

E. Land Use, Zoning and Public Policy

A land use, zoning and public policy analysis characterizes the uses and development trends in the area that can potentially be affected by a Proposed Action. It also considers the action's compliance with and effect on the area's zoning and other applicable public policies. A detailed assessment of land use, zoning and public policy is appropriate if the action would result in a significant change in land use or would substantially affect regulation or policies governing land use. The detailed analyses of land uses, zoning and public policies are discussed in the following sections.

1. Existing Conditions

a) Land Use

The project area consists of 56 acres of land within the larger 96-acre Marine Waterfront-3 ("MW-3") Zoning District. The remaining approximately 40-acres within the MW-3 District were either formerly or are presently occupied with industrial uses and are not included within the project.

The approximately 96-acre MW-3 district, including the 56-acre project area, is located along the north side of Glen Cove Creek, as shown in **Exhibit III.E-1**. The land use study area for this DEIS includes the project area and the surrounding land uses within approximately 500 feet of the area's boundaries (see **Exhibit III.E-2**). Generally, the land use study area is bounded by Hempstead Harbor to the west, McLoughlin Street to the north, Downtown Glen Cove (Glen Cove Avenue) to the east, and Morris Avenue to the south.

The existing land uses within the project area, as well as the surrounding land uses, are discussed below in detail.

Project Area

The project area includes approximately 5,160 linear feet of shoreline along both Glen Cove Creek and Hempstead Harbor. The shoreline consists of both natural areas and sheet metal bulkheads. A public esplanade for pedestrians and bicyclists is located adjacent to Glen Cove Creek.

A municipal beach and boat ramp fronting on Hempstead Harbor are located on the western edge of the project site. Adjacent to these municipal water-dependent recreation uses is an approximate 23 acre former municipal landfill, which is known locally as the Captain's Cove property. This former municipal landfill was previously partially developed as a residential condominium complex. Ensuing environmental problems encountered by the previous developer resulted in the City of Glen Cove taking control of the property, with the intent of commencing clean up and remediation of the site. The condominium shells were demolished and the redeveloper has been advised that the remedial activities mandated by the NYSDEC and the EPA have been completed on this

site. **Section III.B** and the Appendix contain detailed information about mitigation efforts and recommendations for collection of additional site data.

The eastern edge of the Captain's Cove property contains the remains of the *Regina Maris*, a three-masted sailing vessel that was partially dismantled and now sits adjacent to the public esplanade around the natural areas of the Captain's Cove site. Built in Demark as the *Regina*, the 139-foot ship carried commercial cargo in the Baltic Sea and the North Atlantic for about 50 years, before almost being destroyed during a fire at sea in 1963. The ship was subsequently rebuilt and renamed the *Regina Maris*, and in 1967 became the first commercial sailing vessel in 60 years to round Cape Horn. The ship was further demasted in 1969 during a storm, and then refitted as a passenger cruise trade ship for the South Pacific in 1971. The ship then served as a floating marine lab for the Oceanic Research and Education Society in Massachusetts from the late 1970's through the mid 1980's. After sinking in Boston Harbor, the ship was raised and sold to the Village of Greenport, New York, located on the north fork of Long Island. However, in 1998 the Village considered the ship beyond repair, and the ship was then transferred to the City of Glen Cove. After sinking once more, while tied to a bulkhead along Glen Cove Creek, the City of Glen Cove decided to dismantle the ship's deck and topmasts and place her along the northern bank of the creek to enhance the creek's visual aesthetics and help promote tourism along the waterfront.

East of the Captain's Cove property is an approximate 1.9-acre area occupied by the Angler's Club, Sea Otter West and other marine related businesses fronting on Garvies Point Road. This area is owned by the City of Glen Cove, its IDA or CDA. The Glen Cove Anglers Club (GCAC) was founded in 1947 and currently has approximately 85 members, the majority of which are Glen Cove residents. The club is comprised of fisherman and boaters and is family and community oriented. The GCAC sponsors many local events, along with organizing and running the Annual Mayor's Snapper Derby, hosting senior citizens and veterans' barbecues, childrens' fishing trips, along with offering scholarships to local students. Annual club events such as the Fund Raiser Dinner, Pig Roast and Picnics have become very popular events, with club members inviting family and many friends from the community.

The club is situated directly on Glen Cove Creek and contains a 76' by 38' structure with an outside deck and attached storage shed. The grounds have electrical wiring, lighting and water supply to all areas and are completely fenced in. The interior of the club house is complete with a full kitchen, men's and women's bathrooms and wood burning stove. The club is not currently subject to the terms of any lease or agreement with the City of Glen Cove.

With respect to the Land Development Agreement dated May 14, 2003 (LDA), the Agreement is quite specific with regard to the express provisions that would govern any club relocation. More specifically, Section 2.12 of the LDA provides for the following:

The Redeveloper and the Agencies shall work together, in good faith, to relocate the Angler's Club to a facility comparable with its existing location at Glen Cove

Creek (excluding the boat ramp) on the Property, the financial impact of which relocation shall be reflected in the Final Appraised Value. The Minimum Purchase Price set forth in Section 3.03(a) hereof shall be reduced by the amount of such financial impact.

Continuing east are the Gladsky property, City of Glen Cove pumping station and the Doxey property. The vacant, City-owned Gladsky property is approximately 0.8 acres in size and fronts Garvies Point Road. This site was previously used as a boat maintenance and repair facility.

The approximate 0.2 acre City of Glen Cove pumping station property, located on Garvies Point Road, contains a small pump house building that is used to transfer municipal solid waste to the sewage treatment plant on the south side of Glen Cove Creek.

East of the pumping station is the Doxey site, located at 10 Garvies Point Road. This site, which was previously used for the storage and distribution of petroleum, will be owned by the City of Glen Cove. Two wood frame buildings and three above ground storage tanks, all unused, are located on the site.

North of the Gladsky property, pumping station and Doxey site is the Li Tungsten site. This 26-acre former industrial site includes several parcels located both west and east of Herb Hill Road. Remediation activities have occurred on this superfund site and portions of the site are fenced. Two vacant buildings, the Benbow Building and the Dickson Warehouse, remain on-site.

**INSERT SEPARATE GRAPHIC
EXHIBIT III.E-1**

Project Area Location and MW-3 District

INSERT SEPARATE GRAPHIC
Exhibit III.E-2
Existing Land Use

East of the Li Tungsten site are an office building, an electric supply business, the Nassau Ready Mix site and the Windsor Fuel Oil site. These properties are currently not controlled by the City or developer, however, negotiations are underway.

Surrounding Study Area

Existing land uses adjacent to and nearby the project area were also considered. As previously stated, an area extending 500 feet around the proposed development site was identified in the project scope as the land use study area. Land uses within this 500 foot radius were presented previously in **Exhibit III.E-2**.

Areas north, south and east of the project area include a variety of land uses and types as follows:

Areas North of the Project Area

The Garvies Point Preserve is located directly north of the western portion of the project site (Blocks A, B and C.). The 62-acre preserve begins immediately on the north side of Garvies Point Road, and is bounded by Hempstead Harbor to the west, single-family residences (south of McLoughlin Street) to the north, and two-family residences (along Janet Lane) and Sector 3 to the east. The preserve is primarily covered by natural woodlands and meadows (approximately 48 species of trees, as well as shrubs, vines and wild flowers), with five-miles of marked hiking trails open to the public and approximately 2,000 feet of shoreline along Hempstead Harbor. There is also a natural history museum and research center in the preserve, located off of Henry Drive near the western border of the preserve.

The City's municipal boat ramp and the Hempstead Harbor Yacht Club (with approximately 100 moorings) are located at the west end of Garvies Point Road, between the Captain's Cove site and the southwestern border of the Garvies Point Preserve.

Several smaller industrial uses are located north of the creek off of Garvies Point Road. These include a pickle factory and a golf shop. Other industrial uses occupy the area directly east of the proposed development area, both north and south of Herb Hill Road. This area is dominated by the former Konica Imaging buildings located north of Herb Hill Road.

A small utility power sub-station and the sewer pumpstation are the only utility uses within the project study area. The sub-station and pumpstation are located immediately adjacent to the proposed development site.

Several multi-family and duplex residences are located along Janet Place, a cul-de-sac located off of Dickson Street directly east of the preserve and south of McLoughlin Street.

Areas South of the Project Area

A significant number of marine recreational uses are located in and around the south side of Glen Cove Creek, south of the project area. Three yacht clubs and marinas (the Sea Cliff Yacht Club with anywhere from 20-75 moorings, depending on the season; Brewer Marina and Yacht Yard with approximately 320-350 boat slips; and the Glen Cove Marina with approximately 340 boat slips) are located on the southwestern part of the creek, fronting on Shore Road. A bait and tackle store is located adjacent to and surrounded by the marinas off of Shore Road. Land at the mouth of the south side of the creek is undeveloped. These areas are located along the south side of the creek and not part of the Proposed Action presented in this DEIS.

Land uses on the southeastern portion of Glen Cove Creek, fronting Morris Avenue, are dominated by industrial uses. These include both small and large public and private businesses, including the Nassau County and Glen Cove Public works facilities and the Glen Cove Sewage Treatment Plant and Waste Transfer Facility. The multi-story treatment facilities and the asphalt plant are some of the more visible industrial uses in this area, as well as in the entire study area.

Areas East of the Project Area

Areas east of the project area, especially along Glen Cove Avenue, contain a variety of land uses. Glen Cove Avenue is a major arterial within the study area, lined with a mix of uses including commercial, office and retail activities. Commercial uses fronting Glen Cove Avenue include a gas station and several restaurants. Smaller industrial uses are interspersed with these commercial uses.

Directly east of the head of the creek is Pratt Park. The park, which is partially occupied by Mill Pond, recently underwent a primary restoration program, and now includes picnic benches, an informal walkway and interpretive signage. The Glen Cove Fire House is located adjacent to Pratt Park along Glen Cove Avenue.

A few residences are located within this area. A pocket of single-family residences (approximately 15) is located off of The Place (the oldest street in Glen Cove) near the intersection with Dickson Street. Additionally, there is a relatively small cluster of approximately 18 townhouses bordering Pratt Park.

b) Zoning

Existing zoning was documented for both the project area along the north side of Glen Cove Creek, as well as an approximately 500 foot radius around the project area. **Exhibit III.E-3** shows existing zoning categories for those zoning districts within and

around Glen Cove Creek. The proposed development area lies within the MW-3 District¹.

The MW-3 District permits redevelopment of the former industrial area along the north side of Glen Cove Creek with mixed-use development that would include water-dependent, water-enhanced and other related uses along the creek. In 2004, the MW-3 zoning designation was amended to allow for a Planned Unit Development (“PUD”) on sites with 25 or more contiguous acres, through the granting of a Special Use Permit, subject to the conditions as set forth in the MW-3 ordinance.

The criteria of the MW-3 zoning district, as well as other zoning districts in the project area, are described below, and are summarized in this section in **Table III.E-1 Summary of MW-3 District Zoning Regulations**, **Table III.E-2 MW-3 PUD Zoning Criteria**, and **Table III.E-3 Summary of Other Study Area Zoning Regulations**.

MW-3 – Marine Waterfront

Adopted in 1999, the MW-3 zoning district was created specifically for the Glen Cove Creek area. The district, as amended in November of 2004, permits and encourages a mix of permitted and discretionary uses that focus on water-dependent, water-enhanced and other related uses (see Appendix for the zoning text of the MW-3 district). Such discretionary uses include residential, commercial, retail, light industrial, cultural, hospitality, entertainment, recreation and other related uses allowed by special use permit by the Glen Cove Planning Board, subject to the conditions as set forth in the MW-3 ordinance and the GPURP.

As stated by the zoning text, “The purpose of this district is to permit and encourage a range of water-dependent and water-enhanced uses and other related uses within the Glen Cove Creek corridor so that the City’s valuable waterfront resources are utilized properly and in a manner that will ensure an attractive waterfront setting for a variety of appropriate uses that are beneficial to the City’s residents, waterfront property owners and business community. A further purpose is to establish a zoning framework conducive to the creation of an attractive mixed-use community with residential/retail/commercial, business/recreation/tourist/entertainment and cultural components. The intent is to create a marketable and sustainable development that will benefit the City and the surrounding environment.”²

¹ Note: With the exception of a portion of the western area of the project area, which was a residential zoning district, prior to 1999, areas north of the creek were zoned primarily for industrial uses.

²City of Glen Cove Zoning Code § 280-73.2.A(1)(b)

**Exhibit III.E-3
Zoning Map**

INSERT SEPARATE GRAPHIC

The district includes regulations for permitted, special permit and accessory uses by specific location within the District, either on the north side or south side of Garvies Point Road and Herb Hill Road. An additional set of uses are permitted to implement a PUD on a minimum area of 25 contiguous acres. The PUD can be located both north and south of Garvies Point Road, if an area can meet the PUD's general requirements.

Principal uses permitted south of Garvies Point Road and Herb Hill Road include restaurants, yacht or marine insurance brokers, sail lofts or ships chandleries, and retail businesses that sell or rent boating, fishing, diving, or bathing equipment or goods. Additional uses are permitted at the discretion of the Planning Board, which can grant a special permit for uses including: yacht clubs, marinas and marina slips. A Planned Unit Development (PUD) special permit use may be permitted at the discretion of the Planning Board. A minimum of 25 contiguous acres are required for a PUD and the City code sets forth use and design criteria for PUD development, which are discussed in the following paragraphs.

On the north side of Garvies Point Road and Herb Hill Road, which does not have direct access to the creek, those "non-water-dependent uses" permitted for the southern section are also permitted here, as well as business and professional offices, research and development laboratories, and uses related to the production of cinema and other entertainment mediums. The Planning Board may also grant special permits for light industry (limited to assembly, prototype developing and processing that does not utilize chemicals in the process) and for expansion of existing industries. An extension of a PUD approved by the Planning Board may be permitted, through the granting of a special permit, north of Garvies Point Road and Herb Hill Road.

Accessory uses in the MW-3 District are subject to review and approval by the Planning Board and may include swimming pools, tennis courts, rest rooms, showers, maintenance, service and utility buildings, and laundry facilities, signs and off-street parking. Lot area and building requirements for principal permitted uses, except PUD uses, are provided in **Table III.E-1**. Lot area and building requirements differ for PUD development. Minimum parking requirements are dependent on the individual primary use, special permit use, or PUD use. Requirements for the majority of use types are also provided in **Table III.E-1**.

Shared parking is permitted if two or more uses are on the same lot or are part of a PUD. The Planning Board may vary the total parking requirement to take into account variation in time of probable maximum use. The Planning Board may also allow for joint use of a parking lot by contiguous parcels.

As stated previously, additional uses are permitted in the MW-3 District if a PUD is developed. These uses include: multiple dwellings, residences and townhouses; museums, galleries and other cultural, entertainment and educational uses; hotel, spa, conference and catering facilities; business and professional offices with retail uses; boat docks and infrastructure for different types of waterborne transportation services; food kiosks; and, wholesale or retail sale of fish, shellfish and/or produce. In order to achieve

the purposes and objectives of the District, a PUD must include at least four permitted uses in the development.

Table III.E-1
Summary of MW-3 District Zoning Regulations*

Principal Permitted / Special Permit Uses	Types of Uses
Principal Permitted Uses (south of Garvies Point and Herb Hill Road)	Restaurants, yacht or marine insurance broker, sail loft, ship's chandlery, boating, fishing, diving, or bathing retail
Special Permit Uses (south of Garvies Point and Herb Hill Road)	Yacht clubs and marinas, marina slips, Museums & other entertainment, educational or cultural uses, hotel, spa, conference, and catering facilities, business and professional offices, retail uses, marine-dependent uses (e.g. boat docks, piers, ferry terminal), multiple residences and townhouses (PUD), food kiosks, growing, wholesale or retail use of fish, shellfish, and/or produce.
Principal Permitted Uses (north of Garvies Point and Herb Hill Road)	Any non-water-dependent uses permitted on the south side of Garvies Point Road or Herb Hill Road as indicated above, and business and professional offices, design and development laboratories, cinema and entertainment production uses
Special Permit Uses (north of Garvies Point and Herb Hill Road)	Light industry, expansion of existing industry, portion of PUD approved by the GCPB
Accessory Uses	Uses customarily incidental or accessory to principal uses subject to approval by planning board, signs, off-street parking.
Lot Area/Building Requirements (for principal uses)	Minimum lot area – 40,000 square feet; Minimum width: 100 feet; Minimum frontage: 100 feet; Minimum setback: 20 feet; Minimum rear yard: 20 feet; Minimum side yard: not required – must be 15 feet if provided; Minimum corner side yard: 25 feet; Maximum height: two usable stories, and no more than 35 feet; Where a building is at least 300 feet from a one or two family zone, the height may be four (4) stories, but not more than 52 feet; Maximum development coverage 65 %
Parking Requirements	Yacht club: 1 space per each 2 slips, plus 1 for each 2 total employees; Restaurant: 1 space per 3 seats, plus 1 space per 2 employees based on largest work shift; Office: 1 for each 200 square feet of space (exclusive of bulk storage, common or utility areas); Retail: 1 for each 250 square feet of gross floor area; Hotel: 1 per hotel room, plus 1 per 2 employees on largest shift, plus 1 per each 4 seats in conference facility; Light industry: 1 space for 350 sf of gross floor area or 1 space per employee during largest shift, whichever is greater. Planning board may permit shared parking; Residences: 2 spaces per dwelling unit with 1 or more bedrooms; 1 space per efficiency or studio dwelling unit

*See City of Glen Cove Zoning Code for MW-3 and PUD Criteria

Source: City of Glen Cove Zoning Code

The PUD also has a series of criteria to ensure that the development is consistent with the City's redevelopment goals in this area. Many of these are qualitative requirements; quantitative criteria are provided in **Table III.E-2** below.

**Table III.E-2
MW-3 PUD Zoning Criteria**

Criteria	MW-3 PUD Requirement	Objectives to be Considered
Lot Area	25 Contiguous Acres	
Number of permitted Uses in Development	At least four	Yacht clubs and marinas, marina slips, museums and other entertainment, educational or cultural uses, hotel, spa, conference, and catering facilities, business and professional offices, retail uses, marine-dependent uses (e.g. boat docks, piers, ferry terminal), multiple residences and townhouses (PUD), food kiosks, growing, wholesale or retail use of fish, shellfish, and/or produce.
Maximum residential density	20 units per acre	-Creation of attractive, active, mixed-use community that properly utilizes valuable waterfront resources -Creation of a marketable and sustainable development
Workforce Housing	10% of dwelling units	To ensure a variety of housing opportunities
Maximum height	To be established by Planning Board during site plan review	-Balance of building scale and density, maximize publicly accessible open space, landscaping, including landscaped roof terraces -Creation of view corridors from public streets and open spaces to the creek, harbor and preserve -Creation of varied vistas when viewed from the south side of the creek -Height of buildings and structures shall not exceed treetop elevation of Garvies Point Preserve ridgeline. -Architectural treatments.
Minimum distance between principal structures	To be determined by Planning Board	To maximize creation of view corridors and open space.
Off-street parking	To be determined by Planning Board	-MW-3 parking requirements -Balance of scale and density with maximization of concealed parking facilities, use of landscaping, architectural treatments, roof gardens and courtyards to conceal or mitigate visual impacts of parking structures and lots
Parking structure/area location	May not be located within 30 feet of mean high water or bulkhead line unless a walkway is included, in such case setback may be reduced or eliminated	Integration of parking facilities into landscape designs and building structures to minimize visual impacts
Open Space	Not less than 25%	Including, but not limited to: square, greens, parks, new or enhanced wetlands and esplanades
Pedestrian and bicycle access	Connected network	To provide well-designed pedestrian-oriented streetscapes, including sidewalks, street trees, lighting, and appropriate relationship of building façade and entrances.
Intermodal transportation system	Required	May include trolleys, jitneys, people movers, streetcars to connect the waterfront with downtown,
Interconnected street system	Where possible	Avoid cul-de-sacs, encourage traffic calming

Source: City of Glen Cove Zoning Code

As outlined in **Table III.E-2**, the MW-3 District permits a maximum of 20 residential units per acre on the site dedicated to PUD. Other requirements include the following:

- Maximum height and open space requirements are to be established during site plan review, taking into account a number of objectives including: maximization of publicly accessible open space; adequate sunlight on open space and waterfront areas; the creation and maintenance of view corridors; a varied and interesting skyline; and the creation of a “human scale” to lower walls of buildings adjacent to pedestrian ways;
- Minimum distance between principal structures to be determined to maximize view corridors;
- All required parking for residential uses and at least one-half of parking required for all other uses shall be provided within structures or covered. Shared parking may be permitted, and parking shall be incorporated into landscape and building site plans in a manner that minimizes visual impacts;
- No structure or parking may be located within 30 feet of the mean high waterline or bulkhead line unless a publicly accessible walkway or promenade is provided; and
- A plan for the provision of off-site public amenities and/or infrastructure, if required, must be submitted and approved by the Planning Board.

