

# Exhibit K



**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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## Prior Submissions at DEIS Hearings

Mayor Dominick Longobardi (January 8<sup>th</sup> Session)

Mayor Dominick Longobardi (January 10<sup>th</sup> Session)

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)

Village Clerk Susan Walsh (January 8<sup>th</sup> Session)

Village 4<sup>th</sup> Assistant Fire Chief James Dodson (January 10<sup>th</sup> Session)

Police Commissioner Stephen McAllister (January 8<sup>th</sup> Session)  
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 Marc Mullen (January 9<sup>th</sup> Session)  
Belmont Task Force Member Heather McClintock (January 9<sup>th</sup> Session)  
Belmont Task Force Member Jessica Alfonsi (January 9<sup>th</sup> Session)  
Belmont Task Force Member Jessica Alfonsi (January 10<sup>th</sup> Session)



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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,



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

NYSCEF DOC. NO. 12

RECEIVED NYSCEF: 09/09/2019

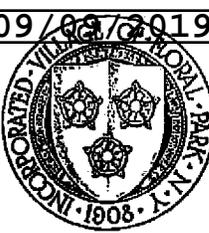
**MAYOR**  
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## Incorporated Village of Floral Park

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**POLICE COMMISSIONER**  
STEPHEN G. McALLISTER

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.

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,

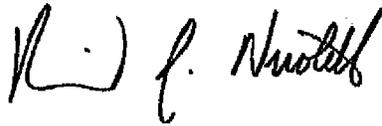
We have reviewed the letter dated January 29, 2019, from Village of Floral Park Mayor Dominick Longobardi, wherein the Village requests that Nassau County complete a full and independent traffic analysis of the Belmont Park Redevelopment Civic and Land Use Improvement Project ("Proposed Project"). We 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.

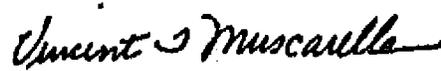
Additionally, it is the ESDC's massive Proposed Project and related undetailed DEIS that necessitate an independent traffic study. Had ESDC proposed a smaller project or merely provided traffic data that supports its conclusions, no additional traffic study would be requested of the County. Neither condition 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.

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

DOMINICK A LONGOBARDI  
NYSCEF DOC. NO. 12



- TRUSTEE  
KEVIN M FITZGERALD
- TRUSTEE  
DR LYNN POMBO NYO
- 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)

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?

- 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?





here. Nassau County needs additional staffing of either CPD, 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?

NYS CEFT DOC 1-2 here 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.

NYSCEF DOC NO. Appendix B2 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"

NYSCEF DOP 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.

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?

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."*

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.



- [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.]

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.

- 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?

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

**Chapter 17 Mitigation**

RECEIVED NYSCEF: 09/09/2019

[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?

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



**MAYOR**  
DOMINICK A. LONGOBARDI

**TRUSTEE**  
KEVIN M. FITZGERALD

**TRUSTEE**  
DR. LYNN POMBO NYO

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

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FRANK J. CHIARA

**VILLAGE ADMINISTRATOR**  
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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

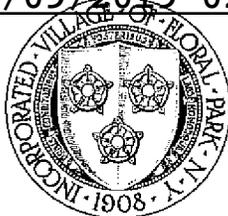
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March 1, 2019

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 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 is 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.

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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.

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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

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(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."

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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

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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:

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“[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.

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### **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

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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.

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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.

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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

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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.

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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,



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 lost 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.

PRIOR SUBMISSIONS AT DEIS HEARINGS

MAYOR DOMINICK LONGOBARDI  
JANUARY 8<sup>th</sup> SESSION

Inc. Village of Floral Park: Dominick A. Longobardi-Mayor

Comments Regarding Belmont Park Re-Development DEIS:

Belmont Park Redevelopment Hearings: January 8-10, 2019

Elmont Library, Elmont NY      Host: Empire State Development Corp

Good evening members of the Empire State Development Corporation. I want to thank you on behalf of the residents and business owners in the Incorporated Village of Floral Park for your time and consideration of our concerns regarding any proposed development at Belmont Park

Back on July 10, 2017, a listening session was hosted by members of the state legislature regarding proposed development at Belmont Park.

Many of you were in attendance. At that time I stated, "The Village of Floral Park will remain vigilant as the ESD develops and goes through its RFP process. We will work to ensure that the quality of life our residents have worked for is protected."

In addition, we stated that the Village has always advocated for a comprehensive plan for the future of Belmont Park to be crafted and utilized in order that any development that takes place is done so with the following criteria:

- Constructive input from all concerned parties.
- Solid pre-planning and thought processes to ensure all concerns and issues are addressed to satisfaction prior to approval of any plans.

The ESD process that went forward has allowed such input and I want to thank you for allowing this input and working with the Village to help address issues.

While this is all well and good; to date, some issues have been addressed, but, new, more detrimental issues to our Village have been raised. And, they have only been raised as a result of the ever-changing re-design of the project.

This project started out as "an 18,000 seat arena with stores, a hotel and some restaurants" all north of Hempstead Turnpike located on the property south of the grandstand of Belmont Park and parking on the lot south of Hempstead Turnpike.

Today, This project has spread out to encompass retail stores on the south side of Hempstead Turnpike where parking was supposed to go, use of parking lots adjacent to schools and homes that originally and expressly said were not going to be used, absolutely no infrastructure improvements to the main arteries of Hempstead Turnpike and the Cross Island Parkway, two LIRR trains for events instead of a full service train station that project participants said was essential to moving forward with the project.

What does this do? It creates the following issues, not only for the Village of Floral Park, but, its neighbors in the surrounding communities of Bellerose, Bellerose Terrace, Queens Village, South Floral Park and, of course, Elmont.

- **TRAFFIC:** The increase in daily traffic that will be heading toward this destination will be re-routed through all of the above communities as the lack of infrastructure improvements only causes drivers to explore other options. Truck traffic for deliveries during construction and beyond will cause major decomposition to secondary and tertiary roadways as these are the only options for travel to the facility. First responder response times, inability to access routes to homes and businesses for residents and patrons. The list goes on and on.

And, as an aside, as for ESD's plan to get people to change their driving habits.....It is better that I leave my comments unsaid.

- **PARKING**: Several issues arise by the aspects of the draft plan. The first is the use of the North and East parking lots adjacent to the Floral Park-Bellerose Grammar School and the borders of the Village of Floral Park. Verbal discussions of a natural barrier or berm to help alleviate the detrimental effects of the noise, light and air pollution that will occur with the development of these lots is a good first step. However, the lack of any detail or plan in the DEIS can only lead one to believe that these detrimental effects may not be addressed and will become actual ways of life for our school children and the residents bordering Belmont Park.

Another issue regarding parking is the use of on-street parking in surrounding communities to avoid parking fees at events. It's the nature of individuals that this happens. This will cause traffic, safety and other issues throughout the local communities. Other parking issues are prevalent as well.

- **LIRR TRAIN STATION**: A full service, full time train station was an integral part of the development of the Arena project at the outset. The developers were pretty adamant that this project would not work without it. Obviously this isn't going to happen.

The lack of train access at the facility would cause other options to be explored. The Floral Park and Bellerose train stations could become hubs for attendees, cause serious increases in traffic, use of car service, safety concerns for our Village and surrounding roads and through our residential areas and harmful issues for our residents.

While these are major issues and my comments only brush the surface, the Village will be submitting detailed comments to the DEIS and we fully expect those comments to be given your full attention and responses. Again, the size and expanse of this project has created more issues than the initial project proposed.

Tonight, I simply ask you to listen to the many concerns that will be expressed by our residents and business owners both here over the next few days and in writing to be submitted later.

Tonight, I ask you to understand that we are not opposing development. And, we are certainly not opposing the NY Islanders Hockey Team. The Islanders will be a tenant for 40+ nights along with the other tenants on other nights.

I ask you to understand what we understand. This is a development project being done by Governor Cuomo and New York State through the Empire State Development Corp. All of whom are responsible to the taxpayers of this Great State. It's not about where the Islanders will have their home. It is about the use of NY State land that belongs to each and every one of us here in this room.

And as you, the ESD, are responsible to ensure a good process, what I do ask you to absolutely understand is what I stated at the top of this statement, "We will work to ensure that the quality of life our residents in Floral Park and our neighbors in other communities have worked for and are entitled to, is absolutely protected."

Thank You.

PRIOR SUBMISSIONS AT DEIS HEARINGS

MAYOR DOMINICK LONGOBARDI  
JANUARY 10<sup>th</sup> SESSION

Inc. Village of Floral Park: Dominick A. Longobardi - Mayor

Comments Regarding Belmont Park Re-Development DEIS:

Belmont Park Redevelopment Listening Session: January 10, 2019

Elmont Library, Elmont NY Host: Empire State Development Corp

Good evening members of the Empire State Development Corporation.

I wanted to take this opportunity to thank you for hearing our many residents and the issues they raised over the last few days.

I ask your indulgence as I take a step back and review some highlights since this process began. As soon as this development project was first announced by Governor Cuomo, we invited members of the project team to tour our wonderful Village of Floral Park and its relationship with Belmont. We were blessed to have Holly, Marion, Dwight, Mr. John Ledecy, Zac, Anne and others join Gerry, Kevin, Commissioner McAllister and myself to tour Our Great Village and Belmont Park

It was about 4:00 on a very rainy afternoon. Commissioner McAllister drove the van and we rode around the West End of Floral Park looking at our homes and Floral Park Bellerose School and our border with Belmont Park. We took a ride inside the Belmont property by the East lot, through the North Lot and around to the then proposed project area. We saw the Cross Island Parkway, the Belmont Train Station, Hempstead Turnpike, Plainfield and Tulip Avenues, the Floral Park Recreation Center and the Floral Park and Bellerose Train Stations.

We discussed how the project may be good for all of the surrounding communities if we could generate business in the local areas.

However, we also discussed issues relating to the proximity of houses and school children to the fences at Belmont, the traffic on all of the roadways and how it might affect access to the events at the new arena. How traffic could cause major issues for residents and business owners in accessing their homes and businesses and cause problems for emergency response vehicles. We discussed how the train stations might become a hub without a full-time train station at Belmont. We talked about how we did not want the north lot being used. As an aside, at that time, use of the East lot wasn't even a thought. So please don't dare say the project hasn't expanded from its inception.

As the project evolved, issues such as the height and placement of the hotel and the location of an electrical sub-station were resolved. Open communication has been afforded to our Village and is appreciated. However, the issues of safety, traffic, use of the parking lots adjacent to our homes and schools, and all the others that have been raised since that day and over these past three days by the many concerned and caring residents who will have to live with the ramifications of the project are the same issues that were discussed in the van on the very day of the tour. Obviously, nothing has been done to address these issues and, in fact, they have only been exacerbated by the expansion of the use of more land at Belmont Park for this project.

This is a land development project. It is not about the NY Islanders. In fact, let me state again, the Village of Floral Park is not against development at Belmont or the NY Islanders Hockey Team.

But I will say this. Governor Cuomo does not own Belmont Park. The taxpayers of the State of NY own Belmont Park. And you, the Empire State Development Corp. have a responsibility to those taxpayers. This is your development project and it should not be done at the peril and cost of the quality of life of those who call the surrounding

communities home. I urge you to go back and redo this DEIS and address the issues raised by the wonderful, caring people in Floral Park and all of the surrounding communities. And please, as you do so, absolutely remember it is those people you work for.

PRIOR SUBMISSIONS AT DEIS HEARINGS

DEPUTY MAYOR KEVIN FITZGERALD

JANUARY 8<sup>th</sup> SESSION

**Kevin M Fitzgerald**  
**Deputy Mayor**  
**Inc Village of Floral Park**  
**January 8, 2019**

Good afternoon, I am Kevin Fitzgerald Deputy Mayor of the Inc Village of Floral Park which shares an extensive and century old neighborly border with beautiful Belmont Park. Thank you for allowing me and our residents to comment on this potentially significant intrusion in our daily lives. Over the past decade there have been a number of suggested uses for the some of the most valuable land and last vast open space left in eastern Queens and Western Nassau County. During these hearings you will hear from my fellow village officials and many residents about our major concerns and impacts that this proposed project will have. This evening I would like to focus on one topic – the impact of the proposed development on Community Character as set forth in Chapter 2.

- The DEIS states and describes in detail (starting on page 2-17) the Zoning uses in the surrounding communities including the Village of Floral Park. The DEIS acknowledges in Chapter 2 that most of the surrounding communities are predominately single detached one or two family homes which have specific requirements on items such as maximum height, minimum lot size, minimum side yards, minimum rear yard setbacks, etc which are a hallmark of a suburban community. The proposal, as presented, would insert buildings that not only do not conform to such standards but grossly do not conform the buildings and lots sizes with the surrounding communities as set forth by their zoning codes and laws especially those of the Inc. Village of Floral Park.
- The DEIS acknowledges (page 2-7) that in Floral Park there is “minimal commercial development.” Most if not all of the commercial properties in Floral Park are “ground level stores with residential uses above” (page2-9). These stores typically cater to our residents every day needs. The proposal, as presented, would insert 325,000 gross square footage for destination retail which would look to draw patrons into a concentrated area and with the vast majority of such patrons from outside the communities which surround it. This is out of a character with a suburban community such as Floral Park as the newly formed commercial area will not be for the benefit or service a daily need of the residents of Floral Park

As the DEIS states that the proposed project will require a Proposed General Project Plan or GPP, I strongly urge the ESD Board to closely examine all aspects of the impacts and potential changes

that the existing proposal will have on the suburban nature of the communities. Most suburban communities are based on Zoning Codes such as Floral Park's own code as well as that of the Town of Hempstead. It is important to note that the DEIS acknowledges (page 2-25) that the communities within Nassau County are all quintessentially suburban and composed of predominantly two-story, single-family residences on moderately sized lots" inclusive of Floral Park being characterized "by its small town feel" To summarily dismiss the decades of work that went into creating the suburbs which were and still an attraction for residents to live and raise their families would be a disservice to, not only, the existing and future residents but our predecessors vision for the future.

