



INC. VILLAGE OF FLORAL PARK  
COMMENTS TO BELMONT PARK  
REDEVELOPMENT PROJECT  
DRAFT ENVIRONMENTAL IMPACT STATEMENT

*Submitted on March 1, 2019*

The following document is respectfully submitted by the Mayor and Board of Trustees of the Inc. Village of Floral Park outlining our community's concerns about the aforementioned project.

# INC. VILLAGE OF FLORAL PARK COMMENTS TO BELMONT PARK REDEVELOPMENT PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT

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Deputy Mayor Kevin Fitzgerald (January 8<sup>th</sup> Session)

Deputy Mayor Kevin Fitzgerald (January 10<sup>th</sup> Session)

Trustee Dr. Lynn Pombonyo (January 8<sup>th</sup> Session)

Trustee Dr. Lynn Pombonyo (January 9<sup>th</sup> Session)

Trustee Dr. Lynn Pombonyo (January 10<sup>th</sup> Session)

Trustee Archie Cheng, Esq. (January 8<sup>th</sup> Session)

Trustee Archie Cheng, Esq. (January 10<sup>th</sup> Session)

Trustee Frank Chiara (January 9<sup>th</sup> Session)

Village Administrator Gerard Bambrick (January 8<sup>th</sup> Session)

Village Administrator Gerard Bambrick (January 9<sup>th</sup> Session)

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Floral Park Bellerose School Board President Laura Ferone (January 8<sup>th</sup> Session)

Floral Park Bellerose School Board President Laura Ferone (January 9<sup>th</sup> Session)

Floral Park Bellerose School Superintendent Michael Dantona (January 9<sup>th</sup> Session)

Floral Park Bellerose School Board Vice President Laura Trentacoste (January 10<sup>th</sup> Session)

Floral Park Bellerose School Board Member Doug Madden (January 9<sup>th</sup> Session)

Belmont Task Force Member Former Mayor Thomas Tweedy (January 8<sup>th</sup> Session)

Belmont Task Force Member Former Mayor Thomas Tweedy (January 10<sup>th</sup> Session)

Belmont Task Force Member Kevin Flood (January 8<sup>th</sup> Session)

Belmont Task Force Member Kevin Flood (January 9<sup>th</sup> Session)

Belmont Task Force Member Bernadette Smith (January 8<sup>th</sup> Session)

Belmont Task Force Member Bernadette Smith (January 10<sup>th</sup> Session)

Belmont Task Force Member Frank Gunther (January 8<sup>th</sup> Session)

Belmont Task Force Member Frank Gunther (January 9<sup>th</sup> Session)

Belmont Task Force Member Dennis McEnery (January 8<sup>th</sup> Session)

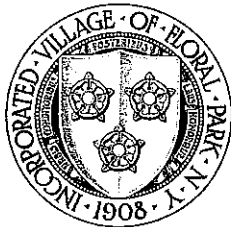
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Belmont Task Force Member Jessica Alfonsi (January 9<sup>th</sup> Session)

Belmont Task Force Member Jessica Alfonsi (January 10<sup>th</sup> Session)



**MAYOR**  
DOMINICK A. LONGOBARDI

**TRUSTEE**  
KEVIN M. FITZGERALD

**TRUSTEE**  
DR. LYNN POMBONYO

**TRUSTEE**  
ARCHIE T. CHENG, ESQ.

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## *Incorporated Village of Floral Park*

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March 1, 2019

**Via email: [belmontoutreach@esd.ny.gov](mailto:belmontoutreach@esd.ny.gov)**

Mr. Michael Avolio  
Empire State Development  
633 Third Avenue  
New York, NY 10017

Re: Belmont Park Redevelopment Project (the "Project"):  
Comments of the Village of Floral Park on the  
Draft Environmental Impact Statement

Dear Mr. Avolio:

Enclosed are comments from the Incorporated Village of Floral Park to the above referenced Draft Environmental Impact Statement issued by the Empire State Development Corp. (the "ESD") on December 6, 2018 (the "DEIS"). On the pages that follow, set forth are an extensive set of comments that have not previously been submitted by the Village of Floral Park's Belmont Task Force Chair Deputy Mayor Kevin Fitzgerald, Trustees Lynn Pombonyo and Frank Chiara and Belmont Task Force members Frank Gunther, Michael Culotta and Kevin Flood. Also enclosed are written versions of comments made at the public hearings on the DEIS held on January 8, 9 and 10, 2019 at the Elmont Public Library (the "DEIS Hearings") by the Floral Park Village Board, other Village officials, and members of the Village's Belmont Task Force.

In addition, at the DEIS Hearings and under separate cover letter sent in by overnight mail yesterday, the Village submitted a cumulative total of 2,329 letters from residents of the Village and surrounding areas. These letters reflect the concerns of residents in the communities that surround the location of this project who will be most impacted by the massive size and scope of this project and their opposition to the project as presently proposed.

Also, submitted contemporaneously with these comments are the extensive comments of the Village's environmental counsel in this matter, Beveridge & Diamond PC (B&D). The comments of B&D also incorporate the review and analysis of the Village's traffic consultant for this matter, NV5.

As is required under New York State's Urban Development Corp Act (the "UDC Act"), when considering a proposal such as this Project, the ESD is required to "give primary consideration to local needs and desires." It is abundantly clear from the overwhelming majority of comments at the DEIS Hearings and the letters and comments submitted, that this Project, as currently proposed, does not come close to meeting the needs and reflecting the desires of the neighborhoods and communities that surround Belmont Park, including Floral Park.

However, it would be incorrect and overly simplistic to conclude that the Village's opposition to this Project as proposed reflects an animus on the part of the Village against any development at Belmont Park. To the contrary, as our counsel states in their comments:

**Floral Park has long supported the need to develop underutilized parcels within Belmont Park. But it also has called for the development of a Master Plan for Belmont Park to guide development in an appropriate, measured way that not only enhances local and regional economic development but also protects the unique character of the communities surrounding Belmont Park and Belmont Park itself. Unfortunately, a Master Plan has never been developed. As a result, there has been a distinct lack of cohesiveness and vision associated with development proposals for Belmont's underutilized lots and improvements to Belmont's existing infrastructure while respecting its unique and cherished role at the forefront of the nation's thoroughbred racing industry. The current proposal proposed by New York Arena Partners ("NYAP") and sponsored by ESD fares no better.**

The lack of a Master Plan for Belmont is compounded by glaring lack of analysis and thought reflected in the DEIS. This view is virtually unanimously shared by all elected officials who have closely studied the DEIS.

New York City Comptroller Scott Stringer has cited the paucity of analysis of the traffic impacts on the Queens side of this project in his request for the New York City Department of Transportation to undertake a study of the impacts of the Project on the residents of Queens. The NYC DOT recently announced that, given the concerns raised by Comptroller Stringer and other elected official on the Queens side of the Project, the NYC DOT will expand their own traffic study "to see how the state's Belmont Park redevelopment would affect eastern Queens' residents and address community concerns" see <https://comptroller.nyc.gov/newsroom/in-a-victory-for-queens-residents-dot-to-perform-traffic-impact-study-of-belmont-redevelopment/>.

The Village of Floral Park similarly requested that Nassau County also undertake a full and independent traffic analysis of this Project to determine the impact on the communities of western Nassau County. Attached is a copy of the Village's request to County Executive Curran. Also attached is the correspondence dated February 7, 2019 from Nassau County Presiding Officer Richard Nicoletto and County Legislator Vincent Muscarella to County Executive Curran in support of the Village's request for an independent traffic study. Presently, the Village is awaiting County Executive Curran's response to this request. But at a bare minimum, the comment period for the DEIS should be kept open to reflect the comments generated by the NYC DOT analysis which is underway and, hopefully, the study to be undertaken by Nassau County.

Indeed, the ESD implicitly acknowledged the obvious shortcomings of this DEIS by the fact that just last week the ESD extended the contract of AKRF to prepare such basic aspects of the DEIS that are currently completely lacking, such as a competent traffic analysis and concrete mitigation proposals.

However, it would be clearly insufficient and contrary to the intent and purpose of the SEQRA process if such traffic analysis and mitigation were revealed to the public for the first time in a Final Environmental Impact Statement without opportunity for further public comment.

It would be more efficient, and certainly more appropriate, if the ESD would review the comments of our Village officials and Belmont Task Force members, and use these comments and those of other members of the public to: first, scale this Project back to a reasonable size and scope appropriate to the suburban character of the communities surrounding Belmont Park; and second, then prepare a corrected DEIS and re-commence a new public review and comment period. Perhaps then the ESD could take a step towards achieving the requirement of the UDC Act that it "give primary consideration to local needs and desires".

With all sincerity, the Village of Floral Park hopes the ESD would take the comments it has received over the last several months and take the lead to develop a Master Plan for Belmont that incorporates true community involvement in the planning process. That is what Floral Park has been advocating for years, and that is consistent with ESD's mandate. Unfortunately, to date, that has not happened.

Sincerely,

A handwritten signature in black ink that reads "Dominick A. Longobardi". The signature is written in a cursive style with a large, prominent initial 'D'.

Dominick A. Longobardi  
Mayor, Inc. Village of Floral Park



**MAYOR**  
DOMINICK A. LONGOBARDI

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January 29, 2019

### BY-HAND DELIVERY

Honorable Laura Curran  
Nassau County Executive  
1550 Franklin Avenue  
Mineola, NY 11501

Dear County Executive Curran,

We are writing to you in regard to the proposed Belmont Park Redevelopment Civic and Land Use Improvement Project (the "Proposed Project"). As you know, the Empire State Development Corp ("ESD") plan would bring a new arena, mall, hotel, and office building to a 43-acre site at Belmont Park. A project of this magnitude will significantly increase traffic congestion and overwhelm the local road system, resulting in far ranging impacts on the surrounding neighborhoods and destroying the character of these unique communities. As ESD has indicated that approvals for this project could be granted within the next few months, we urge you to have the Nassau County Planning Department and other relevant departments undertake a full and independent traffic study to identify potential impacts and consider whether sufficient mitigation is possible given the size and scope of the Proposed Project. Further, in order to accommodate this study, we ask that you request ESD to leave the DEIS comment period open so that the results of your study can be incorporated into the environmental impact statement record for the project. It is unfortunate that we have to ask Nassau County to undertake such an analysis but are compelled to do so because the assessment undertaken by ESD, despite its lead agency status, is wholly inadequate.

It is expected that the Proposed Project could bring up to 50,000 new visitors to the site per day which today only sees approximately 3,000 to 5,000 visitors during the racing season. The ESD's recently released Draft Environmental Impact Statement ("DEIS") even acknowledges that most of the visitors (up to 85%) will arrive at the site via the Cross-Island Parkway ("CIP") and that the CIP is already at or over capacity at peak periods which will overlap with events at the proposed arena. ESD acknowledged, when they approved the release of the DEIS, that "*the Cross-Island Parkway is a bit of a challenge*" in terms of mitigation. That understatement belies the fact

that, if most of the traffic is expected to arrive via the CIP and the CIP is already at or over capacity at relevant times, it is inevitable that the local streets adjacent to the site can expect to absorb the significant overflow. Despite this obvious point, the DEIS concludes, without explanation or analysis, that the traffic for the Proposed Project will be contained to the CIP and promises to develop a traffic management plan at some point in the future that will miraculously make these problems go away. The Village views this as the very opposite of sound analysis and planning and therefore is seeking the County's assistance.

### **A FULL AND INDEPENDENT TRAFFIC STUDY TO ANALYZE THE IMPACTS ON THE RESIDENTS OF NASSAU COUNTY IS WARRANTED**

It is our understanding that the Nassau County Planning Commission is reviewing and preparing comments to the DEIS on behalf of the County, and the Village is appreciative of that<sup>1</sup>. However, the Village believes, given the lack of analysis of the traffic impacts evidenced by the DEIS and the identification of major deficiencies in the methodologies employed in the existing traffic analysis, a full and independent traffic analysis of this Proposed Project is warranted by Nassau County.

As you may be aware, the New York City Comptroller, Scott Stringer, cited the paucity of analysis of the traffic impacts on the Queens side of this project in his request for the New York City Department of Transportation to undertake a study of the impacts of the Proposed Project on the residents of Queens. The NYC DOT recently announced that, given the concerns raised by Comptroller Stringer and other elected official on the Queens side of the Proposed Project, the NYC DOT will expand their own traffic study "to see how the state's Belmont Park redevelopment would affect eastern Queens' residents and address community concerns"<sup>2</sup>

As Nassau County and the Town of Hempstead are responsible for the roads east and south of the site, as well as Plainfield Ave in Floral Park, it would seem appropriate, if not imperative, that Nassau County, fully and independently of the ESD, examine the impacts that the expected significant increase in traffic will have on the daily lives of the residents of the surrounding communities

In addition, outside professional consultants hired by the Village of Floral Park have determined that an independent review of the DEIS traffic study is warranted. In September of 2018, in preparation for the release of the DEIS, the Village of Floral Park hired, at the expense of our residents, the traffic consulting firm NV5 to perform a "peer review" study of the data that was to be used in the DEIS with specific focus on the impacts to our Village. The Village's intention was to have NV5 review the data generated by the traffic study underlying the DEIS in order to have NV5 perform its own analysis and review based on the data generated by ESD's traffic study. However, the Village's efforts to obtain the traffic data from ESD in advance of the release of the

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<sup>1</sup> Also, since the County is considered a municipality under the UDC Act, the Village of Floral Park, by a separate letter dated January 29, 2019, is also asking the Nassau County Planning Commission to exercise its apparent jurisdiction under NYS UDC Act § 6266 to review the proposed project and to recommend disapproval or modification of the Project.

<sup>2</sup> <https://comptroller.nyc.gov/newsroom/in-a-victory-for-queens-residents-dot-to-perform-traffic-impact-study-of-belmont-redevelopment/>



DEIS were unsuccessful. Still further, when the DEIS was released, the appendices to the DEIS did not contain much of the traffic data that would normally be included as an appendix to a draft environmental impact statement for a project of the size, scope and significance of this Proposed Project. It was not until the Village's environmental counsel for this Proposed Project, Beveridge & Diamond, threatened litigation to get this data was the relevant data ultimately, and very recently, provided to the Village on January 9<sup>th</sup> (See attached correspondence from Beveridge & Diamond to ESD, dated January 4, 2019.)

We are advised by our outside consultants, NV5, that after having reviewed the data contained in the appendices to the DEIS as well as the data recently released by the DEIS, they have identified major deficiencies in the methodology employed in the traffic analysis in the DEIS for the Proposed Project. Consequently, they confirm that a full and independent traffic review is warranted.

We look forward to the Nassau County Planning Commission and Nassau County DOT reviewing the impacts of this project and commenting prior to the closing of the comment period for the DEIS. As set forth above, we believe there is more than ample basis for Nassau County to undertake its own full and independent traffic review to ascertain the impacts the Proposed Project will have on the residents of Nassau County. The Village of Floral Park will of course provide the additional traffic data we have recently received from ESD and would welcome the relevant County personnel to contact NV5 to discuss NV5's findings to date.

We understand a full and independent traffic review would be difficult if not impossible for the County to conclude prior to the February 11<sup>th</sup> deadline for comments to the DEIS. Accordingly, we also ask the County to join in the Village's request to extend the comment period for the DEIS, as set forth in the January 4, 2019 letter from Beveridge & Diamond to ESD.

Thank you for your cooperation in this matter and we would welcome the opportunity to discuss this matter with you further.

