

I. EXECUTIVE SUMMARY

A. Introduction

This document is a Draft Environmental Impact Statement (“DEIS”) prepared for the proposed RXR Glen Isle Mixed-Use Waterfront Development project (“Project,” or “Proposed Action”). The DEIS is intended to provide a concise description of the proposed Project and the Project Area, identify and evaluate potential adverse environmental impacts, describe mitigation measures to minimize environmental impacts, and evaluate various reasonable alternatives to the proposed Project. This DEIS is submitted in compliance with the provisions of the State Environmental Quality Review Act (SEQRA) and is based upon the Final Scope promulgated by the City of Glen Cove Planning Board on December 23, 2008.

B. Proposed Action

RXR Glen Isle Partners, LLC (“RXR Glen Isle”, or the “Applicant”, or the “Developer”), under a Land Development Agreement (“LDA”) with the City of Glen Cove Industrial Development Agency (“IDA”) and the City of Glen Cove Community Development Agency (“CDA”), is proposing to construct a mixed-use waterfront development encompassing approximately 56-acres on the north side of Glen Cove Creek, combining residential, commercial, cultural, retail, recreational and entertainment uses, new marinas, and a luxury hotel linked by a continuous public esplanade of parks and walks.

The LDA was signed in May of 2003 and set out a process through which the private/public partnership would seek to transform a blighted, underutilized area (the majority of which has been designated as either Federal or State Superfund sites and have been the subject of environmental cleanup) into a mixed-use waterfront destination aimed at spurring economic development and expanding the local tax base. The LDA provides for, among other things, the disposition of IDA-owned properties to the Developer, which properties would largely comprise the Project Area, upon the satisfaction of certain conditions. The complete LDA, as amended, is available for public review at City Hall.

In April of 2005, based on the then proposed consultant recommended Final Development Plan, a number of LDA amendments were made. The most important was a revision to the development concept reducing the program by approximately 200,000 square feet of retail space and replacing it with 410 residential units. At the time, the IDA/CDA concluded that the introduction of such a large amount of new retail space on the waterfront would have a negative effect on existing downtown retailers and that new residents would better support existing businesses. In addition, the reduction in vehicular trips resulting from the change from retail to residential would result in reduced traffic impacts.

The LDA was most recently amended in September 2008 to facilitate the approval by the IDA/CDA of the Conceptual Site Plan, which serves as the basis for the Proposed Action that is being considered as part of this SEQRA review. The IDA/CDA and the Redeveloper have

begun discussions regarding additional LDA amendments that may be required to better align the terms of the agreement with the SEQR process and findings. The execution of these amendments would take place following the issuance of the Lead Agency's findings and the completion of the SEQR process.

The Proposed Action's development program includes a 250-suite luxury hotel and associated spa/conference center, a 50,000 square foot office building, 25,000 square feet of space for retail, cultural and restaurant uses, 860 dwellings in a variety of mid-rise condominium, rental and townhouse buildings, including 86 workforce housing units, and extensive open space and public recreation amenities. The open space network would provide for a continuous esplanade and open space ribbon along the entire length of the north side of Glen Cove Creek connecting the Project Site to Glen Cove's downtown, as well as expanding the City's greenway which includes Garvies Point Preserve and Morgan Park. The Project would also provide for an expansion of water-dependent, water-enhanced and other related uses, including approximately 85 slips split between three marina areas, and the creation of a turning basin at the east end of the creek that would be appropriate for hand-launch craft (e.g., kayaks, canoes).

With the exception of a restaurant at the point at the mouth of the creek and a small quantity of shopping in the hotel, the retail is proposed to be located in the east end of the Project in order to maximize connectivity to the downtown. The quantity of retail has been limited in order to complement, rather than compete with, activity in the downtown.

C. Environmentally Impacted Properties

By the latter half of the 19th Century, the Glen Cove Creek area had become a center of industry. Numerous types of industrial companies used the Creek for transportation, including, the famed Duryea Corn Starch Manufacturing Company on the south side of the Creek. Heavy industrial usage of the area continued throughout the 19th and early 20th centuries. However, as trucking began to become more significant for the movement of goods in the 1940s, the area around Glen Cove Creek lost its competitive advantage. Industry thereafter experienced a slow decline up to the early 1990s. By that time, the north side of the Creek was heavily characterized by vacant land. As a result of its industrial legacy, most of the abandoned industrial sites contained hazardous wastes.

The proposed Project Site consists of multiple properties having known or potential environmental impacts. These properties are identified on **Exhibit III.B-1**. They are summarized, as follows:

- 1) Li Tungsten (Federal Superfund & New York State {NYS} Superfund Site)
- 2) Captain's Cove (NYS Superfund Site including a delisted portion)
- 3) Angler's Club Site (Environmental Restoration Program {ERP} site)
- 4) Gladsky Site (ERP site)
- 5) City of Glen Cove Sewage Pumping Station Site
- 6) Doxey Site

- 7) The Gateway Properties (consisting of seven tax lots, including, Windsor Fuel and Nassau Ready-mix, Brilliant Electric and Air, and an office building)

Exhibit III.B-2 (Site Use and Remedial Status) summarizes the current status of on-site environmental conditions at the properties within the proposed development.

