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Submitted via email: belmontcomments@gmail.com

December 8, 2017

Senator Elaine Phillips
Senator Leroy Comrie
Senator Todd Kaminsky
Assemblywoman Michaele Solages
Assemblyman Clyde Vanel

Re: Questions submitted by the Village of Floral Park and the Village's Belmont Task Force

Dear Senators Phillips, Comrie and Kaminsky and Assembly Members Solages and Vanel:

Thank you for hosting the Listening Session regarding the development proposals at Belmont Park in response to the Empire State Development Corps. ("ESD") Request for Proposals that was issued July 31, 2017 (the "RFP"). Set forth below are questions submitted by the Village of Floral Park and the Village's Belmont Task Force. As the Village of Floral Park shares an extensive border with Belmont Park and has maintained a 109-year relationship with Belmont in which we have grown and developed in concert with each other, we have a vested interest in any development that may occur on the property. The following are our initial questions. It is important to note that these questions are based on our current understanding of the potential proposals, but as of the date of this letter many details remain unknown. As a result, we most likely will have additional questions in the future.

However, before we present our questions, we are compelled, once again, to reiterate our deep reservations about the adequacy of this process. As Floral Park has advocated for several years, any development at Belmont should be accomplished through the preparation of a comprehensive master plan that takes into account the development objectives of the New York Racing Association ("NYRA"), as well as incorporates the needs and desires of the surrounding communities. A comprehensive plan promotes development where all components are cohesive and complementary, and provides more opportunities to maximize economic benefits while minimizing socioeconomic and environmental impacts. These opportunities are lost when development proposals are not guided by a master plan or

evade cumulative impact review. Since no master plan has been developed, it is difficult, perhaps impossible, to adequately judge the impacts of any proposed development at Belmont unless and until details concerning other development proposals for the Belmont Property are known. As it is no secret that NYRA has its own ambitious development plans for Belmont, any evaluation of the development proposals pursuant to this current RFP must also take into account NYRA's future plans for the property. Only then can we know what the true cumulative effect of all of the development proposals at Belmont will be on their communities and on their quality of life.

In the context of this process by ESD, the Village is not merely asking for a favor from the ESD that the Village's concerns be incorporated into any development proposals. Rather, we are stating that it is imperative that the legal requirements of this process be observed for the protection of our residents. As the RFP itself notes, it is subject to and issued by the ESD in part under the authority of Urban Development Corp Act ("UDC Act"). The UDC Act mandates the establishment of Community Advisory Councils ("CAC") as a formalized means of incorporating the surrounding communities' goals into the ESD's development proposals.

As the Village of Floral Park noted in our prior correspondence to the ESD, dated November 1, 2017, a copy of which is attached:

UDC Act § 6266(1) provides that the ESD and the relevant CAC "shall work closely, consult and cooperate with local elected officials and community leaders at the earliest practicable time. The [ESD] shall give primary consideration to local needs and desires and shall foster local initiative and participation in connection with the planning and development of its projects." UDC Act § 6254 (7) mandates that the ESD "establish one or more community advisory committees to consider and advise the corporation upon matters submitted to them by the corporation concerning the development of any area or any project, and may establish rules and regulations with respect to such committees."

The Village is not suggesting that the ESD has completely ignored our concerns. We have previously stated in our November 1st correspondence that we are grateful to the ESD for "listening to our concerns and those of our neighbors and explicitly excluding proposals for certain uses such as video lottery terminals, table games, pari-mutuel and simulcast wagering."

However, that concession is insufficient to satisfy the ESD's obligation under the UDC Act to **"give primary consideration to local needs and desires and [to] foster local initiative and participation in connection with the planning and development of its projects."** The Village and the surrounding communities should have been incorporated earlier into the planning and development process of this project and we should have a formalized and significant role in the process of evaluating whether any of the responses to the RFP meet the required goal of achieving the local needs and desires with respect to the development of the property. We submit that, as has been suggested by the ESD, if the role of the surrounding communities going forward is merely limited to participation in the Environmental Review Process after

the ESD has made a determination, that result merely provides to the surrounding communities what SEQRA already provides and therefore impermissibly renders meaningless the provisions and protections afforded local surrounding communities under the UDC Act.