Sincerely



Dominick A Longobardi  
Mayor

cc: Honorable Laura Gillen  
Presiding Officer Richard Nicoletto  
Honorable Vincent Muscarella  
Martin Glennon, Chairman, Nassau County Planning Commission  
Michael Murphy, Esq.

cc: Board  
Admin. ✓

# NASSAU COUNTY LEGISLATURE

1550 FRANKLIN AVENUE, MINEOLA, NY 11501

**Richard Nicoletto**

Presiding Officer  
516-571-6209  
rnicoletto@nassaucountyny.gov



**Vincent T. Muscarella**

Legislator, District 8  
516-571-6208  
vmuscarella@nassaucountyny.gov

February 7, 2019

Hon. Laura Curran  
Nassau County Executive  
1550 Franklin Avenue  
Mineola, New York 11501

Dear County Executive Curran,

We have reviewed the letter dated January 29, 2019, from Village of Floral Park Mayor Dominick Longobardi, wherein the Village requests that Nassau County complete a full and independent traffic analysis of the Belmont Park Redevelopment Civic and Land Use Improvement Project ("Proposed Project"). We fully support the Village's request and urge you to direct the Nassau County Department of Public Works/Traffic Engineering to conduct such a traffic analysis and secure its funding from New York State and/or the Empire State Development Corporation ("ESDC"), which is bringing this massive Proposed Project to Belmont Park.

The lack of traffic data within the ESDC's Draft Environmental Impact Statement ("DEIS") is extremely disconcerting, and we are troubled by the DEIS's unsupported conclusion that traffic will not spill over from the Cross Island Parkway onto local roads within its vicinity. As you are aware, several of these roads fall within the jurisdiction of the County, including Plainfield Avenue in Floral Park, an already heavily trafficked northerly/southerly road between Jericho Turnpike and Hempstead Turnpike that abuts residential houses, a house of worship, and two schools within the Village. Nassau County should not allow its roads to be overburdened to the detriment of motorists, school-aged and adult pedestrians, and residents as the result of a project which failed to provide sufficient traffic data in its related DEIS. Accordingly, we urge you to direct Nassau County DPW/Traffic Engineering to conduct a traffic study for the Proposed Project.

Additionally, it is the ESDC's massive Proposed Project and related undetailed DEIS that necessitate an independent traffic study. Had ESDC proposed a smaller project or merely provided traffic data that supports its conclusions, no additional traffic study would be requested of the County. Neither condition exists, and an independent traffic study is critical to the well-being of areas surrounding Belmont, including the Village. However, its cost should not be borne by Nassau County, and we urge you to secure funding from New York State and/or the ESDC.

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We are encouraged that our neighbor to the West, New York City, has announced that it will conduct a traffic study to determine the effects of the Proposed Project in Eastern Queens. Nassau County should be doing the same for western Nassau County.

Regards,



Richard J. Nicoletto  
Presiding Officer  
Nassau County Legislature



Vincent T. Muscarella  
County Legislator, 8<sup>th</sup> L.D.

CC: Dominick Longobardi ✓  
Mayor, Village of Floral Park

COMMENTS OF DEPUTY MAYOR KEVIN FITZGERALD  
MARCH 1, 2019

**MAYOR**  
DOMINICK A LONGOBARDI

**TRUSTEE**  
KEVIN M FITZGERALD

**TRUSTEE**  
DR LYNN POMBONYO

**TRUSTEE**  
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March 1, 2019

Via email: [belmontoutreach@esd.ny.gov](mailto:belmontoutreach@esd.ny.gov)

Michael Avolio  
Empire State Development  
633 Third Avenue  
New York, NY 10017

Re: Belmont Park Redevelopment Project (the "Project"):  
Comments of Kevin M Fitzgerald Deputy Mayor of Floral Park on the  
Draft Environmental Impact Statement

Dear Mr. Avolio:

The Inc. Village of Floral Park, which shares an extensive and century old neighborly border with beautiful Belmont Park, has always advocated for smart development at Belmont Park. These include, but certainly not limited to, the now decade old Floral Park's Belmont Task Force Statement of Ten Principles for Development at Belmont Park, to my comments at the December 2017 ESD Board Meeting where I stated "*see a project that either improves or keeps Floral Park the same*" beautiful suburban community that has been in existence and grown for the past 111 years. Enclosed are my comments and questions related to the above referenced Draft Environmental Impact Statement issued by the Empire State Development Corp. (the "ESD") on December 6, 2018 (the "DEIS"). These supplement my comments that I made at the Public Hearings at the Elmont Public Library in January 2019.

I look forward to the ESD's responses to these comments as well as the hundreds submitted by the residents of Floral Park and our neighbors in the communities that surround us. In closing, I would like to thank the ESD for providing an extension on the deadline for comments as the document and appendices was a significant amount of information to review and contemplate the potential impact.

Thank you in advance for your careful and considerate review of the enclosed.

Sincerely,  
*Kevin M Fitzgerald*

Kevin M. Fitzgerald  
Deputy Mayor, Inc. Village of Floral Park

## Chapter 1: Project Description

- DEIS states that it is only 43 acres but they are using significantly more with inclusion of parking lots. Why isn't the entire usages that are well in excess of the 43 acres described in the opening statement?
- Footnote 2 says that it is anticipated that the North Lot would only be utilized to accommodate parking demand for events at the arena and Racetrack. Does that mean that the East Lot will be used for retail overflow? How will there be assurances that the North Lot will not be used when there is not an event at the arena and what penalties would there be and to whom would such penalties be paid?
- Why were there originally two levels of parking under Site B and now only one? The elimination of this additional level under Site B has pushed parking to the East Lot, where it is more impactful on residences.
- New York Urban Development Corp. Act gives the ESD the ability to override the Town of Hempstead's Zoning Code, but only to the extent compliance is not feasible or practicable. Why is it not feasible or practicable for this project to be scaled back significantly so that compliance with the prescribed development intensities under the Town of Hempstead Zoning Ordinances are complied with to the greatest extent possible?
- The study that the ESD used to determine uses for site was done in 2008. That was almost 10 years old when the RFP was issued. Has the data/recommendation become stale?
- There is no discussion on why the other 2 proposals in the RFP were not accepted. The Final Scope states: "The project description will also provide additional detail on the planning history of Belmont Park, including the Developer RFP Process". However, this is omitted. Can you please detail why this project was selected over the other proposals?
- Footnote 7 states that the NYRA would surrender 7 acres on Site A. What legal right or document gives NYRA the ability to surrender this land? Also, when was the last time in NY State that what is essentially park land been surrendered? Isn't the transfer of park land restricted under state law? Has the issue of the restriction on the transfer of park land been addressed? If so, what findings and conclusions have been made?
- Page 1-4 states that "*Underground transmission lines would extend west from the proposed substation along Belmont Park Road approximately 1.5 miles, and tie into existing overhead power lines on Plainfield Avenue. An overhead bypass would also be installed on Plainfield Avenue.*" I believe that it would extend East not West? States east on page 3-23. What is the correct information?
- Arena: there is no limit on the number of marquee events inclusive if another franchise moves in
- Page 1-6 discusses "popup installations" This could mean events such as winter carnivals such as Bryant Park. Does the DEIS need to study such impacts?
- Will the 3.75 acres on Site B of "publicly accessible landscaped open spaces" be open to the public without paying a parking fee? If so, where will this parking be provided? What enforcement will be used to ensure patrons to the Arena will not use these spaces?
- Will the taxi ride share area be open during events at the Arena and Racetrack? Footnote 8 seems to state that it will not be ("*The 6,312-space total includes approximately 150 parking spaces (located in a proposed rideshare staging area in the North Lot) that would not be available on full event days*") Where will rideshare facility be for Arena events?
- The DEIS states that the exact number of parking spots that would be available for the North, South and East lots "would be subject to the conditions of the shared parking agreement". Why doesn't the developer know exactly the number of spots needed (at least on the high end)?
- Page 1-8 states that "shuttle transportation" would be provided to the lots. What mode of transportation would be used? Where would it be stored when not in use? Where would repairs be made? If buses, why hasn't the effect of exhaust fumes on residents and horses been studied?
- Would buses be allowed to access Belmont Park Road? If so, what are the restrictions on times of day?
- Floral Park needs more details on what "*A buffer composed of dense vegetation and a chain-link fence would be provided along the northeastern boundary of the North Lot*" means and looks like
- The only roadway improvement being made is at Hempstead Turnpike at Locustwood Boulevard/Gate 5 Road. Why are there none on the Cross-Island Parkway ("CIP")? Did they study that no other intersections or roads will need improvements? If they did where are the results stating such?

- Belmont Park is an existing hurricane evacuation center. Is it anticipated that it will continue and/or will the arena be used for such?
- Page 1-9 states *"The Proposed Project responds to the development objectives in several ways. First, it intends to create a gateway to Long Island by creating a striking new presence for Elmont; attentive and sensitive architectural design, signage, public art, and landscape elements would transform the current vacant and underutilized space on the Project Sites to the benefit of the community"* There is no description of how this benefits the community >
- Page 1-10 states *"spur economic development and produce reliable and permanent revenue streams for the benefit of the public."* But gives no details of how this will occur?
- Page 1-10 states *"The new arena is expected to attract a wide audience of new and existing fans, due to its modern and innovative design, and due to it being centrally located at the border of New York City and Long Island."* But gives no details of how this will occur?
- Why isn't the Water Authority of Western Nassau County listed as another INVOLVED OR INTERESTED AGENCIES?
- Why isn't the Mainline Expansion Project included in the study?
- Why was ½ mile area specifically chosen as the Study Area? Is this appropriate for the scale of the project?
- There will be parking available outside the ½ mile radius study area therefore why is the radius only ½ mile?

## Chapter 2 --- Land Use, Zoning, and Community Character

- Why doesn't the change from "passive" (existing) use of the North and East lots to an active (new) use constitute a substantive change?
- Page 2-2 states the Project "*would draw the surrounding community onto the Belmont Park property through economic and social opportunities*" The surrounding communities' businesses, especially restaurants, would suffer for this and potentially raise local taxes due to commercial real-estate being devalued due to potential vacancies.
- What is the basis for the following statement in the DEIS "*the proposed retail uses would complement, rather than directly compete with, existing retail facilities in the area*"? Has this issue been studied or analyzed, or is it merely ESD's unsupported opinion?
- Will the helicopter landing area be used? If so when and how?
- There is no discussion of how the Project fits into the cited Vision Plans. In fact, most of these plans call for other initiative that what the Project is offering.
- Page 2-30 states that "*The 43-acre redevelopment represents about 10 percent of the overall Belmont Park property*". That is not true if the North and East lots are included.
- What does the word "formalized" mean in the following sentence found on page 2-32 "*The parking area within the North Lot, which is next to the Floral Park – Bellerose Elementary School, would be formalized, and the frequency of its use would increase with the Proposed Project.*" What are the specific terms of such "formalization"?
- How will lighting and noise be controlled in the North and East lots to ensure that they "*would not impact the surrounding community*"
- What assurances are there that the Plainfield Ave Gate and Belmont Park Road will not be used for through access?
- Page 2-37 states in the subsection entitled Noise "*However, additional noise is not expected to affect the character of the communities adjacent to the North Lot and the East Lot, as no significant adverse impacts are anticipated*" How can this be true if the Parking Lots are changing from Passive to Active?
- There is no mention in the Noise subsection about the impact the noise will have on the Horse population or the 1,000 + residents that live within the confines of Belmont Park. Why wasn't that studied?
- On page 2-38 and 2-39 in the section of Transportation there is no mention of the increased traffic related to the Retail Village



### Chapter 3: Community facilities and Demands

- The discussion on the Police section on page 3-1 states the 5<sup>th</sup> Precinct of NCPD would be first responder. The section states *“Proposed Project is not anticipated to have a significant adverse impact on police protection services”*. What study or information was used to make this determination? There is no discussion on policing at similar venues including an arena and/or a mall
- The language used in this section is almost cut & paste from NCPD Commanding Officer’s James Bartscherer in Appendix A which was in response to the ESD’s letter 4/10/18. The letter from the ESD nor the response asks or discusses the impact of the arena or mall. It is just a recitation of facts based on the existing staffing levels. Additionally, FPPD Police Commissioner McAllister June 25 2018 letter specifically addresses issues that will arise and states *“congestion will slow response times and also contribute to additional accidents occurring thereby further straining patrol deployments”*. There is mention of the Commissioner’s letter on page 3-7 but his concerns are not addressed. Similarly, the same on page 3-14.
- The ESD request to FPPD Police Commissioner McAllister did not ask what impacts would be for East Lot usage.
- None of the letters to the commanders of emergency response teams indicate what the number of expected visitors would be to the retail site. Therefore, how could they respond appropriately
- The following statement that appears on page 3-2 is not true *“Based on correspondence with the FPPD, there would be no significant adverse impacts on the FPPD, so long as emergency response time is not compromised due to increased traffic congestion from the Proposed Project. As discussed in more detail in Chapter 11, “Transportation,” while the Proposed Project has the potential to slow down emergency vehicle response times, with the proposed mitigation measures described in Chapter 17, “Mitigation,” project-generated traffic volumes are not expected to significantly lengthen emergency vehicle response times.”* There are no details in Chapter 17 on how the increased traffic will not affect response times of emergency vehicles in Floral Park nor does it answer how the FPPD will ensure members can adequately respond to calls. As our volunteers live in different places in the Village, they must first respond from their homes to their assigned Fire House and then to the scene of the call. Chief Maickel specifically mentions Plainfield Ave and increased traffic could *“effectively cut the Village in half”*. See also comments of Lynn Pombonyo, Trustee and Fire Commissioner, which directly contradicts the erroneous statements contained in the DEIS on this point.
- The assertion in the DEIS that: *“Further, it is not expected to significantly affect the provision of services by the fire departments or emergency medical providers.”* Is completely unsupported and indeed contradicted by the responses from our Police Commissioner and Fire Chief.
- In the Solid Waste section there is no mention of how and where it will be stored prior to pick up on either Sites A or Sites B.
- In the Water Supply and Sewage sections there is no discussion of when at the 2008 Belmont Stakes there was no water and sewage functions. In order to probably assess if the existing infrastructure can handle additional volume, the incident that occurred in 2008 must be examined.
- Natural Gas service section identifies that the *“natural gas demands of the Proposed Project can be satisfied with the installation of additional gas main and gas service lines”* but does not identify where and how this would be done. What is the impact of [Jessica’s point about gas lines]?
- The subsection Other Community facilities makes no mention of the playground and athletic fields adjacent to the North Lot. Why was that left out of the document?
- Figure 3-1 mentions schools but there is no mention of Our Lady of Victory grammar school. Other schools (e.g. Elmont Memorial Junior-Senior High School) and libraries (e.g. Elmont Memorial Library) are mentioned. So why was Our Lady of Victory grammar school omitted when it is 1) just as close as the aforementioned and 2) it is on Plainfield Ave which is studied in depth in the Traffic section including intersections near the school?
- Figure 3-2 mentions the Floral Park Fire Department headquarters but there is no mention of the other two fire houses within Floral Park that equally serve the Village. Why were they omitted?
- There is no mention of how solid waste will be managed from that which comes from the North and East Lots.
- How were the estimates for water usages (i.e. 135,000 gallons per day) arrived at? What comparable venues were used?
- Does the estimate of water usage include the retail village?
- In Appendix A James Bartscherer does not affirmatively state that the proposed project will not have an effect on the 5<sup>th</sup> Precinct. He is silent on question 6 of the ESD’s letter to him dated April 10 2018. Why is it assumed that there are no impacts just because the question was not answered?