A number of the properties within the proposed development have undergone remediation under, and are subject to, ongoing United States Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (DEC) environmental regulatory programs. The agencies identified remedial or cleanup goals for the specific contaminant of concern, affected environmental media (e.g., soil, sediment, surface water, ground water and/or soil vapor), and proposed future land use for each property in question. Other properties within the proposed development have been subject to indirect (Phase I Environmental Site Assessment {ESA}) and/or direct (Phase II ESA) investigation, which have identified potential or known environmental conditions. Such conditions could impact future development. Indeed, the proposed development will involve disturbance of environmental media at the properties during construction. Residual environmental impacts will need to be managed during and after construction.

The Applicant and the IDA need to have a coordinated approach to handle residual environmental issues at the properties during the course of the development. The EPA, DEC, New York State Department of Health (DOH), and Nassau County Department of Health (NCDH) must consider the Project Site suitable for the proposed land uses. The properties may require further investigation, cleanup and/or implementation of institutional controls or engineering controls (IC/ECs).

The Applicant and the IDA believe that the best method for accomplishing these goals is a multi-agency accord among the various regulatory agencies, the Applicant, and the IDA, and/or entry of certain properties into an appropriate regulatory program (e.g., NYS Brownfield Cleanup Program, Spill Response). Such a multi-agency accord would, among other things, assign expectations and responsibilities to the agencies and developer. This accord would identify the regulatory programs, which would be used to administer, manage or oversee any further investigations, remediation and/or property restrictions. It would also establish appropriate cleanup standards.

A multi-agency accord would also establish a framework to provide for the filings of Environmental Easements (EEs). The EEs would run with the land in favor of the State, subject to the provisions of Environmental Conservation Law (ECL) Article 71, Title 36, and contain use restriction(s) and/or any prohibition(s) on the use of land in a manner inconsistent with engineering controls. The placement of an easement provides an effective and enforceable means of encouraging the reuse and redevelopment of a controlled property, at a level that has been determined to be safe for a specific use, while ensuring the performance of operation, maintenance, and/or monitoring requirements. The EEs would also identify the process for the adoption of consistent cleanup standards and/or implementation of ICs/ECs to accommodate the intended land use. The components of these

processes would be described in a Site Management Plan (SMP), a draft of which is included in this DEIS.

Properties Within The Project Site

The majority of the proposed development area is occupied by the Li Tungsten and Captain's Cove sites. These two sites occupy approximately 90 percent of the Project Area. EPA conducted remediation at the Li Tungsten site, which consists of various parcels, under the federal Superfund Program. The goal of the cleanup was to restore the overall Li Tungsten site for commercial use. The cleanup of certain Li Tungsten parcels was subsequently determined by EPA to meet a standard sufficient for residential use. Those Li Tungsten parcels not yet meeting a standard sufficient for residential use, or which require institutional or engineering controls (IC/EC), will be subject to further cleanup prior to or during construction.

The Captain's Cove site was the subject of remediation under the NYS Inactive Hazardous Waste Remediation Program. This site contains a "commercial use" designation. Such designation will remain until such time as DEC reclassifies the site pursuant to an EE, and an approved SMP that defines the IC/ECs appropriate for the proposed land use.

The Applicant and the IDA believe that any further remediation, and implementation of IC/EC, would be best accomplished through a multi-agency accord, as described above.

Following the cleanups at the Li Tungsten and Captain's Cove sites, NYS has adopted soil standards applicable to certain land uses. These Soil Cleanup Objectives (SCOs) are set forth in 6 NYCRR Part 375. Subject to a future multi-agency accord, the SCOs for restricted residential use are expected to be used in planning further cleanup or implementation of IC/ECs. Satisfying these standards would allow residential use.

In addition to Li Tungsten and Captain's Cove, the proposed development area consists of properties commonly known as Gladsky, Angler's Club, City of Glen Cove Sewage Pumping Station site, Doxey, and the Gateway Properties. The Gladsky, Angler's Club, and Sewage Pumping Station parcels are within the NYS ERP. These sites have been subject to an investigation of environmental conditions. Based upon this investigation, a remedial plan for Gladsky has been adopted. The City will be implementing this plan prior to construction.

The Angler's Club and Sewage Pumping Station were excluded from any remediation requirements at the time the Phase I and Phase II reports were accepted. However, the data show that chemicals in the soil exceed the restricted residential standards; and groundwater contains dissolved VOCs. The need for additional investigation and remediation will be reviewed after the multi-agency accord described above is in place, and if required based on the proposed land uses, will be handled as explained in the next paragraph.

The Angler's Club, City of Glen Cove Sewage Pumping Station site, Doxey, and the Gateway Properties have all been subject to either indirect (Phase I) and/or direct (Phase II) investigations. Phase I and Phase II ESAs have shown that the Doxey parcel has

environmental impacts. These will need to be remediated prior to or during construction in accordance with the standards for the intended land use. The remaining parcels have had varying degrees of indirect (Phase I) studies, Based upon those parcels’ prior industrial uses, those studies suggest that there is a reasonable likelihood that environmental impacts will need to be addressed prior to or during construction. Subject to DEC acceptance, the Applicant and the IDA plan to be joint applicants, requesting eligibility of these three sites under the NYS Brownfield Cleanup Program (BCP) to manage future investigation and remediation. The previously mentioned SCOs are expected to apply to these properties for the intended land use.