Table III.E-3 Summary of Other Study Area Zoning Regulations, summarizes the accessory uses, lot area and building requirements, and parking requirements for land uses within the study area districts described below.

I-3 Industrial

A portion of land south of Glen Cove Creek, occupied mainly by industrial uses, consists of an I-3 zoning district. This district permits all of the uses permitted in I-1 Light Industrial district, as well as heavier industrial uses such as coke and coal yards, power plants, and auto repair shops. Existing uses in this location, such as the municipal Waste Transfer Facility, are consistent with this designation.

B-2 Peripheral Commercial

The B-2 zoning district covers those lots that front on Glen Cove Avenue between Shore Road and Morris Avenue. The district primarily focuses on retail and business uses. Principal permitted uses, other than a variety of traditional retail uses, include galleries, studios, offices, and funeral homes.

R-1 One-Acre Residence

This low-density residential zoning district is mapped over the major open spaces in the project area, including Garvies Point Preserve and Pratt Park. This zoning district permits single-family housing units on one-acre or larger lots, as well as municipal buildings, schools and several agricultural uses.

R-3A 6,500 SF Single-Family Residence District

An area of residential lots north of the project site, east of Dickson Street is mapped within this district. Compared to the R-1 district, this district permits higher density single-family residential development.

R-4 7,500 SF One- and Two-Family Residence District

A residential area north of the project site and west of Dickson Street, and a second residential area north of Pratt Park are mapped within this district. Higher density and a greater variety of housing types are permitted in the R-4 zoning district as compared with the R-1 zoning district. Specifically, two-family dwellings are allowed.

MW-1 Marine Waterfront-1 District

The Marine Waterfront-1 District, which is mapped along the southwest portion of the creek, permits a range of non-industrial water-dependent and water-enhanced uses within certain portions of the creek corridor that are oriented towards marine and related activities. The MW-1 District is developed with a variety of marinas and related services, including the Sea Cliff Yacht Club, Brewer Yacht Yard and Marina and the Glen Cove Marina.

MW-2 Marine Waterfront-2 District

The Marine Waterfront-2 District, which is mapped along the very southwest corner of the creek, is similar to the MW-1 District, but this district also allows residential development applicable to R-4 District regulations. The majority of the MW-2 District along the creek and Hempstead Harbor, adjacent to the MW-1 District, is not developed at this time.

**Table III.E-3
Summary of Other Study Area Zoning Regulations**

District	Principal Permitted Uses	Accessory Uses	Special Permit Uses	Lot Area/Building Requirements			Parking Requirements
				Min. Lot Area	Max. Coverage	Max. Height	
I-3 Industrial	Offices, R&D laboratories, light manufacturing, coke and coal yards, lumber yard, material storage, light and power plant, municipal garbage disposal or incinerator, stone cutting or monument works, auto repair shop	Signs, off-street parking, garage, accessory commercial uses, storage	Motor vehicle service stations, public utility installations, business enterprises	20,000 square feet	80%	No more than 35 feet	1 space for 350 sf of gross floor area or 1 space per employee during largest shift, whichever is greater*
B-2 – Peripheral Commercial	Stores, galleries, studios, offices, parking lots (principal or accessory), funeral homes	Off -street parking or loading, signs, storage sheds	Motor vehicle or machinery sales, motor vehicle repair/body shops, public/private garages, car wash, experimental laboratories, printing and publishing, assemblage of articles, wholesale/warehouse, veterinary hospitals, pet shops/boarding, building material sales/storage, motor vehicle service stations, outdoor storage of motor vehicles, dance hall, etc., radio station studio, bar, liquor store, hotel, drive-through facilities as an accessory use, public utility, restaurants, theaters, telephone exchange, mortuary, municipal office, fire station, taxi office, institutions for higher learning	None	80%	3 stories; no more than 45 feet	Retail business – 1 space for each 250 sf of gross floor area; varies for other uses. Requirements may be waved in certain cases.
R-1 – One-Acre Residence	Single-family dwelling, municipal building, school, agriculture	Garage, greenhouse, professional office, signs, guest house,	Nursing homes, conversions of single-family residences, public utility, not for profit libraries, museums, art galleries,	One acre (40,000 sf)	15%	2 ½ stories; no	2 spaces per dwelling unit; varies for non-

		student dining facility, dormitory, outdoor recreation, private swimming pool	golf clubs, places of worship, laboratories, conference facilities			more than 35 feet	residential uses
R-3A 6,500 SF Single-Family Residence District	Single-family dwelling, municipal building, school, agriculture	Garage, greenhouse, professional office, signs, private swimming pool	Conversions of single-family residences, public utility, not for profit libraries, museums, art galleries, golf clubs, places of worship,	6,500 or average of lots within 325 ft	20%	2 ½ stories; no more than 30 feet	2 spaces per dwelling unit; varies for non-residential uses
R-4 -7,500 SF One- and Two-Family Residence	Single-family dwelling, two-family dwelling, municipal building, school	Garage, greenhouse, professional office, private swimming pool	Conversions of single-family residences, public utility, not for profit libraries, museums, art galleries, golf clubs, places of worship,	6,500 sf for 1-family; 7,500 sf for 2-family	25%	2 ½ stories; no more than 35 feet	2 spaces per dwelling unit; varies for non-residential uses
MW-1	Yacht club and marina, boat dock, slips and wharves, boat yard, facilities for recreational water sports, boat and marine engine sales, yacht broker/marine insurance, boat rental and charter, sale or rental of water sport equipment, sail loft or ship chandlers	Customary accessory uses such as pools, tennis courts, rest room and laundry facilities	Restaurants/catering facilities, floating restaurants, retail, boatels, bed and breakfast inns	40,000 sf	25%	2 ½ stories; no more than 35 feet	Varies by use
MW-2	Marinas/boat yards, sale of supplies, dead boat storage, residential development	Signs, off-street parking, private garage within or adjacent to a principal building, incidental uses such as storage	Tennis courts, restaurants	One acre	25%	2 ½ stories; no more than 35 feet	Varies by use

*For industrial and laboratory uses
Source: City of Glen Cove Zoning Code

c) Public Policy

The project area is guided by several public policy documents, including the *Third Amended Urban Renewal Plan for the Garvies Point URA* (“GPURA”), *Glen Cove Master Plan*, the *proposed Glen Cove Master Plan*, the *Glen Cove Creek Revitalization Plan* (“GCCRP”), the *Harbor Management Plan for Hempstead Harbor* (“HMP”), the *Long Island Sound Study* (“LISS”), and the *Long Island Sound Coastal Management Program* (“LISCMP”), including the City of Glen Cove Maritime Center Designation.

Glen Cove Master Plan (1961, updated 1966, 1974 and 1980)

The City of Glen Cove adopted a Comprehensive Plan in 1961, which was updated in 1966, 1974 (*Report on the Vacant Land Study Committee*) and 1980.

The goals of the 1980 update were to:

- a. Develop a clear understanding of the interrelationships among development potential, natural environment planning objectives and the City’s infrastructure.
- b. Make recommendations regarding the amount, intensity and location of development and suggest appropriate changes in the zoning ordinance based on land use policies.
- c. Make recommendations for appropriate revisions to the street and traffic flow system necessary to assure as free-flowing system as possible and maintain the integrity of residential neighborhoods.
- d. Make recommendations regarding any necessary infrastructure improvements.
- e. Provide an improved system and data base for evaluating development proposals within the context of City goals, surrounding neighborhoods and service needs.

The 1980 update did not address the central business district, but incorporated, by reference, the concept of a strengthened central business area as an integral part of the Comprehensive Development Plan.

The planning objectives in the Glen Cove Comprehensive Plan remained as first expressed in 1960. The 1980 update stated that “the objectives remain timely despite the years and some dated wording.”³

1. Residential Environment Objectives

- Since Glen Cove is primarily a residential community, its future should be planned to provide a safe, healthy, pleasant environment for all residents. Ample provision *should* also be made for

³ *Comprehensive Development Plan, Update of Development Policies*, City of Glen Cove. July 1980.

employment in commerce, industry and the professions; however, the size and location of areas allocated to these uses should not be such as to infringe upon or detract from the character of residential areas.

- All housing should provide sufficient floor space and yard space, privacy, comfort, and convenience to permit decent, satisfying family life.
- The provision of a variety of housing types, from single family homes on large lots to apartment developments, at varying cost levels, should be provided in order to enable people with different tastes, family requirements and incomes to live in the city.
- The city should provide the widest possible range of educational and recreational facilities, of appropriate size and location so that they offer superior opportunities and satisfactions to the city's residents. The land requirements for public use should be anticipated and such property secured well in advance of actual need.

2. Traffic Objectives

The prevention and reduction of traffic congestion should be achieved through the provision of a coordinated system of streets designed to separate as much as possible through and local traffic.

3. Commercial and Industrial Objectives

The city should encourage and facilitate the development of one major retail center, the present central business district, at a magnitude designed to serve its trade area population. The further development of other commercial areas, such as those along Forest Avenue, should be along lines not directly competitive with the central area. In other areas development should be encouraged for non-retail commercial activities or neighborhood retail sales and service.

Appropriate industrial development should be encouraged in designated industrial areas, in order to provide employment for Glen Cove residents, and improve the tax base. Such development should avoid any undesirable infringement of industrial activities on the primarily residential character of the city.

4. General Environment Objectives

The most basic natural resources in Glen Cove are land and water. Considerable undeveloped land still exists within the city. Development of this land should be guided so as to preserve its natural beauty; and some land should be conserved in its natural state for the enjoyment of Glen Cove residents. Another notable asset is the fact that the City is partially surrounded by Long Island Sound. The visual and recreational opportunities offered by the water orientation of the city should not be

neglected. Steps should be taken to preserve and enhance the advantages of being situated on the Sound. The development of suitable section of land for public and private marinas, parks and beaches, should be encouraged bordering Hempstead Harbor, Glen Cove Creek and Long Island Sound.⁴

The 1980 update included a land use and traffic analysis and recommendations by area within the City, including Garvies Point Road. The following is a summary of the issues and recommendations set forth in the 1980 update:

Background and Issues

1. This corridor is one of few industrial concentrations and the only one with significant potential in Glen Cove.
2. It was estimated that vacant land (1980) had the capacity for approximately 1,800,000 square feet of addition industrial space.
3. The area, with the exception of Garvies Point Park, has been planned for industry in all prior planning documents.
4. Traffic discomfort was deemed irrelevant because of the industrial composition of the area.
5. Traffic impact was identified as Charles Street and Glen Cove Road intersection and at Brewster Street and Pratt Boulevard extension. The need for improvements was identified with or without development. The Garvies Point Road corridor was identified as the only large waterfront land with the potential for industrial or intensive non-industrial development. The need for improved access was identified.

The land at Garvies Point was identified as the only waterfront site that could accommodate intensive residential development without insurmountable access problems.

Recommendations

1. Revise City Plan and Zoning Regulations to accommodate marina or marine-related commercial development or residential development and recreation along Glen Cove Creek on the south side of Garvies Point Road so that there is more flexibility and potential control.
2. Design and carry out improvements to roads and intersections to increase capacity of the area to accommodate employees, clients and/or residents and avoid congestion. An extension of Pratt Boulevard to Herbill Road was identified as the primary improvement area. It was also recommended that Pratt Park should be rehabilitated and that Charles Street would be closed to make it part of the park area. The realignment of Garvies Point Road-Dickson Street-Herbill Road was recommended.

⁴ *Comprehensive Development Plan, Update of Development Policies*, City of Glen Cove. July 1980.

Glen Cove Master Plan (Newly Adopted, May 2009)

The City of Glen Cove adopted a new Master Plan on May 26, 2009.

The *Master Plan* states that, "...the Master Plan seeks to constrain and shape future growth to preserve or enhance the character of the community and its neighborhoods, complement existing densities and development patterns, and balance a mix of uses to create a self-sustaining community."⁵

The goals and objectives for the City, as outlined in the *Master Plan for the City of Glen Cove* are:

- Neighborhood Goals and Objectives
Protect and enhance Glen Cove's established residential neighborhoods, while providing a variety of housing options to meet the needs of current and future residents.
 - Protect the scale, density and character of Glen Cove's well-maintained neighborhoods;
 - Accommodate a diverse population by providing a variety of housing options, in terms of type and affordability;
 - Require any redevelopment of large parcels, such as estate sites, to meet the highest standards for site and building design, mixture of uses and housing types, and protection of historic resources;
 - Develop creative strategies to address issues of overcrowding and illegal uses in struggling neighborhoods; and
 - Generate administrative and regulatory changes that advance the City's and community's goals.

- Connections Goals and Objectives
Adjust the transportation network to place greater emphasis on pedestrians, bicyclists and especially transit, mindful of the impact of vehicular congestion and auto-oriented development on the quality of life and image of Glen Cove.
 - Maintain roadway efficiency with balanced roadway regulations;
 - Enhance the accessibility and convenience of public transportation options;
 - Improve pedestrian and bicycle amenities citywide, but especially with destinations in mind; and
 - Improve the appearance of Glen Cove's gateways and corridors, including selective development in commercial corridors

- Downtown Goal and Objectives

⁵ Phillips, Preiss, Shapiro Associates, Inc. and Turner Miller Group, *Master Plan for the City of Glen Cove*. January 2009.

Encourage an active, inviting and well-connected Downtown, designed to respect the pedestrian and the existing character of historic buildings, while accommodating a mix of uses and appropriate redevelopment for residents and visitors.

- Protect and enhance Downtown’s historic scale and character;
 - Enrich the mixed-use character of Downtown;
 - Create an “arts and entertainment” district;
 - Enhance walkability and amenities;
 - Support the business community’s revitalization efforts;
 - Address perceived and actual parking problems; and
 - Improve connections to the rest of Glen Cove.
- Waterfront, Parks & Natural Resources Goal and Objectives
Maintain Glen Cove Creek’s maritime character, as well as manage redevelopment to encourage increased accessibility and recreational amenities along with a mix of complementary uses.
 - Protect natural resources and environmental features;
 - Maximize use of existing open space and recreational resources;
 - Create a network of linked resources; and
 - Leverage past and future investment to maximize public amenities and benefits.

The *Master Plan* reviews the Glen Cove Creek waterfront in detail. The vision for the Glen Cove Creek is:

Respect the natural and scenic resources that define Glen Cove’s unique character, promote sustainability practices, and, at the Glen Cove Creek waterway, amplify park amenities, public access and boating activity, linked to complementary development.

1. Preserve Glen Cove Creek’s recreational maritime vitality, while revitalizing its waterfront with mixed-use development and destination activities.
2. Create a green network linking the esplanade, Garvies Point Preserve, Pratt Memorial Park and Maccarone Memorial Stadium.
3. Link the waterfront’s development, destinations and improvements to Downtown’s revitalization, as well as to “gateway” improvements.
4. Continue to improve environmental conditions along the waterfront, building on the City’s considerable success in cleaning up brownfields.
5. Moderate the impacts of new development in terms of scenic resources, traffic, etc., and forestall industrial uses that create additional brownfields.
6. Create a sustainable neighborhood that is, to the maximum extent possible, consistent with Glen Cove’s sense of place and community character.

The *Master Plan* includes the following recommendations for the waterfront, parks and natural resources.

1. Protect natural resources and environmental features, throughout Glen Cove:
 - Ensure environmentally sensitive development, through environmentally minded programs and reformed zoning regulations;
 - Enact a steep slope zoning ordinance;
 - Support open space preservation regulations;
 - Require greening of parking lots;
 - Promote natural vegetation, swales, rain gardens, and similarly environmental conscious landscape practices;
 - Promote green roofs in connection with new industrial, commercial and multifamily development;
 - Continue to secure environmental protection and cleanup funding;
 - Leverage green investment;
 - Coordinate infrastructure improvements and natural resources protection;
 - Encourage cooperation among private sector, non-profit institutions and government to support and promote the environment.
 - Launch a “Green Community” Campaign.
2. Maximize use of existing open space and recreational resources:
 - Support year-round, family-friendly recreation;
 - Promote active programming of open space;
 - Seek partnerships and seize upon every opportunity to “green” streets, sidewalk spaces, paths, and waterfront areas.
3. Create a network of linked resources:
 - Form a circulation network that reinforces Glen Cove’s open space amenities;
 - Make roadway and path improvements that encourage bicycling;
 - Increase pedestrian access to and along the entire Glen Cove waterfront;
 - Strengthen the connection between Downtown and the Glen Cove Creek waterfront;
 - Maximize pedestrian access to and along the Glen Cove Creek waterfront;
 - Create a network of parks and open spaces in the Glen Cove Creek waterfront, adding up to a new “central park” for all of Glen Cove’s residents.
4. Leverage private investment to maximize public benefits:

- Generate a comprehensive, mixed-use waterfront plan that further vitalizes the Glen Cove Creek waterway as a citywide destination and resource;
- Preserve Glen Cove Creek's maritime vitality;
- Assure continued maritime use of the Glen Cove Creek waterway;
- Fund the green network linking the proposed esplanade, Garvies Point (and beach), Garvies Point Preserve, Maccarone Memorial Stadium, Pratt Memorial Park, and other Glen Cove Creek-area park and open space resources;
- Employ income-producing uses to supplement park revenues and promote year-round usage;
- Continue to improve environmental conditions along the waterfront;
- Moderate the impacts of new development on the north waterfront in terms of scenic resources;
- These design features would reinforce the Master Plan's vision of a maritime and recreational south waterfront;
- Moderate the impacts of all new Glen Cove Creek waterfront development in terms of traffic and sustainability;
- Link the waterfront's development, destinations and improvements to Downtown's revitalization;
- Create a positive pedestrian experience;
- Ensure proper vehicle access, circulation, and parking;
- Create a neighborhood sensibility, rather than an enclave quality;
- Obtain adequate binding assurances from each redeveloper that the public amenities will be constructed in a timely manner;
- Strengthen the incentive for timely provision of public amenities; and
- Balance the need for predictability and for flexibility.