- There is no discussion on the need for additional Police staffing whether it be NCPD, NYPD or FPPD to cover the number of events each day. It would seem that the assumption is that the existing staffing of these departments is adequate. How did the ESD come to this conclusion if there will be an additional 30,000 to 50,000 people being drawn to the site now.
- The statement on page 3-16 "emergency vehicles can maneuver around and through congested areas when responding to emergencies because they are not bound by standard traffic controls" is simply not true with respect to the volunteers of the Floral Park Fire Department. They are bound by traffic laws and they do not have emergency lights or sirens on the personal vehicles they use to respond to calls. See also comments of Trustee and Fire Commissioner Lynn Pombonyo on this point.
- There is no mention of what agency will be responsible for Police service in the North and East lots. Who will be the responsible agency?

#### **Chapter 4 Open Spaces and Recreational Resources**

- There is no discussion of the arena or hotel will “throw” a shadow onto the racetrack. This could have a negative effect on races as horse do from time to time “jump shadows”. [answered on page 4-12]
- Page 4-12 states that the Retail Village will attract 8,000 daily visitors. However, there is no data on how that number was arrived at, which calls into question what the correct and accurate number is. This is also in contradiction to the 8 million to 9 million annual visitors that the developer stated at the Q&A session held at the Elmont Library in 2018.

## **Chapter 5 Historical and Cultural Resources**

- Appendix B which is relied to state that *“Proposed Project would not result in any adverse impacts to historic and archaeological resources”* appears to have covered on the *“Blue Parking lot”* as the report only states *“ We have reviewed the plans for the Blue Lot”*

## Chapter 6 Visual Resources

- Page 6-2 states the following *“Views to the East Lot from residential streets in Floral Park would be partially obscured by the existing vegetation along the northern boundary of Belmont Park Road, which extends along the north end of the Training Track, and by the North Field on Belmont Park property, located north of the Training Track, which would also provide a green buffer”* Although this is true partial obscured is not sufficient. There is significant light already emanating from that lot especially during the winter months which is when the vast majority of events will be taking place. Increased vegetation must be included
- Page 6-5 states *“These lines would be run to two new powerpoles installed just inside the northeast corner of the Belmont Park property. The transmission lines would then run down the pole and transfer underground, running along the northern perimeter of the Belmont Park property until reaching the new electrical substation.”* Where would these powerpoles be located?
- Page 6-25 states *“The light poles in the East Lot would be partially visible from the residential streets, though the poles would be located at a distance from the streets and would not alter the character of the neighborhood or impinge on any views of aesthetic resources. Therefore, the Proposed Project would not significantly alter views from residential streets to the East Lot.* There are no visual pictures of this and therefore no assurances that the statement is true.

## Chapter 7 Socioeconomic Conditions

- Page 7-1 states *"It would introduce new workers and visitors to the area, thereby increasing the area's spending power and benefiting existing commercial establishments"* How was this determined and what fact-based research backs this statement up? [page 7-3 goes into some information but not much detail especially the portion on restaurants]
- Page 7-5 discusses the impact on other arenas and music venues but does not give any relevant facts other than *"NY Islanders not successful in Brooklyn"*, Nassau Coliseum focus on smaller-scale events, etc. It does not provide details on which acts would choose a new arena over Nassau Coliseum or even what the future of these acts are 5, 10, etc. years down the road.
- The study area in most charts in the section have higher numbers than the individual areas. For example, chart 7-11 has an unemployment rate at 8.8% but Floral park and Elmont are lower individually
- What specifically are local materials, inputs and services as mentioned on page 7-16: *"The development would also provide opportunities to utilize local materials, inputs and services during construction and for future operations of all businesses: retail, arena, hotel and office."*
- The DEIS in the Indirect Residential Displacement section acknowledges on page 7-18 *"Most potential new residents would continue to focus on traditional criteria, such as access to good schools, local retail and transport, rather than access to these entertainment amenities"* but there is no discussion on the active use of the North and East lots will impact the existing home values that are near or adjacent to those lots?
- On page 7-19 the DEIS goes on to say *"Finally, the Proposed Project would not introduce significant adverse environmental effects within residential neighborhoods, and therefore would not present conditions that could impede efforts to attract residential investment to the area or create a climate for disinvestment."* But does not detail how it came to such a conclusion
- If the draw to the Retail Village, as stated on page 7-23, is *"The primary trade area considered for the competition analysis for the luxury outlet retail component is therefore the entire New York-Newark-Jersey City, NY-NJ-PA MSA"* how is it estimated that only 8,000 people will visit the site daily if the business model is to draw from a population north of 20 million.
- The DEIS states on page 7-27 *"the capture rate of Elmont and Floral Park, however, are much lower, at 55.1 percent and 59.4 percent, respectively"* There is no mention of where and how this data was established.
- Page 7-37 states *"the arena would primarily serve customers in Long Island (approximately 80 percent of arena visitors are expected to come from Nassau and Suffolk Counties) and visitors to non-sporting events are expected to travel from a catchment area of no more than a 20-30-minute drive to the arena."* If this is true then why is the arena being built on the Nassau/Queens border instead of a more central location?

## **Chapter 8 -- Hazardous Materials**

- Page 8-2 states properties had identified spills of hazardous materials or oil (e.g., a Mobil Station, Gate 5 transformers, and an LIRR maintenance yard). Where are the details of these reports specifically the one with regards to the LIRR maintenance yard?
- It appears that, per page 8-4, the area to excavated for the underground parking has not yet been established. See the following: *"This would include the areas of excavation (trenching), which are yet to be finalized, at the parking areas and the area where the new substation is proposed."*

## Chapter 9 -- Water Resources

- Page 9-4 it appears that there were no soil borings done in the North or East lots. If so, do they need to be done in order to determine the impact of any improvements done on those parcels?
- There is only one mention of the Water Authority of Western Nassau County in the entire section. On Page 9-10 it states "*The Proposed Project would be supplied water by the WAWNC, for which well fields are located off-site*" There is no analysis of the impact that the project will have on those well fields and the residents and businesses that depend on them.
- The section has no mention of the potential of NYC tapping into the aquifers that are listed in the document. Was NYC contacted about the potential project and specifically about water usage. See Newsday article <https://www.newsday.com/long-island/nyc-water-plans-draw-fire-from-officials-on-long-island-1.13704233>
- There is no mention of the means and runoff of the cleaning of the North and East lots. The document at a number of points states "are currently used as surface parking for Belmont Park, and they would continue to function in the same capacity with the Proposed Project". However, the existing use is very different than an active parking lot that will require constant cleaning, etc.
- All studies and assumptions in this section were made not taking into account any future improvements that NYRA is making. (see footnote 11 on page 9-13). Can NYRA make the same assumptions and the combined effect be detrimental to not only the surrounding communities but the projects themselves?
- There is no mention in this section amount the amount of water needed for basic services (e.g. toilets, landscaping etc.) needs that currently do not exist
- There is no mention of the 2008 Belmont Stakes when the entire facility had no water for the day starting early afternoon. The reason for the issue should be studied and corrections if any made since then should be detailed in the DEIS.



## Chapter 10- Natural Resource

- Page 10-1 states *“However, the Proposed Project would result in the loss of a number of mature trees that provide habitat for birds and other wildlife typical of developed areas. Landscaping, including the approximately 3.75 acres of landscaped open space on Site B and tree plantings, has the potential to improve habitats for birds and pollinator species, as well as other wildlife within the Project Sites”*. There is no mention of the number of trees being taken down or a ratio of the number that will be replaced (e.g. for every tree removed there will be five trees planted). Additionally, there is no mention of the impact of removing mature trees with new trees and the time for such trees to mature.
- Page 10-9 states *“A minimal number of trees would be removed from the North Lot, South Lot, and proposed electrical substation area.”* Where specifically are the trees that are going to be removed and do, they provide any sound barriers? A minimal number of trees would be removed from the North Lot, South Lot, and proposed electrical substation area.

## **Chapter 11 – Transportation**

- [See the comments of Belmont Task Force Member and Chairman of the Village’s Architectural Review Board, Frank Gunther, AIA, whose comments are incorporated herein by reference as aid for my comments on this topic.]
- [See the comments of NV5 on this topic whose comments are incorporated herein by reference as aid for my comments on this topic.]

## Chapter 12 – Air Quality

- Page 12-9 states “For all arriving and departing vehicles, an average speed of 5 miles per hour was conservatively assumed for travel within the parking facilities. In addition, all departing vehicles were assumed to idle for 1 minute before proceeding to the exit”. There is no data to back up how these assumptions were made. In fact, due to the short entrance ramps and need to collect parking fees it is doubtful that cars will idle for one minute or less. Additionally, and more importantly, the entrance ramps to the CIP from the North Lot are extremely short (without room for expansion) cars will idle more than a minute in the North Lot due to the number of cars exiting the North Lot at the end of an event. An analysis of Air Quality must be done in conjunction with a full analysis of cars exiting the CIP and then entering the CIP especially as the North Lot surrounds homes, a school and a ballfield.
- Page 12-9 states “Since there is no specific garage design at this time, the vent face was assumed to discharge towards the street that has the highest background levels of traffic, to be conservative.” What if these assumptions are not feasible? What if all alternatives have significant impact on the residents that surround the area.?
- It appears that this entire section is based on the traffic analysis done. There is no analysis of Air Quality if the traffic issues cannot be migrated and a substantial amount of traffic needs to be re-directed to local street.

## Chapter 14 – Climate Change

- Page 14-7 states *“average travel speeds on the Cross-Island Parkway would generally be similar to speeds in the No Action condition, except for a reduction in speeds on the Cross-Island Parkway by up to 36 mph on individual segments of the Cross-Island Parkway during the analyzed peak hours. This may result in an increase to GHG emissions up to 25 percent on these segments during the peak hours. However, these potential increased emissions would generally be limited to small segments (approximately 2 miles) of the Cross-Island Parkway and would not extend to all hours on such segments. Therefore, the potential to increase congestion is not anticipated to significantly increase regional GHG emissions and were not quantified”*. How could the DEIS state that there may be 25 % increase in GHGs for a 2-mile segment but not describe how that may be detrimental to the communities that surround the 2-mile segment in question?
- Page 14-9 states *“While measures to improve energy efficiency for the proposed arena have been identified, specific measures for uses other than the arena are not yet known”* How can the DEIS make conclusions if the shopping center has not been examined for this section of the document? What happens if there are adverse climate effects of other uses of the project besides just the arena?
- Page 14-10 states *“Construction waste would be diverted from landfills to the extent practicable by separating out materials for reuse and recycling, with a diversion target of minimum 75 percent”*. Where would the separation out of materials occur? Would they occur on site and if so where and where is the study on how the separation will impact the local communities?

## Chapter 15 – Construction

- Page 15-3 states *“At the Floral Park Bellerose School’s athletic field north of the North Lot, while construction noise may be readily noticeable and intrusive at times, the duration of construction would be limited, and the use of this open space is primarily for active recreation (e.g., sports, physical education, recess), which is less sensitive to noise than a purely passive open space would be. Consequently, construction of the Proposed Project would not result in any significant noise impacts at this receptor.”* If they feel that there would be noticeable at the field why is there no mention of the impact on the students that will be in the School?
- Page 15-3 states *“As a result of the construction noise levels that would occur at these receptors, dormitories along the western edge of the stable area near Gate 5 Road would have the potential to experience significant adverse construction noise impacts for approximately 5 months during Proposed Project construction. At the Belmont Park Dormitories located along the northwestern edge of the stable area near the Training Track, worst-case construction noise levels would result in increases over existing noise levels of approximately 15 dBA, which exceeds the acceptable criteria for residential uses provided by NYSDEC”.* What is being done to mitigate this for the residents of the dormitories?
- Will the ESD and developers enter into binding contractual commitments with penalties for failure to abide by the items set forth in the subsection entitled MEASURES TO MINIMIZE COMMUNITY IMPACTS? If not, how will the ESD and developers fulfill the commitments made in the DEIS?
- What materials will be stored in the North and East lots?
- How will the materials be off loaded for storage? Will cranes be used?
- How will materials be shipped to the site? By rail or truck?
- If by truck, what routes will be used and at time of day? Appears Table 15-4 speaks to truck visits. If the majority of trucks are to arrive early morning this means that they could be traversing local roads pre-dawn and during school transport times. This creates significant health risks (e.g. trucks traversing residential neighborhood while majority of people are sleeping) and safety risk (e.g. children walking or on a bus to school).
- Page 15-9 speaks to Rodent Control and what the commitments the contractor “would carry out”. How will this be enforced and what will occur if the contractor fails to live by the commitments in the DEIS?
- How will dirt and other materials that were excavated be shipped from the site?
- If by truck what route(s) will they use? Page 15-22 states *“These types of truck deliveries would be expected to primarily travel to and from limited access highways that permit the use of commercial vehicles (such as the Clearview Expressway and Long Island Expressway).”* There are no further details on the route(s) that the trucks will take to get to the site from the Clearview or LIE. Page 15-22 goes on further to state *“would primarily utilize truck routes such as Hempstead and Jamaica Avenues to travel to and from the Clearview Expressway and Long Island Expressway.”* This does not state that these routes will be used exclusively or what alternatives are being thought about.
- What times will the trucks carrying debris utilize local roads?
- What precautions will be used to ensure that the dust and other debris will not fall off of the trucks or emit into the air?
- How will the precast portions of the arena lower and upper bowls be transported to the site?
- Will any road closures, either temporary or permanent, be needed so that materials can be shipped to or from the site?
- There is one sentence on page 15-11 on the construction of the Office and Community space. More details should be required in the DEIS.
- When will construction documents on the entire site plan be released? Absent these documents it is difficult based on a few paragraphs to judge the full extent of what is being proposed to be built.
- Page 15-13 speaks to via two sentences of the re-construction of the East and North lots. There is no timeframe as to when this will occur. It will have a significant impact on the students of the neighboring schools as well as the home owners.
- Page 15-13 speaks to the Electrical Substation but gives no details as to where certain riser poles, cables etc. will be placed. More importantly, there are no visual comparisons of the existing property and the improvements that will be made so that commenters can properly review.
- Any changes or construction performed by NYRA are outside the scope of the document as noted on page 15-14. If there is simultaneous construction, both projects will have a cumulative impact and must be studied together.
- There is no mention in this section of the ongoing MTA Mainline Expansion Project and the interaction/cumulative effects of two major ongoing construction projects in such a small area.

- The DEIS does not address what, if any, remediation will be done if any local roads are damaged due to increased truck traffic.