Zoning as laid out in Chapter 2 is just one of many specific concerns that I have and I look forward to working with my colleagues on the Village Board along with Belmont Task Force in which we will collectively submit the necessary additional questions and areas of concern for all 21 chapters of the DEIS

In closing, I respectfully ask that this proposed project be significantly scaled back as it will significantly and permanently alter the suburban character of Floral Park. Additionally I would ask that the ESD that all of our residents concerns are reviewed, thoroughly analyzed and alternatives suggested so that any successful development at beautiful Belmont Park also ensures that the Inc Village of Floral Park does not negatively impacted but helps continue the 110 year tradition of always improving our suburban home, Floral Park

Thank You

PRIOR SUBMISSIONS AT DEIS HEARINGS

DEPUTY MAYOR KEVIN FITZGERALD  
JANUARY 10<sup>th</sup> SESSION

**Kevin M Fitzgerald**

**Deputy Mayor**

**Inc Village of Floral Park**

**January 10, 2019**

Good evening, I am Kevin Fitzgerald Deputy Mayor of the Inc Village of Floral Park which shares an extensive and century old neighborly border with beautiful Belmont Park. Thank you for allowing me and my fellow residents to comment on this potentially significant intrusion in our daily lives. During these hearings you have heard from my fellow village officials and many residents about our major concerns and the impacts that this proposed project will have on our daily lives. I do appreciate the members of the ESD and the developers sitting here and witnessing the passion, sincerity and commitment that the residents have for their community as well as the surrounding communities. However and please correct me if I am wrong, but no members of the ESD Board, have attended these meetings. That is disappointing as they are the people who actually will vote on what the project ultimately will be and as I personally asked them at the December 6 ESD Board meeting to come and listen so that they can witness firsthand the aforementioned passion we all have for our Village.

The other night we submitted 901 letters signed by our residents asking that the project be scaled back due to each of the following:

- So that the retail village as proposed will be eliminated
  - So that use of the North and East Lots will not be required.
  - So that the amount of additional traffic that will need to transverse Floral Park will not be a measureable increase from the existing substantial volume.
- and
- That a full time, year-round train station shall be constructed and operational at Belmont PRIOR to commencement of events at an arena

I will be submit another **676** letters from our residents requesting the project be scaled down. As of tonight that will be **1577** total letters signed and submitted this week by our residents

In closing, I look forward to working with my colleagues on the Village Board along with Belmont Task Force to collectively submit in writing the necessary additional questions and areas of concern that need to be addressed for all **21** chapters of the DEIS. Additionally I would respectfully ask the ESD including its Board that all of our residents concerns are reviewed, thoroughly analyzed and alternatives suggested so that any successful development at beautiful Belmont Park also ensures that the Village of Floral Park is not negatively impacted and helps continue our 110 year tradition of always improving our suburban home, Floral Park

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE DR. LYNN POMBONYO  
JANUARY 8<sup>th</sup> SESSION

**Belmont Park Redevelopment Project – DEIS Public Hearing  
1/8/19**

Speaker: Dr. Lynn Pombonyo, Trustee  
Inc. Village of Floral Park, 1 Floral Blvd., P.O. Box 27, Floral Park, NY 11002  
[lpombonyo@fpvillage.org](mailto:lpombonyo@fpvillage.org)

Thank you, and good evening. I am speaking to you as a resident and Trustee of the Village of Floral Park. In my role as Trustee, I am also proud to be the Commissioner of the Floral Park Fire Department.

Tonight, I wish to address two areas of major concern in the Belmont Park Redevelopment Civic and Land Use Improvement Project DEIS: Chapters 11 and 17: Transportation and Mitigation.

In Chapter 11, on page 72, only two paragraphs are devoted to “Effect On Emergency Vehicle Response Times.” The DEIS states, “The Proposed Project would result in increased traffic volumes and delays at intersection movements in the local street network during the peak hours analyzed and could potentially slow down emergency vehicle response times... Furthermore, emergency vehicles such as police cars, fire trucks, and ambulances can maneuver around and through congested areas when responding to emergencies because they are not bound by standard traffic controls.” The DEIS conclusion, “no significant effect on emergency vehicle response times.” This conclusion is erroneous, and based on serious misconceptions. Our Village and other surrounding communities’ fire and rescue trucks absolutely cannot “maneuver around and through” busy intersections connecting two-lane thoroughfares, with one lane of traffic in each direction, alongside necessary curbside parallel parking. There simply is no room. And Floral Park’s Fire Department of well over 100 volunteer firefighters cannot “maneuver around and through” or ignore standard traffic controls as they must first drive their own cars to the firehouses and then begin all over again, driving and riding in the fire vehicles through that very same “increased traffic volume and delays” to get to the scene. These emergency response times will increase in cases of mutual aid fires. We all know that seconds count. How many have times have our highly skilled and heroic first responders successfully rescued the public from burning and smoky buildings, administered life saving measures, and minimized property damage because their response was immediate, and their firefighting procedures and medical treatment were flawless?

To another point, the DEIS, Chapter 17 presents proposed mitigation measures for Transportation impacts which do not address Emergency Vehicle Response Times. For example, the limitations of the Cross Island Parkway (CIP) and their impact on Emergency Vehicle Response Times. First, the increased numbers of trucks for deliveries and buses, which are being planned to transport Belmont patrons to and from other communities and LIRR stations in different areas, are not permitted on the CIP, and would be forced to travel on the smaller, secondary roads surrounding Belmont, adding to congestion and gridlock on Plainfield, Tulip and Carnation Avenues in Floral Park and numerous others in the surrounding communities. Secondly, to mitigate what is called “background traffic” on the CIP (in other words, traffic heading to destinations other than Belmont or the traffic that we see now, which is heavy at best and at a standstill, at worst), the DEIS, p. 17/14 proposes “diversionary signage” on the CIP advising motorists to “Plan Alternate Routes.” Those alternate routes would undoubtedly take motorists through Floral Park and the other surrounding communities as navigation apps like Waze direct them to the shortest routes. The resulting impact, increased Emergency Vehicle Response Times.

We urge Empire State Development to work closely with our local fire, emergency and police agencies, scale down the magnitude of this project, and ensure that seconds will count in the final EIS. Thank you.

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE DR. LYNN POMBONYO  
JANUARY 9<sup>th</sup> SESSION

**Belmont Park Redevelopment Project – DEIS Public Hearing  
1/9/19**

Speaker: Dr. Lynn Pombonyo, Trustee  
Inc. Village of Floral Park, 1 Floral Blvd., P.O. Box 27, Floral Park, NY 11002  
[lpombonyo@fpvillage.org](mailto:lpombonyo@fpvillage.org)

Good afternoon. My name is Lynn Pombonyo, and I'm speaking as a resident and Trustee of the Village of Floral Park.

At Tuesday evening's public hearing, I spoke about the Proposed Project's "Effect On Emergency Vehicle Response Times" and the erroneous DEIS conclusion that the Proposed Project will have no significant effect on emergency response times. This is based on the false premise that emergency vehicles can "maneuver around and through congested areas when responding to emergencies because they are not bound by standard traffic controls" (DEIS p. 11-72). Last night, Floral Park Ex-Chief of Department Joseph O'Grady and I emphasized that, on our communities' narrow two-lane streets (with one lane in each direction), nothing could be further from the truth. For both volunteer firefighters responding in firetrucks and others driving in cars to the firehouses, there is no room for them to "maneuver around and through" congested traffic, completely ignoring traffic controls. So there will indeed be a "significant adverse impact" on emergency vehicle response times.

It is uninformed reasoning and erroneous conclusions such as this that were reported by speaker after speaker at Tuesday night's hearing. This has led to a tremendous lack of confidence in the research, studies (especially those relating to Transportation), and the conclusions in the DEIS.

Tuesday night's hearing was far different from all the public hearings I have attended relating to proposed projects for Belmont, the LIRR, and other initiatives, dating back to 2005 when I was the Floral Park-Bellerose School District Superintendent of Schools. Last night, speaker after speaker, including expert attorneys and engineers, criticized the inadequacy and deficiencies of the DEIS, in particular, with regard to the Transportation studies and mitigation relating to the Cross Island Parkway and the necessary, fully functioning LIRR station at Belmont. Ironically, the DEIS calls for "diversionary signage" (p. 17-14), Cross Island Parkway signs that will tell motorists to "Plan Alternate Routes." That mitigation measure directs even more traffic into the surrounding communities which, ironically, is one of the "significant adverse impacts" of the Proposed Project in the first place.

A statutory DEIS that is so lacking in the requirements of what must be included in the DEIS is not acceptable. The final EIS must demonstrate true mitigation of the many "significant adverse impacts" of this Proposed Project, especially in the area of Transportation with respect to the Cross Island Parkway, local communities, and LIRR station before the Proposed Project commences. And 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.

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE DR. LYNN POMBONYO  
JANUARY 10<sup>th</sup> SESSION

**Belmont Park Redevelopment Project – DEIS Public Hearing  
1/10/19**

Speaker: Dr. Lynn Pombonyo, Trustee  
Inc. Village of Floral Park, 1 Floral Blvd., P.O. Box 27, Floral Park, NY 11002  
[lpombonyo@fpvillage.org](mailto:lpombonyo@fpvillage.org)

Good evening. I'm Lynn Pombonyo, a Trustee of the Village of Floral Park.

The Village of Floral Park has retained the law firm of Beveridge & Diamond PC in New York City for the duration of the Belmont Park Redevelopment Project. On October 3, 2018, Michael G. Murphy, Attorney and Principal of Beveridge & Diamond, submitted several extensive Freedom of Information Law (FOIL) requests to Empire State Development's Records Access Officer. These requests encompassed any and all records relating, but not limited, to the Proposed Project, studies and data relating to traffic, parking, the use of the North Lot, the prohibited use of the Plainfield Avenue exit, the LIRR Belmont station, related correspondence, and numerous others necessary for the Village, our attorneys and engineering consultants, and others to conduct thorough analyses of the details missing in the DEIS, and prepare a fully informed response. These details and analyses are critical, given the Proposed Project's "significant adverse impacts" on our Village.

Written acknowledgements of our FOIL requests were received from Empire State Development (ESD) on October 12, November 9, and December 26, 2018. The October 12<sup>th</sup> communication from ESD indicated that the Village would be notified of the results of the search for the requested documents within the statutory twenty days. No documents were received and, instead, the Village was repeatedly informed that the FOIL requests were under review.

On January 4, 2019, Mr. Murphy from Beveridge & Diamond wrote the following to Mr. Howard Zemsky, President and CEO at ESD:

I write to express the Village's utter exasperation with ESD's continued failure to provide access to documents legitimately requested by the Village pursuant to Freedom of Information Law, and clearly within the possession of ESD. The continued failure of ESD to provide the requested documents...has made it virtually impossible for the Village to properly assess the DEIS issued by ESD for the Project in the time allotted to do so. As a result, we request your immediate intervention into this matter to ensure that the documents requested by the Village are provided without further delay, and that the Village's time to provide written comments on the DEIS be extended to at least March 8, 2019 in consideration of the lengthy delays involved in providing the requested documents.

On January 9, 2019, which was yesterday, Floral Park Mayor Dominick Longobardi received a zip drive. The zip drive contained copies of the yet-to-be-reviewed documents. It's quite obvious to all that there was absolutely no time for Village officials, Beveridge & Diamond, NV5 Technical Engineering & Consulting, or others to even read the documents, much less analyze them and prepare responses for these four important public hearing sessions.

This is absolutely unacceptable to the Village of Floral Park and all our stakeholders. We are reiterating Mr. Murphy's position that the period for written comments on the DEIS be extended to at least March 8, 2019 so that Floral Park can respond to all the facts regarding this Project. I am submitting Mr. Murphy's January 4, 2019 correspondence to ESD and the related attachments for the record. Thank you.

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE ARCHIE CHENG, ESQ.  
JANUARY 8<sup>th</sup> SESSION

**Good evening, I am Archie Cheng, a Trustee of the Village of Floral Park which shares a border with Belmont Park.**

**Floral Park and Belmont Park are great neighbors. Our village is proud of our proximity to Belmont and of course, The Belmont Stakes Race. Every year, our Village reaps the benefits of numerous patrons of the Belmont Stakes in our restaurants and local retail shops. Our Village is so enamored with the Belmont Stakes that the day after the race, we have a street fair closing our main thoroughfare, Tulip Avenue, for a great celebration. But, there is more to this story.**

**On Belmont Stakes day, attendance is approximately 50 to 90 thousand and the traffic in our Village is so bad that we have to turn Plainfield Ave., a two lane road with one northbound and one southbound lane into a two lane one way northbound street. All traffic is diverted north on Carnation Avenue for cars heading west or north on Plainfield to Jericho Turnpike for all cars heading east. It takes about 4-5 hours for traffic on Plainfield to empty.**

**Floral Park is truly blessed with an outstanding police department that protects our residents, responds to every call for medical and fire emergencies and traffic accidents. On most shifts, a complement of 5-6 police personnel make up our police coverage. On Belmont Stakes Day, the Village adds 20 additional police personnel at an overtime cost of approx. \$24,000.00. The Floral Park Village taxpayer subsidizes this expense. But this is only one day.**

**I am aware that the DEIS states that “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 site access to the Proposed Project”. That**

of course could change, it is only a proposal. Also, inasmuch as the unmitigated impact caused by the project on the Cross Island Parkway will result in massive traffic jams, drivers will find their way onto our residential streets. With the potential for 19 to 40 thousand visitors to the project 50 to 200 days a year, how much money will Floral Park taxpayers have to pay for increased Police protection? Even at half the overtime cost of Belmont Stakes Day for only 100 events it would cost our taxpayers close to \$1,200,000 or 5% of the money we currently raise in taxes. So much for the 2% Tax Cap. We are not reimbursed for any expenditures on Belmont Stakes Day and the DEIS does not mention any mitigation for the cost of any additional police overtime.