Glen Cove Creek Revitalization Plan

As previously discussed, public policy for the proposed redevelopment of the project area is expressed in the *Glen Cove Creek Revitalization Plan* ("GCCRP"). Prepared in December of 1996, the GCCRP consists of an area analysis and master plan to redevelop those areas around Glen Cove Creek, dividing the entire area into seven unique and distinct sectors. The GCCRP proposed new commercial, retail, maritime and entertainment uses, as well as supporting and enhancing existing light industrial uses. Although never formally adopted, the plan, which remains a relevant resource, serves as a catalyst towards receiving funding needed for future redevelopment actions to rejuvenate the waterfront and benefit existing businesses within downtown Glen Cove. No residential units were planned for the project area in the GCCRP, since at the time the GCCRP was prepared, cleanup levels of these areas were not anticipated to allow for

future residential uses. Subsequent remediation efforts and additional proposed mitigation strategies will enable the project to include a residential component.

Third Amended Urban Renewal Plan for the Garvies Point Urban Renewal Area

Another public policy document adopted for the area, originally predating the GCCRP, was the *Third Amended Urban Renewal Plan (“URP”) for the Garvies Point Urban Renewal Area (“URA”)* prepared by Stuart Turner and Associates (see Appendix). The plan was first adopted by the City of Glen Cove in December 1976, amended in November 1990, and more recently in July 2005. The *Third Amended URP for the Garvies Point URA (“GPURA”)* provides for:

- The elimination of the substandard conditions that help impede the proper development of the area;
- The provision of opportunities to revitalize and redevelop the City’s waterfront with water-dependent and water-enhanced commercial, residential and public and private recreational facilities; and
- The provision of sites for new residential development to create new home-ownership opportunities and taxes.

More specifically, the plan describes its intent and proposed land uses for the Glen Cove Creek corridor as follows:

- Permit and encourage a range of water-dependent, water-enhanced, and other related uses so that the City’s valuable waterfront resource is utilized properly and in a manner that will ensure an attractive waterfront setting for a variety of appropriate and sustainable uses that are beneficial to both the City’s residents and waterfront property owners;
- Guide the redevelopment of portions of the GPURA that contain structures considered to be substandard and uses that are blighted or are blighting influences on the north of Glen Cove Creek with uses more appropriate to this strategic location within the community;
- Assure that development optimizes the waterfront location and encourages water-dependent, water-enhanced uses and other related uses, public access and use of the waterfront for residents, visitors and/or employees of the area and the entire Glen Cove community;
- Further establish connectivity to the Downtown Business District;
- As a general rule, properties will remain as zoned unless a property owner requests an appropriate rezoning. The City Council may rezone property on its own initiative when zoning is inconsistent or incompatible with the Plan goals.
- To the extent that lands located in the area are zoned R-1, R-4 or I-3, such districts, by definition, are inconsistent with the goals of the MW-3 District. Therefore, rezoning and/or acquisition of such lands may be appropriate at some future date. To the extent that any property located in

the area is or becomes inconsistent or incompatible with the goals of the MW-3 District, the rezoning and/or acquisition of such may be appropriate at some future date.

The Urban Renewal Area (“URA”) “includes 75± acres and is generally bounded by Herbill Road and Garvies Point Road on the north, Hempstead Harbor on the west (mean high water line), Glen Cove Creek, Shore Road and Morris Avenue on the south, and Park Place and Glen Cove Avenue on the east.”⁶ The amended MW-3 District language was incorporated in the plan for the URA, making the Plan consistent with the zoning for the area.

The Third Amended version of the URP (revised July 2005) states that all of the property within the original URA has been acquired by the City, and additional properties located within the URA may be acquired in furtherance of the URP purposes, such as to eliminate blighting influences, as long as properties are used in accordance with the amended version of the URP. The basic objectives of the plan remain the same, with the addition of promoting new home-ownership opportunities and tax ratable returns.

Long Island Sound Coastal Management Program

The 96-acre zoning district, of which approximately 56 acres would be redeveloped under the Proposed Action, is located along the north side of the Glen Cove Creek. Glen Cove Creek is a 1.1 mile long navigational channel extending from the head of Musketa/Mosquito Cove in Hempstead Harbor to Mill Pond at Charles Street in downtown Glen Cove. The creek represents a mix of an existing tidal estuary with extensive man-made alterations dating back to 1925. The area has been occupied with industrial uses for the last several decades. Much of the existing shoreline along Glen Cove Creek is retained by a bulkhead.

In an open letter dated January 18, 1999 to the residents of New York State, Governor George E. Pataki called Long Island Sound “one of New York State’s great treasures...the Sound and its shore lands provide us with a unique combination of habitats and open space, working waterfronts, recreational opportunities and livable communities”. Following was the creation of the *Long Island Sound Coastal Management Program* (“LISCMP”), a comprehensive regional plan that specially tailors the standards used for consistency decisions made by the New York State Department of State (“NYSDOS”), and other agencies, to the shorelines and 50 municipalities along the Long Island Sound, including the City of Glen Cove. The vision for Long Island Sound, as outlined in LISCMP, encompasses a view of the region from four perspectives: “The Developed Coast”, “The Natural Coast”, “The Public Coast”, and “The Working Coast”. These four views are the organizational foundation of the LISCMP.

⁶ Stuart Turner and Associates; *Third Amended Urban Renewal Plan for the Garvies Point Urban Renewal Area*, Glen Cove Community Development Agency. Revised 7/20/05.

The LISCMP designates the City of Glen Cove as one of 17 waterfront “Historic Maritime Centers”, as defined by the NYSDOS. The LISCMP lists these waterfront harbor, industrial, commercial, and cultural communities as the focal points of developed land patterns, being centers of economic and cultural activity that should be maintained to enhance the region’s quality of life, coastal character, and remaining open lands and natural resources. Of these 17 designated communities, six (including the City of Glen Cove) have brownfields and/or other sufficient underused, previously developed sites available for redevelopment which, if revitalized, would have a regional economic benefit.

Glen Cove Creek is still somewhat of a working coast, though many of the former industrial uses have ceased operations. The LISCMP states that approximately 66 percent, or 125 businesses, are still concentrated in ten LISCMP designated “Maritime Centers” on Long Island Sound, which includes the Glen Cove Creek area. The LISCMP lists these Maritime Centers as distinct areas of a harbor or bay developed with and containing concentrations of water-dependent commercial and industrial uses or essential support facilities.

Glen Cove Creek can also be considered a public coast; i.e., an area that currently or previously served the public with water-related uses. As such, the Long Island Regional Planning Board recommends in the LISCMP for Glen Cove Creek that: “any new or rehabilitated water-related uses along the creek should include landscaping and walkways to afford pedestrian access and connect public and private properties along the creek.” This includes trails, walkways and greenways.

Harbor Management Plan for Hempstead Harbor

The project area is located within the study area boundaries for the *Harbor Management Plan for Hempstead Harbor*. The shoreline for Hempstead Harbor, which is located directly west of Glen Cove Creek, includes parts of eight different municipalities, including the City of Glen Cove and shoreline along the creek itself.

In 1995, the communities and municipalities around Hempstead Harbor established the Hempstead Harbor Protection Committee (“HHPC”), which oversaw the completion of the *Water Quality Improvement Plan* for the harbor in 1998. That plan helped promote the creation of the *Harbor Management Plan for Hempstead Harbor*, prepared in 2004. The *Harbor Management Plan* (“HMP”) was initiated by those communities around the harbor through, in part, the realization that there was a common need to address issues affecting the harbor. The plan was thus established to provide an overall framework for identifying key issues and formulating recommendations to address these issues.

Nine key goals were established in the plan, generally as follows:

- **Goal 1:** Ensure efficient and safe navigation and operating conditions in Hempstead Harbor;
- **Goal 2:** Protect Hempstead Harbor's water-dependent uses, and promote the siting of new water-dependent uses at suitable locations, without impacting important natural resources;
- **Goal 3:** Redevelop vacant and underutilized waterfront land on Hempstead Harbor with appropriate uses;
- **Goal 4:** Increase water-related recreational opportunities within Hempstead Harbor and along the harbor's shoreline, and increase public access to the waterfront;
- **Goal 5:** Protect and enhance Hempstead Harbor's natural environment and open space resources, including surface water quality, wetlands, coastal fish and wildlife habitats, upland natural areas, and important viewsheds;
- **Goal 6:** Preserve important historical resources along the waterfront of Hempstead Harbor;
- **Goal 7:** Improve linkages between the Hempstead Harbor waterfront and adjacent downtown areas;
- **Goal 8:** Engage in a collaborative effort among the municipalities surrounding Hempstead Harbor, by means of innovative inter-municipal planning and community development techniques that link environmental protection, economic prosperity, and community well-being, so as to ensure effective long-term community, regional, and watershed vitality; and
- **Goal 9:** Recognize and build upon the unique characteristics and circumstances of Hempstead Harbor and its watershed in developing approaches to the following concepts: revitalizing existing communities and promoting livable neighborhoods; preserving open space and critical environmental resources; encouraging sustainable economic development; improving partnerships, service-sharing arrangements, and collaborative projects; and heightening public awareness.

The Harbor Management plan also provides recommendations under six general types, including:

- General recommendations;
- Recommended projects;
- Recommended local laws;

- Recommended investigations;
- Recommended procedural actions; and
- Recommended policy standards.

The following recommendations are specific to Glen Cove:

- Redevelop Glen Cove Creek waterfront with mixed uses, consistent with the Glen Cove Creek Revitalization Plan (General Recommendations).
- Provide waterfront promenade as part of redevelopment of Glen Cove Creek area (Recommended Projects).
- Dredge Glen Cove Creek, as needed (Recommended Projects).
- Continue to seek re-establishment of ferry operations in Glen Cove Creek.

Long Island Sound Study

The Project Site abuts Long Island Sound, which is an estuary (a place where salt water from the ocean mixes with fresh water from the rivers and the land) in the midst of a densely populated metropolitan area.

In 1985, Congress directed the United States Environmental Protection Agency (EPA), along with the states of Connecticut and New York, to sponsor the Long Island Sound Study. A Management Conference was established and charged with developing a Comprehensive Conservation and Management Plan for protecting and improving the health of Long Island Sound. The Management Conference identified six problems that merit special attention: (1) low dissolved oxygen (hypoxia); (2) toxic contamination; (3) pathogen contamination; (4) floatable debris; (5) the impact of these water quality problems, and habitat degradation and loss, on the health of living resources; and (6) land use and development resulting in habitat loss and degradation of water quality. A strategy was developed to identify and investigate the most significant water quality problems affecting Long Island Sound. Based on this strategy, the goals of the Long Island Sound Study are:

1. Protect and improve the water quality of Long Island Sound and its coves and embayments to ensure that a healthy and diverse living resources community is maintained.
2. Ensure that health risks associated with human consumption of shellfish and finfish are minimized.
3. Ensure that opportunities for water-dependent recreational activities are maximized without conflict with ecosystem management.
4. Ensure that social and economic benefits associated with the use of the Sound are realized to the fullest extent possible, consistent with social and economic costs.
5. Preserve and enhance the physical, chemical, and biological integrity of the Sound the interdependence of its ecosystems.

6. Establish a water quality policy that supports both the health and habitats of the living resources of the Sound and the active and passive recreational and commercial activities of people.

The plan calls for a sustained and cooperative effort among the states of Connecticut and New York, the EPA and other federal agencies, local governments, and the private sector to maintain and enhance the uses and values of the Sound and identifies commitments and recommendations for actions to enhance existing programs (that must continue) or create new programs.

The Long Island Sound Study states that as a result of the cumulative effects of human activity, the natural values of the Sound have been diminished. In recognition of the importance of the relationship between land use and water quality, the Management Conference established a Land Use Work Group in 1992 to identify ways land use and development affect Long Island Sound water quality and habitat, and to present recommendations to improve land use planning and management. Five areas were identified as being critical to improving water quality and recommendations were developed for each area:

1. Reduce Impacts of Existing Development;
2. Minimize Impacts of New Development;
3. Improve Information Management, Training, and Education;
4. Conserve and Enhance Natural Resources and Open Spaces; and
5. Increase Public Access.

United States Environmental Protection Agency (“EPA”) Smart Growth Principles

The United States Environmental Protection Agency (“EPA”) explains that "smart growth" covers a range of strategies, both development and conservation, that help protect the natural environment and make communities, "...more attractive, economically stronger, and more socially diverse."⁷

Based on the experience of communities around the country, the EPA identifies ten basic principles of smart growth:

1. Mix land uses
2. Take advantage of compact building design
3. Create a range of housing opportunities and choices
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Strengthen and direct development towards existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective

⁷ http://www.epa.gov/smartgrowth/about_sg.htm. Accessed 12/29/2008.

10. Encourage community and stakeholder collaboration in development decisions⁸

Smart Growth Policy Plan for Suffolk County (2000)

In March 2000, the Suffolk County Legislature adopted a resolution that required the preparation of a “Smart Growth Master Plan” for Suffolk County. Smart Growth is defined by the Smart Growth Policy Plan for Suffolk County, as:

Anticipating and providing for sensible growth, balancing jobs and economic development with the preservation of the natural environment and the historical community fabric.

The Suffolk County’s Smart Growth Plan outlines eight specific principles:

- **Encourage consultation and collaboration among communities:** Citizens should be part of the planning process in conjunction with local and regional decision-making entities;
- **Direct development to strengthen existing communities:** Downtown revitalization and the improvement of infrastructure (sewers, roads, etc.) to strengthen existing communities;
- **Preserve open spaces, natural and historic resources and working farms:** Locate new development in already developed areas to assist in the preservation of agricultural lands and open spaces;
- **Encourage compact and orderly development:** Provide for municipal facilities to keep up with the pace of development;
- **Provide for transportation choices:** Design around the automobile (not for it) and other transportation options;
- **Provide for a variety of housing choices:** Options in housing types, sizes and price ranges;
- **Encourage permitting processes which are predictable, certain, efficient and final:** Processes which include the community, regulators, developers, etc., early on in the process;
- **Ensure consistency of government policies and programs:** Collaboration among state, county and localities with respect to land use policies.

2. Potential Impacts

The Potential Impacts section assesses the proposed development, projecting what the areas surrounding the project would look like in the future with the Proposed Action. The Future Conditions with the Proposed Action are then compared to the Future No-Action Condition in order to assess any potential impacts that might result from development of the Proposed Action.

⁸ Ibid.

a) Land Use

As previously stated, the Proposed Action encompasses an area of predominately vacant or underutilized waterfront land located on the north side of Glen Cove Creek. Implementation of the project would transform this blighted area into a mixed-use, transit-oriented neighborhood combining residential, commercial, retail, cultural, recreational and entertainment uses, new marinas, and a luxury hotel linked by a continuous public esplanade of parks and walks.

As detailed in **Section II**, the Proposed Action would include the following components:

- A 250-suite luxury hotel, conference, catering and spa complex;
- Approximately 50,000 square feet of office space;
- 860 dwellings in a variety of configurations including mid-rise condominiums, rental apartment buildings, stacked townhouses, and flats, including 86 workforce housing units
- Approximately 25,000 square feet of retail and restaurant uses;
- Accessory parking spaces;
- Approximately 19 acres of open space; and
- Approximately 85 boat slips.

Public amenities included in the Proposed Action include:

- Habitat restoration and education, including wetlands restoration, dune restoration, and wildlife habitat creation;
- A waterfront promenade;
- Public beach restoration;
- Bicycle/pedestrian connector trail;
- Public access;
- Public open space;
- Green building components; and
- Intermodal transport components.

As described in **Section II**, *Description of Proposed Project*, the project also includes a comprehensive open space network and program. (See **Exhibit II-13**, *Overall Open Space*). In total, the project includes 19.4 acres of publicly-accessible open space, or approximately 35 percent of the project area. In addition to the grade-level open spaces, the project includes roof deck open spaces for each of the large building blocks. The core of the network is the variety of contiguous open spaces along the waterfront, which would be linked with walking and biking path extending along an esplanade from Garvies Point Beach to Pratt Park. In addition to the series of waterfront open spaces, pocket parks between the buildings on the west parcel, a formal central plaza in front of a rental building on Dickson Street and a woodland park adjacent to Garvies Point Preserve.

**INSERT EXHIBIT
III.E-4
Proposed Land Use Plan**

Marine Uses

In addition to upland development (see below), the project would also involve the creation of new marine uses along the creek. A yacht marina, including 15 slips to accommodate larger vessels of up to 160', is proposed for the area in front of the hotel. In the central portion of the Creek, the plan contemplates the relocation/replacement of the 24 Angler's Club slips further east in association with the relocation of the Angler's Club building (and may include four slips for the Glen Cove Harbormaster). A third marina would be located adjacent to the Block I condominium building. This marina would provide approximately 46 slips.

Glen Cove Creek improvements are integral to the design of the project. This includes dredging of several areas of the creek, installation of new bulkhead, creation of the large vessel marina, new Angler's Club marina, and permanent/transient vessel marina, and the Turning Basin as well as the creation of the new Ferry Terminal (by the City). Intertidal wetland and marsh areas will also be enhanced east of the City's proposed ferry terminal and existing marina related businesses. These wetland areas will connect with new open space and parkland proposed between two of the proposed buildings. The new marina designed, in part, for transient boaters, will be created east of the wetlands. Additionally, along the shoreline of Hempstead Harbor, spartina marsh will be restored and the public beach will be replenished.

The proposed tidal gate will serve several functions beneficial to the creek and adjacent development. The tidal gate is proposed to maintain water in the Turning Basin for both recreational uses as well as to assist in filtering out of silts and sediments, which drain through the Mill Pond from the upstream watershed, prior to entering Glen Cove Creek.

The area of Turning Basin will be dredged to approximate elevation -9 (NGVD 1929), which will provide 6 feet of water depth during low tides (Mean Low Water is approximate elevation -3 (NGVD 1929)). With the esplanade at the Turning Basin proposed at elevation 10.0, the elevation of the water within creek would be approximately 13 feet lower than the esplanade at low tide, with the tidal gate in the open position. Prior to proposed recreational events in the commercial neighborhood and when large rainfall events are not anticipated, the proposed tidal gate will be manually closed at high tide to allow the water surface of the Turning Basin to be maintained at elevation 6.0± (spring high). Appropriate waterproofing within and upstream of the turning basin will be employed in order to maintain the water level within the Turning Basin.

The elevation of the top of the tidal gate will be set lower than the adjacent bulkhead/esplanade to allow water to pass over the tidal gate in a controlled manner, should the tidal gate inadvertently remain in the closed position during large storm events. It is intended that the tidal gate would be opened when large

storm events are anticipated and when there are no planned recreational events within the proposed commercial area.

The proposed marine uses would be physically connected to upland uses, including the residences, hotel and restaurants, by the public esplanade, walking paths from buildings to the public esplanade, and open spaces (see **Exhibit III.E-5, Esplanade**).

As required by the MW-3 zoning, the project has been designed to conceal the parking structures and surface lots in order to minimize their impact on the visual quality of the neighborhood. Parking for the condominium, hotel, office and rental buildings would be provided in internal parking garages within each of the blocks. Parking for the workforce units would be provided in a combination of garages and surface parking. However, the surface parking has been located in the interior of the blocks in order to shield views from the public streets. The other off-street parking proposed as part of the project is a small lot adjacent to Block J to accommodate retail patrons and visitors to the new marina at the east end of the creek.