## Chapter 17 Mitigation

[See the comments of Belmont Task Force Member and Chairman of the Village's Architectural Review Board, Frank Gunther, AIA, whose comments are incorporated herein by reference as aid for the Village's comments on this topic.] plus the additional below

- Page 17-1 states *"the TMP would include a combination of transportation demand management measures (e.g., carpooling and incentives to use transit)"* How is this possible if there will only be two trains in bound and two outbound. What are the details of the incentive(s) and what studies were performed to ensure they would succeed to obtain the objective?
- The TMP must be disclosed and allowed for comment prior to the Final Impact Statement or FIS is approved.
- Page 17-1 states *"The TMP would be implemented from the opening of the arena and then reviewed and refined on a regular basis, enabling continued improvement and adaptation to reflect actual conditions"* the purpose of an Environmental Impact Statement/Study to review the changes that will be made to determine/study those impacts. How can a plan that has not yet been established be considered a reasonable mitigation measure?
- Page 17-2 states *"Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York State Department of Transportation (NYSDOT), the Nassau County Department of Public Works, or the New York City Department of Transportation (NYCDOT), depending upon the location of the intersection. If any of these measures are deemed infeasible and no alternative mitigation measures can be identified at a particular location, then the identified significant adverse traffic impacts at such location would be unmitigated"* How can the project go forward if these public agencies solutions are deemed infeasible?
- Page 17-2 states *"Widening of the Cross Island Parkway is neither practical nor reasonably feasible, and has been precluded as an option"* In discussions with NV5 the Village's traffic consultant we were informed that according to AASHTO's, A Policy on Geometric Design of Highways and Streets Assuming a highway design speed of 50 mph on the CIP, the northbound entrance onto the CIP would require a minimum of 720 ft of acceleration lane as cars turning onto the entrance ramp from the North Lot. The existing acceleration lane is approximately 500 ft in length. The southbound ramp to the CIP is preceded by a ramp on a horizontal curve. Assuming a design speed on the ramp to be 25 mph (cannot confirm with google maps), the acceleration lane length should be 550 ft in length. Existing lane is approximately 300 ft long. As both these entrances to the CIP from the North Lot are significantly short of the proper distance:
  - What construction efforts will be required to extend these ramps? It is important to note that both the northbound and southbound ramps come to an end at the foot of train trestles for the LIRR. Therefore, major work to the LIRR would also be required
  - If the ramps are not extended to a proper length, significant backups will occur in cars exiting the North Lot. What impact studies have been done on the impacts of car horns, noise, air pollution, light noise, etc. with cars not being able to exit in a reasonable time
  - If the ramps are not extended to a proper length and a lane in each direction is shut down to allow cars to enter, what impacts studies on traffic on the CIP were done? What time frames were studied? These studies must include events at all different times of day and night. Additionally, the studies must include the impact of traffic exiting the CIP to avoid delays near the site.
- Page 17-3 with regards to NICE bus service
  - What studies were done to determine the socioeconomic impact to residents that rely on this bus service including but not exclusively to their added time to their daily commutes?
  - If bus service is increased due to the project, who will pay for the additional buses, bus drivers etc. see Newsday article regarding recent NICE bus service cuts <https://www.newsday.com/long-island/transportation/cuts-to-nice-bus-service-begin-sunday-1.13396714>
- Page 17-3 states with regards to the TMP *"Potential mitigation measures to address such impacts could include strict enforcement of existing parking regulations by ticketing and/or towing illegally parked vehicles, or by implementing new parking regulations on streets in the surrounding areas."*
  - Who will be responsible for enforcing no on street parking regulations in areas outside of the Inc Village of Floral Park?
  - Who will enforce any and all regulations within the parking lots including the currently existing prohibition against tailgating?

- Page 17-4 states in the Constructions section *“Implementation of the recommended traffic engineering improvements for these intersections, all of which are located within Queens, is subject to review and approval by NYCDOT”* This would seem to indicate that **ALL** construction vehicles will arrive from Queens. How will this be enforced? Why is it assumed that they will only come from Queens?
- There is no mention in this section of any required or necessary impacts and related changes that would be required for the now started LIRR Mainline Improvement Project or LIRR Expansion Project from Floral Park to Hicksville. Why does the ESD feel that that project along with the Belmont Redevelopment Project do not have overlapping and cumulative effects?
- There is no mention in this section of any required or necessary impacts and related changes that would be required for NYRA’s planned improvements to the Belmont Grandstand and other improvements in Belmont Park. Why does the ESD feel that that project along with the Belmont Redevelopment Project do not have overlapping and cumulative effects?
- Page 17-4 states *“As a result of the construction noise levels that would occur at these locations over an extended duration, Belmont Park Dormitories located along the western edge of the stable area and along the northwestern edge of the stable area near the Training Track would have the potential to experience significant adverse construction noise impacts.”* What study and/or distance measurements were used to determine that the homes and schools would not be smarmily negatively impacted? The stables on Count Fleet Road are 2100 feet from the eastern border of Site A per a measurement on Google Maps. A measurement from the same spot on Site A is 2500 feet from the homes on the southwestern border of Floral Park
- Page 17-7. What are the specific details of the modifying the signals at the intersections of Plainfield Avenue at Tulip Avenue as well as Jericho Turnpike at Plainfield Avenue/Emerson Avenue?
- Page 17-11 states *“Carpooling options could also enable attendees living on Long Island and working in New York City to arrive at weeknight events via transit and carpool home”* This does not necessarily reduce cars travelling to the site. For example, if the person was going to the game with a member of their household, a car still will be required to be at the site
- Page 17-2 states *“To further enhance the use of the LIRR as a travel mode by arena patrons, consideration could also be given to implementing shuttle bus service between the arena and other LIRR stations (e.g., Queens Village, Mineola and Valley Stream), to intercept attendees traveling to/from eastern Long Island so they do not have to backtrack through Jamaica”*
  - Any all bus shuttle services that is enacted must be first agreed to by the local municipality in which the station is located.
  - What studies were done at the locations that were considered to ensure no additional traffic impacts, socioeconomic (e.g. police service required, etc.) impacts?
  - Where will these shuttle buses park?
  - What routes will these shuttle buses take?
- The Arrive Early/Leave Late mitigation effort must not include tailgating or loitering in the parking lots to be permitted
- The Arrive Early/Leave Late mitigation effort must have on site law enforcement that will all driving while intoxicated, driving while impaired, and driving while under the influence laws to ensure the safety of the neighboring communities
- Page 17-13 states *“Consideration could also be given to pre-selling parking permits by parking location”*
  - What studies were conducted to ensure that this would be a viable solution?
  - Where will patrons park if they do not have a pre-paid parking permit? How would they be directed to the site
  - What, if any, parking sites are being considered for the project besides the South, North and East lots as defined in the DEIS?
- Page 17-4 states *“The scope of work would include collecting several types of field data (e.g., Automatic Traffic Recorder [ATR] counts along the Cross Island Parkway and major roadways in the local street network, turning movement counts and field observations at key intersections, vehicle occupancies, on- and off-site parking utilization, and/or transit ridership), and conducting surveys of arena patrons to understand their origins and destinations and the travel characteristics used by attendees in traveling to and from different types of events”* Why is the ATR studies not being done as part of this DEIS?



COMMENTS OF TRUSTEE DR. LYNN POMBONYO  
MARCH 1, 2019



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March 1, 2019

Via email: [belmontoutreach@esd.ny.gov](mailto:belmontoutreach@esd.ny.gov)

Michael Avolio  
Empire State Development  
633 Third Avenue  
New York, New York 10017

Re: Belmont Park Redevelopment Project  
Comments in Response to the Draft Environmental Impact Statement

Dear Mr. Avolio,

I am writing to you as a Trustee of the Village of Floral Park, the former Superintendent of Schools in the Floral Park-Bellerose School District, and a longtime resident of the Village. I will reiterate some of the serious concerns of hundreds of our Floral Park residents as well as many in the communities surrounding Belmont Park.

The voluminous testimony provided at the four public hearings at the Elmont Public Library (including three of my impact statements presented on January 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>) attest to the inadequacies and deficiencies of the Draft Environmental Impact Statement (DEIS). This has led to a tremendous lack of confidence in the research, studies and conclusions in the DEIS. Speaker after speaker at the public hearings, including expert attorneys and engineers, cited compelling examples of uninformed reasoning and erroneous conclusions regarding the significant adverse impacts of the Proposed Belmont Park Redevelopment Project (Proposed Project) on all facets of our residents' lives and businesses in the Village of Floral Park and the surrounding communities. At the forefront of these concerns are the Scope of the Proposed Project and Transportation, especially as it relates to the Cross Island Parkway, local communities, and LIRR station.

With regard to Scope, many unanswered questions remain. These include, but are not limited to, the construction process and the details of how the construction of each of the proposed facilities

will unfold and impact Floral Park and the other communities that border Belmont Park; the Power Plant, its specific location and the details of the construction process, especially as it relates to connections with electrical grids and lines outside of Belmont Park; National Grid and statements regarding the inadequacy of the current infrastructure to deliver energy to the Proposed Project and the prerequisite need for significant system upgrades (i.e., a pipeline); and numerous other areas cited in the public testimony.

With regard to Transportation, the unanswered questions encompass, but are not limited to, the Cross Island Parkway and “diversionary signage” (i.e., “Plan Alternate Routes”) which will redirect traffic to our already congested local streets in Floral Park and the surrounding communities; emergency vehicle response times and the fact that increased traffic, resulting from the Proposed Project, will impede immediate emergency responses on the two-lane, two-way main thoroughfares of Floral Park and the surrounding communities; the Long Island Rail Road and the acknowledged need for a fully functioning station at Belmont Park to mitigate the significant adverse impacts of traffic congestion on the Cross Island Parkway and surrounding local streets; and numerous other areas cited in the public testimony.

A statutory DEIS that is so lacking in the requirements of what must be included in the DEIS is not acceptable. The Final Environmental Impact Statement must demonstrate true mitigation of the many “significant adverse impacts” of this Proposed Project, especially in the areas of Scope and Transportation, before the Proposed Project commences. One of the primary features of this mitigation planning must surely be to scale down the Proposed Project, especially the ill-advised shopping mall.

Thank you.

Sincerely,

*Lynn Pombonyo*  
Dr. Lynn Pombonyo  
Trustee, Village of Floral Park

COMMENTS OF TRUSTEE FRANK CHIARA  
MARCH 1, 2019



**MAYOR**  
DOMINICK A. LONGOBARDI

**TRUSTEE**  
KEVIN M. FITZGERALD

**TRUSTEE**  
DR. LYNN POMBONYO

**TRUSTEE**  
ARCHIE T. CHENG, ESQ.

**TRUSTEE**  
FRANK J. CHIARA

**VILLAGE ADMINISTRATOR**  
GERARD M. BAMBRICK

**VILLAGE CLERK**  
SUSAN E. WALSH

**SUPERINTENDENT**  
**PUBLIC WORKS & BUILDINGS**  
STEPHEN L. SIWINSKI

**POLICE COMMISSIONER**  
STEPHEN G. McALLISTER

## *Incorporated Village of Floral Park*

ONE FLORAL BOULEVARD, PO BOX 27, FLORAL PARK, NY 11002

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March 1, 2019

Empire State Development Corp  
Attn: Mr. Michael Avolio  
633 Third Ave, 37th Floor  
New York, NY 10017

Dear Sir,

As a Trustee of the Village of Floral Park who resides in the West End of the Village, I would once again like to state that I am against this project as presented.

Since the DEIS was published, I have heard nothing but negative comments on this proposed project. I support the sentiment of my fellow residents; the residents of the surrounding communities who will all have to live with the negative impact that this project will have on our communities.

I attended the three nights of public hearings. My wife and I spoke at one, and the overwhelming message from the residents was that this project has grown to an unacceptable size. The majority agreed that redevelopment is necessary, but this majority is also requesting that more in-depth research be conducted before this project goes forth. I also agree and request that a new comprehensive plan be presented. This new plan should be supported by independent studies on the impact on infrastructure, safety and the overall impact on communities it will affect.

The major concerns that your proposal either minimized or failed to address are:

- Traffic;
- Transportation;
- Impact on the infrastructure of the area;
- Security and safety;
- Noise, pollution;
- Impact on our schools; and
- Economic impact.

All of these major concerns have to be fully studied, presented and openly discussed before a project of this magnitude is started. Community engagement is a must! It is my opinion that the DEIS failed to do so and failed to answer all these concerns.

The Village of Floral Park is a great community to live and to raise a family. A sentiment you heard over and over again if you attended the hearings. The above-listed concerns, if not addressed, will definitely have a negative impact on our way of life. Our schools are located in close proximity to Belmont. Our roads already have a very heavy flow of traffic. Our Police Department is concerned about increased service demands. Our Volunteer Rescue Service is also concerned about increased service calls and extremely important response times. Our local businesses are concerned about the economic impact of this Project. Our residents are concerned about noise, air pollution and quality of life issues. These concerns should have been completely addressed and answered but your DEIS failed to do so.

I am requesting that this project be totally reevaluated and a complete comprehensive plan of action be put in place; satisfying all of our communities' concerns.

Regards,

*/s/ Frank J. Chiara*  
Frank J. Chiara  
Trustee, Village of Floral Park

COMMENTS OF BELMONT TASK FORCE MEMBER FRANK GUNTHER  
FEBRUARY 27, 2019

Francis C. Gunther, A.I.A.  
Architect  
66 Beech Street  
Floral Park, New York, 11001  
(516) 437-6462  
fgunther66@gmail.com

February 27, 2019

Empire State Development  
633 Third Avenue  
New York, NY 10017  
Att: Michael Avolio

Via email: belmontoutreach@esd.ny.gov

Dear Mr. Avolio:

I am writing as an active resident of the Village of Floral Park which abuts the Belmont property and as Chairman of the Village's Architectural Review Board and a member of the Mayor's Task Force reviewing the proposed Belmont project. I have participated in presentations made by ESD to the local communities and have read thru the DEIS.

I am concerned that the project as presented in the DEIS is flawed for the following reasons:

- The growth, especially of the retail component since the project was initially presented to the public, makes it just too overwhelming and threatening to its neighboring communities.
- Transportation issues have not been addressed to the level of a competent and thorough DEIS. Chapters 11 and 17 should be completely rewritten to include the real depth of traffic and transportation related issues.

The documentation of the recent increase in fees to your consultant AKRF are reflective of a lack of coordination I feel has resulted from both project scope growth and the concomitant glossing over transportation related issues: site plan changes to reflect added parking, shared parking demand, additional traffic analyses to cover deficiencies in the DEIS document and the removal of "no night racing" from the no-build option.

Deficiencies found in Chapter 11 "Transportation"

#### **STREET NETWORK**

- *Studies in Floral Park were limited to Plainfield Ave (6 intersections) and Jericho Turnpike (2 intersections). See pages 11-11&12.*  
Even though the DEIS conclusions and Mitigation Plan acknowledge that traffic congestion along the principal artery leading to and from Belmont (viz. Cross Island Parkway) cannot support the inordinate traffic demand – which will result in drivers using mobile navigation apps resorting to many local streets - the DEIS fails to expand its area of study to examine the impact of the project on local communities.  
Prior to writing the DEIS, the Village of Floral Park had specifically requested a broader and more comprehensive study area. This request had not been addressed in the DEIS.
- *"In each of the traffic peak hours, there are individual traffic movements at specific intersections that currently operate at unacceptable level of service..." See page 11-21.*  
The DEIS acknowledges that the existing traffic traversing Floral Park is unsustainable. Incredibly however, the DEIS concludes that, after construction of the project with its attendant addition of traffic volume (albeit based on incomplete load projections and



without examination of evening peak traffic), that the addition of traffic signals, lane striping and turning and parking restrictions along Plainfield Avenue and Jericho Turnpike are all that would be needed to resolve these compounded traffic problems.