Adjacent Properties

There are also properties adjacent to the Project Site containing environmental impacts, which have been subject to EPA and DEC regulatory programs. As shown in **Exhibit III.B-2**, the Mattiace Petrochemical site is a Federal Superfund Site, and the Crown Dykman site is a NYS Inactive Hazardous Waste site. These properties are the source of plumes of contaminated groundwater, which may have impacted the Project Site groundwater. Additional adjacent properties known as Konica Minolta/Powers Chemco, and Slantfin, (**Exhibit III.B-1**), also have documented on-site groundwater contamination.

An Environmental Condition Report (ECR)_summarizing the regulatory status, remedial activities previously conducted, and additional required remediation or investigations for each property has been prepared and included in the Appendix of this DEIS.

D. Required Approvals

Implementation of the Project would require approvals and permits from a variety of local, county, state and federal agencies. These are summarized in the table below. Agencies that have approval-granting authority are classified as Involved Agencies under the State Environmental Quality Review Act.

**Table I-1
Summary of Required Approvals and Involved Agencies**

Agency	Approval(s) Needed	Descriptions
Glen Cove Planning Board	Special Use Permit for PUD Master Development Plan PUD Site Plan/PUD Subdivision	Approval of Mixed-Use PUD to include residential, hotel, retail, cultural, office, recreational and entertainment components subject to provisions of MW-3 and GPURP
Glen Cove City Council	Potential MW-3 District text amendment	Amendment to include “vested rights” to develop elements of an approved PUD in accordance with regulations of the MW-3 District
Glen Cove Department of Public Works	Water Connection permit	Permits for site specific design components
Glen Cove Tree Commission	Tree Removal permit	Permits for site specific design components

Agency	Approval(s) Needed	Descriptions
Nassau County Planning Commission	Section 239 NYS General Municipal Law Subdivision (possible)	Review and comment on RXR Glen Isle application Possible subdivision depending on application of Section 1610(2) of the Nassau County Charter
Nassau County Health Department	Multi-Agency Accord	Framework for handling environmental remediation
Nassau County Department of Public Works	Road Opening permits Sewer Connection permits 239F Drainage permit Signal timing modification	Permits for site specific design components Approval of traffic mitigation measures
Nassau County Fire Commission	Fire Marshall approval	Site layout/circulation and water main distribution system design approval
New York State Health Department	Certification(s) of compliance with public health and safety Multi-Agency Accord	Certification(s) of compliance with public health and safety Framework for handling environmental remediation
Glen Cove IDA and Glen Cove CDA	Material modifications to approved Conceptual Site Plan	Review and final approval of any material modifications to development plan
NYS Dept. of Environmental Conservation	Article 25 – Tidal Wetlands Article 24 – Freshwater Wetlands Article 15 –Protection of Waters 401 Water Quality Certification Permits; SPDES permit Multi-Agency Accord	Freshwater and tidal wetlands permits; pollution discharge permit Framework for handling environmental remediation
NYS Department of State	Coastal Consistency Certification	Consistency with the Federal Coastal Zone Management Program in New York State
NYS Department of Transportation	Signal timing modifications and turn restriction	Approval of traffic mitigation measures
USACOE	Section 10 of the Rivers & Harbors Act of 1899; Compliance with National Environmental Policy Act	Permits for the dredging and widening of the turning basin of Glen Cove Creek.
USEPA	Multi-Agency Accord	Framework for handling environmental remediation
City of Glen Cove, Glen Cove IDA or Glen Cove CDA	Determination and findings pursuant to Eminent Domain Procedure Law	Approval of acquisition(s)for Gateway properties by condemnation**

Source: RXR Glen Isle Partners LLC

* This Table is not intended to include any federal or state agency approvals or certifications which relate to site specific environmental cleanup conducted by the developer, City of Glen Cove or other governmental agencies, or other administrative requirements pertaining to future use of the development site.

** Only in the event condemnation is undertaken

It is noted that there is a proposed zoning amendment currently being considered by the City Council, which would amend the MW-3 District's Special Use Permit/PUD regulations to allow for a two-phase approval process, in accordance with typical PUD procedures for large projects. This would provide for a PUD Master Development Approval for the overall development framework, followed by PUD Site Plan Approval(s) and PUD Subdivision Approval(s) for individual phases or portions of the Project. (See zoning text amendment

language in **Appendix S.**) The proposed zoning amendment is currently going through the amendment process set forth in Article VI of the City Zoning Ordinance.

In addition, in recognition of the significant investment being made by the Applicant and the significant benefits to be realized from this Project by the City of Glen Cove and its residents, including the many public amenities that would be constructed as part of this Project, the Applicant contemplates that it may, in the future, petition the City Council to further amend the MW-3 District regulations to also include a “vested rights” provision. This provision would, in concept, vest the Applicant’s rights to develop any element of the approved PUD Master Development Plan in accordance with the requirements of the MW-3 District, as amended, for a period that recognizes that significant investment, provided that the Applicant pursues the development’s phases with reasonable efforts. This vested rights provision would protect the developer from any possible zoning changes, which would otherwise render all or certain aspects of the Project nonconforming, provided the requirements of this provision were met. In the event that the Applicant petitions the City Council for a vested rights provision as described herein during the SEQRA review of the PUD Master Development Plan, then any impact of such amendment shall be addressed in the FEIS and be considered a related action.

E. Interested and Involved Agencies

The Agencies and Boards listed above that have approval-granting authority are Involved Agencies. Agencies or groups that do not have jurisdiction to fund or approve the Project, but are interested in the Project’s review process and have asked to be included on the document distribution list are known as Interested Parties.