Upland Development

The redevelopment of 56-acres in the MW-3 District, will include water-enhanced and upland uses in addition to the previously described water-dependent marine uses. The proposed development includes multi-family residences, a hotel and other related buildings, as well new public recreation amenities and enhanced natural areas. The City of Glen Cove, as part of a separate action, has proposed a new ferry terminal for high-speed ferry access to New York City and other possible destinations. Construction of the ferry terminal by the City would include bulkhead improvements to support the ferry operations area. Such improvements would not occur if the ferry project does not move forward as envisioned.

The public boat ramp at the end of Garvies Point Road will be restored and a public boat and trailer parking area will be developed. At the mouth of the creek, a new open space known as Sunset Park would be developed with a public café and restaurant, an esplanade, and multi-use lawn. Properties east of the beach and north of the marshland are expected to be developed primarily with new residential buildings. One building would contain a 250-suite (+/-) luxury hotel and spa.

These proposed buildings would be a maximum 12 stories in height and stepped to create smaller footprints at higher stories in order to maintain views from the south side of the creek to Garvies Point Preserve (see **Section III.M, Aesthetics**). The proposed buildings would not exceed the height of the tree line of the ridge of Garvies Point Preserve north of the project site and would be set back from the

creek and would step up away from the creek, in compliance with the PUD zoning for the MW-3 district.

The redevelopment of eastern portion of the project site will have a positive impact on land use, with the redevelopment of this area creating a public esplanade and open space along the waterfront, as well as introducing new residential, commercial, retail, office, cultural, hospitality and recreational uses. Such uses would introduce new residents, employees, visitors and other users to the area, further linking public access to the waterfront with Downtown Glen Cove.

Additionally, although not directly part of the Proposed Action, it is also anticipated that well in advance of the 2016 build year, the Glen Cove Road Extension projects (separate but geographically related actions) would be completed. The continued revitalization of Mill Pond in Pratt Park, which has already begun as part of a preliminary action by the City, is included as part of the roadway extension projects. As part of the extension, the Garvies Point Road would be realigned and the existing easement providing access for the HHC would be adjusted as necessary.

View Corridors

The Proposed Action conforms to the MW-3 District and PUD regulations regarding building heights, which relate to the aesthetics of the area. Such regulations require that the height of buildings and structures shall not exceed the treetop elevation of the ridgeline of the Garvies Point Preserve, and that the creation of appropriate transition of building size between the waterfront of Glen Cove Creek and the ridgeline shall be considered.

The Proposed Action introduces new mid- and low-rise development on the site ranging from four stories up to 10 and 12 stories on the western parcels (Blocks A-C) and from one to two stories up to seven stories on the eastern parcels (Blocks D-J). The Proposed Action's aesthetic approach is carefully designed to ensure the buildings are well integrated with the existing and proposed open space and provide an appropriate transition towards Garvies Point Preserve, the water and adjacent neighborhoods. The articulation of varying heights of buildings adds to the organic and irregular form of the existing natural landscape, particularly Garvies Point Preserve.

The building configuration and massing is designed to maximize view corridors to and from Garvies Point Preserve, Glen Cove Creek and the Hempstead Harbor waterfront by spreading apart the building footprints to frame and establish new or existing view corridors along public roads and proposed open space to these points of interest. See **Section III.M, Aesthetics**, for additional view corridor details.

Along the esplanade, the buildings are primarily three to four stories tall. The townhouses screen and internalize the structured parking decks behind and bring down the buildings to a residential townhouse scale where the waterfront open space, promenade and water's edge interact most closely with the buildings. Behind the townhouses and as the development moves further from the water's edge, the buildings begin to set back and step up, creating terraced buildings with multiple setbacks and landscaped outdoor terraces as the buildings rise, while breaking down the overall massing of the buildings. The multiple setbacks also provide variety in the building massing, avoiding the effect of otherwise bulky buildings that have uniform floor plates on all floors and uniform height.

Above the podium, the proposed midrise buildings also reinforce the view corridor between Garvies Point Preserve and Glen Cove Creek, particularly as viewed from areas located south of the project site. The midrise buildings are oriented perpendicular to the water, ensuring that they present a short façade along Garvies Point Road and that the view of the Garvies Point Preserve is maximized.

Anglers Club Alternatives

The Angler's Club is a membership club occupying City-owned land along Glen Cove Creek. The club plans several public events each year and is considered a public benefit. As indicated above, in order to maintain this use, as part of the Proposed Action, the Applicant has proposed relocating the facility east towards Dickson Street, away from the ferry terminal (for safety reasons) and into a park area. In the event that the City does not wish to continue this use, the contemplated relocation site could instead be converted to open space, which would expand the area of publicly-accessible waterfront. Alternatively, a similar small structure could be erected to serve as a storage area for bicycles or a boathouse/storage area for hand-launch craft that would be available to accommodate visitors to the site. Such a facility could be operated as a rental concession by a private operator or be managed as a volunteer community boathouse if an appropriate educational or recreational organization is willing and able to operate such a facility. The final scope identified several other potential examples of recreational uses that could occupy this location, including a police substation, restrooms, transient boat slips, library annex, and marine-related businesses. With the exception of the marine-related businesses, as these are recreational or public-benefit type uses, the substitution of such a use at this location would not affect the project's general land use patterns or relationships. It is suggested that marine-related businesses could be appropriately accommodated in the retail space proposed at the east end of the project near the transient/permanent marina.

If the Club were not relocated, it is not anticipated that the degree of public accessibility of the Club would change. However, as indicated above, the Applicant believes that the presence of the ferry operations, which will be

constructed in proximity to the Club's current location, could present logistical and safety concerns and that the Club would benefit from relocation.

With respect to the Land Development Agreement dated May 14, 2003 (LDA), the Agreement is quite specific with regard to the express provisions that would govern any club relocation. More specifically, Section 2.12 of the LDA provides for the following:

The Redeveloper and the Agencies shall work together, in good faith, to relocate the Angler's Club to a facility comparable with its existing location at Glen Cove Creek (excluding the boat ramp) on the Property, the financial impact of which relocation shall be reflected in the Final Appraised Value. The Minimum Purchase Price set forth in Section 3.03(a) hereof shall be reduced by the amount of such financial impact.

Easements, Leases or Other Encumbrances

In addition to the access easement cited by the Hempstead Harbor Club, there are a number of other recorded instruments affecting the Project Site that will need to be addressed and/or satisfied prior to the Redeveloper taking title to the property. Examples of said instruments include various utility/drainage easements, access easements, an easement requiring a public esplanade, an easement requiring public access to the boat ramp and beach area, as well as a number of other more technical recorded instruments. Prior to conveyance, the seller and buyer will work collectively with the beneficiaries of the encumbrances to modify the instruments, where necessary, to allow for the construction of the proposed action as envisioned. As is customary with any land conveyance, the parties will also seek to extinguish any encumbrances that are no longer valid or applicable to the property to ensure the marketability of title at the time of the conveyance. For a complete schedule of all terms, covenants, conditions, easements and agreements of record please refer to Appendix T.

Potential Property Acquisitions

As previously stated in **Section II**, in order to allow for the construction of the Proposed Action, specifically components located in the eastern portion of the project area, acquisition of property from private parties is required.

The Applicant intends to acquire these properties through negotiation, and discussions with adjacent property owners are underway. Should this negotiation process not result in a successful transaction, Section 2.15 of the Land Development Agreement ("Agreement") between RxR-Glen Isle and the City of Glen Cove's IDA and CDA recognizes that acquisition of adjacent and/or nearby properties (both private and publicly owned) and their incorporation into the project will be necessary if the project is to be completed in accordance with the Conceptual Site Plan and the goals and objectives of the MW-3 zone and the

GPURP. The Agencies or City shall consider the appropriateness, of exercising their power of eminent domain to acquire such privately owned property, (subject to the requisite legal findings, determinations and requirements of the Eminent Domain Procedure Law). Furthermore, the Agencies or City shall consider working with the appropriate municipalities in consideration of moving any municipally owned properties to alternate locations.

Glen Cove Ferry Terminal

Re-establishment of the Glen Cove Ferry within the study area is a project of the City of Glen Cove, which has received state and federal funding for this project. From inception, the Agencies and the redeveloper have contemplated a resumption of ferry service to and from the NYC employment market and other potential destinations. Should the ferry project not move forward, the project would suffer several negative impacts including but not limited to: (i.) increased vehicular trip generation; (ii.) impaired marketability due to loss of an attractive transportation alternative (i.e., the ferry is likely to attract commuters to New York City); (iii.) impaired marketability of the City, as a whole, for potential weekend visitors from New York City and the region;; and (iv.) deviation from identified public policy recommendations encouraging transit-oriented development.

Study Area and Downtown Land Use Impacts and Relationships

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 that are commonly found in traditional waterfront centers. The proposed project components do not include noxious or incompatible uses that would be expected to cause detriment to the living or business environment of surrounding land uses through externalities such as noise, vibration, or odor. As a result, in the opinion of the Applicant, the proposed uses are compatible with surrounding uses, which include residential, commercial, and marina use.

The project is located at the south end of a relatively mature and developed neighborhood. While the general neighborhood pattern to the north consists largely of single-family, two-family and multi-family uses, the area in immediate proximity to the project site includes a mix of uses and building types. The proposed residential component of the project would have a higher density than the neighborhood to the north. However, the project would revitalize former heavy industrial uses and abandoned sites, which would be expected to have a positive impact on neighborhood character and property values. In addition, at the northern end of the site, where the project would be closest to surrounding residential uses, the building scale shifts to lower-scale four-story buildings as a transition to the lower density neighborhood. Garvies Point Preserve would also provide a buffer between the project and residences to the north, and the highest buildings (along the waterfront on the west side of the project) would be below the

treeline on the ridge of the Garvies Point Preserve and not be visible from the residential neighborhoods north of the Preserve.

In addition, the project's incorporation of a variety of uses is consistent with traditional neighborhood design principles and compatible with the neighborhood's existing mixed-use character. While the long-term status and viability of the industrial uses in the vicinity of the project area is unknown, site activity would not impede access to, or interfere with, the active industrial uses on the north side of Garvies Point Road and Herb Hill Road. The open space, waterfront promenade and limited retail at the east end of the project would also provide a connection between the waterfront and downtown. Besides creating a physical linkage between these two areas, the project's infusion of new residents and employees is expected to further support the downtown economy. The new population would be located within close proximity to the downtown and would be expected to increase activity levels and the customer base for downtown businesses. The proposed marine uses would complement existing marinas on the south side of Glen Cove Creek and advance water-dependent recreation along Glen Cove Creek. As a result, no adverse impacts on land use would be anticipated.

**INSERT EXHIBIT
III.E- 5
Esplanade Diagram**

b) Zoning

The Proposed Action is a new mixed-use development with residential, commercial, retail, cultural, entertainment, maritime, hospitality, recreation and restaurant uses, including water-dependent and water-enhanced uses.

The PUD Master Development Plan, consistent with the Conceptual Site Plan approved by the CDA/IDA, reflects the purposes of the MW-3 district and complies with the quantitative PUD criteria, see **Table III.E-4, Conformance with MW-3 Zoning District Regulations**. **Table III.E-5, Specific Uses**, describes the proposed uses and their compliance with the MW-3 zoning in further detail.

Furthermore, the Proposed Action promotes the specified objectives of the MW-3 district and the GPURP to eliminate blight, blighting influences and noxious and incompatible uses. As part of the proposed development plan, obsolete uses and substandard structures will be replaced with appropriate uses and high quality structures that take full advantage of their strategic waterfront locations.

**Table III.E-4
Conformance with MW-3 Zoning District Regulations**

Criteria	MW-3 PUD Requirement	Objectives to be Considered	Proposed	Complies (✓ = Yes)
Lot Area	25 Contiguous Acres		56±	✓
Number of permitted uses in Development	At least four	Yacht clubs and marinas, marina slips, museums & other entertainment, educational or cultural uses, hotel, spa, conference, and catering facilities, business and professional offices, retail uses, marine-dependent uses (e.g. boat docks, piers, ferry terminal), multiple residences and townhouses (PUD), food kiosks, growing, wholesale or retail use of fish, shellfish, and/or produce.	More than 4:	✓
Maximum residential density	20 units per acre	-Creation of attractive, active, mixed-use community that properly utilizes valuable waterfront resources -Creation of a marketable and sustainable development	15.36±	✓
Workforce Housing	10% of dwelling units	To ensure a variety of housing opportunities	86 units=10%	✓
Maximum height	To be established by Planning Board during site plan review	-Balance of building scale and density, maximize publicly accessible open space, landscaping, including landscaped roof terraces -Creation of view corridors from public street and open spaces to the creek, harbor and preserve -Creation of varied vistas when viewed from the south side of the creek -Height of buildings and structures shall not exceed treetop elevation of Garvies Point Preserve ridgeline. -Architectural treatments. -Balance of scale and density with maximization of concealed parking facilities, conceal or mitigate visual impacts of parking structures and lots	All concepts incorporated	✓
Minimum distance between principal structures	To be determined by Planning Board	To maximize creation of view corridors and open space	View corridors provided	TBD
Off-street parking	To be determined by Planning Board	-MW-3 parking requirements -Balance of scale and density with maximization of concealed parking facilities, use of landscaping, architectural treatments, roof gardens and courtyards to conceal or mitigate visual impacts of parking structures and lots	Concepts incorporated	TBD
Parking structure/area location	Not be located within 30 ft of mean high water/bulkhead unless walkway is included, then setback may be reduced/eliminated	Integration of parking facilities into landscape designs and building structures to minimize visual impacts	Esplanade and walkways provided. All parking structures more than 30' away	✓
Open Space	Not less than 25%	Including: square, greens, parks, new or enhanced wetlands and esplanades	35%/19.4 acres±	✓
Pedestrian and bicycle access	Connected network	To provide well designed pedestrian-oriented streetscapes including sidewalks, street trees, lighting, and appropriate relationship of building facades and entrances	Trail network and esplanade	✓
Intermodal transportation system	Required	May include trolleys, jitney, people movers, streetcars to connect the waterfront with downtown and LIRR	Downtown and train station shuttle; ferry access	✓
Interconnected street system	Where possible	Avoid cul-de-sacs, encourage traffic calming	Streets end at public park, beach/boat launch,	✓

**Table III.E-5
Specific Uses**

Uses in MW-3	Proposed Action
Educational, cultural, or entertainment uses, which may include uses such as museums, galleries, exhibit facilities, aquariums, theaters or other similar uses whose primary focus is on waterfront, marine or Long Island’s north shore culture and history and/or will contribute to the City’s objective to create the Glen Cove waterfront as a destination. Such uses may include offices and retail use as part of the principal use, and accessory thereto.	Retail/cultural area, outside amphitheater, proposed Ecological Educational Trail
Hotel, spa, conference center, catering and restaurant uses, provided that for sites with water frontage the use is designed with public access to the water via one or more of the following: boat slips for transient or seasonal use, marina use, esplanade, boardwalk, park, plaza or open space.	Hotel (250 suites), spa, conference center, and catering and restaurant uses are included in the Proposed Action.
Business and professional offices and retail uses. Such retail uses shall fulfill the purposes and objectives of this district. In particular, such retail uses and services shall be of a type and quantity that will appeal to both residents and visitors as well as attract people to the waterfront and complement the Central Business District.	Business and professional offices and retail uses of a complementary nature are included in the Proposed Action.
Boat docks, pump-out stations, slips, piers, terminals and wharves for yachts, pleasure boats, dinner cruises, ferries, water taxis or boats for hire any and/or all of which are intended to carry passengers on excursion, commuting, pleasure or fishing trips, or for vessels engaged in fishery or shell fishery.	Multiple marine related facilities, including slips, and a turning basin are included in the Proposed Action.
Multiple dwellings, residences and townhouses. Where such residences are in mixed-use structures, they shall be designed in an approved manner.	Multiple dwellings, residences and townhouses (860 total units) are included in the Proposed Action, including: 594 Condominium Units: 1-bedroom: 148 units 2-bedroom: 297 units 3 bedroom: 149 units 180 Rental Units: 1-bedroom: 63 units 2-bedroom: 90 units 3 bedroom: 27 units 86 Ownership Workforce Units: 1 bedroom: 13 2 bedroom: 73
Food Kiosks provided they are located on land.	May be provided seasonally along public esplanade.
Retail sale of fish, shellfish and/or produce.	May be provided seasonally along public esplanade.

c) Public Policy

As previously discussed, the project area is guided by several public policy documents including, the Glen Cove Master Plan, the proposed Glen Cove Master Plan (on February 10, 2009 the City adopted a resolution acknowledging receipt of a final draft Master Plan), the Glen Cove Creek Revitalization Plan, the *Third Amended Urban Renewal Plan for the Garvies Point URA*, the *Harbor Management Plan for Hempstead Harbor* (“HMP”), the *Long Island Sound Study*, and the Long Island Sound Coastal Management Program.

Glen Cove Master Plan (1961, updated 1966, 1974 and 1980)

Residential Environment Objectives

- *Since Glen Cove is primarily a residential community, its future should be planned to provide a safe, healthy, pleasant environment for all residents. Ample provision should also be made for employment in commerce, industry and the processions; however, the size and location of areas allocated to these uses should not be such as to infringe upon or detract from the character of residential areas.*

Residential neighborhoods exist to the north of the project area. Garvies Point Preserve separates the project area, which contains industrial uses and deteriorated former industrial uses, from the existing residential neighborhoods. The Proposed Action will redevelop this former industrial area, which abuts Hempstead Harbor and is within walking distance of downtown Glen Cove, with a compatible mixed-use project that includes residences, hospitality, recreation, retail, commercial, cultural, and marine uses. Such mixed-use development is intended to enhance existing residential areas and would remove potential reuse of the area for heavy industrial or noxious uses that would be incompatible with existing residential areas.

- *All housing should provide sufficient floor space and yard space, privacy, comfort, and convenience to permit decent, satisfying family life.*

Average net square footage for the residential units would range from between 1,815-1,855 square feet for the condominiums, 2,000-2,085 square feet for the townhouse units, 1,255-1,260 square feet for the rentals, and 1,035-1,065 for the workforce units.

The proposed development would include approximately 19 acres of open space and would be conveniently located near both the downtown and

waterfront. A waterfront esplanade and a trail system that create a walkable neighborhood would connect the area to downtown Glen Cove via Pratt Park.

- *The provision of a variety of housing types, from single family homes on large lots to apartment developments, at varying cost levels, should be provided in order to enable people with different tastes, family requirements and incomes to live in the city.*

The Proposed Action includes a range of housing opportunities and choices; these include market rate condominium ownership and rental units, townhome units, and workforce housing units. Units range in size from one to three bedrooms.

- *The city should provide the widest possible range of educational and recreational facilities, of appropriate size and location so that they offer superior opportunities and satisfactions to the city's residents. The land requirements for public use should be anticipated and such property secured well in advance of actual need.*

The project would introduce new water-related recreational opportunities (e.g., marinas) along the north shore of Glen Cove Creek, and would include improvements to the Garvies Point Beach and public boat launch along Hempstead Harbor. The project would, as previously described, provide approximately 19 acres of new publically accessible land, including a continuous esplanade and open space network along Glen Cove Creek, linking downtown Glen Cove to the Garvies Point Beach (via Pratt Park). This would expand public access to the waterfront and encourage the entire creek to become a more active maritime recreational resource.

