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Via email to WillowSEOR@NassauCountyNY.gov

Re: Map of Willow View Estates Proposed 284-lot Subdivision
99 Meadow Drive, Woodmere / Village of Lawrence / Village of Woodburgh
DEIS Comments
CE 2735

Dear Mr. Perrakis:

Cameron Engineering & Associates, LLP has reviewed the Willow Estates Subdivision Draft Environmental Impact Statement (DEIS) dated May 2020, and on behalf of the Town of Hempstead, Village of Lawrence, and Village of Woodburgh, offers the following technical comments on the DEIS.

Background and Potential Significant Adverse Environmental Impacts

As noted in the DEIS, the Final Scope was adopted by the Nassau County Planning Commission (NCPC) on September 26, 2019, identifying the following as potential significant adverse environmental impacts: Physical Alteration of Land; Surface Water, Floodplains, Stormwater and Groundwater Resources; Ecology and Wetlands; Aesthetic Resources; Historic and Archaeological Resources; Recreational Opportunities and Open Space; Transportation; Energy; Infrastructure and Community Services; Zoning, Land Use and Community Character; Noise, Odors, and Lighting; Climate Change; and Construction Impacts. As such, this comment letter focuses on these subject areas, particularly where the analysis fails to adequately address these identified potential significant adverse environmental impacts.

While the Town and two Villages signed an Intermunicipal Agreement (IMA; adopted by the Village of Woodburgh on November 13, 2019, Town of Hempstead on December 10, 2019 and Village of Lawrence on January 9, 2020) and adopted respective versions of the Coastal Conservation District – Woodmere Club (CC-WC) zoning district (joint public hearing held on June 23, 2020; adopted by the Village of Woodburgh on June 29, 2020, Town of Hempstead on July 1, 2020 and Village of Lawrence on July 1, 2020), the intent of this letter is not to point out non-compliance issues with the recently adopted zoning district (except as such deficiency applies in the Zoning, Land Use and Community Character discussion) but rather provide comments on the adequacy of the analyses contained within the DEIS.

Executive Summary

Comment 1. In Section 1.1.1 of the DEIS, the Proposed Action is stated to be in accordance with prevailing bulk and dimensional regulations. Several of the proposed residences within the Village of Woodburgh would require variances for lot frontage. Such variances and any involved agencies should be identified and discussed within the DEIS.

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Physical Alteration of Land

- Comment 1.** Within the Final Scope, the Nassau County Planning Commission (NCPC) identified construction duration as a potential significant adverse impact. NCPC noted that the project's physical alteration of the site "may have a significant adverse impact on Land due to the duration of construction and the generation of large volumes of stormwater runoff." Section 3.1 fails to adequately project and/or address the potential significant adverse impact of a construction period that will last a minimum of six years, and due to the number of approvals and home design process, would very likely extend over ten years. A complete analysis of this duration of construction is avoided within this section of the DEIS. The DEIS continually states that the complexities, uncertainties, and coordination issues across municipalities prevent an accurate estimation and analysis of this extended construction duration. However, as it was identified as a significant potential adverse impact, further analysis is required.
- Comment 2.** The discussion on Soils, beginning on page 62 of the DEIS, notes that approximately 85% of the subject property comprises Udipsamments, wet substratum (Ue). While a copy of the Nassau County Soil Survey description is provided, there is no analysis or discussion of this information, including discussion of percolation rates. Of particular concern, the Soil Survey notes that, "Some areas of these soils are limited by tidal flooding during intense coastal storms." The subject property is one of these areas of concern, and as such, requires additional analysis. The subsequent geotechnical investigation confirmed the presence of shallow groundwater and this significant tidal influence, yet the DEIS fails to analyze or discuss the impacts of tidal influence. There is no indication of the tidal conditions during the geotechnical investigation, or supplementary groundwater readings at various points in the tide cycle. The DEIS applies a uniform two-foot design over measured conditions as allowance for stormwater infrastructure without providing any analysis for tidal impacts.
- Comment 3.** The Ue soil is stated, without any analysis, to be poorly suited to all types of wildlife habitat. There is no analysis associated with this statement from the Nassau County Soil Survey. Without such an analysis, this conclusion is deficient for the subject property. It also appears contradictory to the results of the field survey provided in the Ecology section of the DEIS, which identified 44 bird species on-site (May 9, 2019 field survey), indicating that wildlife does not avoid the area due to the soil. A further analysis of wildlife on this property, bordering the coast, is necessary to address whether the soils on the course limit wildlife on the course.

Surface Water, Floodplains, Stormwater, and Groundwater Resources

- Comment 1.** As noted above, the Woodmere Club property is subject to significant tidal influence and is well-documented as a flood-prone area. Perhaps most significantly, the DEIS fails to address the subject property's compliance with each municipality's floodplain regulations (Village of Lawrence Code: Article V Construction Standards: §94-13 General Standards; Village of Woodsburgh Code: Article V Construction Standards: §77-15 General Standards; and Town of Hempstead Code: Article XXXIV Flood Hazard Zones: §352 Construction Standards), all of which contain specific provisions related to subdivision proposals, required calculations to ensure flood elevations do not rise and provisions to minimize off-site impacts. In addition, the Village of Lawrence and Village of Woodsburgh have longstanding local compensatory flood storage requirements. Both Villages have similar requirements as it relates to subdivision proposals within the special flood hazard area, as well as sitewide floodplain management requirements related to the use of fill and the provision of compensatory storage.

As the DEIS reports an estimated fill quantity of approximately 250,000 cubic yards, the regulations set forth by the Village of Lawrence (Article V Construction Standards: §94-13 General Standards) and Village of Woodsburgh (Article V Construction Standards: §77-15 General Standards), as well as the regulations of the recently adopted Coastal Conservation

District – Woodmere Club (all three municipalities), require a significant amount of compensatory storage. The Village of Lawrence and Village of Woodburgh Codes state:

Whenever any portion of a floodplain is authorized for development, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or other body of water can be credited as a compensating excavation.

The DEIS fails to address this critical regulation or provide a calculation or plan for the provision of compensatory storage, and neglects the impacts of this significant quantity of fill, and floodplain impacts both on-site and off-site.

Page 104 DEIS also asserts that:

...the proposed development activities (including filling and grading activities) would not be expected to substantially alter the BFE at the subject property or on surrounding properties. As part of the proposed action, the residences and all surrounding areas would be raised above existing grades, thereby minimizing the flood hazard risk to the residences sited within the existing floodplain, and would not increase the depth of flooding by more than one foot.

Again, no plan or engineering calculation is provided to support the assertion that depth of flooding will not increase. Throughout the document, floodplain analysis is limited to the proposed residences and roadways meeting applicable flood insurance regulations and dismisses and/or fails to analyze flood impacts on surrounding properties.

Together, the three municipalities also strongly refute the DEIS' characterization of floodplain impacts at the subject property, which ignore the geographic features and position of the Woodmere Club, as well as historical flooding data. The DEIS states that:

The coastal floodplain is wide (i.e., several miles across), and not limited, as compared to a stream where water can only flow within the narrow, confined areas along the streambed. Water in the coastal floodplain is not confined and can flow throughout the entirety of the floodplain along the coast. Accordingly, development activities at the subject property would not have the potential to result in significant impacts to flooding conditions in the area, as the volume and velocity is stretched out over a distance and is diminished.

The DEIS characterization of the local floodplain ignores historic data and events, such as Superstorm Sandy flood inundation data, which clearly show that the Woodmere Channel acted as a neck, with flood impacts concentrated at the subject site, rather than dispersing evenly along the coast. During storm events, the Woodmere Club property plays a critical role in slowing and diffusing flood impacts, particularly to the surrounding residential neighborhoods. The assertion that the "stretched out" volume and velocity of floodwater would mitigate the potential significant impacts of the proposed development (and associated fill) is incorrect. Both historic data and modeling under both existing/proposed project conditions (see Section 2.3 of the Expanded Environmental Assessment – Coastal Conservation District – Woodmere Club) confirm that such development and fill would result in significant adverse floodplain impacts. The DEIS fails to discuss or analyze these impacts to surrounding areas, and fails to show how the project complies with local regulations related to on-site compensatory storage requirements.

While the DEIS asserts that the proposed development will comply with all applicable

regulations within each municipalities' floodplain ordinance, it remains unclear - and appears nearly impossible given the proposed subdivision layout - how the required storage and drainage requirements will be achieved. The proposed project will develop the entirety of the site with minimal open space. Outside of four proposed stormwater/bioretention swales, there are no provisions for compensatory storage areas or the required drainage elements to satisfy the municipalities' flood regulations. These retention areas will do little to reduce flood impacts, as they have limited volume (groundwater and tidal influence greatly limit capacity) and are intended to provide storage for the significant increase in stormwater associated with the proposed development's, not storm surge flooding.

Comment 2. Given the shallow depth to groundwater throughout the subject property (groundwater contours range from 0 to 5 feet throughout the majority of the property; see Figure 11 – Groundwater Contour Map in the DEIS), the stormwater and storm surge storage capacities of the site will be extremely limited. The DEIS seems to recognize the limitations of the proposed stormwater system, noting that although Nassau County Department of Public Works (NCDPW) requires storage for an eight-inch rainfall event, the DEIS notes that applicant may seek relief from the County's drainage volumetric requirements and as such, generally evaluates a three-inch event. Based on the analysis contained within the DEIS for a three-inch event, the proposed project will generate approximately 700,683 cubic feet of stormwater, compared to 474,627 cubic feet under existing conditions. This is a significant increase that should require additional analysis and design consideration, particularly for stronger storm events. Given the community's well-documented existing flooding and drainage issues, stormwater management and drainage systems should not be downsized for storm events that fall below the County's design standard of eight inches. There is also no discussion of storms that exceed the proposed project's design, the NCDPW design standard, or additional precipitation to be expected as climate change continues.

In addition, neither the Stormwater section nor the Groundwater Resources section address the tidal influences of the property (i.e., groundwater fluctuations based on tidal cycles and storm conditions). These sections also do not analyze the impacts of climate change (stronger and more frequent storms) and sea-level rise (additional inundation and tidal influence).

Comment 3. Table 7 within the DEIS estimates an increase in impervious surfaces of nearly 400% (from 7.33 acres to 36.48 acres), yet there is no discussion of this increase or its potential significant adverse impacts, such as runoff quality issues associated with the introduction of new roadways (including salting/sanding during winter months) and hundreds of new automobiles throughout the site.

Comment 4. The DEIS provides that the residences and "all surrounding areas" will be raised above existing grades, thereby minimizing the flood risk to residences within the existing floodplain. The underlying basis for this representation is incorrect. Only the proposed development, including the properties and the internal roadways, will be raised. The existing surrounding neighborhoods and roadways will not be raised. The DEIS fails to adequately analyze potential impacts to the existing surrounding neighborhoods.

Comment 5. Neither the application nor the DEIS contain any details on the bioretention or biofiltration areas. These details are necessary to understand whether the areas will work, and what impacts they have on the development, surrounding area, the coastal areas, the existing roadway network and the watercourses. Without this information, rendering a determination on the use of these areas is speculative. Also, details as to proposed maintenance, including ownership and maintenance responsibility, must be included for analysis of impact and mitigation.

Comment 6. On page 123 (Policy 125), to demonstrate that the proposed action is designed in a manner to protect, restore or enhance natural and man-made resources which are not identified as being

of statewide significant, but which contribute to the overall scenic quality of the coastal area the DEIS concludes that while the “proposed action would change the visual character of the subject property, residential lot development on the site would be consistent with existing development in the surrounding area, resulting in aesthetic compatibility”. The entire visual aesthetic is proposed to be removed and replaced with homes primarily on 6,000 square foot lots, elevated from the surrounding neighborhood and road network. Rather, the proposed homes are not compatible with the surrounding area, as they will be higher than any of the proposed homes and on lots significantly smaller than the surrounding neighborhood. The context of the existing neighborhood must be addressed, in particular, the location of Meadow Drive as the entry to the Village of Woodsburgh. The current visual context is a serene, pastoral entry to the Village with at grade (and generally low-lying) homes. The creation of a development on a hill, on smaller lots, with houses requiring compliance with flood elevation requirements, results in a completely different context, not one that is “consistent with existing development in the surrounding area”. These impacts must be acknowledged and addressed.

Ecology and Wetlands

- Comment 1.** The DEIS notes that the proposed project will remove approximately 61% of the on-site trees, yet provides no discussion, justification, or analysis for these tree removals. In addition to the removal of over 500 trees, given the quantity of proposed fill and associated grading work, nearly all other vegetation (i.e., trees with a DBH under four inches, shrubs, plants, grasses etc.) will be eliminated from the site.
- Comment 2.** The DEIS notes that a jurisdictional determination from the United States Army Corps of Engineers is still pending for the on-site ponds and emergent marsh areas. Such a determination is critical for analysis, as the proposed project is seeking to fill portions of these marsh and utilize these ponds to provide the majority of the proposed project’s stormwater storage.

Aesthetic Resources

- Comment 1.** As described above, the DEIS does not discuss or analyze the impacts associated with the removal of approximately 61% of the on-site trees or raising of grade throughout the subject property. The description of the existing conditions fails to mention the existing 864 trees on-site, despite trees featuring prominently in subject property photographs (Photographs 6-9; 30-31). However, the DEIS does describe the importance of the existing tree cover in the community, stating: “The prevalence of significant tree cover contributes to the overall character of the neighborhood.” Given this defining element of community character, additional analysis and mitigation measures should be developed in relation to tree removals.
- Comment 2.** Discussion of potential significant adverse impacts to aesthetic resources is very limited and inadequate. In describing the proposed changes from various points surrounding the property, the DEIS notes that views for much of the surrounding community will transition from vegetative buffer and views of the golf course and the Woodmere Channel, to views of single-family homes, rear yards of single-family homes and reduced vegetative buffers through tree and vegetation removal. Text from the DEIS (below) describes these changes.

Along Broadway, views will change as follows:

Following implementation of the proposed action, the view from locations to the north along Broadway would remain mostly obstructed, however some existing trees would be removed to accommodate the proposed grading. Rear yards of the proposed single-family homes would abut Broadway and may be partially visible through the existing vegetative buffer.

Along Meadow Drive/Ivy Hill Road, views will change as follows:

“Following implementation of the proposed action, these views will shift from that of the golf course, to views of the new single-family homes.”

Further along Meadow Drive, views will change as follows:

Upon implementation of the proposed action, views of the subject property from these existing homes will shift from that of the golf course, and Woodmere Channel to views of the rear yards, and associated fencing, and landscaping, of the proposed single-family residences.

For the Atlantic Avenue area, views will change as follows:

Upon implementation of the proposed action, a portion of the existing buffer of mature trees will be removed to accommodate the proposed grading of the subject property. Rear yards of the proposed single-family residences will about the rear yards of existing homes on Atlantic Avenue. Views will shift from that of the vegetative buffer and golf course, to views of the vegetative buffer and rear yards of the new single-family homes.

For residential roadways to the west, views will change as follows: “Upon implementation of the proposed action, existing views of the subject property will shift from those of a golf course, to views of the proposed single-family homes.”

This section fails to discuss or analyze these adverse aesthetic impacts any further. Given these wholesale aesthetic and community character changes, further analysis and mitigation is required. The DEIS attempts to dismiss these significant changes by providing a list of State and Federal designations associated with aesthetic resources and stating that the proposed project will not impact any designated resources. This is an extremely limited view of aesthetic resources that fails to analyze or protect the community’s valuable local aesthetic resources, such as its tree cover, views of the water, open space and historic character. In fact, the DEIS utilizes the NYS DEC Program Policy “Assessing and Mitigating Visual Impacts” for its procedures and methodologies as their basis for the visual impact analysis. This policy is stated to provide “guidance to [DEC] staff on evaluating visual and aesthetic impacts when the [DEC] is the lead agency [AND] is advisory only for all other lead or involved agencies in their SEQR assessments of visual impacts.” Thus, application of this policy is not required. Nor, in matters of local concern, is it appropriate. Here, the existing visual is open space, a historic building and residences on properties significantly larger. The proposed houses are located primarily on 6,000 square foot lots, at elevations higher and on higher roadways. In its visual impact analysis, the local agencies must view the action in the context of local conditions and must require the applicant to provide visuals of these considerations to place the proposal in context.

Additionally, with most views from outside the subject property featuring the rear yards of the new residences, additional discussion of these views, together with depictions of those proposed views, should be provided. This is a poor continuation of community character and introduces additional adverse aesthetic impacts to the community.

Comment 3. The final paragraph of Section 3.4.2 appears misplaced, or the aesthetic resource analysis referenced in the last sentence is missing from the document.

Historic and Archaeological Resources

Comment 1. The DEIS provides:

Historic resources include districts, buildings, structures, objects, and sites that are

listed or may be eligible for listing in the State and National Register of Historic Places (S/NRHP), or that are landmarked locally.

This list is too narrow to effectively consider all potential historic resources. That a site has not been landmarked does not render it a non-historical resource. General Municipal Law (GML) 119-AA provides municipalities, in the spirit of stewardship and trusteeship for future generations, to conduct activities, plans and programs in a manner consistent with the preservation and enhancement of historic properties. GML 119-BB defines “historic property” as any building, structure, or site with significance in the history of communities in the state, and “historic preservation” as the protection of buildings, structures, and sites significant in the history of communities in the state. None of these authorizing provisions limit such historical significance only to properties listed on the State or National, or even local, Register of Historic Places. GML 96-a also provides a municipality with authority to “provide by regulations, special conditions and restrictions for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, ...having a special character or special historic or aesthetic interest or value.” Again, there is no formal requirement in this authorizing legislation that a building or site be designated on a register.

Here, as part of the proposal, the applicant seeks to eliminate the Clubhouse building and the century old golf course that serves as the defining element of the community and the underlying historical feature in the area and in Woodsburgh. The impacts of these losses must be addressed before any analysis can be deemed complete and conclusion can be reached regarding the potential impacts to the Village’s history, and whether any alternative would alleviate the impact of the loss of these historical features and building. Included in this analysis, must be mitigation that reduces the potential impact by retaining the building and the golf club site history.

Recreational Opportunities and Open Space

Comment 1. Section 3.6.2 does not adequately address the loss of open space and its importance to the community. The DEIS states:

It should be noted that as a privately owned and operated, members-only club, the subject property is not available or accessible to the general public. Thus, while the proposed action would result in the loss of a golf course, it would not result in a loss of a publicly accessible recreational resource.

Open space provides many additional functions besides “publicly accessible recreational resources.” The failure of the DEIS to recognize the multiple roles of open space represents an incomplete analysis. Additional open space impacts that must be addressed include community character/aesthetics, flora and fauna and flood mitigation. When considering impacts, the visual, environmental, ecological and character benefits are the same, whether the space is public or private. The fact that the subject property was operated as a private club does not reduce the importance of open space and the numerous benefits it provides to the local community.

Comment 2. Section 3.6.3 does not identify any mitigation measures for the loss of open space.

Comment 3. Under various statutes, including Village Law 7-730(4), as well as Village of Woodsburgh Code 131-25(A), provision must be made for parkland, passive or recreational, purposes. This must be addressed in the DEIS.

Transportation

Comment 1. The proposed access at the Broadway-Prospect Avenue intersection represents a new road opening on Broadway that requires Nassau County approval (a separate application from the

subdivision action). If the County does not approve this new access, it would change the distribution of site-generated traffic, which would likely result in impacts (e.g., at Broadway-Meadow Drive) that are not identified in this traffic study. As shown in DEIS Figure 12, this proposed driveway is expected to handle roughly 60% of site traffic, so the County's approval or disapproval represents a significant unknown.

And in fact, the proposed driveway may not be permitted by the County, or may not be permitted with full access (meaning, with left turns, right turns, and through movements permitted in each direction). Nassau County has a longstanding policy on "access management" intended to limit the number of curb cuts an individual project site has on County roads.

The County may take the position that access should be concentrated at the existing, signalized Meadow Drive location, rather than allowing a new unsignalized driveway. Alternately, if the County does approve the new driveway, access management considerations could entail prohibiting entering and/or exiting left turns, or making the driveway "right turns only". This type of restriction is a common requirement at new driveways on County roads, particularly roads that do not have a designated turn lane. While the applicant is proposing a property dedication to facilitate a two-way left turn lane, this, too, requires Nassau County approval.

The DEIS only examines the scenario with a new full-access driveway opposite Prospect Avenue. As such, the document is incomplete.

Please also see the "Alternatives" comments below.

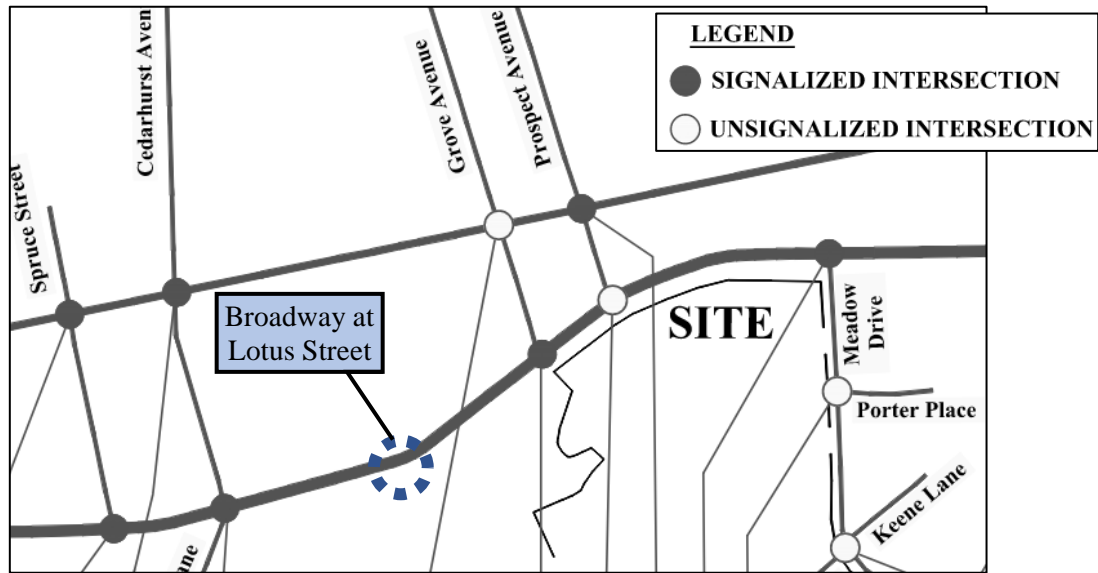
- Comment 2.** The DEIS traffic study does not include the intersection of Pine Street with Broadway. This intersection would likely be utilized to access Central Avenue, and should have been included as a study intersection.
- Comment 3.** The traffic study is deficient in avoiding the discussion/analysis of changing a residential dead-end street (Tulip Street) into a through street that will connect this subdivision to Broadway.
- Comment 4.** The traffic study notes multiple site driveways: connections to Tulip Street and Keene Lane, in addition to connecting to Meadow Drive and a new access on Broadway across from Prospect Avenue.

The traffic study does not study the proposed driveway connections to Tulip Street and Keene Lane, nor does it study the intersection of Broadway-Lotus Street which would receive all traffic associated with the proposed Tulip Street driveway extension.

The traffic study is also deficient by not providing any figures which depict every site access in the context of the traffic volume figures. The public needs to be readily able to discern where each new access will be, relative to the existing road network.

The Build scenario traffic volume figures also need to depict every driveway's traffic volume.

Below is an excerpt of traffic study Figure 3; the dotted line circle shows the approximate location of the new site access to Broadway, at Lotus Street.



Comment 5. The traffic study uses 24-hour Automatic Traffic Recorder data obtained from [Friday] May 18, 2018 to [Friday] May 25, 2018 on Broadway and on Meadow Drive. The Broadway ATR data was used for a traffic signal warrant study of Broadway and Prospect Avenue (“the average of five weekdays of data”).

However, this 7-day period was inappropriate for traffic data collection. The Jewish holiday of Shavuot is one of the three major festivals in Judaism, and Shavuot began Saturday night, May 19, 2018 and ended Monday night, May 21, 2018. The traffic study even explains that the surrounding community has a large population of observant Jews who do not drive on the Jewish Sabbath (Saturday), such that Sunday is the busier weekend day for traffic analysis. The ATR data comprises a major multi-day Jewish holiday, so the data does not represent typical (non-holiday) conditions and the traffic signal warrant study is invalid.

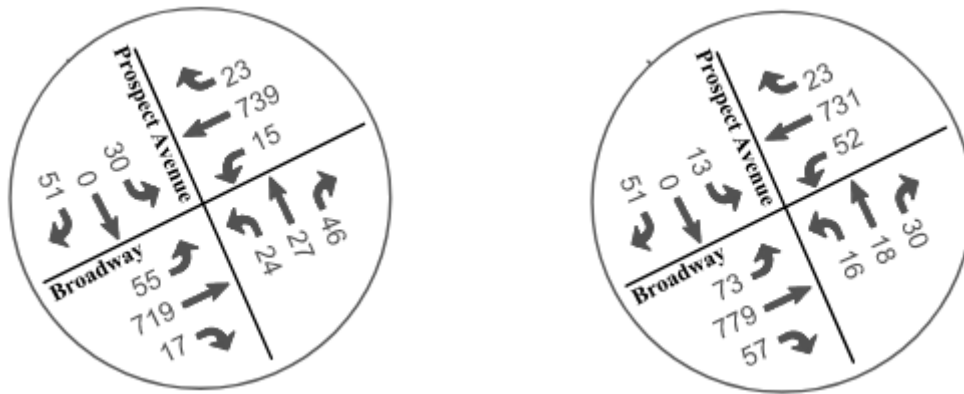
Of note, the invalid data comprises more than just the Sunday and Monday of the holiday; the preceding Friday and subsequent Tuesday would almost certainly have been atypical as well. Observant Jews who refrain from driving on Saturday, typically drive more on Friday before the Sabbath begins, and on Sundays. The traffic counts in this DEIS study, as well as Cameron Engineering in-house data and publicly available municipal database counts, confirm this pattern in Orthodox communities. However, pre- and post-holiday traffic surges are highest when a holiday like Shavuot begins on Saturday night, immediately after the end of Sabbath observance. There is more activity on the preceding Friday than a typical Friday, and the first one to two weekdays after the holiday ends are busier than a typical Sunday.