On the other hand, Nassau County will receive additional sales tax revenue and an entertainment tax of \$1.50 per patron at the arena or \$28,500.00 for a sold out event to reimburse the Nassau County taxpayer for Nassau County Police and other services. ESD will receive PILOT payments of \$5,000 to \$10,000 per event, and an amount equivalent to the actual real estate taxes subject to a ten to twenty year abatement period on the improvements phased in on a straight line basis with fixed per annum incremental rate increases to reach full tax equivalency and subject to subsequent assessments and special assessments.

In closing, I respectfully ask that this proposed project be significantly scaled back as it will significantly and permanently affect our residents property tax liability. Additionally I would ask the ESD that all of our resident's concerns are reviewed, thoroughly analyzed and alternatives suggested so that any successful development at beautiful Belmont Park also ensures that the

**Inc. Village of Floral Park is not financially impacted.**

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE ARCHIE CHENG, ESQ.  
JANUARY 10<sup>th</sup> SESSION

**Good Evening**

**My name is Archie Cheng and I am a Trustee for the Village of Floral Park and a past Trustee of the FPBSD and the Sewanhaka Central HS District for over 17 years.**

**The DEIS indicates that 3,000 parking spaces would be utilized for the Project in the North Lot. In a footnote the DEIS states that 150 spaces will be reserved in the North Lot for rideshare vehicles. The North Lot abuts the playground on the grounds of the Floral Park-Bellerose School. A 1000 foot long open chain link fence separates the playground from the North Lot. Over 900 students use the playground daily and many more children use the playground for athletic practices and games in the evening during daylight savings time, the time when evening events occur. The potential for 3000 strangers and 150 unknown Uber or Lyft drivers having close proximity and a clear line of sight to these children is something that cannot happen.**

**I don't believe it is necessary to recite the number of mass shootings that have occurred in the past years nor the number of sexual predators that are out there. Our schools have taken extra steps to harden entrances, restrict entry and accept school resource police officers in the buildings. Our Police Department has carried out on premises drills to safeguard against intruders. But, there is no way to safeguard an open field against harm, injury or death to our children. Yet, their safety is in our charge.**

**The DEIS indicates that with all proposed Project Lots open there are 8252 parking spots. On a Saturday midday event, 5,511 spots would be utilized leaving 2,700 unused spots and if there was racing, 2030 more spots would be used for the Belmont track leaving 561 parking spots not utilized. On weekday and Saturday evening events without racing, between 6530 and 6846 spots would be utilized leaving between 1250 to 1570 spots not used.**

**With that many unused spots, the use of the North Lot could at the very least be diminished or completely eliminated for non-sold out events and a wide buffer established where the 561 unused spots were going to be placed.**

PRIOR SUBMISSIONS AT DEIS HEARINGS

TRUSTEE FRANK CHIARA  
JANUARY 9<sup>th</sup> SESSION

Good Evening, I am Frank Chiara, a Trustee of the Village of Floral Park who resides in the West End of the Village. Our West End community is directly behind Belmont Race Track and will be significantly impacted by this proposed project.

Once a year we share in the excitement of the Belmont Stakes and participate in a street fair coordinated with NYRA and our business community. The day comes with some challenges: increased traffic, increased visitors, security concerns but the community has come accustom to this annual event. Some of us enjoy the day; other can't wait till it is over. The point being, it is once a year event not a daily occurrence that this project will bring.

This project, as presented, states that there will now be up to 200 events a year at the arena, 75% which will occur at night. The retail facility will operate both day and night not to mention daytime and possible nighttime horse racing. This is a tremendous difference from a single annual event.

NYRA is also considering making improvements to its facility and the proposal states that this action is separate and apart from your project. Doesn't sound like a coordinated effort. Even with your current plans, which you state, "are currently being evaluated and review", the overall size and magnitude of this project has grown so big that it will drastically negatively affect the surrounding communities. Our local roads, highways and infrastructure will not be able to handle the volume of vehicles and visitors that project hopes to attract.

The way this massive project is currently presented, it will definitely affect Our Floral Park Bellerose School. This school is in the West End, 400 ft. from the North Lot. Even if 75% of

the events occur at night, what times will they start and what time will the patrons start arrive? Our schools ability to hold school events will be disturb by the noise, traffic, lighting coming from the facility. The proposal states that the North Lot will be come more active, again, 400 feet from our school, and could contain small ticket booths. The proposed vegetation buffer will do nothing to stop the noise and distractions these facilities will cause to our school.

I am requesting that this proposed project be reevaluated and at minimum be drastically reduced. Strong consideration should be given to the negative impact it will have, not only to our Village of Floral Park and but also to all our neighboring communities.

I urge you to press the pause button until a better-planned project can be put in place. A project that will have a positive impact on all the surrounding communities that it will affect.

Thank You,  
Frank J Chiara  
Trustee, Village of Floral Park

PRIOR SUBMISSIONS AT DEIS HEARINGS  
VILLAGE ADMINISTRATOR GERARD BAMBRICK  
JANUARY 8<sup>th</sup> SESSION

**Inc. Village of Floral Park: Gerard M Bambrick – Village Administrator**

**Comments Regarding Belmont Park Re-Development DEIS:**

**Belmont Park Redevelopment Hearings: January 8, 2019**

**Elmont Library, Elmont NY**

**Host: Empire State Development Corp**

Good evening. My name is Gerard Bambrick. I am the Village Administrator for the Village of Floral Park.

Floral Park has its own unique character. Although Floral Park is within thirty minutes from Manhattan, Floral Park has managed to keep a small town feel.

I mention this not to imply that Floral Park is opposed to any and all development at Belmont Park. To the contrary, for at least a decade Floral Park has clearly and publicly advocated for a Master Plan for the development of Belmont Park that preserves and enhances Belmont Park's reputation as the premier horse racing destination in the United

States, while also preserving and enhancing the character and quality of life of the communities that surround Belmont Park.

However, because of the massive size and scope of the proposed development as set forth in the DEIS, it is clear that the character of the communities surrounding Belmont, including Floral Park, will not be preserved or enhanced by this project as proposed by the DEIS.

The DEIS acknowledges that there are unavoidable adverse impacts from this project and specifically acknowledges the adverse impacts that will result from increased traffic.

The DEIS attempts to justify proceeding with this project by asserting that the purported benefits of this project outweigh the unavoidable adverse impacts.

However, this attempt to project a favorable outcome for this balancing of the purported benefits against the very real detriments of this project falls apart under the slightest scrutiny of the DEIS for two very simple reasons: First, the DEIS's description of the unavoidable adverse impacts is grossly under-weighted. Many others, including the Village's traffic expert (NV5), will demonstrate that the DEIS does not

begin to reveal the truly devastating impact that the traffic generated by this proposed project will have on the suburban character of the communities surrounding Belmont, including Floral Park.

The second reason the DEIS balancing of benefits and detriments falls apart is because the purported benefits of the project are greatly overstated.

Just one example of the overstated benefits is contained in Chapter 2 of the DEIS – Land Use, Zoning and Community Character, which attempts to portray this proposed project as furthering the goals of the 1998 Nassau County Master Plan. However, the development principles and goals set forth in the 1998 Nassau County Master Plan do not lend support to this project.

Several years ago, I had the privilege of serving as the Vice Chairman of the Nassau County Planning Commission, and, in 1998, I was a Planning Commission member when the Nassau County Master Plan was adopted by the Planning Commission.

The DEIS (at p 2-13) tries to bootstrap support for this project from the fact that the 1998 Nassau County Master Plan listed Belmont as an “underutilized property” that could potentially be redeveloped.

However, the redevelopment that the Nassau County Master Plan identified as a potential at Belmont was redevelopment as new housing and mixed uses (Nassau County Master Plan at II-10). Mixed use residential redevelopment is entirely consistent with the existing Town of Hempstead Zoning for this property, which provides for a business development for a 100 foot depth along Hempstead Turnpike and then 6000 square foot residential parcels beyond that. That intensity of development under the Town of Hempstead Zoning provisions is nowhere near the excessive over intensive development proposed by this project.

However, and perhaps much more significantly, nowhere in the Nassau County Master Plan is it suggested that Belmont, or any other underutilized property, should be redeveloped as a shopping mall. A stated overarching goal of the 1998 Master Plan was to foster, protect and revitalize the small local downtowns, referred to as “centers” in the

1998 Master Plan. Both Floral Park and Elmont are identified in the 1998 Nassau County Master Plan as having centers that the Master Plan sought to foster and protect (Nassau County Master Plan Map). The Nassau County Master Plan states “the concept of centers is an integral component of this Comprehensive Plan since it focuses attention on restoring vitality and maintaining the diversity of uses in downtowns” (NC MP II-3). In fact, the 1998 Nassau County Master Plan specifically identifies shopping malls as impacting downtowns and centers throughout the County (NC MP VI-13). In cautioning against shopping malls and their negative impact on local downtowns, the 1998 Master Plan warns: “Today, the limitations of automobile dependent land use patterns are all too clear” and points to the traffic congestion caused by such use (NC MP IV-1).

Consequently, the ESD cannot plausibly claim that the 1998 Nassau County Master Plan supports this proposal to place an automobile dependent shopping mall at Belmont.

In fact, the Nassau County Master Plan refutes the unsupported assertion in the DEIS that somehow this project will benefit local

downtowns. The Nassau County Master Plan acknowledges what history has shown: automobile dependent malls as proposed here, are a threat to the small downtowns and centers like the downtowns in Floral Park and Elmont.

This project needs to be significantly scaled back in order to protect the suburban character of the communities that surround Belmont, including Floral Park.

PRIOR SUBMISSIONS AT DEIS HEARINGS  
VILLAGE ADMINISTRATOR GERARD BAMBRICK  
JANUARY 9<sup>th</sup> SESSION

Inc. Village of Floral Park: Gerard M Bambrick – Village Administrator

Comments Regarding Belmont Park Re-Development DEIS:

Belmont Park Redevelopment Hearings: January 9, 2019

Elmont Library, Elmont NY

Host: Empire State Development Corp

Comments: 2/9/19

Good evening. My name is Gerard Bambrick. I am the Village Administrator for the Village of Floral Park.

The DEIS makes clear that as part of this project, the ESD will override the restrictions and protections afforded by the Town of Hempstead Zoning Ordinances.

The Town of Hempstead zoning restrictions ensure that property can be developed, but not overdeveloped.

By overriding the Town of Hempstead zoning the ESD will be authorizing development that that is 100 times more dense than currently

permitted. It is clear the local roads and infrastructure cannot handle the level of development proposed.

I know that the Urban Development Act authorizes the ESD to override local zoning – but there are certain restrictions on that ability.

One restriction is that the override can only come: (i) “After consultation with local officials, and (ii) the override should only be authorized by ESD after it determines that compliance with the local zoning is not “feasible or practicable.”

Based on those criteria, I have some questions that we need to have answers to:

(i) What local officials were consulted to make the determination that compliance with the Town of Hempstead zoning laws are not feasible or practicable?

(ii) Has ESD performed any studies to determine that development at Belmont can not be accomplished while still complying with the TOH zoning rules?

(iii) Most importantly- why can't this project be reduced in size and scope so that this project can at least be much more in conformity

with the development intensities permitted by the TOH zoning ordinance. In other words, why can't ESD scale this project back to be as close as practicable to the development intensities permitted by the TOH Zoning Code.

Before the ESD completely ignores and brushes aside the laws that are designed to protect us, we deserve a thorough explanation.

PRIOR SUBMISSIONS AT DEIS HEARINGS

VILLAGE CLERK SUSAN WALSH  
JANUARY 8<sup>th</sup> SESSION

Susan E. Walsh  
113 Aspen Street  
Floral Park, NY 11001  
[swalsh@fpvillage.org](mailto:swalsh@fpvillage.org)  
[squigley113@gmail.com](mailto:squigley113@gmail.com)

DATE: January 22, 2019

TO: Empire State Development  
Atten: Mr. Michael Avolio  
633 Third Avenue, 37th Floor  
New York, NY 10017

SUBJECT: Belmont Park Redevelopment Project

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I am writing this letter to you regarding the recently published DEIS for the Belmont Park Redevelopment Project.

I am the Village Clerk of the Inc. Village of Floral Park as well as a fifty-year resident. I attended all the evening public hearings to hear your presentation and the comments made by residents and the surrounding communities. Most of the comments made by all the affected communities had one common denominator – the over development of Belmont Park without addressing the obvious flaws noted in the DEIS.

