

Case No.:

Resolution:

Adopted:

\_\_\_\_\_ offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING AS COMPLETE A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS) AND SCHEDULING A SEQRA PUBLIC HEARING ON THE DGEIS TO BE HELD ON AUGUST 4, 2009 IN CONNECTION WITH AN APPLICATION FOR THE CREATION OF A PLANNED DEVELOPMENT DISTRICT (PDD) AND A REQUEST FOR A CHANGE OF ZONE IN CONNECTION WITH THE REDEVELOPMENT OF THE NASSAU VETERANS MEMORIAL COLISEUM SITE AND OTHER ADJACENT PROPERTIES FROM THE B RESIDENCE DISTRICT, MITCHEL FIELD HOTEL DISTRICT, MITCHEL FIELD OFFICE DISTRICT AND MITCHEL FIELD OFFICE II DISTRICT TO THE PROPOSED PDD AND APPROVAL OF A CONCEPTUAL MASTER PLAN, IN CONNECTION WITH PROPERTY LOCATED ON THE NORTH AND SOUTH SIDES OF HEMPSTEAD TURNPIKE, EAST OF EARL OVINGTON BOULEVARD, IN THE HAMLET OF UNIONDALE, TOWN OF HEMPSTEAD, NEW YORK

WHEREAS, The Town Board of the Town of Hempstead has received an application from the Lighthouse Development Group, LLC (hereinafter the “Applicant”) for the creation of a Planned Development District (hereinafter the “PDD”) and a request for a change of zone in connection with the redevelopment of the Nassau Veterans Memorial Coliseum site and other adjacent properties from the B Residence District, Mitchel Field Hotel District, Mitchel Field Office District and Mitchel Field Office II District to the proposed PDD and approval of a conceptual master plan based on the PDD regulations; and

WHEREAS, the rezoning is proposed for the purpose of constructing a new mixed-use community, offering sports and entertainment facilities (centered around an upgraded and renovated Nassau Veterans Memorial Coliseum), residential, hotel, retail, office and public land uses, as well as off-street parking and other site improvements; and

WHEREAS, the proposed development program for the site includes:

- Nassau Coliseum upgrade and renovation: 1,203,000 square feet (416,000 square feet existing);
- Hotels: 917 rooms (617 rooms existing);
- Convention facilities: 200,000 square feet (82,000 square feet existing);
- Office space: 2,636,254 square feet (1,636,254 square feet existing);
- Retail space: 500,000 square feet; and
- Residential: 2,306 dwelling units (hereinafter the proposed rezonings and development program constitute the “Proposed Action”); and

WHEREAS, the Proposed Action is a Type I action pursuant to the New York State Environmental Quality Review Act (hereinafter “SEQRA”); and

WHEREAS, the subject parcels are identified as Section 44 - Block F - Lots 326, 351, 384-387 and 401-403 and Section 50 - Block 340 - Lots 466G, 466H and 483 on the Nassau County Land and Tax Map (the "Subject Property" or "Site"); and

WHEREAS, the 149.98-acre Subject Property is located north and south of Hempstead Turnpike, between Earl Ovington Boulevard and the Meadowbrook Parkway in the Hamlet of Uniondale; and

WHEREAS, after conducting a coordinated review and designation of Lead Agency procedure in accordance with the requirements of 6 NYCRR Part 617, the Hempstead Town Board became the Lead Agency for the coordinated environmental review of the Proposed Action on March 4, 2008; and

WHEREAS, a Positive Declaration was issued by the Town Board on April 8, 2008, thereby finding that the Proposed Action may have a significant adverse impact on the environment, and thereby requiring the preparation of Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, after electing to conduct public scoping for the DGEIS, the Town held public scoping sessions on May 22, 2008 and May 27, 2008 concerning the draft scoping document prepared by the Applicant and a final scope for the DGEIS was adopted by the Town Board on February 24, 2009; and

WHEREAS, a DGEIS dated February 2009 analyzing potential adverse environmental impacts associated with the Proposed Action, and prepared pursuant to Part 617.9 and Part 617.10, was submitted to the Town Board on February 24, 2009; and

WHEREAS, the DGEIS dated February 2009 was reviewed by the Town Board, and Town staff and consultants for adequacy with respect to its scope and content, and the following review memoranda were submitted to and reviewed by the Town Board:

1. Memoranda from Frederick P. Clark Associates to the Town Attorney dated March 29, 2009, April 3, 2009, April 24, 2009, May 8, 2009; May 28, 2009; and
2. Memoranda from RTP Environmental Associates, Inc., to Frederick P. Clark Associates dated March 30, 2009; and
3. A memorandum from the Town of Hempstead Department of Water to the Town Attorney dated March 30, 2009; and
4. A memorandum from the Town of Hempstead Department of Sanitation to the Town Attorney dated April 10, 2009; and

WHEREAS, a revised DGEIS dated June 2009 was submitted in response to the comments relating to DGEIS completeness issues contained in the above listed memoranda as described in a letter to the Town Attorney from VHB Engineering, Surveying and Landscape Architecture, P.C. on behalf of the Applicant dated June 5, 2009; and

WHEREAS, the Town staff and consultants reviewed the June 2009 version of the DGEIS and submitted comments to the Town Board in a memorandum and attachments thereto, to the Town Attorney from Frederick P. Clark Associates dated June 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, acting as Lead Agency, after reviewing and evaluating:

- a. the DGEIS;
- b. the requirements of 6 NYCRR Part 617; and
- c. all of above mentioned and below mentioned correspondence and comments referred to herein from the Town staff and the Town's and Applicant's environmental experts;

hereby accepts the revised DGEIS dated June 2009 as being adequate with respect to its scope and content for the purpose of commencing public review, subject to the conditions herein contained; and

BE IT FURTHER RESOLVED, that this acceptance is subject to the condition that the Final Generic Environmental Impact Statement (FGEIS) shall respond to and address the following non-completeness comments to the satisfaction of the Town Board:

1. All comments identified in the memorandum to the Town Attorney from Frederick P. Clark Associates dated June 30, 2009.
2. All additional substantive comments that will be made with respect to the DGEIS and submitted by Town staff and consultants, Involved and Interested Agencies and the public; and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the circulation of the DGEIS dated June 2009 for public and agency review and comment, and further authorizes that a Notice of Completion of a Draft Generic EIS (DGEIS) and Notice of SEQ Hearing be filed, all pursuant to 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, the Town Board, pursuant to 6 NYCRR Part 617 hereby schedules a public hearing regarding the DGEIS for August 4, 2009 at 9:30 A.M., to be held at the John Cranford Adams Playhouse, located at Hofstra University on Hempstead Turnpike, Hempstead, New York; and

BE IT FURTHER RESOLVED, that all comments set forth in the documents attached hereto other than those pertaining to DGEIS completeness issues will be addressed in the Final Generic Environmental Impact Statement ("FGEIS"); and

BE IT FURTHER RESOLVED, the Town Board, pursuant to 6 NYCRR Part 617, hereby establishes a public comment period for the submission of written comments regarding the DGEIS to open on the date of circulation of the accepted DGEIS and to close on August 17, 2009; and

BE IT FURTHER RESOLVED, the Town Board, pursuant to 6 NYCRR Part 617 authorizes the posting of the DGEIS dated June 2009 on the Internet.

The foregoing resolution was adopted upon roll call as follows:

Ayes:

Noes: