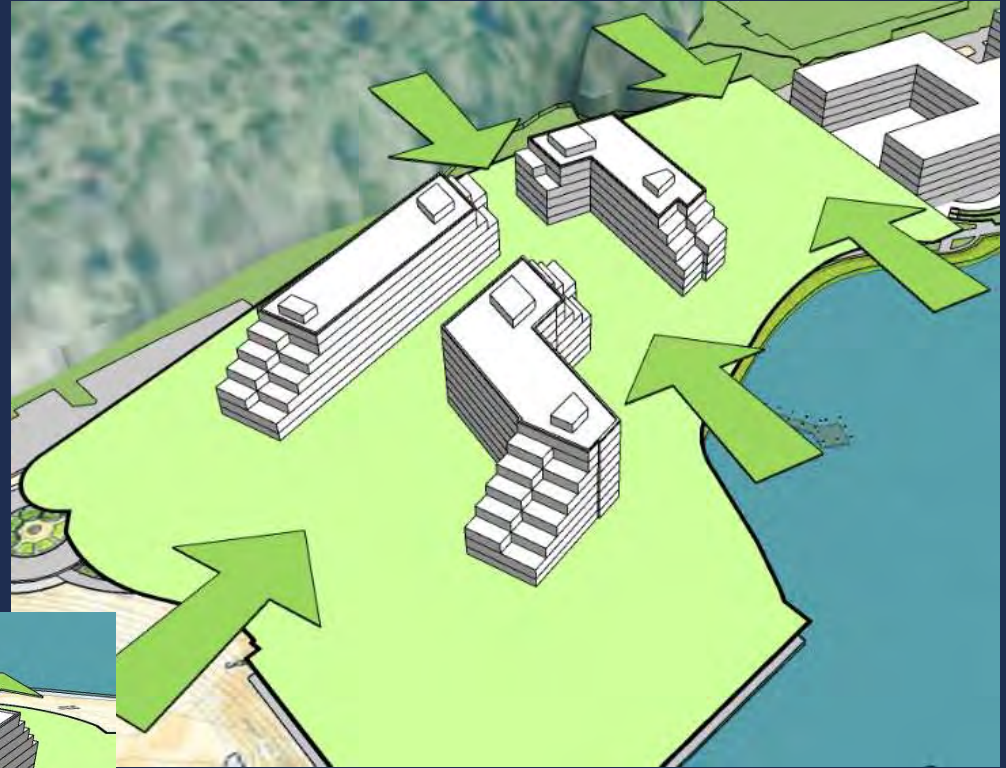
Current Proposed: Block A

Massing has been broken up significantly since 2015



Current Proposed: Block A

Enhanced view
corridors around and
through the Buildings





Attachment B

Water Use and Sewage Flow
Calculations prepared by PS&S,
dated December 4, 2020



December 4, 2020
03610-009

Chairman DiMascio and Members of the Planning Board
City of Glen Cove
9 Glen Street
Glen Cove, New York 11542

Education

Energy Utility

Forensics

Healthcare

Hospitality

Public Sector

Real Estate

Science & Technology

Re: Garvies Point – Amended PUD
Utility Demand Analysis

Dear Chairman DiMascio and Members of the Planning Board:

RXR Glen Isle Partners (RXRGIP) (Applicant) has prepared an application for the proposed Amended PUD Master Development Plan for the Garvies Point project. The amended design plans and tabulation sheets reflect the current programming for the overall PUD. The latest (2020) amended PUD outlines multiple changes to the site layout compared to the 2015 PUD Amendment. This includes a reconfiguration of Block A, Blocks D, E and F, and Block J.

This memorandum demonstrates that the total project utility demands are consistent with the “SEQRA Findings Statement for the 2011 Master Plan” (the Findings) and “Garvies Point PUD Master Plan.” Existing infrastructure at Garvies Point, including portions that were recently reconstructed, have adequate capacity to accommodate the current development program. These estimated flow values also account for future workforce housing currently proposed offsite as part of MW-3.

Water

As part of the prior Garvies Point Phase I and Phase II site plan applications, the overall water demand calculations were refined to correspond to the proposed design improvements for these individual sections. Original planning numbers were maintained for the future portions of the development. The SEQRA Findings for the overall Garvies Point project (i.e. PUD Master Plan) included various scenarios with water demand ranging between 647,545 GPD and 662,063 GPD. The estimated average daily demand for water per the Phase I, Phase II and future Phase III improvements is 380,986 GPD. This average projected flow is considerably less than the demand originally anticipated per the Garvies Point PUD Master Plan.

Sewer:

The Findings included various scenarios with sewer demand for the overall Garvies Point Waterfront Redevelopment project of 493,270 GPD. The Findings included requirements for the Applicant to prepare a study of the existing pump station and force main which was subsequently prepared and included threshold limits under which the existing pump station and force main had the capacity to serve the proposed development. Since that time, a new pump station and force main was designed, approved, and constructed. This new pump station was put into service in 2019 and was designed to handle the proposed sanitary flows from the (overall) development.



The total projected peak sewer flow for the full buildout as proposed under this Amended PUD application is approximately 1.178 MGD (average daily demand = 346,351 GPD). This is well below the average daily demand originally anticipated per the Garvies Point SEQRA Findings (493,270 GPD) and well below the sewage demand utilized for design of the pump station (1.85 MGD peak / 544,118 GPD average daily).

Water Resources:

The stormwater management strategy for the proposed Project is consistent with the original PUD Master Plan, 2011 SEQRA Findings and Stormwater Pollution Prevention Plan (SWPPP) reports (titled “Garvies Point Waterfront Redevelopment – Phase 1,” last revised February 2017 and “Garvies Point Waterfront Redevelopment – Phase IIA,” last revised September 2017). Most of the overall drainage infrastructure for the Project has been previously constructed as part of Phase I improvements, Phase IIA improvements and the Garvies Point Roadway Project. With the exception of Block A and Block J, all of the proposed bulkhead outfalls, water quality devices and underground detention/irrigation systems are currently in place. Revised drainage calculations for the distinct sub-watersheds across Phase I, Phase II and Phase III demonstrate compliance with the sewer conveyance and water quality requirements.

Blocks D, E and F

The reconfiguration of Blocks D, E and F as proposed under the current Amended PUD modifies the use of this portion of the project site. The proposed improvements for Blocks D, E and F represent an individual phase (Phase IIB) of the overall Master Plan. The 2015 Amended PUD included a total of four buildings, with 158 residential units and 50,000 square-feet of office space. Under the proposed modifications, this development program is amended to a single mixed-use residential building and restaurant. The proposed six-story building spanning Blocks E and F consists of 172 residential units and a 5,000 square-foot restaurant within the lower level. The proposed Phase IIB project also includes a paved surface parking lot on Block D, passive recreational facilities to the west of the proposed building and an outdoor seating area adjacent to the restaurant.

The total water demand for this phase of the project is consistent with the overall projected flows under the 2015 Amended PUD. The prior development plan equated to a daily water demand of 5,500 GPD for the Block D office space; 25,135 GPD for the Block E rental units; and 17,820 GPD for the Block F workforce housing (48,455 GPD total). The estimated water demand for the proposed design, per the 2020 Amended PUD, is 52,195 GPD for the Block E-F rental units and 7,508 GPD for the Block E restaurant (59,703 GPD total). The overall Project water demands demonstrate that the current Amended PUD requires considerably less water demand compared to the original Master Plan. As such, there is ample additional capacity in the system to accommodate the difference of 11,248 GPD for Blocks D, E and F.

A study of the sewer availability arrives at the same conclusion. The prior development plan equated to a daily sewer demand of 5,000 GPD for the Block D office space; 22,850 GPD for the Block E rental units; and 16,800 GPD for the Block F workforce housing (44,650 GPD total). The estimated sewer demand for the proposed design, per the 2020 Amended PUD, is 47,450 GPD for the Block E-F rental units and 6,825 GPD for the Block E restaurant (54,275 GPD total). The



difference of 9,625 GPD for Blocks D, E and F can be accommodated by the considerable additional capacity in the system.

Drainage infrastructure for Blocks D, E and F (Phase IIB) watersheds were previously constructed as part of the City Roadway Project and Phase I site improvements. This included the construction of drainage outfalls along the bulkhead, “StormTrap” underground detention/irrigation systems, “Jellyfish” water quality devices and associated storm sewers. The four sub-watersheds associated with Blocks D, E and F will connect to these previously-constructed drainage systems. The tributary areas and associated site coverage for the proposed Project results in a reduction in the total runoff volume compared to the original PUD Master Plan.

Offsite Workforce Housing

The utility demand calculations for the 2020 Amended PUD include estimated flows for additional offsite workforce housing. As currently proposed by the Applicant, the 64 one-bedroom, two-bedroom and three-bedroom units would be located in the MW-3 area along Herb Hill Road. The original assessment of the overall Project water and sanitary availability included conservative flow values for this potential future phase. The total estimated flow for this future MW-3 area is 126,088 GPD for water and 114,625 GPD for sewer. The proposed 64 workforce housing units equate to a daily utility demand of 19,690 GPD and 17,900 GPD for water and sewer respectively. There should be adequate water and sewer availability to accommodate the proposed future offsite workforce housing based on the current planning numbers for the Garvies Point Redevelopment. Existing and recently-constructed water and sewer mains within Herb Hill Road and Garvies Point Road account and allow for future connections to serve future phase of development.

We trust that this information addresses the Project’s compliance with the Utilities and Water Resources components of the original PUD Master Plan.

Should you have any questions, please feel free to contact us.

Sincerely yours,

PAULUS, SOKOLOWSKI AND SARTOR ENGINEERING, PC

Patricia A. Ruskan, P.E.
Vice President

PAR/bsl
Encl.

cc: RXXRGIP Team

PROPOSED DOMESTIC WATER DEMAND (PHASE I, II & III)

DATE:	1/18/2016
REVISED:	10/4/2016, 3/11/2020, 8/12/2020, 10/19/2020, 12/3/2020
PROJECT NO.:	03610-009
PROJECT NAME:	Garvies Point Waterfront Development - Phase 1, 2 & 3
PROJECT TOWN:	City of Glen Cove, Nassau County, NY
PREPARED BY:	JMM/BSL

WEST PARCEL - GARVIES POINT ROAD																					
	<u># of Units/Size</u>	<u>Unit Daily Demand⁽¹⁾ (gpd)</u>	<u>Average Daily Demand/Block (gpd)</u>																		
RESTAURANT AT POINT																					
Restaurant Seats	350	38.5	13,475																		
			13,475 gpd																		
PARK/BEACH																					
Public Restroom (visitors)	100 (estimated)	5.5 ⁽⁴⁾	550																		
			550 gpd																		
BLOCK A1: Condominium Units																					
1 Bedroom	25	165	4,125																		
2 Bedroom	87	330	28,710																		
3 Bedroom	24	440	10,560																		
	136		43,395 gpd																		
BLOCK A2: Condominium Units																					
1 Bedroom	14	165	2,310																		
2 Bedroom	48	330	15,840																		
3 Bedroom	13	440	5,720																		
	75		23,870 gpd																		
BLOCK A3: Condominium Units																					
1 Bedroom	25	165	4,125																		
2 Bedroom	87	330	28,710																		
3 Bedroom	23	440	10,120																		
	135		42,955 gpd																		
BLOCK B: Condominium Units																					
1 Bedroom	36	165	5,940																		
2 Bedroom	102	330	33,660																		
3 Bedroom	29	440	12,760																		
Marina Support Building at Ferry Terminal (sf)	804	0.11 ⁽²⁾	88																		
	167		52,448 gpd																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Average Daily Demand:</td> <td style="width: 45%;">WEST PARCEL SUB-TOTAL =</td> <td style="width: 30%; text-align: right;">176,693 gpd (average)</td> </tr> <tr> <td></td> <td style="padding-left: 20px;">Residential</td> <td style="text-align: right;">162,668 gpd (average)</td> </tr> <tr> <td></td> <td style="padding-left: 20px;">Commercial</td> <td style="text-align: right;">14,025 gpd (average)</td> </tr> <tr> <td>Peak Daily Demand (Peak Factor = 3.4)⁽³⁾:</td> <td>WEST PARCEL SUB-TOTAL =</td> <td style="text-align: right;">600,758 gpd (peak)</td> </tr> <tr> <td></td> <td style="padding-left: 20px;">Residential</td> <td style="text-align: right;">553,073 gpd (peak)</td> </tr> <tr> <td></td> <td style="padding-left: 20px;">Commercial</td> <td style="text-align: right;">47,685 gpd (peak)</td> </tr> </table>				Average Daily Demand:	WEST PARCEL SUB-TOTAL =	176,693 gpd (average)		Residential	162,668 gpd (average)		Commercial	14,025 gpd (average)	Peak Daily Demand (Peak Factor = 3.4)⁽³⁾:	WEST PARCEL SUB-TOTAL =	600,758 gpd (peak)		Residential	553,073 gpd (peak)		Commercial	47,685 gpd (peak)
Average Daily Demand:	WEST PARCEL SUB-TOTAL =	176,693 gpd (average)																			
	Residential	162,668 gpd (average)																			
	Commercial	14,025 gpd (average)																			
Peak Daily Demand (Peak Factor = 3.4)⁽³⁾:	WEST PARCEL SUB-TOTAL =	600,758 gpd (peak)																			
	Residential	553,073 gpd (peak)																			
	Commercial	47,685 gpd (peak)																			

