

STATEMENT OF GERARD M. BAMBRICK
VILLAGE ADMINISTRATOR
INC. VILLAGE OF FLORAL PARK
January 19, 2017

Good Morning. I am Gerard Bambrick, the Village Administrator of the Village of Floral Park.

This process began one year ago, with the Governor's announcement. I would like to commend the Governor's Office and the MTA/LIRR for participating in numerous meetings, and they have held the requisite hearings under SEQRA and certainly generated a voluminous amount of paper, as reflected by the DEIS.

However, we are one year into this process and well into a rapidly progressing SEQRA review process and yet the details of this project in many material respects are still scant. Although the DEIS must be 2500 pages, if you include all of the appendices, there is still no true assessment of the impacts to communities and residents along the mainline from this proposed project as is clearly required by SEQRA.

And although the MTA/LIRR is going through the required steps under SEQRA, unfortunately in many material respects the MTA/LIRR appears to be simply refusing to assess the impacts to residents and communities.

Although I could point to several impacts that the Village of Floral Park raised in its comments to the Draft Scoping Document that have simply not been addressed in the DEIS, because of the time constraints here today, I will address only one.

During the scoping process, the Village of Floral Park requested that LIRR conduct a study to assess the Third Track Project's impact on the property values of residence that border or are in close proximity to LIRR right of way.

In Floral Park's written comments to the Draft Scoping Document, dated June 13, 2016, and submitted on our behalf by our counsel, it was stated that:

The draft scope should provide for a residential property value impact analysis. . . . Even if residential properties will not be formally “taken” through eminent domain, local residential property values could be adversely impacted by the encroachment of infrastructure from the Project. The Draft Scoping Document should be revised to describe a residential property value impact analysis to be undertaken, including an identification of the areas that would be included in the analysis

The MTA has refused to conduct a study of the impact on property values arguing that SEQRA doesn't require agencies to consider purely economic issues.

The MTA has taken an inappropriately narrow view of such a study. Floral Park believes that such a study fits clearly within the scope of socioeconomic impacts required to be addressed under SEQRA. The proof of this is in the DEIS.

In the DEIS, the LIRR acknowledges the obvious, as it must, that the full taking of a commercial property would have a tax impact on a community. In the DEIS the MTA assesses – as it must- the real estate tax impacts of the loss of several commercial enterprises along the Main Line.

Yet, a diminution in property values assessment is no different and should have been included in the DEIS. For example, if property values of residences along the Main Line in Floral Park decline, then not only will the property owners be personally impacted, but Floral Park's tax base as a whole will be impacted and, ultimately the Village's ability to provide municipal services may be adversely impacted.

Our concern regarding the impact on property values is real. In Floral Park, to accommodate the Third Track, the MTA proposes to infill its right of way up to residential property lines and construct a retaining wall several feet high at some locations and then have the trains run across this retaining wall, literally feet from peoples' homes. If the homes bordering the mainline have their values diminished by even 10% as a result of this construction, the decrease in value will ultimately result in a decrease in the tax base as these property owners rightfully seek to lower their assessments. Not only will these property owners suffer, but every resident in the Village will necessarily bear a corresponding increased share of the overall tax burden.

Admittedly, I am just guessing at the potential decrease in property values as a result of this project. But at this stage of the SEQRA process we should not be forced to be guessing at impacts. Despite the glaring lack of detail provided by the MTA in the Draft Scoping Document, we identified this impact and it is incumbent upon the MTA to provide an objective and credible study and analysis of this impact. Now that the MTA has provided certain additional detail in the DEIS as to how the MTA proposes to construct the Third Track - with the trains running along atop retaining walls literally feet from resident's homes - the need to address how this will impact property values is even more abundantly clear than it was at the scoping phase of this process. The individual residents whose property values are being impacted have a right to know the extent of this impact and how the MTA will mitigate it. But also the taxpayers in general have a right to know because the taxpayers will ultimately bear this burden either in an increase in taxes or a decrease in municipal services.

Such a study is clearly relevant and should have been included in the DEIS, as was requested.

This is just one specific example of an impact identified by Floral Park and not addressed by the MTA. I know other elected official and residents can and will give other specific examples of impacts identified for which we are still awaiting the MTA's assessment.

I have heard the MTA and others from outside the impacted area tout the benefits of this proposal. However, if this proposal is as good as the MTA says, then it should be able to withstand the scrutiny of an honest assessment of the impacts it will cause. The MTA's failure to address these impacts as is required by SEQRA raises grave concerns among those of us who will have to endure this project.