The DEIS utilizes questionable Prospect Avenue volumes in the signal warrant analysis. The northbound/southbound AM and PM peak hour Build volumes at Broadway-Prospect Avenue are 97/81 (AM) and 64/64 (PM) based on Figures 16 and 17, but the highest reported hourly volume in Table 21 is 74 (a 24% difference):

- Where Figure 16 shows 97 AM northbound vehicles, the signal warrant analysis shows 51 to 55 vehicles.
- Where Figure 17 shows 64 PM northbound vehicles, the signal warrant study shows 73 to 74 vehicles.

Below are excerpts of the two figures in the traffic study:

AM: 97 northbound vehicles (24 + 27 + 46) PM: 64 northbound vehicles (16 + 18 + 30)



Comment 6. The reference to the “Village of Woodmere” on page 59 is incorrect.

Comment 7. Figure 7 on page 66 is mis-labeled; it appears to depict AM No Build peak hour volumes.

Comment 8. Table 4A (page 65) presents “existing Woodmere Club trip generation” based on driveway traffic counts collected in June 2018. The traffic study states these volumes were not removed in the future projected counts. Without that type of data use, it appears the rationale for including these numbers is to illustrate the historical traffic generation, relative to the proposed application. The numbers in Table 4A cannot be put in historical perspective, however, because the report does not explain what activities were active at The Woodmere Club while the counts were being collected, or how the attendance at those events compared with other events held over the last 3-to-5 year period. The study should have explained the activities which were being held while the counts were being collected, with their associated attendance levels discussed in relation to average and/or prevailing (typically using the “85th percentile”) attendance/event size over the last three to five years.

At a minimum, the traffic study should describe the events (including schedules and invited guest counts) held on the days in June 2018 when the Woodmere Club driveways were counted, and compare with the events (if any) held on the days in May 2018 when the study intersection traffic counts were collected.

Comment 9. Along the lines of Comment 8, even if the Woodmere Club had similar activities during the intersection counts (May 2018) and the Woodmere Club driveway counts (June 2018), it is not accurate for the traffic study to represent June 2018 counts as being reflective of “typical” peak hour conditions. The word “typical” implies conditions that occur consistently throughout the week and throughout the year. However, golf courses and catering halls do not generate consistent activity throughout the week or throughout the year. In fact, these uses are less active or completely dormant for extended periods of time.

The proposed subdivision will replace land uses that are often dormant, with single-family homes that will generate traffic throughout the day and year-round. In doing so, this subdivision will permanently alter the traffic-related character of the property.

This is an important distinction to make, for a local road network whose traffic is regularly observed to be busy/congested beyond the typical 7:00-9:00 a.m. and 4:00-6:00 p.m. hours. This statement is based on online traffic counts and Cameron Engineering staff experience.

In fact, the intersection counts for the DEIS traffic study acknowledge that existing roadway peak traffic persists for extended timeframes, by nature of its intersection traffic counts done for an extended 2:00 p.m.-6:30 p.m. period.

For the historical land uses at the Woodmere Club (catering and golf):

- *Daily activity:* Catering uses generate most/all of their traffic at discrete intervals at the beginning and end of events, with little to no traffic otherwise. Golf courses are generally active from the morning to early evening (roughly 10-14 hours per day). In contrast, single-family homes generate traffic throughout the day.
- *Day-to-day activity:* Catered events – particularly the larger peak events – tend to be scheduled on Fridays and weekends. For several days each week, there is typically little to no catering-related traffic (generally Mondays, Tuesdays, and Wednesdays). Single-family homes generate traffic every day throughout the week.
- *Month-to-month activity:* Golf courses tend to be completely dormant for up to 6 months a year. They generate their traffic for about 6 months a year during the spring, summer, and early fall, including 2 months of limited activity gearing up or down for the season. Single-family homes, in contrast, generate traffic consistently throughout the year.

Based on these land use characteristics, the Woodmere Club would have been dormant more than half the time, between fall and winter having no golf, and the Woodmere Club having no catered event traffic most of the time.

This means the traffic study makes an inaccurate representation about the relative traffic associated with the subject property. The study describes it as “conservative” to not deduct counted June 2018 Woodmere Club driveway trips from the May 2018 intersection counts. As described in this letter, however, leaving the counted intersection volumes unadjusted, simply reflects the true net change that would occur most of the time.

Additionally, while the “net increase” is not expressly tabulated in the traffic study, the traffic study does infer a relative net trip generation increase that would not be accurate most of the time. As shown in the table below, the implied net increase is 20% to 56% smaller than the full change associated with 285 single-family homes.

| Peak Hour | Woodmere Club trips | Single-family trips | Net Increase | Difference between the “Net Increase” and Single-Family trips |
|-----------|---------------------|---------------------|--------------|---|
| AM | 90 | 211 | 121 | 43% |
| PM | 55 | 282 | 227 | 20% |
| Saturday | 75 | 133 | 58 | 56% |
| Sunday | 75 | 265 | 190 | 28% |

- Comment 10.** It is not appropriate to state on page 123 that “the results of the [Build 2022 Synchro] analyses are very conservative” with respect to critical gaps. There is no gap study in the published DEIS to justify this statement. Additionally, it is not appropriate to rely on shorter gap acceptance in light of the traffic study’s accident analysis, which references driver error and failure to yield as the predominant underlying causes of accidents at the study intersections.
- Comment 11.** Tables 13 to 16 on page 123 depict average speeds, presumably as output from Synchro software, but not provided in the traffic study. It is not realistic to use east-west arterial speed as a measure of effectiveness through closely-spaced local intersections, when the impacts identified in this study pertain to the north-south minor cross streets.
- Comment 12.** As described above in Transportation Comment 5, the ATR count data was obtained during atypical traffic conditions. The reported speeds on Broadway appear inconsistent between northbound-southbound traffic, and inconsistent with the reported speeds in the online NYSDOT Traffic Data Viewer.

Average Speeds on Broadway

- Northbound: traffic study ATR 9 mph higher than NYSDOT data (43 vs. 34 mph)

- Southbound: traffic study ATR 8 mph less than NYSDOT data (26 vs. 34 mph)

85th Percentile Speeds on Broadway

- Northbound: traffic study ATR 11 mph higher than NYSDOT (52 vs. 41 mph)
- Southbound: traffic study ATR 11 mph lower than NYSDOT (29 vs. 40 mph)

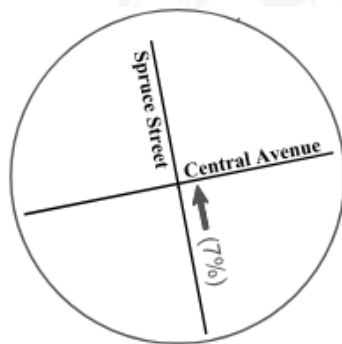
Comment 13. There are a number of concerns with the trip distribution shown in Figure 11 and Appendix D:

- The trip distribution is no different for weekdays than for weekends, which does not appear appropriate in light of the large, double-digit percentage of traffic assigned to a LIRR station. LIRR commutes and trips and train service schedules are significantly different on weekdays vs. weekends.
- Traffic study Appendix D (commuter survey data) indicates that 19% of Woodmere residents, on the whole, utilize the LIRR. However, trips not associated with commuting (school, shopping, errands, religious observance, and pass-by destinations) are more likely to be made by private automobile.
- The commute data in Appendix D indicate 19% of Woodmere residents commute by LIRR, split between three LIRR stations (Woodmere, Hewlett, and Cedarhurst). For Woodmere as a whole, it is reasonable that ridership might be split among three LIRR stations. However, residents of the same subdivision would be expected to opt for the same LIRR station, because of proximity and because these three stations are on the same branch and have the same service frequency and fare schedules.
- The traffic study should be clearer as to what percentages of trips were assigned to each LIRR station, particularly if a sizeable double-digit percentage of trips was attributed to railroad use. There is no provided diagram to specify LIRR-related trip distribution.

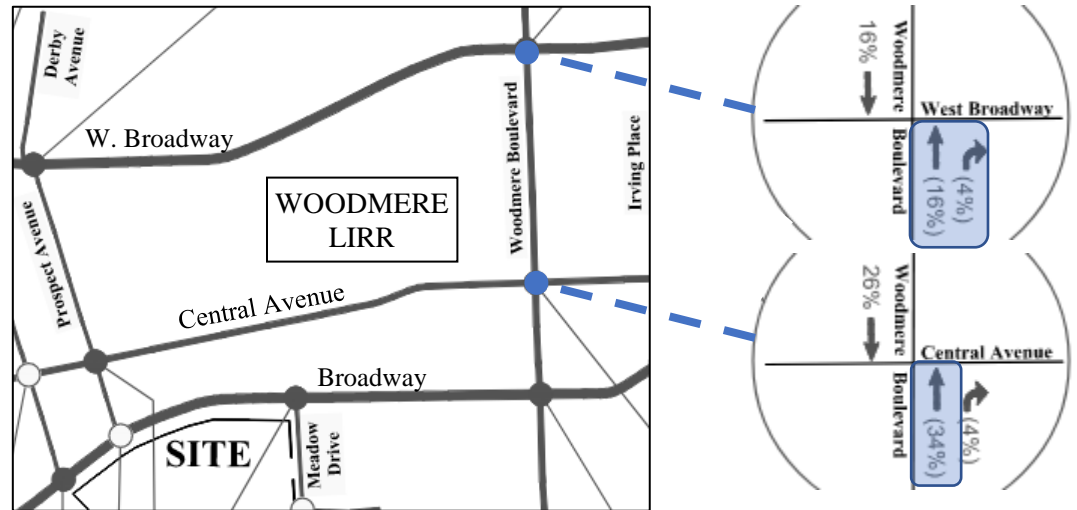
It can be inferred from the arrow diagrams in Figure 11 (but it is not expressly stated, and the traffic study should do so) that 7% of trips would be destined for the Cedarhurst LIRR station (via Spruce Street), and that 14% of trips would be destined for the Woodmere LIRR station. This equates to 21% of traffic destined for the LIRR – even on weekends – which is too high for weekend and weekday peak hour periods.

Below are excerpts of traffic study Figure 11-Trip Distribution:

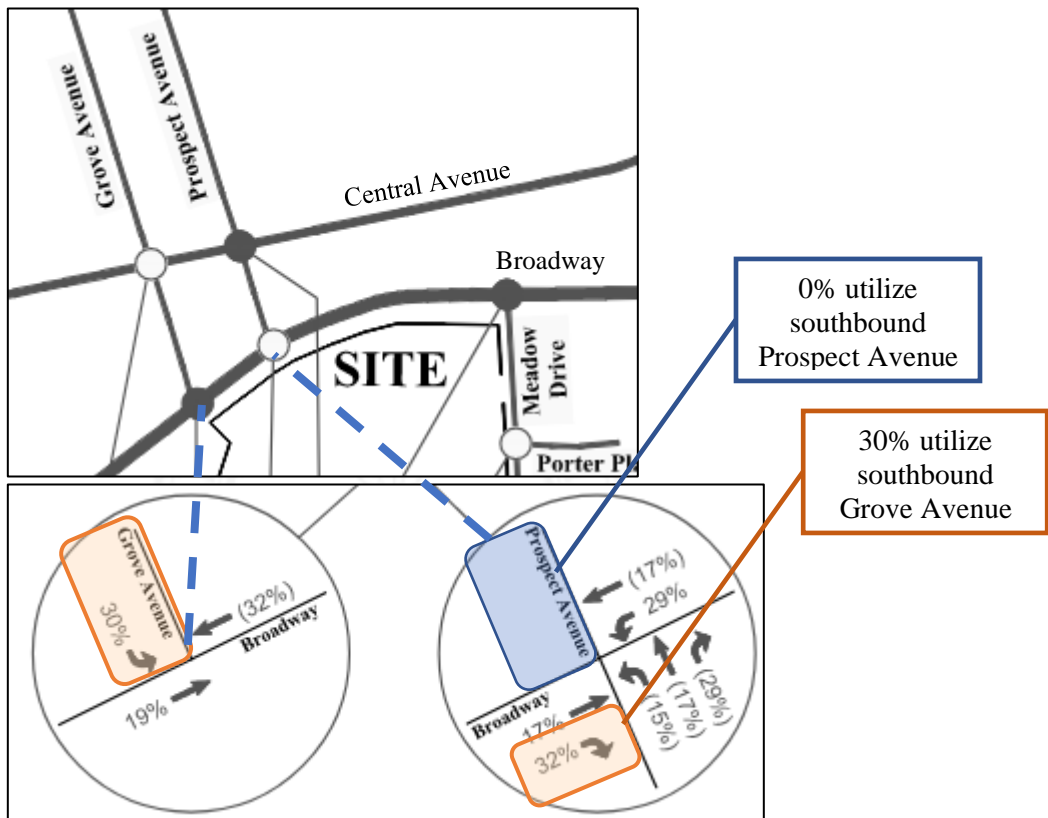
a. *7% presumed to represent distribution to Cedarhurst LIRR*



b. *14% presumed to represent distribution to Woodmere LIRR (the difference between 34% northbound through Central Avenue, and 20% approaching W. Broadway)*



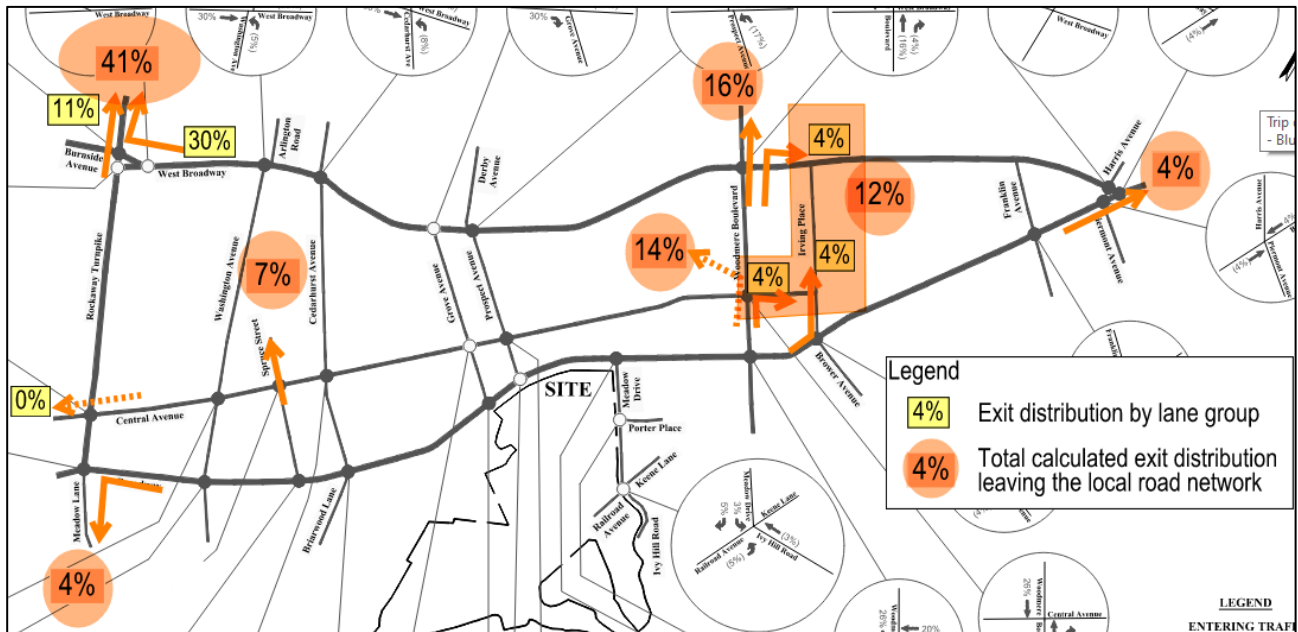
- It does not seem realistic that no one (i.e., 0% of trips) would utilize southbound Prospect Avenue to head directly into the property via the proposed driveway. Instead, the traffic study assigns trips to southbound Grove Avenue, then a left on Broadway and right into the driveway. This concern also undermines the traffic study's signal warrant analysis, in that not enough traffic is assigned to Prospect Avenue.



- The study's exiting trip distribution may not comprise 100% of site trips, based on numbers depicted in Figure 11.
 - 41% of trips head west, then north via Rockaway Turnpike-Burnside Avenue
 - 4% of trips head west, then south via Rockaway Turnpike
 - 7% of trips head up Spruce Street, presumably to the Cedarhurst LIRR

- 0% of trips head south of the property (no diagram bubbles)
- 14% of trips head up Woodmere Boulevard, presumably to the Woodmere LIRR
- 4% of trips head northeast via Broadway
- 4% local from Woodmere Boulevard to Central Avenue
- 4% local to Irving Place
- 4% to West Broadway
- 16% of trips head north via Woodmere Boulevard
- Total: 98%

Below is an excerpt of Figure 11, with notations on high-level exiting traffic percentages at the “nodes” of the study intersection network.



Comment 14. The traffic study recommends new east-west left turn lane traffic mitigation at Broadway-Prospect Avenue. There needs to be a diagram/conceptual drawing to illustrate this new lane, tapers, lane widths, and the proposed property dedication area so the Town, Villages, and the public can determine the extent of construction and change along Broadway.

Comment 15. The study utilizes Synchro 10 software, which can analyze traffic Level of Service (LOS) based on the current Sixth Edition of the Highway Capacity Manual (HCM 6).

However, the DEIS traffic study text about Level of Service methodology does not correspond to the analysis methodology. The study describes the older 2010 and 2000 Highway Capacity Manual methodologies (HCM 2010 and HCM 2000), while the printed reports utilize the Synchro Percentile method and HCM 2000 methodologies (no HCM 2010 data sheets in the appendices).

Unsignalized intersections should be analyzed per HCM 6, not HCM 2000. The 2000 Highway Capacity Manual is particularly out of date.

For signalized intersections, the traffic study should either utilize the current HCM 6 methodology, or explain the rationale behind using Synchro’s Percentile method instead of HCM 6/HCM 2010.

Comment 16. Keene Lane is a one way road. Traffic leaving the development will either use the new proposed Prospect Road or Road C. Keene Lane will not be available as an egress road. This

has not been addressed in the traffic analysis. Nor has the potential for significant car usage of Road C and Meadow Drive been addressed based on Keene Lane not being an egress road.

Comment 17. The 284 single-family homes would generate up to more than 2,000 additional vehicles per day. This would be almost a 20% increase in daily volume – a significant increase – on Broadway, a two-lane roadway.

Construction traffic concerns are discussed below in “Construction Impacts.”

Transportation alternatives concerns are discussed below in “Alternatives.”

Energy

No comments.

Infrastructure and Community Facilities

Comment 1. Water availability should be confirmed by New York American Water. The DEIS notes that multiple attempts to secure a water availability letter have been made without success.

Zoning, Land Use, and Community Character

Comment 1. As noted in the introduction of this letter, the Town of Hempstead, Village of Lawrence, and Village of Woodburgh recently adopted the Coastal Conservation District – Woodmere Club (CC-WC) zoning district. This comment letter focuses on technical deficiencies in the DEIS and will not outline non-compliance issues with the CC-WC district.

Comment 2. Pages 256 and 262 of the DEIS attempt to provide a baseline for evaluating community character. However, neither section of the DEIS provides a discussion on the natural environment, and provides minimal discussion on the built environment and social fabric of the community. While the DEIS identifies these factors as playing a critical role in defining community character, the DEIS omits any analysis of these factors. Rather, it provides a narrow lens for evaluating community character, principally through a description of planning studies and the municipalities’ respective zoning ordinances. Elsewhere in the document, the DEIS describes the role of the existing clubhouse and tree cover as defining elements of the community, yet the community character section provides no analysis of these features.

Comment 3. Page 263 of the DEIS provides several required components of Chapter §131 of the Code of the Village of Woodburgh, notably the proposed project’s compliance with §131-A (Character of land) and §131-B (Preservation of natural features).

The DEIS asserts that the project complies with the following Chapter 131 provisions, as the majority of the property will be filled with 250,000 cubic yards of material (up to 12 feet of fill/grade change in certain areas of the property) to meet home elevation requirements within the property’s Special Flood Hazard Area (100-year floodplain). However, neither this section nor its reference to Section 3.2, provide any discussion on impacts associated with this significant land alteration and use of fill. Again, the DEIS fails to show how the proposed development will comply with compensatory storage requirements tied to this use of fill, or the potential impacts to the surrounding community from such significant grade changes. Two issues that require extensive additional analysis include both potential community flood impacts, as well as visual community character impacts (new homes would be significantly higher than existing homes, as they would be constructed on varying heights of fill, plus applicable freeboard requirements).

Similarly, compliance with Chapter 131, as stated on page 263, item B, is also lacking. B states:

Land to be subdivided shall be designed in reasonable conformity with existing

topography in order to minimize grading, cut and fill and to retain, insofar as possible, the natural contours, to limit stormwater runoff and to conserve the natural vegetative cover and soil. No tree, topsoil, or excavated material shall be removed from its natural position except where necessary and incidental to the improvements of lots and the construction of streets and related facilities in accordance with the approved plan. Topsoil shall be restored to a depth of at least six inches and properly seeded and fertilized in those disturbed areas not occupied by buildings or structures.

Compliance with this Code provision is largely ignored by the proposed development, with nearly the entire site slated to be graded, cut and filled with new fill material.

Specific provisions of Chapter 131, left out of the DEIS, cannot be ignored. Village Code 131-21(B) provides that land to be subdivided be designed to be conforming to existing topography “to minimize grading, cut and fill” and “retain natural contours”, and “existing natural features of ecological, aesthetic or scenic value to the village as a whole such as wetlands, watercourses, trees, historic spots and similar irreplaceable assets shall be preserved and where appropriate the Planning Board may require such inclusion of such features in permanent reservations. Section 131-22(B) provides that streets are to be appropriately related to natural topography. Section 131-24(E) prohibits double front lots, except for certain reasons, none of which are relevant here. Section 131-25(A) requires that the applicant address the necessity to cross municipal boundaries for specific lots. And Section 131-25(A) mandates that an applicant provide a minimum set aside of 10% of the lot area in the Village (125 of the proposed lots are subject to Village subdivision jurisdiction) for parks for recreational purposes. This set aside does not include bioretention areas. Compliance with these items must be incorporated into the analysis to determine impacts.

The proposed project represents a near total loss of existing vegetative cover, including approximately 61% of on-site trees. None of the Chapter 131 provisions provides any justification for such drastic land alteration, nor does it provide an analysis showing that this type of land alteration is “necessary and incidental” to the proposed project. While the DEIS asserts there will be a reduction in stormwater runoff, projected stormwater volume is anticipated to increase by nearly 50% with minimal site-wide stormwater design improvements. This limited stormwater infrastructure, combined with the tidal and groundwater conditions of the subject property, would strongly challenge the DEIS assertion that stormwater runoff would be reduced (particularly during a severe storm when this stormwater system is overburdened).

Comment 4. Discussion on land use fails to discuss or analyze the impacts of the total loss of open space in the community. This is a significant change in land use and community character.

Noise, Odors, and Lighting

Comment 1. Impacts in this section of the DEIS are generally limited to construction noise impacts. The DEIS fails to properly characterize the proposed project’s construction noise impacts, as it generally states that such impacts are temporary in nature and could be mitigated using minor measures such as temporary barriers or shields. With construction anticipated to last a minimum of six years, and likely extending significantly longer, the DEIS is misleading and dismissive of these significant construction noise impacts. A project with a construction timeline of roughly six to ten years is not a typical short-term construction project, and thus requires significant additional analysis with more defined mitigation.

Comment 2. Table 29 of the DEIS provides a summary of construction noise predictions at 50 feet, listing several pieces of construction equipment and their associated noise levels and frequency of use throughout the project. The equipment includes, air compressors, backhoes, concrete

mixers, cranes, crawl loaders, dump trucks and excavators. All phases of construction, including demolition and excavation (12-18 months) and erection and fit out (60+ months) show Leq levels at 50 feet of 85-86 dBA. The DEIS fails to discuss the impacts of this heavy equipment or how it relates to ambient noise measurements and standards. It is also misleading that the subsequent noise level measurement table (Table 30) and discussion neglects to explain how the ongoing use of heavy equipment will impact local residents and sensitive receptors.

While operational noise would be unlikely to result in significant adverse noise impacts, the length and intensity of construction activities warrants a much deeper analysis and explanation than is provided with typical “temporary” construction noise impacts. These construction impacts are long-term and will require extensive mitigation measures, which are alluded to in Section 3.11.3 but not included within the DEIS.

Comment 3. The DEIS contains no reference to lighting regulation. Section 106-5 of the Woodsburgh Village Code provides limits on lighting, including shielding, height, impacts on roadways or adjoining properties, and limits on use of timers. This must be identified in the DEIS. And, while the DEIS acknowledges that no formal lighting plan has been developed, without a plan or proposed mitigation, it is impossible to reach the conclusion that the lighting will not have significant adverse impacts. The development is going to include homes and roadways on raised land, well above the existing grade. Impacts resulting from lighting, both for homes and roadways can only be assessed by addressing and incorporating proposed lighting.

Climate Change

Comment 1. Water levels measured using a local datum (i.e., mean sea level, mean higher high water etc.) at the Sandy Hook tide station have little to no relationship to local water levels at the Woodmere Club. While the Sandy Hook station is useful for looking at local and regional sea-level rise trends, water levels tied to a specific local datum are not appropriate for comparison across different locations. Rather, an updated water level measurement should be provided for the Woodmere Club, ideally tied to the NAVD 88 datum.

Comment 2. As stated in Comment 1 under Surface Water, Floodplains, Stormwater and Groundwater Resources, the discussion on floodplain management is lacking critical information and mischaracterizes the floodplain as a wide, evenly dispersed coastal zone. As shown by Superstorm Sandy inundation data, flooding concentrates at the subject property (as a result of local topography, the geographic features and position of the Woodmere Channel and well as pre-existing development patterns).

As such, the following assertion in the DEIS is incorrect and dismissive of potential significant adverse impacts. Further, there is no supporting evidence provided within the DEIS to indicate that 250,000 cubic yards of fill would not result in additional community flood impacts.

...the proposed action includes the grading and filling of the subject property to modify the existing topography, implementation of the proposed action is not anticipated to substantially alter the existing floodplains. This is primarily due to the fact that the subject property is within a floodplain subject to coastal inundation (i.e., rather than a stream flood), where the floodplain is broad and covers a vast area.