Traffic Objectives

- *The prevention and reduction of traffic congestion should be achieved through the provision of a coordinated system of streets designed to separate as much as possible through and local traffic.*

The Proposed Action would support this recommendation. Public roads to the site would remain and additional on site roads would be added as appropriate in a coordinated fashion designed to separate public and private traffic to and from the site.

Commercial and Industrial Objectives

- *The city should encourage and facilitate the development of one major retail center, the present central business district, at a*

magnitude designed to serve its trade area population. The further development of other commercial areas, such as those along Forest Avenue, should be along lines not directly competitive with the central area. In other areas development should be encouraged for non-retail commercial activities or neighborhood retail sales and service.

A limited amount of new retail space is proposed at the eastern end of the project to provide for vitality on the site and to complement Downtown Glen Cove. The limited scale would not overwhelm or compete with downtown, but would provide a link between the areas.

- *Appropriate industrial development should be encouraged in designated industrial areas, in order to provide employment for Glen Cove residents, and improve the tax base. Such development should avoid any undesirable infringement of industrial activities on the primarily residential character of the city.*

Prior industrial activity in the area led to contamination along the north shore of Glen Cove Creek. The Proposed Action will redevelop approximately 56-acres of vacant, blighted and underutilized land along the north shore of Glen Cove Creek with a mixture of residential, commercial, retail, cultural, recreational, hospitality, office, maritime, and open space uses. It is anticipated that the proposed project will generate approximately 768 full time equivalent jobs.

General Environment Objectives

- *The most basic natural resources in Glen Cove are land and water. Considerable undeveloped land still exists within the city. Development of this land should be guided so as to preserve its natural beauty; and some land should be conserved in its natural state for the enjoyment of Glen Cove residents. Another notable asset is the fact that the City is partially surrounded by Long Island Sound. The visual and recreational opportunities offered by the water orientation of the city should not be neglected. Steps should be taken to preserve and enhance the advantages of being situated on the Sound. The development of suitable section of land for public and private marinas, parks and beaches, should be encouraged bordering Hempstead Harbor, Glen Cove Creek and Long Island Sound.⁹*

As stated previously, the proposed project would introduce new water-related recreational opportunities (e.g., marinas) along the north shore of Glen Cove Creek, and would include improvements to the Garvies Point

⁹ *Comprehensive Development Plan, Update of Development Policies, City of Glen Cove. July 1980.*

Beach and public boat launch along Hempstead Harbor. The project would include a continuous esplanade and open space network along Glen Cove Creek. These improvements would expand public access to the waterfront

Garvies Point Road Recommendations

- *Revise City Plan and Zoning Regulations to accommodate marina or marine-related commercial development or residential development and recreation along Glen Cove Creek on the south side of Garvies Point Road so that there is more flexibility and potential control.*

This is a recommendation for municipal action and does not apply to this project. The City did however revise the zoning code in November 2004 with the introduction of and amendments to the MW-3 zone to permit mixed-use development, including marine and residential uses, along the south side of Garvies Road. The proposed project complies with the MW-3 regulations.

- *Design and carry out improvements to roads and intersections to increase capacity of the area to accommodate employees, clients and/or residents and avoid congestion. An extension of Pratt Boulevard to Herhill Road was identified as the primary improvement area. It was also recommended that Pratt Park should be rehabilitated and that Charles Street would be closed to make it part of the park area. The realignment of Garvies Point Road-Dickson Street-Herhill Road was recommended.*

These recommendations apply to public rights of way and would therefore require government action.

Glen Cove Master Plan (Newly adopted, May 2009)

Neighborhood Goals and Objectives

Protect and enhance Glen Cove's established residential neighborhoods, while providing a variety of housing options to meet the needs of current and future residents.

- *Protect the scale, density and character of Glen Cove's well-maintained neighborhoods;*
- *Accommodate a diverse population by providing a variety of housing options in terms of type and affordability;*
- *Require any redevelopment of large parcels, such as estate sites to meet the highest standards for site and building design, mixture of uses and housing types, and protection of historic resources; and*

- *Develop creative strategies to address issues of overcrowding and illegal uses in struggling neighborhoods.*
- *Generate administrative and regulatory changes that advance the City's and community's goals.*

Residential neighborhoods exist to the north of the project area. Garvies Point Preserve separates the project area, which contains industrial uses and deteriorated former industrial uses, from the existing residential neighborhoods. The Proposed Action would redevelop this former industrial area, which abuts Hempstead Harbor and is within walking distance of downtown Glen Cove, with a compatible mixed-use project that includes residences, hospitality, recreation, retail, cultural, commercial and marine uses. Such mixed-use development is intended to enhance existing residential areas and would remove potential reuse of the area for heavy industrial or noxious uses that would be incompatible with existing residential areas.

The Proposed Action includes a range of housing opportunities and choices; these include market rate condominium ownership and rental units, townhome units, and workforce housing units. Units range in size from one to three bedrooms.

Connections Goals and Objectives

Adjust the transportation network to place greater emphasis on pedestrians, bicyclists and especially transit, mindful of the impact of vehicular congestion and auto-oriented development on the quality of life and image of Glen Cove.

- *Maintain roadway efficiency with balanced roadway regulations;*
- *Enhance the accessibility and convenience of public transportation options;*
- *Improve pedestrian and bicycle amenities citywide, but especially with destinations in mind; and*
- *Improve the appearance of the City's gateways and corridor, including selective development in commercial corridors.;*
- *Enhance the accessibility and convenience of public transportation options.*

The Proposed Action would enhance the character of the creek by promoting the re-establishment of a connection to Long Island Sound (lost by previous industrial development) through the creation of public walkways, boardwalks, fishing piers and educational facilities, while preserving the relationship between the proposed built environment with the natural landscape and wetlands along the creek. This proposed development along the creek would serve as a destination for pedestrians and bicyclists. The mixed-use development would strengthen the

waterfront economy by providing new retail and commercial uses that would positively complement the existing commercial uses in downtown Glen Cove, a clear recommendation in the LISCMP.

On site trails and pathways would connect to the waterfront esplanade and to downtown via Pratt Park. A shuttle from the project site to the train stations and to Downtown is proposed and the City's proposed ferry terminal would provide a transportation option that could be accessed on-site.

Downtown Goal and Objectives

Encourage an active, inviting and well-connected Downtown, designed to respect the pedestrian and the existing character of historic buildings, while accommodating a mix of uses and appropriate redevelopment for residents and visitors.

- *Protect and enhance Downtown's historic scale and character;*
- *Enrich the mixed-use character of Downtown;*
- *Create an "arts and entertainment" district;*
- *Enhance walkability and amenities;*
- *Support the business community's revitalization efforts;*
- *Address perceived and actual parking problems;*
- *Improve connections to the rest of Glen Cove.*

The design of the mixture of uses is intended to enhance Glen Cove's downtown through the additional daytime and nighttime population generated by the residential, office, recreation and other uses. The limited retail included in the project will be primarily located at the east end of the project site to complement downtown retail uses. The location of the retail uses at the east end of the site and pedestrian connections to Downtown will encourage pedestrian activity between Downtown and the Glen Cove Creek waterfront.

Waterfront, Parks & Natural Resources Goal and Objectives

Maintain Glen Cove Creek's maritime character, as well as manage redevelopment to encourage increased accessibility and recreational amenities along with a mix of complementary uses.

- *Protect natural resources and environmental features;*
- *Maximize use of existing open space and recreational resources;*
- *Create a network of linked resources; and*
- *Leverage past and future investment to maximize public amenities and benefits.*

The Proposed Action would create a mixed-use community organized around water-related commercial, recreational, residential, retail, cultural,

and hospitality activities. Water-dependent uses include new marinas, and improvements, including improved access to the public beach and boat launch.

The Glen Isle development is essentially surrounded by publicly accessible open space: Hempstead Harbor to the west, the Garvies Point Preserve to the north, Pratt Park to the east and the Glen Cove Creek esplanade to the south. The plan provides connections for these areas through a series of view corridors and pedestrian paths, as well as the creation of substantial new public open spaces on-site (see **Exhibit III.E-6, Elevation**).

The Proposed Action would remove unused industrial structures that present a visually blighting influence. It is anticipated that the removal of the unused industrial structures, coupled with the introduction of new landscaping, parks and open spaces in this former industrial area, would improve the visual quality throughout the coastal area. Although the project will introduce new buildings, these will be designed to minimize impact and enhance their visual impression. Such features include orienting structures to preserve open space and provide visual organization, and recognition of water-dependent uses, such as the replenished beach, ecology pier and the yacht slips as additions to the visual interest of the area. Green roofs, varied elevations and a maximum height which is always below the tree line of Garvies Point Preserve will be utilized to protect the visual quality.

Waterfront, Parks & Natural Resources Vision and Recommendations

The January 2009 *Final Draft Master Plan* reviews the Glen Cove Creek waterfront in detail. The vision for the Glen Cove Creek is:

Respect the natural and scenic resources that define Glen Cove's unique character, promote sustainability practices, and, at the Glen Cove Creek waterway, amplify park amenities, public access and boating activity, linked to complementary development.

1. Preserve Glen Cove Creek's recreational maritime vitality, while revitalizing its waterfront with mixed-use development and destination activities.

The proposed mixed-use development will have a significant emphasis on creating a water-dependent and water-enhanced community that preserves Glen Cove Creek's recreational maritime vitality while revitalizing the area as a destination and incorporating sustainable practices.

For example, recreational water-dependent uses include:

- A replenished beach
- A public boat ramp
- Multiple marinas
- A pier
- Creation of a turning basin suitable for use by hand launch craft

Additional components of the project, including destination activities, include:

- Beach boardwalk and seating areas
- Waterfront playground
- Marine esplanade
- Restaurants and shops with waterfront views
- A waterfront hotel
- An ecological educational trail

2. Create a green network linking the esplanade, Garvies Point Preserve, Pratt Memorial Park and Maccarone Memorial Stadium.

On site trails would create a network linking the esplanade to esplanade to Pratt Park. Trails adjacent to Garvies Point Preserve would also be provided.

3. Link the waterfront's development, destinations and improvements to Downtown's revitalization, as well as to "gateway" improvements.

The design of the mixture of uses in the proposed project is intended to enhance Glen Cove's downtown through the additional daytime and nighttime population generated by the residential, office, recreation and other uses. The limited retail included in the project will be located at the east end of the project site to complement downtown retail uses. On site trails would link the development to downtown via Pratt Park.

4. Continue to improve environmental conditions along the waterfront, building on the City's considerable success in cleaning up brownfields.

Over the past decade, the City of Glen Cove has worked closely with the State and Federal government agencies that have secured funding and overseen an extensive clean-up effort. Building upon this foundation, the development plan uses creative siting, building design and soil management techniques to allow the construction of a smart-growth mixed-use, waterfront development.

Healthy wetlands are an important part of the mixed-use development. Separate and apart from the environmental importance of wetlands, they are a visual amenity and important contributor to the overall environmental improvements. The development includes wetland enhancements along the creek. The creation of approximately 26,851 square feet of wetlands in the low sill bulkhead area, will ensure that the site achieves a net gain in wetland quality and quantity.

5. Moderate the impacts of new development in terms of scenic resources, traffic, etc., and forestall industrial uses that create additional brownfields.

The Proposed Action will redevelop a former industrial area with a mixed-use project that includes residences, hospitality, recreation, retail, commercial and marine uses. Such mixed-use development is intended to be compatible with and enhance existing nearby residential areas. Buildings would be designed to minimize impact and enhance their visual impression. Such features include green roofs, varied elevations to preserve view corridors and a limited maximum height. In terms of mobile sources, the project is designed to encourage the use of transit, walking and bicycling. The conceptual site plan is pedestrian friendly and the smart-growth arrangement reduces walking distances. To the extent visitors and residents may wish not to walk, the project will provide a shuttle to the Glen Cove LIRR station. In addition, the City is planning a ferry service to connect with Manhattan and other destinations. This ferry service, would leave/arrive from within the project area, and would further serve to limit auto trips.

**INSERT EXHIBIT III.E-6
Elevation**

The proposed project would remove potential reuse of the area for heavy industrial or noxious uses that would be incompatible with existing residential areas. Traffic moderating components of the conceptual plan include network of on site trails would link the waterfront esplanade, which, via Pratt Park links to the downtown; a shuttle to the train station; and access to the City's proposed on-site high speed ferry.

6. Create a sustainable neighborhood that is, to the maximum extent possible, consistent with Glen Cove's sense of place and community character.

The Proposed Action will remove unused industrial structures that present a visually blighting influence. It is anticipated that the removal of the unused industrial structures, coupled with the introduction of new landscaping, parks and open spaces in this formerly industrial area, will improve the visual quality throughout the coastal area. Although the project will introduce new buildings, these will be designed to minimize impact and enhance their visual impression. Such features include orienting structures to preserve open space and provide visual organization, and recognition of water-dependent uses, such as the replenished beach, ecology pier and the yacht slips as additions to the visual interest of the area. Green roofs, varied elevations and a maximum height which is always below the tree line of Garvies Point Preserve will be utilized to protect the visual quality.

The mixture of uses is intended to enhance Glen Cove's downtown through the additional daytime and nighttime population generated by the residential, office, recreation and other uses. It is estimated that the project would generate approximately 464 jobs, which would add to economic sustainability in the City.

The *Master Plan* includes the following recommendations for the waterfront, parks and natural resources.

1. Protect natural resources and environmental features, throughout Glen Cove:

- *Ensure environmentally sensitive development, through environmentally minded programs and reformed zoning regulations;*
- *Enact a steep slope zoning ordinance;*
- *Support open space preservation regulations;*
- *Require greening of parking lots;*
- *Promote natural vegetation, swales, rain gardens, and similarly environmental conscious landscape practices;*

- *Promote green roofs in connection with new industrial, commercial and multifamily development;*
- *Continue to secure environmental protection and cleanup funding;*
- *Leverage green investment;*
- *Coordinate infrastructure improvements and natural resources protection;*
- *Encourage cooperation among private sector, non-profit institutions and government to support and promote the environment.*
- *Launch a “Green Community” Campaign.*

This recommendation does not apply to the applicant. The recommendation applies to City policies, regulations and actions.

2. *Maximize use of existing open space and recreational resources:*

- *Support year-round, family-friendly recreation;*
- *Promote active programming of open space;*
- *Seek partnerships and seize upon every opportunity to “green” streets, sidewalk spaces, paths, and waterfront areas.*

Many of the specific objectives of this recommendation are municipal actions, such as regulatory and programmatic tools and the adoption of zoning regulations. The Proposed Action, however, is consistent with this recommendation. The Proposed Action includes provisions to reconstruct the municipal boat ramp and to replenish the beach area. Walking paths and public open spaces will provide public access to these lands and navigable waters in Glen Cove Creek and Long Island Sound. Green roofs, compact buildings and transit-oriented development support a “green” community.

3. *Create a network of linked resources:*

- *Form a circulation network that reinforces Glen Cove’s open space amenities;*
- *Make roadway and path improvements that encourage bicycling;*
- *Increase pedestrian access to and along the entire Glen Cove waterfront;*
- *Strengthen the connection between Downtown and the Glen Cove Creek waterfront;*
- *Maximize pedestrian access to and along the Glen Cove Creek waterfront;*
- *Create a network of parks and open spaces in the Glen Cove Creek waterfront, adding up to a new “central park” for all of Glen Cove’s residents.*

The Glen Isle development is essentially surrounded by publicly accessible open space: Hempstead Harbor to the west, the Garvies

Point Preserve to the north, Pratt Park to the east and the Glen Cove Creek esplanade to the south. The conceptual plan provides connections to these areas through a series of view corridors and paths, as well as the creation of new public open spaces on-site, which would provide a waterfront recreation amenity for all City residents. The proposed ecology pier would provide an educational opportunity for waterfront visitors.

4. *Leverage private investment to maximize public benefits:*

- *Generate a comprehensive, mixed-use waterfront plan that further vitalizes the Glen Cove Creek waterway as a citywide destination and resource;*
- *Preserve Glen Cove Creek's maritime vitality;*
- *Assure continued maritime use of the Glen Cove Creek waterway;*
- *Fund the green network linking the proposed esplanade, Garvies Point (and beach), Garvies Point Preserve, Maccarone Memorial Stadium, Pratt Memorial Park, and other Glen Cove Creek-area park and open space resources;*
- *Employ income-producing uses to supplement park revenues and promote year-round usage;*
- *Continue to improve environmental conditions along the waterfront;*
- *Moderate the impacts of new development on the north waterfront in terms of scenic resources;*
- *These design features would reinforce the Master Plan's vision of a maritime and recreational south waterfront;*
- *Moderate the impacts of all new Glen Cove Creek waterfront development in terms of traffic and sustainability;*
- *Link the waterfront's development, destinations and improvements to Downtown's revitalization;*
- *Create a positive pedestrian experience;*
- *Ensure proper vehicle access, circulation, and parking;*
- *Create a neighborhood sensibility, rather than an enclave quality;*
- *Obtain adequate binding assurances from each redeveloper that the public amenities will be constructed in a timely manner;*
- *Strengthen the incentive for timely provision of public amenities;*
and
- *Balance the need for predictability and for flexibility.*

The Proposed Action will create a new transit-oriented mixed-use community that will preserve and enhance water-dependent recreation, such as marinas. The conceptual plan includes the development of 85 slips and the retention of the Angler's club through its relocation. These components of the project will compliment marina uses on the south side of Glen Cove Creek. Dredging of the creek was completed in March 2007. Future dredging would be the

responsibility of the Property Owner's Association should public funds not be available.

A network of trails and open space would link to the downtown via Pratt Park and would provide a level of public waterfront access that was not achievable with the prior industrial development. Approximately 35 percent of the site (19± acres) would be preserved as publically accessible open space. The trails network and limited on-site retail at the eastern end of the site would link to and compliment downtown. The trail network would provide a linkage for destination points fronting the esplanade, these would include limited retail uses, recreation and open space components and the hotel.

The development would offer a variety of housing options intended to attract a broad range of residents. The unit mix includes rental units and ownership units ranging from one-to three-bedrooms and 10 percent of the units will be workforce housing units.

The project would utilize and expand existing infrastructure and would minimize adverse effects of development through wetlands restoration and environmental clean up. The proposed buildings are compact in design by providing vertical development. The building design and site, however, create view corridors for locations east and south of the subject site, allowing for views of the creek and Garvies Point Preserve. The compact building design, combined with a site design that builds on the existing infrastructure, yet incorporates large open space area, results in a roadway network that services the area, but respects the waterfront recreation vision for the area.

Consistent with low impact development concepts, the Proposed Action would incorporate measures to control stormwater, including:

- Stormwater would be controlled to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to surface and ground water;
- Stormwater would be managed so that unacceptable levels of chemicals do not enter Glen Cove Creek;
- Wetlands at the western portion of the creek would be preserved and new wetlands created at a low sill bulkhead along the eastern part of creek; and
- Soil erosion and sedimentation control measures (e.g. hay bales, silt fencing) would be implemented during construction to minimize the potential for silt to enter Glen Cove Creek. In addition, paving or planting soils as soon as possible after disturbance to minimize sedimentation would also be implemented.