EAST PARCEL - PHASE 2			
	# of Units/Size	Unit Daily Demand ⁽¹⁾	Average Daily Demand/Block
		(gpd)	(gpd)
BLOCK E-F: Rental Units			
1 Bedroom	41	165	6,765
2 Bedroom	111	330	36,630
3 Bedroom	20	440	8,800
	172		52,195 gpd
BLOCK E RESTAURANT			
Restaurant Seats	195	38.5	7,508
	195		7,508 gpd
BLOCK G: Workforce Units			
1 Bedroom	14	165	2,310
2 Bedroom	31	330	10,230
3 Bedroom	10	440	4,400
	55		16,940 gpd
MW-3: Workforce Units (future)			
1 Bedroom	16	165	2,640
2 Bedroom	37	330	12,210
3 Bedroom	11	440	4,840
	64		19,690 gpd
Average Daily Demand:	EAST PARCEL PH 2 SUB-TOTAL =		96,333 gpd (average)
		Residential	96,333 gpd (average)
		Commercial	0 gpd (average)
Peak Daily Demand (Peak Factor = 3.4)⁽³⁾:	EAST PARCEL PH 2 SUB-TOTAL =		327,531 gpd (peak)
		Residential	327,531 gpd (peak)
		Commercial	0 gpd (peak)
PHASE 2 - PROJECT AVERAGE DEMAND TOTAL =			273,026 gpd
PHASE 2 - PROJECT PEAK DEMAND TOTAL =			928,288 gpd

NOTES:

- (1) Unit Daily Flows taken from "Design Standards for Wastewater Treatment Works" from NYSDEC, dated 1988, plus 10% for general rule of thumb for water demand (water-in is generally 10% more than water-out).
- (2) Use shopping center criteria = 0.1 gpd/sf of space plus 10%.
- (3) Peak factor taken from "Recommended Standards for Wastewater Facilities", (10 States Standards), 2004 Edition, Figure 1.
- (4) Use parks criteria (per picnicker, restroom only) = 5 gpd/picnicker plus 10%.

EAST PARCEL - PHASE 1			
	# of Units/Size	Unit Daily Demand ⁽¹⁾	Average Daily Demand/Block
		(gpd)	(gpd)
BLOCK H: Rental Units			
1 Bedroom	94	165	15,510
2 Bedroom	83	330	27,390
Retail (sf)	2,985	0.11 ⁽⁵⁾	328
			43,228 gpd
BLOCK I: Condominium Units			
1 Bedroom	114	165	18,810
2 Bedroom	94	330	31,020
			49,830 gpd
ANGLER'S CLUB			
square feet	2,170	0.11 ⁽⁶⁾	239
			238.7 gpd
MARINA SUPPORT BUILDING			
Restaurant Seats	363	38.5	13,976
			13,976 gpd
BLOCK J: Commercial/Cultural			
Retail (sf)	6,250	0.11 ⁽⁶⁾	688
			688 gpd
Average Daily Flow:			
EAST PARCEL PH 1 SUB-TOTAL =		107,960 gpd (average)	
		Residential	92,730 gpd (average)
		Commercial	15,230 gpd (average)
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾:			
EAST PARCEL PH 1 SUB-TOTAL =		367,064 gpd (peak)	
		Residential	315,282 gpd (peak)
		Commercial	51,782 gpd (peak)
PHASE 1 - PROJECT AVERAGE DEMAND TOTAL = 107,960 gpd			
PHASE 1 - PROJECT PEAK DEMAND TOTAL = 367,064 gpd			

NOTES:

(5) Use shopping center criteria = 0.1 gpd/sf of space plus 10%.

(6) Use office space criteria = 0.1 gpd/sf of space plus 10%.

EAST PARCEL - SUBTOTAL			
Average Daily Flow:			
		EAST PARCEL PH 2 SUB-TOTAL =	96,333 gpd (average)
		EAST PARCEL PH 1 SUB-TOTAL =	107,960 gpd (average)
		EAST PARCEL OVERALL SUB-TOTAL =	204,293 gpd (average)
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾:			
		EAST PARCEL PH 2 SUB-TOTAL =	327,531 gpd (average)
		EAST PARCEL PH 1 SUB-TOTAL =	367,064 gpd (average)
		EAST PARCEL OVERALL SUB-TOTAL =	694,595 gpd (average)

OVERALL PROJECT (PHASE 1 & PHASE 2)			
Projected Average Demand			
Residential	Phase 2	Phase 1	Total
	259,001	92,730	351,731
Commercial	14,025	15,230	29,255
Total	273,026	107,960	380,986
Projected Peak Demand			
Residential	Phase 2	Phase 1	Total
	880,603	315,282	1,195,885
Commercial	47,685	51,782	99,467
Total	928,288	367,064	1,295,352



Paulus, Sokolowski and Sartor Engineering, PC
 67A Mountain Blvd. Ext.
 Warren, NJ 07059
 Tel: 732-560-9700 Fax: 732-764-6565

PROPOSED SANITARY SEWER SYSTEM PROJECTED FLOWS (PHASE I, II & III)

DATE: 1/18/2016
 REVISED: 10/4/2016, 10/30/2017, 1/6/2020, 8/12/2020, 10/19/2020, 12/3/2020
 PROJECT NO.: 03610-009
 PROJECT NAME: **Garvies Point Waterfront Development - Phase 1, 2 & 3**
 PROJECT TOWN: City of Glen Cove, Nassau County, NY
 PREPARED BY: JMM/BSL/GY

WEST PARCEL - GARVIES POINT ROAD				
	<u># of Units/Size</u>	<u>Unit Daily Flow⁽¹⁾ (gpd)</u>	<u>Average Daily Flow/Block (gpd)</u>	<u>Peak</u>
BLOCK A RESTAURANT				
Restaurant Seats	350	35	12,250	
			12,250 gpd	41,650
PARK/BEACH				
Public Restroom (visitors)	100 (estimated)	5 ⁽⁴⁾	500	
			500 gpd	1,700
BLOCK A1: Condominium Units				
1 Bedroom	25	150	3,750	
2 Bedroom	87	300	26,100	
3 Bedroom	24	400	9,600	
	136		39,450 gpd	134,130
BLOCK A2: Condominium Units				
1 Bedroom	14	150	2,100	
2 Bedroom	48	300	14,400	
3 Bedroom	13	400	5,200	
	75		21,700 gpd	73,780
BLOCK A3: Condominium Units				
1 Bedroom	25	150	3,750	
2 Bedroom	87	300	26,100	
3 Bedroom	23	400	9,200	
	135		39,050 gpd	132,770
BLOCK B: Condominium Units				
1 Bedroom	36	150	5,400	
2 Bedroom	102	300	30,600	
3 Bedroom	29	400	11,600	
Marina Support Building at Ferry Terminal (sf)	804	0.1 ⁽²⁾	80	
	167		47,680 gpd	162,113
Average Daily Flow:	WEST PARCEL SUB-TOTAL =		160,630 gpd (average)	
		Residential	147,880 gpd (average)	
		Commercial	12,750 gpd (average)	
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾:	WEST PARCEL SUB-TOTAL =		546,143 gpd (peak)	
		Residential	502,793 gpd (peak)	
		Commercial	43,350 gpd (peak)	

EAST PARCEL - PHASE 2			
	# of Units/Size	Unit Daily Flow⁽¹⁾ (gpd)	Average Daily Flow/Block (gpd)
BLOCK E-F: Rental Units			
1 Bedroom	41	150	6,150
2 Bedroom	111	300	33,300
3 Bedroom	20	400	8,000
	172		47,450 gpd
BLOCK E RESTAURANT			
Restaurant Seats	195	35	6,825
	195		6,825 gpd
BLOCK G: Workforce Units			
1 Bedroom	14	150	2,100
2 Bedroom	31	300	9,300
3 Bedroom	10	400	4,000
	55		15,400 gpd
MW-3: Workforce Units (future)			
1 Bedroom	16	150	2,400
2 Bedroom	37	300	11,100
3 Bedroom	11	400	4,400
	64		17,900 gpd
Average Daily Flow:			
		EAST PARCEL PH 2 SUB-TOTAL =	87,575 gpd (average)
		Residential	87,575 gpd (average)
		Commercial	0 gpd (average)
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾:			
		EAST PARCEL PH 2 SUB-TOTAL =	297,755 gpd (peak)
		Residential	297,755 gpd (peak)
		Commercial	0 gpd (peak)
PHASE 2 - PROJECT AVERAGE FLOW TOTAL =			248,205 gpd
PHASE 2 - PROJECT PEAK FLOW TOTAL =			843,898 gpd

161,330
23,205
52,360
60,860

NOTES:

- (1) Unit Daily Flows taken from "Design Standards for Wastewater Treatment Works" from NYSDEC, dated 1988.
- (2) Use shopping center criteria = 0.1 gpd/sf of space.
- (3) Peak factor taken from "Recommended Standards for Wastewater Facilities", (10 States Standards), 2004 Edition, Figure 1.
- (4) Use parks criteria (per picnicker, restroom only) = 5 gpd/picnicker.

EAST PARCEL - PHASE 1			
	# of Units/Size	Unit Daily Flow⁽¹⁾ (gpd)	Average Daily Flow/Block (gpd)
BLOCK H: Rental Units			
1 Bedroom	94	150	14,100
2 Bedroom	83	300	24,900
Retail (sf)	2,985	0.1 ⁽⁵⁾	299
			39,299 gpd
BLOCK I: Condominium Units			
1 Bedroom	114	150	17,100
2 Bedroom	94	300	28,200
	208		45,300 gpd
ANGLER'S CLUB			
square feet	2,170	0.1 ⁽⁶⁾	217
	2,170		217 gpd
MARINA SUPPORT & BREWERY			
Restaurant Seats	363	35	12,705
	363		12,705 gpd
BLOCK J: Commercial/Cultural			
Retail (sf)	6,250	0.1 ⁽⁶⁾	625
	6,250		625 gpd
Average Daily Flow: EAST PARCEL PH 1 SUB-TOTAL = 98,146 gpd (average)			
		Residential	84,300 gpd (average)
		Commercial	13,846 gpd (average)
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾: EAST PARCEL PH 1 SUB-TOTAL = 333,695 gpd (peak)			
		Residential	286,620 gpd (peak)
		Commercial	47,075 gpd (peak)
PHASE 1 - PROJECT AVERAGE FLOW TOTAL = 98,146 gpd			
PHASE 1 - PROJECT PEAK FLOW TOTAL = 333,695 gpd			

133,615

154,020

738

43,197

2,125

NOTES:

(5) Use shopping center criteria = 0.1 gpd/sf of space plus 10%.

(6) Use office space criteria = 0.1 gpd/sf of space plus 10%.