The DEIS does not address, with a feasible solution, on the impacts it would have on elementary and high schools, residential homes, local businesses, emergency accessibility by local first responders and vehicles, public transportation, vehicular traffic, utilities and its infrastructure, to name a few. While some of these issues are mentioned in the DEIS there are no substantive solutions.

You have received about 1700 signed letters from Floral Park residents opposing the scope of this project and nearly 100 on-the-record comments at the public hearings. I hate to be repetitious of the comments made; however, these are serious issues that need to be considered before any shovel goes into the ground. The gridlocks Floral Park will encounter are the following: taking away business from the local businesses since there is no need to leave the complex(one stop and shop); the efforts of emergency vehicles navigating through congested streets will cause delays in response time; the taxes for the village will increase due to the additional manpower and emergency vehicles; the homes and elementary school located in the west end will be severely impacted with additional noise and strangers in the vicinity and lastly, why hasn't the MTA built a 24/7 train station

yet? Accessibility should be at the top priority before any commitment of development should occur!

Floral Park initially did not mind an arena built for the NY Islanders at Belmont Park, providing that certain lots would not be used. It's a shame that developers used an 'agreed upon use' and decided thereafter without any consideration of the hard-working neighborhoods that surround Belmont Park. At one of the public hearings, it was mentioned that Floral Park should be delighted that the NY Islanders will occupy office space in Floral Park; but what you do not hear is if employees are going to buy a house in Floral Park. Isn't one of your key officers relocating from Pittsburgh to Garden City?

Finally, there should be a MASTER PLAN to include New York Racing Association's future plans of Belmont Racetrack. The DEIS did not address what NYRA's plans are. Have we forgotten that Belmont Park also includes a racetrack, stables, bleachers and a clubhouse that is screaming for infrastructure improvements?

Please keep the 'Park' in Belmont Park and Floral Park!

Sincerely,

Susan Walsh  
Village Clerk  
(50 year resident)

cc: State Senator A. Kaplan  
Assemblywoman Michaelle Solages  
Assemblyman Edward Ra  
Hempstead Town Supervisor Laura Gillen

PRIOR SUBMISSIONS AT DEIS HEARINGS

VILLAGE 4<sup>th</sup> ASSISTANT FIRE CHIEF JAMES DODSON  
JANUARY 10<sup>th</sup> SESSION

**James E. P. Dodson  
20 Walnut Ave.  
Floral Park, NY 11001**

January 9, 2019

Empire State Development Corp  
Attn Michael Avolio, ESD,  
633 Third Avenue, 37th floor  
New York, NY 10017

Dear Sir:

I am a 50+ year resident of the Incorporated Village of Floral Park and I am writing to express my opinion that the current scope of the Belmont redevelopment project is too big for this suburban area and I also question the substance and breadth of the traffic study found in the DEIS.

I am dismayed to learn that while the DEIS acknowledges that GPS would be diverting traffic to local roadways, the study ignored conducting a **weekday evening rush hour analysis** of local roads where capacity brings traffic to a crawl in its current state. How can a project of the current scope not address rush hour traffic?

I am genuinely concerned for the safety of the residents and visitors of the surrounding towns, not to mention the safety and compromised emergency response by the Fire and Police Departments that will result from a project of this magnitude.

I demand that the ESD, in ensuring that they operate under the responsibility that they are given, take strong consideration in returning this project back to its initial 43 acre expanse so that the quality of life can be maintained in the surrounding communities.

Sincerely,

James Dodson

cc:

State Senator Anna Kaplan  
Assemblywoman Michaelle Solages  
Assemblyman Edward Ra  
Hempstead Town Supervisor Laura Gillen

PRIOR SUBMISSIONS AT DEIS HEARINGS  
POLICE COMMISSIONER STEPHEN MCALLISTER  
JANUARY 8<sup>th</sup> SESSION

**BELMONT REDEVELOPMENT – SCOPE CREEP**

**TOO MUCH AT BELMONT**

**Floral Park is already among the most densely populated Villages in Nassau County.**

**F.P - 11,000 people per square mile – 16,000 total 1.6 psm.**

**Hempstead – 6,300 psm**

**Nassau – 4,600 psm**

**Today – 6,000 vehicles utilize Plainfield Avenue per day =  
180,000 per month = 2,160,000 per year.**

**Added Traffic 1200 – 1500 additional vehicles per day**

**Additional Vehicles 36,000 per month = 432,000 per year**

**The significant increase in traffic that will accompany the projected additional 45,000 daily visitors to the site, which is approximately the amount of the attendance at the Belmont Stakes when a Triple Crown [contender] is not at stake, will overwhelm the roadways in Floral Park and negatively impact our police and emergency vehicle response times.**

**“It is not anticipated that the project-generated traffic volumes would unduly influence the rate of accident occurrence,” stated the study.**

**How is that possible just by sheer volume of vehicles you would expect more accidents and aided cases.**

**Which would negatively impact on Response times and generating overtime in response to additional calls for service.**

### **TRAFFIC IMPACT**

**Intensive new development at Belmont will invariably result in greatly increased traffic travelling through the Village of Floral Park.**

**For example, Plainfield Avenue is one of the few North-South traffic conduits in western Nassau County and will almost certainly experience a tremendous increase in traffic volume due to the proposed development. It's the last route that connects Jericho Turnpike with Hempstead Turnpike east of the Cross-Island Pkwy, which is located about 1.3 miles further west.**

**Commercial vehicles are NOT permitted on the Cross Island Parkway, and would need to drive about 1.9 miles further west to 222nd St. to connect to Hempstead Turnpike. Springfield Boulevard. is a full 2 miles west of Plainfield Avenue. Belmont Park Gate 8 is located about 1.1 miles south of Jericho Turnpike and provides access to the North and South parking fields.**

**Plainfield Avenue traffic increases – 6000 vehicles per day  
N/S Tulip Avenue E/W 5000 vehicles per day.**

**The increase in the vehicles in the last 10 years has put lot of pressure on the existing roads which ultimately results in road accidents.**

**Motor vehicle crashes are a common cause of disability and place a demand for emergency medical care from our Police and Fire Rescue personnel further straining our existing manpower and continued drain on local municipal budget.**

**NORTH LOT:**

**Tailgating – Noise / lights / immediately adjacent to FPBS**

**Mayfair Gate – Is this to be utilized for the nearly 200 events planned at Arena. How does this affect:**

**Local street Parking**

**LIRR Bellerose Station – walking through Village.**

**Tulip Avenue bar/restaurant (s) – increase in pedestrian/vehicular traffic (UBER/Lyft) e.g. River Avenue – Yankee Game**

**While this may be an economic boom for local businesses how does the costs to Village for Police Service become affected.**

**FILED: NASSAU COUNTY CLERK 09/09/2019 02:49 PM**

INDEX NO. 612399/2019

NYSCEF DOC. NO. 12

RECEIVED NYSCEF: 09/09/2019

**PRIOR SUBMISSIONS AT DEIS HEARINGS**

**FLORAL PARK BELLEROSE SCHOOL BOARD PRESIDENT  
LAURA FERONE  
JANUARY 8<sup>th</sup> SESSION**

**Belmont Development Testimony  
January 8, 2019**

**Statement from the Floral Park-Bellerose School Board**

Good evening. My name is Laura Ferone. I am the President of the Floral Park Bellerose School District as well as a 30 year Floral Park resident.

I am here tonight to speak on behalf of the children and families of our community.

I have been an active participant and listener since the inception of the Belmont redevelopment project, yet I stand here tonight in order to reiterate our questions and concerns, which have frankly gone unanswered.

As you have heard before.....the Floral Park Bellerose Elementary School is home to over 900 students, pre k through 6<sup>th</sup> grade. Our playground is literally feet away from that fence. On weekends more than 1000 children play soccer, lacrosse, and baseball in addition to community members and their families enjoying the playground and field.

The school property shares a more that 1000 foot border with Belmont Park that is delineated only by a chain link fence.

We have repeatedly asked that a berm or barrier be created to protect our children and residents from construction, noise, and added pollution from construction and cars.

Most significantly, we require a barrier so that thousands of strangers on a daily basis do not have open access to our most precious

resource—our children. Need I remind you of recent tragedies such as Las Vegas? Let's not begin a project that puts our children at risk from the start.

Although there have been rumors that there will be a berm, it does not appear on any document and there is no guarantee in writing to our school district.

Despite the fact that your own document states on page A8 dated August 29<sup>th</sup>, 2018, "School Districts with facilities in the study areas will be contacted," as of today, neither the Floral Park-Bellerose School District nor the Sewanhaka Central High School District have been contacted.

If you are listening and indeed working with us, then draw a 50 yard barrier along our shared property. Surely, with 23 acres in the North Lot alone, it should be quite simple to move the entire project back 50 yards.

In addition, this barrier must be placed prior to any construction beginning. The plan specifically shows storage of construction equipment in the North Lot, exposing our children to unvetted strangers, noise, and the dirt and debris of construction.

Another point with regard to the North Lot is irrigation. Our district is spending over \$ 100,000 this summer to renovate and irrigate our fields. We need a written assurance from the Empire State Development group that any damage or water drainage problem which develops or occurs at any point on your side of the property will be rectified to our satisfaction by the Empire State Development Group.

These are simple requests with easy solutions. I ask you tonight to back your own statements and assure us that these needs will be met as requested.

With regard to traffic and safety, there are 4 schools within the boundaries of Floral Park Village. Two of them are on Plainfield Ave. To date, the Plainfield Ave gate has not been an active gate with the exception of Belmont Stakes day. We need an assurance (in writing) that this gate will remain closed for daily public use, tour buses, or shuttles.

The vast majority of our students walk to and from school. Despite your "traffic study," which states that there will be no anticipated rise in accidents due to increased traffic, common sense would suggest otherwise. More cars on the road without question will lead to more car and pedestrian accidents. Since the beginning of the school year, there have been 3 car accidents in close proximity to 2 of our high schools, and all occurred during drop off, pick up and on route to a school event. Plainfield is already congested between the hours of 3pm and 6pm, which is when the greatest number of children are walking, bicycling, or skateboarding through our streets.

Can you guarantee tonight that that Plainfield Ave gate will not be utilized as a main entrance to the Park, arena, or stadium?

Finally, in closing, development is good (maybe even great) but it must include a solid, clear, intelligent plan with appropriate resources: adequate space, access, water, power, transportation, and most importantly safety. If not it's like building an airplane in the air and realizing you forgot the engine.

I look forward to your response and guarantee in writing, and most importantly, I ask that you to agree here tonight to walk the property

line with myself, our board, and our superintendent at your earliest convenience.

Most Respectfully,

Laura Ferone

Floral Park-Bellerose SD Board of Education President

PRIOR SUBMISSIONS AT DEIS HEARINGS

FLORAL PARK BELLEROSE SCHOOL BOARD PRESIDENT  
LAURA FERONE  
JANUARY 9<sup>th</sup> SESSION

**Statement #2 from Laura Ferone/The FPBSD BOE – 1/9/19**

Good afternoon. My name is Laura Ferone, President of the Floral Park Bellerose School District Board of Education and a 30 year resident of Floral Park.

I am here again to speak on behalf of the children and families of the Floral Park Bellerose Community.

I spoke yesterday and reiterate today our concerns regarding development on the North Lot and request that the Empire State Development Group walk the property line with myself and our administrators and develop a plan to provide a set back and barrier to protect our children and community.

Today, I am here with regard to traffic and safety. There are 4 schools within the Boundaries of Floral Park Village. 2 are located on Plainfield Ave and 1 of those is directly across the street from the Plainfield Ave Gate.

To date the Plainfield Ave gate is not slotted to become an active gate. We need assurance, in writing, that this gate will remain closed for daily public use, tour buses, and shuttles.

The vast majority of our students walk to and from school. Despite your traffic study which states there will be no anticipated rise in accidents due to increased traffic, common sense dictates that more cars on the road without question will lead to more car and pedestrian accidents. Sadly, our community has already suffered several serious and fatal accidents along some of our main streets, Jericho Turnpike, Hillside Ave, Elmont Rd, Dutch Broadway, and Plainfield Ave.

Since the beginning of the school year, there have been 4 accidents in close proximity to our local high schools, all occurring during drop off, pick up, or on the way to a school event.

Plainfield is already congested between the hours of 3p and 6p. This is when the greatest number of children are walking, bicycling or skateboarding through our streets. I might remind you all that in an age of technology where we encourage our children to be active, to play outdoors, and to become independent...sending

them home from school and out to play during a daily traffic jam is obviously unwise.

There is already significant congestion around all 4 schools during drop off and pick up. I happily invite any members of the Empire State Development Group to come to our town during school dismissal. I will gladly drive you around our community and show you first-hand what the current traffic situation already is. In fact, we will even take you by school bus in order to demonstrate how our drivers already have to navigate what is already in existence. Now add people rushing to or from shopping or racing to get to the stadium to pregame before a sporting event or concert....it just doesn't work.

I understand this is insignificant to you all, but this is a suburban area. People were raised here and chose to stay and raise their families and people like myself moved from the city so that our children could live in a safe suburban community. Your plan does not work with this.

With regard to the shopping mall....the only time I have seen this type of mall, has been when it is sitting next to a casino. Don't for a moment think that we are not aware that that is the end game and plan for this project.

Lastly, with regard to infrastructure...you are building a house without a foundation. There is no infrastructure to support this project. Viable public transportation and proper roads, water, power, sanitation, and drainage all must be in place prior to beginning any project or it is doomed to fail. Thank you.