The project would contain numerous "green building" strategies and components that are potentially eligible for certification under the Leadership in Energy and Environmental Design ("LEED") green building rating system. The LEED Green Building System is a 3rd-party certification program developed by the US Green

Building Council and used as a rating system for the design, construction and operation of high performance buildings. LEED certification distinguishes buildings and projects that have demonstrated a commitment to sustainability by meeting exemplary performance standards. The LEED system was initially produced to guide and distinguish high-performance commercial and institutional projects, with an original focus on office buildings. Components have since been applied to schools, multi-family residential buildings, manufacturing plants, laboratories and many other building types. Since the project is still at the special permit/conceptual site plan phase, construction documents and details have not yet been prepared. However, the project will likely include many of the design features and construction practices that would qualify for credits in the LEED rating systems. Notable features include the extensive use of green roofs, and the project's compact, mixed-use, transit-oriented focus. The project would also employ ENERGY STAR energy-saving features such as increased insulation, high-efficiency heating and cooling systems, and energy-saving appliances and lighting. The New York ENERGY STAR Multifamily Performance Program is intended to design buildings that use at least 20 percent less energy than buildings constructed to ASHRAE standards.

As specific building design advances, the Applicant will explore methods to incorporate current environmentally responsible techniques to the extent feasible, recognizing that the LEED rating systems are dynamic and change over time.

Glen Cove Creek Revitalization Plan

The GCCRP proposed various maritime, commercial, retail, light industrial, recreational and entertainment uses along the Glen Cove Creek corridor. Sectors 2 and 3 as identified in the GCCRP comprise the land proposed to be redeveloped under the Proposed Action. These sectors were proposed to be developed under the GCCRP with a variety of recreation, water-dependent and water-enhanced commercial uses, as well as light industrial with accessory commercial uses. No residences were proposed under the GCCRP. At the time the GCCRP was developed, the environmental cleanup levels were not projected to meet standards for residential use.

Although the plan was never formally adopted, the Proposed Action conforms with the basic objective of the GCCRP to clean up blighted sites within the project area, and introduce new commercial, retail, and maritime uses to the Glen Cove Creek corridor. With the inclusion of a residential component, the proposed development would introduce new residential, commercial, retail and other related activities to the area, remediate contaminated and blighted properties, and support those existing light industrial businesses that could continue to thrive in Glen Cove.

The Proposed Action will create a new transit-oriented mixed-use community that will preserve and enhance water-dependent recreation, such as marinas. The conceptual plan includes 85 slips and the retention of the Angler's club through its relocation. These components of the project will compliment marina uses on the south side of Glen Cove Creek.

A network of trails and open space would link to the downtown via Pratt Park and would provide a level of public waterfront access that was not achievable with the prior industrial development. Approximately 35 percent of the site (19± acres) would be preserved as publically accessible open space. The trails network and limited on-site retail at the eastern end of the site would link to and compliment downtown. The trail network would provide a linkage for destination points fronting the esplanade, these would include limited retail uses, recreation and open space components and the hotel.

Third Amended Urban Renewal Plan for the Garvies Point Urban Renewal Area

The Proposed Action conforms with the policies and objectives of the *Third Amended Urban Renewal Plan ("URP") for the Garvies Point Urban Renewal Area ("URA")* (July 2005). The URP's stated basic objectives are to eliminate those substandard conditions that impede the proper development of the area, as well as provide opportunities to revitalize and redevelop the City's waterfront with water-dependent or water-enhanced commercial, residential and public and private recreation facilities. Additionally, the URP includes provisions to provide sites for new residential development to create new home-ownership opportunities and taxes. The Proposed Action incorporates these concepts. Conformance of the project with each of the plan objectives is identified below.

As indicated above, the basic objectives of the URP include:

- *The elimination of the substandard conditions that help impede the proper development of the area;*

The project site occupies a blighted area characterized by vacant and underutilized former industrial land. The Proposed Action includes provisions to eliminate blighting conditions on these previous industrial properties that have historically impeded the proper development of the area, including acquisition of parcels within the project area. Parcels that would need to be acquired to implement the project are discussed in detail in **Section II** of this document. The redevelopment of these vacant and underutilized parcels with a new mixed-use community would eliminate the existing blighting conditions.

- *The provision of opportunities to revitalize and redevelop the City's waterfront with water-dependent and water-enhanced commercial, residential and public and private recreational facilities;*

The project will utilize the waterfront for marinas, an improved public beach and boat launch, an esplanade and an open space network designed to provide increased public access to the shoreline, and other water-dependent recreation activities, an objective clearly defined in the URP. The project also includes a number of uses that would be enhanced by a waterfront location including restaurants, shops, a hotel, and residences.

- *The provision of sites for new residential development to create new home-ownership opportunities and taxes.*

The development plan includes a total of 860 new residential housing units, providing a range of housing opportunities and choices. The majority of the units are proposed as for-sale residential units, including the workforce housing units. As a result, the project promotes new home-ownership opportunities within the URA, a clear objective of the amended version of the URP.

In its discussion of proposed land use, the plan further outlines related objectives for the Glen Cove Creek corridor as follows:

- *Permit and encourage a range of water-dependent, water-enhanced, and other related uses so that the City's valuable waterfront resource is utilized properly and in a manner that will ensure an attractive waterfront setting for a variety of appropriate and sustainable uses that are beneficial to both the City's residents and waterfront property owners;*

Much of the site is currently fenced and, therefore, much of the waterfront is inaccessible to the public. The project has a significant emphasis on creating a water-dependent and water-enhanced community, introducing a number of new water-dependent and water-enhanced recreational opportunities along the Creek, including marinas, a pier, a turning basin suitable for use by hand launch craft, beach boardwalk and seating areas, waterfront playgrounds, restaurants and shops with waterfront views, and a waterfront hotel. In total the project would provide approximately 19 acres of new publicly accessible land, including a continuous esplanade and open space network along the Creek.

- *Guide the redevelopment of portions of the GPURA that contain structures considered to be substandard and uses that are blighted or are blighting influences on the north side of Glen Cove Creek with uses more appropriate to this strategic location within the community;*

As indicated above, the project would redevelop a blighted area characterized by vacant and underutilized former industrial land, with a mixed-use project. The proposed uses are compatible with both the downtown and the surrounding neighborhood and implementation of the project will allow for the community to reengage with its waterfront.

- *Assure that development optimizes the waterfront location and encourages water-dependent, water-enhanced uses and other related uses, public access and use of the waterfront for residents, visitors and/or employees of the area and the entire Glen Cove community;*

As described in the basic objectives above, the project has a significant emphasis on creating a water-dependent and water-enhanced community, and introduces a number of new water-dependent and water-enhanced recreational opportunities along the Creek. It also includes uses that are enhanced by a waterfront location, such as restaurants and the hotel. The project also involves extensive public access along the entire length of the north side of the Creek.

- *Further establish connectivity to the Downtown Business District;*

The open space, waterfront promenade and retail at the east end of the project would provide a physical connection intended to facilitate pedestrian and cyclist interaction between the waterfront and downtown, and the infusion of new residents and employees would be expected to further support the downtown economy.

- *As a general rule, properties will remain as zoned unless a property owner requests an appropriate rezoning. The City Council may rezone property on its own initiative when zoning is inconsistent or incompatible with the Plan goals.*

The project does not require a rezoning and will be developed in accordance with the requirements of the MW-3 District.

- *To the extent that lands located in the area are zoned R-1, R-4 or I-3, such districts, by definition, are inconsistent with the goals of the MW-3 District. Therefore, rezoning and/or acquisition of such lands may be appropriate at some future date. To the extent that any property located in the area is or becomes inconsistent or incompatible with the goals of the MW-3 District, the rezoning and/or acquisition of such may be appropriate at some future date.*

This provision relates to areas zoned R-1 Residence, R-4 Residence and I-3 Industrial. Since the project site is entirely within the MW-3 District, this provision is not applicable.

In summary, implementation of the Proposed Action would be consistent with the objectives of the *Third Amended Urban Renewal Plan for the Garvies Point URA*.

Long Island Sound Coastal Management Program and Historic Maritime Center Designation

Glen Cove Creek has been identified as a regional resource, where future development should reflect its history and cultural past. The project's redevelopment of industrial brownfield sites would encourage public access to the waterfront, thereby enhancing the creek's status as a Historic Maritime Center.

The Proposed Action would enhance the character of the creek by promoting the re-establishment of a connection to the Sound (lost by previous industrial development) through the creation of public walkways, boardwalks, and educational facilities, while preserving the relationship between the proposed built environment with the natural landscape and wetlands along the creek. The mixed-use development would strengthen the waterfront economy by providing new retail and commercial uses that would positively complement the existing commercial uses in downtown Glen Cove, a clear recommendation in the LISCMP.

Additionally, as one of the designated Maritime Centers along the Long Island Sound, Glen Cove Creek is a suitable and appropriate location on for new or expanded water-dependent uses. The Proposed Action would transform existing and former industrial uses along the creek, an action that could rehabilitate the area with new commercial and water-dependent/enhanced and other related uses, such as a waterfront esplanade, marinas and other related recreational and maritime uses.

LISCMP Planning Priorities

The LISCMP is intended as a guide to set State and local planning priorities. Toward that end it set forth 50 recommendations ranging from priorities for specific physical improvements to identification of needed regulatory controls. The recommendations listed below are applicable to the Proposed Action:

- *“Foster a development pattern on the Long Island Sound coast which focuses on the 17 existing centers of development, strengthens the waterfront economy, and preserves natural resources.”*

Glen Cove is one of the 17 identified existing centers of development. The Proposed Action is consistent with this recommendation, as it will strengthen an area of the waterfront that has been identified as blighted through redevelopment with a mix of residential, commercial, recreational and water dependent uses. The development will preserve natural resources through restoration of wetland areas. The design of the mixture of uses is intended to enhance Glen Cove's

downtown through the additional daytime and nighttime population generated by the residential, office, recreation and other uses. The limited retail included in the project will be primarily located at the east end of the project site to complement downtown retail uses.

- *“Work with local governments to advance development in brownfields and underused urban waterfronts to produce regional economic benefits, meet the demand for new large-scale development and restore deteriorated environments.”*

This project has only been made possible by close collaboration between public and private interests. The site, constituting approximately 56-acres, was extensively contaminated by past industrial activities, and sections have been designated as brownfields. Over the past decade, the City of Glen Cove has worked closely with the State and Federal government agencies that have secured funding and overseen an extensive clean-up effort. Building upon this foundation, the development plan uses creative siting, building design and soil management techniques to allow the construction of a smart-growth mixed-use, waterfront development.

- *“Achieve a net gain in the quality and quantity of tidal wetlands and no net loss in the quality and quantity of freshwater wetlands in the Long Island Sound coastal area.”*

Healthy wetlands are an important part of the mixed-use development. Separate and apart from the environmental importance of wetlands, they are a visual amenity and important contributor to the overall environmental improvements. The development includes wetland enhancements along the creek. There will be a reduction of approximately 8,520 square feet of wetlands in the area proposed for the large yacht marina. However, the majority of these wetlands are *Phragmites* dominated, with only a small portion of *Spartina alterniflora* vegetated wetlands. In addition, the *S. alterniflora* wetlands will be relocated to the low sill bulkhead area, creating a new wetland area of approximately 20,500 square feet, resulting in a net gain in wetland quality and quantity.

- *“Develop an appropriate mix of, and establish priorities for, public access and recreation facilities and open space areas to meet needs”*

The Glen Isle development is essentially surrounded by publicly accessible open space: Hempstead Harbor to the west, the Garvies Point Preserve to the north, Pratt Park to the east and the Glen Cove Creek esplanade to the south. The plan provides connections for these areas through a series of view corridors and pedestrian paths, as well as the creation of substantial new public open spaces on-site (see **Exhibit III.E-6, Elevation**).

- *“Improve siting requirements for marinas and other docking facilities”*

Glen Cove Creek was cited as one of the areas having suitable characteristics for siting new marinas. This is part of the LISCMP set of goals related to reinvigorating the working waterfront. Consistent with this recommendation, the plan includes two new marinas and a reconstructed Anglers Club marina and building. It is noted that the proposed City of Glen Cove ferry project would be located nearby these proposed marinas and docking facilities.

LISCMP Revitalization Policies

The LISCMP also established 13 revitalization policies specifically relevant to the long term health and development of the Sound. The project's conformance is detailed below:

- ***Policy #1:*** – *Foster a pattern of development in the Long Island Sound coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development.*

1.1 Concentrate development and redevelopment in or adjacent to traditional waterfront communities. The Proposed Action will create a new transit-oriented mixed-use community in a previous industrially developed portion of the City of Glen Cove that is within walking distance of the City's downtown (less than one mile). A network of trails and open space would link to the downtown via Pratt Park and would provide a level of public waterfront access that was not achievable with the prior industrial development. The project would utilize and expand existing infrastructure and would minimize adverse effects of development through wetlands restoration and environmental clean up. The City of Glen Cove traces its roots to 1668 and is a designated maritime center under the LISCMP. Since its beginnings, Glen Cove has housed a variety of residential, industrial, commercial and service uses.

Areas east of the project area, especially along Glen Cove Avenue, contain the largest variety of land uses and types within the one-mile radius study area established in the project scope. Glen Cove Avenue is a major arterial within the study area, lined with a mix of uses including various commercial, office and retail activities. Commercial uses fronting Glen Cove Avenue include a gas station and several restaurants. Smaller industrial uses are also interspersed with other commercial uses along Glen Cove Avenue.

1.2 Ensure that development or uses take appropriate advantage of their coastal location. The mixed-use development will have a significant emphasis on creating a water-dependent and water-enhanced community, taking appropriate advantage of its coastal location.

For example, water-dependent uses include:

- A replenished beach
- A public boat ramp
- Multiple marinas
- A pier
- Creation of a turning basin suitable for use by hand launch craft

Additional water-enhanced uses include:

- Beach boardwalk and seating areas
- Waterfront playground
- Marine esplanade
- Restaurants and shops with waterfront views
- A waterfront hotel
- An ecological educational trail

The proposed residences, hotel and restaurants are expected to derive benefits, such as views and breezes, from the waterfront location and these components are consistent with the area's MW-3 zoning requirements.

1.3 Protect stable residential areas. Residential neighborhoods exist to the north of the project area. Garvies Point Preserve separates the project area, which contains industrial uses and deteriorated former industrial uses, from the existing residential neighborhoods. The Proposed Action will redevelop this former industrial area, which abuts Hempstead Harbor and is within walking distance of downtown Glen Cove, with a compatible mixed-use project that includes residences, hospitality, recreation, retail, commercial, cultural, and marine uses. Such mixed-use development is intended to enhance existing residential areas and would remove potential reuse of the area for heavy industrial or noxious uses that would be incompatible with existing residential areas.

1.4 Maintain and enhance natural areas, recreation, open space and agricultural lands. The Proposed Action is a redevelopment project in an area that contains industrial and formerly industrial uses. As a brownfield redevelopment, the project itself would not disturb natural open spaces or agricultural land. The Proposed Action would include enhancements of natural areas, including beach improvements and wetlands restoration.

1.5 Minimize adverse impacts of new development and redevelopment. This DEIS discusses in detail the potential impacts from the Proposed Action, including mitigation measures necessary to minimize any potential impacts. Adverse impacts have been minimized to the greatest extent practicable.

- **Policy #2:** -- *Preserve historic resources of the Long Island Sound coastal area.*

2.1 Maximize Preservation and retention of historic resources.

The project area does not contain any buildings or properties listed on (or eligible for) either the State or National Registers of Historic Places.

Few structures remain on the project site. The former Leatherworks or “Lounge” building was suggested in the scope as a potential location for a public recreation use such as a kayak rental or boathouse. The Leatherworks building is located in an area proposed as open space in the Proposed Action. The building is substantially deteriorated, which would affect the feasibility of remediating, restoring, and converting it for public use. Inclusion of the building would not affect the project’s mix of uses or development program and, therefore, would not result in any significant changes in the identified environmental impacts compared to the proposed action. If such a use were to prove viable, it would only require modification of the open space design. However, the building was inspected by a structural engineer in February 2009. The findings are detailed in the Robert Silman Associates *Structural Existing Conditions Report*) located in the Appendix, which indicates that the building is in poor condition and that the structural deficiencies generally impair the functionality of the building. In addition, the buildings current floor elevation sits below the FEMA floodplain, rendering it uninhabitable.

The project architecture is, however, designed to reflect the area’s industrial past. The redeveloper will continue to explore ways to incorporate design elements of the Lounge Building into the project.

2.2 *Project and preserve archaeological resources.* The overall area is known as a sensitive archeological zone, however, over the past several decades the majority of the project site and areas along the north side of the creek have experienced significant ground disturbance due to industrial and remedial activity. As documented in the Phase 1A included in the Appendix, disturbances to the area are extensive, thereby reducing the likelihood of any historically sensitive resources being present at the site.

2.3 *Protect and enhance resources that are significant to the coastal culture of the Long Island Sound.* Masts and a portion of the Regina Maris, a wooden hulled work vessel built in Denmark in 1908 are on display. The Proposed Action will retain the display.

- **Policy #3:** -- *Enhance visual quality and protect scenic resources throughout Long Island Sound.*

3.1 *Protect and improve visual quality throughout the coastal area.* The Proposed Action will remove unused industrial structures that present a visually blighting influence as well as overgrown vacant land. It is anticipated that the removal of the unused industrial structures, coupled with the introduction of new landscaping, parks and open spaces in this formerly industrial area, will improve the visual quality throughout the coastal area.

Although the project will introduce new buildings, these will be designed to minimize impact and enhance their visual impression. Such features include orienting structures to create view corridors to Garvies Point Preserve, which serves as a backdrop to the project, and also preserves open space and provides visual organization, and recognition of water-dependent uses, such as the replenished beach, ecology pier and the yacht slips as additions to the visual interest of the area. Green roofs, varied elevations and a maximum height which is always below the tree line of Garvies Point Preserve will be utilized to protect the visual quality.

3.2 *Protect aesthetic values associated with recognized areas of high scenic quality.* Buildings will be designed to minimize impact and enhance their visual impression. Such features include green roofs, varied elevations to preserve view corridors and a limited maximum height.

- **Policy #4:** -- *Minimize loss of life, structures and natural resources from flooding and erosion.*

4.1 *Minimize losses of human life and structures from flooding and erosion hazards.* The Proposed Action minimizes paved areas to the extent possible and maximizes the potential for percolation. Water flows on the site as a whole are controlled through an extensive stormwater management plan. Virtually all of the project area south of Garvies Point Road/Herb Hill Road is within the 100-year flood zone. Flood hazards will be reduced through changes in grade and placement of uses within the building. Most buildings have parking on the existing ground floor grade, raising main uses above potential flood levels. The Proposed Action will restore native shorelands along Long Island Sound.

4.2 *Preserve and restore natural protective features.* There are only two natural protective features found on this site, Garvies Point Beach and the Captain's Cove wetlands. Garvies Point Beach will be preserved and the natural shoreline and dunes enhanced with the proposed development. The majority of Captain's Cove will be preserved and restored with development, with the exception of the eastern portion of wetlands near the large vessel marina (see **Section III.D** for additional details). *Spartina alterniflora*-dominated wetlands within this portion of Captain's Cove are proposed for relocation to the low sill bulkhead area. The result of relocation and creation of additional wetlands in the low sill bulkhead area will result in a net increase in wetland area for the site, thereby enhancing natural protective features. In addition, the development would retain significant unpaved open space, as well as improved stormwater management techniques designed to drastically improve water quality within Glen Cove Creek.

4.3 *Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.* Not applicable to this project.