Involved Agencies

Glen Cove Planning Board
Thomas Scott, Chairman
City Hall
9 Glen Street
Glen Cove, NY 11542
(516) 676-4490

Glen Cove City Council
Ralph Suozzi, Mayor
City Hall
9 Glen Street
Glen Cove, NY 11542

Glen Cove Industrial Development Agency
Kelly Morris, Executive Director
9 Glen Street
Glen Cove, NY 11542-4304

(516) 676-8484

Glen Cove Community Development Agency
Kelly Morris, Executive Director
9 Glen Street
Glen Cove, NY 11542
Off. (516) 676-1625
Fax (516) 759-8389

Nassau County Planning Commission
Patricia Bourne, AICP
Executive Commissioner
100 County Seat Drive
Mineola, NY 11501
(516) 571-5847

NYS Dept. of Environmental Conservation Region 1
Peter A. Scully, Regional Director
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
Off. (631) 444-0345
Fax (631) 444-0349

NYS Dept. of State
Division of Coastal Resources
Nancy Welsh
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231
(518) 474-4752

New York State Health Department
Richard Daines, M.D.
Commissioner
Corning Tower
Empire State Plaza
Albany, NY 12237

US Army Corps of Engineers
Chief, Eastern Permits Section
U.S. Army Engineer District, NY
26 Federal Plaza, room 2109
New York, NY 10278-0090
(917) 790-8007

US Environmental Protection Agency, Region 2
Alan Steinberg, Regional Administrator
290 Broadway
New York, NY 10007-1866
(212) 637-3660

Interested Parties

Glen Cove Department of Public Works
Director
City Hall
9 Glen Street
Glen Cove, NY 11542

Glen Cove City Water Department
Jim DeKoning, P.E., Director
City Hall
9 Glen Street
Glen Cove, NY 11542

Glen Cove Harbor Patrol
Michael Salentino
City Hall
9 Glen Street
Glen Cove, NY 11542
(516) 676-2834

Nassau County Department of Public Works
Raymond Ribeiro, P.E., Commissioner
1194 Prospect Avenue
Westbury, NY 11590-2723
(516) 571-9600

Nassau County Department of Health
Maria Torroella Carney, M.D., Commissioner
106 Charles Lindbergh Blvd.
Uniondale, NY 11553
(516) 227-9538

Hempstead Harbor Protection Committee
Eric Swenson, Executive Director
150 Miller Place
Syosset, NY 11791
(516) 677-5790

Town of Oyster Bay
Supervisor
Town Hall East
54 Audrey Avenue
Oyster Bay, NY 11771

Town of Oyster Bay Department of Environmental Resources
c/o Cashin, Spinelli & Ferretti, LLC - John Ellsworth
150 Miller Place
Syosset, NY 11791

Village of Sea Cliff
Mayor
300 Sea Cliff Avenue
Sea Cliff, NY 11579-0430

Coalition to Save Hempstead Harbor
P.O. Box 159
Sea Cliff, NY 11579

Li-Tungsten Task Force
Peter Rapelje, Chairman
48 Circle Drive
Glen Cove, NY 11542
(516) 676-0694

Hempstead Harbour Club
James Riordan, Commodore Elect
PO Box 192
Glen Cove, NY 11542

Landing Pride Civic Association
Carol Kenary, President
PO Box 609
Glen Cove, NY 11542

Prospect/Albin Traffic Calming Initiative
Pamela Tamaddon, Coordinator
9 Prospect Avenue
Sea Cliff, NY 11579

New York State Department of Transportation – Region 10
Wayne R. Ugolik, Director, Regional Planning and Program Management
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
(631) 952-6108

F. Summary of Potentially Significant Impacts

The following table summarizes the potentially significant environmental impacts of the Proposed Action. Detailed discussions of these impacts are included in Section III of this DEIS.

**Table I-2
Summary of Potentially Significant Impacts**

	Potential Impacts
Soils and Topography	<p>The project will require alterations to the area’s topography. The proposed design includes cutting of some areas of the site and filling of other areas of the site to achieve the desired grades. However, the proposed project is not anticipated to cause any significant negative impacts on either the soils or topography of the project area, as the great majority of the property has previously been disturbed and only a few limited areas of natural soils still exist.</p>
Subsurface Environmental Conditions	<p>Investigation and remedial activities have identified that residual soil and groundwater impacts exist on the project site (Exhibit III.B-2 and Table III.B-1). In many instances, concentrations do not meet the standards for Unrestricted Use nor Restricted Residential land use. While according to the regulatory agencies the bulk of the remediation has been completed to satisfy the records of decision, confirmation of the presence of any residual contamination will be required during development. The developer and the City propose that a regulatory program that will manage any future remediation activities will be identified as part of a Multi-Agency Accord involving the regulatory agencies, City of Glen Cove Industrial Development Agency, and the Applicant. The so-called Doxey property needs to be remediated by the IDA and developer jointly through a program yet to be identified. The NYSDEC BCP has been suggested as a means to accomplish such a cleanup program.</p> <p>Also, recommended Phase II activities would be performed by the City/developer on Gateway Properties prior to acquiring the properties and prior to development. Based on historic site use and the potential for impact, it is likely that the Gateway Properties will be entered into the BCP for eligibility.</p>
Water Resources	<p>In total, the proposed action would include approximately 35 acres of impervious surfaces. The remainder would consist of vegetated or natural areas. In addition to the more formal parks and planting, this would also include 5.8 acres of woodlands behind the workforce housing units, and approximately 0.7 acres of restored dune at Garvies Point Beach.</p> <p>In order to create the various water-dependent uses, dredging of some areas of Glen Cove Creek will be required as part of the project. In the area of the large vessel marina, approximately 20,000 cubic yards of spoil material will need to be removed. Approximately 11,000 cubic yards of spoil material will need to be removed to create the relocated Anglers Club marina. In the area of the permanent/transient marina, approximately 25,500 cubic yards of spoil material will need to be removed.</p> <p>Construction of the marina facilities and dredging associated with each of these facilities has the potential to result in adverse impacts to the marine habitat of Glen Cove Creek. These impacts include permanent degradation of the benthic habitats due to dredging and boat activity, potential disturbance of contaminated sediments during dredging and marina construction, temporary increases in turbidity during dredging and marina construction, potential discharge of pollutants and resulting decreases in water quality both during construction and marina operation.</p> <p>The proposed action and related infrastructure is expected to result in an improvement to the existing stormwater drainage along Garvies Point Road through the installation a proposed sewer collection and conveyance system and infiltration swales and trenches along the northern side of the road Garvies Point Road. This redevelopment will also result in the remediation of surface and subsurface contamination that affects Glen Cove Creek and will eliminate the potential for new industrial uses that could adversely affect the creek in the future.</p>