Laura Ferone

PRIOR SUBMISSIONS AT DEIS HEARINGS

FLORAL PARK BELLEROSE SCHOOL SUPERINTENDENT  
MICHAEL DANTONA  
JANUARY 9<sup>th</sup> SESSION

## Belmont Development Testimony January 9, 2019

Good Afternoon,

My name is Michael Dantona and I am the Superintendent of Schools for the Floral Park-Bellerose School District. I am here today to speak about the development of the Belmont property, particularly what has been called the north lot.

The Floral Park-Bellerose Elementary School shares a 1000' border with the North Lot; the properties are separated by nothing more than a chain-link fence. Daily, roughly 900 children use the fields adjacent to the lot and on weekends our fields host about 1000 children for sporting activities.

### **A True Story**

Just this past November, school personnel were supervising recess for more than one hundred children when they spotted a man walking near the fence and taking pictures. Our school aides acted appropriately and safeguarded the children by quickly gathering and escorting them into the school building. We contacted Belmont Security and our Floral Park Police and the trespasser was apprehended. After interrogation the authorities determined that this trespasser did not pose a threat as he was simply a bird watcher taking pictures of birds.

The story illustrates our primary concern with the use of the North Lot.

**Unobstructed visual and physical access to our children is a real threat to their safety. We in the schools are charged with ensuring the safety of our children...In fact, all in this community, including NYRA and the Islanders must share in this responsibility. Patrons (tailgaters), employees, and trespassers must kept apart from our students and our property.**

How will we protect our children with thousands of cars and thousands of visitors separated only by a **chain-link fence and vegetation** (as is indicated in the DEIS). The more than 1000' of chain link fencing along our property line **does not** provide adequate protection for our children.

**We must work together to solve this problem. We need:**

1. A tall structure that provides a visual and physical barrier to our property.
  - a. A berm that is topped with a fence and landscaping (Trees and bushes) can work
  - b. A structure like sound wall can work.
    - i. Whatever the barrier, there should be a buffer between it and active parking.
2. We need...Electronic surveillance of our shared property line that will help to alert authorities of inappropriate behavior or trespassing in the North Lot.
3. We need...A regular security presence in the North parking lot.
4. We need...To be ensured that project workers and regular employees are properly screened.
5. And we seek your ongoing commitment to working with us to address safety and security concerns.

**The DEIS indicates that a “strategic approach to safety and security” is necessary and that such measures “require close coordination with public agencies.” The Floral Park-Bellerose School District is one such agency.**

We ask that you now commit to the safety of our community and our children, as you are in the final stages of planning and design. I provided testimony at your first public hearings, and today we continue to see that the idea of a property line Chain-link fence remains in the plan.

We ask that you recognize our concerns and engage us in a **coordinated strategic approach to safety and security planning**. We are prepared to meet to develop a safety plan for our shared border.

Thank you for your time.

Sincerely,

Michael F. Dantona, Ed.D.  
Superintendent of Schools  
Floral Park-Bellerose School District

## Belmont Development Testimony January 9, 2019

Good Afternoon,

My name is Michael Dantona and I am the Superintendent of Schools for the Floral Park-Bellerose School District. I am here today to speak about the development of the Belmont property, particularly what has been called the north lot.

The Floral Park-Bellerose Elementary School shares a 1000' border with the North Lot; the properties are separated by nothing more than a chain-link fence. Daily, roughly 900 children use the fields adjacent to the lot and on weekends our fields host about 1000 children for sporting activities.

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The story illustrates our primary concern with the use of the North Lot.

**Unobstructed visual and physical access to our children is a real threat to their safety. We in the schools are charged with ensuring the safety of our children...In fact, all in this community, including NYRA and the Islanders must share in this responsibility. Patrons (tailgaters), employees, and trespassers must kept apart from our students and our property.**

How will we protect our children with thousands of cars and thousands of visitors separated only by a **chain-link fence and vegetation** (as is indicated in the DEIS). The more than 1000' of chain link fencing along our property line **does not** provide adequate protection for our children.

**We must work together to solve this problem. We need:**

1. A tall structure that provides a visual and physical barrier to our property.
  - a. A berm that is topped with a fence and landscaping (Trees and bushes) can work
  - b. A structure like sound wall can work.
    - i. Whatever the barrier, there should be a buffer between it and active parking.
2. We need...Electronic surveillance of our shared property line that will help to alert authorities of inappropriate behavior or trespassing in the North Lot.
3. We need...A regular security presence in the North parking lot.
4. We need...To be ensured that project workers and regular employees are properly screened.
5. And we seek your ongoing commitment to working with us to address safety and security concerns.

**The DEIS indicates that a “strategic approach to safety and security” is necessary and that such measures “require close coordination with public agencies.” The Floral Park-Bellerose School District is one such agency.**

We ask that you now commit to the safety of our community and our children, as you are in the final stages of planning and design. I provided testimony at your first public hearings, and today we continue to see that the idea of a property line Chain-link fence remains in the plan.

We ask that you recognize our concerns and engage us in a **coordinated strategic approach to safety and security planning**. We are prepared to meet to develop a safety plan for our shared border.

Thank you for your time.

Sincerely,

Michael F. Dantona, Ed.D.  
Superintendent of Schools  
Floral Park-Bellerose School District

**PRIOR SUBMISSIONS AT DEIS HEARINGS**

**FLORAL PARK BELLEROSE SCHOOL BOARD VICE PRESIDENT  
LAURA TRENTACOSTE  
JANUARY 10<sup>th</sup> SESSION**

**Belmont Development Testimony  
January 10, 2019**

**Statement from the Floral Park-Bellerose School Board**

Good Evening,

My name is Laura Trentacoste. I am the Floral Park-Bellerose School District Board of Education Vice President. During each of your listening sessions we have had a representative here imploring you to engage with us. You've touted the many groups you've worked with in planning the Belmont redevelopment but you have not conversed with us.

Please call our district office tomorrow morning to set up a meeting, you too, Mr. Brown. We'd like to show you Belmont through our school yard and bring you on a bus tour so you can experience the traffic obstacles that our bus drivers are already facing every day.

We are very worried about our children. Please call the district office tomorrow morning to make an appointment - we are waiting to speak with you.

Thank you.

PRIOR SUBMISSIONS AT DEIS HEARINGS

FLORAL PARK BELLEROSE SCHOOL BOARD MEMBER  
DOUG MADDEN  
JANUARY 9<sup>th</sup> SESSION

**Belmont Development Testimony  
January 9, 2019**

**Statement from the Floral Park-Bellerose School Board**

Good evening. My name is Doug Madden. I am a trustee of the Floral Park Bellerose School District as well as a 15 year Floral Park resident.

I am here tonight on behalf of the more than 900 students at the Floral Park Bellerose Elementary School and their families as well as in support of my fellow Floral Park residents who object to the scale of this project.

As you know, the North Lot of Belmont is separated from Floral Park Bellerose School by nothing more than a chain link fence. The children of our community – our students, youth sports organizations and neighborhood children use the field that leads up to this fence all year round.

We have repeatedly asked that a physical barrier be erected on the Belmont side of the fence so that our children will not come in contact with the thousands of strangers who would be arriving in this lot including those who would be tailgating, drinking alcohol and even smoking marijuana with our Governor's support. To date, this physical barrier does not appear nor is it mentioned in the development plans. To my knowledge, no one has contacted the school district to provide any concrete details. We again request that the barrier be erected prior to any other construction beginning. We also want assurances that we will have someone from the ESD on point to promptly address any negative impact the construction may have on our day to day operations of Floral Park Bellerose School.

These are simple requests.

With regard to traffic and safety.....

There are 4 schools within the boundaries of Floral Park Village.  
2 of them are on Plainfield Ave.

By some estimates, these new attractions could bring an average of 45,000 daily visitors to a surrounding area that is nearly entirely residential without any of the necessary infrastructure to accommodate anywhere near that volume of traffic. Traffic apps will send hundreds and hundreds of extra cars through our residential streets. The DEIS traffic study does not account for this in good faith.

Many of our students walk to and from school. Our buses already have difficulty traversing our narrow roads. The additional traffic will inherently endanger our children and slow emergency response times for the first responders that our community pays for itself.

Belmont Development is a good thing. However since this plan has chosen not to realistically assess its impact nor provide for appropriate infrastructure improvements, we believe it is too big and will significantly negatively impact our community and our schools. We remain hopeful that it is not too late, that our state representatives will care about us and will work with us to ensure that this development is a benefit, not a disaster.

The Board of Education and our Superintendent look forward to your outreach on these issues sooner rather than later.

Most Respectfully, Doug Madden

**PRIOR SUBMISSIONS AT DEIS HEARINGS**

**BELMONT TASK FORCE MEMBER  
FORMER MAYOR THOMAS TWEEDY  
JANUARY 8<sup>th</sup> SESSION**

The Village of Floral Park, the hamlet of Elmont, the Town of Hempstead and Nassau County have been hosting communities of Belmont since May 4, 1905: Belmont Park's Opening Day. Floral Park and her neighboring communities have long supported Belmont Park but have grown increasingly concerned since 2007, when NYRA went into receivership.

**Power-** Sadly the ESD has declined to act or consider our 10 year old proposal for a Clean Energy – Cogeneration facility at Belmont Park. This environmentally responsible proposal would have been the foundation upon which all development would be built. By providing the economic advantage of reliable, independent, inexpensive electricity and then utilizing the waste product of that electric generation, namely heat, to provide the raw material for all Air Conditioning and heating needs – and all new all development including NYRA's grandstand, racetracks for its future planning regarding night racing, winter racing as well addressing the future needs of its entire campus thus assuring a more profitable and sustainable future at Belmont Park. But given the lack of consideration this plan has received, whatever future development takes place at Belmont Park, cannot negatively impact Floral Park or any of the hosting communities. The plans for the enormous new power loads must be disclosed. Since Sandy, we have all experienced just how fragile our overburdened and unreliable electric grid system presently is. The DEIS states that this project will be served by power lines running through Floral Park to a huge 42,000 sf substation located on the Belmont Park property. A substation is not a generator of power; it simply provides the ability to distribute electric by transforming high voltage electric to usable line voltage electric. What will these dedicated power poles located in Floral Park look like? Will they be similar to the ones presently in Eastport, the Pine Barrens and Riverhead: 80' high, 9' circumference reinforced steel poles? Will these structures convey high tension power lines from a new substation at the LIRR Mainline down Plainfield Avenue to Belmont Park? The details of this conveyance and the power requirements must be disclosed to the public and our elected officials for review and comment before the project get the go ahead by the ESD.

Presented by Thomas J. Tweedy,  
January 8, 2019

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER  
FORMER MAYOR THOMAS TWEEDY  
JANUARY 10<sup>th</sup> SESSION

**Buffer-** If the North Lot is to be utilized a natural buffer must be incorporated into that planning: A buffer that would keep the Park in Belmont Park and not just Park-ing. Many suggest a 300' buffer, a football field running from Mayfair Avenue to the LIRR fence maintaining a circuitous yet parallel line with the FPBS fence line and fields. This buffer must include planting and irrigation for its entire length. This buffer must also include the already agreed upon earthen berm of approximately 15' in height and that berm located on the inside edge of this new 300' buffer.

I suggest that the ESD refrain from any third Party leases on these State lands at Belmont Park. The Islanders and the NYAP are simply tenants. And as tenants, they understand their obligations and their limitations of their Lease and if mitigation is not agreed to early there is no chance of receiving mitigation later.

**Mitigation-** Therefore, if the North Lot is to be utilized, the FOB should solicit a separate RFP for the North Lot Parking Franchise. This establishes a separate and clear line of responsibility and authority between the landlord (the State) and the Tenant. Or the ESD and the FOB could provide the Solomon- like solution and offer the Village of Floral Park and the TOH the management and responsibility of the North Lot. The mutual benefits are obvious: I am confident Commission McAllister and the FPPD would maintain safety, patrol and order, as deputized law enforcement officers of the State of New York, not just rent a cops as suggested by the NYAP; thereby assuring the safety and security for the Tenants' many customers..

All revenue generated by event parking, sale of permits on the State's North Lot would be shared between VFP and the TOH. This revenue would help offset some of the financial burdens and help recoup some of the expenses the new Tenants' developments would burden the local communities.

This transfer agreement would also allow the continuation of an imperative intermunicipal agreement with and among NYRA, VFP, VSM, VB, VNHP for snow storage during winter storms. These intermunicipal agreements are a hallmark of Gov. Cuomo's cost savings plans. His push for shared services, if interrupted, would cost local villages' untold additional costs and inconveniences. Sadly, the DEIS does not speak to these community impacts as the overarching continuous narrative read in the document seems to be: What's good for us is good for us and the rest of you – you're on your own.

I do not believe this is the sentiment the Governor expected for this project, but it is what we feel.

Presented by Thomas J. Tweedy  
January 10, 2019

**PRIOR SUBMISSIONS AT DEIS HEARINGS**  
**BELMONT TASK FORCE MEMBER KEVIN FLOOD**  
**JANUARY 8<sup>th</sup> SESSION**

In December 2017, ESD announced the conditionally designated winner of the 2017 RFP to NYAP, who presented a development encompassing 43 acres of land, designated as Parcel A&B. Parcel B was intended to be 28 Acres of parking for the development, Public Park Space and community centers (south of Hempstead Turnpike). Parcel A was intended to be an Arena, boutique shopping and complimentary restaurants (immediately adjacent the existing Grandstand). The Village of Floral Park, although with caution, recognized the development as something that would secure Belmont for another 100 years and possibly provide an economic engine for the area. Since then the project has changed dramatically and the footprint and overall land use and surrounding community impact has also increased dramatically. According to the DEIS, the reason for the change in plan was because Value Retail PLC, a NON-US based outlet operator, thought it would be better for them. They didn't like the feel of the layout originally proposed & accepted by the state. ESD listened to their concerns and changed the project to reflect their needs and their wants, to our detriment.