4.4 *Manage navigation infrastructure to limit adverse impacts on coast processes.* Widening of the creek and development of a turning basin are proposed to improve navigation along the creek. The Proposed Action includes many improvements to the shoreline of Glen Cove Creek aimed at increasing public access, facilitating shoreline-dependent uses, and increasing tidal wetlands areas. These improvements include the dredging of several areas of the creek, installation of new bulkhead and wetland areas; creation of the large vessel marina, new Angler's Club marina, and permanent/ transient vessel marina; creation of the new Ferry Terminal (by the City); and the dredging of the Turning Basin and the installation of its esplanade and tidal gate. These water-dependent uses are consistent with the goals enumerated in the GPURP and thus enhance the aesthetic appeal of the Proposed Action and will provide an impetus for the further redevelopment of adjacent properties.

4.5 *Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.* Not applicable to this project.

4.6 *Consider sea level rise when siting and designing project involving substantial public expenditures.* The most significant public expenditures are directed toward site remediation and clean-up. The benefits from these expenditures would not be affected by rising sea levels. The location and design of project elements have considered rising sea levels.

- **Policy #5:** -- *Protect and improve water quality and supply in the Long Island Sound coastal area.*

5.1 *Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.* The project includes a multi-tier storm water management plan. The Proposed Action will close most of the existing direct discharges to Glen Cove Creek which will minimize the potential for non-point source run-off. The project's stormwater management plan, following best management practices, will collect and filter water at several points. Where possible, aquifers are recharged through infiltration. The full plan is described in detail in **Section III.C, Water Resources**.

5.2 *Manage land use activities and use best management practices to minimize nonpoint pollution of coastal waters.* As noted, the Proposed Action includes a multi-tier stormwater management program which will minimize non-point pollution as described in detail in **Section III.C, Water Resources**.

5.3 *Protect and enhance the quality of coastal waters.* The stormwater management plan for the project, as described in detail in **Section III.C, Water Resources**, will result in significantly less sedimentation running into Glen Cove Creek and fewer direct discharges. Water quality will be further enhanced by the proposed increase in wetlands.

5.4 *Limit the potential for adverse impacts of watershed development on water quality and quantity.* The project will limit adverse impacts on water quality and quantity through utilization of natural features (e.g., wetlands) and bulkheading to limit erosion and sediment loss. The project will also include a SWPPP, which will improve the quality of stormwater runoff from the site.

5.5 *Protect and conserve the quality and quantity of potable water.* The Proposed Action includes a number of features to protect and improve groundwater. The most important of these is the site remediation which is currently underway. This process will remove sources of potential contamination. Once the project is complete, its design has integrated features to reduce water demand (low flow fixtures and reuse of “grey” water for water features and irrigation purposes) and to recharge ground water through infiltration basins and leaching fields.

- **Policy #6:** -- *Protect and restore the quality and function of the Long Island Sound ecosystem.*

6.1 *Protect and restore the quality and function of the Long Island Sound ecosystem.*

The improvements to Garvies Point Beach and Captain’s Cove and the proposed low sill bulkhead areas will serve to protect and enhance the quality and function of the Long Island Sound ecosystem.

Garvies Point Beach

The Garvies Point Beach ecosystem will be protected and restored. Development in this area focuses on restoration of a natural shoreline and dune system, while maintaining access and recreation opportunities for the public. Existing areas of vegetated tidal wetlands (see **Section III.C, Water Resources**) will be protected to serve as a buffer for the beach as well as habitat for shorebirds and marine organisms.

Captain’s Cove

An extensive shoreline and wetland restoration is planned for the Captain’s Cove wetland area. There is a small area of vegetated tidal wetlands that will be removed with dredging and construction associated with the large vessel marina. *Spartina alterniflora* vegetated wetlands in the dredge and marina construction area will be relocated to the low sill bulkhead area, while *Phragmites*-dominated wetlands will be removed in favor of planting the low sill bulkhead area with stands of *Spartina*, which is a native shoreline species

of Long Island. Overall, there is a net gain of approximately 12,000 square feet of higher quality (*Spartina* versus *Phragmites*) vegetated tidal wetlands in the project area.

6.2 *Protect and restore Significant Coastal Fish and Wildlife Habitats.* Glen Cove Creek is not identified as a Significant Coastal Fish and Wildlife Habitat. However, as stated previously, Hempstead Harbor, is identified as a Significant Coastal Fish and Wildlife Habitat by the New York State Department of State, Division of Coastal Resources (DCR) (see **Section III.D, Ecology**, for additional details). Consistent with the stated policy, the Proposed Action will restore the native shoreline abutting Hempstead Harbor and will also restore the *Spartina alterniflora* marsh, located on the western edge of the development site. Additional wetland ecology and habitat will be restored and expanded along Glen Cove Creek. The project is therefore anticipated to protect and enhance the Hempstead Harbor Significant Fish and Wildlife Habitat.

6.3 *Protect and restore tidal and freshwater wetlands.* Tidal Wetlands: The tidal wetlands of Garvies Point Beach will be preserved and enhanced with the Proposed Action (see **Section III.C, Water Resources**). The Proposed Action also includes restoration of tidal wetlands at the Captain's Cove area and creation of tidal wetlands in an area directly to the east (low sill bulkhead area). Restoration of Captain's Cove would include: removal of existing asphalt and concrete debris from the slope area between the landward limit of tidal wetlands and the existing public esplanade; re-grading of the slope and planting with native species; and establishment of the Captain's Cove Wetland Education Area.

Construction of an adjacent docking facility around the area of the *Regina Maris* display would involve the removal of *Phragmites* dominated wetlands and relocation of the *Spartina alterniflora* vegetated intertidal fringe marsh to the low sill bulkhead area to the east. The "low sill" bulkhead is designed to provide protection to the reconstructed and expanded marsh area. As stated above, there is a net gain of approximately 12,000 square feet of tidal wetlands planted with native species (versus invasive *Phragmites australis*) with the Proposed Action.

Freshwater Wetlands: There are no regulated freshwater wetlands on this site. However, due to remediation activities, several pools of standing water have developed on the site in shallow depressions resulting from the extensive grading and excavation associated with the environmental remediation of the site. These shallow ponds are bordered by native and invasive wetland plants including broad-leaved cattail (*Typha latifolia*) and common reed (*Phragmites australis*) (see **Section III.D, Ecology**, for additional details). Although these areas will be removed with the Proposed Action, they had only developed

within the last couple of years due to remediation activities and are not regulated areas requiring protection.

6.4 *Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.* The project site has been historically impacted by industrial use and remediation. There is limited habitat for wildlife remaining on the site. As stated above, the areas of Garvies Point Beach and Captain's Cove will be preserved and restored or enhanced with the Proposed Action. In addition, previously cited actions to improve water quality would serve to generally improve water quality and potential finfish and benthic invertebrate habitats.

6.5 *Protect natural resources and associated values in identified regionally important natural areas.* Components of the Proposed Action, including, restoration of the native shoreline, removal of existing asphalt and concrete debris from the slope area between the landward limit of tidal wetlands in the Captain's Cove area, and plantings designed to restore and enhance the productivity and upland protection of tidal wetlands of Captain's Cove, are consistent with this policy.

- **Policy #7:** -- *Protect and improve air quality in the Long Island Sound coastal area.*

7.1 *Control or abate existing and prevent new air pollution.* The Proposed Action includes "green elements" such as green roofs that address water retention and also provide plants which will absorb some air pollutants. New structures would be constructed in compliance with New York State Building Codes and would utilize modern HVAC systems, limiting the stationary source contributions to air pollution. In terms of mobile sources, the project is designed to encourage the use of transit, walking and bicycling. The conceptual site plan is pedestrian friendly and the smart-growth arrangement reduces walking distances. To the extent visitors and residents may wish not to walk, the project will provide a shuttle to the Glen Cove LIRR stations and Downtown. In addition, the City is planning a ferry service to connect with Manhattan and other destinations. This ferry service, would leave/arrive from within the project area, and would further serve to limit auto trips and associated air pollution.

7.2 *Limit discharges of atmospheric radioactive material to a level that is as low as practicable.* Not applicable to this project.

7.3 *Limit sources of atmospheric deposition of pollutants to the Sound, particularly from nitrogen sources.* Not applicable to this project.

- **Policy #8:** -- *Minimize environmental degradation in the Long Island Sound coastal area from solid waste and hazardous substances and wastes.*

8.1 *Manage solid waste to protect public health and control pollution.* Waste generated is expected to be non-hazardous, as typically generated by office/retail and residential uses. The property owners association would be responsible for contracting with a commercial waste carter to collect and dispose of all solid waste generated by the project. Design plans include areas for the collection of waste and recycling and would be designed to be safe and secure.

8.2 *Manage hazardous wastes to protect public health and control pollution.* Not applicable to this project.

8.3 *Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.* Project uses are not expected to use toxic substances as part of their typical operations, however, it is possible that fertilizers and pest control chemicals could be used in the course of normal grounds maintenance. It is the intent to develop a site maintenance program that would incorporate best management practices related to pest management. Implementation of the project's stormwater management system would significantly reduce current nonpoint source runoff and reduce the existing potential for toxins to enter the creek.

8.4 *Prevent and remediate discharge of petroleum products.* At this time, the proposed marinas are not anticipated to include refueling stations. If a future need arises for a fueling station at any marina within the project area, each would be required to adopt guidelines and safety procedures consistent with best management practices to minimize the potential for discharge of petroleum products.

8.5 *Transport solid waste and hazardous substance and waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the state; and the continued use of transportation facilities.* Not applicable to this project.

8.6 *Site solid and hazardous waste facilities to avoid potential degradation of coastal resources.* Not applicable to this project.

- **Policy #9:** -- *Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Long Island Sound coastal area.*

9.1 *Promote appropriate and adequate physical public access and recreation throughout the coastal area.* The Proposed Action will provide a continuous waterfront public esplanade and pedestrian and bicycle path linking Pratt Park to Garvies Point beach. This pathway would provide waterfront access and connections to a series of new parks and open space,

and to the Garvies Point Preserve. In addition, to the pedestrian paths, the project would provide water-related activities and amenities to encourage recreational use of the waterfront. These include marinas, recreational boating facilities, a rebuilt boat ramp, and other potential water-dependent and water-enhanced uses, such as waterfront dining.

9.2 *Provide public visual access from public lands to coastal lands and waters or open space at all sites where physically practical.* The project will increase visual access to the water by opening up large areas of formerly industrial land, which restricted access to the public, providing a continuous network of open space directly adjacent to the creek and the harbor. The waterfront would be visible from the esplanade. The conceptual design is sensitive to visibility from Garvies Point Preserve. Rather than create a “wall” of uniform buildings, the design clusters the buildings and provides variations of building heights, allowing for gaps and view corridors with public open space throughout the development.

9.3 *Preserve the public interest in and use of lands and waters held in public trust by the state, New York City and towns in Nassau and Suffolk counties.* The project provides interconnections to Garvies Point Preserve, enhancing access to this public area.

9.4 *Assure public access to public trust land and navigable waters.* The Proposed Action includes provisions to reconstruct the municipal boat ramp and to replenish the beach area. The marinas, recreational turning basin, walking paths and public open spaces will provide public access to these lands and navigable waters in Glen Cove Creek and the Long Island Sound.

- **Policy #10:** -- *Protect Long Island Sound’s water-dependent uses and promote siting of new water-dependent uses in suitable locations.*

10.1 *Protect existing water-dependent uses.* The Proposed Action would protect and enhance the existing municipal boat ramp by reconstructing the ramp to promote public enjoyment of this water-dependent use. The Hempstead Harbor Club, directly adjacent to the project, would continue as a water-dependent use. The existing Angler’s Club would be relocated as part of the project, but retain a waterfront location. New water-dependent uses, including marinas, a recreational boating facility, and turning basin would be constructed and connections to these water-dependent uses, including paths and trails would be developed.

10.2 *Promote maritime centers as the suitable locations for water-dependent uses.* The Proposed Action would create a mixed-use community organized around water-related commercial, recreational, residential, retail, cultural and hospitality activities. Water-dependent uses include new marinas,

and improvements, including improved access to the public beach and boat launch.

10.3 Allow for development of new water dependent uses outside of maritime centers. Not applicable, as Glen Cove is an identified maritime center.

10.4 Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services. The Proposed Action is consistent with this policy; the development would provide a mix of water-dependent (beach, boat ramp, marinas and turning basin), and water-enhanced (public esplanade, restaurants, dwellings) uses. Local residents and visitors, in addition to the residents of the proposed development, would provide a core market for the water-related uses.

10.5 Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses. Consistent with this policy, there is adequate upland support for the proposed new, expanded and/or relocated marinas and other boating facilities and the proposed mixed-use development would physically integrate the City's ferry project into the overall site development plan. The public esplanade and new or existing bulkheads and proposed widening of the creek would minimize potential impacts of new and expanded water-dependent uses (e.g., sediment control) and provide for their safe operation.

10.6 Provide sufficient infrastructure for water-dependent uses. Dredging of Glen Cove Creek was completed in March 2007. The Proposed Action includes widening the creek and development of a turning basin at the end of the creek to support the marina uses. On the upland side, the project would include sufficient access and utilities to support the proposed water-dependent uses.

10.7 Promote efficient harbor operation. The project would not intrude upon navigational channels, and, as stated above, would include widening of the creek at specific locations.

- ***Policy #11: -- Promote sustainable use of living marine resources in Long Island Sound.***

11.1 Ensure the long-term maintenance and health of living marine resources. The Proposed Action includes restoration of native habitats and a stormwater management plan designed to protect and improve water quality, which is expected to enhance habitat for marine resources.

11.2 *Provide for commercial and recreational use of the Sound's finfish, shell fish, crustaceans, and marine plants.* The Proposed Action incorporates enhanced public waterfront access and facilities, including an increase in the number of marina slips in Glen Cove Creek. These actions would provide additional opportunities for recreational fishing in the Sound.

11.3 *Maintain and strengthen a stable commercial fishing fleet in Long Island Sound.* Commercial fishing boats are not presently berthed within the project limits; this policy does not apply at this time.

11.4 *Promote recreational use of marine resources.* As previously stated, the Proposed Action would enhance waterfront access and facilities (e.g., a waterfront public esplanade, boat ramps, beach, etc.) and increase the number of marina slips in Glen Cove Creek, which would expand opportunities for recreational use of marine resources.

11.5 *Promote managed harvest of shell fish originating from uncertified waters.* Not applicable to this project.

11.6 *Promote aquaculture.* Not applicable to this project.

- **Policy #12:** -- *Protect agricultural lands in the eastern Suffolk County portion of Long Island Sound's coastal area.*

12.1 *Protect existing agriculture and agricultural lands from conversion to other land uses.* Not applicable to this project.

12.2 *Establish and maintain favorable conditions which support exiting or promote new coastal agricultural production.* Not applicable to this project.

12.3 *Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.* Not applicable to this project.

12.4 *Preserve Scenic and open space values associated with the Sound's agricultural lands.* Not applicable to this project.

- **Policy #13:** -- *Promote appropriate use and development of energy and mineral resources.*

13.1 *Conserve energy resources.* Buildings will incorporate "green building" components including green roofs and compliance with New York State building codes, which incorporate requirements for low-flow fixtures and energy savings construction requirements.

13.2 *Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.* The project will

incorporate to the greatest extent practicable potential alternative energy sources including solar, wind, and geothermal.

13.3 Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities. Not applicable to this project.

13.4 Minimize adverse impacts from fuel storage facilities. At this time, the proposed marinas are not anticipated to include refueling stations. If a future need arises for a fueling station at any marina within the project area, each would be required to adopt guidelines and safety procedures consistent with best management practices to minimize the potential for discharge of petroleum products.

13.5 Minimize adverse impacts associated with mineral extraction. Not applicable to this project.

As detailed above, the Proposed Action is consistent with the LISCMP policies and the LISCMP designation as a Historic Maritime Center.

Harbor Management Plan for Hempstead Harbor

The Proposed Action conforms to the policies and key goals outlined in the *Harbor Management Plan for Hempstead Harbor* (“HMP”), discussed as follows:

- *Goal 1: Ensure efficient and safe navigation and operating conditions in Hempstead Harbor.*

The project would not intrude upon navigational channels within Hempstead Harbor.

- *Goal 2: Protect Hempstead Harbor’s water-dependent uses, and promote the siting of new water-dependent uses at suitable locations, without impacting important natural resources.*

The Proposed Action would protect and enhance the existing municipal boat ramp by reconstructing the ramp to promote public enjoyment of this water-dependent use. The Hempstead Harbor Club, directly adjacent to the project, would continue as a water-dependent use. New water-dependent uses along Glen Cove Creek would be constructed at suitable locations as part of an overall project that will redevelop (including environmental remediation) former industrial uses. The City of Glen Cove is also planning to develop ferry service to New York City within the project area, adjacent to, but not within Hempstead Harbor. The project includes provisions to protect,

preserve, enhance and maintain natural resources (e.g., restoration of spartana marsh) within the area.

- **Goal 3:** *Redevelop vacant and underutilized waterfront land on Hempstead Harbor with appropriate uses.*

The development plan calls for the redevelopment of approximately 56-acres of vacant, blighted and underutilized land along the north shore of Glen Cove Creek with a mixture of residential, commercial, retail, hospitality, office, cultural, maritime, and open space uses. As previously described, these new uses are compatible with the recently amended local zoning (MW-3) and Urban Renewal Plan for the area.

- **Goal 4:** *Increase water-related recreational opportunities within Hempstead Harbor and along the harbor's shoreline, and increase public access to the waterfront.*

The project would introduce a number of new water-related recreational opportunities along the north shore of Glen Cove Creek, and would include improvements to the Garvies Point Beach and public boat ramp along Hempstead Harbor. Much of the site is fenced and currently not publicly accessible. The project would provide approximately 19 acres of new publically accessible land, including a continuous esplanade and open space network along Glen Cove Creek, linking downtown Glen Cove to the Garvies Point Beach (via Pratt Park). This would expand public access to the waterfront.

- **Goal 5:** *Protect and enhance Hempstead Harbor's natural environment and open space resources, including surface water quality, wetlands, coastal fish and wildlife habitats, upland natural areas, and important viewsheds.*

As described earlier, the Proposed Action would help protect natural and open space resources along both Glen Cove Creek and Hempstead Harbor, as well as create new wetlands and open spaces. The project would create new wetlands, reconstruct existing bulkheads (except for those directly related to the ferry project) and install new low-sill bulkheads at intertidal marsh areas, as well as implement stormwater management systems designed to reduce pollutant discharge to the creek. The project would restore existing wetlands and other natural areas (e.g., the Captain's Cove area), create new intertidal wetlands and open recreational spaces and introduce the use of varied building heights that would preserve viewsheds.

- **Goal 6:** *Preserve important historical resources along the waterfront of Hempstead Harbor.*

The Proposed Action would include trail links to the existing Garvies Point Preserve trail system and museum. The Regina Maris display will be maintained and featured along the esplanade.

- *Goal 7: Improve linkages between the Hempstead Harbor waterfront and adjacent downtown areas.*

The Proposed Action would establish pedestrian and shuttle bus linkages between the waterfront and downtown Glen Cove. The project would develop a public trail system that would link the downtown to the waterfront via Pratt Park. This is a policy objective in the HMP. A limited amount of new retail space is proposed at the eastern end of the project to provide for vitality on the site and to complement Downtown Glen Cove. The limited scales would not overwhelm or compete with downtown, but would provide a link between the areas.

- *Goal 8: Engage in a collaborative effort among the municipalities surrounding Hempstead Harbor, by means of innovative inter-municipal planning and community development techniques that link environmental protection, economic prosperity, and community well-being, so as to ensure effective long-term community, regional, and watershed vitality.*

The Proposed Action would continue to allow for a collaborative effort with municipalities and agencies, as further discussed in **Section II**.