	Potential Impacts
Ecology	<p>The proposed action has the potential to result in positive and adverse impacts to the ecological resources of the project site and adjacent portions of Glen Cove Creek, Hempstead Harbor, and Garvies Point Preserve.</p> <p>Potential environmental benefits include the net creation of approximately 12,000 square feet of tidal wetlands, creation of new open water habitat, and planting of native wetland vegetation. The proposed action will include the restoration of degraded wetland areas, and increased beach area and additional habitat for shorebirds and songbirds. In addition, 5.8 acres of open space to the west of Dickson Avenue consisting, in part, of upland woodlands will be preserved.</p> <p>Potential adverse impacts of the proposed action include the loss of 12.6 acres of open field habitat and 3.9 acres of standing water and habitat that was recently created following environmental remediation; collision-related mortality due to glass surfaces and external lighting; degradation of habitat quality provided by the woodlands in the southernmost portion of Garvies Point Preserve; and potential impacts to the fish habitat of Glen Cove Creek and Hempstead Harbor resulting from increased turbidity in the project area during construction phase.</p>
Land Use, Zoning and Public Policy	<p>Land Use The proposed project includes a mix of residential, hospitality, marina, office, retail, cultural and restaurant uses, as well as a significant open space component. These are all uses commonly found in traditional waterfront centers. The project does not include noxious or incompatible uses that would cause detriment to the living or business environment of surrounding land uses.</p> <p>Zoning The conceptual site plan, as submitted, conforms to the specified purposes and criteria of the MW-3 district and the GPURP. It also advances the specified objectives of the MW-3 district and GPURP to eliminate blight, blighting influences, and noxious and incompatible uses.</p> <p>Public Policy The project supports and advance numerous planning goals and redevelopment objectives identified in the various Town and regional land use plans and studies.</p>
Transportation	<p>The Proposed Action will generate additional traffic on roads and additional parking needs and require mitigation at six intersections within the study area.</p> <p>The proposed action will result in approximately 30 to 50 additional LIRR passengers during the morning and afternoon peak hours and no more than 10 to 15 peak hour bus trips (excluding the proposed project's shuttle bus).</p> <p>The proposed development is designed to create a pedestrian-oriented neighborhood setting, which encourages walking and strolling both as an alternate means of transportation and as a recreational activity.</p>
Air Quality	<p>The proposed project will introduce new sources of mobile emissions. However, the project-related traffic volumes at the studied intersections would be below threshold criteria. The proposed project would not involve the addition of any new large stationary emission sources.</p> <p>Construction has the potential to temporarily adversely affect air quality as a result of activities that generate fugitive dust and mobile emissions. As part of the construction program, mitigation measures area proposed, to the extent feasible, to minimize adverse affects on air quality.</p>
Noise	<p>Traffic, mechanical equipment, and use of the site will generate noise. Significant impacts would be expected during the Saturday mid-day peak at the intersection of Herb Hill Road between Dickson and Charles Streets. There is one residential structure that could be impacted. The parking lot at the end of Garvies Point Road, which is highly underutilized, would be expected to experience a perceptible increase in noise level due to traffic, but the noise level would be within the acceptable range.</p>