EAST PARCEL - SUBTOTAL			
Average Daily Flow:			
	EAST PARCEL PH 2 SUB-TOTAL =		87,575 gpd (average)
	EAST PARCEL PH 1 SUB-TOTAL =		98,146 gpd (average)
	EAST PARCEL OVERALL SUB-TOTAL =		185,721 gpd (average)
Peak Daily Flow (Peak Factor = 3.4)⁽³⁾:			
	EAST PARCEL PH 2 SUB-TOTAL =		297,755 gpd (average)
	EAST PARCEL PH 1 SUB-TOTAL =		333,695 gpd (average)
	EAST PARCEL OVERALL SUB-TOTAL =		631,450 gpd (average)

OVERALL PROJECT (PHASE 1 & PHASE 2)			
Projected Average Flow	Phase 2	Phase 1	Total
Residential	235,455	84,300	319,755
Commercial	12,750	13,846	26,596
Total	248,205	98,146	346,351
Projected Peak Flow	Phase 2	Phase 1	Total
Residential	800,548	286,620	1,087,168
Commercial	43,350	47,075	90,425
Total	843,898	333,695	1,177,593



Attachment C

Garvies Point 2020 Parking
Assessment Update, Prepared by
Walker Consultants,
Dated February 11, 2020

FEBRUARY 11, 2021

The purpose of this Memorandum is to demonstrate the required parking supply for the revised development program under the proposed Amended PUD Master Development Plan, including a change in the configuration and phasing of Building A from the 2015 PUD Amendment, a change to the configuration of the open space surrounding Building A, a change in the configuration and unit count for Buildings E and F, the addition of commercial space to Buildings E and F, the elimination of the office building planned for Parcel D and the provision of surface parking on Parcel D to serve the ferry terminal and the commercial uses. As explained below, the number of parking spaces required for the current proposed uses based upon the parking ratios contained in the SEQRA Findings is 2,458 spaces. The developer's plans demonstrate that it will exceed that number by at least 186 spaces (an inventory of 2,644) and may be able to provide as many as 2,697 parking spaces, which is 239 spaces more than are required for the proposed Amended PUD Master Plan, using the parking ratios established by Planning Board. On weekdays, when the Parcel D lot will be made available to ferry commuters, the development can still provide an inventory of at least 2,644 spaces by using valet parking in lieu of the striped spaces on the Parcel D lot.

2011 SEQRA FINDINGS

The New York State Environmental Quality Review Act Findings Of The Planning Board Of The City Of Glen Cove Respecting The RXR Glen Isle Mixed-Use Waterfront Development Project, City Of Glen Cove, New York (the "Statement of Findings") issued in 2011 for the Garvies Point project recommended parking ratios based on Urban Land Institute ("ULI") data for mixed-use developments. In its Statement of Findings, the Planning Board also acknowledged that the Board could allow fewer parking spaces based upon "shared parking credits" in accordance with ULI data regarding mixed-use developments. Shared Parking credits take into account the fact that in mixed-use areas, different types of land uses will have different peak hours and can share parking spaces. In fact, the Planning Board concluded that, using recommended ratios and a "shared parking credit," the number of required parking spaces for the Proposed Action could be reduced by approximately 18.7% from what code would have otherwise required.

The parking rates recommended in the Statement of Findings (Transportation section, item 9 on page 123) are as follows:

- Residential Rental: 1.65 spaces per unit
- Residential Condo: 1.85 spaces per unit
- Retail: 1 space per 265 sf
- Restaurant: 19 spaces per 1,000 sf
- Spa: 6 spaces per 1,000 sf
- Office: 3.65 spaces per 1,000 sf
- Marina: .63 spaces per slip
- Park: 2.62 spaces per acre

PROPOSED AMENDED PUD MASTER DEVELOPMENT PLAN

PARKING SUPPLY

The proposed parking supply is detailed in Table 1. Key changes from the approved 2015 PUD Master Development Plan include:

FEBRUARY 11, 2021

- Road A at Sunset Beach is no longer planned, but the 31 parking spaces along this road have been replaced by an equal number of angled spaces along Garvies Point Road adjacent to Building A so they remain convenient to Sunset Beach. There is actually a small gain in public spaces, as six of the spaces on Road A were to be reserved for valet use and these will now be regular public spaces.
- 12 spaces that were planned for Herb Hill Road have been removed. The overall public on-street inventory for the East Parcel is still planned to provide enough spaces to accommodate the public uses.
- Block D will no longer include an office building with a 250-space garage. Instead, a surface lot will provide 165 spaces in a shared-use arrangement: they will be available for ferry parking during the day on weekdays and will serve the East Parcel's commercial developments at night and on weekends.
- The redesign of Building A does not impact parking for the residential uses. As noted above, all restaurant parking is now located in the building.
- The public parking lots at Garvies Point Park and along Road D still have the option to add spaces through land-banking. The Road D parking area has not changed size. The Park lot was planned at 33 spaces with potential to add 39 in the 2015 PUD. Now it is planned at 52 spaces with a potential to add 34.

Public spaces are shown by area in an attachment to this memorandum.

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Table 1: Proposed Parking Inventory

Block/Street	Description	Base Inventory			Landbank Inventory			
		On-St and Public Off-St Spaces	Off-St and Private On-St Spaces	Total	Landbank Spaces	On-St and Public Off-St Spaces with Landbanking	Off-St and Private On-St Spaces with Landbanking	Total
Road F	Road F		10				10	
Road E	Road E		0				0	
Block E	Block E/F Garage		308				308	
Block G	Block G Garage		91				91	
Block I	I Surface Lot		119				119	
Block I	I Garage		213				213	
Block D	D Surface Lot		165		90		165	
Block H	H Garage		311				311	
Block J	J Lot		53				53	
Block J	Brewery Lot		28				28	
Dickson St	Along Block E	15				15		
Dickson St	Along Block G	5				5		
Dickson St	Along Block H	15				15		
Garvies Pt Rd	Traffic Circle to Road D	31				31		
Garvies Pt Rd	Traffic Circle to Road D	41				41		
Herb Hill Rd	Along Block H	5				5		
Herb Hill Road	Along Block J	0				0		
SUBTOTAL EAST PARCEL		112	1298	1410	*	112	1298	1410
B	B Garage		312				312	
A	A Garage		756				756	
Garvies Pt Rd	West from Road D	95			-1	94		
Garvies Pt Park	Transient Surface Lot	52			34	86		
Road A	Sunset Park Road	0				0		
Road D	Road D	19			20	39		
SUBTOTAL WEST PARCEL		166	1068	1234	53	219	1068	1287
TOTAL		278	2366	2644	53	331	2366	2697

*90 valet spaces on Parcel D are excluded from the total since they are a weekday alternate to the 165-space lot, not additional.

Note: Boat Trailer spaces are not included in inventory.

PARKING REQUIREMENTS CALCULATION AND PARKING ADEQUACY

The proposed parking lot on Parcel D will have two uses – it will be for ferry commuters during the day on weekdays and for the East Parcel commercial uses (primarily Parcel E/F, but also overflow from Parcel J as needed) at night and on weekends. Weekday parking will be discussed in a separate section. The table below quantifies parking requirements and adequacy during the night and weekend periods when the Parcel D lot is available to restaurant-goers. The table shows the proposed land use quantities, calculation of parking required per The Findings, and parking supplies with and without landbanked spaces. The table provides separate calculations for the East and West Parcels and for Public and Residential/Commercial uses.

As shown in Table 2, when the Parcel D parking is available at night and on weekends, the East Parcel will have sufficient parking available for restaurant goers as well as for the public uses and the residents. The restaurant uses on Parcels E/F and J generate more demand than can be accommodated within those parcels, but the Parcel D lot will have enough parking for the overflow.

WEEKDAY PARKING

On weekdays during the day and into early evening, some or all of the 165 spaces in the Parcel D lot will not be available. The developer is proposing to supplement the parking inventory as needed to meet weekday demand using valet parking. To determine the needed supply, we have evaluated the daytime demand using data on parking patterns found in the Urban Land Institute’s *Shared Parking*¹ reference. This is the most comprehensive dataset available on parking, and the industry standard for projecting parking needs. The parking ratios outlined in The Findings are based on the 2005 edition of *Shared Parking*. *Shared Parking* uses research done around the U.S. on parking patterns for a variety of land uses. The research includes:

- Parking generation ratios that express the peak demand generated by a land use on weekdays and weekends. The ratios are expressed as the number of cars generated per unit of land use (square footage, residential unit, hotel key, etc.) at peak.
- Hourly parking patterns at these uses, to show the variation in demand over the course of a day on a weekdays and weekends.

The *Shared Parking* data suggest that restaurants generate less demand on a weekday than on a weekend, even during the evening peak. In comparison to the ratio recommended for weekend evenings (19 spaces per 1,000 sf, which was adopted for The Findings), ULI recommends a peak weekday demand ratio of 15.5 spaces per 1,000 sf on weekdays.

In addition, restaurants do not reach their peak demand on a weekday until 7 pm. The table below shows the typical demand pattern over the course of a weekday.

Table 3: Hourly Restaurant Demand per ULI Shared Parking - Weekday

Land Use		10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM
Fine/Casual Dining	Visitors	15%	40%	75%	75%	65%	40%	50%	75%	95%	100%	100%
	Employees	90%	90%	90%	90%	90%	75%	75%	100%	100%	100%	100%

Using data from the ULI *Shared Parking* model, we project an 86-space deficit for the Parcel E/F and J commercial uses, as shown in the following table.

¹ Smith, Mary. *Shared Parking* (3rd Edition). Washington, DC, Urban Land Institute, 2020.

Table 4: Hourly Shared Parking Demand - East Parcel Commercial Uses - Weekday

	10 am	11 am	12 pm	1 pm	2 pm	3 pm	4 pm	5 pm	6 pm	7 pm	8 pm
Retail - Parcel J	14	18	21	23	23	22	19	19	20	20	19
Spa/Medical - Parcel E/F	12	12	6	11	12	12	11	10	8	4	2
Brewery (Operations) Parcel J	10	10	10	10	10	10	10	6	2	0	0
Restaurants - Parcels E/F and J	<u>44</u>	<u>80</u>	<u>130</u>	<u>130</u>	<u>116</u>	<u>76</u>	<u>90</u>	<u>133</u>	<u>161</u>	<u>169</u>	<u>169</u>
Total Demand	80	120	168	174	161	120	131	169	191	193	190
Available Supply*	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>105</u>	<u>188</u>	<u>270</u>
Surplus/Deficit	25	(15)	(63)	(69)	(56)	(15)	(26)	(64)	(86)	(5)	80

*Supply includes:

308 spaces in Parcel E/F garage, less 284 for residents = 24 spaces for commercial use, plus

81 spaces on Parcel J and at the Brewery = 105 spaces during the day. By 7 pm, Parcel D spaces are coming on line.

We consider these to be conservative projections insofar as they assume all of the following:

- The Available Supply total assumes that all 165 spaces in the Parcel D lot are in use until 7 pm and no spaces are available to the commercial uses all day.
- The Shared Parking Model shows restaurants getting to 95% occupancy by 6 pm, likely before ferry demand declines. This is an early dinner hour for many people in the New York region given commute times.
- The demand projections take no reduction to the number of cars to account for captive market groups. A captive market is formed when people who are already parked for the day or evening in an area (generally residents, hotel guests, office workers) create a walk-in market for auxiliary uses like retail and dining. With over 1,100 Garvies Point households as well as other neighborhoods nearby, and with commuters coming off the ferry in the evening, it is likely that a reasonable percentage of the ±130 restaurant cars will be replaced by walk-ins. A percentage of “spa” and retail patrons will also be neighborhood residents, especially during the weekdays. If two percent of the households at Garvies Point patronized the restaurants on a given weekday, there would be a 22-car reduction in the projection.
- The Available Supply total assumes street parking is not used. The clip below from Table 2 shows a 30-space surplus for on-street parking after it meets The Findings’ requirements for accommodating marina, Angler Club, and park needs. As the number of people coming to the parks decreases on weekday evenings, that surplus will grow.

Block	Planned Uses	Zoning Requirements/ Consistency with Findings	Parking Required	Planned Inventory		
				Public/ On-St	Total	Surplus/ Deficit
<i>Transient Marina & Anglers Marina</i>	<i>84 slips</i>	<i>0.63 per slip</i>	<i>53</i>			
<i>Accessible Park</i>	<i>11 acres</i>	<i>2.62 per acre</i>	<i>29</i>			
Subtotal - Public			82	112	112	30

Noting these caveats, we think the projections in Table 4 are conservative. Assuming restaurant-goers make

FEBRUARY 11, 2021

use of the anticipated excess on-street parking, the shortage would be reduced from 69 spaces to 39 spaces at lunch hour. If park/marina demand were half of its 82-space midday peak by 6 pm, the 30-space excess supply would grow to 72 spaces and the 6 pm shortage would only be about 14 spaces.