This concentration of floodwaters over the largest area of continuous impervious surfaces in the community plays a critical role in reducing flood impacts for neighboring properties and resources. The DEIS fails to discuss the potential impacts of filling and grading the property as it relates to climate change, sea-level rise and the probability of increased flooding and storm events. There is also no quantification or project design related to critical floodplain

regulations, such as the required provision of compensatory storage throughout the subject property. Perhaps most importantly, this characterization of the floodplain does not address the likely impacts of climate change, including increased severity and frequency of storm events and sea-level rise.

Comment 3. The discussion on flooding impacts related to climate change is incomplete and lacking analysis. This section asserts that the proposed subdivision would comply with all FEMA floodplain regulations, and therefore, would not result in any flooding impacts associated with climate change:

...the proposed action would be in conformance with all applicable floodplain management standards. These design standards will reduce the proposed development's vulnerability to the potential impacts of flooding to the greatest extent possible. Accordingly, impacts related to the flooding aspects of climate change are not anticipated.

There is no discussion of projected future water levels, increased storm surge impacts or increased precipitation levels. The DEIS at a minimum, should provide an analysis of stormwater storage and impacts for both the NCDPW design standard, as well as increases in precipitation in line with New York State projections (see New York State ClimAID 2014 Update, which projects up to a 20% increase in precipitation by 2100).

Comment 4. The discussion on sea-level rise also adopts a limited scope and perspective. This section asserts that the projects use of fill and construction above the FEMA Base Flood Elevation will address all anticipated impacts associated with sea-level rise. This section only discusses whether sea-level rise impacts as it relates to the safety of the future proposed homes, not to the local floodplain, coastal area, or nearby residences or roadways. The DEIS essentially provides the filling of the site and home elevation as the only required design considerations and analysis related to sea-level rise impacts. The DEIS fails to adequately explain and address sea-level rise impacts such as they relate to roadway flooding (new roadways will be raised but connections to existing roads will remain at existing elevations, creating new flood impact areas), area-wide floodplain impacts, impacts to surrounding properties and impacts to local infrastructure. The omission and/or dismissal of these potential impacts is also contradictory to Section 3.8 of the DEIS (Energy), which discusses such infrastructure concerns, including the PSEG recommendation to provide more resilient underground utilities.

The DEIS concludes:

The SEQR Handbook indicates that a proposed action's impact on climate change be considered primarily in terms of sea level rise, flooding, and greenhouse gas emissions.

Though parts of the subject property exist within the 100-year floodplain, residences in these portions of the subject property would be constructed in accordance with all pertinent floodplain standards (i.e., lowest floor elevations at least 2-feet above the corresponding BFE); under these development standards, the proposed residences are not anticipated to be significantly impacted by flooding. Relatedly, the proposed action is not anticipated to be adversely impacted by sea level rise, as all proposed new roadways and residences would remain above the high-medium projected sea levels for the year 2100.

Primarily, the DEIS fails to consider the proposed action's impact on climate change as it relates to sea-level rise or flooding. Flood impacts on the proposed residences should not be the only metric associated with these major climate change impacts. This section of the DEIS is incomplete and does not adequately address the requirements of the SEQR Handbook or

related regulations (i.e., compensatory flood storage, accepted NCDPW storm design standards and NYS-adopted climate change projections).

- Comment 5.** The DEIS does not identify any mitigation measures associated with climate change, despite clear evidence that such a coastal property would be among the most impacted locations in New York State. Such an omission reflects a prioritization of short-term construction goals over long-term resiliency and sustainability goals. Project design should take significantly greater steps to design for future climate change impacts, rather than simply meeting existing regulations. The DEIS also fails to quantify the subject property's existing mitigative functions, particularly as it relates to floodwater management.

Construction Impacts

- Comment 1.** The demolition phase is described as taking 12-18 months, and the remainder of construction would last for 5 to 5 1/2 years. The earthwork phase would be shorter than 5 years, however, not lasting the entire duration. It is not appropriate to extend the calculated 25-CY truck volume (for importing fill material) over the entire 5-year period. Doing so, reduces the calculated hourly/daily truck volume; the volume would be higher, because it would almost certainly occur in less time than expressed in the DEIS.

With 250,000 CY of material as noted in the traffic study, and 25 CY per truck (corresponding to a 30-CY truck size), there will be 10,000 truck round trips to the property, or 20,000 one-way trips when described the same way as the traffic study.

Considering even 3 years as the earthwork duration out of the 5-year post-demolition period, this means roughly 6,670 trips per year over 200 working days per year, or 34 trucks per day, plus the construction work traffic for workers to commute to and from the property. This is a more realistic projection than the numbers in the traffic study.

Additionally, these are average numbers. In reality, 25-CY trucks can be loaded/unloaded in approximately 15 minutes, and the truck volumes would be expected to fluctuate greatly. Actual peak hourly truck volumes could be far higher than the traffic study states.

- Comment 2.** The DEIS says 50 homes would be built each year. The document needs to provide a forecast of the number of lots which might be under construction simultaneously, so the public can gauge how many construction workers (and how many workers' trips there might be). If 5 homes are underway at once, and each home has a 20-man crew, that equates to 100 workers added to the local road network each day, generally most or all in the same entry and exit hourly periods.

- Comment 3.** Construction workdays will not be limited by Jewish holidays (unless one of the governing municipalities enacts a limitation). Construction noise will create impacts on holidays, and there are multiple Orthodox congregations along Broadway, in both directions from the property.

- Comment 4.** On page 70, the DEIS notes that homes will have to be built on piles. Discussion of noise and vibratory impacts associated with pile driving is missing from the construction impacts analysis. The potential significant impacts caused by pile driving should be addressed within this section of the DEIS.

Alternatives

- Comment 1.** The DEIS traffic study only analyzes the subdivision with a new site access on Broadway that would allow left turns, through movements, and right turns in each direction, and considers this new driveway handling 60% of site traffic.

The DEIS also needs to analyze two potential alternative scenarios, in case Nassau County

does not approve a new driveway, or in case the County restricts driveway maneuvers (see Transportation comments above). A different distribution would result in noticeably different traffic volumes for at least one study intersection (and corresponding potential impacts which as yet are unidentified in the DEIS).

The DEIS should analyze two additional alternatives:

- a. Alternate Build condition without a driveway opposite Prospect Avenue
- b. Alternate Build condition with a restricted access driveway opposite Prospect Avenue

In lieu of one or both alternatives, the applicant should provide a copy of formal County documentation (e.g., letter, email, marked-up plans) regarding the driveway approval status, including discussion about which driveway configuration (if any) the County might approve. If the County correspondence describes a specific permissible driveway configuration, only that described configuration needs to be analyzed. If this type of correspondence is not available, the DEIS traffic study should be modified to add both alternatives.

Thank you for including our office's comments in the record.

Very truly yours,

Kevin McAndrew, RLA, AICP, LEED AP, Partner
David Tepper, AICP
Rebecca Goldberg, P.E., LEED AP

CC:

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January 8, 2021

via electronic mail only (willowsegr@nassaucountyny.gov)

Nassau County Planning Commission
1194 Prospect Avenue
Westbury, New York 11590

Re: Willow View Estates
DEIS Supplemental Comments
Our File No.: 25558.0068

Dear Commissioners:

I am the Village Attorney for the Village of Woodsburgh (the "Village"), and counsel to the Village Planning Board and Zoning Board of Appeals.

On behalf of the Village, the Village of Lawrence, and the Town of Hempstead (the "Three Municipalities"), by letter dated today, Cameron Engineering & Associates, L.L.P. has submitted to the Commission technical comments regarding the Draft Environmental Impact Statement (DEIS). The purpose of this letter is to provide supplemental comments relating to the inadequacy of certain studies or sources and deficiencies in the discussion of potential impacts, which apply primarily to considerations in the Village, and not regionally to the Three Municipalities.

The Village Planning Board and Zoning Board of Appeals are Involved Agencies under SEQRA. The Village Planning Board has subdivision jurisdiction over the 24 single family lots in the Village and approximately 100 of the lots in the Village of Lawrence and the unincorporated area of the Town of Hempstead. As discussed herein (and as we originally noted in our July 15, 2019 letter to the Commission, a copy of which we attach hereto), insufficient detail is provided in the plans (and the DEIS) to determine precisely the lots that are within 300 feet of the Village and thus subject to the Village's concurrent subdivision jurisdiction. And, whether the current or the former zoning regulations apply, the proposed subdivision requires variances from the Village Zoning Board of Appeals, as discussed herein (and indicated in our July 15, 2019 letter).

As Involved Agencies, we submit that all of the Village's comments, in the Cameron letter and below, be addressed in the EIS process. As to the substantive portions of the DEIS (Existing Conditions, Potential Impacts and Proposed Mitigation Measures), we submit the following comments:

Physical Alteration of Land

Comment 1.

The explanation that the property has been filled with sand, 3.5 to 8 inches thick over tidal marsh and wetlands and the soils are limited by tidal flooding during “intense” coastal storms may not be in accord with existing conditions. As reported by former Club members and Club Board members, many areas of the course, especially in the southern and northern portions, suffer from constantly being wet. This would seem to occur from rain events, minor or intense, and continues for days even without any rain event, as well as on certain dry weather days. These conditions may be influenced by a high groundwater table, soils that do not permit water percolation or specific conditions in the area. The source of these conditions must be flushed out. Greater and more detailed analysis for the soggy conditions must be analyzed to determine impacts caused by groundwater and stormwater conditions effecting the property.

Comment 2.

The high water table may impact use of not just basements, but underground facilities and systems. The ability to place on-site drainage facilities on each proposed lot and to assure proper sanitary sewer connections cannot be properly analyzed without further details, including additional borings. Given the proximity to surface waters and limited depth to groundwater in the area, the groundwater elevation must be determined at the site of all bioretention areas by groundwater monitoring (considering tidal fluctuations) for at least a 90 day period, including winter conditions with an appropriate adjustment (if any) to the historic groundwater elevation. To fully address the potential impacts, boring tests should be provided in numerous additional representative locations where there will be potential below grade construction impacts. This should include at least one boring location for each of the 284 sites proposed for new homes and the proposed low points within each of the four (4) bioretention sites. Only a proper evaluation of each location where subsurface water can be impacted can there be a proper review of the impacts and depiction of any available mitigation measures. Among the reasons stated for the claimed non-significant impact related to storm or groundwater based impacts is the ability to convey water to proper drainage facilities. Absent a complete and comprehensive study demonstrating such viability on the respective lots, the DEIS neither contains nor references any support adequate to support the analyses and conclusions.

Comment 3.

On page 70, the DEIS concludes that “it would be anticipated that the ability for the subject property to support typical suburban lawns and landscaping would be limited”, but that “[i]t is clear that any anticipated limitations related to the ability of the

site to support lawns and landscaping for the future residential development have been overcome [on account of the property being used as a golf course for over a century]". The basis for overriding the conclusion of the limitations of grass growing and thriving is because a golf course existed. Contrary to the assertion, the course has been a constant source of water inundation. Members and past Club presidents have identified that the course is constantly flooding, that as a result of this, many golf events had been limited to walking only conditions (no carts) and the Club often discussed the viability of adding cement or asphalt paths for cart usage to overcome the normally soggy conditions. These historical, continuous and repeated soggy conditions must be used when addressing the contention that the lawns and landscaping can be accommodated because of the course's maintained conditions for over a century.

Comment 4.

The DEIS provides that necessary Storm Water Pollution Protection Plans (SWPPPs) will be submitted to the respective municipalities prior to commencement of construction activity. To assess and understand potential impacts related to such pollution protections, plans must be incorporated into the current submission. In fact, the Village of Woodsburgh specifically mandates, in its subdivision regulations, that the SWPPP be provided as a predicate to "the review" of any land development activity, not at a time only preceding construction activity. Village Code §150-75. The lack of any such plan provides no information as to the sufficiency of the plans for environmental review analysis.

Comment 5.

On page 72, in the Topography discussion, the proposed increase in height of the base floor elevation, necessarily limits the potential heights of the dwellings proposed in Woodsburgh. While Woodsburgh specifically requires compliance with the base flood elevation requirements, which would increase the height of the lowest habitable portion of the residences, the total height of the residences is taken from the existing natural grade and the maximum height in the Village's 1A and 2A Zoning Districts is 28 feet from existing natural grade. Accordingly, each of the homes in the Village can contain only 17-19 feet in height of living space (excluding the 9-11 feet necessary to comply with the minimum base elevation). If the applicants propose 2 story houses that are higher than 17-19 feet in living space, variances will be required. This must be addressed so it can be incorporated into the analysis of impacts, both to community character and approvals required.

Comment 6.

The internal roadways are proposed to be elevated significantly. They all sit higher than existing connecting roadways. This will result in potential for greater and higher velocity stormwater flow. Combined with existing flooding conditions on

adjoining roadways, particularly Keene Lane and Meadow Lane, during normal rain events, the changed roadway elevations has the potential to significantly impact roadway drainage capabilities. The analysis must include a discussion of the manner in which this potential impact will be addressed and mitigated, if possible. Photographs of Keene Lane and Meadow Drive after a minor rain event this past February are attached as exhibits A and B, respectively.

Comment 7.

The determination that there will be no significant adverse impacts with respect to subsurface conditions, soils and topography does not account for impacts on adjacent areas resulting from subsurface conditions, soils and the change in topography. In effect, by raising the internal roadways and the property on the newly created lots, this will create both an avenue and impetus for stormwater diversion off-site and into adjoining roadways (which are overly burdened with stormwater during normal rain events) and nearby properties, and potentially act as a dam to prevent stormwater runoff from its natural flow. The potential impacts are significant and may destroy the surrounding neighborhoods. While this appears to be an unavoidable condition, if there are any mitigating measures, they must be identified.

Surface Water, Floodplains, Stormwater, and Groundwater Resources

Comment 1.

A significant portion of the biofiltration area, on which the DEIS relies for stormwater control efforts, is located on property outside of the boundaries of the property owned by the applicant. At the westerly portion of the Woodmere Basin, as indicated in the Nassau County Assessor records, the property lines shown in the subdivision plans differ from the Assessor's records. The plans provide for a significantly larger applicant owned area than is owned by the applicant. This area is part of the Woodmere Basin, owned by a public entity, and is not owned privately. The area, which can be determined by reference to the Assessor's records, must be excluded from the proposed development (and necessarily from the biofiltration area). The impacts of this exclusion, specifically in relation to the adequacy or necessary modification of the biofiltration area, must be identified and analyzed. If additional or different land area owned by the applicant is required for a biofiltration area, the area should be indicated in the subdivision plans and the DEIS should address the adequacy and viability of this area in conjunction with the proposed biofiltration plans.

Comment 2.

The DEIS presumes that the internal roadways will be maintained by the municipality in which the roadways are located. This is a strong presumption. If the roadways are offered for dedication, they still have to be accepted by the municipality

before they become public roadways. The impacts from private ownership of the roadways must be addressed.

Aesthetic Resources

Comment 1.

Supplementing the comments regarding the visual impact analysis, we refer the Commission to the Village's adopted Vision Plan (adopted on December 16, 2019 and link provided below), and particularly to pages 112-115, for photographs that are more representative of the existing visual and aesthetic context. The only path to understand the context of the visual and aesthetic impact is to consider it in context. The bold assertion that there is consistency in aesthetics is not borne of facts or analysis. Consideration of the aesthetics in their existing context is required, and upon such consideration, undoubtedly the proposed action can only result in a significant and unavoidable environmental impact.

The viewshed from all areas impacted by the loss of open space should be depicted. The viewshed can be evaluated only through renderings of the proposed residential development from various viewpoints (including within and abutting the Woodmere Club and accounting for the proposed topographical changes), along with photographic simulations depicting existing and proposed conditions and changes in character of views along Broadway, Meadow Drive, Keene Lane, Ivy Hill Road, Tulip Street and Rutherford Lane. A discussion of how the viewsheds may be affected, the nature of the proposed development's architecture, and the ability or inability of the proposed site layout and building design to be integrated into the pattern and character of the neighborhood, must be provided. Only after inclusion of such information, can site and building design mitigation measures, if any, be assessed, in relation to the existing community character, quality of life, and the elimination of the charming, quaint gateway to the Village and the surrounding community.

Transportation

Comment 1.

The DEIS provides that the Village has no parking requirements for single family homes. Village Code §150-3(C) requires a 2 car garage in Residence 1A and 2A zoning districts.

Comment 2.

Keene Lane is subject to frequent flooding that limits access during rain and storm events, and certain high tide cycles. Installation of a data logger on the existing bulkhead that fronts Keene Lane to measure tidal flux (high and low water) over the fall

through summer months (to include typical storm seasons and maximum annual high tides) should be required. This will enable an analysis of the frequency of high water conditions and flooding along the roadway, and the impact of such flooding on the proposed development.

Infrastructure and Community Facilities

Comment 1.

The property is burdened by significant drainage easements running to the favor of Nassau County. These are not specifically identified in the plans filed with the DEIS. The locations of these easements, and the impact of these easements on the viability of the development, must be incorporated into the proposal for analysis of impacts.

Zoning, Land Use and Community Character

Comment 1.

This section fails to discuss or analyze whether the proposed development is in accordance with the Village's Vision Plan, which serves as the Village's comprehensive plan. The Village adopted the Vision Plan on December 16, 2020, and a link to the plan is provided here:

(<http://nebula.wsimg.com/fb3905a5ae762f6014c08e4adff2c858?AccessKeyId=661566C4A2F1F27A2C36&disposition=0&alloworigin=1>)

The DEIS states that the Village adopted a comprehensive plan, in discussing community character (page 258), but it drops off this acknowledgement when discussing impacts. In fact, the DEIS addresses impacts "in the absence" of such a comprehensive plan. Instead, impacts should be addressed based on considerations in the Vision Plan, including goals and objectives (pages 11-16 and 21-36) and the Conceptual Land Use Plan (pages 17 and 18, with proposed districts identified in A and C therein).

Similarly, the DEIS provides that the Vision Plan is the subject of current litigation. It should be noted amended to confirm that the Nassau County Supreme Court dismissed that litigation.

Comment 2.

The DEIS also states that the Village land use regulations have not yet been amended to reflect recommendations in the Vision Plan. On June 29, 2020, the Village adopted a new Zoning District, which was in accordance with the recommendations in the Vision Plan. The new zoning district is called the Coastal Conservation District – Woodmere Club, and a copy of the local law is available in the following link:

https://locallaws.dos.ny.gov/sites/default/files/drop_laws_here/ECMMDIS_appid_DOS2_0200716060058/Content/09021343802bdef6.pdf. The DEIS makes no effort to address any impacts related to this law. The new zoning district must be incorporated into the DEIS analysis.

Comment 3.

At the time of submission of the initial subdivision map, we conferred with the Building Inspector regarding certain items in the subdivision plan. Among those was that the application does not demonstrate compliance with the then required minimum street frontages for certain lots. Frontage runs in a straight line from corner to corner, and this measurement was not provided where lot frontages did not run in a straight line. If the frontages, when measured from corner to corner, along a straight line, do not meet the minimum 150 foot requirement in the 1A zoning district, then the application, at the time of submission and as currently presented in the DEIS, would require variances from the Village Zoning Board of Appeals. The applicant never consulted with the Building Department to discuss this item or confirmed with the Building Department, prior to the submission of the DEIS, that the lots comply with all Village zoning regulations. These variances must be identified in the DEIS, in relation to the 1A zoning district, and additional modifications made to address the need for variances. These variances also render the proposed subdivision not to be “fully compliant” with then existing zoning requirements, as has been asserted in the DEIS.

Comment 4.

There may be restrictions related to the development of site, that would be reflected in title documents. To assess any such restrictions, the impact statement must include a copy of a title report containing all restrictions, limitations and encumbrances. In this regard, not only must this include information dating to the original acquisition of the property in the early 1900s, but also must include any restrictions, limitations or encumbrances relating to the portion of the property acquired from the Rockaway Hunting Club.

Comment 5.

The DEIS does not include any documentation indicating which lots are subject to concurrent jurisdiction, as being within 300 feet of an adjoining municipality. This should be addressed.

Comment 6.

Village Code §131-25(A) requires that a subdivision application provide for a minimum set aside of 10% of the area in the Village for parks for recreational purposes. The bioretention area does not serve this purpose, and cannot be considered for recreational purposes. A recreational area must be included in the proposed development.

Noise, Odors and Lighting

Comment 1.

The DEIS provides that the Village has no noise ordinance. Technically, that is correct, as the Village Code contains no ordinances. The Village does have a law that provides for noise restrictions. Noise is primarily regulated under Village Code §106-6. The regulations prohibits various noises including the use of air conditioning, HVAC, generator equipment or pool equipment where noise generated therefrom exceeds 50 decibels across a property line. To determine whether there is no significant impact, as the DEIS contends, the DEIS would have to assess noises associated with these items, in place of non-contributing open space.

Lastly, the DEIS's references to the lead agency process are not stated correctly. On March 7, 2019, the Commission adopted a resolution declaring itself as lead agency pursuant to SEQRA and determining that the proposed action is likely to have the potential for one or more significant adverse environmental impacts (the "Positive Declaration Resolution"). The Positive Declaration Resolution further provided that, in response to the Commission's notice to involved agencies of the Commission's intent to serve as lead agency, no involved agency objected to the Commission serving as lead agency.

We note that, by letter dated March 1, 2019, the Village responded to the Commission's notice of intention to serve as lead agency, as follows (italics and bold added):

*The Village does not object to the Planning Commission serving as lead agency, in accordance with Article 8 of the Environmental Conservation Law and the implementing regulations in 6 NYCRR Part 617, **on the condition that the applicant agree to fund consultant reviews to be sought and obtained by the Village** in reviewing any scoping*

documents, Environmental Assessment Reviews and/or Environmental Impact Statements.

The Village has received no response to its aforesaid conditional consent. As such, the DEIS statement that there have been no objections to lead agency status, does not correctly address the Village's position of conditional consent.

We submit the above comments addressing the adequacy of the DEIS studies and sources and to further identify deficiencies in the potential impact discussions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'B. Stolar', with a stylized flourish at the end.

Brian S. Stolar

c: John Perrakis (jperrakis@nassaucountyny.gov)

Sean Sallie (ssallie@nassaucountyny.gov)

Board of Trustees,

Village of Woodsburgh

July 15, 2019

Via electronic mail only (willowsegr@nassaucountyny.gov)

Mr. John Perrakis, Planner II
Nassau County Department of Public Works – Planning Division
1194 Prospect Avenue
Westbury, New York 11590

Re: Willow View Estates – Draft Scope Comments
Our File No.: 25558.0068

Dear Mr. Perrakis:

I am the Village Attorney for the Village of Woodburgh (the “Village” or “Woodburgh”).

As an involved agency under the State Environmental Quality Review Act (“SEQRA”), and given the potential significant impacts on the health and quality of life of the residents of Woodburgh, we appreciate the opportunity to submit comments to the Draft Scope (“Draft Scope”) submitted by the purported owners¹ of the Woodmere Club property (the “Applicant” or “Developer”).

This letter constitutes the Village’s comments to the Draft Scope. The Village has serious concerns about the potential of this massive project to negatively impact the quality of life of the Village and its residents. The Draft Scope fails to address numerous potential environmental impacts. Without providing for the analyses suggested herein, it is impossible to fully evaluate these impacts on the Village. With this in mind, we submit that the Commission incorporate each of the requests herein into the Final Scope.

Initially, we note that on March 7, 2019, the Planning Commission adopted a resolution declaring itself as lead agency pursuant to SEQRA and determining that the proposed action is likely to have the potential for one or more significant adverse environmental impacts (the “Positive Declaration Resolution”). The Positive Declaration Resolution further provided that, in response to the Commission’s notice to involved

¹ The Draft Scope contains no indication of the name of the title owner to the property.

agencies of the Commission's intent to serve as lead agency, no involved agency objected to the Commission serving as lead agency.

We note that, by letter dated March 1, 2019, the Village responded to the Commission's notice of intention to serve as lead agency, as follows (*italics and bold added*):

*The Village does not object to the Planning Commission serving as lead agency, in accordance with Article 8 of the Environmental Conservation Law and the implementing regulations in 6 NYCRR Part 617, **on the condition that the applicant agree to fund consultant reviews to be sought and obtained by the Village** in reviewing any scoping documents, Environmental Assessment Reviews and/or Environmental Impact Statements.*

The Village has received no response to its aforesaid conditional consent. As such, the Village's position as a non-objector appears to have been misstated. The Village reserves its rights under SEQRA and any other applicable laws and regulations, and notes that the applicant has not yet filed any application with the Village.

The magnitude and scope of the developer's proposal is out of context with the surrounding community. The existing Woodmere Club property contains an historically important golf course, club building, tennis courts, swimming pool, parking areas and other uses associated with a sporting club. Since the Club's establishment in 1912 and expansion in 1947, as one of the oldest golf courses on the South Shore of Long Island, it has served as a challenging, legendary and historic golf venue, a place for major social activities, a sanctuary for relaxation and recreational opportunities, a time honored and noble legacy for the community and Village's residents, and an unmatched aesthetically and ecologically charming gateway to the Village and the community. The development, as depicted in the proposed Willow View Estates "Preliminary Subdivision Map", prepared by vhb Engineering, Surveying, Landscape Architecture and Geology, PC., and dated November 15, 2018 (the "Subdivision Map"), guts these elements and supplants them with two types of lots – 285 single family dwelling lots (24 fully or mostly located in Woodsburgh, 13 fully or mostly in the Village of Lawrence, and 248 wholly within the unincorporated area of the Town of Hempstead) and four (4) bio-retention areas. The Subdivision Map is devoid of any parkland or recreational opportunities, instead opting for full residential build out with associated natural drainage facilities.

A significant issue is the potential for the loss of the entirety of the recreational property and elimination of the above referenced elements and community benefits in a manner that may degrade rather than enhance and protect the character of the community and the Village. The Village is concerned that the development's current scope risks deteriorating and degrading the community. At this point, there remains time

to revise course rather than continuing on a path that may destroy the gateway to the Village.