This is a far cry to what has been happening to the NYS residents and taxpayers surrounding Belmont Park, who will have to live with this development, and its enormous impact on our quality of life, for the rest of our time here. Time and Time again, we have let the ESD & NYAP know we are unhappy with the growing nature of this project and its now very intrusive characteristics. We have expressed our desire to have it changed for our betterment, but unlike the cooperation given to Value Retail PLC (NYAP) from ESD regarding their needs & desires, we have been ignored. And to make matters worse, not only have our concerns not been addressed, or even attempted to be mitigated, the ESD & NYAP continue to expand the project with the now emerging use of yet another illuminated parking lot in the West End, they refer to as the "East lot".

I respectfully ask the ESD, NYRA, NYAP, FOB and the elected officials representing us to please listen to our legitimate concerns and address them with meaningful input and impact.

The ESD must be cooperative with the VFP & Elmont Community's needs and wants, as they were with Value Retail PLC. This is our quality of Life & the ESD

should not be looking to accommodate foreign based outlet operator, but rather the NYS taxpayers who surround this development and will have to live with it every day

Tonight I would like to specifically address parking surrounding the West End and its impacts. I would like the following addressed:

- Please describe the lighting, and how it is planned to mitigate its impact.
- Will the lighting be angled away from homes and our school?
- What is the height of the lighting?
- Can the lighting be turned off during off hours/non event nights?
- Will trees be planted on the interior & perimeter of the lot to mitigate heat, light & noise pollution?
- The lighting impacts of the East lot 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?
- 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.
- 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.
- 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.

This is just naming a few concerns regarding the lots surrounding the quiet residential community of the West End. There will be many more addressed and submitted in writing and I do hope the ESD & NYAP will show us the same respect and consideration as Value Retail PLC, a NON-US based outlet operator, received when requesting a dramatic change in the project for their betterment.

PRIOR SUBMISSIONS AT DEIS HEARINGS  
BELMONT TASK FORCE MEMBER KEVIN FLOOD  
JANUARY 9<sup>th</sup> SESSION

Good Evening. I want to thank the ESD for allowing the members of the communities most impacted by this over development to voice our concerns and have them addressed before the project can move forward. There are still an abundance of serious issues and concerns that need to be addressed and I hope that the ESD and NYAP can answer the call.

Although there are many open items still to address, I'd like to point out one very big concern that has been slightly addressed in the DEIS; and that is Tailgating. I was very pleased to see ESD & NYAP confirm in the scoping document that tailgating is CURRENTLY not allowed at the Belmont Park development. In addition, it was further acknowledged and confirmed in the DEIS that Tailgating IS NOT allowed in the Belmont Park parking lots, under CURRENT CONDITIONS. I am glad to see this language in the document, but, as we have learned from the past, words like "PROPOSED" and "CURRENTLY" are strategically placed to leave it open ended. THE FEIS MUST CONTAIN DEFINITIVE LANGUAGE CONFIRMING TAILGATING IS NOT AND WILL NOT BE ALLOWED IN THE BELMONT PARK CAMPUS.

To start, what law enforcement agency will be responsible to enforce this law on the Belmont Campus. Being that it is State land, the NYS troopers should be patrolling the campus making sure Tailgating is not occurring next to our homes, schools, or anywhere on the Belmont Campus. Hired security and NYRA pinkertons will not be enough. Whatever agency is patrolling the campus, they must have the authority to enforce the law. This must be addressed in the FEIS.

Second, if Tailgating is happening illegally on the Belmont Campus, what will be the repercussions to those who partake in this activity,

next to our homes and schools? Will there be fines? Will there be arrests? This is something the surrounding communities need to know.

And finally, if the situation arises that the developer, NYAP, NYRA or the state is not patrolling and aggressively enforcing this NO TAILGATING policy, what repercussions will be in place for the land operator? Will the VFP police be able to randomly audit the grounds to see if this commitment is being upheld? If it is not, how will the communities be compensated?

This is a serious issue and needs to be addressed in the FEIS. Being that the ESD & NYAP insist on placing these parking lots, and all the potential behaviors that occur in them, immediately next to our residential homes and our children's schools, this should be a priority and must be spelled out very clearly in the FEIS.

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER BERNADETTE SMITH  
JANUARY 8<sup>th</sup> SESSION

My name is Bernadette Smith and I am a lifelong resident of Floral Park. I have watched the massive expansion of the projects scope over the past year, to cover an area 400% larger than the original plan. This project is too big.

The original smaller plan was already going to be a difficult burden on the community of Floral Park and our neighboring communities such as Elmont, Bellerose, and eastern queens. But the current plan presents problems with traffic and other adverse impacts that - as stated in the recently released DEIS - can "not be mitigated".

I implore you to rethink this project in so many ways. To name a few:

Reduce the scale of the project.

Build a full time rail road station at Belmont.

Drop the mega mall from the plans.

Keep the parking away from the north side of the property where it will abut schools and private residences.

You claim to be engaging with our communities. I have personally been to meetings with some of you. These are our concerns and they have not been addressed.

Reconsider.

Remember the human potential of all the communities bordering this project. Respect that all these residents, their future, their families, their way of life, are worth more.

**PRIOR SUBMISSIONS AT DEIS HEARINGS**

**BELMONT TASK FORCE MEMBER BERNADETTE SMITH  
JANUARY 10<sup>th</sup> SESSION**

This project is Too large, is massively flawed and needs to be reworked.

I think it is important to note that this project is repeatedly called the arena project or the islander arena project but that is not entirely accurate. The public relations for this project was genius. It was all about the islanders. It sort of changes the flavor of any opposition to anti-islander BUT The idea that this is about the islanders is ludicrous. This project is vastly larger than just an arena. It is an arena PLUS a hotel PLUS a mega mall.

It's been continuously expanding in scope with the minimal amount of explanation and study possible in order to appear compliant.

Energy - an article released by Politico, today, makes 3 main points:

1- A National Grid rep said last November "Supplying firm service (365 days) for this Project is contingent on the successful and timely approval and permitting of the Northeast Supply Enhancement Pipeline Project (NESE), A(NOTHER) controversial project expected to provide a guaranteed natural gas supply for the the Belmont Park project

- National Grid has said the pipeline is crucial to support growing natural gas demand in New York City and Long Island.

2 -Mr Sterne was quoted as saying: "Belmont can move forward without the pipeline and the alternative is definitely not oil, as we're exploring all clean energy and renewable options."

-BUT No other options were mentioned in the DEIS

3- Gov Cuomo's commitment to green energy demands he block the pipeline project.

- We don't have an answer on this.

Where will the rest of us be when this project uses all the available resources?

We don't have an answer on this, highlighting again how this project is massively flawed and needs to be fixed.

Economics

Local businesses could most assuredly gain from an influx of visitors to the area.

In particular, we've heard from some of our neighbors in Elmont that they welcome the economic growth. So do I.

But - this project is massive, and it is geared to bring people on to the campus of Belmont state park and KEEP them there.

At the current scale, Patrons will not be stopping in at local bakeries or restaurants, they will be doing those things on the Belmont campus. Hempstead turnpike, tulip Ave, Jericho Tpke - all the local businesses could thrive with a reasonably sized project, but not with one of this magnitude. People will be relieved just to arrive there - or to finally make it out of a parking lot.

The promise of local growth is not likely as the project stands now

Which brings up the final point - the traffic experience of visitors.

- Many have spoken of what the traffic will do to local neighborhoods' quality of life

-But how is it conceivable that a project this large, drawing what the developers hope will be at least 47,000 people daily can be sustainable? After a times of sitting for hours on the Cross Island or local roads... What makes you think they'll come back.

-I can't foresee the long term success of this. As it is stands now, I fail to see the benefit of this project in the long term for anyone in the immediate vicinity.

Bernadette Smith

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER FRANK GUNTHER  
JANUARY 8<sup>th</sup> SESSION

Belmont Development  
Public Hearing Jan 8, 2019  
Comments by Frank Gunther, Floral Park resident

**Transportation**

- Many of the CIP highway segments operate at congested or near-congested conditions in at least one direction during peak periods under existing conditions.
- 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.
- Potential for Traffic Diversions:
  - "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 data to avoid congestion, or by other motorists with a high degree of familiarity with the local street network." (*Acknowledgement that Floral Park will have problems; but does not provide a solution until it is realized after the fact.*)

**Mitigation**

- The DEIS identifies two mitigation approaches:
  1. Adjustments to existing traffic controls: for example signals, traffic enforcement agents before or after events, turn prohibitions, geometric improvements to intersections (e.g. re-striping, new lane designations, etc.).
    - a. This mitigation is *based on the assumption identified above that only 3% to 5% of the vehicles will access the site from the local street network*.
    - b. This is inaccurate. *The mitigation plan will need to be revised once an appropriate amount of traffic is assigned to the local street network, including identifying where physical improvements are required.*
  2. Transportation Management Plan (TMP) as a way to mitigate potential impacts.
    - a. *Transportation demand measures* (e.g. carpooling and incentives to use mass transit)
    - b. *Operational strategies* (e.g. management of parking facility utilization and communication of event day transportation conditions). The goal is to reduce volume of project-generated traffic and redistributing traffic away from peak arrival and departure hours.

**Failure of the proposed Mitigation Plan**

- While a TMP is required for this project, ***the TMP identified in the DEIS fails to identify the adverse effects triggered by the proposed TMP strategies.***
- For example, 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 identifies a traffic monitoring program which would be conducted after the project is constructed and occupied to identify potential impacts and address them accordingly. While continued monitoring of traffic conditions around the proposed project is beneficial, deferring improvements until after the construction of the project is contrary to the purpose of the EIS process.***
- Physical improvements can take years to progress through design, property acquisition, and construction, during which time the impacts go unmitigated. Impacts associated with the proposed development must be identified prior to the construction of the project and mitigation measures implemented prior to opening of the project.

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER FRANK GUNTHER  
JANUARY 9<sup>th</sup> SESSION

**Belmont Development****Public Hearing Jan 9, 2019****Comments by Frank Gunther, Floral Park resident and member of the Floral park Mayor's Task Force**

I have reflected on comments heard at last night's hearing and the proposed Belmont Project time line, which schedules:

DEIS 4Q18

FEIS 2Q 19

Start construction 2Q 19

I must ask how responsive and real the ESD's commitment is to complying with the UDC act 6266(1) which mandates it to "work closely, consult and cooperate with local elected officials and community leaders..."

How will the comments expressed under the DEIS public hearing process be responded to and addressed completely and responsibly - all within less than 90 days until start of construction?

The Village of Floral Park has communicated numerous times to ESD and to our elected officials in matters about the project that affect our communities. I am asking where will be found specific responses to the following VFP letters which followed Listening sessions

**Dec. 11, 2017 letter**

- Islanders identified significant changes as necessary components of the project: increase the capacity of the CIP and feeder roads leading to Belmont.

**Dec 12, 2017 letter**

- Reservations about a process that excludes a comprehensive Master Plan for Belmont that includes NYRA future plans for the property, which remain insistent but vague as of this date.
- UDC Act 6266(1) requirement that ESD "give primary consideration to local needs and desires and (to) foster local initiative and participation in connection with the planning and development of its projects..."
- Impact on Local Communities: Questions 1 & 2: Offset to costs incurred by neighboring villages (fire, police, rescue and sanitation)
- Environmental Impacts Question 7: Preventing honking of car horns, often notorious before and f|after events
- Impact on Existing Services Question 24: How does the proposed project plan to accommodate population east of the site with mass transit via the LIRR
- Socio-economic impacts Question 29: beautification/improvement of Hempstead Tpke.?
- Long term/Operational Phase Questions 7 & 8: need written commitments regarding Plainfield and Mayfair gates; question 17

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER DENNIS MCENERY  
JANUARY 8<sup>th</sup> SESSION

Dennis McEnery  
Floral Park Belmont Park Improvement and Redevelopment Task Force member  
Floral Park Zoning Board of Appeals member

The Zoning Board membership is mentioned too because we regularly address New York's SEQUA requirements, and if any resident ever said they wanted a "buffer" between them and their neighbors, but will not tell their neighbors and the Village Board how large that space will be, what kind of landscaping will be included, how high any landscaping or fence will be or even what that fence will look like, chances are that such a request for relief would be readily denied as being insufficient, and the Town of Hempstead Zoning Board would likely not permit that to ever take place either.

## **MITIGATION**

How the State of New York therefore can allow this DEIS to move forward as currently presented is simply outrageous.

The State of New York needs to **MITIGATE BEFORE** the arena, hotel and retail megamall are allowed to operate and open.

The Draft Environmental Impact Statement [DEIS] is seriously deficient and its **SCOPE** of review is far too narrow and therefore needs to be redone.

The submitted DEIS does not encompass the **ENTIRE** 435 acre Belmont Park campus, which is a **fatal flaw** that needs to be corrected **BEFORE** any shovels are allowed to be put into the ground.

## **SEGMENTATION**

It appears that on one hand, the State of New York's Empire State Development [ESD] team and New York Arena Partners' [NYAP] hired consultants time after time assert that anything to do with the rest of the Belmont Park campus is beyond their scope.