However, in order to plan for a worst-case scenario the developer has proposed creating a valet option for up to 90 cars in a flexible arrangement. With this extra inventory included, the demand on the East Parcel are met even in the worst-case scenario:

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Table 5: Comparison of Parking Demand to Spaces Provided – East Parcel (Weekday Peak – 6 pm)

Block	Planned Uses	Zoning Requirements/ Consistency with Findings	Parking Required	Planned Inventory				Valet Spaces	Total incl. Valet	Surplus/ Deficit
				Private/ Off-St	Public/ On-St	Total	Surplus/ Deficit			
East Parcel										
<u>Res/Comm. Uses</u>										
Parcel G	55 rental units	1.65 /unit	91	91		91	0		91	0
Parcel H	177 rental units	1.65 /unit	293			311	6		311	6
	3,055 sf retail	0.0038 /sf	12							
Parcel I	208 rental units	1.65 /unit	344	332		332	-12		332	-12
Valet - Parcel D and Garages							0	90	90	90
Parcel E/F	172 rental units	1.65 /unit	284							
	5,059 restaurant	0.0190 /sf	74	318		318	-48		318	-48
	2,000 spa	0.006 /sf	8							
Parcel J + Brewery	5,780 sf restaurant	0.0190 /sf	87							
	2,540 sf brewery*	0.00365 /sf	2	81		81	-28		81	-28
	6,250 sf retail	0.0038 /sf	20							
Subtotal - Res/Commercial			1215	1133		1133	-82	90	1223	8
<u>Public Uses</u>										
Transient Marina & Anglers Marina	84 slips	0.63 per slip	53							
Accessible Park	11 acres	2.62 per acre	29							
Subtotal - Public			82		112	112	30		112	30
Total East Side			1297	1133	112	1245	-52	90	1335	38
West Parcel										
<u>Res/Comm. Uses</u>										
Block A1	136 condo units	1.85 /unit	252	291		291	39		291	39
Block A3	135 condo units	1.85 /unit	250			314	(50)		314	(50)
	6,000 sf restaurant	0.019 /sf	114							
Block A2	75 condo units	1.85 /unit	139	151		151	12		151	12
Block B	167 condo units	1.85 /unit	312	312		312	0		312	0
Subtotal - Residential			1,067	1068	0	1068	1		1068	1
<u>Public Uses</u>										
Accessible Park	7.35 acres	2.62 per acre	20							
Sunset Beach	1.4 acres	8 per acre	12							
Subtotal - Public			32		166	166	134	53	219	187
Total West Side			1099	1068	166	1234	135	53	1287	188
Total - East and West Sides			2396	2201	278	2479	83	143	2622	226

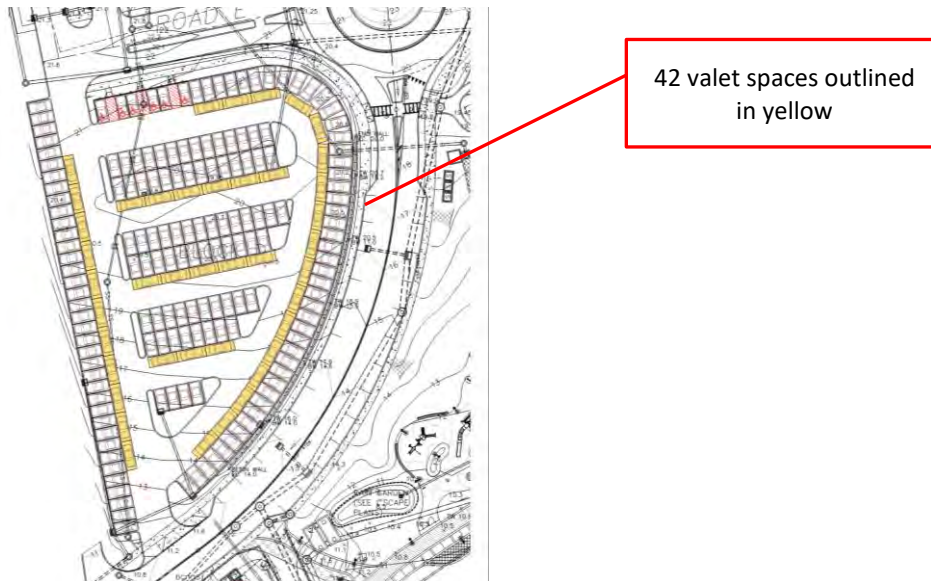
VALET PLAN

As noted in the previous section, we believe the weekday deficit will be less than 40 cars; however, to prepare for a worst case scenario the applicant is prepared to accommodate 86 cars using valet parking when Parcel D is allocated to ferry parkers during the weekday. Because of the unknowns in relation to ferry demand and the

extent of the weekday daytime shortages, the valet plan should be flexible. In examining opportunities to create valet parking, we note the following:

- Parcel D is a good location for valet parking. With ferry cars parked all day, use of the aisles for valet cars will be streamlined.
- Parcel D may be sufficient to accommodate all valet needs, especially before Parcel J is built out. If additional valet space is needed, aisle parking can be made available in the residential garages in Buildings E/F, H and/or I.
- Parcel D can accommodate an extra 42 cars as shown in the diagram below.

Figure 1: Valet Parking Configuration, Parcel D



If Parcel D is not sufficient to accommodate the cars, the remaining valet spaces can be created as needed in the residential garages. Although residential garages do have some turnover during a weekday, they are still easy locations for a valet operation. The table below summarizes Walker’s site studies. Our studies did not attempt to maximize the available aisle space. Even without dense use of the aisles, the three buildings can offer more valet parking than the 48 spaces needed to complement the 42 in Parcel D. The developer’s valet manager may recommend using some parking in Building I to support the Brewery while keeping some spaces available in Building E/F or H for the E/F Parcel restaurant.

Table 6: Valet Inventory, Residential Buildings

	Building E/F	Building H	Building I
L1 Level	24	14	
Grade Level	20	24	27
Total per building	44	38	27
Total all			109

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Finally, we have looked at the possibility of using stackers on Parcel D. With stackers it would be easy to create 90 spaces all in one location. If demand is routinely as high as projected here, and over many hours a day, stackers may end up being a good operational tool. However, stackers may be less desirable for the public and would make self-park impossible even on weekends. Walker recommends keeping this option available for the longer term as a back-up plan if demand is routinely at the top end of our worst-case scenario.

SUMMARY

The public and private parking supplies on the East and West parcels are adequate on weekends for their respective land uses. On weekdays, if the ferry parking is fully utilized there will be a shortage of up to 86 spaces for the commercial uses on the East Parcel, but this shortage may be reduced if surplus on-street parking can be used; the on-street system is planned to have a surplus of 30 spaces beyond the requirements of The Findings for public parking to serve the marinas and parkland. The surplus will be greater by evening as people leave the parks and marinas.

If on-street parking is shared, the deficit may be accommodated within the 42-space valet capacity in Parcel D. In a worst-case scenario, the 86-space deficit could be accommodated by supplementing the Parcel D valet with valet parking in the residential buildings.

A parking or property manager can gauge the available weekday surpluses on a regular basis and determine when occupancies are high enough to warrant starting or expanding a valet operation. In particular, before Parcel E/F opens and before Parcel J retail opens, occupancy should be reviewed for adequacy to meet projected demand. When new land uses are not opening but ferry use is increasing and/or parking occupancy is increasing for other reasons, occupancy over 90 percent (85 percent on-street) should trigger implementation or expansion of the valet operation. Planning the operation this way allows parking resources to be efficiently utilized, but also assures that a solution is in place before shortages occur.

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APPENDIX: PARKING SUPPLY CHANGES AND PUBLIC SUPPLY LAYOUTS

Table 7: 2015-2020 Comparison of Inventory

Type	Roadway/Facility	2015			2020		
		Inventory	Landbank	Total	2020	Landbank	Total
Public							
	Herb Hill Road	17		17	5		5
	Dickson Street	35		35	35		35
	Garvies Point Road	125	-1	124	167	-1	166
	Sunset Park Road	25 *	3	28	0		0
	Road D	19	20	39	19	20	39
	Garvies Point Park	<u>33</u>	<u>39</u>	<u>72</u>	<u>52</u>	<u>34</u>	<u>86</u>
	Subtotal	254	61	315	278	53	331
Private							
	Road E	19		19	0		0
	Road F	10		10	10		10
	Block I/J	119		119	119		119
	Block E lot	77		77			0
	Block F lot	98		98			0
	Block G lot	90		90	91		91
	A1 Garage	705		705	756		756
	B2 Garage	309		309	312		312
	D Garage/Lot	250		250	165	90 **	255
	E Garage	93		93	308		308
	H Garage	311		311	311		311
	I Garage	213		213	213		213
	Brewery Lot	0		0	28		28
	Block J Lot	<u>0</u>		<u>0</u>	<u>53</u>		<u>53</u>
	Subtotal	2294		2294	2366		2366
	Total	2548	61	2609	2644	53	2697

*Excluding 6 valet spaces in base inventory and 8 in landbank inventory

**Excluded from Total

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :

35 SPACES

35

LEGEND

 **STREET PUBLIC PARKING**

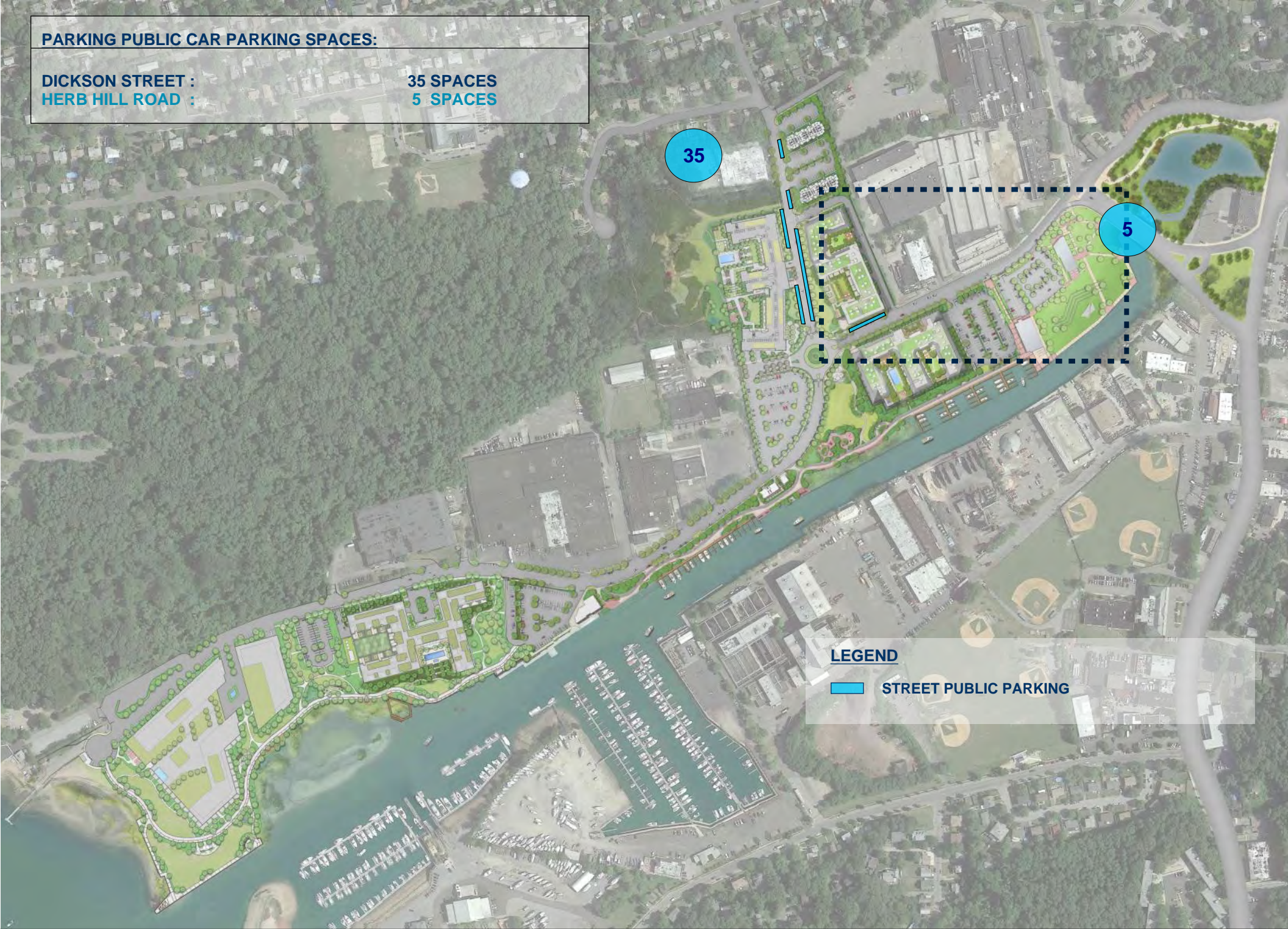
PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :

35 SPACES

HERB HILL ROAD :

5 SPACES



LEGEND

 **STREET PUBLIC PARKING**

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET : 35 SPACES
HERB HILL ROAD : 5 SPACES
EAST & WEST GARVIES PT. RD. : 167 SPACES
-EAST GARVIES PT. RD. : 62
-WEST GARVIES PT. RD. : 105

105

WEST PARCEL

35

EAST PARCEL

62

5

LEGEND

 STREET PUBLIC PARKING

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :	35 SPACES
HERB HILL ROAD :	5 SPACES
EAST & WEST GARVIES PT. RD. :	167 SPACES
-EAST GARVIES PT. RD. :	62
-WEST GARVIES PT. RD. :	105
ADDITIONAL OFF-STREET PUBLIC PARKING :	71 SPACES
TOTAL PUBLIC PARKING :	278 SPACES

WEST PARCEL

LEGEND

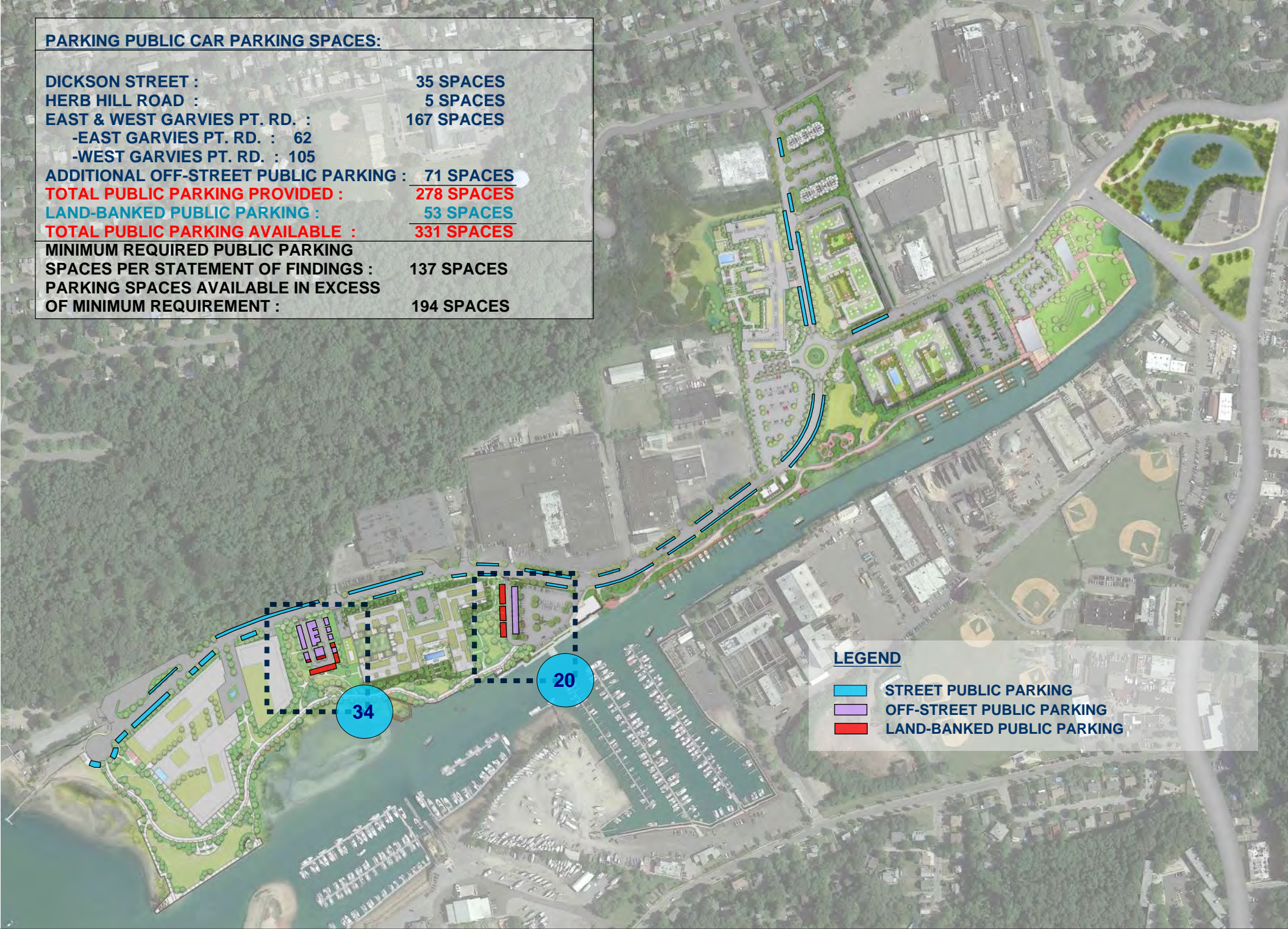
-  STREET PUBLIC PARKING
-  OFF-STREET PUBLIC PARKING

52

19

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :	35 SPACES
HERB HILL ROAD :	5 SPACES
EAST & WEST GARVIES PT. RD. :	167 SPACES
-EAST GARVIES PT. RD. :	62
-WEST GARVIES PT. RD. :	105
ADDITIONAL OFF-STREET PUBLIC PARKING :	71 SPACES
TOTAL PUBLIC PARKING PROVIDED :	278 SPACES
LAND-BANKED PUBLIC PARKING :	53 SPACES
TOTAL PUBLIC PARKING AVAILABLE :	331 SPACES
MINIMUM REQUIRED PUBLIC PARKING SPACES PER STATEMENT OF FINDINGS :	137 SPACES
PARKING SPACES AVAILABLE IN EXCESS OF MINIMUM REQUIREMENT :	194 SPACES



LEGEND

- STREET PUBLIC PARKING
- OFF-STREET PUBLIC PARKING
- LAND-BANKED PUBLIC PARKING

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :	35 SPACES
HERB HILL ROAD :	5 SPACES
EAST & WEST GARVIES PT. RD. :	167 SPACES
-EAST GARVIES PT. RD. :	62
-WEST GARVIES PT. RD. :	105
ADDITIONAL OFF-STREET PUBLIC PARKING :	71 SPACES
TOTAL PUBLIC PARKING PROVIDED :	278 SPACES
LAND-BANKED PUBLIC PARKING :	53 SPACES
TOTAL PUBLIC PARKING AVAILABLE :	331 SPACES
MINIMUM REQUIRED PUBLIC PARKING SPACES PER STATEMENT OF FINDINGS :	137 SPACES
PARKING SPACES AVAILABLE IN EXCESS OF MINIMUM REQUIREMENT :	194 SPACES
TOTAL WEEKDAY FERRY PARKING :	165 SPACES

EAST PARCEL

165

LEGEND

- STREET PUBLIC PARKING
- OFF-STREET PUBLIC PARKING
- LAND-BANKED PUBLIC PARKING
- WEEKDAY FERRY PARKING

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :	35 SPACES
HERB HILL ROAD :	5 SPACES
EAST & WEST GARVIES PT. RD. :	167 SPACES
-EAST GARVIES PT. RD. :	62
-WEST GARVIES PT. RD. :	105
ADDITIONAL OFF-STREET PUBLIC PARKING :	71 SPACES
TOTAL PUBLIC PARKING PROVIDED :	278 SPACES
LAND-BANKED PUBLIC PARKING :	53 SPACES
TOTAL PUBLIC PARKING AVAILABLE :	331 SPACES
<hr/>	
MINIMUM REQUIRED PUBLIC PARKING SPACES PER STATEMENT OF FINDINGS :	137 SPACES
PARKING SPACES AVAILABLE IN EXCESS OF MINIMUM REQUIREMENT :	194 SPACES
TOTAL WEEKDAY FERRY PARKING :	165 SPACES
TOTAL BOAT TRAILER PARKING :	14 SPACES

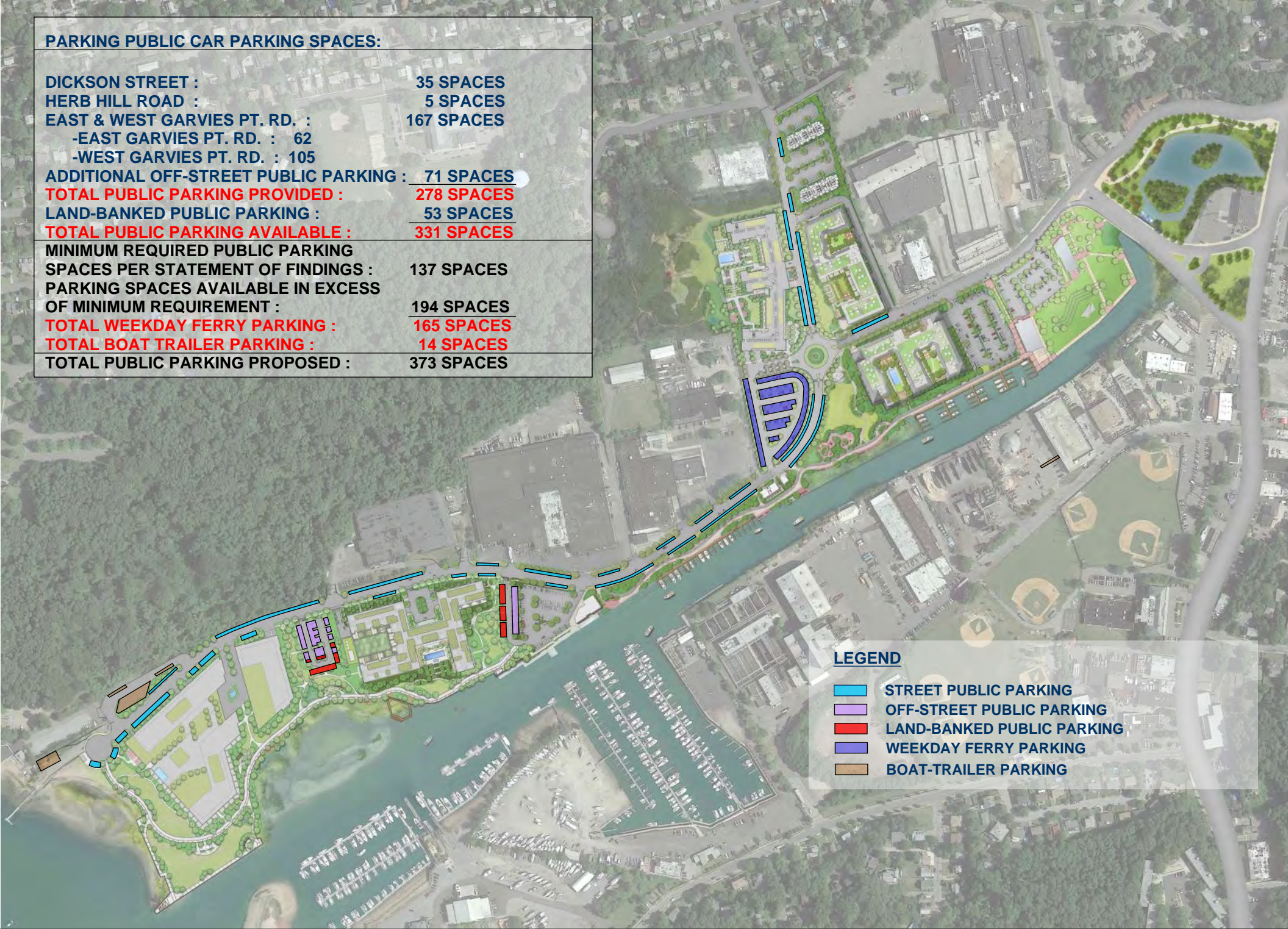
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LEGEND