The Village has subdivision jurisdiction with respect to the 24 single family lots in the Village and approximately 70 of the lots in the unincorporated area of the Town of Hempstead², and will address appropriate planning considerations and impacts related to those lots during the subdivision process before the Woodsburgh Planning Board. In response to the project as a whole, the development is large, expansive and neglectful in considering impacts of removing the entirety of an historic recreational opportunity and replacing it with a community that will exceed the size of the Village of Woodsburgh (proposed development will have 285 dwelling lots; Woodsburgh has approximately 260 dwelling lots). Sound planning principles may dictate a revised proposal consistent with the community's character.

Draft Scope Deficiencies/Inaccuracies

As to the substantive portions of the Draft Scope, we submit the following comments for consideration in the Final Scope:³

1. Brief Description of the Proposed Action

The Draft Scope provides that the subdivision is designed to adhere to the prevailing bulk and dimensional zoning regulations of the respective municipalities. The Subdivision Map provides insufficient information to confirm such compliance. The street frontage for the lots in the Village, on curved roadways, are not indicated. The frontage runs in a straight line from corner to corner, and this information should be provided. If, after such information is provided, any of the lots do not contain the required 150 feet of street frontage (or do not comply with other lot size or configuration requirements), a variance would be required to permit the non-conformity. The applicant should consult with the Village Building Department for clarification of the street frontage requirements, and also for confirmation that each of the lots otherwise complies with the Village's minimum zoning requirements. If variances are required, this must be addressed in the Environmental Impact Statement (EIS).

In addition to such consultation and inclusion of responsive information, the EIS must account for then current planning documents and Village Code provisions. The Village is in the latter stages of a comprehensive study that will result in a Vision Plan for the Village, and may also involve modifications to the Village Code consistent with, and/or emanating from the underlying analysis and

² Insufficient detail is provide in the Subdivision Map to determine precisely the lots that will be subject to the Village's concurrent subdivision jurisdiction.

³ Comments are submitted based on the Headings and/or Subheadings provided in the Draft Scope.

evaluation of, that plan. The final scope should indicate that the EIS shall address the subdivision's consistency with such Vision Plan and any Village Code changes or shall explain how variations are consistent with the intent of the Vision Plan.

The entirety of the subdivision is located in flood zones that require base flood elevations of 9, 10 and 11 feet. The Village Code prohibits a dwelling in excess of 28 feet in height. This will limit the height of the living area to 17, 18 or 19 feet within the respective flood zones. The applicant should confirm that no variances will be required with regard to the heights of the buildings. If height variances may be sought, that should be addressed in the EIS.

Additionally, Woodsburgh Village Code §131-25(A) provides for the applicant to provide parkland dedication. The EIS should address compliance with this consideration.

The Draft Scope incorrectly indicates that access to the proposed development will be provided via various roadways, including Railroad Avenue (also known as Keene Lane) and Atlantic Avenue. Railroad Avenue is a designated one-way roadway, with traffic permitted to travel only in a southwest direction, from Meadow Drive to the Lawrence Village line. That this roadway is one-way is not indicated in the Draft Scope, and this restriction has the potential to significantly impact any traffic analysis. This limitation must be incorporated into the traffic analysis, not just for pass through traffic, but also for impact on the proposed lots. This restriction will significantly impact access to and from lots 258 to 273, 285, 229 to 237 and other lots located on "F Road". Except for the limited number of vehicles that will proceed through Lawrence to access Broadway, all traffic will be directed within the development and then northeast on Meadow Drive. Moreover, given that Keene Lane only permits travel in one direction heading towards Atlantic Avenue, Atlantic Avenue cannot be used to access the development. The Draft Scope, which indicates that Atlantic Avenue will provide access to the development, is in error. All of these access, circulation and traffic direction considerations must be corrected in the Final Scope and addressed in the EIS.

Keene Lane is subject to frequent flooding that limits access during rain and storm events, and certain high tides cycles. Installation of a data logger on the existing bulkhead that fronts Keene Lane to measure tidal flux (high and low water) over the fall through spring months (to include typical storm seasons and maximum annual high tides) should be required. This will help understand the frequency of high water conditions and flooding along this roadway.

Also, numerous Village administrations, including the current administration, have contemplated closing Keene Lane to vehicular traffic. The EIS should further address potential impacts from this action.

The Draft Scope indicates that additional access will be provided via an extension of a current dead end road – Tulip Street. Traditionally, a dead end street, this street has never been a pass through roadway. Tulip Street is a Town of Hempstead roadway, and the Town has the authority to restrict the use of Tulip Street as an east-west access street to and from the development. The EIS should address this possibility, and the consequent impact on traffic in other locations as a result of this possibility.

Similarly, the proposed access points at Prospect Avenue, C Road extension, A Road or G Road are subject to the same access and/or turning limitations. These potential limitations must be addressed, both cumulatively (so long as one reasonable access point remains) and individually. Traffic impacts (as well as secondary impacts relating to noise and pollution) resulting from any of such restrictions must be addressed in the EIS.

As part of the above restrictions, the viability of a left turn from Broadway onto Prospect Avenue must be addressed.

And, anticipated pedestrian and bicycle access on Broadway, Meadow Drive, Keene Lane, and other development proposed roadways and roadways providing access to or from the development, must be proposed to be addressed, in the EIS.

The Draft Scope indicates that select areas will provide for only a three-inch rainfall event with overflow. These areas must be indicated in plans accompanying the EIS where such areas are intended to accommodate stormwater runoff in/or relation to Woodsburgh. These areas also must be demonstrated to be consistent with the Village's Vision Plan and associated regulations and laws.

The Draft Scope indicates that sewage is expected to be handled by the Nassau County municipal system. The locations of current and proposed sewage easements must be identified in the EIS, and the impacts associated with the current easement must be analyzed. There is an existing local sanitary district easement running through the property. This easement is not indicated in the proposed Subdivision Map or associated plan, but the EIS must include it's location.

The property is also burdened by significant drainage easements running to the favor of Nassau County. These are not indicated in the plans filed with the

Planning Commission. The Final Scope and EIS must address the locations of these easements, and indicate that the impact of these easements will be addressed as part of the EIS. Additionally, the EIS must analyze whether the current easements and facilities can accommodate the proposed development.

The applicant should consult with the various municipalities to determine whether the list of required approvals is comprehensive. As noted above, if any of the subdivision plots do not comply with applicable zoning requirements, including street frontage, an approval may be needed from the Village Board of Appeals.

In addition, as discussed below, a portion of land depicted as part of the subdivision is actually part of the Woodmere Basin, and not owned by the developer (as discussed below). As a consequence, additional approvals, consent or permits from the municipality that owns this property may be required. This approval/permit/consent must be added to the list of required permits or approvals.

The list of approvals does not include road opening permits in Woodsburgh or the Village of Lawrence. This should be identified.

The Draft Scope provides that the Description of the Proposed Action will include "appropriate maps and aerial photographs". The Draft Scope should identify those "appropriate" maps and aerial photographs.

The list of maps should be comprehensive. A sampling of such maps will include a map showing the existing and proposed drainage and sanitary easements and pipe and outfall locations, a map delineating the mean high water mark (and quantifying therein, for each proposed lot containing land within the mean high water mark, the square footage of land that is landward of such mark and the square footage of land seaward of the mark), a map showing the elevations of the roadways within an surrounding the proposed development, and a map depicting the existing and proposed or anticipated elevation of the entirety of the subdivision area (and the elevation of adjoining roadways).

The applicant also must include a map showing properties within the subdivision jurisdiction of the respective municipalities. The map must show depict each of the properties within 300 feet of the Woodsburgh geographical boundary and within 300 feet of the Village of Lawrence boundary, subject to the concurrent subdivision jurisdiction of the respective villages.

The description of the site development history must also include any title restrictions. To assess any such restrictions, the EIS must include a copy of a

title report containing all restrictions, limitations and encumbrances. In this regard, not only must this include information dating to the acquisition of the property in the early 1900s, but also must include any restrictions, limitations or encumbrances relating to the portion of the property acquired in 1947 from the Rockaway Hunting Club.

The Draft Scope also does not identify the current owner of the Woodmere Club property. The title report must include this information. If the applicant is not the owner, evidence of the owner's consent to the proposed development must be provided.

The site development history also should include a description of any cultural history, as well as the historical significance of the Woodmere Club building and property.

Physical characteristics of the site, including boundaries, should include an overlay of the existing tax lots as they are shown in the records of the Nassau County Assessor. This will clarify the portions of the proposed subdivision that are actually part of the Woodmere Basin (as noted in the next paragraph).

The Subdivision Map is not consistent with the boundary line of the property. The westerly portion of the Woodmere Basin, which is owned by either the State of New York or the Town of Hempstead, is included as part of the proposed development. The developer proposes this area as part of a bio-filtration area. This area must either be excluded from the proposed development or the applicant must provide written authority from the owner to include this land as part of the subdivision. As this land is in the Village, the application to the Village Planning Board will require either a joint application submitted by the developer and the municipal owner or participation by consent of the municipal owner. The EIS should clarify whether the applicant proposes to obtain ownership or permit rights to this land. If title to the land is not transferred, this portion of the proposed development should be excluded from the proposal, and the impacts of such exclusion must be identified, including whether different land area will be required to accommodate the proposed bio-filtration or other drainage designated area.

Similarly, we are unable to determine whether the proposed lots along either side of Woodmere Basin correspond with the existing boundaries of the property. For this reason, the overlay map must demonstrate that the proposed boundaries of the proposed lots conform with the current lot delineations, as demonstrated in the Nassau County Assessor's records.

In this Description, the term "site conditions" is amorphous. The Final Scope should provide a more detailed identification of the intention of the term "site conditions".

As to the discussion of the SEQRA process, the initial point noted as to the Village's conditional non-objection should be discussed as it relates to SEQRA review.

The EIS summary of proposed access and circulation must include a consideration of the points noted above and in the Transportation section discussed hereinafter.

There is no indication as to the maintenance responsibility for the bio-filtration area. This obligation must be addressed. If it is to be owned by a homeowners' association, the proposed formation documents, including any documents addressing maintenance, must be provided.

The EIS should include detailed evaluation of construction impacts, including construction schedule and processes; include discussion of demolition of existing structures and proper handling of solid waste, storage tank and leaching pool closures, safeguards and permitting; measures to properly control and dispose any hazardous materials that must be removed from the site during the demolition phase of development; construction materials storage/staging area deliveries and construction schedule/estimated duration; workers' parking, hours of construction operations, the number of construction truck trips and anticipated vehicle routes; impacts due to construction traffic, including frequency of vehicle trips, vehicle size, hours and days of operation, travel routes, effect on physical condition of roadways along these travel routes, actions that will be taken to mitigate any impacts that are identified); and how specifically stormwater will be handled during the construction period and specific erosion and sediment control measures during construction to protect adjacent land uses, and related mitigation measures provided to reduce construction impacts.

2. Physical Alteration of Land

Roadway profiles for existing access roadways should be included, particularly at their intersections with the subdivision roadways.

3. Surface Water, Floodplains and Stormwater

Presently, large swaths of the Club property serve as partially effective stormwater retention areas. The loss of these areas, compounded by the addition of impervious surfaces and the elevating of the proposed development,

and likelihood that such impacts will disperse stormwater elsewhere, must be addressed.

Community members, including Village officials and employees are well versed in the impacts of storm events and sunny day flooding and the locations of flood prone areas within the Village, particularly post-Superstorm Sandy. The Draft Scope does not even list any Woodsburgh board, agency, department, personnel or officials for consultation in this regard.

It has been reported that the water table has increased eight (8) inches along this area of the South Shore in the last seven (7) years. This impact must be addressed, and consultation with the Woodsburgh Building Department would be appropriate.

The Draft Scope is unclear as to whether this section will address coastal erosion, coastal wave action, storm surge, higher water tables, sea level change, and flooding from high tides, spring tides, sunny day flooding and coastal storms. Sea level change for the next 100 years, as noted in (a) the *North Atlantic Coast Comprehensive Study*, 2015, (b) *Underwater: Rising Seas, Chronic Floods and the Implications for US Coastal Real Estate*, 2018, and (c) *When Rising Seas Hit Home: Hard Choices Ahead for Hundreds of US Coastal Communities*, 2017, must be identified and the impact addressed. If the proposed development will be developed at an elevation higher than the elevation of the surrounding roadways and properties, the impact resulting from such redirecting or berming of surface water away from the development must be addressed in relation to each of the above noted impacts. In this regard, if the development is designed to reduce and/or restrict internal site impacts caused by storm surge, higher seas and flooding, the EIS must analyze the impact to other properties in the Village and surrounding community, roadways, and infrastructure.

The immediate area surrounding the proposed development is extremely sensitive to stormwater and flooding impacts and susceptible to the ravages of higher seas and stronger storms. The analysis must include an evaluation of methods to:

- Avoid impact to adjacent and surrounding community
- Avoid flooding from rainfall events overwhelming existing drainage systems
- Avoid impacts to critical infrastructure
- Avoid Keene Lane impacts (Keene Lane floods on sunny days)
- Avoid impacts to Woodmere Basin and navigability of the Basin and back bays

- Avoid impacts of the remaining open space from taking on the natural stormwater protection functions provide presently by the Woodmere Club property
- Prevent flood damage to homes, roads and properties in the Village and surrounding community
- Address the elimination of the stormwater and flooding protections currently provided by existing open land on the Club property
- Contribute to coastal resilience
- Protect critical infrastructure
- Contribute to ecosystem resilience and resurgence

With high frequency flooding being a perpetual and accelerating problem in Woodsburgh and surrounding communities, the EIS must address the cumulative impacts of the development on roads, infrastructure, personal and real property, and the local habitat and ecosystem. This must include comprehensive drainage modeling, probability analyses of storm surge, rainfall events and high frequency flooding modeling, to address both site specific and adjoining area impacts.

The Draft Scope limits the analysis in this section to surface water, floodplains and stormwater. An analysis addressing only surface water, floodplains and stormwater ignores a significant issue. Subsurface investigations must be conducted as more than just a sampling in certain areas. Given the proximity to surface waters and limited depth to groundwater in the area, the groundwater elevation must be determined at the site of all bioretention areas by groundwater monitoring (considering tidal fluctuations) for at least a 90 day period, including winter conditions with an appropriate adjustment (if any) to the historic high groundwater elevation. **To fully address the potential impacts, we submit that boring tests should be provided in numerous representative locations where there will be potential below grade construction impacts. This may include up to at least one boring location for each of the 285 sites proposed for new homes and each of the four (4) water retention sites. Any analysis that does not meet this threshold would be negligent, and not result in a hard look at the potential impacts to and from subsurface water.** As noted above, there is significant and increasing flooding in the Village and surrounding area and the water table levels have increased up to 8 inches. Only a proper evaluation of each location where subsurface water can be impacted can there be a proper review of the impacts and depiction of any available mitigation measures.

4. Ecology and Wetlands

As with the previous section, the Draft Scope does not even list any personnel or officials for consultation regarding these items. A field survey only provides

a limited scope, glancing review. Observations by stakeholders who observe these local conditions daily must be incorporated into the EIS.

The Draft Scope does not indicate that a wetland survey will be performed. This survey must be performed and the wetlands mapped and staked.

Existing vegetation on the Club property, including any that support or are related to the wetland habitat, must be depicted in a plan.

The Draft Scope does not address the following, each of which must be included in the EIS:

- Impact of loss of land used for various avian and aquatic activities, including nesting, resting, foraging and migration
- Use of land presently used as part of the Atlantic Flyway and impact on the Flyway
- Detail the species that use any part of the Club property as part of their habitat and the impact of development on that habitat
- Potential impact on nurseries and spawning in the Woodmere Basin and surrounding waterways and back bays
- Potential impacts to any federally or state listed rare, threatened or endangered species
- Potential impacts to Diamondback Terrapins, which have been reported to use the Club property
- Methods to preserve the environment, habitat and ecosystem of each of the previously listed items
- Each of these identified considerations and areas is particularly sensitive to loss of habitat and degradation of water quality. These impacts must be addressed.

5. *Aesthetic Resources*

The plans do not depict whether any buffer areas are proposed for the properties along Meadow Drive and Keene Lance. The location of such areas should be indicated in a plan.

The Draft Scope provides no information regarding the finished elevations of the dwelling sites. For a proper visual analysis, the EIS must depict these heights in relation to the adjoining sites. Similarly, the heights of the surrounding roadways must be identified.

The Draft Scope provides no visual resource analysis. The viewshed from all areas impacted by the loss of open space should be depicted. The EIS should

describe the visual character of the subject property and vicinity, and representative photographs depicting same will be provided. Potential changes to visual character from various off-site vantage points, including the Woodmere Club and local public streets, will be evaluated through detailed narrative descriptions, supported by suitable graphical depictions. These graphics will include elevations and renderings of the proposed residential development from various viewpoints (including within the Woodmere Club), along with photographic simulations depicting existing and proposed conditions and changes in character of views along Broadway, Meadow Drive, Railroad Avenue, Keene Lane/Railroad Avenue, Ivy Hill Road, Tulip Street and Rutherford Lane. A discussion of how the viewsheds may be affected, the nature of the proposed development's architecture, and the ability or inability of the proposed site layout and building design to be integrated into the pattern and character of the neighborhood will be provided. Any site and building design mitigation measures proposed to reduce impacts to the existing community character, residents' quality of life, and Woodsbrough unique sense of place should be discussed.

6. Historic and Archaeological Resources

The Draft Scope limits the historical analysis to an analysis of a portion of the site designed by the New York State Office of Parks, Recreation and Historic Preservation (SHPO) as archaeologically sensitive. The Club, which was developed beginning around 1910, has must greater and deeper historical significance. The EIS should explain the historical context and significance of the Club building, including its origin and any improvements. The same analysis should be provided for the Club property.

Cultural resource surveys should be prepared in conjunction with SHPO and any other applicable regulatory bodies or agencies.

7. Recreational Opportunities and Open Space

The Draft Scope states "[t]his section of the DEIS will discuss existing recreational and open space resource serving the community."

This discussion must focus on resources, both active and passive, existing in the immediate vicinity. It may include surrounding areas, but the reality of the use of such resources is such that residents of the Village and surrounding communities utilize such resources that are easily accessible. In fact, a significant portion of the population is Orthodox, and their ability to access resources on certain dates and times, including Friday evenings, Saturdays and high holy days, is limited to resources within walking distance.

The Subdivision Map depicts no area of the property set aside for recreational uses. Bio-filtration areas are not recreational and should not be considered to provide future recreational opportunities or mitigation for the loss of any recreational opportunities. The Woodsburgh Village Code provides for authority for such set aside to be provided within the development and required by the Woodsburgh Planning Board. This consideration is ignored in the Subdivision Map and the Draft Scope. Sound planning principles mandate the consideration of such recreational opportunities.

For the entirety of the proposed development and part of the property within the subdivision jurisdiction of Woodsburgh, the EIS should include provision for recreational land, exclusive of the bio-filtration areas.

Similarly, alternative 2, as identified in the reasonable alternative section, should identify proposed retained or created recreational opportunities.

The Draft Scope contains no indication that the proposed development will expand or protect public use and enjoyment of the coastal area. The EIS must incorporate methods to expand and protect such use and enjoyment.

8. *Transportation*

The Draft Scope proposes to depict Saturday midday peak period turning movement counts. With a large Orthodox population, the use of such counts on a Saturday will provide limited relevant data. These counts should be replaced with counts on a full Sunday, as well as a count all day Friday on the eve of one or more high holy days.

This same change should be incorporated into the "collected" and "compiled" data and analysis section.

All traffic analyses must account for: (a) one way traffic on Keene Lane, (b) the possibility that certain access points may be precluded either by the municipality with jurisdiction over those roadways authorizing guardrails preventing through traffic or by a planning agency with jurisdiction over the applicable roadway, and (c) the possibility of the closure of Keene Lane to all vehicular traffic.

The Draft Scope assumes that mitigation measure will be viable in providing that "[i]f significant adverse traffic impacts area identified, traffic mitigation measures will be identified." The following should be added to this sentence - "and their viability discussed."

The Draft Scope does not address impacts on the LIRR Woodmere station. Impacts on passenger counts and parking capacity must be included.

9. *Infrastructure*

The existing easements for all infrastructure must be identified and depicted on a map that clearly indicates their locations within possible building envelopes. If any proposed lots are not viable due to the easement locations, this should be addressed.

Any changes to existing drainage or sewer infrastructure or piping must be discussed in detail.

To the extent possible, the potential for small cell antenna locations should be addressed in the EIS.

10. *Extent and Quality of Information Needed to Adequately Address Potentially Significant Adverse Impacts*

Under "Infrastructure", the term "Village of Woodsburch Code Chapter 121" should be added.

Under "Zoning, Land Use and Community Character", the final scope should include the term "Consultation with Town of Hempstead, Village of Lawrence and Village of Woodsburch Building Departments". Also, the term "Existing Comprehensive Plans" should be revised to read "Comprehensive and Vision Plans existing as of the DEIS submission". And, in addition to the local "Zoning Maps", then existing Village Code provisions relating to zoning and planning should be included.

11. *Climate Change*

Climate change assessment must be for a period of not less than 100 years, and include how the development may erode protections from such change. The erosion must include not just the development, but the area surrounding the development on account of the change from open space to a fully developed site. The impact of any site elevation must be incorporated into this analysis.

12. *Reasonable Alternatives to be Considered*

An additional alternative should be considered. The Town of Hempstead has proposed, but has not taken formal action, to adopt zoning modifications based on a report from Cameron Engineering. A proposed development consistent

with the proposals identified in the Cameron Engineering study and proposed zoning district should be addressed.

As part of the cluster development analysis, consideration should be given to the retention of a portion of the golf course and the Club building.

Additionally, Alternative Plan(s) providing for the following should be evaluated:

- on-site parkland dedication,
- transition buffers between the one-acre zoned areas and the 6,000 SF lots within the Town and along roadway frontages.
- Limiting direct driveway access to Keene Lane/Railroad Ave.
- Limitation of east/west connections to reduce cut-through traffic into the Village the Village of Woodsburgh

In addition to the above section-specific comments, additional points should be incorporated into the Final Scope and the EIS, as follows:


Impacts on the Eruv are not indicated. The impacts of the development on the existing Eruv must be addressed. If any portion of the proposed subdivision is proposed to require an extension or modification of the Eruv, the manner in which such Eruv will be expanded must be addressed. This must include whether any poles on private or public property will be required, and if so, the locations of those poles. Consultation with the organization responsible for the Eruv is essential.

The Draft Scope does not address compliance with, or applicability of, any federal or state Fair Housing Law requirements. This should be addressed.

Any proposed docks, waterfront features or other waterfront access should be incorporated into the EIS.

The above comments are relevant to an appropriate environmental analysis and are necessary for a proper vetting of the potentially significant environmental impacts resulting from the Willow View Estates subdivision. We submit that each comment should be incorporated into the Final Scope and analyzed in the EIS.

Very truly yours,



Brian S. Stolar

c: Mayor and Trustees, Village of Woodsburgh

We are residents of Woodmere and the Five Towns for over 40 years, and have seen the population explode.

With regard to the Woodmere Club Development project We have noticed significant inconsistencies which benefit the Builders and need to be brought to your Attention.

The builders project that the 285 new homes will only add 911 new residents.
Please note that the average household
Has between 5 and 8 residents per home.

In addition , they claim that the 285 homes will generate 227 school age Children. A more accurate number Would be a minimum of 4 children , Per household, totaling 1136 students, At a minimum.

The Builders highly inaccurate projections Have the potential to skew all other aspects of their studies. This includes amount of car per household, traffic ... which is already Overburdened, energy use, water and Sewer demands and the adequacy of Emergency services.

We hereby strongly protest such
An outrageous development of such scale that the builders request .

Susan and Stephen Fine
825 Bryant Street
Woodmere NY 11598

Sent from my iPhone

I wish to add my name to those who object to this project which I believe to be thoroughly misguided & dangerous to the entire surrounding area.

The environmental damage, traffic issues, electronic grid problems & overcrowding from the project in this area will make life in this neighborhood immeasurably difficult & unpleasant. It will drastically reduce the home values in the entire area. It will be impossible yo live, drive or shop in this area. I strongly object to this development & urge you NOT to approve the project as it now stands.

It is frighteningly unwise to consider it & it should be denied permits & approval.

Judah A Charnoff MD
36 Wood Lane
Woodsburgh, NY.

Sent from my iPhone

As a resident of Lawrence for over 27 years, and with a home next to the Woodmere Club, I am gravely concerned about the plan to build 284 homes on the property.

I envision years of construction traffic, debris, noise and air pollution, which will adversely impact the quality of life for all residents of the Five Towns. The likelihood of severe future flooding for homes near the property is frightening. The loss of this magnificent open green space, with all its flora and fauna, is devastating to contemplate.

A revised DEIS for Willow View Estates that complies with the "Coastal Conservation District" zoning for the Woodmere Club property should be submitted.

Please help us preserve our beautiful community for all current residents and future generations, and do not allow the Woodmere Club property to be overdeveloped.

Thank you,

Lori Rudensky

4 Hawthorne Lane, Lawrence

Hello,

We live on Ivy Street in Cedarhurst.

I would like to bring another comment related to cars and parking.

Assuming Lotus St will become an outlet for Willow dev. we are just wondering where will all the cars that are currently parked on the street go ?

I assume residents will not have the right to park their cars on the street anymore (as the street is way too narrow to accommodate 2 way cars).

How can this narrow street become an outlet while there is not even enough room for the street residents to park their cars in their own driveways?

As you might be aware, each family has now a min of 3 cars !!

On top of that, as you might know, Lotus St serves as a Parking lot for Temple Emanuel every time they hold an event in their social hall... where will those cars be parked if the few spots left on Lotus aren't available? On Broadway?

It might be a little detail ... for us its our everyday that will become a real pain to access Ivy, Tulip street....

PLEASE TAKE OUR COMMENTS IN CONSIDERATION !

DO NOT LET THEM DESTROY PEACEFUL AND CLEAN ENVIRONMENT FOR GREED !!!!

--

Salomon

We are in opposition to the large housing development planned for the former Woodmere golf club. The increased population will impact an already poor traffic condition, put strain on our police, schools & utilities. It will have terrible ecological consequences on both flora & fauna. The grounds have provided protection from flooding for us.

We moved from the city to live in a lovely, quiet suburban area. Our dead end street would be slated for thru traffic for this new development. Please do not allow this proposed huge development to go forward. Put the wants & needs of your citizens ahead of the profits of out of state developers. Thank you for your attention to this matter. Dr. Gustavo & Mary Rodriguez

6 Tulip St.
Cedarhurst

Sent from my iPhone

Where was the TOH? When this property was sold under the table TOH and the lawyer's were well aware of this transaction.