Subject to the foregoing, our initial questions are set forth below.

QUESTIONS PRESENTED

I. IMPACTS ON LOCAL COMMUNITY

(i) Tax Impacts

The Village of Floral Park is one of five full service villages in Nassau County that provides, among other things, its own police and fire protection and maintains its own roads. The intensive new development as proposed at Belmont will certainly impact the cost of the Village in providing police and fire protection and increase the cost of maintaining the Village's roads. Without a corresponding offset to the burden of unmitigated impacts, these increased costs will be borne by the Village's taxpayers.

1. Does each Proposed Developer commit to neighboring Villages to offset increased variable and fixed costs associated with unmitigated impacts caused by its project?
2. How does the Proposed Developer plan to contribute to offset the increased cost in police/fire/rescue and sanitation for the Host/Surrounding Communities?

(ii) Traffic Impacts

Intensive new development at Belmont will invariably result in greatly increased traffic travelling through the Village. For example, Plainfield Avenue is one of the few North-South traffic conduits in Nassau County and will almost certainly experience a tremendous increase in traffic volume due to the proposed development. We understand that a SEQRA review has not yet taken place, but assume, as part of its due diligence, each proposer already has developed a strategy on how it intends to approach this issue.

3. Will the Proposed Developer conduct ongoing traffic studies to help relieve the dramatic increase of traffic through residential streets?
4. Will the Proposed Developer provide funds to the local community to use for its own independent traffic study?
5. As part of its proposal, has the Proposed Developer conducted a preliminary assessment of, or at least presented a strategy to address, the increased traffic along the Cross-Island Parkway due to the project?

(iii) **Environmental Impacts**

The intensive new development as proposed at Belmont will result in increased noise and light pollution impacting the Village's residents.

6. As part of its proposal, has the Proposed Developer considered or developed preliminary information regarding noise and light pollution and its impact on the residential communities surrounding this development?
 - a. Has the Proposed Developer accounted for noise and light pollution in its proposal and its impact on the thoroughbred horses living on the Belmont Park property?
7. As part of its proposal, has the Proposed Developer addressed how it will assist in the enforcement of preventing honking car horns, often notorious after and before a certain sporting team's events?
8. As part of its proposal, has the Proposed Developer addressed the issue of event curfews, and how will they be enforced?
9. Has the Proposed Developer preliminarily identified a curfew time?
10. Has the Proposed Developer committed to consult with local communities on curfew times, and what remedies will be available to communities if the curfew is broken?
11. As part of its proposal, has the Proposed Developer indicated whether it will commit to structured remuneration for local communities when the curfew is broken?
12. As part of its proposal, has the Proposed Developer presented information on what type of lighting will be in the parking lots?
13. As part of its proposal, has the Proposed Developer presented information on what time of day the lights be on/cut off?
14. Does the proposal provide commitments and/or assurances that the lights for the project will be designed in a manner to not reflect onto residential houses?
15. Does either proposal seek to accommodate allowing helicopters to land at the site? If so, does the proposal present preliminary information on where they would land and what times will landings and take offs be permitted?

(iv) **Impacts on Village's Business Community**

The business community is an important and vital part of the fabric of Floral Park. There are serious concerns as to the impact this proposed development will have on the Village's business community.

16. If the plan for the Proposed Developer is to provide for robust entertainment and food options, how will this benefit and "galvanize" the local community? Is it not the intention of the Proposed Developer to draw patrons into the development and spend resources at the facility?

(v) **Economic Benefits of Proposed Development**

We understand that one of the touted benefits of this proposed development is its supposed economic boost to the local economies.

17. As part of its proposal, has either Project Developer provided an analysis quantifying, even preliminarily, the total number of jobs it expects to create during project construction?

18. As part of its proposal, has either Project Developer provided an analysis:
- a. quantifying the total number of jobs it expects to create once the project is operational,
 - b. providing a breakdown of anticipated full time or part time jobs,
 - c. indicating median and average salaries for these jobs, and/or
 - d. whether these jobs will provide employee benefits?