#### TRAVEL DEMAND

- *“Driving by auto is expected to be the primary travel mode for arena patrons, with 83 and 88 percent of arena patrons arriving by auto for weekday and Saturday hockey games respectively.” See page 11-4.*  
**This statement contradicts the stated goal of the project to rely significantly upon mass transit, namely the LIRR. Omitting any plausible LIRR path for the majority of Islander fans who will arrive from the east while not providing a plausible mass transit path is simply a fatal failure of the DEIS.**
- *Even with the proposed series of transportation demand management measures in place, it is expected that there would still be some highway segments where the TMP would not be sufficient to fully mitigate significant adverse traffic impacts. However... the TMP would, if necessary, be refined during the proposed project’s operations as real time information becomes available.*  
**This statement confirms the DEIS’ acknowledgement that its mitigation plan is incomplete – in other words - a failure.**

#### SITE ACCESS AND EGRESS See pages 11-55 to 11-58

- *“The entrances to Belmont Park at Plainfield Avenue (Gate 8) and Mayfair Avenue (Gate 9) are not proposed to be used for vehicular or pedestrian access to the Proposed Project.”*  
**How credible is this innocent sounding statement when, after opening, the sheer volume of Belmont traffic will ultimately demand a relief valve onto Plainfield Avenue?  
Reviewing the Chapter 17 Mitigation of the DEIS reveals that the developer plans to kick the can down the road, deferring resolution until an “after the fact” Transportation Management Planner finds some sort of solution.**
- *“A two lane, one-way perimeter road would be provided around the North Lot, providing access for autos, shuttle buses, and rider share vehicles.”*  
**How credible is it to believe that this single track periphery road will work for thousands of cars congested in the north and east lots? It is not credible!**

#### PARKING See page 11-12

- *“The North, South and East Lots would be paved and restriped to maximize the number of spaces that can be accommodated... Parking spaces for coach buses would be provided within the East Lot...”*  
**Maximizing parking adjacent to residential neighborhoods means all that can fit, negating the need for a meaningful buffer that isolates light, noise, pollution and deleterious activities from the community.**
- *“During times when the North and East Lots are used, shuttle bus service would be provided between these parking lots and the Project Sites.”*  
**The DEIS fails to account for the impact of bus traffic adjacent to the residential community.**
- *During the Saturday midday peak travel hour, the new parking beneath the retail village would not be able to accommodate all of its projected demand. Therefore, a portion of the auto trips for the retail village were assigned to the East Lot.”*  
**Given the parking demand of over 7,500 spaces coupled with the allocation of only 1,900 spaces (combined) under the retail village and hotel, this confirms that success of the retail**

component is dependent upon full time parking at the North and East lots. The impact of full time retail parking adjacent the residential community is not credibly addressed in the DEIS.

## TRAFFIC VOLUMES

- "... certain routes in the vicinity of the traffic study area may be susceptible to traffic diversions by drivers using mobile navigation apps with *real-time traffic data to avoid congestion, or by other motorists with a high degree of familiarity with the local street network.*" See page 11-21.  
Note the use of the phrase "*may be susceptible.*" A reputable DEIS would be quantitative, not speculative.  
The omission of a comprehensive traffic analysis addressing all neighboring communities underscores the failure of the DEIS to quantify traffic thru the local streets.
- "*The Proposed Project would result in increased traffic volumes and delays at intersection movements in the local street network ... and could possibly slow down emergency vehicle response times. However, with the proposed mitigation measures described in Chapter 17, Mitigation, project-generated traffic volumes are not expected to significantly affect emergency vehicle response times*" See page 11-71".  
The phrase "*could possible slow down emergency vehicles*" is another example of unstudied speculation. Coupled with Chapter 17's kick the can down the road approach deferring quantifying deleterious traffic impacts on Floral Park represents either failure or obfuscation of facts the DEIS should address.

## POTENTIAL FOR PARKING IN RESIDENTIAL NEIGHBORHOODS (page 11-91 & 92)

- "... there is a possibility that some arena attendees may attempt to park for free in the surrounding neighborhoods, such as the West End of Floral Park. The Mayfair Ave Gate (Gate 9) would be enhanced or staffed with a security guard close to the pedestrian entrance during arena events and prevent arena patrons from parking in the West End of Floral Park and walking in the North Lot to catch a shuttle bus to the arena. Should parking in residential neighborhoods occur, potential mitigation measures that could be addressed are discussed in Chapter 17."  
The reality is certainly that attendees will attempt to drive to and park in the West End of Floral Park. Neither have been studied in the DEIS
- Paraphrasing the text: *The Traffic Mitigation Plan suggests NYAP would coordinate with local stakeholders, including local municipalities. Potential mitigation measures including strict enforcement of existing parking regulations by ticketing and/or towing or by implementing new parking regulations...*  
This weak and non-binding suggestion is proof that there is no credible Mitigation plan.

## LIRR

- *The DEIS fails to provide a LIRR direct route for those coming from the east. Attendees would need to change at Jamaica and then return to Belmont via one of two round trip trains between Jamaica Station and Belmont Park Station with eastbound trains arriving at Belmont prior to the start of the event and westbound trains departing from Belmont following the conclusion of the event.*

Alternately attendees would de-train at the Floral Park or Bellerose station and then find their way thru the village of Floral Park to Belmont.

Neither option represents responsible planning

Neither option could be considered desirable or convincing, especially for the return trip?

Deficiencies found in Chapter 17 "Mitigation"

**MITIGATION** (page 17-1)

- The proposed project would result in significant adverse impacts on the local street network, the highway network and bus service as well as potential impacts to parking. Significant adverse impacts on LIRR service, pedestrian circulation and vehicular and pedestrian safety were not identified.

*Failure to include LIRR service to Belmont is a failure of both the proposed project and the DEIS.*

- *An extensive set of proposed mitigation measures have been developed to address these impacts consisting of:*
  - *Standard traffic engineering improvements*
  - *Adjustments to bus service*
  - *Implementation of a comprehensive Transportation Management Plan (TMP)*

The standard traffic engineering improvements described in the DEIS are based on the faulty assumption that only 3% to 5% of vehicles coming to Belmont will access the site from the local street network. This is belied by the unquantified volume of Cross Island traffic using navigation assistance apps. The TMP *identifies* advising "background traffic...to avoid using the Cross Island Parkway near Belmont Park" (page 17-4). This strategy promotes diverting traffic from the CIP to local streets in the area, but *does not provide any substantial mitigation to address this diverted traffic.*

The TMP fails to address the real concern; namely, the overwhelming increase in local thru traffic caused by heretofore voluminous diversions (not documented in the DEIS) from the already overcrowded Cross Island Parkway to local residential streets.

Implementation of a TMP simply obfuscates the problem and defers definition and "resolution (if even possible) until some vague time in the future when it will be unfixable. This is contrary to the *raison d'être* of a DEIS.

The carpooling suggested in this chapter is simply unrealistic.

Several key TMP issues are not addressed in Chapter 17:

- Who would have control of the TMP?
- How would TMP conclusions/mitigation measures be enforced?

In short, I join my neighbors in requesting that key aspects of the DEIS be revisited. Do this thoroughly without a rush to construction - until the issues detailed herein as well as those of other concerned citizens are addressed.

Yours truly,

Francis Gunther

Cc: Hon Dominick Longobardi  
Hon. Kevin Fitzgerald  
Gerard Bambrick

**COMMENTS OF BELMONT TASK FORCE MEMBER MICHAEL CULOTTA  
FEBRUARY 28, 2019**

**MICHAEL L. CULOTTA, ESQ.**

353 Plainfield Avenue Floral Park, NY 11001

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February 28, 2019

Via Electronic Mail [BelmontOutreach@esd.ny.gov]

New York State Urban Development Corporation  
d/b/a Empire State Development  
633 Third Avenue  
New York, NY 10017

Re: Comments on the Draft Environmental Impact Statement  
Empire State Development  
Belmont Park Redevelopment Civic and Land Use Improvement Project

To Whom It May Concern:

I am a resident of Floral Park, New York, I care deeply about my community and my neighbors in the area, and I respectfully submit the following comments on Empire State Development's (ESD) Draft Environmental Impact Statement (DEIS) for the Belmont Park Redevelopment Civic and Land use Improvement Project.

**General Comments**

ESD does not identify whether any entity will have responsibility for overseeing construction of the proposed project, including the appropriate implementation of any mitigation identified in the Environmental Impact Statement (EIS). I strongly urge ESD to assemble a community task force to coordinate with the project developers, to provide periodic oversight of the project, and to ensure that the project is implemented according to the terms of the EIS and any Record of Decision. I also strongly urge ESD to ensure that the Village of Floral Park has ample representation on that task force.

ESD does not describe how this project will be financed, nor does it identify the tax benefits that the State will provide to the project sponsor, the New York Arena Partners LLC (NYAP). I request that ESD disclose this information to the public.

Throughout the DEIS, ESD mentions the potential for the New York Racing Association (NYRA) to implement night racing at Belmont Park. ESD does not describe how night racing, and any associated capital improvements at Belmont Park, would have independent utility from ESD's proposed project as outlined in the DEIS. ESD should consider the potential environmental impacts of night racing, particularly the traffic impacts, in this DEIS to avoid impermissibly segmenting this project.

Michael L. Culotta, Esq.  
Comments on the Belmont Project DEIS

If ESD makes any changes to the scope of work for this project in the FEIS, it should provide the public with at least 30 calendar days to review and comment upon it, and ESD should indicate any changes in redline format in the FEIS.

### **The Proposed Project's Scope and Other Reasonable Alternatives**

In ESD's Scoping Document, ESD and NYAP proposed to utilize Site B as the main parking area for the project. Site B included a two-tier parking facility. The project also included smaller parking areas on the North and South Lots of Site A.

In the DEIS, ESD and NYAP changed the project's scope and are now proposing to utilize the East Lot on Site B for parking, which was not previously contemplated in the Scoping Document. The public did not have the opportunity to comment on the use of the East Lot for parking during the scoping phase. I am strongly against the use of the East Lot for this project. The East Lot is located directly adjacent to a local high school, athletic field, and residential single-family homes. Local students and residents will experience significant adverse impacts from the traffic, noise, light pollution, and vehicle emissions resulting from the use of this lot. Moreover, with the potential for tailgating and intoxicated fans after games and arena events, the use of this lot would be a risk to public safety and security throughout the local residential area. For these reasons, I strongly urge ESD to implement its original proposal calling for a two-tier parking structure on Site B and to eliminate the East Lot—which was not previously disclosed to the public—from this project.

ESD states that, given the size and nature of this project, the State will override the Town of Hempstead's Building Zone Ordinance and other provisions of its Town Code. The ordinance and the code exist to preserve the suburban quality of life that local residents enjoy, and within which local businesses thrive. Any override of these laws only would serve to destroy the quality of life in the local community. The construction and use of a National Hockey League (NHL) arena, a large-scale hotel, and a mega mall, along with all of the associated traffic, do not fit within the suburban nature of the community and would constitute a significant adverse impact under the New York State Environmental Quality Review Act (SEQRA) at 6 CRR-NY 617.7(c)(1)(viii). For these reasons, I urge the State not to override local building ordinances and local codes. Any development on the Belmont Park site should fit within the nature of the local community, not destroy it with significant adverse impacts that ESD cannot mitigate.

ESD states that the proposed project calls for the development of a new electrical substation to the west of Belmont Park. It is imperative that ESD locate this substation as far away from Floral Park Bellerose School and local residential homes as practicable.

ESD also states that the new power system would tie into overhead power lines on Plainfield Avenue. ESD does not indicate the location on Plainfield Avenue where the new overhead bypass system would be situated. ESD should identify the location of this overhead bypass and analyze the extent to which it would impact local residents and businesses. I urge ESD to locate this system as far away from local residential homes as practicable.

Michael L. Culotta, Esq.  
Comments on the Belmont Project DEIS

The proposed project calls for a new NHL arena for the New York Islanders at Belmont Park. It is not clear whether the State considered other reasonable and feasible alternative site locations for the arena, particularly alternatives that would result in a reduction in permanent significant adverse impacts. Nassau Coliseum's 77-acre site, which is just several miles away from Belmont Park and the Islanders' former home, recently underwent \$260 million in significant improvements. Why did ESD fail to consider this reasonable and feasible alternative? Why did ESD fail to consider other reasonable and feasible alternative locations, such as Ronkonkoma, New York? ESD should consider utilizing the existing Nassau Coliseum, or another location that would be less disruptive to the local community.

ESD considers a number of alternatives within the Belmont Park site, including an alternative that involves 435,000 square feet of retail without the arena. ESD does not consider the converse, which is an alternative that includes an arena without the 435,000 square feet of retail. ESD has not articulated reasons for failing to consider this reasonable and feasible alternative. Consequently, the DEIS is flawed. I urge ESD to prepare a Supplemental DEIS which examines the potential impacts of an arena without 435,000 square feet of retail and a hotel. The result may be that an arena-only alternative better fits the purpose and need of the project, specifically, to benefit the neighborhoods and communities surrounding Belmont Park, and results in a reduction in the intensity of significant adverse environmental impacts.

ESD states that the new arena would host 50 "marquee" events, 65 "large to medium" events, and 30 "small or non-ticketed" events. Given that ESD concludes the traffic impacts from these events would be significant and adverse on the surrounding communities, and given that ESD concludes it cannot mitigate these impacts, I urge ESD to scale back the number of these non-NHL events and consider utilizing the nearby Nassau Coliseum or another venue to host them.

ESD's proposed project calls for 435,000 square feet of retail, including 350,000 square feet of a retail village on Site B. The retail has the potential to draw nearly 20,000 people per day to the project site, causing significant adverse traffic, noise, air quality, lighting, and safety and security impacts to local residents. The retail also has the potential to compete with local businesses in the area, such as local restaurants and other establishments. Moreover, "brick and mortar" retail is a declining industry. Many long-established retail stores, such as Sears and Toys "R" Us, have been going out of business given the rise and convenience of e-commerce sites, such as Amazon. The last thing that this community needs is for ESD to allow a developer to build 435,000 square feet of retail that will become a vacant eyesore in a matter of years. For these reasons, I strongly urge ESD to eliminate the retail from this project. Instead, I urge ESD to limit Site B to parking only.

ESD's proposed project includes a hotel that will be approximately 150 feet high and contain approximately 250 rooms. This large structure does not fit the character of the surrounding residential community—it would be one of the tallest buildings in suburban Long Island. I urge ESD to either scale down the size of the hotel or eliminate it entirely from the project.

Given that the location of the proposed hotel is directly below flight patterns for JFK Airport, it is not clear whether ESD will need any approvals from the Federal Aviation Administration

Michael L. Culotta, Esq.  
Comments on the Belmont Project DEIS

(FAA) to build a structure 150 feet high. ESD did not disclose the potential for any FAA approval in the DEIS, and if it needs FAA's approval, then ESD should disclose it to the public.

ESD's proposed project includes approximately 10,000 feet of community space, and NYAP intends to utilize this space for educational and job training opportunities. What exactly does this proposal entail? What kinds of educational and job opportunities will NYAP provide? How frequently will NYAP provide them? ESD should disclose more details regarding this community space in the DEIS.

ESD's proposed project calls for the construction of 5.75 acres of open space, but ESD intends to demolish 7 acres of open space on another portion of the Belmont Park site. Given ESD's proposal to demolish 7 acres of open space, I urge ESD and NYAP to develop an equal 7 acres of open space within Sites A and B instead of the 5.75 acres in the proposal.

ESD's proposed project calls for the construction of at least 6,312 surface parking spaces to accommodate traffic. I strongly urge ESD to significantly reduce the total number of parking spaces and to only use Site B for parking.

Given the significant adverse traffic impacts resulting from this project, I strongly urge ESD to work with its sister State agency, the Long Island Rail Road (LIRR), to make improvements to Belmont Park Station so that it can directly service riders traveling eastbound and westbound. Belmont Park Station should have a platform to directly service riders traveling from eastern Long Island, and ESD should work with LIRR to eliminate transfers needed at Jamaica Station to accommodate these riders. This added convenience will make LIRR a more attractive traveling option, help reduce the need for parking spaces, and reduce the overall traffic impacts. Also, merely running two additional LIRR trains on game day, as described in the proposal, is not sufficient. More trains are needed to make LIRR a more attractive option and to help take drivers off the local streets.