	Potential Impacts
Community Facilities and Services	Approximately 1,844 new City residents, including approximately 116 public school children, would be generated by the proposed development. This increase in population would potentially increase service demands for fire protection, police protection, emergency services, harbor patrol, schools, health services and solid waster disposal. The project is anticipated to generate approximately \$5.6 million in annual property tax revenues for the City and \$12.4 million for the school district which could be utilized to off-set potential increased service costs.
Utilities	The anticipated increase in population from the proposed project would create greater demand and consumption of potable water, electricity and fossil fuels. The DPW has indicated that there will not be sufficient well capacity to meet future maximum demand in the event that one major well is out of service. The City has begun to study improving its water infrastructure to accommodate the increased water demand resulting from future growth in the City. The project would not result in the physical alteration or displacement of any existing utilities, other than an upgrade of the existing sanitary pump station.
Economics	Development of the Glen Isle Mixed Use project would require the displacement of four existing business located on the site. The proposed project would generate employment and taxes during the construction phase and approximately 768 full-time equivalent positions during on-going operations. The proposed project would generate on-going City, County, State, MTA and School District taxes which exceed current tax revenues. Total annual revenues attributable to on-going operations are estimated at \$27.6 million, including approximately \$5.6 million to the City of Glen Cove, \$5.2 million to Nassau County, \$4.0 million to the State of New York, \$458,000 to the MTA and \$12.4 million to the Glen Cove School District. Accounting for the estimated cost to provide municipal services for the project, the City is projected to receive a net annual fiscal benefit of approximately \$4.7 million and the School District is anticipated to receive a net annual fiscal benefit of approximately \$10.6 million. As is typical with large public/private partnership projects, public financing of infrastructure (e.g., tax increment financing, payment-in-lieu-of-taxes (PILOT), Industrial Development Agency tax-exempt bonds) will likely be considered later in the development process. This could result in a reduction of potential project-generated revenue but would ultimately be determined through negotiations among parties at some time in the future. Lots in the project site, with the exception of the Gateway properties, are publically owned and currently generate no taxes.
Demographics	The project would expand the City of Glen Cove's housing stock by 860 new multifamily units, including 86 workforce units. It is estimated that the project would generate approximately 1,844 new residents and approximately 768 new full-time equivalent jobs.
Aesthetics	The project will change the existing visual character of the waterfront and alter views. Existing abandoned buildings and other blighted structures deemed unsafe for re-use will be removed and new components will be introduced. The proposed project would maintain view corridors in between the proposed buildings and along the creek, allowing views to remain unobstructed towards and from the creek. The proposed action includes streetscape improvements along Garvies Point Road, as well as a new promenade along the waterfront, which would also provide for and enhance the views and safety elements for pedestrians, bicyclists and other users.
Cultural Resources	Because of the site's extensive industrial and remediation history, most of the site is not considered sensitive for cultural resources. Based on the Phase 1A analysis, four general areas of the project site should be considered potentially sensitive for archaeological resources from the Precontact Period. Of the potential Historic Period resources identified, only a pre-1837 dwelling at the northwestern corner of Parcel 3 Block G Lot 311 is recommended for Phase 1B field testing as per OPRHP standards.
Construction	Potential short term impacts related to air quality, noise, traffic and erosion and sedimentation are possible from construction activities. However, these impacts are temporary and not expected to be significant.

G. Summary of Mitigation Measures

The following table summarizes the proposed mitigation measures associated with the Proposed Action. Detailed discussions of these measures are included in Section III of this DEIS.

**Table I-3
Summary of Proposed Mitigation Measures**

	Mitigation Measures
Soils and Topography	None required; site previously disturbed.
Subsurface Environmental Conditions	<p>The entire development site consists of properties that were/will be cleaned up under various regulatory programs [NYS Consent Order; EPA CERCLA; NYS Environmental Restoration Program (ERP); Brownfield Cleanup Program (BCP)]. These programs are administered by the NYSDEC/NYSDOH, and the USEPA. Also, the Nassau County Department of Health has cleanup requirements that must be met. It is essential that all properties meet consistent cleanup criteria and that the various regulatory agencies agree on the standards and approaches for achieving the final cleanup standards and long term management of the property from the environmental and public health protection perspectives. The Applicant and the IDA believe that the best method for accomplishing these goals is a multi-agency accord. Such a multi-agency accord would assign expectations and responsibilities to the agencies and developer. This accord would identify the regulatory programs, which would be used to administer, manage or oversee any further investigations, remediation, or property restrictions. It would also establish appropriate cleanup standards.</p> <p>An Environmental Easement (EE) and Site Management Plan (SMP) will permit the DEC to insure that the site is cleaned up to standards, and maintained and monitored and restricted consistent with applicable requirements.</p> <p>The City and IDA along with applicable government agencies will participate in the preparation and/or review of the plans and documents that will govern how the site development proceeds thereby protecting the interests of the residents.</p> <p>For most of the project areas, the developers are suggesting their voluntary participation in the BCP to create and implement a final investigation and remedial program to screen soils and develop consistent final clean soil endpoints.</p>
Water Resources	The project would be designed to conform with applicable regulations regarding hydrogeologic resources, to avoid any negative impacts to the natural environment. A Stormwater Pollution Prevention Plan ("SWPPP") will be prepared as part of the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-02-01). The SWPPP will implement stormwater control measures to minimize the potential for sediment to enter Glen Cove Creek. Best management practices will be employed.
Ecology	<p>The Proposed Action incorporates mitigation measures to avoid and minimize potential adverse impacts. For example, the architectural and landscape design guidelines, based upon the NYC Audubon Society's <i>Bird Safe Building Guidelines</i> will serve to minimize collision-related mortality in songbirds and shorebirds. In addition, dredging and shoreline construction will be constrained to dredging windows authorized by the US Army Corps of Engineers, the NYS Department of Environmental Conservation, and the NYS Department of State in order to avoid adverse impacts to finfish populations, including winter flounder.</p> <p>A Stormwater Pollution Prevention Plan for construction activities will be implemented to prevent adverse impacts resulting from the discharge of stormwater, suspended sediments, or pollutants. The operation of marinas associated with the proposed action will comply with the Hempstead Harbor Protection Committee's Green Marina Program and follow best management practices for the containment of harmful pollutants.</p>
Land Use, Zoning and Public Policy	None required.
Transportation	Improvements are proposed to mitigate the traffic impacts identified. Proposed improvements include road widening, adjusting traffic signal timing and restriping roads. Sufficient parking

	Mitigation Measures
	spaces to meet maximum anticipated demand will be provided. The esplanade and walkway network will provide appropriate locations for pedestrian and bicycle circulation. The proposed shuttle bus to the LIRR station and downtown Glen Cove, and the proposed on-site ferry will provide alternatives to single occupancy vehicle trips.
Air Quality	Mitigation measures related to the construction program include diesel equipment reduction, use of clean fuel, idle time restrictions, utilization of new equipment, fugitive dust control, watering truck routes, cleaning trucks and stabilization. The Proposed Action includes measures that would reduce the carbon footprint of the project, including: smart growth planning principles, transit oriented design, reuse of a brownfield site, mixed-use development with bicycle and pedestrian linkages, green building design elements to reduce energy consumption, and multifamily residential uses which consume less resources per unit than single-family dwellings.
Noise	Mechanical equipment would be provided with an adequate buffer and designed to incorporate sufficient noise reduction devices to comply with applicable noise regulations and standards. The project's sponsor will install a dedicated sound system at the proposed restaurant designed so that noise levels due to the proposed outdoor music at the project's restaurant would not exceed the Glen Cove Noise Code at any of the analyzed receptor locations during any time period. Consequently, a significant impact is not predicted to occur due to outdoor music operations at the proposed restaurant.
Community Facilities and Services	No significant adverse impacts to educational services, emergency services, health care, parks, or solid waste are expected as a result of the project and therefore, no additional mitigation is proposed. It is anticipated that the proposed development would include a security program with private security personnel to monitor the entire project area in coordination with the City of Glen Cove Police Department. The Applicant would provide initial funding for the security, with responsibility eventually being shifted to the Property Owner's Association. The project developer is willing to place automated external defibrillators (AEDs) in multiple high visibility locations.
Utilities	The proposed development would not have a negative impact on sanitary sewage disposal, therefore, no mitigation is proposed. Regarding water services, the City has begun to study improving its water infrastructure and the Applicant will cooperate with the City in the City's evaluation of viable options for a water source improvement plan that will address the City's current and future needs.
Economics	None required. The proposed project would generate on-going City, County, State, MTA and School District taxes that exceed current tax revenues and anticipated increased expenses to properly service the development.
Demographics	None required.
Aesthetics	The placement of the buildings, configuration, massing and height depicted on the conceptual plan is designed to maximize view corridors to and from Garvies Point Preserve, Glen Cove Creek and Hempstead Harbor.
Cultural Resources	The Phase 1A concludes that if a potentially sensitive location will not be disturbed by any aspect of the proposed project (e.g., construction staging, utility installation, landscaping, grading and filling) and no ground disturbance would occur there, then no further archaeological consideration and/or testing would be warranted in that location.

	Mitigation Measures
Construction Impacts	<p>The sequencing of construction and provision of staging and material stockpile areas over the approximate seven-year construction period would permit the coordinated use of construction crews and equipment and the reduction of material deliveries.</p> <p>Potential erosion and sedimentation impacts will be managed through implementation of a Stormwater Pollution Prevention Plan, adherence to State and local construction codes, and the use of best management practices. (Potential mitigation measures for short-term air and noise impacts are identified above.)</p> <p>The Soil Erosion and Sediment Control Plan included as part of the SWPPP would be prepared in conformance with the NYSDEC New York State Stormwater Management Design Manual.</p> <p>Swales will be constructed along portions of the northern side of Garvies Point Road to collect and direct runoff from the off-site areas, prior to discharging across the project site during construction.</p> <p>Site construction activity (earthwork) will not be permitted during heavy rain, frozen conditions or excessively wet conditions.</p> <p>Sediment barriers (silt fence, hay bales or approved equal) will be installed as required along the limits of disturbance for the duration of the work in addition to a temporary construction fence. Haybales will be installed at various locations on the site, including along the water's edge, to minimize transport of soils and sediments into the adjacent tidal water bodies. A temporary 4' high construction fence with silt fencing will be installed around the entire perimeter of the subject property.</p> <p>Graded and stripped areas and stockpiles, while kept to a minimum, will be kept stabilized through the use of temporary seeding or salt hay as required.</p> <p>Drainage inlets installed will be protected from sediment buildup through the use of sediment barriers, sediment traps, etc., as required.</p> <p>Trees to remain on the project site, as well as trees adjacent to the site, will be protected by fencing placed around the crown drip line of the trees.</p> <p>Proper maintenance of erosion control measures will be implemented by daily and follow-up inspections after heavy or prolonged storms.</p> <p>Appropriate means shall be used to control dust during construction. This may include water trucks.</p> <p>A stabilized construction entrance will be maintained to minimize soil and loose debris from being tracked onto local roads.</p>

H. Alternatives

Several alternatives have been evaluated and compared with the Proposed Action. The studied alternatives included:

Alternative A. No Action:

The No Action Alternative consists of a no-build development scenario for the Project Area, which assumes that the existing conditions within the Project Area would continue to remain as they currently are (that is, if no major development at all occurred in the Project Area). Under

the No Action alternative, the Project Site would not be redeveloped and it is anticipated that the property would remain in its current, largely vacant, blighted, and deteriorated condition.