- STREET PUBLIC PARKING
- OFF-STREET PUBLIC PARKING
- LAND-BANKED PUBLIC PARKING
- WEEKDAY FERRY PARKING
- BOAT-TRAILER PARKING

PARKING PUBLIC CAR PARKING SPACES:

DICKSON STREET :	35 SPACES
HERB HILL ROAD :	5 SPACES
EAST & WEST GARVIES PT. RD. :	167 SPACES
-EAST GARVIES PT. RD. :	62
-WEST GARVIES PT. RD. :	105
ADDITIONAL OFF-STREET PUBLIC PARKING :	71 SPACES
TOTAL PUBLIC PARKING PROVIDED :	278 SPACES
LAND-BANKED PUBLIC PARKING :	53 SPACES
TOTAL PUBLIC PARKING AVAILABLE :	331 SPACES
MINIMUM REQUIRED PUBLIC PARKING	
SPACES PER STATEMENT OF FINDINGS :	137 SPACES
SPACES AVAILABLE IN EXCESS OF MINIMUM REQUIREMENT :	194 SPACES
TOTAL WEEKDAY FERRY PARKING :	165 SPACES
TOTAL BOAT TRAILER PARKING :	14 SPACES
TOTAL PUBLIC PARKING PROPOSED :	373 SPACES



LEGEND

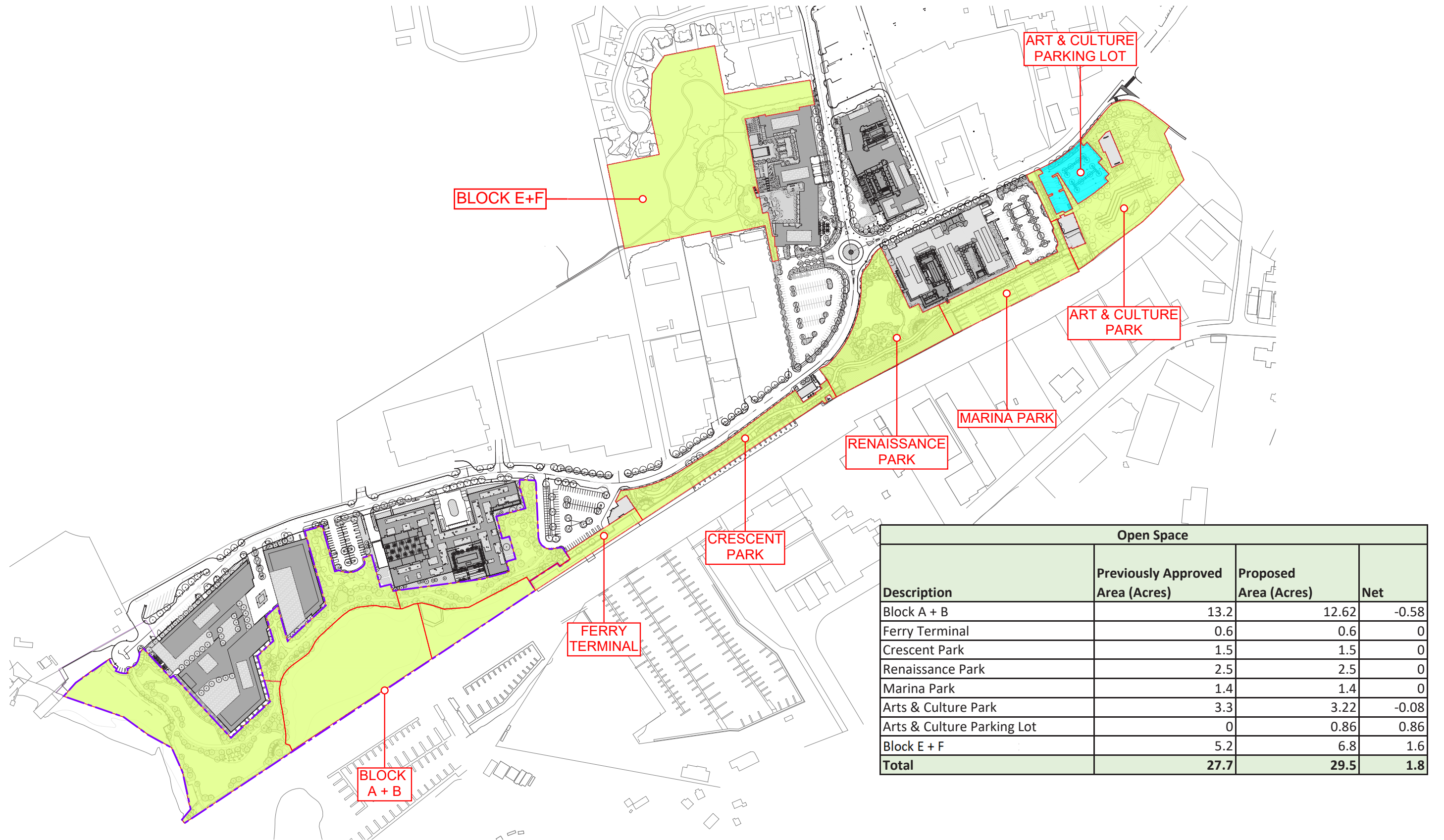
- STREET PUBLIC PARKING
- OFF-STREET PUBLIC PARKING
- LAND-BANKED PUBLIC PARKING
- WEEKDAY FERRY PARKING
- BOAT-TRAILER PARKING



Attachment D

Open Space Analysis/Landscape Plan
and Master Program Diagram

Entire Site - Approved Open Space Diagram



Scale: NTS

October 14, 2020

Glen Island



LEGEND

- PROPOSED
- EXISTING

GARVIES POINT MASTER PLAN
Glen Cove, NY



Food Truck Parking

Ecology Pier

Deck & Chaise Loungers

Amphitheater

Rain Garden

Deck & Chaise Loungers

Trellis & Seating

Chess Tables

Rain Garden

Trellis & Seating

Gazebo with Power Hookup

Spray Pad Feature

Great Lawn

Shade Sail Structure

Fishing Permitted at Point

BLOCK A

Handcraft Rack

Public Restroom

Overlook Seating

LEGEND

- PROPOSED
- EXISTING



Attachment E

Subsurface Environmental Conditions
Supporting Materials

February 16, 2021

Mr. John Swagerty
Senior Vice President, Development
RXR Development Services
75 Rockefeller Plaza
Suite 1500
New York, New York 10019

Re: Environmental Status and Eligibility for Restricted Residential Development
1 Garvies Point, Glen Cove, New York 11542

Dear Mr. Swagerty:

1 Garvies Point LLC entered into a Brownfield Cleanup Agreement (BCA) with the New York State Department of Environmental Conservation (NYSDEC) in September 2017 as a Volunteer to investigate, remediate, and redevelop a 6.4-acre site located at 1 Garvies Point Road within the City of Glen Cove, Nassau County, New York (Site). The Brownfield Cleanup Program (BCP) Site is known as the 1 Garvies Point Site, BCP Site No. C130223. The BCP Application approved by the NYSDEC indicated that the anticipated use for the Site post remediation will include multifamily residential and commercial uses, and therefore, all comparisons of soils at the Site have been made to the NYSDEC Subpart 375-6 Restricted Residential Soil Cleanup Objectives (RRSCOs)¹. In accepting the Site into the BCP, and throughout review of subsequent documents, the NYSDEC has made no objection to the intended use of the Site containing a residential component. Appendix B of the BCA Application is included as Attachment 1 to this letter. The signed BCA, which signifies NYSDEC approval of the BCA Application, is included as Attachment 2 to this letter.

A Remedial Investigation (RI) was performed at the Site by Roux Environmental Engineering and Geology, D.P.C. (Roux) between January and February 2020. A draft Remedial Investigation Report (RIR), documenting the findings of the RI, was submitted to NYSDEC in June 2020. The NYSDEC provided comments on the RIR dated January 11, 2021. Roux is currently in the process of revising the RIR to address NYSDEC's comments before the RIR is resubmitted as final. The draft RIR further confirms that the contemplated uses of the Site will include residential buildings, and that the proposed remedy to be detailed in the Remedial Action Work Plan will include addressing impacted soil, groundwater, and soil vapor using excavation, cover system installation, and other engineering controls to ensure that the Site is safe for residential uses. Further, it is our professional opinion that the future intended residential use of the Site can be safely completed in a manner acceptable to the NYSDEC through these measures, which is consistent with what has been successfully done at the adjoining parcels where residential developments have been built on remediated Federal and State Superfund sites.

¹ RRSCOs apply to developments with a "Restricted-Residential use," which is the land use category that shall only be considered when there is a common ownership or a single owner/managing entity for the housing development.

Mr. John Swagerty
February 16, 2021
Page 2

Should you have any questions regarding the information presented above, please don't hesitate to contact the undersigned at 631-232-2600.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.



Frank Cherena, P.G.
Principal Geologist

Attachments:

1. Appendix B of the BCP Application for 1 Garvies Point
2. Signed BCA for 1 Garvies Point

cc: Mr. Shashank Nemichand, RXR Development Services

Environmental Status and Eligibility for Restricted Residential Development
1 Garvies Point, Glen Cove, New York 11542

ATTACHMENT 1

Appendix B of the BCP Application for 1 Garvies Point

Appendix B – Project Description

1 Garvies Point

BCP Application – Section II, Question 4

The 1 Garvies Point LLC property is identified as Section 21, Block A, Lots 216, 468, and 507 on the Nassau County tax map, located at 1 Garvies Point Road in Glen Cove, New York (herein referred to as the “Property”). The Property encompasses approximately 6.4 acres (Figures 1 and 2 for the location of the BCP limits). The Property is currently improved with six buildings used for commercial purposes including warehouse space, office space, and other business uses. The existing Site conditions are presented on an aerial as shown on a Site Plan in Figure 3 and Figure 4.

The proposed project is a mixed-use redevelopment with three new buildings (to replace current structures), including a hotel with approximately 140 rooms, a recreational center of approximately 50,000 square feet that will include a retail space and restaurants, and a multi-family condominium residence building with approximately 80 units, with associated parking and landscaping. All construction will be slab on grade with no sub-grade levels.

The project is starting at the investigation stage. The proposed investigation is anticipated to include the advancement of soil borings, the installation of monitoring wells, and the installation of soil vapor monitoring points and sub slab soil vapor points. Sampling from existing onsite monitoring points and utilizing existing onsite data from previous work completed by TRC for the Mattiace Former Petrochemical Superfund Site (EPA ID NYD000512459) will be conducted as a cost savings benefit, where feasible.

Projected Schedule

Submit BCP Application and CPP and begin review by NYSDEC	August 2016
Comment Period on BCP Application	September 2016
Implement Remedial Investigation	October 2016
Implement Remedial Action / Initiate Property Redevelopment	Mid 2017
Remediation Complete – Anticipated issuance of Certificate of Completion.	June 2019

Environmental Status and Eligibility for Restricted Residential Development
1 Garvies Point, Glen Cove, New York 11542

ATTACHMENT 2

Signed BCA for 1 Garvies Point

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

625 Broadway, 12th Floor, Albany, New York 12233-7011

P: (518) 402-9706 | F: (518) 402-9020

www.dec.ny.gov

1 Garvies Point LLC
ATTN: Antonino Pecora
c/o TPEC LLC
35-15 Farrington Street
Flushing, NY 11454

SEP 11 2017

Miriam E. Villani, Esq.
Sahn Ward Coschignano, PLLC
333 Earle Ovington Blvd, Suite 601
Uniondale, NY 11553

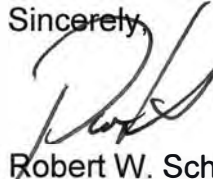
RE: Site Name: 1 Garvies Point
Site No.: C130223
Location of Site: 1 Garvies Point Road, Nassau County, Glen Cove, NY
11542

Dear Mr. Pecora,

To complete your file, attached is a fully executed copy of the Brownfield Cleanup Agreement for the 1 Garvies Point Site.