The previous owners should be sued for their greed.

I have attended many meetings in Hempstead and have spoken numerous times. Deaf Deaf DEAF.

If this property transaction is completed the community will be endangered in many ways.

Yours truly,

Rochelle Stern Kevelson

Past President Lawrence Association

To Whom It May Concern:

I am a resident of Lawrence.

I am writing these comments because I am against the plans that the Woodmere Club has proposed with reference to the complex to build so many homes.

First, the plans are not compliant with current zoning.

Secondly, the plans include many inaccurate facts as far as the impact on the quality of life to the community and its current and future residents.

At present, the infrastructures of the towns are severely strained, and the additional homes proposed would overwhelm them.

.

Sincerely,

Bernard Elefant

Dear Nassau County Planning Commission,

I am writing to strongly discourage the approval of the plans to build Willow estates, which would be an environmental and public health disaster. Besides the plan not being compliant with the coastal conservation district zoning, and the problems strewn throughout the developers "findings", the construction of so many houses on such sensitive land would have dangerous consequences for public safety - specifically traffic, emergency response times, and flooding - as well as destroy the quality of life for current residents of the area.

The projections within the reports are also wildly unrealistic. For example, they project that 285 homes would contain 911 residents, which assumes three people per household. The average household in the surrounding area contains significantly more than three people, likely closer to 6 people per household. This one assumption leads to gross underestimates to the impact on traffic from additional cars added per household, water and sewer demand, and the adequacy of emergency services.

Finally, the plans for an entrance to the project through the narrow, one-way street "Porter Place" in Woodsburgh, is scary in its inadequacy. Anyone who has visited Porter Place understands that the side

street can hardly support its existing traffic when operating free from parked cars, while a single car parked along the street could impede even occasional traffic flow. School buses regularly get stuck on Porter Place as they just do not fit when cars are parked on the street. The idea of Porter Place being a main entrance to a development with any homes, let alone hundreds of homes, is frankly ludicrous.

Thank you for your consideration.

Ian Glastein

35 Wood Lane

Woodsburgh, NY 11598

Hi,

As a Five Towns resident I totally feel that adding so many houses to our community will ruin the suburban look and feel as well cause a big change to the traffic and pollution.

Please restrain this from happening.

Thanks,

Aryeh Markovich

I have many concerns about the proposed building on the site of the Woodmere Club.

- 1) Potential flooding when the ground that now absorbs water will be covered by buildings.
 - 2) Potential flooding in the areas around the project from water runoff.
 - 3) Increased traffic getting in and out of the Five Towns from new residents.
 - 4) Lack of parking spaces available in the business districts with more residents
 - 5) More school buses causing traffic slow down in the morning, afternoon and evening
 - 6) Increased demand on the Nassau County Police Department
 - 7) Lack of parking at the LIRR station with the increased demand by new residents
 - 8) Lack of parking in Municipal Parking fields that are already overcrowded
-

My wife, Judy, and I are long term residents of Lawrence residing at 572 Atlantic Ave on the Northern border of the Woodmere golf course.

I have previously written regarding our objections to the planned development and wish to express again our vehement objection to this plan to drastically change our neighborhood by building so many houses on this property. The development will:

1. Add significantly to traffic which is already clogged for many hours every day except possibly Saturday. The narrowness of Broadway in Woodmere and Hewlett would be a bigger headache than it is now.
2. Replace a lovely, spacious, grassy and wildlife friendly golf course with structures and concrete.
3. Jeopardize our environment by adding to the pollution of the nearby waterways which is a problem even before this planned development.

The 5-7 years of construction will provide unimaginable discomfort to our Five Towns.

Sincerely,

Arthur F. Murray

To whom it may concern,

I am very troubled by the possibility that over 250 homes might be developed on the land called Willow estates. The projections by the builder are so off as to almost be laughable. Due to the demographics of our area there is no way each house has an average of 3 people. Is that husband wife and one child? Completely not the reality. There will probably be an average of 6 people per family if not 7 people. That would translate into over 2,000 people extra in this development.

This is totally non functional and unworkable for the residents of this town. I live in Lawrence and it will be impossible to travel our narrow one lane roads during the day and impossible to have a quality of life we have been accustomed to.

This project is very detrimental to our community. I request that the amount of homes be restricted to way below 100 homes in order that we can maintain the quality of life our area has been enjoying for years.

Thank you

David Samuels

126 Monroe Street

Lawrence , New York

As a design professional and resident of the 5 Towns for nearly 40 years I strongly object to the proposed residential development of the former Woodmere Club. The speakers in the recent hearing covered all of the significant concerns. My greatest objection is the stress that the added population will put on an already overburdened municipal roadway infrastructure. There are times during the day when it takes 20 minutes or more to navigate from Woodmere Boulevard to Rockaway Turnpike, regardless if one is driving on Broadway, Central Avenue, West Broadway or Peninsula Boulevard. This is an unsafe condition.

Any plan to develop the site in question should be presented together with plans indicating roadway improvements that will accommodate the increased vehicular traffic. Unless this is presented, no further residential development should be considered.

On a separate note, the 5 Towns is already overbuilt. There is a need for more parks recreational spaces for the current residents. These last acres are an obvious offering.

Bruce Lilker P.E., LEED® AP, WELL AP

President

To whom it may concern:

I have lived in Woodmere for almost 52 years, and needless to say, it has changed so much during this time. I don't live near the Woodmere Club; I live near Peninsula Blvd. So, this doesn't affect my property. I just feel that I have to speak up for those who will suffer. Years ago the heavy traffic was on Peninsula Boulevard, especially in the late afternoon. Rockaway Tpke., as we called it then, wasn't bad. People used to go to West Broadway, Central Avenue and Broadway to avoid the traffic. Now there is no place to go. I shudder to think what will be if the Willow Estates is allowed to invade these towns. There will be multiple hundreds of more cars trying to get around and unfortunately there will be many DEATHS due to emergency vehicles (fire trucks, ambulances, police cars) not being able to get through during busy hours of the day, especially on Thursdays and Fridays.

The study that was made when we all found out about this ridiculous property sale was done by a group of engineers who sadly had no idea what this neighborhood is about. They didn't check the traffic on Thursday or Friday; they did it on Saturday, when there is hardly a car on the roads here, and Sunday, when it is also not very busy. So much for that!!

The flooding during heavy rains is not something to sneeze at. I saw photos of the Woodmere Golf Course totally immersed, which bodes badly on what will happen to the neighborhood because of the infrastructure which will not be able to absorb this water.

The 5 years or so that the building would go on would be a hardship on everyone.

The loss of beautiful space and wildlife will be a big loss.

The Woodmere Club was devious by keeping the sale quiet -- the "almighty dollar" seems to have made them disregard all of the people who for years were good neighbors.

The buyers -- also out for the "almighty dollar" - didn't care what they were doing to a community. They don't live here, and so they won't suffer from the results.

Please, please, heed our cautions and do whatever you can to save this neighborhood. I don't care about property values, etc.,etc.,; I care about quality of life. We are already bursting at the seams, and we don't need an explosion.

Thank you so much for reading this long, drawn-out letter. I couldn't help myself. I'm just hoping that it meant something to you.

Sincerely,

Marian David

417 Yale Avenue

Woodmere, NY 11598

Hi

We are residents of Lawrence, NY.

We appreciate and agree with the Hempstead Town Board zoning the former Woodmere Club to 59 units total.

This is the best possible outcome.

Sincerely,

Eric Sternberg

Elana Sternberg

Brianna Goldstein

Jeremy Goldtsein

Maxwell Sternberg

Julian Sternberg

Dara Sternberg

As a former resident who currently still spends time in the 5 towns, I firmly believe that ANY development without upgrading the drainage systems, sewer systems, and the roads is a recipe for disaster. I don't think there should be any development there at all, but if it must be, then whatever will add the least number of residents, and therefore the least extra strain on the local infrastructure is what needs to be.

Thank you

Reva Faska

To whom it may concern,

My name is Mia Rosenberg and I live at 91 Woodmere Blvd South. I wrote several weeks back and feel that I need to add to it.

Woodmere Blvd South has become widely used compared to many years ago. Had it been this busy 30yrs ago when I moved here, I would have never chose this as my forever home. At certain times there are police officers in unmarked cars pulling drivers over for either speeding or not stoping at any of the Woodsburgh's stop signs (most notably the one in front of my home) . The worst is during the week, Sunday's and early Friday. There are some observant Jewish people who don't drive after sundown Friday till sundown Saturday. Those days the traffic is lighter, but, don't get me wrong, there are still

cars speeding down the road or going through the stop sign. Just not as many. What I failed to mention is that due to the horrible daily heavy traffic going east on Broadway, Woodmere Blvd South is used as a major shortcut. I sometimes can't even pull out of my driveway because of the volume of cars taking the same shortcut. If this development is built, it will not only cause horrible traffic issues, it will ruin our quiet neighborhood, lower out property values and change what we all loved and moved here for. I don't want to be repetitive to my last email. I just had to write this because just today, I saw 3 cars speeding down Woodmere blvd past the stop sign on my corner. Several cars rolled through that same stop sign, and at one point I could not pull out of my driveway due to the amount of cars. I can't fathom how bad it will be if there are over 200 homes built. I can't sleep thinking of this.

Thank you for your time,

Mia Rosenberg

Sent from my iPhone

Hi-

I am a homeowner in Woodmere and have lived in this neighborhood for nearly 30 years. While I live about 2 miles away from the proposed development, I'm upset and horrified about the intention of the developers.

As it is, I've watched quality of life erode with increased traffic, congestion and fewer areas to relax or enjoy public space. I wish the beautiful golf course could be turned into a park or recreation area (Woodmere has no public parks or playgrounds); certainly, increased home development will just become a nuisance and affect schooling, traffic and the environment.

Please do everything you can to be creative and reduce the impact upon surrounding homeowners. The infrastructure just can't take it.

Thank you for allowing public input.

Marjorie Glatt

1035 Hazel Place

Woodmere, NY 11598

I am concerned that the developers are still planning 284 homes when the zoning was changed to allow 59 homes. The current plan is not consistent with the zoning changes. In addition the developers are not realistic with their numbers. They claim that 284 homes will add 911 residents, only 3 per household and only add 227 school aged children. More accurate is 6 per household (1704 residents) and 4 children (adding 1136 students). These significant inconsistencies low ball the number of cars that will add to our already unbearable traffic. Our neighborhoods can not absorb these many houses and people. Our quality of life will be ruined. I implore you to stop these developers and save our towns. Thank you.
Susan Kohn 8 Margaret Avenue Lawrence.

Sent from my iPhone

We cannot allow overdevelopment in our area as our roads and infrastructure does not have access to this kind of development. Take a drive down Broadway and unless they plan to build an expressway ,traffic has nowhere to go. The land as well is one of the last open areas in Nassau county that was not overdeveloped and is a sanctuary for birds and other wildlife. We will never allow or support more than the 59 homes which is the plan. They can build 10 million dollar homes and people will pay for the property and a beautiful latest upscale home around. They will make the money in quality and not quantity and that's what the area needs and will accept. Reuven Guttman

Please accept my vehement opposition to a project that will wreak havoc on our traffic, increase pollution, destroy our nature and affect the environment and life in our Five Town communities. I live on Copperbeech which intersects Broadway and Auerbach . It can take 15-20 minutes to get out of my street and make a left turn on Broadway. There have been several accidents at those intersections. If you allow traffic to increase, 2 cars for each of the 267 houses, I will never get out of the street without forcing my way out- thereby increasing the large Number of accidents. Never mind the increased pollution and killing of birds and other species. We also have substantial flooding during rainfalls with cars stuck in the water: do you realize how many more cars will be stuck? Finally, if the expected demographics are the elderly, do you realize the burden on our Hospitals and doctors as well As the increased number of accidents- and I speak as an elderly person who prefers not to drive on Fridays and Sundays because of the increased wild traffic? Please reconsider your position and do not settle

Sent from my iPhone

To be Frank, I cannot comprehend how such a fiasco might be approved by our government. The traffic on Central Avenue and Broadway, our only two thoroughfares in Lawrence, Woodmere and Hewlett is

already unbearable, except at night. If the Woodmere Club property is developed to a large extent it will make life intolerable in our neighborhoods and in fact quite dangerous if for any reason we must evacuate our neighborhoods. Another concern is that with increasingly higher seawater levels this close to marshland development will only increase our risks of flooding to our homes in the event of inevitable storms. Will the developers or Town of Hempstead reimburse us for this damage. And what about our existing quality of life in our neighborhood, why must it be impacted so badly just so that a real estate developer can create a huge housing complex. It is just not right. Stop the development!

TED BUDMAN

BONNIE BUDMAN

15 Sealy Court

Lawrence, NY 11559

I am writing this email to express my objection to the planned development of the former Woodmere Club property. I live and work in the Five Towns, having a residence at 120 Willow Rd, Woodsburgh, and an Insurance business at 1245 West Broadway, Hewlett. I built my home between 1995 and 1998 and was very careful to comply with the zoning laws. I received a certificate of occupancy without having to file for a variance. I purchased the building that houses my Insurance business in 1989. The prior owner used the property to service automobiles and I converted the building to office use. Since there was a change of use, I was required to obtain a variance because of on site parking requirements. Subsequently, in 2012, I bought the adjacent vacant lot at 1255 West Broadway. My plan was to expand the existing building and to provide additional parking. Despite the fact that I was improving the parking for the now combined property, I had to file for another variance as the number of spots fell short of zoning requirements.

The point of my story is that development is not a free for all. It is a risky business where you are not guaranteed of getting to do what you would like to do because of numerous impediments. One of those impediments is zoning laws. The laws are enacted to provide structure and to protect residents. These laws are constantly changing and evolving. The development plan is clearly in violation of present zoning laws and cannot be approved for valid reasons. I would have loved to build a larger home but could not due to a lot coverage issue. I would have loved to build a second story on to my office building. That variance would never have been granted. As Mick Jagger said: You can't always get what you want.

All that being said, if i worked in government, I never would have let it come to this. We are not dealing with vacant land here. We are dealing with a country club that has been a community amenity for a very long time. It hurts to lose it. The government should have seized the property by eminent domain. They

should have continued to operate the club until they could pass the torch to a successor.

--

Harvey Dachs

It is hard to comprehend how a traffic study does not pick up the gridlock experienced driving up Broadway from Woodmere through Hewlett. That is aside from the traffic experienced throughout the 5 Towns as well as trying to get home from the city on Rockaway Turnpike.

I saw something about how the birds who reside on the golf course will just move to empty parts of land while the property is being developed. I guess that will work till there is no land left. Our towns are always concerned with surface area coverage and we need to maintain large areas of grass on our property. This move to develop all these acres will not only leave the birds homeless but will put our properties at risk from flooding.

Finally, an issue that I have not heard anyone mention. There is a strong likelihood that new homes would be bought by families that send to Yeshivas. Even now it is often difficult to find a high school spot for children in the community. Building hundreds of homes without additional schools and school properties will cause a major problem.

Is there a way for this project to move forward? Of course. But if you want us to live in gridlock, risk flooding, and cant get our kids in to school, at least build something in moderation, with space between our homes and new homes, and to a degree that our community can maintain its beauty.

--

Jason

Auerbach Lane

As a long-term resident of the five towns, I am vehemently opposed to this unwarranted and unprecedented Development of new houses and the concomitant increase of traffic due to the influx of new residents. The five towns roads are all severely congested. It is impossible to cross from one side of

the five towns to the other without experiencing huge delays. There is no excuse to severely handicap our roads to beyond their capacity.

I am also very concerned with the drainage issue. The neighborhood suffer from poor drainage. To permit the golf club to be cemented will cause flooding for the entire neighborhood.

This project should not be permitted.

B. David Schreiber, Esq.
Attorney At Law
366 Pearsall Avenue, Suite 1
Cedarhurst, New York 11516

O'Rourke Family
286 Roselle Avenue
Cedarhurst, NY 11516
January 5, 2021

To Whom It May Concern:

We hope this finds you well in the New Year. We have lived in the Five Towns for over 60 years. It is our home and a home to many. Our many landscapes make our Five Towns a unique place to live and thrive.

We, along with many residents, have voiced our concerns regarding the Willow View Estates. The obvious concern is that we currently do not have the infrastructure to house an additional 284 houses. The increased population will lead to a decline in the quality of living as we currently know it. There would obviously also be an increase in traffic which is already heavy every day of the week. And this development would tarnish an already beautiful scenery. The Willow View Estates is currently a beautiful footprint to our already overpopulated town. Flooding on the roadways due to the marsh land, high tides and full moons are inevitable. We do not understand how the EPA is allowing this to move forward and not halting this nightmare from coming to fruition.

In addition, our concerns include the sanctuary for the current bird, owl, rabbit, geese, and additional marine and wildlife populations. The Woodmere Country Club is a wide open space in an already congested part of New York State that is open and sacred for these animals to live and breed without the problems of pollution. They have been living, mating, and thriving on the many acres of their current home over the past decades. The marsh is already in jeopardy and should by all accounts be preserved and cared for. The construction of 284 homes will mean the removal of all of the beautiful trees which

have been there for decades for all four seasons of each year. Cutting them puts residents in respiratory jeopardy as well as removing oxygen supply and shading for the area. The sewage due to the construction of 284 houses on the Willow View Estates will become problematic due to the grounds already being overly saturated. Is this land which is waterlogged really environmentally sound and stable to build 284 houses on?

Traffic will vastly increase an exorbitant amount with the increase of 284 houses and families with additional cars. Broadway, which is a two lane street, cannot take on the additional traffic from the houses. Any resident could tell you that traveling through the Five Towns on Broadway or West Broadway is a difficult and timely drive any day of the week. The increase in cars and traffic will be a tremendous burden to Willow View Estates land.

We as a community implore you to reconsider this drastic and colossal project which will inevitably intrude on our day to day living in the Five Towns. We do not need a "Sixth" town to overtax our resources which include small businesses that have been a part of our community for years.

Taking all of these concerns into consideration, our proposal would be to keep this land as a Wildlife Preserve run by the County for ALL families to enjoy and hike and bike through year round. Our vision would include trails for walking and biking for families to enjoy together to find peace in already hectic world.

Sincerely,

O'Rourke Family

Hello,

I am a local resident living on Neptune Ave in Woodmere. What attracted me to move to this neighborhood from Queens is the lush and beautiful property that Woodmere has to offer. This neighborhood is truly one of the nicest places to live on the South Shore. I can not imagine another 287 homes being built on the Woodmere Club.

Traffic, school, environment are all things to consider. Please help preserve our gorgeous neighborhood from becoming overpopulated.

Please consider turning the development into a park. The closest park is Grant park which is 2mil away.

Sincerely,

Alex and Rikki Cohen

78 Neptune Ave

The horrible consequences that would result in allowing another grand building development, with an extra 600 cars[at least], and massive pressures on our existing services and space, would be a disaster. As of now, there are too few parking spaces, narrow main streets, etc. there is absolutely no Right for the government to allow our "5Towns" to be destroyed.

Sent from my iPhone

Dear Sirs, My feelings on this have only increased with time. The added traffic, loss of open space, and increased probability of collateral damage of flooding to the existing neighborhood of homes, and overall overdevelopment of a an area where road and service infrastructure is antiquated before this needs to be compromised as to all involved get something, but certainly not everything desired.

Respectfully, Adam Gever

Dear Mr. Perrakis-

I am a resident of the village of Lawrence since 1992 and have lived in the 5 towns since 1967. Our five towns neighborhood has gone through many transformations and development since I was a child, however; the one remaining pristine beauty that we still have remaining in the area is about to be destroyed by greedy developers, if you permit the approval of their plans for a more urbanized development of the area , which, inter alia, is full of misleading and false representations to you by them.

Kudos to the Town of Hempstead and the Villages of Lawrence and Woodsburgh for changing their zoning to allow for 59 homes on the property. This is in the face of threats of expensive lawsuits by the developer meant to intimidate and harass the local residents. The developers seem to be extremely wealthy and out of pure greed still want to build an unconscionable 284 homes on the property which is not complaint with current zoning. The jurisdictions have the absolute right to regulate zoning within its jurisdictions. The lawsuits are an affront to us, the local residents of these jurisdictions.

The allowances of 59 homes is a huge compromise by the local residents and jurisdictions. Although not a perfect solution, since the beauty of the area will be gone forever and will still add to the already horrendous traffic nightmare on Broadway from Woodmere Blvd to Briarwood Crossing that currently exits with NO ADDITIONAL HOMES. This compromise is obviously not good enough for the greedy wealthy developers who want to use the power of their wealth and greed to silence us and to threaten local the jurisdictions that maintain zoning authority.

I reviewed the report and it contains inconsistencies and false information provided by the developers. If you know the neighborhood, local residents are building and applying to local jurisdiction for variances to build huge homes to accommodate the needs of their increasingly growing families. The projection of 911 additional residents for 285 homes is fictitious and totally out of touch with current trends and reality. The average local household has, on average, at least 6 residents and in many cases more. The 5 person family is actually uncommon in the orthodox Jewish family structure and families are having 4-6 children. This would bring the household to 7-8 individuals NOT 3. This would bring projected residents to almost DOUBLE the developers stated false projection of 911 residents. Their false projection of 227 school aged children is also totally false. A more accurate projection would be in excess of 1100 students.

These false and inaccurate projection also falsely skew many aspects of their study, including the amount of additional cars per household, water and sewer demand, energy use, and as stated above, the additional traffic will be a total disaster.

Although the greedy developers have rights and can not be totally "shut down", we need to weigh the benefits to everyone for allowing approval of the plan for 284 homes to continue against the detriment to our existing neighborhood. I can see only one benefit which would make the greedy developers even wealthier, and would only have a tremendous irreversible negative impact to all of us in the community. As stated above, the project is not compliant with current zoning of 3 jurisdictions and should be disallowed on its face for that reason alone. In addition the developers impact studies submitted to the NCPC contains misleading and false information on issues that will negatively impact the area forever.

J. Steven Spector, Esq.

12 Waverly Place

Lawrence, NY 11559

I moved to the Five Towns approximately thirty five years ago. I've watched the community grow and the demographics change. With more large families moving into the existing homes, there has been an increase in the volume of traffic on our small, two lane major arteries running through town, as well as on the side streets. More cars, more school buses, and the ever more delivery vehicles (with more people found online shopping), has pushed our thoroughfares to their limit.

The growth to date has been a wholesome one within the parameters of the existing infrastructure. Yet still it has altered the reality on the ground, increasing congestion throughout our area. People moved out of existing homes and new young families have moved in. This is normal. It would be nice if we could recreate Broadway, West Broadway, and Central Ave and turn them into four lane streets. It would be lovely if we'd be able to find the space at the numerous intersections to create left turn lanes which would allow for traffic to flow, rather than get backed up by twenty or more vehicles. But there is no space, even if there was funding, for this to happen. And forget about trying to find parking in town on a Sunday or around the holidays.

Now you want to add hundreds of new homes to the mix.

Where are all the cars, trucks, and buses going to go? If you're suggesting to build a bridge off the southern end of the property to circumvent town, with access directly to 878, and then widening Rockaway Parkway to accommodate that additional traffic, then you'd be solving half the problem by unburdening the roads from the "get out of town traffic". Then we could allow people to drive locally ONLY on alternate days, either by odd and even license plate numbers or A-M and N-Z last names. You might creatively come up with better solutions. I'd love to be part of that solution committee.

Till such time that we can solve this (and other) critical issues which would grossly impact the lives which we have in our wonderful community, to do what's being proposed is at best irresponsible and negligent and at worst criminal (at least in intent).

Thank you for listening

Martin Schmell
962 Midwood Rd
Woodmere

Sent from my iPhone

The planned development of the Woodmere Club cannot be allowed to go forward for many reasons:

First and foremost is the quality of life that it will destroy. At the present time our infrastructure and services are being pushed to the brink. The main access road (Broadway) only has space for one car in each direction with NO SPACE for expansion. Furthermore, other access roads in the area are equally overburdened (e.g.: Central Avenue, West Broadway and Peninsula Boulevard).

In the event of an emergency the increased traffic would be calamitous.

Traffic is currently a challenge at best. Unfortunately, traffic studies were done when many local residents do not drive, skewing the assessment.

Having survived Hurricane Sandy with substantial damage to my home it is incumbent for us to maintain a barrier in the event of future natural disasters. Any development of that land will render the community vulnerable beyond repair.

The only answer is to maintain a protective barrier by supporting zoning policies, and preventing this disruption of our property.

Sincerely,
Lois & Eric Lustig
388 Island Avenue
Woodmere, NY11598

To Mr. Perrakis and the Nassau County Planning Commission,

Thank you for taking the time to listen to the comments of the residents of the Five Towns and beyond regarding future plans for the Woodmere Club property. Let me start by stating once again that I strenuously object to the Draft EIS process going forward at this time. As a result of the zoning changes, the subdivision map filed by the property owner with the NCPC proposes to create parcels of property which are not compliant with the new applicable zoning. The proposed subdivision map is no longer viable and no further action should be taken by the Commission unless and until a new zoning compliant map is filed. The zoning their plan is based on was put in place over 100 years ago, before people had cars, before most of the Five Towns was even built, when it was mostly farmland. Certainly, we should not be subjected to live by the zoning that was put in place in a completely different time in history.

I want you to know that I read through the hundreds of pages of studies submitted by the developer and I am absolutely appalled. I don't really even know where to start because just about every page is filled with inaccuracies, false projections and outright incorrect information. I could probably fill hundreds of pages refuting most of it, but I will spare you the tediousness and highlight some of the most egregious offenses.

To begin with, the developer projects that the destruction phase will take approximately 12-18 months. The next five years-5 YEARS!!! will be spent trucking in 250,000 cubic yards of fill to raise the site to the necessary grade. Then, they project building 50 houses per year over 3 years. So, their best-case scenario is a 10 year project. More likely there will be many delays

which will lead this project to drag on for 15 or 20 years, maybe more. And they have the audacity to refer to this timeline as “temporary” throughout the report.