- *Goal 9: Recognize and build upon the unique characteristics and circumstances of Hempstead Harbor and its watershed in developing approaches to the following concepts: revitalizing existing communities and promoting livable neighborhoods; preserving open space and critical environmental resources; encouraging sustainable economic development; improving partnerships, service-sharing arrangements, and collaborative projects; and heightening public awareness.*

The project would create a new pedestrian friendly mixed-use development along the north shore of Glen Cove Creek while protecting and preserving existing natural resources (e.g., wetlands, etc.) and open spaces. The project has been guided by the principle of blending economic sustainability and environmental sensitivity, as shown by the mixture of residential uses, connection to downtown Glen Cove, and multiple/sustainable environmental improvements. The project would also create new natural and open space resources and encourage sustainable economic development that does not compete with the geographically related yet distinct Downtown Glen Cove area.

The Harbor Management plan also provides recommendations specific to Glen Cove:

- *Redevelop Glen Cove Creek waterfront with mixed uses, consistent with the Glen Cove Creek Revitalization Plan (General Recommendations).*

The Proposed Action, which seeks to create a mixed-use development, including residential, hospitality, retail, cultural, restaurant, marine, open space and other uses, promotes this recommendation.

- *Provide waterfront promenade as part of redevelopment of Glen Cove Creek area (Recommended Projects).*

A waterfront promenade is included in the Proposed Action.

- *Dredge Glen Cove Creek, as needed (Recommended Projects).*

Dredging of the creek was last completed in March 2007 and any subsequent dredging will be the responsibility of the Property Owner's Association should the ACOE no longer be responsible.

- *Continue to seek re-establishment of ferry operation in Glen Cove Creek.*

The City of Glen Cove, under a separate action is, is undertaking a project to re-establish ferry service in Glen Cove Creek. The ferry terminal will be located adjacent to the proposed hotel.

Long Island Sound Study

As stated previously, in recognition of the importance of the relationship between land use and water quality, the Long Island Sound Management Conference established a Land Use Work Group to identify ways land use and development affect Long Island Sound water quality and habitat, and to present recommendations to improve land use planning and management. The following five areas were identified as being critical to improving water quality and recommendations were developed for each area. Strategies within the recommendations that are not applicable to this public-private partnership have been identified.

1. *Reduce Impacts of Existing Development:*
 - a. *Implement programs to control polluted stormwater runoff using structural and operational best management practices.*
 - b. *Upgrade infrastructure capability and operation for existing development.*
 - c. *Remediate abandoned or underutilized sites that can be significant sources of pollutants to Long Island Sound such as abandoned*

industrial sites, hazardous waste sites, and sites containing underground storage tanks.

- d. *Maintain and improve oil and spill prevention and responsiveness plans and their coordination at the federal, state and local levels.*

The Proposed Action is consistent with this recommendation.

As detailed in **Section III.C, Water Resources**, the project would include a comprehensive stormwater management system and stormwater pollution prevention plan to address potential sources of pollution from stormwater runoff.

At this time, the proposed marinas are not anticipated to include refueling stations. If a future need arises for a fueling station at any marina within the project area, each would be required to adopt guidelines and safety procedures consistent with best management practices to minimize the potential for discharge of petroleum products.

The project would also reclaim existing underutilized area of the site. Implementation of the development plan would involve remediation (which has already begun) of the various contaminated properties through the Brownfields and other state and federal programs. According to the City of Glen Cove Brownfield Showcase Communities Project, “remediation of the areas’ brownfields will have a tremendous effect on the reduction of non-point source pollution, which has adversely affected the commercial and (where appropriate) recreational shellfish and fishing communities of Glen Cove and Long Island.” The Hempstead Harbor Protection Committee’s Non-Point Source Water Pollution Plan indicates that non-point source pollutant loading can be reduced by proper stormwater management.

2. *Minimize Impacts of New Development*

- a. *Protect and enhance remaining tidal and freshwater wetlands and protect riparian zones and wetland buffers both inland and in the coastal areas.*
- b. *Explore how resource trading (i.e., mitigation) policies affect Long Island Sound. (not applicable)*
- c. *Guide development to suitable areas with existing infrastructure and encourage compact growth patterns.*
- d. *Advocate cluster development to protect sensitive areas and preserve open spaces without encouraging development densities that result in negative social and environmental impacts.*
- e. *Recognize potential impact of expanded or changing land uses on the capacity of water delivery and treatment infrastructure.*
- f. *Give priority to appropriate water-dependent uses at coastal zone locations.*

- g. *Develop and implement programs requiring use of Best Management Practices (BMPs) for both the construction and operation of new development.*
- h. *Develop policies for package plants (e.g., small sewage treatment plants), including provisions for their maintenance.(not applicable)*
- i. *Examine septic system use and siting policies.(not applicable)*
- j. *Reexamine flood erosion control program and policies.*

The Proposed Action promotes this recommendation as follows:

As described in **Section III.C Water Resources**, the Proposed Action would include a stormwater management system and would meet the findings of the Long Island Segment of the *Nationwide Urban Runoff Program* (“NURP”), which evaluates the impacts of runoff and aims to minimize pollution contributions from stormwater runoff.

In addition to those stormwater recommendations related to the *Nonpoint Source Management Handbook*, the Proposed Action would develop and implement a properly managed and controlled stormwater runoff plan to prevent contaminants from entering Glen Cove Creek. A comprehensive stormwater and erosion control plan for the project has been developed and will be implemented.

The Proposed Action incorporates a compact (clustered) transit-oriented development that reuses an existing developed site and incorporates water-dependent uses (marinas, replenished beach, and reconstructed public boat ramp) and a continuous network of open spaces and an esplanade and trail network that provide public linkages to downtown. Existing infrastructure is sufficient or can be expanded to service the development.

- 3. *Improve Information Management, Training, and Education*
 - a. *Develop consistent information on a regional scale. (not applicable)*
 - b. *Provide training, technical assistance, and financing for local government. (not applicable)*
 - c. *Educate the general public and groups such as contractors, architects, and engineers on the impact of actions throughout the watershed on water quality of the Sound. (not applicable)*

Not applicable.

- 4. *Conserve and Enhance Natural Resources and Open Spaces*
 - a. *Advocate a watershed approach to integrate protection of surface waters with programs and plans for guiding growth and development.(not applicable)*
 - b. *Preserve open space and natural areas.*

- c. *Adopt practices that conserve water and energy and reduce solid waste disposal needs through waste minimization, reuse, and recycling.*

As detailed earlier, the project will result in a substantial increase in public open space and will enhance the quality of habitat areas that have been degraded by prior activities. The project will include the use of water-saving fixtures and comply with recycling and waste separation regulations.

5. *Increase Public Access*
 - a. *Preserve and enhance public access and view corridors to coastal waters.*

The Proposed Action will remove unused industrial structures which are blighting influences. It is anticipated that the removal of the unused industrial structures, coupled with the introduction of new landscaping, parks and open spaces in this formerly industrial area, will improve the visual quality throughout the coastal area. Although the project will introduce new buildings, these have been designed to minimize impact and enhance their visual impression. Such features include orienting structures to preserve open space and views through the site and provide visual organization. Green roofs, varied elevations, and a maximum height which is always below the tree line of Garvies Point preserve, will be utilized to protect the visual quality.

The Proposed Action will provide a continuous waterfront public esplanade and pedestrian and bicycle path linking downtown, via Pratt Park, to Garvies Point beach. This pathway will provide waterfront access and connections to project parks and open space and to the Garvies Point Preserve. In addition, to the pedestrian and bicycle paths, the project provides water-related activities and amenities to encourage use of the waterfront. These include marinas, recreational boating, waterfront dining and a rebuilt boat ramp.

United States Environmental Protection Agency (“EPA”) Smart Growth Principles

The proposed development is consistent with the EPA identified principles of smart growth as described below:

1. *Mix land uses.*

The proposed project includes a mix of residential, hospitality, marina, office, retail, cultural, recreational and restaurant uses. These are all uses that are commonly found in traditional waterfront centers.

2. *Take advantage of compact building design.*

The proposed buildings are compact in design by nature of the proposed multi-story structures. This design enables approximately 35 percent of the site to remain as publicly accessible open space. The building design and site, however, create view corridors for locations east and south of the subject site, allowing for views of the creek and Garvies Point Preserve.

3. *Create a range of housing opportunities and choices.*

The Proposed Action includes a range of housing opportunities and choices; these include market rate condominium ownership and rental units, townhome units, and workforce housing units. Units range in size from one to three bedrooms.

4. *Create walkable neighborhoods.*

The proposed development includes a waterfront esplanade and a trail system that creates a walkable neighborhood on site that connects to downtown Glen Cove via Pratt Park and the existing Glen Cove greenway.

5. *Foster distinctive, attractive communities with a strong sense of place.*

As stated previously, the proposed development incorporates waterfront recreation uses including marinas, a public esplanade, the City's re-establishment of ferry service to New York City, and a building design which includes maximum four-story structures directly adjacent to the public esplanade, creating a scale akin to a typical downtown Main Street which creates a strong sense of place. Marine and recreation components, combined with the residential, office, retail, cultural and restaurant components will create a waterfront destination in Glen Cove in an area that currently contains industrial and blighted vacant industrial uses that limit waterfront access and recreation.

6. *Preserve open space, farmland, natural beauty, and critical environmental areas.*

The Proposed Action is a redevelopment project in an area that contains industrial and former industrial uses. As a brownfield redevelopment, the project itself would not disturb natural open spaces (no farmland exists on site). The project provides for a natural area enhancement, including wetlands restoration.

7. *Strengthen and direct development towards existing communities.*

The project is located at the south end of a relatively mature and developed neighborhood that generally consists of single-family, two-family and small multi-family uses, in addition to a mix of non-residential uses. The project would revitalize former heavy industrial uses and blighted abandoned sites with residential, hospitality, office retail/restaurant, recreation, cultural, and marine uses which would be expected to have a positive impact on neighborhood character. The project's open space, waterfront promenade and limited retail primarily at the east end of the project would also provide a connection between the waterfront and downtown. Besides creating a physical linkage between these two areas, the project's infusion of new residents and employees would further support the downtown and proposed marine uses would complement existing marinas on the south side of Glen Cove Creek.

8. *Provide a variety of transportation choices.*

The proposed development would include an open space trail system that links to downtown Glen Cove and the development would include a shuttle to the Glen Cove train station and downtown. The trail system would provide opportunities for walking and bicycling. In a separate but related action, the City of Glen Cove is proposing to re-establish ferry service to New York City from a location within the project area. The City's ferry terminal would be located adjacent to the project's proposed 250 suite hotel. It is expected that the Long Island Bus route would be extended through the project area. The project would also include access roads and parking for vehicular travel.

9. *Make development decisions predictable, fair, and cost effective.*

The proposal has been developed as a public/private partnership in coordination with the City of Glen Cove, its IDA and CDA and complies with the MW-3 district and the GPURP.

10. *Encourage community and stakeholder collaboration in development decisions.*

The planning processes that led to the development (and updating) of these plans provided opportunities for community and stakeholder collaboration in decisions about the future redevelopment of the area. The bulk of the development site (approximately 52 of 56 acres) is currently in public ownership by either the City of Glen Cove, the CDA or the IDA. As a result of a formal proposal process established to solicit development interest, Glen Isle Partners, LLC was selected in 2003 to work with the City, and its IDA and CDA to develop a collective vision for the area. Since that time, all parties and their planning, economic and environmental consultants have been working together to develop a plan for the project area that adheres to smart

growth principles while combining economic sustainability with environmental sensitivity.

Smart Growth Policy Plan for Suffolk County (2000)

The Proposed Action is also consistent with the eight specific Smart Growth principles promulgated by Suffolk County:

- ***Encourage consultation and collaboration among communities:*** *Citizens should be part of the planning process in conjunction with local and regional decision-making entities;*

As stated previously, the project site has been subject to planning efforts that provided opportunities for citizen participation, and the project is a public private partnership. The site has also been analyzed by regional organizations as discussed in reference to the Long Island Sound Study and the Long Island Sound Coastal Management Program. See **Table II-9** in **Section II** for a list of meetings held with the various stakeholders.

- ***Direct development to strengthen existing communities:*** *Downtown revitalization and the improvement of infrastructure (sewers, roads, etc.) to strengthen existing communities;*

The Proposed Action is a redevelopment project that will utilize and/or enhance existing infrastructure and will provide connections (as previously described) to downtown Glen Cove and LIRR stations. The critical mass of new residents living adjacent to downtown, along with employment generated by the project, will provide the people and customer base necessary for the revitalization of Glen Cove's existing downtown area.

- ***Preserve open spaces, natural and historic resources and working farms:*** *Locate new development in already developed areas to assist in the preservation of agricultural lands and open spaces;*

The project would redevelop former heavy industrial uses and blighted abandoned sites, along with restoring wetland areas.

- ***Encourage compact and orderly development:*** *Provide for municipal facilities to keep up with the pace of development;*

The proposed buildings are compact in design by nature of the proposed multi-story structures. This design enables approximately 35 percent of the site to remain as publicly accessible open space. The project is proposed to be phased in conjunction with the public amenities, enabling those facilities to keep pace with the development activity.

- ***Provide for transportation choices:*** Design around the automobile (not for it) and other transportation options;

The Proposed Action incorporates the benefits of a transit oriented development (“TOD”) which is evidenced by the multi-modal aspects of the transportation network which will serve the project site. These include the existing MTA/LI Bus transit routes (N21 and N27) which currently provide service to the Glen Cove area and the proposed shuttle service which will be provided by the developer. This shuttle service will provide a direct link between the project site and the downtown business district, as well as with the nearby LIRR station.

In a separate, but related project, the City of Glen Cove is proposing to re-establish ferry service to New York City and other destinations. The ferry terminal would be located within the project site and would provide additional transit options. The project would also include a trail system for walking and bicycling options. While access roads and parking will be provided for automobiles, the project has been designed as transit-oriented development with a strong emphasis on pedestrian friendly connectivity throughout the site, the surrounding areas, and downtown.

- ***Provide for a variety of housing choices:*** Options in housing types, sizes and price ranges;

As previously detailed, the project would include a range of housing opportunities, choices and price ranges; these include market rate condominium ownership and rental units, town home units, and workforce housing units. Units would range in size from one to three bedrooms.

- ***Encourage permitting processes which are predictable, certain, efficient and final:*** Processes which include the community, regulators, developers, etc., early on in the process;

As a public-private partnership, the project has been driven by a collaborative process involving the municipality, the redeveloper, and community stakeholders.

- ***Ensure consistency of government policies and programs:*** Collaboration among state, county and localities with respect to land use policies.

As stated above, this public-private partnership involves collaboration between state, county and other government agencies with regard to the overall development strategies for the mixed-use project.

3. Mitigation Measures

The proposed project incorporates measures to improve the land uses, visual and aesthetic qualities of the environment and areas along Glen Cove Creek, while conforming to recently adopted zoning regulations and applicable public policies.

In the opinion of the Applicant, redevelopment under the Proposed Action will not result in any significant adverse land use impacts. The complete redevelopment of the western portion of the project area and infill development within the eastern portion of the project area would result in the further remediation of several contaminated properties, and the construction of new buildings and other infrastructure that would replace these blighted areas with compatible land uses. The proposal calls for the redevelopment of approximately 56-acres of vacant, blighted and underutilized properties. Redevelopment of the project area would consist of a mixed-use development of residential, commercial, hospitality, cultural, retail, office, marina and recreational uses. These uses are consistent with traditional waterfront centers and compatible with the neighborhood's mixed-use character. A number of included public amenities (e.g., habitat and public beach restoration, public access to new and rehabilitated open spaces, a public waterfront esplanade, etc.) would further complement the development, as well as water-enhanced, water-dependent and other related uses (e.g., boat ramp, marinas, etc.).

Redevelopment would also positively affect land uses surrounding the area, including Downtown Glen Cove. The open space, waterfront promenade and limited retail primarily at the east end of the project would also provide a connection between the waterfront and downtown. Besides creating a physical linkage between these two areas, the project's infusion of new residents and employees would further support the downtown. The new population would be located within close proximity to the downtown and would be expected to increase activity levels and the customer base for downtown businesses. Additionally, residences located beyond the study area, most notably north of the project area, would incur little or no significant impacts from the development, as the mature Garvies Point Preserve serves as a buffer between the areas.

The conceptual site plan, as submitted, conforms to the specified purposes of the MW-3 district and the GPURP. Water-dependent, water-enhanced uses and other related uses (such as a reconstructed boat ramp, marinas, marina-support, retail, a public waterfront esplanade, waterfront dining and other waterfront public spaces) are proposed as part of the comprehensive, mixed-use community that will serve new and current residents of Glen Cove. Marketability and sustainability, both economically and environmentally, have been thoroughly considered in the development of the mixed-use project.

One of the most notable components of the MW-3 District is a set of design regulations that permit a PUD for mixed-use residential and commercial activities on sites of 25 or more contiguous acres (see MW-3 Zoning District Regulations in the

Appendix). The PUD allows a maximum residential density of 20 units per acre and adheres to criteria which include (but are not limited to) the preservation of view corridors, uniform architectural treatments for buildings, generous landscaping and concealed parking. The proposed development provides fewer than the maximum amount of units allowed per acre, and strictly adheres to the criteria set forth in the MW-3 District zoning text. Regulations of the MW-3 District require that a PUD contain a minimum of four of the eight uses cited in the zoning text, however, the current plan exceeds that minimum and includes the majority of uses (see **Table III.E-5**) required under the zoning. Regulations governing the PUD also require submitted site plans to contain a minimum of 25 percent open space. The conceptual plan provides 35 percent open space.

Furthermore, the proposed project conforms to the specified objectives of the MW-3 District to eliminate blight, blighting influences and noxious and incompatible uses. Obsolete uses and substandard structures will be replaced with appropriate uses and high quality structures that take full advantage of their strategic waterfront locations. As previously stated, the Proposed Action would conform to all of the aspects of the PUD criteria within the MW-3 District, as well as all other regulations of the MW-3 District.

The project area and surrounding area are guided by several prevalent public policies, and the development plan complies with these policies. The Glen Cove Comprehensive Plan was first adopted in 1960 and subsequently updated, with the most recent update in 1980. The 1980 update stated, “the objectives remain timely despite the years and some dated wording.”¹⁰ The stated objectives include recommendations aimed at residential, commercial and industrial uses, traffic conditions, and the general environment. The Proposed Action is consistent with the Comprehensive Plan objectives. The City recently adopted a new Master Plan on May 26, 2009. The Proposed Action remains consistent with recommendations contained in the updated plan.

The project site is also consistent with several other policy documents. The *Third Amended Urban Renewal Plan for the Garvies Point URA* was created to help eliminate the substandard conditions that impeded the proper development of the URA, with provisions to encourage new water-dependent, water-enhanced and other related uses along the Glen Cove Creek corridor. The LISCMP was created as a comprehensive regional plan that specially tailors the standards used for consistency decisions made by State and other agencies to the shorelines and 50 municipalities along the Long Island Sound, and the HMP was established to provide an overall framework for identifying key issues and formulating recommendations to address important issues affecting Hempstead Harbor. As previously stated, the development plan calls for improvements to meet the goals and objectives of these policies.

¹⁰ *Comprehensive Development Plan, Update of Development Policies*, City of Glen Cove. July 1980.