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.

1. 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.

1. 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]](#footnote-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.

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.

1. 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.

1. 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.

1. 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.

1. 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.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  | **AM Trip Reduction** | | | **PM Trip Reduction** | | | **Saturday Trip Reduction** | | | **Net External Trips** | | | | | | | | |
| **Project Component** | **Component Size** | | **AM Peak Hour** | | **PM Peak Hour** | | **Saturday Midday** | | **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 | | T=0.55(X)+17.65 | | T=0.41(X)+19.23 | | 5% | 5% | 10% | 5% | 8% | 13% | 0% | 5% | 5% | 10% Reduction | | | 13% Reduction | | | 5% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 20% | 80% | 65% | 35% | 50% | 50% |
| 51 | 202 | 194 | 104 | 114 | 114 | 46 | | 182 | 169 | | 90 | 108 | | 108 |
| Total = | **253** | Total = | **298** | Total = | **228** | Total = | | **228** | Total = | | **259** | Total = | | **216** |
| **Residential ITE # 230 Condos/Townhouse** | **680** | **Units** | Ln(T)=0.80 Ln(X)+0.26 | | Ln(T)=0.82 Ln(X)+0.32 | | T=0.29(X)+42.63 | | 5% | 5% | 10% | 5% | 8% | 13% | 0% | 5% | 5% | 10% Reduction | | | 13% Reduction | | | 5% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 17% | 83% | 67% | 33% | 54% | 46% |
| 41 | 198 | 194 | 95 | 130 | 110 | 37 | | 178 | 169 | | 83 | 124 | | 105 |
| Total = | **239** | Total = | **289** | Total = | **240** | Total = | | **215** | Total = | | **252** | Total = | | **229** |
| **Marina ITE # 420 Marina** | **84** | **Slips** | Rate = | 0.08 | Rate = | 0.19 | Rate = | 0.27 | 0% | 0% | 0% | 0% | 5% | 5% | 0% | 5% | 5% | 0% Reduction | | | 5% Reduction | | | 5% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 33% | 67% | 60% | 40% | 44% | 56% |
| 2 | 5 | 10 | 6 | 10 | 13 | 2 | | 5 | 10 | | 6 | 10 | | 12 |
| Total = | **7** | Total = | **16** | Total = | **23** | Total = | | **7** | Total = | | **16** | Total = | | **22** |
| **Wellness Center ITE # 720 Medical Office Building** | **2,000** | **SF** | Rate = | 2.48 | Rate = | 3.72 | Rate = | 3.63 | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% Reduction | | | 8% Reduction | | | 0% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 79% | 21% | 27% | 73% | 57% | 43% |
| 4 | 1 | 2 | 6 | 5 | 3 | 4 | | 1 | 2 | | 6 | 5 | | 3 |
| Total = | **5** | Total = | **8** | Total = | **8** | Total = | | **5** | Total = | | **8** | Total = | | **8** |
| **Shopping Center ITE # 820 Retail** | **9,235** | **SF** | Ln(T)=0.60 Ln(X)+2.29 | | Ln(T)=0.66 Ln(X)+3.40 | | Ln(T)=0.65 Ln(X)+3.77 | | 0% | 10% | 10% | 0% | 8% | 8% | 0% | 10% | 10% | 10% Reduction | | | 8% Reduction | | | 10% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 61% | 39% | 48% | 52% | 52% | 48% |
| 23 | 14 | 62 | 68 | 96 | 88 | 21 | | 13 | 57 | | 63 | 86 | | 79 |
| Total = | **37** | Total = | **130** | Total = | **184** | Total = | | **34** | Total = | | **120** | Total = | | **165** |
| **Restaurant ITE # 931 Quality Restaurant** | **19,379** | **SF** | Rate = | 0.81 | Rate = | 7.49 | Rate = | 10.82 | 0% | 0% | 0% | 0% | 10% | 10% | 0% | 10% | 10% | 0% Reduction | | | 10% Reduction | | | 10% Reduction | | |
| Entering | Exiting | Entering | Exiting | Entering | Exiting | Entering | | Exiting | Entering | | Exiting | Entering | | Exiting |
| 67% | 33% | 67% | 33% | 59% | 41% |
| 11 | 5 | 97 | 48 | 124 | 86 | 11 | | 5 | 87 | | 43 | 112 | | 77 |
| Total = | **16** | Total = | **145** | Total = | **210** | Total = | | **16** | Total = | | **130** | Total = | | **189** |
| **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 | 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.

1. 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.

1. 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.

1. 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.

1. 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.

1. 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]](#footnote-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. The Applicant currently anticipates pursuing a PILOT and other financial assistance from the IDA regarding the additional proposed 79 units in Block E/F. Any PILOT is subject to consideration and approval by the IDA.

1. 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):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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.

1. 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.

1. 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.

1. 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.

1. 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.

Sincerely,

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

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Senior Environmental Manager

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1. United States Department of Agriculture, SSURGO Soil Database accessed via the Web Soil Survey, February 2021 [↑](#footnote-ref-1)
2. https://www.cbre.us/research-and-reports/Long-Island-Office-MarketView-Q4-2020 [↑](#footnote-ref-2)