There are approximately 100 homes that directly abut the golf course. Then there are the neighbors one to two blocks deep that will also be severely impacted by development. My neighbors and I bought our homes in part because of the quiet serene atmosphere, beautiful views and dead-end streets we were so fortunate to have access to. Some of us have been here for decades, some for just a few years. Our children play together outside on quiet streets free from the noise and traffic that plagues so much of this neighborhood. The value of our homes will be directly impacted by the destruction of this bucolic setting. After all, who would want to buy a house in the middle of a construction zone?

Moreover, this project doesn't only threaten to destroy the value of our homes, it threatens to destroy our physical and mental health. Can you imagine not being able to open your windows and doors for fresh air, not being able to enjoy your outdoor space? All because of diesel trucks with back up alarms and “quackers” “engine emissions from onsite construction equipment, dust generating activities such as earth movement, vehicles traveling on unpaved surfaces and loading and unloading operations”. “The loudest phase of noise would be the earthwork phase which includes movement of fill by truck, excavators and back hoes to move soil around the site, grading and vibratory compactor to compact the soil”. Can you imagine a minimum of 10 years of your life being subject to constant noise and air pollution from the trucks and the dirt and the building noise? Can you imagine your house vibrating, cracks forming in the foundation of your home or your pool? Can you imagine all the field mice and other vermin that will be chased from their habitats and seek shelter in your home? Can you imagine every surface of your home, inside and out being coated in dirt and grime from massive construction of an entire city? Can you imagine not being able to sleep late due to all that noise for at least 10 YEARS? Or not being able to let your children play outside or take a nap because of all the noise and dust for 10 years? This scenario isn't just insane, it's almost criminal! Nobody moved to the suburbs to be subjected to the noises of a big city. Their band aid solution to mitigate fugitive dust is to water the ground, spray adhesive consisting of polymer emulsion products (who wants to breathe that in?), and street cleaning. The truth is there is no way to prevent dust and debris from leaving the site. And their conclusion that “there would not be significant adverse noise impact” is an insult to the people who live and breathe here.

The developers promise to “maintain good communication with the nearby residences”. Since purchasing the property over 3 years ago, they have not communicated with the neighbors-not even once, unless you consider their six-page insult-fest filled with threats and lies in the Five Towns Jewish Times (a local paper) to count as communication. In fact, they have proved themselves to be terrible neighbors by allowing the grass and weeds to grow to heights which far exceed the allowable height and have been cited by the department of sanitation multiple times.

While I am on the subject of homes abutting the golf course with views, I would like to point out that under the heading of Aesthetic Resources, the report mentions only the homes on Broadway, Meadow Drive/Ivy Hill Road and Atlantic Avenue. They neglect to mention NINE OTHER STREETS whose homes have golf course views. These streets include Park Row, Hawthorne Lane, Auerbach and Copperbeech Lane in Lawrence, and Lotus street, Iris Street, Tulip Street, Rose Street and Ivy Street in the Town of Hempstead. The developers clearly do not have a handle on where exactly their property is located and exactly who or how many

residents it will impact. They didn't even bother to take the time to drive around the golf course and note the names of these streets. They did not do a thorough review of the area.

The next topic that I would like to address is traffic. I will not dwell on this simply because I know you have hundreds of letters and comments detailing facts on the ground here. Once again, had the developers taken the time to drive through this town at peak or non-peak hours, they would have the opportunity to experience the horrific traffic and gridlock us residents are subject to on a daily basis. Frankly I don't care what their traffic studies found, the fact is TRAFFIC HERE IS IMPOSSIBLE and the feeling is 100% unanimous among the residents. I did not know whether to laugh or cry when I read their conclusion statement "The proposed 284-unit subdivision will not have any significant impact on the traffic operations in the area" I'm sorry-is this a joke? I will ask that you adopt the traffic studies conducted by Cameron Engineering and submitted by the Town of Hempstead in support of the coastal conservation district which paints a more realistic picture of the traffic in the area.

The report does not mention how many additional cars are projected to be added to our local streets per household, but I am sure it is severely underestimated. The reason I fear it is underestimated is as follows; In the section titled Police, Ambulance/Emergency Medical Services, the report states "Based on the projected 910 residents to be generated by the proposed project...". Let's do the math. 910 divided by 284 equals 3.2 people per household. Then, under Educational Facilities, they state "the proposed action would generate 227 school aged children". Let's do the math again. 227 divided by 284 equals LESS THAN ONE CHILD PER HOUSEHOLD? Is this another joke? They state multiple times throughout the report that "a large percentage of residents within the study area observe the Sabbath...the likelihood that the residents of the proposed subdivision would fall into a similar demographic split". Yet they neglect to mention that typically Orthodox Jews (myself included) have rather large families with the average in this neighborhood at closer to 4 children per household (probably higher but I'm being kind). Now let's project a more accurate/ plausible number. If a family of 6 moves into each home, that would add 1704 residents, 1136 being children. That is a far cry from the numbers they concocted. As I stated at the beginning of this paragraph, I did not see how many additional cars they projected would be added along with the 284 homes, but my guess is based on the miniscule size of the families they project living in each residence, they probably also projected one car per household. A more accurate projection would be 3-4 cars per household bringing an additional 1000 cars to the neighborhood. Of course, this calls into question their entire traffic study with all its projections about how many trips will be taken in and out of this development and onto our roadways, or about how many parking spaces will be needed in our business districts. The bottom line is that based on these ridiculously lowball projections of residents, children and cars, there is no way you can take their traffic report seriously.

Under the heading of Community Character, the report states "there are no relevant comprehensive plans, thus the zoning within the study area, which is predominantly single family residential, re-emphasizes the single family residential character of the community". What they conveniently neglect to mention, hope you won't notice, but are surely aware of is new zoning in North Lawrence and Inwood which was voted on in May 2019. It will allow for approximately 1900 new residences. I am sure you can speak with TOH Councilman Bruce Blakeman for further details. Here is the press release dated June 3, 2019:

The Hempstead Town Board recently approved a sweeping rezoning of portions of North Lawrence and Inwood that are designed to encourage mixed-use, commercial and transit-

oriented developments. This rezoning initiative, which was spearheaded by Hempstead Town Councilman Bruce Blakeman, hopes to transform derelict areas north of the Lawrence and Inwood Long Island Rail Road stations into walkable, affordable neighborhoods filled with hundreds of new apartments.

The new legislation, codified in [Building Zone Ordinance \(BZO\) §§ 432, 433 and 434](#), creates three new zoning districts – a Transit Oriented Development (TOD) District, a Neighborhood Business (NB) Overlay District and a Residential Townhouse/Rowhouse (TR) Overlay District. The vision behind each of these districts is to create vibrant hamlet centers, each with a distinctive sense of place.

Transit Oriented Development (TOD) District

The TOD District is divided into 10 sub-districts that cover over 20 acres of land north of the Lawrence and Inwood LIRR stations. In creating a TOD District, the Town seeks to encourage a mix of building types and uses and diverse housing options that will create and sustain vibrant, attractive and economically flourishing hamlet areas in a portion of the town that is characterized by industrial and manufacturing uses.

The TOD District permits multi-family and mixed-use developments in buildings of up to five stories or 60 feet in height. Developments within the district can have a residential density of up to 60 units per acre, and those containing at least five residential units must designate at least 20% of the units as “workforce housing.” Workforce housing units in this district must be affordable to families earning no more than 60% of the [Area Median Income \(AMI\) for the Nassau-Suffolk, NY HUD Metro FMR Area](#). The rent for these units may not exceed 30% of the combined annual gross income of all persons living in the household.

In a [slide presentation](#) made by the Town’s planning consultant, it is projected that 336 new residential units and 19,500 square feet of retail and commercial space will be developed in the North Lawrence TOD District over the next three years. In the Inwood TOD District, the three-year projection is for 232 new housing units and 5,000 square feet of retail and commercial space.

Neighborhood Business (NB) Overlay District

The NB Overlay District applies to about 19 acres located along Lawrence Avenue between Wasner Avenue and Mott Avenue in North Lawrence, and along Dougherty Boulevard between Bayview Avenue and Mott Avenue in Inwood. Its goal is to create “main streets” along these roads by encouraging mixed-use developments that incorporate housing and commercial uses in a walkable environment.

The NB Overlay District permits multi-family and mixed-use developments in buildings of up to three stories or 35 feet in height. The allowable residential density is up to 24 units per acre. Buildings containing at least five residential units must designate at least 10% of the units as workforce housing that is affordable to families earning no more than 80% of the AMI.

Residential Townhouse/Rowhouse (TR) Overlay District

The TR Overlay District covers the largest area – about 33.7 acres of mostly residentially-zoned property located north of the railroad tracks and east and west of Nassau Expressway. The primary goal of this district is to implement planning and design guidelines that will provide a variety of new housing opportunities within existing neighborhoods to support a vibrant and sustainable residential community.

The permitted uses in the TR Overlay District are limited to single-family attached dwellings on lots of at least 15,000 square feet, and at a maximum density of up to 15 units per acre. The allowable height in this district is up to three stories or 35 feet. Buildings containing at least five residential units must designate at least 10% of the units as workforce housing that is affordable to families earning no more than 100% of the AMI.

Expedited Entitlement Process

Applicants proposing developments that comply with the applicable use and dimensional requirements in the three new districts will qualify for an expedited approval process that bypasses the Town's site plan review process that is typically required prior to the issuance of a building permit. Projects in the new districts are reviewed by a Town-appointed Design Review Committee (DRC) to ensure that they meet the applicable design guidelines and site requirements. If the DRC determines that a submission is fully-compliant with the requirements, it will submit a written recommendation to the Department of Buildings indicating that the project is exempt from the site plan process. Although projects must still be reviewed by the Town's Engineering Department, Highway Department and Department of Conservation and Waterways prior to the issuance of a building permit, this expedited approval process is expected to reduce the time to obtain a building permit by several months or even years.

Given the proximity of these areas to the Lawrence and Inwood LIRR stations, the zoning changes recently adopted by the Town make perfect sense from a planning perspective. Moreover, the expedited review process will undoubtedly be welcomed by developers who typically must endure a series of lengthy and burdensome entitlement processes before they can put a shovel in the ground. The Town should be applauded for its vision and its efforts, but only time will tell if the new law is enough to incentivize private investment in these areas.

While I touched on Construction Impacts earlier, I would like to point out again that they can't seem to get the math right. In this section, they have an estimate of 6-7 years, however, earlier in the report they established a timeline closer to ten years. "Construction traffic associated with the development will include trucks for performing operations on the site, the delivery and removal of materials as well as worker's vehicles and tradesman vans. Trucks will arrive at the site via Broadway by the Nassau Expressway or Rockaway Turnpike. Local suppliers of construction material may arrive from other roadways. It is noted that the site requires a significant amount of fill material to raise the site to required grade in accordance with the requirements of the flood zone. This material is estimated at 250,000 CY. This material will be brought to the site over the course of the five year build out period... Assuming 25 CY of material per truck and 200 working days per year yields an average of 10 trucks laden with fill material to the site per day... The developer will dictate the routes... All large truck traffic will be routed to arrive and depart the site via major roadways... A large construction vehicle routing plan will in place to ensure that no large trucks will utilize the local roadway system... Material deliveries,

removal of debris and other trucking operations will take place over the course of an entire day as necessary...Deliveries will be controlled to arrive via major roadways". The trouble is that Broadway is for all intents and purposes a local roadway, and there is no avoiding it-for anyone. It serves a major artery for all five towns residents; it is not reserved for trucks. Rockaway Turnpike is a traffic nightmare. So is the Nassau Expressway (especially when they merge at Costco). Stating that trucks will be driving in and out of the area with debris all day every day over a five year period sounds more like a threat than the mitigation measure it is meant to be. How is this mitigating matters? It's only making the traffic problem exponentially worse.

Although I discussed noise earlier, I must make mention of another embarrassing flagrant error in this section of the report. "The Gan Chamesh Ed Center is located approximately 485 feet to the north of the subject property, and due to the rapid attenuation of sound with distance, any impacts at that location are not expected to be significant" First and foremost, the name of the school they are referencing is the Gesher Early Childhood Center located at the corner of Broadway and Grove Avenue, **not** Gan Chamesh which is two blocks away on Maple Avenue (still relatively close as far as noise and dust migration are concerned). Once again the developers have shown how clueless they are about the five towns and how little they care about this neighborhood, especially its children. They couldn't even take the time to get the names of our schools right. The Gesher school serves children from age 2-6, many of whom have special needs. They have an outdoor playground that is quite literally a stone's throw from the golf course. Are we expected to believe that the noise and dirt generated by traffic and construction on the site will somehow magically not reach their young students ears, skin and lungs from 485 foot distance? Would you want your child playing daily alongside a construction zone? I certainly would not. Kulanu is 875 feet away and serves the special needs population exclusively. Are their students not entitled to fresh air and quiet streets 875 feet from their classrooms and outdoor spaces? Taken together, the four schools mentioned in the report add up to hundreds of students of all ages and abilities who deserve the basic right to clean air and a quiet environment. The close proximity of these schools to a major construction site over a minimum 10 year period should not be minimized. The risks to the health of our children are significant. This is an insult to everyone who calls the Five Towns home.

Let's move on to flooding, another favorite complaint of mine and the many residents who have made public comments. I will ask that you review the maps from Hurricane Sandy and note that the entire property flooded during that terrible storm. Residents reported fish swimming and then dying in their flooded basements and yards, boats washed up onto their properties. Reach out to FEMA and see what they are planning to do to mitigate flooding in our area in the event of future storms that are sure to come in less than 100 years. Take the lessons learned from the people of Houston who thought it was safe to build in their low-lying, never-before-flooded areas only to suffer damages in the billions of dollars in their last hurricane. Who in their right mind thinks it's a good idea to build 284 homes in a coastal flood zone? Have we learned nothing from previous storms? Was mother nature not clear enough in her ability to destroy everything in her path? What we have here is land that was made for mitigating flooding. It's the perfect example of what should exist on our shorelines. Open space, grass, a sponge to absorb floodwater and rain water. There is a famous song by the Counting Crows that says "they paved paradise to put up a parking lot...don't it always seem to go that you don't know what you got till it's gone". Well the residents of the five towns know what we've got and we don't want to see it gone because of some greedy developer.

Throughout the report at the conclusion of each topic, one phrase kept repeating in one form or another "No significant adverse impacts". Every time I saw those words I wanted to scream. There will be significant impact to every single area mentioned in this sham of a report. Shame on Mr. Gerszberg and Mr. Weiss for doing such a shoddy job compiling this report. They should be embarrassed for submitting something to the commission that is so obviously flawed. It is filled with inaccuracies, egregious omissions, embarrassing errors and blatant falsehoods that show a total disregard for the needs and concerns of the residents of this community. They have played with numbers, manipulated the information and skewed their statistics to support their own narrative in order to advance their disastrous plan to build an entire town to the detriment of everyone who lives here.

For a more accurate assessment of what can possibly be done with the property I ask that you review the environmental impact studies attached to the passage of the Coastal Conservation District by the TOH and the Villages of Lawrence and Woodsburgh that has previously been put before this committee. It is important that you recognize that not a single elected official, municipality or resident has voiced support for the developers plans in any form or fashion. This united front speaks volumes about our community and the values we hold dear.

I invite the members of the Commission to come to the Five Towns, and see what we're all about. Take a walk or a drive around the Woodmere Club property. See exactly what is at stake here. Once you do, the only conclusion you could possibly arrive at would be to reject their proposal in its entirety and do something to preserve this land with as much as open space as possible for current and future generations.

Thank you again for your time.

Rena Saffra

To Whom it May Concern

I have been a resident of Woodmere and now Woodsburgh for over 30 years. I am writing to officially lodge my objection to the builders of the Woodmere Club to attempt to build homes exceeding the current zoning as voted upon by the various municipalities.

Firstly their projections are totally off base, in that our community generally averages 6 residents per home and not 3. This naturally affects everything else they are saying.

Secondly the zoning has been voted upon for environmental and traffic reasons, and this should not be ignored.

I urge you to block the builders from carrying on with what would be a terrible detriment to the community

Thank you

Stuart Samuels
900 Barberry Ln,
Woodsburgh NY

I would to join all those who are alarmed by developers' misrepresentations and intention to build homes contrary to zoning regulations. Our neighborhood is already over congested and often flooding and all this additional development will make matters worse.

Thank you for your consideration.

Sent from my iPhone

To Whom It May Concern:

I strongly oppose the proposal the developers have outlined as their planned development. They have no regard for our community and are they trying to ruin our beautiful five towns landscape to make a buck.

In addition, they were neither forthright or honest in their projections. They claim that 285 homes will produce 911 residents. That's an average of just 3 people per household. Being that the developers are orthodox Jews themselves and are familiar with the household sizes of orthodox Jews in the five towns, they have been completely dishonest in this projection. The average family household in the five towns is probably 6, which means their projection was off by a large measure. This gross and intentional misestimation will have fantastic traffic ramifications as well as energy use and water and sewer demand ramifications.

Furthermore, the traffic study they conducted was over the span of 3 days, 2 of which were a Saturday and Sunday, the quietest traffic days of the week. In fact, they did the study on Thursday, May 10, then Saturday, May 12, and Sunday May 13. The reason they skipped over Friday May 11 is because Friday is the highest traffic day. As it is you cannot drive down Broadway or Central on a Friday. They're pretty

smart for skipping Friday as a traffic study day! I implore you to require them to repeat this study on a Friday. The results of such a study would yield vastly different results.

These developers are simply dishonest and if their proposal is approved they will have ruined our beautiful community.

David Samuels

Please consider the following comment:

This proposed project represents a significant environmental change that will inevitably be accompanied by, a significant increase in dangerous traffic patterns flooding and the impact on *quality of life* issues for the vast majority of our community.

My suggestion; a significantly *scaled down* version of the current proposal, that will have broad based community support.

Michael J. Hatten

Resident of Cedarhurst

Four term trustee of the Lawrence Public School System

Please note that I am against the aforementioned project as I feel that it would foster undue hardship on the Woodmere and Woodsburgh communities insofar as the number of housing units and addition of automobiles to the community could only prove detrimental to our quality of life.

Yours Truly,

Norman Pearlman

To whom this may concern,

I am a Woodmere resident and I have lived here for the past 5 years. I am 29, a mom to 3 young children, a dental hygienist and my husband is a dentist. My husband and I both work very very hard to sustain a lifestyle here and we strongly oppose the development of residential homes in the neighborhood, turning the five towns into the six towns. I am concerned that the developers' plans are not compliant with current zoning. I am also very concerned that the developers' impact studies are not thorough and essentially not factual. I live here, I work here, I give to my community and I expect that I not be taken advantage of for that. Thank you

-Lauren Bienstock

Sent from my iPhone

As a Woodsburgh resident with 5 children. I write to you , pleading to stop this madness of development on our last piece of open Greenland.
Allowing the country club to be developed will ruin the natural drainage we DESPERATELY NEED, wildlife , and most importantly the safety of all our children and neighbors.
I don't even want to talk about the nightmare of the current traffic situation, adding to this would make it pure gridlock at all times of the day and weekend.

Do the right thing, keep our villages beautiful.

Stop the developers from developing the woodmere country club

Ty

860 pond lane
Woodsburgh

To whom it may concern,

The "Woodmere Club Development" as proposed, SHOULD NOT HAPPEN!

We are privileged to live in a suburban community. We have paid a premium to purchase and live in our homes in this community, enjoying a certain standard of living. We chose to live in Nassau County to avoid the crowding and congestion of nearby Brooklyn, Queens and Manhattan.

As a resident of the Five Towns since 1972, I have seen many changes. Most obvious is the rise in congestion on our streets and roads. Parking in our commercial areas is a challenge, on most days of the week. We have been forced to use side streets and back residential streets formerly quiet to get where we want to go rather than travel on Broadway or Central Avenue due to the congestion.

I have had sewage backups from the street to my home causing considerable damage to my home & property. Even the threat of ill effect to the health of my family. Expert opinion has explained that the current sewer system is inadequate to accommodate the population increase of the community in the past 20 years.

The approval & development of the proposed Woodmere project will take a problem that the Five Towns Community is dealing with and exacerbate them multifold. How can we even consider such a project when we have no solutions to the issues as they present themselves now.

Thank you for considering some of my thoughts on this matter.

Sheldon Golombeck

Hi – I (own and) live at 28 Pine St, Woodmere, NY 11598.

We are very opposed to the plan to build 284 homes on the Willow Estates subdivision.

I would like to point out the significant inconsistencies, concerns and biased projections throughout the report that benefit the developers. For example they project that the 285 homes will only add a “projected 911 residents”. That’s an average of just three people per household. They anticipate that the addition of 285 homes will “generate 227 school aged children”. A more accurate projection should estimate 6 people per household as is consistent with the “five towns” demographics (for a total of 1704 residents) and 4 children (for a total of 1136 students) per household. Their highly inaccurate “projections” have the potential to skew so many other aspects of their studies including amount of cars added per household, traffic, energy use, water and sewer demand, the adequacy of emergency services etc.

Respectfully,

Adam Schreck

To the members of the Nassau County Planning Commission,

I am writing today about the planned Willowview Estates, which developers hope to build on the site of the Woodmere Club.

The proposed change from 285 houses to 59 houses, as offered by the villages of Lawrence and Woodsburgh, while not a perfect solution, seems more in line with the needs of the community. Adding 285 homes in that area will result in a huge population increase. Likely each home will be for a family of

at least 4 children and 2 adults. That is not compliant with current zoning. Water and sewer services will be strained. And legal language aside, the results will be devastating to the entire community. Emergency services will be negatively impacted. I live one house from Broadway, and every day I see and hear emergency vehicles using Broadway to get to Mt Sinai South Nassau, as well as other emergencies. 285 houses, with a minimum of 2 cars per household, plus workers, visitors, guests, will result in terrible traffic, traffic that will not only be an inconvenience, but a hazard. As it is the area is sorely lacking in adequate east-west road accessibility. Adding a thousand cars to that situation is not acceptable.

Please give your strongest consideration to the compromise offered by Lawrence and Woodsburgh and help save our neighborhood from danger.

Rosalind Swergold

11 Woodmere Blvd South

Woodmere, NY 11598

Being a resident of Woodsburgh, i have tremendous issues with the proposed development that is planned. They plan on overbuilding on the zones area. The zoning has changed, but only due to the fact that things and the area have changed over time and the 284 houses is absurd. You can control the only family members of three people will live in these houses. To add cars. And people to the already dense traffic is absurd, and dangerous. If emergency vehicles need to get through during these congested times, there can be real problems. There are major water issues already in the area. Building on this empty land is just waiting for problems and issues. The developer has no ties to the community and doesn't seem to care how his development will affect surrounding homeowners and families. Not to mention the amount of work, mess, random people , the amount of time to live among the construction...as a mother with you f children, this is definitely not why I recently moved into this area, just to have it all changed. They're keeping the whole place a mess as it is, what will it look like as they're working??!!

Please take my concerns to heart.

Thank you,

Shani Fuchs

Sent from my iPhone

EDWARD M. GRUSHKO

29 Lotus Street
Cedarhurst, New York 11516

██████████ (Telephone)
██████████ (Facsimile)

Email: ██████████

December 22, 2020

John Perrakis, Planner II
Nassau County Department of Public Works - Planning Division
1194 Prospect Avenue
Westbury, New York, 11590

RE: Comment to Willow View Draft
Environmental Impact Statement

Dear Mr. Perrakis:

I am a resident of Hempstead and live within 71 feet of the proposed Willow View Estates 284-Lot Subdivision. I previously corresponded with the Nassau County Department of Public Works, Planning Commission in its capacity as the Lead Agency under the SEQRA process with respect to the proposed subdivision.

Attached hereto please find the following copies of our previous correspondence (without duplication), which are incorporated herein by reference:

1. Letter from Edward M. Grushko to John Perrakis dated July 15, 2019
2. Letter from Edward M. Grushko to John Perrakis dated August 27, 2019
3. Letter from Edward M. Grushko to John Perrakis dated September 9, 2019
4. Letter from Sean Sallie to Edward M. Grushko dated September 13, 2019
5. Letter from Edward M. Grushko to Sean Sallie dated September 20, 2019
6. Email from John Perrakis to Edward M. Grushko dated September 24, 2019
7. Email from Edward M. Grushko to John Perrakis dated September 27, 2019
8. Letter from Edward M. Grushko to Sean Sallie dated November 12, 2019
9. Letter from Edward M. Grushko to Sean Sallie dated February 19, 2020

The failure of the Planning Commission to substantively respond to my numerous correspondence, except for one time, was disappointing. Now, a failure to address actual instances of significant deficiencies in the SEQRA process imperils the residents of the South Shore and exacerbates a failure by a government agency to comply with New York State law.

The correspondence annexed hereto are to be deemed as newly made comments to the Draft Environmental Impact Statement ("DEIS").

Without derogating from all of the subjects covered in the attached correspondence, particular attention is drawn to the substantive issues raised in the letter of July 15, 2019, with respect to "Child Safety" and "Side Street Access". The DEIS does not address modifications to traffic signals and cross-Broadway crossings which should be considered for the proposed development to meet even minimum safety standards. Nor does the DEIS, in any way at all, adequately discuss or describe the impact of opening access, on quiet, presently dead-end streets, to 284 new homes, and the impact of even intermittent additional traffic on these streets; not only during destruction and construction, but also after completion of the proposed development. By failing to even address easily foreseeable environmental impact, the DEIS does not satisfy the requirements of the Final Scope.

The deficiencies of the SEQRA process regarding misinformation in the developer's submissions are already set out in the correspondence incorporated herein. The implications of disseminating false information about applicable zoning regulations is described in the attached correspondence. The import of the misinformation is that the SEQRA process has not been adhered to (see attached letter dated September 9, 2019) and therefore tainted the entire SEQRA process. The failure to provide residents with accurate information about the development at crucial times during the SEQRA process impacts their ability to meaningfully participate at different stages of the SEQRA process and has denied residents of their legal rights under 6-CRR-NY § 617.9. Non-timely information is not a substitute for accurate and timely information.

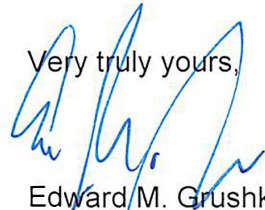
As such, the entire SEQRA process has been tainted. The impact of the taint may require evaluation by an independent decisor, such as the Supreme Court of the State of New York, to determine remediation. The Planning Commission is able, even at this late date, to bring the process into compliance without outside intervention.