(vi) Other Community Benefits

Many developments similar to the remaining proposals include a Community Benefits Agreement pursuant to which the proposed developer commits to specific actions the proposed developer will undertake to directly benefit the surrounding communities.

19. Has either proposal included a proposed community benefits package for the host/surrounding communities?
20. If not, has either proposal indicated a commitment to enter into a community benefits agreement with host/surrounding communities?
21. Does either proposal include facilities to be developed for use by the local communities?

(vii) Impact on Existing Services

Development of the size and scope contemplated by this process will have an impact and drain on existing public transportation services and the surrounding communities' existing utilities infrastructure.

23. As part of its proposal, has the Proposed Developer presented a plan to use the existing LIRR station at Belmont Park?
24. If so:
- a. How does the Proposed Developer plan to accommodate the population east of the proposal with mass transit via the LIRR?
 - b. What branch of the LIRR will service the project?
 - c. Has the Proposed Developer provided a preliminary analysis on the impact that the additional service on that branch will have on the normal service of the branch?
 - d. Would the Belmont LIRR station be open with regular service for commuters?
 - e. If the Belmont LIRR station will be open with regular service for commuters, where will they park?
 - f. Does the proposal indicate whether there will be 'shared' parking facilities or a separate lot created for commuter parking?
25. In the recent past Belmont Park has had issues with water service during large events. With this in mind, as part of its proposal, does either Proposed Developer indicate whether it plans to tap into existing power/water/sewage infrastructure currently utilized by the residential communities surrounding the development?

26. If so, has the proposal provided a preliminary assessment of the applicable existing infrastructure's ability to handle the requirements of the proposed development?

(ix) Socio-Economic Impacts

27. As part of its proposal, has either Proposed Developer addressed or incorporated a plan to educate and enforce the dangers of Drinking and Driving with attendees at events often associated with large consumption of alcoholic beverages?
28. Belmont Park is a Historic Landmark. Its land and structures should be preserved and cherished. As part of its proposal, has either Proposed Developer presented design features and structures that complement the historic nature of the existing structures at Belmont?
29. As part of its proposal, does the Proposed Developer plan to contribute to the beautification, improvement and/or ongoing maintenance of Hempstead Turnpike?
30. To the extent it is addressed in the proposal, Floral Park believes the following information should be shared with the public:
- a. What is the total cost of the proposed development?
 - b. Has any financing been secured to fund the development?
 - c. Will all zoning laws be adhered to?
 - d. Are there any plans to request altering or waiving any zoning laws?
 - e. Does the Project Developer anticipate use of any public funds or to seek public financing to support the proposed development and related structures, improvements and infrastructure including but not limited to roads, sewer, power, water, etc.?
31. Have all conditions of the NYRA/NY State "ground lease" been adhered to permit development of the selected proposal, and if not, what conditions have to be satisfied?
32. Does either Proposed Developer's project require amendments or alterations to the "ground lease"?

III CONSTRUCTION PHASE

1. As part of its proposal, does the Proposed Developer indicate how long will the construction process be?
2. As part of its proposal, does the Proposed Developer indicate where staging for the construction materials and machines will be?
3. As part of its proposal, does the Proposed Developer indicate how construction materials will be shipped to the site?
4. As part of its proposal, does the Proposed Developer indicate the hours and days during which construction will take place?

IV LONG TERM/ OPERATIONAL PHASE

1. As part of its proposal, does the Proposed Developer indicate which exits from the Cross Island Parkway will be used?
2. As part of its proposal, does the Proposed Developer indicate which entrances to the Cross Island Parkway will be used post events?
3. As part of its proposal, does the Proposed Developer indicate whether any of the existing exits and entrances to the Cross Island Parkway will be closed?
4. As part of its proposal, does the Proposed Developer propose any new entrances or exists to/from the Cross Island Parkway?
5. As part of its proposal, does the Proposed Developer indicate whether any of the existing roadways within the Belmont Property will be used?
6. As part of its proposal, does the Proposed Developer indicate whether any of the roads that abut the stables will be used?
7. As part of its proposal, does the Proposed Developer indicate whether the Plainfield Ave gate will be used?
8. As part of its proposal, does the Proposed Developer indicate whether the Mayfair Ave gate will be used?
9. As part of its proposal, does the Proposed Developer indicate whether tailgating and loitering will be allowed or prohibited in the parking lots adjacent to residential homes?
10. If tailgating is permitted, which it currently is not under NYRA rules, will tailgates be allowed in tiered parking structures?
11. As part of its proposal, does the Proposed Developer propose to use the Parking Lots North of the Track ("Green Lot" and "White Lot") and East of the Track ("Blue Lot") for event parking?
12. As part of its proposal, does the Proposed Developer indicate whether it intends to use the roadways north of the Track ("Green Lot") for event traffic maintenance?
13. As part of its proposal, does the Proposed Developer indicate how it intends to ensure that any parking lot restrictions are enforced?
14. As part of its proposal, does the Proposed Developer indicate who will manage and oversee the parking lots to ensure rules are enforced and provide the necessary maintenance?
15. As part of its proposal, does the Proposed Developer indicate what time of day will the parking lots be plowed if there is a snow storm?
16. As part of its proposal, does the Proposed Developer indicate when/how frequently parking lots will be cleaned?
17. As part of its proposal, does the Proposed Developer indicate whether there will be increased or new bus service to the development?
18. As part of its proposal, does the Proposed Developer indicate where will privately chartered buses will park?

19. As part of its proposal, does the Proposed Developer indicate whether there will be an "Uber" pickup/drop-off location? If so where will that be located?
20. As part of its proposal, does the Proposed Developer indicate where employees will park? At maximum how many employees will be on site at one time?
21. As part of its proposal, does the Proposed Developer indicate whether the entertainment and food facilities will be open to the public not attending an event at the development? Will these facilities be open year round?
22. As part of its proposal, does the Proposed Developer indicate which Fire and Ambulatory services it intends to use/rely on for the large amount of people attending events at the development?
23. As part of its proposal, does the Proposed Developer indicate which Police services it intends to use on the campus of the development?
25. As part of its proposal, does the Proposed Developer indicate whether the use of local police is expected to serve the development, or whether the project campus will need to be serviced by two different departments due to the NYC and Nassau County line running between the developments?
26. As part of its proposal, does the Proposed Developer indicate which access and exit points will be made available to event attendees who are parking on the North Side of Hempstead Turnpike parking lots?
27. As part of its proposal, does the Proposed Developer indicate what time deliveries will be made at the facility? What is their frequency? What roads will be used to accommodate the large trucks making these deliveries?
28. As part of its proposal, does the Proposed Developer indicate whether it plans to eliminate trees and green space for its new structures?
27. As part of its proposal, does the Proposed Developer indicate the minimum and maximum number of events expected at the facility per year?
28. Will there be multiple events per day? (i.e. - Morning followed by evening).
29. What specific types of events will be held at the facility?
30. As part of its proposal, does the Proposed Developer indicate whether its design will be covered by a roof, open air or a retractable roof?
31. To the extent the Proposed Developer is seeking to build a Hotel, does the Proposed Developer provide guidance on how it will ensure that it will be run by a reputable Hospitality provider?
32. As part of its proposal, does the Proposed Developer indicate whether it intends to build a convention center, and how many people could the center accommodate?
33. If, as part of its proposal, the Proposed Developer plans to build a "Mixed Use" development, how many people would this accommodate?
34. Has the Proposed Developer provided information on the total number of people expected to be on the entire campus during a sporting event/ concert, convention, hotel patrons, Belmont Park attendees and the use of the "Mixed Use: facility" cumulatively?

35. Does the Proposed Developer plan to house a "Sports Book" facility at any time in the future?
36. Does the Proposed Developer plan to have a sharing arrangement with NYRA during event dates?