If you have any further questions relating to this matter, please contact the project attorney for this site, Rosalie Rusinko, Esq., NYS Department of Environmental Conservation, Office of General Counsel, 100 Hillside Avenue, Suite 1W White Plains, NY 10603-2860, or by email at rosalie.rusinko@dec.ny.gov.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosure

ec: H. Dudek, Project Manager

cc: R. Rusinko, Esq.
A. Guglielmi, Esq. /M. Mastroianni

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM
ECL §27-1401 *et seq.*

In the Matter of a Remedial Program for

**BROWNFIELD SITE
CLEANUP AGREEMENT
Index No. C130223-01-17**

1 Garvies Point

DEC Site No.: C130223
Located at: 1 Garvies Point Road
Nassau County
Glen Cove, NY 11542

Hereinafter referred to as "Site"

by:

1 Garvies Point LLC
1 Garvies Point Road, Glen Cove, NY 11542

Hereinafter referred to as "Applicant"

WHEREAS, the Department of Environmental Conservation ("Department") is authorized to administer the Brownfield Cleanup Program ("BCP") set forth in Article 27, Title 14 of the Environmental Conservation Law ("ECL"); and

WHEREAS, the Applicant submitted an application received by the Department on June 17, 2016; and

WHEREAS, the Department has determined that the Site and Applicant are eligible to participate in the BCP.

NOW, THEREFORE, IN CONSIDERATION OF AND IN EXCHANGE FOR THE MUTUAL COVENANTS AND PROMISES, THE PARTIES AGREE TO THE FOLLOWING:

I. Applicant Status

The Applicant, 1 Garvies Point LLC, is participating in the BCP as a Volunteer as defined in ECL 27-1405(1)(b).

II. Tangible Property Tax Credit Status

The Site is not located in a City having a population of one million or more. It is therefore presumed that the Site is eligible for tangible property tax credits.

III. Real Property

The Site subject to this Brownfield Cleanup Agreement (the "BCA" or "Agreement") consists of approximately 6.340 acres, a Map of which is attached as Exhibit "A", and is described as follows:

IV. Communications

A. All written communications required by this Agreement shall be transmitted by United States Postal Service, by private courier service, by hand delivery, or by electronic mail.

1. Communication from Applicant shall be sent to:

Heide-Marie Dudek
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7017
heidi.dudek@dec.ny.gov

Note: one hard copy (unbound) of work plans and reports is required, as well as one electronic copy.

Krista Anders (electronic copy only)
New York State Department of Health
Bureau of Environmental Exposure Investigation
Empire State Plaza
Corning Tower Room 1787
Albany, NY 12237
krista.anders@health.ny.gov

Rosalie Rusinko, Esq. (correspondence only)
New York State Department of Environmental Conservation
Office of General Counsel
100 Hillside Avenue
Suite 1W
White Plains, NY 10603-2860
rosalie.rusinko@dec.ny.gov

2. Communication from the Department to Applicant shall be sent to:

1 Garvies Point LLC
ATTN: Antonino Pecora
c/o TPEC LLC
35-15 Farrington Street
Flushing, NY 11454
egreco@tpecllc.com

With a copy to:
Miriam E. Villani, Esq.
Sahn Ward Coschignano, PLLC
333 Earle Ovington Blvd, Suite 601
Uniondale, NY 11553
mvillani@swc-law.com

B. The Department and Applicant reserve the right to designate additional or different addressees for communication on written notice to the other. Additionally, the Department reserves the right to request that the Applicant provide more than one paper copy of any work plan or report.

C. Each party shall notify the other within ninety (90) days after any change in the addresses listed in this paragraph or in Paragraph III.

V. Miscellaneous

A. Applicant acknowledges that it has read, understands, and agrees to abide by all the terms set forth in Appendix A - "Standard Clauses for All New York State Brownfield Site Cleanup Agreements" which is attached to and hereby made a part of this Agreement as if set forth fully herein.

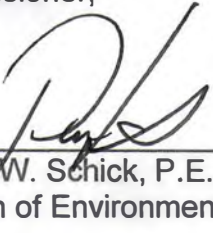
B. In the event of a conflict between the terms of this BCA (including any and all attachments thereto and amendments thereof) and the terms of Appendix A, the terms of this BCA shall control.

C. The effective date of this Agreement is the date it is signed by the Commissioner or the Commissioner's designee.

DATED: *September 11, 2017*

THIS BROWNFIELD CLEANUP AGREEMENT IS
HEREBY APPROVED, Acting by and Through the
Department of Environmental Conservation as Designee
of the Commissioner,

By:

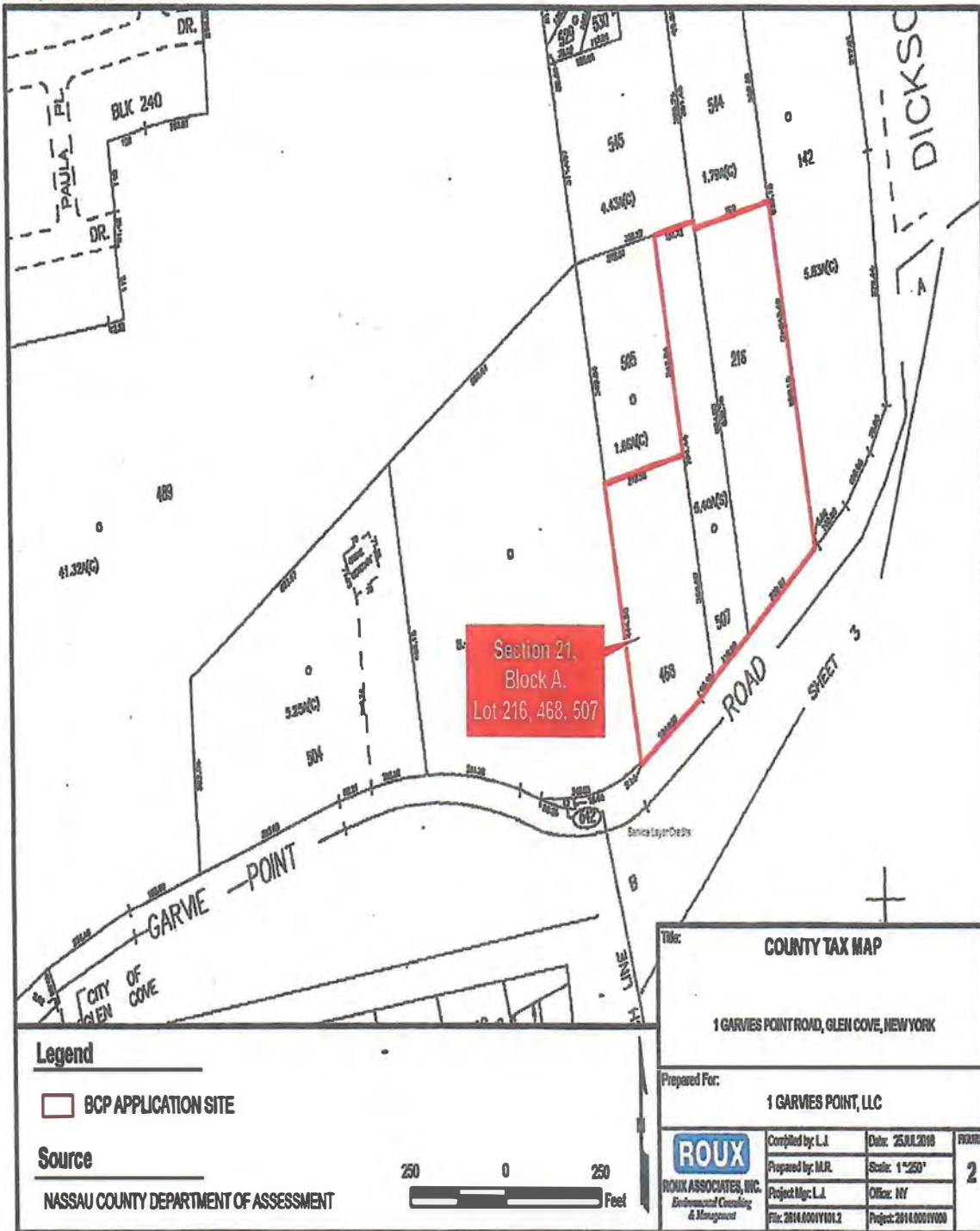


Robert W. Schick, P.E., Director
Division of Environmental Remediation

EXHIBIT A

SITE MAP

VGISProject2014Y00011012014.0001Y01.2.mxd



Section 21,
Block A,
Lot 216, 468, 507

Legend

BCP APPLICATION SITE

Source

NASSAU COUNTY DEPARTMENT OF ASSESSMENT



County Tax Map		
1 GARVIES POINT ROAD, GLEN COVE, NEW YORK		
Prepared For: 1 GARVIES POINT, LLC		
 ROUX ASSOCIATES, INC. Environmental Consulting & Management	Compiled by: L.I.	Date: 25.AUG.2018
	Prepared by: M.R.	Scale: 1"=250'
	Project Mgr: L.I.	Office: NY
	File: 2014.0001Y01.2	Project: 2014.0001Y00
		FRAME 2

February 16, 2021

Mr. John Swagerty
Senior Vice President, Development
RXR Development Services
75 Rockefeller Plaza
Suite 1500
New York, New York 10019

Re: Environmental Status and Eligibility for Restricted Residential Development
71 Charles Street, Glen Cove, New York 11542

Dear Mr. Swagerty:

The property identified as the Former Powers Chemco/Konica-Minolta site is located at 71 Charles Street in the City of Glen Cove, County of Nassau, and State of New York (Site). The Site has been investigated and remediated under the Resource Conservation and Recovery (RCRA) Closure Program and the NYSDEC Inactive Hazardous Waste Disposal Site (IHWDS) (also known as the State Superfund) Program. A Site Management Plan (SMP) was prepared for the Site and was approved by NYSDEC on May 15, 2017. The SMP says that “[t]he property may be used for restricted residential use (commercial and industrial uses allowed, per zoning).” The executive summary from the SMP and approval letter is being submitted to the Planning Board for your review.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.



Frank Cherena, P.G.
Principal Geologist

Attachments:

1. Executive Summary from SMP
2. SMP Approval Letter from NYSDEC

cc: Mr. Shashank Nemichand, RXR Development Services

Environmental Status and Eligibility for Restricted Residential Development
71 Charles Street, Glen Cove, New York 11542

ATTACHMENT 1

Executive Summary from SMP

ES EXECUTIVE SUMMARY

The following provides a brief summary of the controls implemented for the Site, as well as the inspections, monitoring, maintenance and reporting activities required by this Site Management Plan:

Site Identification: USEPA ID No: NYD002056679 / NYSDEC Site # 130028
Former Konica Minolta / Powers Chemco Facility
71 Charles Street
Glen Cove, New York

Institutional Controls:	1. The property may be used for restricted residential use (commercial and industrial uses allowed, per local zoning);
-------------------------	--

2. Institutional Controls

- Compliance with the Environmental Easement and this SMP;
- The property may only be used for restricted residential use (commercial and industrial uses allowed, per local zoning);
- All Engineering Controls must be operated and maintained as specified in this SMP;
- All Engineering Controls on the Controlled Property must be inspected at a frequency and in a manner defined in the SMP;
- All future activities on the property that will disturb remaining contaminated material or potentially contaminated materials and any surface and underground piping must be conducted in accordance with this SMP;
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or the Nassau County Department of Health;
- Groundwater and other environmental or public health monitoring must be performed as defined in this SMP;
- Vegetable gardens and farming on the property are prohibited;
- Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in this SMP.

Site Identification:

USEPA ID No: NYD002056679 / NYSDEC Site # 130028
Former Konica Minolta / Powers Chemco Facility
71 Charles Street
Glen Cove, New York

- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP;
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP;
- Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement; and,
- The Site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

Site Identification:

USEPA ID No: NYD002056679 / NYSDEC Site # 130028
 Former Konica Minolta / Powers Chemco Facility
 71 Charles Street
 Glen Cove, New York

	3. All ECs must be inspected at a frequency and in a manner defined in the SMP.
Engineering Controls:	1. Cover system
Inspections:	Frequency
1. Cover Inspection	Annually
2. Security Fencing	Annually
Monitoring:	
1. RCRA Area Well MWR-18	Once, then review data with NYSDEC
2. Groundwater Monitoring MW-01, MW-06, MW-08, MW-12, MW-101R, MW-102R, MW-103, MW-201, MW-202, MW-203, MW-204, MW-205, MW-206, MW-207, MW-208, MW-209, MW-210, MW-211 (North Lot Area)	Semi-Annually until Groundwater Objectives have been reached
Maintenance:	
1. Cover	As needed
2. Security Fencing	As Needed
Reporting:	
1. Periodic Review Report	Annually

Further descriptions of the above requirements are provided in detail in the latter sections of this Site Management Plan.