They also claim that the New York Racing Association [NYRA] with its plans for new night time horse racing, with new light towers similar to those installed at Daytona Raceway, as well as new winterized tracks and racing, for example, are also not their concern and will be ignored as part of their **ENVIRONMENTAL IMPACT** study, which is therefore fatally flawed.

Their DEIS makes the bold statement:

**HOWEVER, ANY ACTIVITIES BY NYRA ARE SEPARATE PROJECTS FROM THE PROPOSED PROJECT, HAVING INDEPENDENT UTILITY FROM SUCH EFFORTS AND IN NO WAY DEPENDENT ON SUCH ACTIVITIES. See: DEIS Section 2-26**

Yet in the very same DEIS is the admission that in fact the **ENTIRE** project is **VERY DEPENDENT** upon NYRA'S portions of the Belmont Park campus, which includes **THOUSANDS** of parking spaces which the project **DEPENDS UPON** in order to make the project work.

The DEIS admits that:

THE PROJECT SITES WOULD INCLUDE A TOTAL OF 1,900 PARKING SPACES IN NEW STRUCTURED PARKING BENETH THE RETAIL VILLAGE [sic] AND WITHIN AND BELOW THE HOTEL'S PODIUM. See: DEIS Section 11-2

So this megaproject which itself includes LESS THAN 2,000 parking spaces, even though it includes a 19,000 seat arena, a 250 room hotel with a "CONFERENCE center" and a retail "village" which is projected to attract multi-millions of visitors in and out each year, to state that it is in 'NO WAY DEPENDENT' upon NYRA is simply incredible.

So where will those thousands of arena spectators, hundreds of hotel guests and millions of retail tourists park? Low and behold from the STATE OF NEW YORK itself and its other Belmont Park tenant NYRA!

The DEIS, which on one hand asserts that its focus is just on its own portions of the Belmont Park campus, turns around and makes the following fatally flawed admission:

DURING TIMES OF HIGH ATTENDANCE ARENA EVENTS AND/OR PEAK SHOPPING PERIODS, APPROXIMATELY 6,312 ADDITIONAL PARKING SPACES ON THE NORTH, SOUTH, AND EAST LOTS WOULD BE MADE AVAILABLE TO NYAP THROUGH A SHARED PARKING AGREEMENT WITH THE NYS FRANCHISE OVERSIGHT BOARD (FOB) AND THE NEW YORK RACING ASSOCIATION (NYRA). See: DEIS section 11-2

Obviously it is clear that NYAP is completely **dependent** upon NYRA and its portions of the Belmont Park campus too, so the DEIS needs to be completely redone to encompass the MASTER PLAN and DEIS for the entire 435 acre Belmont Park campus.

This is a classic case of improper and too much SEGMENTATION and the State of New York, the OWNER of the entire 435 acre Belmont Park campus needs to fully comply with both the spirit and letter of its own SEQUA protocols and requirements. The DEIS needs to be redone.

## **MASTER PLAN**

By way of further example, the Grandstand complex which is directly adjacent to the proposed arena and hotel, as well as across from the retail MEGAMALL which is now on the scale of the Manhasset Miracle Mile rather than just a "retail village", is at 105 feet "surpassing the height of all other buildings within the Elmont and Floral Park areas." See DEIS: 2-24.

Just like everything else about this proposed OVERDEVELOPMENT at Belmont Park, the NYAP consultants are touting their reduction of the height of the proposed hotel from 265 feet to "just" 150 feet, which is 45 feet HIGHER than the HIGHEST structure within the community is some sort of "concession" and "improvement" to the DEIS, which is just too much hubris to believe.

The Grandstand and Clubhouse is 265 feet in DEPTH [which is where the NYAP consultants probably came up with for their 'phantom' initial height of 265 feet HIGH hotel] and contains OVER 1.3 million square feet of floor area, so NOT to delve into what NYRA's plans are for Belmont Park and to have to have an COMPREHENSIVE ENVIRONMENTAL review is simply unacceptable.

Many of Value Retail's foreign shopping tourists destinations have steadily expanded through phased expansions, so it is fair to assume that its 435,000 square feet of retail space on the south side of Hempstead Turnpike will eventually be expanded back into the north side of Hempstead Turnpike either within the area where NYAP initially represented to be its "ideal" location, or in conjunction with NYRA's 1.3 million square feet of floor area within the Grandstand and Clubhouse. There seriously needs to be a Master Plan for Belmont Park in which NYAP's current and future plans are clearly mapped out.

## **ALTERNATIVES**

The DEIS is also seriously flawed because it sets out only TWO Alternatives. The preferred alternative is what NYAP proposes, which is the overdevelopment of Belmont Park, which is what it wants. The only "other" alternative is the excluding of the 19,000 seat arena, which many Islander fans would be surprised to learn would be NYAP's first portion of their proposal to be jettisoned, rather than their last.

The DEIS needs to be rejected and redone to break out and address the exclusion of all THREE major components, not just the "no arena" alternative, but also the "no megamall" alternative and the "no 150 feet high hotel" alternatives too.

Of particular glaring deficiency is the failure to honestly set out the specific SEQUA implications relating to the Value Retail megamall. There have been varying estimates of the number of "destination retail" visitors who will be entering and leaving the Belmont Park community on either an annual or more specifically, based upon the traffic flows of the retail year. Is it 3 million, 6 million, 9 million or even more annual visitors?

One need only read about the recent disastrous Black Friday parking lot debacle experienced at Deer Park's discount retail "village" or the over 13 million visitors to Value Retail's major competitor at Woodbury Commons, which is adjacent to the typically free flowing NY State Thruway, rather than the ALREADY over capacity Cross Island Parkway, to see that NYAP's failure to remove the retail component as a potential Preferred Alternative makes the current DEIS fatally flawed.

## **PROJECT CREEP**

The DEIS needs to be sent back to the drawing board because of the improper Project Creep by which this entire selection and SEQUA review has been poisoned. For the State of New York to be a party to such a hastily and insufficient SEQUA process goes to the very core of government accountability and civic responsibility.

When the NYAP submission was evaluated against its competing plan for an outdoor soccer stadium with underground parking for its attendees, the NYAP proposal that was submitted and initially evaluated with the vast majority of its own on-site parking placed immediately accessible and adjacent to the arena on the 28 acre South lot. NYRA previously stated that its 28 acre parcel south of Hempstead Turnpike encompassed 4,520 parking spaces, while its 8 acre parking field where the proposed arena will be had 1,820 parking spaces, so those 6,340 parking spaces will be all but lost, and only replaced by the 1,900 parking spaces proposed by NYAP, 1,400 of which will be at or below grade at the retail area, not associated with the arena itself.

The 77 acre Nassau Coliseum site, for example, which hosts "Da Barn" with now 13,000 seats has roughly 6,500 parking spots directly adjacent to the arena, which is one parking space for every two attendees. Yet those same NY Islanders propose to construct a 19,000 seat arena with only 1,900 parking spaces of their own, which is one parking space for every ten attendees. While we may have enjoyed seeing ten clowns coming out of one car at the circus, all the travel "behavioral changes" in the world will not overcome the seriously flawed DEIS as it has been submitted. This along is a significant adverse environmental impact that this project must mitigate before any shovels are put into the ground.

As for the unknown, but multi-million "tourist retail" visitors to the "retail village" megamall complex, there have been projections in the DEIS that 30 percent of those visitors will be national or international visitors. The DEIS states that it is "A UNIQUE SHOPPING EXPERIENCE THAT ATTRACTS LOCAL AND REGIONAL CUSTOMERS, AS WELL AS NATIONAL AND INTERNATIONAL VISITORS, AS VALUE RETAIL'S EXPERIENCE IN BICESTER, UNITED KINGDOM AND IN SHANGHAI CHINA HAS SHOWN." See: DEIS Section 7-23.

As an initial matter, now that the NYAP representatives have placed into issue their "experience" in Bicester Village near London, which is reportedly the second most visited tourist site for Chinese visitors to the London area, as well as Shanghai China, the State of New York needs to have the DEIS include said "experience" including the number of visitors and travelling patterns provided with specificity, as well as the transportation and parking and other environmental impacts said Value Retail sites have on their hosting communities.

According to recent media reports, for example, the governments hosting the Bicester location have instituted direct train service specifically for the retail experience from central London, unlike the current DEIS which admits that but for 2 LIRR trains to and from major arena events, there will NO such regular LIRR train service what so ever to or from Belmont Park, which should service both the local community commuters as well as a significant number of those same national and international "retail tourists" who will be travelling to Belmont Park.

To give some perspective to the millions of "retail tourists" that may significantly impact and disrupt the hosting communities, the governor recently held his inaugural address on Ellis Island, which has "just" 3 million visitors a year, and none of which use local communities' roads to travel there!

NYAP's major owner should also be familiar with the Empire State Building, since his family real estate firm purchased the Empire State Building land from yet another family owned real estate concern run at the time by Donald Trump, which hosts 3.6 million visitors a year. Has the DEIS consultants even considered the amount of bus traffic and tourist activity around the Empire State Building as a guide post for what will take place at Belmont Park?

Surely the I LOVE NEW YORK tourist promoters within the State of New York can provide a better evaluation of the significant adverse environmental impacts the 3 or 6 or even 9 million "retail tourists" will impact the Belmont Park hosting communities.

**NUMBER OF POTENTIAL PERMANANT JOBS: NO ANNUAL SALARIES**

While there continues to be a suggestion that 3100 permanent jobs will be created, the DEIS discloses roughly a thousand LESS such jobs.

While the State of New York ESD has disclosed its MEMORANDUM OF UNDERSTANDING with Amazon in relation to its Long Island City location, with a stated 25,000 permanent jobs over ten years at an average salary of \$150,000+ per year, no such information or projections are provided within the Belmont Park DEIS.

While the NHL discloses the salaries of all its professional hockey players to the dollar for salary cap purposes, NYAP and Value retail are stunningly silent concerning the projected average salaries that will be created at Belmont Park. Is this because instead of the Amazon highly skilled jobs being \$150,000 per year, the Belmont Park low skilled jobs mostly will be \$15.00 per hour?

Once again the DEIS needs to be redone to address this short coming and to provide the disclosure of all agreements similar to what the ESD has so proudly disclosed in relation to its Amazon megaproject in Long Island City

#### **CONCLUSION**

The DEIS is seriously deficient and must be done over before any approval is provided or any shovel is placed in the ground. Among the three components of the arena, hotel and megamall, the alternative of NO MEGAMALL is the PREFERRED ALTERNATIVE in order to avoid the OVERDEVELOPMENT instead of the redevelopment and improvement of Belmont Park. The State of New York needs to go back to the drawing board and start the DEIS process over.

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER DENNIS MCENERY  
JANUARY 10<sup>th</sup> SESSION

Belmont Park Public Comments Thursday January 10, 2019

Dennis McEnery

Thank you to all the neighbors and concerned citizens who have attended this long public session tonight, as I and former Floral Park Mayor Tweedy have been placed by the ESD at the end of the very long bench of Long Islanders who oppose the OVER development of Belmont Park.

As an initial matter, I am a proud graduate of both LaSalle Academy and Providence College in Providence, Rhode Island, where the Islander's President Lou Lamireillo is also a fellow alumnus as he was the Athletic Director and Hockey Coach while I was the captain on the lacrosse team, so like many other speakers, this is not about the Islanders but rather about the unbelievable and unbearable over development of Belmont Park proposed by the current DEIS.

We all remember Mister Roger's Neighborhood and being a good neighbor. So when someone wants to move into the neighborhood, neighbors ask each other "so who wants to be our neighbor and does anyone know what their current neighbors say about them?"

Now the neighborhood knows that their current neighbors have a very disruptive annual gathering once a year in June, which brings tens if not hundreds of visitors to the Belmont Stakes which all but paralyzes the entire neighborhood, but that has been accepted in return for a relatively peaceful and cooperative relationship the rest of the year. It is the new tenants everyone are rightfully worried about.

So we all have heard a lot about their kids who play a lot of hockey, but what about their parents and what about their neighbors where they currently have a place?

The DEIS states that they currently operate "A UNIQUE SHOPPING EXPERIENCE THAT ATTRACTS LOCAL AND REGIONAL CUSTOMERS, AS WELL AS NATIONAL AND INTERNATIONAL VISITORS, AS VALUE RETAIL'S EXPERIENCE IN **BICESTER, UNITED KINGDOM AND IN SHANGHAI CHINA** HAS SHOWN." See: DEIS Section 7-23.

So what can we learn about their current operations in Shanghai China or Bicester near London that may be of interest to their potentially new neighbors hosting Belmont Park, who literally have had the same friendly and stable neighbors who have conducted world class thoroughbred horse racing for over a century?

First of all, it is a little concerning that **VALUE RETAIL** operates so collaboratively and "comfortably" in a single party dictatorial political climate in **SHANGHAI CHINA**, although the State of New York, as evidenced by its ESD bureaucrats, now seem intent in fashioning themselves after that same type of one party dictatorship rule.

Since you can't find anyone in China who can to speak out against their communist leadership and their **VALUE RETAIL SHANGHAI CHINA** collaborators, but where they do have as another popular tourist destination **CHINA'S GREAT WALL**. That **GREAT WALL OF CHINA** hosts about **NINE MILLION TOURISTS** a year, which is about 25,000 visitors a day, which is a lot LESS than the 45,000+ per day that these new **VALUE RETAIL** neighbors along with their own State of New York collaborators want to visit Belmont Park, **EVERY DAY** and not just once a year on a weekend in June like our current Belmont Park neighbors.