ESD's proposed project calls for a number of roadway improvements. Given that the project includes elements adjacent to a local high school and residential single-family homes along Plainfield Avenue, I urge ESD to work with the local municipalities to close Plainfield Avenue to through traffic on game days. As a mitigation measure, I urge ESD to work with the local municipalities to prohibit right-hand turns from Plainfield Avenue onto Hempstead Turnpike prior to arena events, and I urge ESD to work with the local municipalities to prohibit left-hand turns onto Plainfield Avenue from Hempstead Turnpike following arena events.

ESD identifies a number of objectives in its Purpose and Need Statement, among them:

- "Maximize economic benefit to the State while minimizing significant adverse environmental impacts," and
- "Benefit the neighborhoods and communities adjacent to and surrounding Belmont Park."



ESD's proposed project is enormous and will result in significant adverse traffic, land use, community character, noise, air quality, lighting, and safety and security impacts. ESD concludes that it cannot mitigate these impacts. Consequently, this proposal does not meet the objectives identified above in ESD's Purpose and Need Statement. It does not minimize significant adverse environmental impacts in these areas, and the impacts will not benefit the neighborhoods and communities adjacent to and surrounding Belmont Park. ESD's project, and its resulting impacts, will have a negative effect upon the quality of life enjoyed by local residents, and it threatens the vitality of local businesses. Given that the project does not meet ESD's Purpose and Need Statement, the DEIS is flawed. For these reasons, I urge ESD to scale back the size of this project and to consider a smaller project scope that better aligns with its own objectives and to better serve the needs of the local community.

### **Land Use, Zoning, and Community Character**

ESD's proposed development of 435,000 square feet of retail is inconsistent with the existing land use on Site B, and it is inconsistent with the suburban residential community character. This use is an adverse impact that ESD fails to consider.

Elmont's 2008 Community Vision Plan does not include a new arena for the Belmont Park area. Elmont's Plan envisions a much smaller development in the area. ESD's proposed project is inconsistent with Elmont's master plan—the scope of this project is simply too large. The inconsistency with Elmont's local vision and mater plan is an adverse impact that ESD fails to consider.

Nassau County's Master Plan and vision does not contemplate an NHL arena, 435,000 square feet of retail, and a hotel in the Belmont Park area. The plan envisions strategic, reasonable development—not overdevelopment. ESD's proposed project is inconsistent with Nassau County's Master Plan and vision—the project is simply too large. The inconsistency with Nassau County's Master Plan and vision is an adverse impact that ESD fails to consider.

The Belmont Park area is zoned for single-family residences and lighter, less intense development. It is not zoned for an NHL arena, 435,000 square feet of retail, and a hotel. ESD's proposed project inconsistent with local zoning ordinances—the project is simply too large. This inconsistency with local zoning ordinances is an adverse impact that ESD fails to consider.

ESD notes that, "Floral Park is characterized by its small town feel and its civic amenities (including the school districts, fire departments, pool, parks and library)." ESD's proposed project would attract significantly increased traffic volumes through this small town, resulting in adverse impacts that cannot be mitigated. Consequently, I urge ESD to reduce the scope of this project and to eliminate the 435,000 square feet of retail and the hotel to preserve the small town feel and civic amenities of Floral Park.

ESD states that under the No Build alternative, "The Project Sites would continue to be underutilized and not further the goals of the *Elmont Community Vision Plan* and the *Nassau County Comprehensive Plan and Updates* or New York State's vision for the redevelopment of

Michael L. Culotta, Esq.  
Comments on the Belmont Project DEIS

this area into an economic engine and community gateway.” ESD’s statement is grossly misleading. Without ESD’s proposal, there still would be potential for smaller, more strategic development on the Belmont Park site that would better fit with the goals and vision of Elmont and Nassau County. Moreover, ESD’s proposal and the sheer size of this project do not further the goals of smaller development as outlined in Elmont’s and Nassau County’s master plans. ESD fails to consider these significant adverse impacts.

ESD states, “The proposed uses are compatible with the entertainment uses associated with Belmont Park and are consistent with public policy at a local, county, and state level looking to create economic development opportunity at this important gateway location.” ESD’s statement is misleading. Although a sports arena may be consistent—in a very generic sense—with the existing sports use on the Belmont Park site, the frequency and intensity of the use would increase dramatically. The resulting traffic would be wholly inconsistent with local public policies and the character of the surrounding community. ESD fails to consider this significant adverse impact.

ESD states, “The Proposed Project would change the character of the Project Sites, but since the core of the surrounding neighborhoods, particularly to the north, are shielded by the existing development at Belmont Park (including the Racetrack itself and the Backstretch area), impacts from development on Site A are not expected to be significant.” ESD’s statement is misleading. Although portions of the Belmont Park site may be shielded from surrounding homes, the dramatic increase in traffic will be felt throughout the entire community. Planned fencing, berms, and vegetation around Sites A and B will not shield the surrounding streets from the significant increase in traffic. I strongly urge ESD to scale back the size of this project.

ESD states:

“The Proposed Project would allow the Project Sites at Belmont Park to operate on a year-round basis, which would change the character of a community that currently only experiences one major event at the property (i.e., the Belmont Stakes), smaller sporadic activities (e.g., spring and fall racing seasons) and other events at limited times over the course of a year. The increase in the intensity and frequency of use at the Project Sites on a year-round basis would increase traffic and pedestrian activity (see Chapter 11, “Transportation”), and noise in the area (see Chapter 13, “Noise”). However, the volumes associated with the year-round events and other use of the property (e.g., hotel, office, retail) would be substantially less than on Belmont Stakes day.”

ESD’s statement is misleading. Although projected traffic volumes may be less than on a Belmont Stakes day, the overall daily traffic volume would increase significantly and result in adverse impacts that cannot be mitigated. The surrounding community would suffer a decrease in the quality of life. I strongly urge ESD to scale back the size of this project.

ESD states:

“[A]lthough increased pedestrian and vehicular activity due to increased activity can have adverse community character effects, with the Proposed Project such effects are not predicted to occur on residential streets within neighborhoods, and generally would be limited to periods before and after major arena events. Therefore, these factors are not expected to significantly affect the residential real estate market in the surrounding communities.”

ESD fails to consider technology, such as Google Maps and Waze apps, that have the potential to route nearly 40,000 drivers per day on game days through local side streets to travel to and from the project site. ESD should consider working with local municipalities to close off residential streets, such as Plainfield Avenue, on game days, and it also should consider working with Google and Waze to turn off local side streets from being utilized as through routes in the surrounding residential communities.

ESD states, “The Proposed Project would result in a substantial change to the existing use and character of Site B, would intensify land use on Site A, and would intensify the frequency of the use of the North, South and East Lots.” In light of the above, and the resulting significant adverse traffic impacts, I strongly urge ESD not to utilize the East and North Lots for this project, and to keep parking on Site B as was contemplated in ESD’s original Scoping Document.

ESD acknowledges that the 150-foot high hotel and 125-foot high arena would be substantially taller than the Belmont Grandstand. These dimensions would not fit within the visual character of the Belmont Park site, Hempstead Turnpike, or the surrounding community. These impacts are significant and adverse. Consequently, I urge ESD to consider eliminating the hotel from the proposed project and to reconsider design options and locations for the arena.

### **Community Facilities and Utilities**

ESD analyzes potential impacts of the project on the Nassau County Police Department, but it does not take a hard look at potential impacts to local police departments in the surrounding communities, such as the Floral Park Police Department. The project could attract nearly 40,000 people per day, and ESD projects that the vast majority of these people will be driving to the project site. The resulting congestion can delay response times. The significant increase in traffic also creates the potential for car accidents in the surrounding neighborhoods, requiring local police responses, and distracting them from other emergencies. Prior to and following arena events, fans and event patrons may be involved in emergencies at surrounding restaurants and businesses that require local police to respond. Tailgating and alcohol consumption may occur on event days, causing the potential for intoxicated people to disrupt the local neighborhoods, requiring police responses. ESD does not take a hard look at these potential impacts. To mitigate them, ESD should require NYAP to provide a regular funding stream to local police departments, especially the Floral Park Police Department, to ensure that they have the resources necessary to keep the local communities safe.

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ESD should prohibit tailgating on the Belmont site at all times. ESD should require that NYAP maintain a private security force to patrol the site 24/7.

ESD should require NYAP to provide a regular funding stream to local fire departments, especially the Floral Park Fire Department, to ensure that they have the resources they need to respond to emergencies on the project site and in the surrounding area.

ESD states that there will be permanent adverse traffic impacts given a significant increase in the volume of traffic in the surrounding communities. This traffic will cause congestion and decrease emergency response times, which is very concerning for public safety. What analysis did ESD conduct related to emergency response times? How is any additional response time acceptable? I urge ESD to scale back the project and to eliminate the 435,000 square feet of retail and hotel so that the traffic impacts and emergency response times will be reduced.

ESD states, "The need for specific infrastructure to facilitate conveyance of sewage to the selected main is currently being evaluated." What does this sentence mean? Why is it not evaluated in the DEIS? What type of infrastructure is necessary for sewage management? Are there any potential impacts? I urge ESD to study this issue further in a Supplemental DEIS.

ESD states that it will need a new PSEG power station to provide electricity to the project site. I urge ESD to locate this power station as far away from local schools and residential homes as practicable. It also should be surrounded by vegetative fencing, etc., so that it will not be easily viewed from the surrounding communities.

ESD does not disclose the location on Plainfield Avenue where an overhead bypass will be installed. I urge ESD to disclose this location and to evaluate the potential impacts on the surrounding community.

What type of infrastructure would National Grid need to connect the project components to natural gas? Where would this infrastructure be located? I urge ESD to study these details and potential impacts in a Supplemental DEIS.

ESD states that there will be no direct or indirect impacts upon local schools; however, the project would create traffic, noise, air quality, and light impacts adjacent to two schools near the East and North Lots on Site A. These impacts could interfere with students' use of outdoor fields, and these impacts could interfere with afterschool activities. I urge ESD to scale back this project to reduce the traffic, and to utilize Site B for parking and not the East and North Lots on Site A.

What types of infrastructure improvements are needed to connect the project components to WAWNC water lines? Where will those improvements be located? I urge ESD to study these details and potential impacts in a Supplemental DEIS.

### **Open Space and Recreational Resources**

If NYAP is going to take and demolish 7 acres of public space from Belmont Park, then it should create and restore an equivalent 7 acres of open space with the new development—not 5.75 acres as proposed in the DEIS. The 5.75-acre figure is arbitrary. Also, the 7 acres should not be passive space. They should be designed as a larger community park, with green space, fountains, benches, movies in the summertime, an ice skating rink in the wintertime (see Washington DC's Navy Yard parks), etc. The space should not be open space broken into smaller pieces that will be passively used. Also, if NYAP is going to make improvements to local parks, it should improve a park in the Village of the Floral Park, specifically Park 23 identified in the secondary study area.

ESD states, "The Proposed Project would not preclude the ongoing use of existing open space resources at Belmont Park by Floral Park Memorial High School students." This high school would experience significant adverse air quality, noise, and safety and security impacts if the East Lot of the Belmont Park is used for this project. The East Lot should not be used for parking.

ESD and NYRA should continue to allow Floral Park Memorial High School to use the Pony Track infield for athletic practice and events.

ESD states that there will be no direct impacts on Floral Park-Bellerose School and Floral Park Memorial High School; however, ESD fails to consider that there will be significant traffic increases (that ESD cannot mitigate) which will bring resulting air quality, noise, and safety and security impacts for users of the athletic fields on the school grounds. I strongly urge ESD to scale back the size of this project to reduce the resulting traffic impacts on the local community.

ESD states that there will be no indirect impacts on park resources within the secondary study area, but the significant increase in traffic that will be traveling through this one-mile radius will bring resulting air quality, noise, and safety and security impacts to the parks located within that radius. These impacts will affect the usability of the parks. I strongly urge ESD to scale back the size of this project to reduce the resulting traffic impacts on the local community.

### **Historic and Cultural Resources**

The New York State Office of Parks, Recreation and Historic Preservation determined that the grandstand and façade of Belmont Park do not meet the criteria for inclusion in the State or National Registers of Historic Places. How did the State come to that determination, and what analysis supports it? The park itself is over 100 years old, and the grandstand and façade are over 50 years old. The age of those resources automatically makes them eligible for the National Register, particularly given the historic Triple Crown races that have occurred on site over the years, which had national and international significance. I urge ESD to reconsider its finding that there will be no significant adverse impact on historic or cultural resources.

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I also urge ESD to eliminate the hotel from the project site. Its proposed location stands directly in front of the grandstand and façade of Belmont Park; in fact, the hotel would be taller than the grandstand and façade, interfering with views of a nationally historic resource.

The arena also would be taller than the grandstand and façade of Belmont Park. I urge ESD to reconsider this height and to consider other design options and alternative locations for the arena. The arena should not interfere with the viewshed of a historic resource.

ESD did not conduct any analysis to determine whether any subsurface archaeological resources will be disturbed during construction on Sites A and B. I urge ESD to conduct historical studies to determine whether any early settlements (Native American, colonial, etc.) may have existed on or around Sites A and B so that it can protect any potential historic resources. Also, I urge ESD to develop a Construction Protect Plan, in cooperation and consultation with the New York State Office of Parks, Recreation and Historic Preservation and NYAP, which should outline measures that the parties would undertake to protect historic resources should they be uncovered during any subsurface excavation.

### **Visual Resources**

ESD notes that the project would include light poles up to 40 feet high in the East and North Lots on Site A. ESD does not consider the significant light pollution impacts on the immediately surrounding residential neighborhood and schools. ESD also mentions that these lots will remain illuminated at night for security purposes. I urge ESD to consider eliminating the East and North Lots from this project and to use Site B exclusively for parking as was originally contemplated in the scoping document. The light pollution on the East and North Lots would be significant and adverse, and it would cause significant disruption to the local residents.

### **Socioeconomic Conditions**

ESD's proposed project would bring significant adverse impacts to the surrounding residential communities, and it has the potential to turn residential street grids into parking lots. Home values may significantly decrease as a result of the disruptions and reduction in the quality of life. ESD fails to consider this impact in its analysis. Given that the adverse impacts cannot be mitigated, ESD should scale back the size of this project and eliminate the 435,000 square feet of retail and the hotel to reduce the intensity of, and demand for, traffic.

The local project area has numerous restaurants, particularly along Hempstead Turnpike, Jericho Turnpike, Tulip Avenue, and Covert Avenue. The proposed dining establishments on Sites A and B at Belmont Park have potential to compete with existing businesses and displace them. Consequently, ESD should eliminate the 435,000 square feet of retail from the project.

ESD did not conduct any environmental justice analysis as part of the DEIS. There are minority and low-income populations within the study area that have potential to disproportionately experience significant adverse impacts from this project. ESD should conduct an environmental

justice analysis and mitigate adverse impacts on minority and low-income communities, accordingly.

ESD concludes that commercial investment in the local community would not be diminished; however, given the significant adverse traffic impacts that cannot be mitigated, there is potential for residential investment to be diminished. Home values along certain traffic corridors, such as Plainfield Avenue and Carnation Avenue, may decrease. ESD must scale back the project to reduce the potential for these significant adverse impacts.