1.0 INTRODUCTION

1.1 General

This Site Management Plan (SMP) is a required element of the remedial program for the Former Konica Minolta / Powers Chemco Facility located in the City of Glen Cove, New York (hereinafter referred to as the “site”). See Figure 1. The site is currently in the New York State (NYS) Inactive Hazardous Waste Disposal Site No. 130028 and Resource Conservation and Recovery Act (RCRA) USEPA ID No. NYD002056679, both of which are administered by New York State Department of Environmental Conservation (NYSDEC).

Konica Minolta Holdings U.S.A., Inc. entered into two Orders on Consent pertinent to this Site Management Plan, including:

- Order on Consent, Index No. AI-Q653-11-10, Site No. 130028, which was executed on August 24, 2011; and,
- Order on Consent and Administrative Settlement Index No. 1-20170320-79, Sites No. 130028 and 130028A; Site Management and RCRA Requirements, which was executed on April 20, 2017.

An Amended Record of Decision (AROD) was issued on March 2014 with the NYSDEC to remediate the North Lot Area of the site. The remaining portion of the former Konica Minolta facility was addressed under the NYSDEC RCRA requirements for Closure as regulated in New York State in 6 New York Code of Rules and Regulations (NYCRR) Part 373-3.7. This portion of the site has been assigned USEPA ID No. NYD002056679. A figure showing the site location and boundaries of this site is provided in Figure 2. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement provided in Appendix A.

As per the AROD, a Site Management Plan is required, which must include the following:

- an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional controls remain in place and effective:
 - Institutional Controls: The Environmental Easement discussed below.
 - Engineering Controls: The cover system and monitoring network discussed herein.

This SMP includes, but may not be limited to:

- descriptions of the provisions of the environmental easement including any land use and groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including a provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification;
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls;
- a monitoring plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
 - installation of new monitoring wells in the backfilled excavation area;
 - monitoring of groundwater to assess the baseline sampling and performance and effectiveness of the remedy;
 - monitoring for soil vapor intrusion for any buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed above; and
 - a schedule of monitoring and frequency of submittals to the Department.

After completion of the remedial work, some contamination was left at this site, which is hereafter referred to as “remaining contamination”. Institutional and Engineering Controls (ICs and ECs) have been incorporated into the site remedy to control exposure to

remaining contamination to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Nassau County Clerk, requires compliance with this SMP and all ECs and ICs placed on the site.

This SMP was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. This plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

It is important to note that:

- This SMP details the site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the Environmental Easement, which is grounds for revocation of the Certificate of Completion (COC);
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the Order on Consent (Index AI-Q653-11-10; Site #130028) / USEPA ID No. NYD002056679 for the site, and thereby subject to applicable penalties.

All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State. A list of contacts for persons involved with the site is provided in Appendix B of this SMP.

This SMP was prepared by Apex Companies, LLC, on behalf of Konica Minolta Holdings U.S.A., Inc., in accordance with the requirements of the NYSDEC's DER-10 ("Technical Guidance for Site Investigation and Remediation"), dated May, 2010, and the guidelines provided by the NYSDEC. This SMP addresses the means for implementing the ICs and/or ECs that are required by the Environmental Easement for the site.

1.2 Revisions

Revisions to this plan will be proposed in writing to the NYSDEC's project manager(s). Revisions will be necessary upon, but not limited to, the following occurring: a change in media monitoring requirements, upgrades to or shut-down of a remedial system, post-remedial removal of contaminated sediment or soil, or other significant change to the site conditions. In accordance with the Environmental Easement for the site, the NYSDEC will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

1.3 Notifications

Notifications will be submitted by the property owner to the NYSDEC, as needed, in accordance with NYSDEC's DER – 10 for the following reasons:

- 60-day advance notice of any proposed changes in site use that are required under the terms of the AROD, 6NYCRR Part 375 and/or Environmental Conservation Law.
- 7-day advance notice of any field activity associated with the remedial program.
- 15-day advance notice of any proposed ground-intrusive activity pursuant to the Excavation Work Plan.
- Notice within 48-hours of any damage or defect to the foundation, structures or EC that reduces or has the potential to reduce the effectiveness of an EC, and likewise, any action to be taken to mitigate the damage or defect.
- Verbal notice by noon of the following day of any emergency, such as a fire; flood; or earthquake that reduces or has the potential to reduce the effectiveness of ECs in place at the site, with written confirmation within 7 days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action submitted to the NYSDEC within 45 days describing and documenting actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the site or the responsibility for implementing this SMP will include the following notifications:

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser/Remedial Party has been provided with a copy of the AROD, and all approved work plans and reports, including this SMP.
- Within 15 days after the transfer of all or part of the site, the new owner's name, contact representative, and contact information will be confirmed in writing to the NYSDEC.

Table 1 on the following page includes contact information for the above notification. The information on this table will be updated as necessary to provide accurate contact information. A full listing of site-related contact information is provided in Appendix B.

Table 1: Notifications*

Name	Contact Information
Girish Desai	(631) 444-0243 / girish.desai@dec.ny.gov
Carl Fritz	(631) 444-0232 / carl.fritz@dec.ny.gov
Walter Parish	(631) 444-0240 / walter.parish@dec.ny.gov
James Harrington	(518) 402-9625 / james.harrington@dec.ny.gov

* Note: Notifications are subject to change and will be updated as necessary.

Environmental Status and Eligibility for Restricted Residential Development
71 Charles Street, Glen Cove, New York 11542

ATTACHMENT 2

SMP Approval Letter from NYSDEC

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0240 | F: (631) 444-0248
www.dec.ny.gov

June 2, 2017

Mr. Daniel Haug
Environmental Scientist 2
Apex Companies, LLC
120-D Wilbur Place
Bohemia, New York 11716

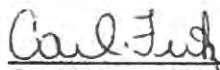
Re: Site Management Plan
Konica Minolta / Powers Chemco Facility
71 Charles Street, Glen Cove, New York
EPA ID No. NYD002056679

Dear Mr. Haug:

The New York State Department of Environmental Conservation ("Department") has received and reviewed the modified Site Management Plan ("SMP") for the referenced facility. The SMP was modified to incorporate the Department's December 2016 comments. The SMP is now approved. The Institutional Controls, inspections, monitoring and reporting must be completed as detailed in the SMP.

If you have any questions or need additional information to respond to this letter, please contact me at 631-444-0232.

Sincerely,



Carl Fritz, PE
Professional Engineer I

RCRA LARGE QUANTITY GENERATOR

CLOSURE DOCUMENT

**Konica Minolta Graphic Imaging
Glen Cove, Nassau County
Site No. 130028A
EPA ID NYD002056679
November 2016**

Statement of Purpose and Basis

This RCRA Large Quantity Generator (LQG) Closure presents the actions approved by the Department of Environmental Conservation (Department) for the above referenced site, pursuant to Article 27, Title 9 of the Environmental Conservation Law (ECL), and 6 NYCRR Parts 370–374 and 376 for closure of LQGs located over sole source aquifers. Closure addresses any contamination associated with the regulated storage areas for hazardous waste or any releases from other areas of the facility that may have occurred while in LQG status. An LQG is a facility that generates 1,000 kilograms or more of non-acute hazardous waste in a month, or stores 6,000 or greater kilograms of non-acute hazardous waste at any one time in designated and regulated storage areas. For acute hazardous wastes, an LQG is one that generates 1 kilogram per month or stores 1 or more kilograms of that waste.

Site Description: There are two properties that are subject to the RCRA Closure requirements. The first is a 13.6 acre portion of the 15 acre parcel that was last operated by the Konica Minolta Graphic Imaging Company. This does not include the 1.4 acre inactive hazardous waste disposal site (Site No.130028). This property is located on Charles Street in the City of Glen Cove, Nassau County, New York. This property is bounded to the south by Herb Hill Road and the Crown Dykman State Superfund site (Site No. 130054), to the east by Charles Street, to the west by the Li Tungsten Parcel B, a USEPA Superfund site (Site No. 130046), and to the north by The Place, a public roadway. The second property is located at 46 Charles Street in the City of Glen Cove, Nassau County, New York. It is 1.7 acres and consists of 3 tax lots. Building 9 (also known as the Annex Building) was located on this property. It is bounded on the west by Charles Street, on the north by The Place, on the south and east by townhouses.

Site Features: The properties are currently vacant. All former buildings have been razed to grade leaving foundation slabs in place.

Current Zoning: The properties are zoned MW3 – Marine Waterfront.

Past Use of the Site: The properties were first developed in the early 1900's and occupied by the Ladew Belting Factory. The Powers Brothers purchased a portion of the site 1925 and 1931, and began operating Powers Chemco, which manufactured photographic film, paper, developers and fixers. At the same time, Columbia Ribbon and Carbon Company purchased the remainder of the property and began the production of blue printing inks, carbon paper and

typing ribbons. Powers Chemco purchased the Columbia site in 1979. Konica Minolta acquired Powers Chemco in 1987 and continued existing operations at the site from 1987 until 2007. The site has been unoccupied since 2007.

Geology/Hydrogeology: There are three principal aquifers in the area. These are the Upper Glacial, Magothy, and Lloyd aquifers. The site and its surrounding areas are underlain by the Harbor Hill ground moraine which consists of a mixture of sand, silt, clay and boulders. The soil beneath the site consists of layers ranging from medium to coarse sand and gravel to hard, dense silt and clay. The presence of a shallow, perched water table zone was noted beneath most of the site. The depth to water in the perched zone ranges from 6 to 14 feet. The groundwater flow in the perched zone varies from southeast to southwest. Based upon regional hydrogeological data, groundwater in the shallow upper glacial aquifer flows to the south towards Glen Cove Creek. The Magothy aquifer is the principal source of drinking water in the area. The City of Glen Cove draws water from the 200-300 foot zone of the Magothy from public supply wells located east of the site.

Nature and Extent of Contamination

Soil contamination was identified during the Closure Investigation. While significant contamination has been removed, and no sources of contamination (as defined by Part 375) remain, contamination exists beneath concrete slabs and some additional areas which requires a RCRA closure remedial program to address the contamination (see below).

Nature of contamination: The Closure Investigation identified the presence of various metals and polyaromatic hydrocarbons (PAHs) in soils in 41 specific areas of concern. Contaminants of concerns include arsenic, cadmium, chromium, copper, lead, manganese, nickel, silver, selenium, mercury and PAHs.

Extent of contamination: Groundwater is mostly uncontaminated. Two monitoring wells beneath the former plant site have detections marginally above the standards. Prior to remediation, levels of mercury in soil were up to 1.5 ppm, chromium up to 126 ppm, copper up to 397 ppm, lead up to 600 ppm, silver up to 290 ppm and cadmium up to 40.2 ppm. Subsequent to the remedial program, most contaminant concentrations in soil were below the commercial use soil cleanup objectives.

Description of the RCRA Closure

The Department has selected the following actions for the RCRA Closure of this LQG site. The components of the remedy, are as follows:

1. A site cover currently exists and will be maintained to allow for restricted residential use of the site. Any site redevelopment must maintain a site cover, which may consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where the soil cover is required it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover

material as set forth in 6 NYCRR Part 375-6.7(d).

2. Imposition of an institutional control in the form of an environmental easement for the controlled property that:
 - requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
 - allows the use and development of the controlled property for restricted residential as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
 - restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
 - requires compliance with the Department approved Site Management Plan.

3. A Site Management Plan is required, which includes the following:

- a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Paragraph 2 above.

Engineering Controls: Maintenance of the site cover system discussed in Paragraph 1.

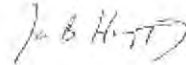
This plan includes, but may not be limited to: an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;

- a provision for further investigation to refine the nature and extent of any contamination beneath the slabs of the former manufacturing buildings and to address that contamination appropriately;
- descriptions of the provisions of the environmental easement including any land use restrictions;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

Declaration

The closure selected is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action and will allow for the identified use of the site.

November 14, 2016



Date

James B. Harrington, P.E.
Director, Remedial Bureau A
Division of Environmental Remediation