So having to look at Bicester Town in England, which still has a representative form of government, what do **VALUE RETAIL'S BICESTER VILLAGE** NEIGHBORS say about VALUE RETAIL?

On FACEBOOK, the **I HATE BICESTER VILLAGE TRAFFIC** page has over THREE THOUSAND MEMBERS!

That seems to be a pretty damning visceral reaction of no less than 3401 neighbors to have actually taken the time to become a FACEBOOK MEMBER of an actual public HATE page specifically against **VALUE RETAIL'S BICESTER VILLAGE!** WOW!

This past weekend, on January 6 2019, the local police in the Bicester Town area in England actually had to issue a travel advisory about a classic car caravan. Is that something that **VALUE RETAIL** will also be imposing upon its new Belmont neighbors too?

The pictures of Black Friday gridlock caused by **VALUE RETAIL'S BICESTER VILLAGE** also have recently once again made the news in Bicester Town in England. [Picture of chocked roadways on Black Friday in Bicester England shown to ESD and NYAP representatives].

A lot of discussion has been made about attracting new businesses on Hempstead Turnpike. Did the Elmont residents like and welcome a new TJ Maxx store as their new neighbor? [Several audience members loudly respond saying "YES" to TJ Maxx].

Well over in **BICESTER ENGLAND**, when a TK Maxx store recently wanted to become a neighbor of **VALUE RETAIL'S BICESTER VILLAGE** it seems that **VALUE RETAIL** was the first one to object and was not a very welcoming neighbor to them at all.

In fact, **VALUE RETAIL** took the extraordinary step of closely reviewing and making numerous objections to its new neighbors, many of which are ironically exactly the SAME type of questions, objections and issues which **VALUE RETAIL AT BELMONT PARK** is all but trying to ignore and avoid. If these issues are good enough for **VALUE RETAIL** to ask about its potential neighbors in England, then they are good enough for it to answer from its Belmont Park neighbors in these UNITED STATES OF AMERICA. See: Bicester Town Ward; Case Officer Linda Griffiths; Applicant CPG Development Projects; Site: Land south of and adjoining Bicester Services, Oxford Road, Bicester U.K. RECOMMENDATION: REFUSAL

Here are some of the issues that **VALUE RETAIL** raised in **BICESTER ENGLAND** that **VALUE RETAIL** now needs to address before it is allowed to become a neighbor at Belmont Park, and which the current DEIS that is woefully incomplete and inaccurate, needs to be withdrawn and redone:

- 1] The proposal will have a **significant adverse impact on nearby areas and should therefore be refused**
- 2] The applicants approach fails to **consider alternative options**
- 3] The applicant **has failed to consider whether there are other, more accessible/better connected sites.**
- 4] **No cumulative impact assessment has been undertaken. Therefore the application is not credible.**
- 5] The Applicant **has failed to robustly assess the traffic changes** arising from the proposal

6] The **scheme is reliant upon private cars as the principle means of access to the site**, the implications of which have not been fully assessed.

7] **The level of traffic have been underestimated**

8] **Insufficient evidence provided to demonstrate that the application is capable of mitigating traffic increases on the highway network.** It should be demonstrated using **detailed modelling**

9] Site access from the local highway [A41 in England Cross Island Parkway and Hempstead Turnpike here] would come under pressure as a **consequence of the application traffic being unable to reach the development** from that direction

## 10] **It is too close to the local primary school**

[If the primary school in Bicester England needs to be protected and the application rejected, then surely our primary AND secondary schools of Floral Park deserve the SAME finding].

11] **Given the absence of a robust transportation analysis it cannot be taken at face value that there is sufficient parking, resulting in parking in the nearby streets**

12] **Service and delivery vehicles will queue back onto the adjacent highway network**

13] **There is no certainty that the local highways can accommodate the traffic** arising from the proposal

14] **The applicant has failed to clearly identify capacity to support the scale of retail proposed**

15] **The applicant has failed to demonstrate it can deliver appropriate and sufficient mitigation measures in order to off-set the increases in vehicular trips that would arise**

By the way, due to Value Retail's many valid concerns and comments as well as other neighbors' comments, the Maxx store was REFUSED by the Cherwell England's Planning Officer in 2015 as being **the RIGHT PROPOSAL, WRONG LOCATION**. While eventually the Maxx store was able to become a welcomed neighbor by the majority of its neighbors, it was only AFTER the applicant submitted a proposal worthy of such acceptance.

**It is therefore requested that the NYAP representatives, who have sited their Bicester Village experience in England and China be required by the State of New York to disclose its own studies and traffic and significant impacts that its Value Retail locations have already experienced, including all studies, local municipalities, neighbors, etc. be made part of a new and more detailed DEIS.**

As time is expiring, so as their ENGLISH neighbors SAY: 'What's sauce for the goose is sauce for the gander.' Or as we say here: **WHAT IS GOOD FOR THE GOOSE, IS GOOD FOR THE GANDER.**

After all these sessions of public comments, the overwhelming consensus is that the State of New York and NYAP have indeed cooked their own goose, so it is time you all eat crow or perhaps something else you can find at 'Da Barns' at Belmont Park. We go by 'da barns' on Hempstead Tnpl. and they do indeed have chickens, not crows, as all the neighbors already know. **REFUSE the DEIS and just do it over!**

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER MARC MULLEN  
JANUARY 9<sup>th</sup> SESSION

Good evening. My name is Marc Mullen and I am president of the West End Civic Association. The west End of Floral Park is the direct neighbor of Belmont Racetrack. From our perspective the 2 biggest issues we are facing is the North Lot and Arena Parking. The Newest ESD Impact Statement places 4,000 spaces for Arena Parking in the North Lot. The North Lot is the parking lot adjacent to Floral Park Bellerose School and many homes in the west end. The latest model has cars coming to over 300 arena events per year , parking their vehicles in the North Lot and being Shuttled to the Arena. Can you even imagine the noise pollution and quality of life violations that we will have to deal with on a daily basis. Most concerts, sporting events, etc...

start at 7pm, so by 5PM we will be subjected to crowds of patrons tailgating and basically partying in our backyards. What about afternoon events where patrons to the Arena will be parking when the kids are playing recess in the back of the school. Many sporting events in our Community use Floral Park Bellerose School on nights and weekends for practices or games. SO this affects everyone! As of this moment, nothing separates the North Lot Parking from our schools and homes. There is a theme these days called "Build A Wall". Doesn't matter right now on your political beliefs , but we need some sort of buffer between us and the Arena Parking. Whether it be a Noise Canceling Wall or a Wall of Shrubs we need to get the point across that we don't want to be subjected to

living next to an active parking lot. We also must be aware of patrons trying to skirt the entrances and park in the west end. I am pretty certain that the new Arena is going to be an expensive place to park your vehicle, what is going to stop people from trying to park in the west end and finding their way into the Arena. 8 years ago when I joined the West End Civic Association, I joked that we should put gates around the west end to make it exclusive, well that's not so funny anymore. We need to protect our families, our home values and most importantly our schools. If my residents do want to explore a gate or security booth around the west end, be prepared that we are not paying for it. I am hand delivering that BILL to you.

**The sign when you drive into Floral  
Park says "A Great Place to Live"  
You should read it some time. It might  
not mean anything to YOU, but it  
means everything to us.**

**PRIOR SUBMISSIONS AT DEIS HEARINGS**

**BELMONT TASK FORCE MEMBER HEATHER MCCLINTOCK  
JANUARY 9<sup>th</sup> SESSION**

My name is Heather McClintock and I have lived in Floral Park for 17 years. Page S-9 of the DEIS report, states that one of the objectives of the Project was to "benefit the neighborhoods and communities adjacent to and surrounding Belmont Park." HOWEVER, on page S-34 of the SAME DEIS report, it is CONCEDED that "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." These 2 facts cannot exist in the same universe. Therefore, I am here tonight to present you with the top 5 reasons why the ESD must scale back the scope of this project:

NUMBER FIVE - Stores like Sears are closing, mortar and brick malls sit vacant like the Fortunoff mall - the very last thing Nassau County needs is more retail shopping. Put the parking lots back where you had them initially.

NUMBER FOUR - The high real estate taxes we pay for the promise of peaceful suburbia will be shattered with the urban crush of traffic and congestion that we will be burdened with under the current scope of this project. Drop the mega-mall.

NUMBER THREE - The mall customers will end up crowding out the arena visitors threatening the very success of the arena project. Look at the daily traffic nightmare at Woodbury Commons for reference.

NUMBER TWO - Beautiful Belmont park should be respected with thoughtful development - not overdevelopment of a project that is too big and will fail.

AND THE NUMBER ONE REASON WHY YOU SHOULD SCALE BACK THE SCOPE OF THIS PROJECTS IS BECAUSE LIVES WILL BE JEOPARDIZED WHEN THE EMERGENCY RESPONSE TIME IS SLOWED DOWN DUE TO THE INCREASED TRAFFIC ON LOCAL STREETS - how on earth can you go forward with these plans knowing what's at risk to your constituents.

Don't forget, the almighty dollar is not your constituent, we are, and our lives matter.

I IMPLORE YOU TO RECONSIDER THE SCOPE OF THIS PROJECT. Thank you.

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER JESSICA ALFONSI  
JANUARY 9<sup>th</sup> SESSION

I feel like it's the movie Groundhog Day. I see the same people up here saying the same thing they said at the last public hearing. And it's because you are not listening to us. Floral Park's village administration and the Belmont Task Force has treated you all with respect, professionalism and TRUST. They brought several of you including Holly Leicht, Marion Phillips and Drew Gabriel on a tour of our village and specifically pointed out the close proximity of our homes and schools to the east and north lots. You saw with your own eyes they are a stones throw away from these parking lots you intend to use. Any rational person would look at that and say "we can't develop RIGHT HERE". Anyone with half a brain, or half a heart for that matter would say "this would truly disturb the peaceful existence of these residents". I am angry because common sense is not prevailing.

Your DEIS says NYRA doesn't allow tailgating but is that really enforceable? And what about the "Islanders Honk"? Would any of you want that driving past your house at 10pm 41 nights a year? Think about that! The backstretch workers, our children and area citizens deserve to have peace & quiet. My heart is also breaking for the Elmont residents who live on Huntley and Wellington and Hathaway in such close proximity to the mega-mall - will they ever be able to park in front of their own homes again? Didn't the RFP's purpose state to "Benefit the neighborhoods and communities surrounding Belmont Park?"

We want that area revitalized for Elmont and all the surrounding communities. It's about time! But the infrastructure must support it or this is irresponsible. When I spoke at the last hearing, I asked what you would do if the study shows the area cannot support a project of this size - would you just cancel the whole thing. You said no, but that you would find a solution for any serious issues found. Well the DEIS highlights "significant adverse traffic impacts" and that they will unfortunately be "unavoidable".

You MUST make the LIRR station a full-time station that can go EAST, not just West. Then and only then, build your arena with parking on the south lot and eliminate the mega-mall. Let me repeat, we are FOR development at Belmont, just not OVER-development.

There are better options for these sites and we're happy to help you find them. I read the other day the Nassau coliseum Hub developer had previously been negotiating with Mount Sinai to build a 100,000-square-foot research facility there. Well now that Northwell ended up being chosen perhaps Mount Sinai would like this land. Stop moving forward on a project that doesn't have the proper infrastructure and local community support.

And let me close by saying you've managed to get this far because the residents of Floral Park were giving you the benefit of the doubt and trusting that your Environmental Impact Study would be done in an honest and accurate way. We truly didn't think it would pass but you managed to manipulate the study in your favor as many expert speakers have highlighted over the last couple days. You've lost our trust.

Thank you.

PRIOR SUBMISSIONS AT DEIS HEARINGS

BELMONT TASK FORCE MEMBER JESSICA ALFONSI  
JANUARY 10<sup>th</sup> SESSION

Dear Editor,

I just wanted to thank the hundreds of Floral Park residents who showed up at the Belmont arena hearings this week to fight for our town. Below are my comments from last night's session...

Hello. I've sat here the last 3 nights and feel the need to sum up the messages of the vast majority of speakers & applauding spectators...

First, no one believes your Environmental Impact Study was done honestly and accurately – many subject matter experts refuted several sections of the study - namely safety, traffic/transportation, community character, infrastructure, water & noise.

You have obviously not familiarized yourself with our communities and the area. How many people have to tell you that a hockey arena parking lot neighboring an elementary school is not the best idea? It is a beer bottle's throw away. And how many need to say traffic is ALREADY atrocious & that people are DYING?

Elmont needs development but not all this – start by giving them a fully functioning LIRR station at Belmont. That will grow their neighborhood and attract local business people to the area. Not just more fast food chains as last night's speaker mentioned...

We are not against the Islanders or the Arena necessarily but Belmont Park must stay park-like, not become just a parking lot – we don't need hotel space, retail space, conference space and office space. Who here will benefit from that? We want green space, community space and OPEN SPACE.

FORGET THE LUXURY MALL. Not one person has come out in support of it – NOT A ONE

PUT ALL arena parking on the South lot where it belongs and stay away from our schools & homes.

And finally, I think it is safe to say you clearly do NOT have the community's support. In today's Newsday article your spokesman is quoted as saying "ESD is committed to a robust community engagement process. Our goal is to ensure local residents' voices are heard." I am up here to tell you we do not feel heard!

Thank you,

Jessica Alfonsi