ESD recognizes the potential for a new hockey arena in Ronkonkoma, New York. This area is not as densely populated as the Belmont area, and has more potential to absorb an NHL arena, retail, and a hotel with minimal impacts. ESD and NYAP should consider the Ronkonkoma location, or the Nassau Coliseum, as reasonable and feasible alternatives for its project. ESD has not explained how the Nassau Coliseum is not a reasonable or feasible alternative to an NHL arena at Belmont Park (certainly more luxury suites can be designed, engineered, and added to the arena to meet any NHL preferences), nor has it explained how Ronkonkoma is not a reasonable or feasible alternative to an NHL arena at Belmont Park.

### **Natural Resources**

ESD states that it intends to remove approximately 124 mature trees from Site A and 66 mature trees from Site B. To compensate, ESD proposes to develop 2 acres of “hard- and soft-scape plazas” for Site A and 3.75 acres of landscaped space for Site B. In total, ESD proposes developing 5.75 acres of open space, while it is taking 7 acres of open space from the project site. I urge ESD to expand the amount of open space for development to 7 acres to compensate for the 7 acres it is taking, and I urge ESD to consider planting a variety of trees and vegetation to compensate for the loss of 190 total trees for the project site.

I also urge ESD to consider incorporating green roofs into the buildings located on the project site.

### **Transportation**

ESD projects that over 4,000 vehicles will travel to and from the project site on event days, and indeed, the proposed project calls for the creation of over 7,500 parking spaces. ESD concludes that this traffic will create a significant adverse impact to the local community that cannot be mitigated. ESD later states that LIRR will provide two roundtrip trains on event days. Given the size of the arena (18,000 capacity) and the size of the retail (435,000 square feet), LIRR’s proposed frequency of service seems wholly inadequate. Moreover, ESD projects that only 2 percent of individuals traveling to the retail village will utilize LIRR. Since the traffic impacts will cause a significant disruption to the quality of life on the local residents, and since they have potential to harm local businesses, it is imperative that ESD work with LIRR to create a fully functioning transit hub at Belmont Park. The LIRR station should directly serve riders traveling from the east and the west, without requiring transfers at Jamaica Station. Many New York

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Islanders fans will be traveling from eastern Long Island, and if they can take LIRR directly to Belmont Park without a complicated transfer in Jamaica, more fans will take LIRR in lieu of driving and causing significant adverse traffic impacts. ESD and LIRR are both State agencies, and it is important that they work together to help preserve the quality of life in the local communities. If LIRR can engineer the construction of a \$12 billion new train station below Grand Central Terminal, it can engineer new improvements at Belmont Park Station so that riders traveling from eastern Long Island can stop directly at the project site.

I also request that ESD disclose to the public any correspondence that it has exchanged with LIRR regarding operational and capital improvements at Belmont Park Station as they may relate to this proposed project.

Given that riders traveling from eastern Long Island will not be able to stop at the Belmont Park station, there is a strong likelihood that, in lieu of transferring at Jamaica Station, riders will utilize other LIRR stops in the area on game days. For example, many riders may utilize LIRR's Floral Park or Bellerose Stations on game days. ESD has not considered or studied the impacts associated with this inevitable activity. These travel patterns may result in safety and security issues on game days, and resulting noise and other disruptive pedestrian behavior throughout the surrounding residential neighborhoods. These LIRR riders also may decide to complete their trips from Floral Park or Bellerose to Belmont Park using taxis, Ubers, and Lyfts, causing a demand for endless taxi lineups at these stations. These additional vehicles would add to the congestion in the local villages and increase the intensity and significance of the adverse traffic impacts. I strongly urge ESD to consider these potential significant adverse impacts and to mitigate or eliminate them through a Supplemental DEIS.

ESD conducted a crash analysis within the project area, but it is not clear what type of crash analysis ESD conducted and what radius it used. For example, Our Lady of Victory Church is located on Plainfield Avenue just blocks away from the project site, and on Sundays, parishioners park on a tiny shoulder of Plainfield Avenue to attend services. Will this parking behavior result in additional crashes? ESD should conduct a broader crash analysis which includes the local street network, especially within the Village of Floral Park.

ESD's travel pattern comparison of Belmont Park to the Barclays Center in Brooklyn is wholly inappropriate. The Barclays Center is located in a dense urban environment which is served by LIRR and nine different subway lines. Arena patrons are much less likely to travel by car, so any comparison to Barclays Center travel patterns can skew the analysis of travel patterns at Belmont Park. Comparison to another U.S. arena with similar public transportation options and accessibility may be more appropriate.

Although ESD tries to compare the proposed retail village to another local retail establishment at Woodbury Commons in Long Island, surprisingly, ESD uses travel patterns associated with Value Retail's Bicester Village luxury outlet center near London, United Kingdom as a baseline. Why is ESD using travel patterns in the United Kingdom as a comparison? This comparison seems bizarre. Also, international tourism is not part of the vision or master plans of the surrounding communities, and it would cause significant adverse impacts and disruptions to the quality of life. I strongly urge ESD to eliminate the 435,000 square feet of retail.



ESD projects that 89 percent of arena patrons traveling by car will utilize the Cross Island Parkway. How did ESD develop this estimate? Also, how did ESD develop the estimate that only 7 percent of arena patrons will travel west utilizing Hempstead Turnpike? I urge ESD to provide the public with more details regarding its traffic analysis and traffic modeling (if any was used).

ESD analyzes a number of locations for its traffic analysis, but it does not consider drivers who will drive north on Plainfield Avenue then west on Jericho Turnpike to enter the Cross Island Parkway following arena events. ESD should consider this traffic pattern and associated impacts, particularly with potential congestion at the Cross Island Parkway exit at Belmont Park on game days.

ESD estimates that between 200 vehicles per hour and 650 vehicles per hour travel along Plainfield Avenue at various times throughout the week. With ESD's proposed project, these numbers would double or triple, causing significant traffic congestion, noise impacts, air quality impacts, and safety and security impacts along this quiet residential neighborhood. Plainfield Avenue also is a two-lane road with no on-street parking and no shoulder, and these factors will add to the congestion and intensity of adverse impacts. Several intersections along Plainfield Avenue are unsignalized with stop signs. Who will police these intersections? Under current conditions, many drivers do not stop at these stop signs and run through them. Recently, a driver sped through a stop sign at Cherry Street and crashed through a tree on Plainfield Avenue. How will this type of driving behavior be regulated to ensure public safety along the residential corridor? The Plainfield Avenue intersection at Tulip Avenue does not have turning lanes and already is very congested. How will this intersection be policed and how will public safety be ensured? The resources of the Floral Park Police Department are already stretched thin. I strongly urge ESD to work with the local municipalities to close Plainfield Avenue to through traffic on event days at the arena. ESD should funnel all post-event traffic into the Cross Island Parkway (and ESD should expand the ramps leading to and exiting the Cross Island Parkway). I also strongly urge ESD to eliminate the 435,000 square feet of retail and the hotel to reduce the traffic significant adverse impacts within the area.

ESD's travel study of the Cross Island Parkway notes that it operates up to 5,500 vehicles per hour at certain times during the week. ESD notes that, at times, vehicles travel at 5 miles per hour at Level of Service E or F given the traffic congestion during peak hours, particularly the peak PM hour when arena patrons will be traveling to New York Islanders games, concerts, or other events. ESD projects that 89 percent of the arena patrons for these events will be utilizing the Cross Island Parkway. Given the existing congestion and existing traffic constraints, how will the highway network absorb thousands of additional vehicles during peak travel times, such as the peak PM hour? The Cross Island Parkway will become even more of a parking lot as a result of this project. I strongly urge ESD to scale back the scope of this project.

Since the issuance of the DEIS, the City of New York and Nassau County have announced their plans to conduct traffic studies of the area surrounding Belmont Park, including the Cross Island Parkway. I strongly urge ESD to consider the results of these studies in its analysis and to incorporate the results into a Supplemental DEIS.

I also urge ESD to conduct a traffic study that analyzes the potential impacts of the entire Cross Island Parkway corridor, given the potential for event patrons to enter the parkway through a wide variety of intersections, especially if they are using apps like Google Maps and Waze to find the fastest routes to and from the arena. ESD's traffic study of the Cross Island Parkway only examines a limited segment of it.

ESD did not release to the public the data upon which it relied when making its assumptions and conclusions for purposes of determining potential traffic impacts. I strongly urge ESD to release this information to the public so that it has a meaningful opportunity to review it and comment upon it.

Figure 11-6 shows bus queuing in the North Lot on Site A, just feet away from a quiet residential neighborhood. This bus route and related noise, particularly from idling vehicles, has potential to be extremely disruptive to local residents, particularly at nights following arena events. I strongly urge ESD to eliminate the use of the North Lot, from this project, or to scale back the North Lot's capacity.

ESD states that the Belmont Park gate facing Plainfield Avenue would not be used. I urge ESD, NYRA, and NYAP to permanently close this gate to arena, retail, and hotel patrons.

ESD states that there will not be enough parking on Site B to handle traffic flow at the retail village, and as a result, the East Lot on Site A will be used. I strongly urge ESD not to use the East Lot for this project, and instead, to utilize Site B for parking only. ESD's proposed use of shuttle buses to and from the East Lot, especially on weekends when the adjacent high school is hosting athletic events, would be disruptive to the surrounding community, particularly with the added noise and idling vehicles.

ESD's projected traffic estimates on Plainfield Avenue seem extraordinarily low. Where is the data to support the conclusions in the DEIS? I strongly urge ESD to disclose that information to the public in a Supplemental DEIS.

ESD studies traffic impacts during the AM and PM peak hours, but it does not analyze traffic impacts during later nighttime hours on weekdays following events. ESD should conduct a later nighttime traffic analysis for weekdays and allow the public to review it and comment upon it.

ESD mentions the need for a comprehensive transportation management plan. Where is that plan? ESD should provide it to the public as part of the DEIS so that the public can review it and comment upon it.

ESD's analysis is somewhat misleading. Earlier in the DEIS, ESD notes that 89% of cars will travel to and from the site utilizing the Cross Island Parkway. ESD projects that up to 2,000 cars during peak hour will utilize the Cross Island Parkway. Later in the DEIS, ESD notes that over 7,500 vehicles will utilize the parking lots on the project site. These numbers do not highlight the intensity of the adverse traffic impacts, in other words, up to 2,000 cars per hour may be utilizing the Cross Island Parkway for several hours straight. The highway infrastructure will not

be able to sustain the intensity of that adverse impact. ESD should provide the public with a broader context of the traffic impacts and disclose their intensity and length of exposure. ESD also should explore other alternatives that may be reasonable and feasible project sites. I strongly urge ESD to scale back the size of this project to eliminate significant adverse traffic, noise, air quality, and safety and security impacts.

Parking within the residential neighborhoods of Floral Park could become problematic if event patrons attempt to avoid traffic congestion and parking fees. Pedestrian entrances surrounding the project site should be closed. Parking permits should be required on the streets of Floral Park that would be available to residents only. ESD and NYAP should provide resources to local police departments to police parking violations.

ESD and NYAP should provide financial resources to the surrounding police departments and school districts to ensure that police and crossing guards will direct traffic at busy intersections surrounding Belmont Park.

### **Air Quality**

At least 12 intersections surrounding the project site are projected to operate at a Level of Service D or worse, yet ESD concludes that there will be no significant air quality impacts. After the publication of the DEIS, the City of New York and Nassau County announced that they are undertaking separate traffic studies to evaluate the potential impacts resulting from increased traffic at the project site. ESD should incorporate those studies and the resulting analysis into the EIS and re-evaluate the potential for air quality impacts, accordingly.

ESD states that the traffic impacts resulting from the project will be permanent, significant, adverse, and unmitigated as a result of a major increase in the volume of traffic. Although the larger New York City metropolitan area may not experience significant air quality impacts as a result of the traffic increase around the Belmont Park site, the immediately surrounding residential neighborhoods will experience soot and smog as a result of emissions from the increase in traffic. ESD may not be able to mitigate the adverse traffic and resulting air quality impacts, but it can scale back the intensity and severity of the traffic and related air quality, noise, and safety and security impacts by scaling back the scope of the project. Consequently, I urge ESD to reduce the project scope and to consider eliminating various project components, such as the 435,000 square feet of retail and the hotel.

### **Noise**

ESD concludes that there will be no significant adverse noise impacts resulting from the project; however, it is well documented that New York Islanders fans have a long tradition of honking their car horns repeatedly for extended periods of time following games. To the extent practicable, ESD and NYAP should take measures to mitigate this potential adverse impact on the surrounding residential community. I urge ESD and NYAP to prohibit car horn honking following games, and to fine individuals who violate the policy. To reduce the potential for this

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activity, ESD should work with LIRR to run more frequent service on game days. ESD also should not allow NYAP to utilize the East and North Lots for this project given that those lots are adjacent to residential communities.

### **Climate Change**

Since the publication of the DEIS, the City of New York and Nassau County have announced that they will be conducting traffic studies in the surrounding project area to analyze adverse impacts to the community. ESD's climate change analysis in the DEIS should consider the results of the City's and the County's traffic studies, particularly the impacts resulting from significant congestion, reduced traffic speeds, and idling vehicles on the Cross Island Parkway.

ESD should identify all potential impacts and mitigation in the area of climate change during construction. For example, ESD should identify as mitigation measures restrictions on idling time for vehicles, the use of diesel in tools and other equipment, and other technology for exhaust pipes, etc.

### **Construction**

To mitigate air quality impacts, technology should be used to avoid diesel emissions wherever practicable. Also, to the extent that dust or dirt will become airborne, watering techniques should be implemented to control exposure.

To mitigate noise impacts, construction activities (especially pile driving) should be limited to daytime hours, and sound attenuation barriers should be installed where appropriate. Idling restrictions should be imposed on trucks and vehicles associated with construction activities.

ESD mentions the potential for a project office to be located in the area. The project office should be open to the community in case residents and businesses have questions or concerns. The project office should be regularly staffed, and it should provide regular updates to the community regarding construction activities and potential impacts.

Measures should be undertaken to direct light downward to avoid impacts resulting from construction lighting.

To mitigate visual impacts from construction staging, fencing should be used to cover construction sites wherever feasible.

Plainfield Avenue and other residential streets should not be used for truck routes associated with construction.

The removal of trees and other vegetation should occur during winter months so as not to disturb local wildlife.

LIRR is undertaking a major construction project involving the Third Track of its Main Line. It is not clear whether the construction activities of LIRR's Third Track Project (in Floral Park and surrounding communities) will overlap with ESD's proposed project. ESD should evaluate and consider the cumulative impacts of these construction efforts (such as traffic, parking, noise, etc.).

### **Alternatives**

ESD notes that, "Alternatives selected for consideration in an EIS are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action." Although ESD considered an alternative that does not include an arena, ESD did not analyze an alternative that would involve the converse—an arena only. Not only is this alternative reasonable and feasible, it has the potential to reduce, eliminate, and avoid the significant adverse impacts from ESD's preferred alternative related to traffic, noise, air quality, lighting, and safety and security. An arena only alternative still would advance each of the project's goals as outlined in the Purpose and Need Statement. ESD's failure to consider this reasonable and feasible arena-only alternative is a fatal flaw with the DEIS. I strongly urge ESD to consider undertaking a Supplemental DEIS that analyzes an arena-only alternative. I also strongly urge ESD to consider reasonable and feasible alternative locations for the arena, such as Nassau Coliseum and Ronkonkoma, New York.

### **Mitigation**

ESD states that it will provide sound attenuating windows and air conditioning units to dormitories on the Belmont Park project site to help mitigate noise impacts. ESD also should offer sound attenuating windows and air conditioning units to residents and schools within the surrounding area who will experience noise impacts resulting from activities on the project site.