The developer was fully aware of the deficiencies in the SEQRA proceedings and cannot claim surprise. In fact, it was the developer who provided the faulty maps relied on by the Planning Commission and public.

On February 1, 2019, a Preliminary Subdivision Map was distributed by the Planning Commission to all Involved Agencies and was posted on the Nassau County website for the public to view.¹ The Preliminary Subdivision Map contained a material error, as described in the attached correspondence. The map was amended as of December 4, 2019, to correct the map's inaccuracy regarding town and village border locations (as described in my letter of August 27, 2019), and perhaps other changes were made, as well.² The originally filed inaccurate Preliminary Subdivision Map was replaced by the December 4, 2019 updated version with no disclosure made, nor attention drawn that the previously posted map had been changed, so as to at least alert residents that there is something that deserves a second look. An investigation should be conducted into how the faulty map previously disseminated on the Nassau County website for reliance by residents, was removed from the website; when it was removed; and, most importantly, why was no disclosure made in order to alert the public of the change to the map so as to be able to assess the change and comment in a meaningful way. A further matter calling for investigation is whether any other unannounced changes and substitutions were made to documents available on the Nassau County Willow View Estates Subdivision SEQR website.

Request is made that the Planning Commission review and revisit the SEQRA process of the Woodmere Club development and determine if action is required in order to comply with the law, before irreversible damage is done to the environment and thousands of residents – without requiring the involvement of the judicial system.

Very truly yours,



Edward M. Grushko

EMG:al

¹ <https://www.nassaucountyny.gov/4705/Willow-View-Estates-Subdivision-SEQR>

² See bottom right of Preliminary Subdivision Map

EDWARD M. GRUSHKO

29 Lotus Street
Cedarhurst, New York 11516

(Telephone)
(Facsimile)

Email: [REDACTED]

July 15, 2019

John Perrakis, Planner II
Nassau County Department of Public Works - Planning Division
1194 Prospect Avenue
Westbury, New York, 11590
willowvsagr@nassaucountynv.gov

Dear Mr. Perrakis:

I am a resident of Hempstead, residing in the unincorporated area of Cedarhurst in Nassau County. I have lived on Lotus Street for more than 33 years. Because I live in the unincorporated part of Cedarhurst I look to the representatives of the Town of Hempstead and Nassau County to protect my rights and interests. I am writing this letter to share my concerns with the Planning Commission about the proposed development of the Woodmere Club. I agree with the near unanimous opinion of my neighbors that the development as presently proposed would be disastrous with respect to the quality of life on the south shore of Long Island and pose health hazards, tremendous ongoing inconvenience, diminution of quality of life, and loss of value to the principal asset owned by the residents of the areas surrounding the proposed development and beyond. Current residents have a right to rely on their expectation that the bucolic nature and small-town atmosphere surrounding our homes would continue to abide. Your obligation as the Planning Commission is to protect the interests of the residents you represent and not only the mercenary interests who have no concern or regard for the impact they will have on neighborhoods and the thousands of people affected by purely economic considerations. Had we wanted to live in a congested urban area and sit in traffic jams we certainly would not have selected the south shore of Long Island.

In order to properly evaluate the impact the development would have I am requesting that the Planning Commission investigate and consider the following items.

Roadways

In addition to the traffic studies that are going to be conducted, it is relevant to take into account the impact the additional traffic will have on the condition of the roads. I do not recall road conditions in the Five Towns ever being as bad as they are now. Up until about 15 years ago potholes were promptly repaired, deteriorated road sections were replaced, and nonemergency upgrades such as more visible street signs, mid-road reflectors, and street grooving's were done. Now, driving down Broadway and nearly every side street is a bone jarring experience. Some potholes have remained unrepaired for so long that they appear on WAZE as road hazards. The deterioration around manhole covers is so severe in some areas that residents swerve around them as a matter of course. The entrances to many many side streets off of Broadway are so deteriorated that gravel and large rocks accumulate in the holes and depressions and come shooting out when driven over. I personally have had the front end of my car wrecked on a pothole at the intersection of Iris Street and Sherwood Lane. Fortunately, the folks who live on that street, after many years of pleading were able to have Iris Street resurfaced; though the quality of the resurfacing

would have been unacceptable to anyone other than a government agency. The addition of trucks used in the construction process of hundreds of homes, the addition of hundreds of cars, more street traffic, school buses, garbage trucks, delivery trucks and additional traffic on the roadways will exacerbate an already bad condition.

Child Safety

Broadway is the main thoroughfare which will be burdened by the additional vehicular use of the roads by virtue of the proposed development. Children who live on the south side of Broadway must cross over Broadway in order to get to school, playgrounds, synagogues and churches and the commercial parts of Lawrence, Cedarhurst, Woodmere and Hewlett. For safety reasons parents instruct their children to walk along Broadway to a traffic light before crossing over Broadway. Many elderly residents prudently do the same. Traffic lights, for much of residential Broadway are not installed at each intersection. Unsupervised children often cross at intersections that do not have traffic lights, and elderly residents unable to walk to a traffic light, do the same. Children and the elderly are compelled to dodge traffic coming around blind curves. Additional traffic on Broadway enhances the risk and will impose a life-threatening situation for our children and the elderly.

Traffic Congestion

There are many schools, synagogues and children's programs all along Broadway, including nurseries, kindergartens, studios and after school and toddler crafts programs. Many more of these and churches and schools for special children and teens at risk are located on Central Avenue and the side streets adjacent to Broadway and Central Avenue. Traffic studies should be conducted from at least the 878 to Rockaway Avenue on Broadway and Central Avenue from not later than 6 AM until 9:30 PM each day of the week. These studies should be conducted to cover periods when schools are in session, day camps are operating, and beach traffic is present. The roadways in the Five Towns are used at these times by and for school buses, mail delivery, trash pickup, package delivery, thru traffic, public transportation and in connection with schools, synagogues, churches, after school programs, beach access and mundane residential and commercial purposes. Unquestionably, the health, safety and convenience of residents and passers-by will be impacted by the proposed development. The Planning Commission must evaluate and quantify the negative impact of the development and weigh it against the economic inconvenience to the developers who knew or should have known from the outset that the proposed development would entail serious consequences vis-à-vis the current uses and configuration of the south shore and would engender strong community opposition and even antipathy. Traffic congestion won't be limited to a single street or route if the development is built as proposed. Consideration should also be given to the impact the project will have on the already overburdened West Broadway and Peninsula Avenue. The alternatives of traffic lights or stop signs on each corner is not acceptable. The myriad idling vehicles waiting for traffic lights to change and the stopping and starting of the vehicles on each corner will cause an unhealthy condition due to the pollutants that will be discharged by, what is likely to be, ever present stopped and slow-moving vehicles. Even without the proposed development, the current high volume of traffic results in gridlock. The addition of a single stopped school bus with flashing lights and deployed stop signs will bring traffic to an extended standstill. All of the above will be exacerbated by the recently approved Lawrence railroad area development, which will affect the same roads and have an exponential negative impact.

Coastal Evacuation Route

Particular attention should be given to the impact that additional hundreds of vehicles will have on congestion on the coastal evacuation routes. Coastal evacuation routes will be employed at a time when conditions are already not ideal. Additional vehicles using the existing coastal evacuation routes will have compounded negative influence on congestion and could vitiate the utility of coastal evacuation routes during an emergency.

Water, Gas and Sewer Services

Water pressure in the Five Towns is in many places at the minimum permitted level that the local water utility can get away with. It is not unusual to hear residents complaining that the use of sprinkler systems in the vicinity of their homes reduces water pressure in their homes. During the early evening of July 14, 2019, the local water company tested the water by opening a fire hydrant at the corner of Tulip Street and Ivy Street. Water pressure in the surrounding houses diminished to a level that was so low that some water fixtures had no water pressure at all. It is apocryphal and perhaps true that new restaurants are permitted in the Five Towns only if they are replacing an existing restaurant due to the impact additional restaurants will have on the sewer system. Many homes on the south shore have installed gas powered electric emergency generators. The pace at which these generators have been installed since Hurricane Sandy has increased dramatically. I had been considering installing a gas powered generator which would rely on gas supplied by the local gas utility through existing transmission lines. I was told that I would be better served in an emergency with a gasoline powered generator because the underground gas pipes serving our community do not have the capacity to provide gas at the same time to all of the generators already installed in our neighborhood if the generators would all be engaged at the same time to deal with an emergency. If our water and sewer systems are so fragile that they cannot handle an additional restaurant; and if the gas lines are already incapable of providing an adequate supply of gas in a communitywide emergency, then it is incredible that a 285 home development would even be considered feasible. Serious consideration should be given in advance to the impact the development will have on water, gas and sewer services. If not taken into account before the development is built then the alternatives facing south shore residents and businesses will be to either live with unreasonably low water pressure and an overburdened and unsanitary sewer system, or to abandon their homes and businesses, or pay what is likely to be an exorbitant amount to restore water, gas and sewer services to an acceptable level.

Side Street Access

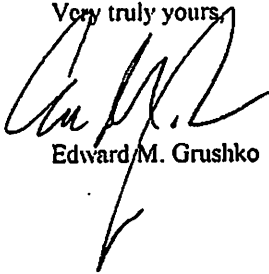
The developers have proposed opening access roads to the proposed development through private, rustic, quaint side streets. Really!? Consider what the constant flow of traffic would mean to folks who have lived on quiet lanes and are accustomed to suburban traffic. A *cul de sac* is a street closed at one end. Is it appropriate, fair or right to allow people who made their biggest lifetime investment to have that decision upended for mercenary interests and then be compelled to keep their children indoors for fear of traffic and air pollution? One such proposed street opening is at the closed end of Tulip Street. At that point Tulip Street is a mere 50 feet wide. Street parking is available to and used by the homeowners on Tulip Street. Traffic will not be able to flow into the development area through Tulip Street if homeowners on Tulip Street park cars on opposite sides of the street as they presently do. Certainly, street parking which has been available for nearly a century will not be diminished or restricted so that a developer can squeeze more houses into a congested piece of land. The result of attempting to direct traffic through an opened-up Tulip Street will be traffic backups into and out of the proposed development with idling cars sitting for much time in the street in front of people's homes. There will be no access to or from the proposed development when a garbage truck or school bus is on Tulip Street. This poses a hazard for residents of the proposed development and people on Tulip Street. These dangerous conditions are not limited to Tulip Street. The same conditions apply up and down Lotus Street. The additional traffic will not merely be a nuisance. Emergency vehicles will be unable to access much of Lotus Street, Rose Street, Tulip Street and Ivy Street. Ambulances and fire trucks will have little or no direct access to significant portions of the streets.

Conclusion

There has been much speculation about what may be permitted to be built and even more talk about the relative rights of the developers and the residents and businesses that have thrived and developed and evolved in the Five Towns over the many years. The Planning Commission has the unenviable task of actually making decisions and deciding between competing rights. Politicians have

been taking sides; some thinking that their partisanship to the developers has gone unnoticed. It hasn't. The Planning Commission is required to be fair and reasonable and has wide discretion. That discretion should be applied fairly. I am asking that the Planning Commission apply the same standards it applies when a homeowner goes through the legal process of trying to get a permit to build a deck or exceed even by a miniscule amount the permitted footprint for a home extension. Homeowners are put through the ringer before they are permitted to even open a new window or doorway. The same standard should be applied to developers despite their vast economic resources and influence. The Planning Commission should do what is right; not what is politically expedient. Make believe that you live where I do.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ed M. Grushko', written over the typed name.

Edward M. Grushko

EDWARD M. GRUSEKO

29 Lotus Street
Cedarhurst, New York 11516

██████████ (Telephone)
██████████ (Facsimile)

Email: ██████████

August 27, 2019

Via Federal Express and
Email: willowsegr@nassaucountyny.gov

John Perrakis, Planner II
Nassau County Department of Public Works - Planning Commission
1194 Prospect Avenue
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Perrakis:

I previously corresponded with you on July 15, 2019 about the proposed Willow View Estates subdivision. A copy of that correspondence is attached hereto.

Upon further investigation and consideration of the proposed subdivision, I hereby bring to your attention a serious flaw in the proposal which makes it inappropriate and illegal for the Nassau County Department of Public Works – Planning Commission to proceed with any scoping plan or for the project to presently receive any consideration for any approval from any Nassau County governmental agency.

The maps filed by the developers with your Commission and other Nassau County and Town of Hempstead agencies are materially inaccurate and incapable of retroactive cure or remediation. Due to the material inaccuracy, the subdivision proposal is not ripe for consideration by the Planning Commission or any other Nassau County or Town of Hempstead department. As such, the subdivision plan as it is presently constituted must be rejected. The confusing and inaccurate maps submitted by the developer and redistributed by the Planning Commission do not satisfy the notice provisions of the governing jurisdictions.

Material Misinformation

Attached please find a copy of the Subdivision Plan posted on the official website of the Nassau County Department of Public Works Planning Commission. The map which is an integral and required component of the developer's submission and required to be distributed for public comment is incorrect and confusing and does not give affected residents sufficient notice to know their rights and exercise their right to comment on a proposal of such significant impact to their quality of life and economics.

Please take note of the border divisions at proposed lots 223, 224 and 241. At that area of the site map, the area to the left and above the marking line which identifies the villages having jurisdiction over the designated areas is identified as being the Village of Lawrence. The area to the right and below the line is identified as being in the Village of Woodsburgh.

As you move along the marking line to proposed lots 235 and 236, the area previously identified at proposed lots 223, 224 and 221 as being in the Village of Woodsburgh is here identified as being in the Village of Lawrence. Similarly, the area previously identified as being in the Village of Lawrence is here demarcated as being in the Village of Woodsburgh.

The demarcated land cannot be in both the Village of Lawrence and the Village of Woodsburgh. The submitted map does not accurately depict the subject land and cannot be relied on as giving proper notice of the proposal. Residents were not given the notice required by law.

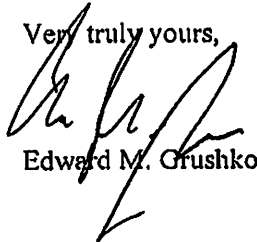
As the entire proposed subdivision relies on significant zoning rules, density and other restrictions and permits that differ from village to town to village, it is impossible for residents to accurately assess and comment on the impact of the proposed subdivision. This is especially so because residents are unable, from the map, to determine which zoning rules and other laws apply to different areas of the map. This constitutes an incurable lack of notice that irrevocably invalidates the developer's submissions to the affected villages, towns, the Planning Commission and other Nassau County and Town of Hempstead agencies. Lack of proper notice to those entitled to notice cannot be cured and will invalidate government consideration of the proposed subdivision at any stage of the approval process.

I trust that the Planning Commission will abide by the law without the need for citizens and residents to seek judicial intervention.

Page -3-
August 27, 2019

I invite and implore you to make the right and just and legal decision to stop the approval process now, without judicial compulsion and without wasting taxpayer resources. The alternative is for you to stand with rapacious carpet-bagging developers who don't care at all about the communities they will destroy and who are motivated by purely mercenary considerations.

Very truly yours,



Edward M. Grushko

EMG:al

cc: Howard J. Kopel (via email: [REDACTED])
Todd Kaminsky (via email: [REDACTED])
Laura A. Gillen (via email: [REDACTED])
Jeff Bessen (via email: [REDACTED])
Rena Saffra (via email: [REDACTED])
Andrew Dube (via email: [REDACTED])
Mario Joseph (via email: [REDACTED])



29 Lotus Street
Cedarhurst, New York 11516

██████████(Telephone)
██████████(Facsimile)

Email: [REDACTED]

Via Federal Express and
Email: willowsegr@nassaucountyny.gov

RE: Proposed Willow View Estates Subdivision

Dear Mr. Perrakis:

This letter is a follow-up to my letter to you of August 27, 2019. I have not received a direct response from you, but have heard (indirectly from a member of the Civic Association who repeated a statement made by Mr. Bessin of the Nassau Herald as having been made by a member of the Planning Commission and from a recent Nassau Herald article) that you are considering whether proper notice was given to residents with respect to SEQRA.

Leaving aside the *ad hominem* attack and glaring factual error in the developers' statements quoted in the Nassau Herald article, I again request that the Planning Commission responsibly fulfill its mandate and abide by the law. I am asking that you specifically consider and address the following two relevant sections of 6 CRR-NY.

Section 617.3(d) General Rules: “The lead agency will make every reasonable effort to involve project sponsors, other agencies and the public in the SEQR process. Early consultations initiated by agencies can serve to narrow issues of significance and to identify areas of controversy relating to environmental issues, thereby focusing on the impacts and alternatives requiring in-depth analysis in an EIS.” (emphasis added)

Section 6.17.8(d) Scoping: “**Scoping must include an opportunity for public participation.** The lead agency may either provide a period of time for the public to review and provide written comments on a draft scope or provide for public input through the use of meetings, exchanges of written material, or other means.” (emphasis added)

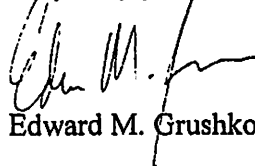
Grushko to Perrakis
Page -2-
September 9, 2019

Dissemination of misleading and factually materially incorrect maps that overtly misinform and confuse the public about the parameters of the plan and applicable zoning rules and regulations which actually affect the size and impact of the development are in no way compliant with reasonable efforts to involve the public in mandatory scoping and negates public participation. The Planning Commission has reasonable discretion as to the material to be distributed to the public for comment as part of the SEQRA process. The Planning Commission does not have discretion to disseminate inaccurate information about material aspects of the proposal which effectively deprives the public of meaningful participation. Zoning information included in the proposal which relies on incorrect village boundaries is overtly misleading.

The Planning Commission has the opportunity to reasonably cure the impact of the misinformation which likely originated with the developers; and should take the further opportunity to verify the accuracy of all information it is passing on to the public that originated with the developers.

Kindly respond to this letter directly to me.

Very truly yours,



Edward M. Grushko

EMG:al

cc: Howard J. Kopel (via email: [REDACTED])
Todd Kaminsky (via email: [REDACTED])
Laura A. Gillen (via email: [REDACTED])
Jeff Bessen (via email: [REDACTED])
Rena Saffra (via email: [REDACTED])
Andrew Dube (via email: [REDACTED])
Mario Joseph (via email: [REDACTED])
Howard Avrutine, Esq. (via email: [REDACTED])

Laura Curran
County Executive

Kenneth G. Arnold
Commissioner

Sean B. Sallio
Deputy Commissioner



Nassau County Department of Public Works Planning Commission

1194 Prospect Avenue
Westbury, New York 11590-2923
516-571-9600
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Lisa Warren

September 13, 2019

Edward M. Grushko
29 Lotus Street
Cedarhurst, NY 11516

Re: Proposed Willow View Estates Subdivision

Dear Mr. Grusko:

Reference is made to your correspondence to the Nassau County Planning Commission (the "NCPC") dated August 27, 2019 and September 9, 2019 regarding the proposed Willow View Estates Subdivision (the "Subdivision").

As you are aware, the Subdivision is undergoing a Full Environmental Review pursuant to State Environmental Quality Review Act ("SEQRA"). As Lead Agency, the NCPC has followed the SEQRA process by involving the public. The NCPC has created a website (<https://www.nassaucountyny.gov/4705/Willow-View-Estates-Subdivision-SEQRA>) to inform the public concerning the progress of the SEQRA process. The NCPC held a Public Scoping Hearing pursuant to SEQRA on June 26, 2019. All Involved Agencies (Federal Emergency Management Agency, Nassau County Department of Health, Nassau County Department of Public Works, Nassau County Sewage District, National Grid, NYSDEC, PSEGLI, Town of Hempstead Town Board, United States Army Corps of Engineers, Village of Cedarhurst Board of Trustees, Village of Lawrence Planning Board, and Village of Woodburgh Planning Board) and Interested Parties (Lawrence School District, Woodmere Fire Department, Lawrence - Cedarhurst Fire Department, Nassau County Police Department, and the Nassau County Legislature) were notified of the Draft Scope via Certified Mail, as required by law. In addition, local newspapers and civic associations were notified via email and published in the NYSDEC Environmental News Bulletin (ENB) also pursuant to law. As per public request, the NCPC asked that the Applicant extend the Public Scoping Period for an additional thirty (30) days. This request was granted and the Public Scoping Period was extended for an additional thirty (30) days to August 14, 2019. For your reference, attached to this correspondence you will find a color coded map identifying all municipal boundaries. This map was made available to the public for viewing at all public meetings where the Subdivision was discussed. Please be advised that the "incorrect maps" that you reference in your letter dated September 9, 2019 are in draft form. These draft maps are not being approved by NCPC for the Subdivision. Village boundaries will be verified, and revised on the map, if necessary, as part of the ongoing environmental review (EIS) process.

Thank you for your comments on the Subdivision. We look forward to your continued participation in the ongoing SEQRA process for the Subdivision and do not hesitate to contact John Perrakis at 516-571-9484 or jperrakis@nassaucountyny.gov if you have any further concerns or questions.

Sincerely,



Sean B. Sallie, AICP
Deputy Commissioner

Cc: Marty Glennon, Chairman
Robert O'Brien, Counsel
Patrick Gallagher, Counsel
John Perrakis, Planner II

EDWARD M. GRUSHKO

29 Lotus Street
Cedarhurst, New York 11516

(Telephone)
(Facsimile)

Email: [REDACTED]

September 20, 2019

Sean E. Sallie, AICP
Nassau County Department of Public Works - Planning Commission
1194 Prospect Avenue
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Sallie,

Thank you for your letter dated September 13, 2019, responding to my letters dated August 27 and September 9, 2019. For your convenience, a copy of your letter is enclosed herewith.

Your extensive description of actions taken by the Nassau County Planning Commission with respect to SEQRA is appreciated and further establishes that SEQRA was not complied with. In your letter, you refer to an attached color-coded map identifying all municipal boundaries and state that the "map was made available to the public for viewing at all public meetings where the Subdivision was discussed." (*The map was not enclosed with your letter. Kindly send a copy to me by email.*) You further state that the "incorrect maps" to which I referred in my letter of September 9, 2019, "are in draft form."

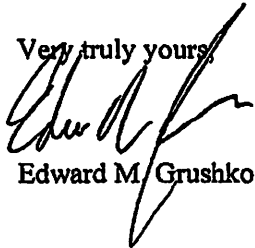
Your statement that the draft maps "are not being approved by NCPC for the Subdivision" does not address the requirements of 6 CRR-NY Section 6.17.8(d). At the stage the materially incorrect maps were made available to the public, the law requires that the public have an opportunity to participate in the scoping process. The temporary display at public meetings of maps that are different and conflict in a material way with the maps officially disseminated by the NCPC to the broader public and which are constantly available online exacerbates the confusion for members of the public who attended the public meetings and also viewed the maps online; and is in no way helpful to members of the greater public audience who avail themselves of online access to the NCPC's official notice. The distribution of inarguably inaccurate maps deprived the public of meaningful participation in the scoping process. I note that the NCPC did not take the position that the mistake in misidentifying village boundaries was not material.

Grushko to Sallie
Page -2-
September 20, 2019

The NCPFC can comply with SEQRA and provide the public its right to participate in the scoping process by distributing factually correct information and reopening the comment period.

I respectfully request that if you share my correspondence with the Applicant that you also make it available online for the public.

Very truly yours,



Edward M. Grushko

EMG:al

cc: John Perrakis, Planner II (via email: [REDACTED])
Howard J. Kopel (via email: [REDACTED])
Todd Kaminsky (via email: [REDACTED])
Laura A. Gillen (via email: [REDACTED])
Jeff Bessen (via email: [REDACTED])
Rena Saffra (via email: [REDACTED])
Andrew Dube (via email: [REDACTED])
Mario Joseph (via email: [REDACTED])
Howard Avrutine, Esq. (via email: [REDACTED])

Edward Grushko

From: Edward Grushko
Sent: Friday, September 27, 2019 12:57 PM
To: willowseqr; Grushko Mittman; Kopel, Howard; [REDACTED]; IgillenEXTRNL; [REDACTED]
Cc: Sallie, Sean E; Gallagher, Patrick R; [REDACTED]; Edward Grushko
Subject: RE: Prosed Willow View Estates Subdivision

Mr. Perrakis,

Thank you for providing the map referred to in Deputy Commissioner Sean Sallie's letter of September 13, 2019. Please note that the village border delineations and colors on the map are inconsistent with the words on the map identifying village locations. The overlay of colored sections on the incorrect map, which was initially produced by the developers, instead of curing the problem of misinformation, exacerbates and highlights the mistake. It appears that each map available to the public intended to identify village borders is materially inaccurate. Kindly respond in writing to my letter of September 20, 2019, and let me know if the Planning Commission intends to provide the public with an accurate map and an opportunity to comment on the proposed development based on accurate information.

Edward Grushko

Edward M. Grushko

Attorney at Law

Grushko & Mittman, P.C
515 Rockaway Avenue
Valley Stream, New York 11581
Tel: [REDACTED]
Mobile: [REDACTED]
Israel Mobile: [REDACTED]

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From: willowseqr <willowseqr@nassaucountyny.gov>
Sent: Tuesday, September 24, 2019 4:51 PM
To: Grushko Mittman [REDACTED]; willowseqr <willowseqr@nassaucountyny.gov>; Kopel, Howard <[REDACTED]>; [REDACTED]
Cc: Edward Grushko [REDACTED]; Sallie, Sean E [REDACTED]; Gallagher, Patrick R [REDACTED]
Subject: RE: Prosed Willow View Estates Subdivision

Edward,

Please see the attached map you requested.

Thanks,

John Perrakis
DPW – Planning
1194 Prospect Avenue
Westbury, New York 11590
Phone: [REDACTED]

From: Grushko Mittman [REDACTED]
Sent: Friday, September 20, 2019 1:54 PM
To: willowseqr <willowseqr@nassaucountyny.gov>; Kopel, Howard [REDACTED];
[REDACTED];
[REDACTED];

Cc: Edward Grushko <[REDACTED]>
Subject: Prosed Willow View Estates Subdivision

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Please see attached copy of a letter to Mr. Sean E. Sallie, AICP, at Nassau County Department of Public Works – Planning Commission. The original is being mailed to Mr. Sallie.