Thank you for your consideration in these matters that are vital to the Village of Floral Park and its residents

Sincerely

/s/ Dominick A. Longobardi

Dominick A. Longobardi
Mayor

/s/ Kevin M. Fitzgerald

Kevin M Fitzgerald
Deputy Mayor

Cc:

Senator Elaine Phillips via email @ ephillips@nysenate.gov
Senator Todd Kaminsky via email @ kaminsky@nysenate.gov
Senator Leroy Comrie via email @ comrie@nysenate.gov
Assemblywoman Michaelle Solages via email @ SolagesM@nyassembly.gov
Assemblyman Clyde Vanel via email @ vanelc@nyassembly.gov
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November 1, 2017

Hon. Howard Zemsky, President & Chief Operating Officer
Empire State Development
633 Third Avenue – Floor 37
New York, NY 10017

Re: **Empire State Development (“ESD”) Request for Proposals (“RFP”) for the
Long-Term Lease of Property at Belmont Park:
Establishment of Community Advisory Committee**

Dear Mr. Zemsky:

On behalf of the Incorporated Village of Floral Park (the “Village” or “Floral Park”), I am writing to you with respect to the above-referenced RFP concerning the potential development of vacant land at Belmont Park. We thank you for your leadership on this initiative, and agree with your assessment that “Belmont Park represents an exciting and much-anticipated development opportunity for Long Island.” In order to fulfill the goals of this proposal, we request that ESD formally establish a Community Advisory Committee (“CAC”) for Belmont Park as soon as possible so that ESD foster local input as early as possible in the process. This will help ensure that the pitfalls of earlier Belmont Park development efforts are avoided.

Floral Park and Belmont Park have shared a border for over 108 years, and our Village has long been engaged in efforts to develop the remaining available land at Belmont in a productive manner. Toward that end, in 2007, the Village established the Belmont Park Task Force, consisting of a diverse, well-informed group of local residents and officials with knowledge and expertise in areas such as law enforcement and fire protection. The Task Force has reviewed various proposals to develop Belmont Park in the past. By way of illustration, it is no secret that a prior proposal to allow a video lottery terminal facility at Belmont Park greatly concerned the Task Force and met with significant community opposition in Floral Park. It is therefore with great gratitude to ESD for listening to our concerns and those of our neighbors and explicitly excluding proposals for certain uses such as video lottery terminals, table games, pari-mutuel and simulcast wagering.

The key is to engage the community as early as possible in the process, and we believe this will be greatly facilitated through the formal establishment of a Belmont Park CAC.

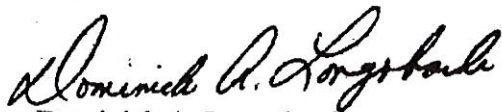
We note that Section 212 of the New York Racing Law called for the establishment of 15-member local advisory board for the Saratoga and Aqueduct race tracks, but for some reason did not do so for Belmont Park. Fortunately, Sections 6254 and 6266 of the Urban Development Corporation ("UDC") Act provide an alternative means to accomplish the same goal. As the RFP itself notes, the RFP is subject to and issued by ESD in part under the authority of UDC Act.

UDC Act § 2266(1) provides that the ESD and the relevant CAC "shall work closely, consult and cooperate with local elected officials and community leaders at the earliest practicable time. The [ESD] shall give primary consideration to local needs and desires and shall foster local initiative and participation in connection with the planning and development of its projects." UDC Act § 6254(7) mandates that the ESD "establish one or more community advisory committees to consider and advise the corporation upon matters submitted to them by the corporation concerning the development of any area or any project, and may establish rules and regulations with respect to such committees."

Given the overriding mandate to engage local communities "at the earliest practicable time" in relation to a project, the Village supports and urges ESD to formally create the Belmont Park CAC as soon as possible. Floral Park's Belmont Park Task Force would be more than happy to participate in the CAC.

Thank you for your consideration of this request, and please feel free to contact me to discuss this matter at your convenience. I look forward to hearing from you.

Regards,

A handwritten signature in black ink, reading "Dominick A. Longobardi". The signature is fluid and cursive, with the first name "Dominick" being more prominent.

Dominick A. Longobardi
Mayor

cc: Senator Elaine Phillips
Assemblywoman Michael Solages