No major development would take place on the Project Area by the Project's 2016 build year, with the exception of the construction of a new ferry terminal with supporting infrastructure and other planned developments in the surrounding area, accompanied with background growth for the region. Such planned developments are proposed under separate actions that would already be in place by the 2016 build year.

Alternative B. Alternative Public Access Design:

This alternative assumes a redevelopment of the site that maintains the Project's mixed-use character, density, and general configuration, but with potential modifications to the waterfront open space area. The primary items required for consideration by the scope include: an increase in the width of the public park to a minimum of 80 feet; increased parking at the boat ramp; renovation and incorporation of the Leatherworks building as a public use; and an alternative location for the Anglers Club.

The proposed action includes a waterfront open space area that exceeds 80 feet in width along almost the entire length of the Creek. As indicated on **Exhibits II-14 and II-15** in the Project Description, the exceptions to this are a "pinch point" in front of Block B and a portion of Block A, where the width is reduced to approximately 60 feet, and the area in front of Block I, which provides approximately 73 feet in width.

Increasing the width in front of Blocks A and B could be achieved by realigning the western portion of Garvies Point Road further north. However, this would necessitate alienation of public parkland, an increase in building height due to reduced footprint, or a decrease of open space and the creation of more massive buildings.

In addition to the alienation considerations, the intrusion into the Preserve would exacerbate forest "edge" impacts. Although the physical area lost could be replaced with a comparable quantity of land from the Project Site near the east end of the Preserve, this land includes areas that have been disturbed and would not replace buffer benefits and habitat quality along Garvies Point Road. In addition, as a practical matter, the open space proposed as part of the Project behind the workforce housing on Dickson Street, while not technically under the same ownership, would in effect function as an extension of the Preserve. This alternative, would, therefore ultimately reduce the overall functional area of the Preserve when compared to the proposed action.

Expansion of the waterfront open space in front of Block I could be accommodated by reducing the width of the proposed permanent/transient Marina. This would reduce the number of potential slips and, therefore, the potential for water-related recreation.

Alternative C. Alternative East Side Configuration:

This alternative assumes a redevelopment of the site with a mixed-use project similar to the proposed action, but with the replacement of the office component with residential use, and consideration of alternative locations for the workforce units and the retail component.

The Proposed Action proposes a 50,000 square foot office building on Block D. If the same floor area and footprint were to be maintained, assuming an average of 2,000 gross square feet per unit, this alternative could produce approximately 25 residential units on Block D. As 25 units would have a dramatically lower parking requirement than 50,000 square feet of office (50 vs. 250 spaces), some of the structured parking could be eliminated. This would result in a slightly shorter building. It would also somewhat dilute the Project's mixed-use character, which is intended to help foster a vibrant waterfront, with activity during all times of the day.

The 86 workforce units in Blocks F and G could technically be incorporated into one of the condominium buildings. This would not alter the site plan or overall development footprint, as a corresponding number of market-rate units would be "swapped" out of Block A or B and relocated into Blocks F and G. The proposed action includes approximately 20,000 square feet of retail space in Block J at the east end of the site. Again, it would be physically possible to incorporate this relatively limited quantity of retail into the podiums of the building blocks located further west. As described above, relocation of either the workforce housing or the retail space would not change the overall development program or footprint.

Alternative D. Reduced Height:

The Reduced Height Alternative contemplates a mixed-use development with the same square footage and mix of uses as the Proposed Action, but with the maximum building height reduced to 10 stories. This alternative would affect Blocks A through C on the west side of the Project Site. Reducing the height of these blocks from 10 and 12 story buildings to all 10 story buildings, while maintaining a similar floor area, requires an alternative building massing and configuration with fewer setbacks and more uniform floor plates. The resulting massing on these blocks would therefore be more uniform and bulky. In these blocks, the midrise buildings would have a single setback on the 9th floor as compared to up to three setbacks in the Proposed Action for each of these buildings. No changes would be contemplated for the remaining blocks to the east, which are already below the 10 stories.

Alternative E. Maximum Build-Out Under Existing Zoning:

The Maximum Build-Out Alternative contemplates a scenario that applies the maximum residential density permissible in the MW-3 District (20 units per acre). This would result in a project containing 1,120 residential dwelling units, in addition to the hospitality, retail/restaurant, marine, and office use components of the proposed action.

On the western residential parcels (Block A-B), the building massing and configuration would be expanded to accommodate additional units and parking. The building footprint of Block A would be expanded to the west and east, eliminating the park along the western edge and the

park between Blocks A and B. The building footprint of Block B would be expanded to the west and east and the park between Block B and C would be eliminated. This expansion would increase the on-site parking capacity to accommodate the additional residential units. The residential units in these two blocks would increase from 500 units to 665 units. The buildings would have fewer setbacks and would typically have a 12 and 14 story midrise component perpendicular to the creek connected by a 10 story building parallel to Garvies Point Road. In order to maintain the same quantity of open space as the proposed action, the alternative would be to maintain the proposed action footprint and increase the number of stories and the height of buildings.

On the eastern residential parcels, Block I would increase its podium height to three stories from two, and the midrise component from six and seven stories to eight and 10 stories to accommodate 21 additional units. On Block J, 26 additional workforce housing units would be added to the site of the surface parking lot adjacent to the commercial use. On Blocks E and H, 48 additional rental units would be added.