ESD should coordinate with local municipalities to close Plainfield Avenue to through traffic on event days. It also should prohibit right-hand turns from Plainfield Avenue onto Hempstead Turnpike prior to arena events, and it should prohibit left-hand turns onto Plainfield Avenue from Hempstead Turnpike following events. ESD and NYAP should provide resources to local police departments to manage and direct traffic before and after arena events.

ESD should prohibit the use of the East and North Lots and utilize Site B for tiered parking only.

ESD should ensure that all post-event arena traffic gets diverted directly onto the Cross Island Parkway to avoid the use of local residential streets. It also should coordinate with Google Maps, Waze, etc. to turnoff local residential streets, including Plainfield Avenue, as potential routes before and after arena events.

ESD should prohibit tailgating and the well-documented "New York Islanders post-game horn honking" in the parking lots before and after arena events.

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ESD should ensure that NYAP provides a regular funding stream to local police and fire departments to ensure that they have the resources necessary to adequately and timely respond to emergencies within the surrounding area.

ESD mentions the possibility of carpooling as mitigation, but it does not describe how carpooling would work, how it would mitigate the impacts from thousands of new vehicles traveling through residential streets, and the feasibility of arena patrons even deciding to do it. ESD should further discuss this mitigation measure in a Supplemental DEIS.

It is imperative that ESD work with its sister State agency, LIRR, to develop a fully functioning Belmont Station transit hub to service riders directly traveling from eastern Long Island. It also should ensure that trains are run more frequently to service arena events.

ESD should provide a copy of the Transportation Management Plan to the public so that it can review it and comment upon it as part of the DEIS process.

ESD notes throughout the DEIS that there are significant adverse traffic impacts that it cannot mitigate; however, ESD fails to consider reasonable and feasible alternatives (such as an arena-only alternative on Site A with parking only on Site B) that would reduce the overall traffic demand and reduce the intensity of the significant adverse traffic impacts. ESD's proposed project is simply too big, and I urge ESD to scale it back so that the quality of life for local residents is not destroyed.

### Conclusion

Thank you for the opportunity to comment on the DEIS. I strongly believe that ESD's proposed project is too large of a development for Belmont Park, and I urge ESD to scale it back. I care deeply about my community and my neighbors, and this project would significantly and adversely disrupt our quality of life. If you have any questions or concerns, please contact me via electronic mail at michael\_culotta@hotmail.com.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Culotta", written in a cursive style.

Michael L. Culotta

COMMENTS OF BELMONT TASK FORCE MEMBER  
KEVIN FLOOD  
MARCH 1, 2019

Kevin Flood

Village of Floral Park

DEIS Comments/Concerns

Summary:

It is my personal opinion that the DEIS put out by the ESD in relation to the Belmont Park Civic and Land Use Development is grossly deficient. It is my opinion that the ESD is acting in the best interest of the developer, while dismissing the needs and wants of the surrounding communities. The project that has been pushed forward, despite fierce criticism and objection, simply does not fit in or support the residential character of the surrounding communities. This project must be downsized and the DEIS must be scrapped and redone to truly study the detrimental impact this will have on our communities. I also request an additional comment period for the revised DEIS be conducted with the communities surrounding Belmont Park before this project can move forward.

Comments/Concerns:

1. Why was the below grade parking reduced from 2 levels to one level?
2. Has soil samples been taken from Parcel B testing for chemicals in the soil and where the results provided to the public to review?
3. Was petroleum or diesel fuel found in soil of Parcel B?
4. What was the use of Parcel B from 1905 to 1950?
5. What was the reason for incorporating the East Lot into the parking equation?
6. Why has the GPP been designed with the need to override TOH zoning ordinances?
7. Where will the underground distribution feeders run on the Belmont Park campus? A map of the route must be provided in the EIS.
8. Does any land used for the electrical feeders belong to the Village of Floral Park?
9. How close will the electrical feeders be to residential homes?
10. Please confirm that the electrical substation and its underground electrical feeders are being proposed to serve the Proposed project.
11. Will the Belmont Park road need to be reconstructed for the underground distribution feeders?
12. Is there a plan to illuminate Belmont Park road?
13. Will the Belmont Park road be used to accommodate any vehicular traffic or bus shuttles for the development?
14. What municipalities does the Belmont Park road traverse through (all portions)?
15. Did the 2008 planning study and community outreach establish outlet malls as a recommended use? If so, has the ESD recognized the downturn of retail from 10 years ago as well as the incredible growth of Amazon & online shopping and distribution? If that 2008 planning study was repeated today, would a retail outlet center be considered a recommended use?
16. Was the 2017 RFP solicitation intended to strengthen Belmont Park? If so, why does the DEIS claim that the proposed project will not induce growth or attendance to Belmont Park?



17. Why has ESD not provided the study and data used to selecting NYAP as the conditional designee? What were the reasons they were selected and what were the reasons the other bids were not selected? Please provide the study to support the selection.
18. Why did NYAP modify the original plan? The EIS mentions consultation with the community resulted in modification and placement changes for the originally submitted project plan. Specifically, did NYAP change the development of Parcel B due to community outreach or due to demands from a development partner/component? Did this modification results in the project footprint expansion into the North & East lot to accommodate parking?
19. What entity / agency decided to add an additional 7 acres for development on Parcel A? How was that acreage determined? Why was it not part of previous RFP's for the development site?
20. How was Ewing Cole aware of the additional 7 acres of Parcel A (disclosed in the July 2017 RFP) 7 months prior to the release of the RFP?
21. Does Ewing Cole act as a representative for NYRA in the RFP & project plan? Were they involved in any discussion during the Environmental review?
22. In the shared parking arrangement, will any of the North/East/South lots be resurfaced? How will these lots be drained? How are they currently drained?
23. Where exactly will the American Red Cross emergency trucks be relocated?
24. What will be the tallest element of the Hotel and will it be illuminated?
25. In What capacity will the conference center and ballroom facilities be used? What is the expected attendance at these facilities?
26. Is the community space centrally located in one location or spread out throughout the development? If so, how is that considered "community space"?
27. Can 400 spaces accommodate the parking requirements for the hotel? What are the parking requirements for the hotel, including conference and ballroom attendance as well as employees?
28. Can 40 spaces accommodate the parking requirements for the arena? What are the parking requirements for the arena?
29. Can 1,500 spaces accommodate the parking requirements for the outlet Mall? What are the parking requirements for the outlet mall?
30. Please describe the lighting in the North & East Lots, and how it is planned to mitigate its impact.
31. Will the lighting in the North & East Lots be angled away from homes and our school?
32. What will be the height of the lighting in the North & East Lots?
33. Can the lighting be turned off during off hours/non event nights in the North & East Lots?
34. Will trees be planted on the interior & perimeter of the lots to mitigate heat, light & noise pollution in the North & East Lots?
35. The lighting impacts of the North & East Lots must be addressed. Will a jersey wall be placed on the interior of the practice track to deflect light and noise pollution from residential homes?
36. We must be guaranteed a substantial 500 foot buffer of natural vegetation & mature dense trees, along with a 10 foot tall berm wall, in perpetuity, along the entire border of the West end of Floral Park. Starting at Plainfield Ave all the way to the FPBS with no gaps. This must be guaranteed in writing and never be removed.

37. Tailgating must continue to be not permitted at Belmont Park and must be strictly enforced, with substantial monetary fines paid to the VFP community if it is not.
38. A "no horn honking" rule must be in place within the Belmont Park campus, with substantial monetary fines paid to the VFP community if it is not.
39. What is "security staffing"? Will they be able to enforce the law?
40. Does this site present a new risk for terrorism, bomb threats, mass shootings in the community? If so, is this the type of threats that belong in a quiet residential neighborhood and bordering two schools? Will this project increase these threats in the surrounding communities?
41. Does the projects purpose and need enhance Belmont Park? If so, why does the DEIS state that it will have no impact on the success of Belmont Park?
42. Does the projects purpose and need not create adverse environmental impacts? If so, why does the DEIS state that it will have significant environmental impacts?
43. Does the projects purpose and need create lasting high quality jobs? If so, why does the DEIS state that it will create a majority of Part Time equivalent jobs? Will these jobs be able to sustain a family living in Western Nassau county or eastern queens? Do these jobs provide health care and retirement benefits? Provide data to support these claims.
44. Does the projects purpose and need benefit the surrounding communities? If so, why does the DEIS state that it does not expect additional growth outside the project sites?
45. Does the projects purpose and need benefit maximize sustainable practices? If so, why does the DEIS state that it expects to heat the facility with fracked gas and, per PSEG, the controversial Williams pipeline must move forward to accommodate this massive development?
46. Has the Belmont Park campus ever been submitted for potential historical preservation? If so, what was the date? Who submitted the request and did it have anything to do with the proposed project?
47. If the proposed project introduces major land use affecting the north , south and east lots, why does the DEIS only focus its EIS efforts of the original 43 acre site? Why is the North south & East lots considered secondary study areas?
48. Are the North South & east lots currently illuminated 365 days a year from dusk till dawn? If not, how does the DEIS justify that this will have no impact on community character when these lots are now proposed to be illuminated 365 days a year from dusk till dawn? In addition, how does the DEIS not study the impacts these lots will have on community character with their more frequent use?
49. Does intensification of land uses impact community character?
50. Why does the DEIS refer to the North & East lot as "overflow Parking"? Can the parking on the South lot, parking under the retail facility, and parking under the arena/hotel accommodate the parking needs for the Arena, Hotel & outlet mall? If not, then the need for the North & East lot is not for overflow parking, but for primary parking. Please explain why the term "overflow parking" is used to describe the North & East lots and clarify whether these lots are for primary parking.
51. The DEIS states the outlet mall will compliment, rather than compete with existing retail facilities in the area. Please provide data to support how it will compliment Green Acres Mall, Americana Mall, and Roosevelt Field.

52. Does any existing retail outlet or mall location, within the Long Island region, have any ownership in Value Retail PLC? Would this create a situation of competition with other existing outlet or mall operations within the Long Island area?
53. If the project does not conform to the current land use (residential) how does the DEIS & ESD justify such a project in this area? Using the racetrack grandstand as an example is circumventing the spirit of the land use. The grandstand and racetrack were in existence prior to these zoning laws. The current zoning laws and land use are to protect against this type of overdevelopment and 115 year old structures/properties should be used to justify the need.
54. Does the developer plan to use the Helipad located on the practice track to service the project development and future needs?
55. The DEIS states the underground electric feeders will extend west from the power station. How is this possible?
56. If one of the Elmont Vision plan goals was to provide a buffer between residents & Belmont Park facilities, why has the ESD not listened to the VFP community & provided a substantial buffer between Belmont Park & residents home & schools for the entire border length from Plainfield Ave to the FPBS?
57. The 2008 Updated Nassau County Master Plan calls for investment in infrastructure in transportation. Why does the ESD & DEIS not commit to a full time LIRR station from both West & East to service the project?
58. Please provide the detailed statement of justification under the Smart Growth Impact Statement, allowing this project to move forward without providing mobility through improved public transportation (LIRR) and without conducting community based planning & collaboration with the Village of Floral Park community. If ESD claims to have done this, why has the VFP community concerns not been addressed?
59. When the DEIS refers to "Noise" as potential impact under community Character, does that include light pollution?
60. The DEIS mentions shuttle buses from LIRR train stations. What stations do these shuttle buses intend to leave from? What bus service is intended to run these shuttles?
61. Why does the DEIS not address the community character of the areas immediately abutting the North & East lots?
62. What is the height of the proposed fencing between the North Lot & residences? What is the material and color? Will it be adequate to eliminate the light pollution? It has been requested a large designated, protected in perpetuity, buffer be placed between all residences and schools bordering Belmont Park from Plainfield avenue to the FPBS. Why has this not been incorporated in the DEIS?
63. The DEIS states the North, South & East lots would be used for parking along with the use of shuttle transportation. Where will these buses be stationed? How will they be powered?
64. The DEIS states the North, South & East lots would be used for parking. It then states that "both lots are anticipated to be properly illuminated, resurfaced & striped". How does the DEIS describe these three lots with the term "both"? Are only 2 going to be illuminated, resurfaced & striped? Please explain.

65. The DEIS states the North, South & East lots would be properly illuminated. Please describe in detail how these lots will be illuminated? How will these lights impact community character and light pollution?
66. Please confirm that the power station is for the proposed project and is not needed for the existing NYRA facility. If so, please indicate if the power station and its underground electrical feeders are a direct result of the proposed project.
67. Where exactly will the overhead power lines begin on the Belmont Park property? The DEIS is inconsistent in its description as to where the underground feeders will traverse. Will overhead lines be installed at the Plainfield Ave gate or deep within the Belmont campus? If they are within the Belmont campus, where will they be located? If overhead lines are to be located around the perimeter of the Belmont Park campus, does this mean the removal of trees will be done to accommodate & upkeep these new overhead lines? Why don't the lines extend to Plainfield ave directly through the North lot via underground feeders? What's is the reason for transitioning to overhead line within the Belmont campus and what is the reason for not running them directly to Plainfield through the Southern portion of the North Lot instead of the northern perimeter of the north lot?
68. The DEIS states the applicant proposed a vegetated buffer along the northern boundary of the North lot. Why would this same buffer not be provided to the residential homes bordering the North lot? Would this be efficient in blocking light pollution and the countless number of other disturbances to be expected to impact the community character of the West end of Floral Park?
69. The DEIS must study & consider the impacts on the community character of the West end of the village of Floral Park due to the projects development, use and changes to the north & east lots immediately bordering our residential homes.
70. What law enforcement will patrol the Belmont Park campus?
71. Why would the property owners not coordinate with the VFP police department to ensure safe and secure environment?
72. If the FFPD responds to calls on Belmont Park property, how would this impact the service of the residents of the VFP?
73. The DEIS states that tailgating is prohibited in all parking lots. How will this be enforced? Who will enforce this and what are the ramification of breaking this rule?
74. How does the DEIS define tailgating?
75. How will drainage be impacted with the pavement of the North & East lots?
76. Will the future noise levels of the North & East lot exceed the threshold recommended by NYSDEC? Has road rage & horn honking been included in this study?
77. Will the pavement of the north lot increase Cross Islander Parkway highway noise conditions in the West End of Floral Park?
78. How does the noise level prediction of a concert (NVMC) reflect the noise level prediction of a NYI hockey game where horn honking is excessive?
79. How does the attendance of a 14k seat arena (NVMC) reflect the attendance of a 19k seat arena for noise comparison? What was the number of patrons at the concert event on August 29, 2018 the DEIS studied?
80. Why is there not a no Retail Outlet mall alternative?

81. What prompted the alternative site plan? Why does it not have to go back to the selection committee for review?
82. When the developer states that the current project plan would better maximize economic potential, does that mean for the developers personal profits or the communities economic potential? If the surrounding community prefers the alternative site plan, does this take precedent over the developers "economic potential"?
83. The DEIS states that there a few unavoidable adverse impacts. Has the ESD studied downsizing the project to address these "unavoidable adverse impacts"? For example, removing the outlet mall from the development plans?
84. How is this project justified if, according to the DEIS, "the Proposed Project would not have the potential to induce development"?
85. How is this project justified if, according to the DEIS, "the Proposed Project is not expected to induce additional growth outside of the Project Sites"? Is this is a self contained Project only benefitting the developer?
86. The DEIS provided is so grossly deficient, it is requested it be redone and open for additional review and comment before this project can move any further.