Edward M. Grushko

Attorney at Law

Grushko & Mittman, P.C

515 Rockaway Avenue

Valley Stream, New York 11581

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EDWARD M. GRUSHKO

29 Lotus Street
Cedarhurst, New York 11516

(Telephone)
(Facsimile)

Email: [REDACTED]

November 12, 2019

Via Email: [REDACTED]
And First Class Mail

Sean E. Sallie, AICP
Nassau County Department of Public Works - Planning Commission
1194 Prospect Avenue
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Sallie,

This letter is a follow-up to my letters to you dated August 27, September 9, and September 20, 2019, and my email responding to Mr. Perrakis' email sent to me on September 24, 2019. You were copied on the email to Mr. Perrakis. I acknowledge your letter dated September 13, 2019.

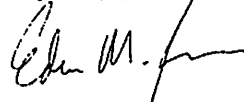
Neither your letter of September 13, nor Mr. Perrakis' email adequately addressed the principal issue I raised in my letters. I had informed you and provided sufficient details to establish that the maps made available online by the Nassau County Department of Public Works-Planning Commission and at public meetings conducted by the Planning Commission were factually incorrect in a material way and unreliable for the purpose of giving the public an opportunity to meaningfully participate in the scoping process as required by law. Nevertheless, on September 26, 2019, the Nassau County Planning Commission as 'Lead Agency' approved the Final Scope Draft Environmental Impact Statement for the Proposed Residential Subdivision of the Woodmere Club, without having corrected the misinformation disseminated to the public and relied on by the public when evaluating the proposed subdivision. Meaningful comments about significant aspects of the proposed subdivision were prevented because, in part, the publicly disseminated maps failed to accurately identify the borders of the jurisdictions governing and impacting the different areas of the proposed subdivision, making it impossible to determine and evaluate applicable zoning laws. Among others, the public was unable to determine the amount of buildable square feet of the proposed subdivision because the different applicable zoning requirements impose significantly different buildable square feet allowances. In short, the SEQRA review will be inadequate because it is based on inaccurate information.

Grushko to Sallie
Page -2-
November 12, 2019

Prior to the adoption of the Final Scope by the Planning Commission I had requested several times that the Planning Commission distribute and make available accurate maps and allow the public to review and comment on the proposed subdivision based on accurate information. The developers were also made aware of the deficiencies of the scoping process. The Planning Commission failed to accept my reasonable request which would have avoided tainting the scoping process. The developers also had an opportunity prior to the adoption of the Final Scope to request that accurate information be distributed to the public.

I am renewing my request that the scoping process be reopened and the public be accorded its legal right to participate in the scoping process based on accurate information. If the Planning Commission fails to avail itself of this opportunity, the final SEQRA determination will be subject to challenge in an Article 78 proceeding as a result of the Planning Commission's failure to abide by procedures governing the scoping process and also because its ultimate determination will be premised on inaccurate information. It would be unfortunate for the taxpayers to endure the additional and unnecessary costs of another entire scoping process.

Very truly yours,



Edward M. Grushko

EMG:al

cc: John Perrakis, Planner II (via email: willowseqr@nassaucountyny.gov)
Howard J. Kopel (via email: [REDACTED])
Todd Kaminsky (via email: [REDACTED])
Laura A. Gillen (via email: [REDACTED])
Rena Saffra (via email: [REDACTED])
Andrew Dube (via email: [REDACTED])
Mario Joseph (via email: [REDACTED])
Howard Avrutine, Esq. (via email: [REDACTED])

EDWARD M. GRUSHKO

29 Lotus Street
Cedarhurst, New York 11516

(Telephone)
(Facsimile)

Email: [REDACTED]

February 19, 2020

Via Email: [REDACTED]
And First Class Mail

Sean E. Sallie, AICP
Nassau County Department of Public Works - Planning Commission
1194 Prospect Avenue
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Sallie,

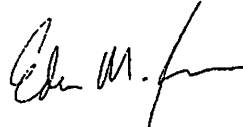
I did not receive any response from you nor Mr. Perrakis to my email correspondence of November 12, 2019, a copy of which is annexed hereto for your convenience.

This email shall serve as additional notice to you, all the other recipients of this email and the developers that the SEQRA process was fatally flawed and will be required to be repeated with proper regard to New York State law. Until the final determination is made on the proposed development plan an Article 78 proceeding would be premature. It is highly unlikely that the final determination could be deemed reliable inasmuch as, the public and affected residents did not have a meaningful opportunity to comment on the proposed redevelopment because of the materially inaccurate information provided by the developers and disseminated by the Planning Commission. The inadequacies in the SEQRA process as conducted by the Nassau County Planning Commission as Lead Agency were brought to your attention and made known to the developers prior to the adoption of the flawed Final Scope. Please refer to my previous correspondence for detailed descriptions of the deficiencies.

Grushko to Sallie
Page -2-
February 19, 2020

Any equitable defense or argument that the Planning Commission and developers were unaware of the deficiencies in the SEQRA process will be vigorously opposed. The Planning Commission and developers have an additional opportunity to jointly restart the SEQRA process and distribute accurate information for consideration and comment by the public.

Very truly yours,



Edward M. Grushko

EMG:al

Enclosures

cc: John Perrakis, Planner II (via email: willowsegr@nassaucountyny.gov)
Howard J. Kopel (via email: [REDACTED])
Todd Kaminsky (via email: [REDACTED])
Laura A. Gillen (via email: [REDACTED])
Rena Saffra (via email: [REDACTED])
Andrew Dube (via email: [REDACTED])
Mario Joseph (via email: [REDACTED])
Howard Avrutine, Esq. (via email: [REDACTED])
Jeff Bessen (via email: [REDACTED])
Larry Gordon (via email: [REDACTED])

Steven Kramer
531 Cedarwood Dr.
Cedarhurst, N.Y. 11516

VIA: Email and First-Class Mail

John Perrakis, Planner II

Nassau County Department of Public Works – Planning Division

1194 Prospect Avenue

Westbury, New York 11590

willowseqr@nassaucountyny.gov

December 21, 2020

Re: Comment to Willow View Estates Draft Environmental Impact Statement

Dear Mr. Perrakis:

My name is Steven Kramer, and I am a resident of Nassau County and reside in the Town of Hempstead. For the following reasons, the Draft Environmental Impact Statement (“DEIS”) for the Willow View Estates, accepted by the Planning Commission on May 14, 2020, must be rejected by the Planning Commission. The Final Scope, adopted on September 26, 2019, by the Planning Commission requires the developer to provide a “[d]escription of the location of the subject property, the municipalities, *and zoning districts* in which the subject property is situated . . .”¹ (emphasis added). The Final Scope also requires a “[d]escription of the proposed subdivision, including zoning and build-out data”² and requires the developer to provide the “[c]haracteristics of these zoning districts, including permitted uses, dimensional standards and minimum lot size . . .”³ The “[m]unicipal zoning maps for each of the respective municipalities will be used [in the DEIS] to determine the surrounding zoning.”⁴

The Planning Commission states in the Final Scope that “the zoning laws that are in effect are applicable to the Subject Property.”⁵ However, as of the date the DEIS was submitted and through the date of this letter, the DEIS does not address nor relate to the actual zoning regulations⁶ applicable to the Woodmere

¹ *Positive Declaration and Final Scope*, page 14.

² *Id.*

³ *Id.* at 23.

⁴ *Id.*

⁵ *Id.* at 28.

⁶ Coastal Conservation District - Woodmere Club (CCWC), § 76.17 Building Zone Ordinance of the Town of Hempstead.

Club.⁷ The DEIS proposes a 284-lot subdivision of the Woodmere Club in which the developer states that “[e]ach of the proposed 284 single-family residential lots adheres to prevailing zoning requirements” and “would be developed as-of-right under existing zoning, with no variances necessary.”⁸ This is false. Under the currently in effect zoning regulations, which the developer acknowledges, the developer will only be able to build 41 single-family homes in the Town of Hempstead, 18 single-family homes within Woodsburgh, and no single-family homes in Lawrence.⁹ Major zoning variances would be required for the builder to be able to legally construct 284 residential homes. The DEIS describes circumstances that would not apply even as a contingency based on any foreseeable zoning modifications that remotely adhere to the currently-in-effect zoning regimen. Asking for public comment on an irrelevant and hypothetical DEIS which does not even remotely comply with the requirements of the Final Scope and applicable zoning requirements is unreasonable. At the very least the Planning Commission should suspend the DEIS process until a non-hypothetical DEIS worthy of consideration by the Planning Commission and residents is submitted and available.

Sincerely,



Steven Kramer

⁷ See *Draft Environmental Impact Statement*, Proposed 284-lot subdivision.

⁸ *Id.* at ii.

⁹ Complaint at 39, *Wg Woodmere Llc v. Town of Hempstead* (1:20cv3903).

29 Lotus Street
Cedarhurst, New York 11516

Email: [REDACTED]

² Or, perhaps longer, until 2022. See DEIS at page 214 and Appendix C to the DEIS at page 58.

The second paragraph of Section 3.11.2 of the DEIS at page 277 states, in part, "During this time, construction-related noise may temporarily affect the surrounding community; these impacts may result from both on-site activities and construction truck traffic on area roadways." Admission by the developer that there is a negative environmental impact does not excuse the negative impact nor ameliorate it. The developer's own estimate is that construction is expected to take between six and seven years. A construction project that will take between six and seven years can by no means reasonably be described as having only a temporary impact.

Oddly, page 214 of the DEIS and page 58 of Appendix C to the DEIS contemplate a 2022 date, "when the proposed Willow View Estates project is expected to be completed and operational."

In any event, the time frame of six to seven years for demolition and construction is employed by the developer throughout the DEIS to minimize adverse impacts to the environment, but does not comport with what might be a more accurate environmental assessment based on an admitted 2022 completion date. The Planning Commission and residents have no way of knowing which time frame is accurate and applicable making meaningful review and comment impractical. As such, the DEIS fails its most basic legal requirement.

The first paragraph on page 286 of the DEIS describes truck-generated noise but does so without any context. It states in part, "There would be up to 10 daily truck trips, however since the truck passbys are relatively brief events lasting only approximately 10 seconds, the overall noise exposure from the trucks is substantially less than the stationary equipment." A comparison of truck-generated noise to the noise produced by stationary equipment by no means mitigates truck-generated noise, it only leads to the conclusion that the noise from stationary equipment will be even worse than truck-generated noise.

The brief description of the daily truck trips on page 286 is presented differently and more starkly on page 277 of the DEIS. There, the background for the 10 daily truck trips is explained as bringing in an anticipated 250,000 cubic yards of landfill throughout the five year build out phase of the project.³ Based on the assumptions stated in the DEIS, the developers calculated that this would equate to 10 trucks accessing the site each workday for five years. What the DEIS disingenuously omits is that each of these trucks will also leave the site each day, doubling the amount of projected heavy truck traffic for the sole purpose of bringing in landfill.

An error so basic calls into question either the competency or honesty of the drafter of this important component of the DEIS and militates against relying on any part of the DEIS related to this subject matter. This sugar-coated description of landfill delivery does not take into account that landfill delivery won't necessarily be limited to these twenty (not ten) daily trips, as there is no stated daily limit for landfill deliveries. The use of averages in the DEIS does not create a maximum amount of truck trips per day, nor over the duration of the construction, nor that there could be days of non-stop landfill deliveries making conditions unhealthy and life unbearable to all those affected by the truck traffic.

³ Even this amount of earthwork is only an estimate. The amount of landfill could be dramatically greater. The developers hedge their projections to avoid liability for misstatements. See footnote 3 at page ix of the DEIS.

The DEIS also diminishes the impact of the dump trucks on the South Shore of Long Island and its inhabitants. These dump trucks are not the only heavy equipment that will be accessing the construction site on a regular basis each day. Dealing with them in an isolated fashion without taking into account other already known and foreseeable truck and equipment traffic and equipment can be viewed as nothing less than intentional concealment of required disclosure. There is no accounting in the DEIS for other vehicular construction equipment; delivery of other supplies, all of which must be trucked to the worksite; construction worker vehicles; removal of materials⁴ and rubbish; and everything else that can be brought and removed from the site only by roadway hogging, noise and air pollution producing vehicular traffic. These construction vehicles would, again pursuant to the DEIS, enter the construction site via Broadway and reach Broadway from either the Nassau Expressway or Rockaway Turnpike⁵. Efforts may be made to restrict vehicular traffic to the so-called main roads and avoid residential side streets, but there is no agreement guaranteeing such restriction nor any legal impediment for trucks to travel on side streets. Regardless of the access route, our neighborhoods will be subjected to heavy construction equipment, supply vehicles and construction worker vehicles all compelled to travel along Broadway as the sole access point to the construction site for a significant distance. Nor is Broadway itself a non-residential road. The entire expanse of Broadway beginning at the 878 through and beyond Woodmere Boulevard is wholly residential. Lumping Broadway with the 878 and Rockaway Turnpike in the DEIS does not alter the reality of Broadway being a residence-lined street for its entirely affected expanse. This construction related traffic will be in addition to all the other traffic occupying the same roadways, which are already over-burdened.

The description of "up to 10 daily truck trips" is not a realistic nor an honest description of the construction truck traffic. Equally less than accurate is the tendentious description that each truck passby is relatively brief and lasts only approximately 10 seconds, as if a 10 second interruption is itself insubstantial.⁶ The description of the impact of truck noise is artfully described to minimize the real effect it will have on the residents of the Five Towns. Although a passby may endure for 10 seconds, the truck will be passing through wide swaths of the affected neighborhoods, and passing many people and homes for a cumulative amount of time far in excess of 10 seconds. Also consider the increase in traffic and decrease of visibility for cars that have to drive behind or alongside the trucks for way in excess of 10 seconds.

⁴ Appendix J at page 10, details the amount of trees that are going to be destroyed and presumably removed from the development site. Five hundred and twenty-six trees are to be destroyed. No allowance at all is made in the DEIS for the noise and pollution and traffic that will result from the destruction of the trees and the trucking away of tree debris. The DEIS fails to adequately account for traffic leaving the worksite.

⁵ DEIS Pages xli and 312

⁶ See DEIS at Pages 286 and 316. The Planning Commission should, as part of its consideration of this issue, determine the speed at which both full and empty dump trucks need to travel to have only a 10 second impact on a stationery viewer. Also consider the functional equivalent of a 10 second foghorn blast on a telephone conversation, or sleeping baby, house of worship or school classroom. The occurrence of the disturbance is destructive in and of itself, regardless of duration.

Every single person and roadway occupant subjected to a truck passby is affected by it. The description in the DEIS of the truck passbys also conceals the impact of the trucks on noise and air pollution that accompany heavy trucks as they approach the observer and linger after the trucks depart. Air pollution does not disappear after ten seconds and trucks can be disturbing to a stationary observer during the entire duration of their approach and departure. Even if we were to accept that the maximum amount of noise abides for only ten seconds, the less than maximum noise will still be disturbing and extend the duration of the truck traffic impact well beyond ten seconds. Truck noise has the impact of a crescendo, not an instantaneous event. Aggravating the misleading description of construction-related truck traffic is an omission in the DEIS, either negligently or intentionally, that the trucks must stop at stop signs, make turns, get stuck in traffic, be blocked by school buses, garbage trucks, street sweepers, and double parked cars and backed up behind other trucks waiting to access the construction site. An idling diesel truck is inarguably unhealthy. Ten idling diesel trucks is exponentially more unhealthy. Consider the impact of a diesel dump truck rumbling by as someone is sitting on her front porch or walking with a sleeping baby in a stroller. Now consider the impact of at least twenty such idling dump trucks over the course of a single day.

The so-called "temporary" noise related to the installation of 250,000 cubic yards of landfill might very likely be condensed to occur in greater proportion during the 12 to 18 month infrastructure phase of the development. This is likely the case because the infrastructure which requires landfill permeates the development site. The developer would have the Planning Commission and residents believe that landfill would be accomplished based on an average of landfill evenly applied over the anticipated construction period, as opposed to the reality that landfill must be deposited over large contiguous areas and is not governed by averages. The Planning Commission does not need public comments to acknowledge the near total lack of complete and accurate disclosure regarding landfill.⁷ The DEIS is too vague when describing when different aspects of the development will be conducted and too vague for the public to meaningfully review and comment on the DEIS and too vague for the Planning Commission to make a fact-based informed decision about the adequacy of the DEIS and its compliance with the requirements of the Final Scope. The DEIS does not provide a true nor accurate description that construction-related vehicular traffic will have on the roadways and residents and is therefore deficient.

Not surprisingly, the DEIS also minimizes and does not adequately account for the noise that is going to be generated by the actual construction equipment to be employed over the six to seven year project.⁸ As an example, except for passing generic mention in Tables 28 and 29 of the DEIS, no mention is made in the DEIS of the impact on traffic or noise generated by concrete mixers which are a necessary component of the construction project.⁹

⁷ Example: The landfill is likely not intended to be spread evenly over the entire development area. No disclosure has been made with respect to the impact of several feet high landfill on trees slated to survive the development.

⁸ Or perhaps longer. See footnote 2.

⁹ Additionally, no mention is made of the foreseeable and likely probability that piledrivers will be employed to drive piles to support homes built within a mere few feet of the water table.

One type of equipment which receives some mention, but muted description, is the vibratory compactor which will be necessary to compact the projected 250,000 cubic yards of landfill which will be trucked into the site. The DEIS does not disclose how many vibratory compactors will be employed at the same time, nor for how long, nor does it state that these vibratory compactors will likely be employed at the very same time as other heavy earth moving equipment; cumulatively adding to the noise generated at the construction site.

Table 28 on page 278 of the DEIS quantifies the maximum sound level at 50 feet generated by various identified stationary construction equipment. The use of the table gives the impression that each piece of equipment will be used by itself and not at the same time as any other equipment and will not be moving and that the noise will miraculously disappear after traveling 50 feet.¹⁰ The DEIS does not adequately account for nor describe the types of actual heavy equipment that will be necessary for the proposed development, nor how many units of each type of equipment will be used at the same time and the proximity to each other and other equipment.

The DEIS fails to take into account the cumulative impact of all the noise generating equipment, machinery and vehicles operating at the same time. Table 29 at page 279 of the DEIS and the descriptive introduction to Table 29 identify seven pieces of construction equipment, Lmax at 50 feet (dBA) and the dBA at various periods of construction. Three of the four construction phase hypothetical dBAs are at 86 and the fourth is at 85 dBA. The website for the National Institute on Deafness and Other Communication Disorders states that long or repeated exposure to an average sound level of 85 dBA or more can cause hearing damage.¹¹ Louder noise levels cause damage over even shorter durations. Even if the misleading presentation in the DEIS were accepted as true and accurate, there will be a material adverse health impact on the residents of the affected areas. Upon adding up the cumulative impact of multiple noise sources, the Planning Commission must arrive at the inescapable conclusion that the noise level from construction of the development, even on a bogusly described six to seven year temporary basis, will have a serious deleterious health impact on the residents of the Five Towns, and not merely interfere with their quality of life on a temporary basis.

"The World Health Organization has identified eight categories of adverse health effects of noise pollution on humans.

1. Interference with Speech Communication
2. Noise-Induced Hearing Impairment
3. Sleep disturbance effects
4. Cardiovascular and psychophysiological effects
5. Mental health effects
6. Effects on performance
7. Annoyance responses
8. Effects on social behavior"¹²

¹⁰ Maxwell Sonant's "cone of silence" has yet to be perfected.

¹¹ [nidcd.nih.gov/health/noise – induced-hearing-loss](https://nidcd.nih.gov/health/noise-induced-hearing-loss)

¹² <https://cc.howardcountymd.gov/LinkClick.aspx?fileticket=CouEppb46vQ%3D&portalid=0>

There are many other aspects of the construction of the proposed development, which, when piled on the problems described above, will have a cumulative effect and exponentially aggravate the described problems and health issues. One such example is the aggregate noise level produced when a lumbering passenger jet is flying overhead. Under normal circumstances in the Five Towns, conversation comes to a halt when a passenger jet is in the air nearby. The DEIS should, but doesn't, take this into account. Table 25 of the DEIS is a chart of Common Outdoor and Indoor Sound Levels. The first item on Table 25 is "Jet Over-Flight at 300m", which has a stated sound level of 110 dBA. In and of itself, that is a dangerous and unhealthy sound level. An ambulance, police car or fire engine siren has a dBA of 110-129.¹³ The impact of higher noise levels does not have a straight-line impact, but rather exponential effect. The DEIS, in boiler-plate disclosure, concedes that an increase of only 10 dBA is a ten-fold increase in acoustic energy, but is perceived as a doubling in loudness to the average person.

The cumulative effect of frequent jet traffic, occasional sirens, and likely constant construction noise (even at the generic understated values included in the DEIS) without taking into account idling school buses, street-sweepers and garbage trucks, could, unfortunately, easily result in noise induced hearing loss. The NIH website states:

However, long or repeated exposure to sounds at or above 85 dBA can cause hearing loss. The louder the sound, the shorter the amount of time it takes for NIHL to happen. (NIHL is Noise Induced Hearing Loss)¹⁴

A glaring omission from the DEIS noise assessment is lack of disclosure about the noise and dust that will be generated in connection with the destruction of mature trees. At least 526 mature trees are slated for destruction and removal¹⁵. It is reasonable to anticipate that very loud noise producing cutting and shredding equipment will be used including chainsaws. The CDC measures the noise generated by a chainsaw at 110 decibels.¹⁶

¹³ See US Department of Health & Human Services, National Institute of Health at nidcd.nih.gov/health/noise-induced-hearing-loss

¹⁴ <https://www.nidcd.nih.gov/health/noise-induced-hearing-loss#:~:text=However%2C%20long%20or%20repeated%20exposure,takes%20for%20NIHL%20to%20happen.&text=Your%20distance%20from%20the%20source,factors%20in%20protecting%20your%20hearing>

¹⁵ DEIS, Schedule J at page 10. Also see footnote 27.

¹⁶ https://www.cdc.gov/niosh/topics/noise/infographics/pdfs/7_Noise_Level_By_Decibels.pdf

Another source put chainsaw noise at 110 dBA and for an allowed time of 1-1/2 minutes.¹⁷ A pneumatic chipper was rated at 100 dBA.¹⁸ The developer was able to include precise information and justification in favor of tree removal. All aspects of the impact of tree removal should be identified and disclosed, not only those favoring development.¹⁹

Another major defect in the DEIS relates to the disclosure about the use of diesel-powered engines. The DEIS, when discussing air quality, states, "In general, much of the heavy equipment used in construction has diesel-powered engines..."²⁰

The Executive Summary section of the DEIS and the Noise section of the DEIS both state, using the same exact words:

Of the various types of construction equipment, diesel engines can be the most significant noise source. The contractor will ensure that all equipment is operating properly and is fitted with the appropriate noise-reducing features such as exhaust mufflers and engine compartment shields.²¹

Table 25 of the DEIS at page 271 ascribes a noise level of 90 dBA to a "Diesel Truck at 15 m", (i.e. 49 feet, 2.551 inches). A single diesel truck will generate 90 dBA, which according to the National Institute of Health, in and of itself can cause Noise Induced Hearing Loss. There will also be ambient sounds and other construction sounds and, likely, multiple diesel powered vehicles operating at the same time. This unhealthy and dangerous situation should have been fully addressed in the DEIS. Nevertheless, the only mitigation offered by the developer in the DEIS is,

As more detailed information on the construction equipment and methods become available as the project design advances, the contractor shall prepare a noise control plan to further evaluate the potential for construction noise impact and identify specific mitigation measures that will be implemented.²²

¹⁷ Webfiles.ehs.ufl.edu/noise/ful.pdf

¹⁸ <https://www.preprints.org/manuscript/201608.0236/v1/download>

¹⁹ The consideration of the discussion regarding tree removal should take into account that Schedule J to the DEIS deals primarily with the removal of mature trees, but there are also many not yet mature trees that will be removed and require disposal.

²⁰ DEIS at page 313

²¹ DEIS at pages xxxviii and 318. It should be noted that diesel trucks come equipped with mufflers and engine compartment shields as standard equipment and presumably the reported noise levels of diesel trucks already factor in and are tempered by this sound damping equipment. The developer's proposed mitigation is a meaningless chimera that has no positive impact.

²² DEIS at Pages xxxviii, 290 and 319

It is not sufficient, nor in conformity with the requirements of the Final Scope, for a known serious problem to be given short shift and pushed off to some future date when "more detailed information on the construction equipment and methods become available..." Only then does the developer propose to prepare a noise control plan. The developer is required to make these determinations before destruction and construction are done and the lives of residents are upended for at least six to seven years with disturbingly unhealthy levels of noise generated from morning until evening. It is less than credible that the developer is unable to determine even the smallest detail about the construction equipment that will be employed. Foreseeable environmental impacts are required to be disclosed. It appears that the developer has no difficulty prophesying and minimizing negative construction impact on the environment when convenient to do so, but when inconvenient, cannot even determine construction equipment and methods until sometime in the future. The DEIS fails to do so.

These issues and events are calculable now. If the developer is unable to provide precise information and details and mitigation about deleterious causes which are readily known and knowable to them now, then the developer is apparently incapable of assessing the impact of the development and should be prevented from sticking a shovel in the ground until the developer honestly and fully assess and disclose the potentially life changing impact of their mercenary project on innocent neighbors.

The DEIS further unsuccessfully attempts to conceal the impact of the noise levels that it was compelled to admit would be present, by stating that, "Construction activities will be limited to non-sensitive time periods as defined by each local municipal ordinance."²³

Combining the non-sensitive permitted work periods of the noise ordinances of Hempstead, Lawrence, and Woodsburgh allows construction to take place at least Monday through Friday from 8AM to 6PM throughout the development.²⁴ Distinct areas of the proposed development subject to greater "non-sensitive" time periods would be subject to enlarged work times. Woodmere allows weekday work to begin at 7 AM and extend to 6 PM, creating a noise period of 11 hours each weekday. Two of the three relevant noise ordinances allow for certain construction work to be done on either or both of Saturday and Sunday.²⁵ Referring to this time period as "non-sensitive" provides no comfort to neighbors who will be subjected to high and unhealthy levels of noise every weekday, continuously for at least ten hours straight from as early as 8AM until 6PM, for at least six to seven years, and perhaps longer.

²³ DEIS at Pages xxxviii, 290 and 318

²⁴ See DEIS at Pages 272-274

²⁵ DEIS at Page 278

Nor does the noise impact section of the DEIS address the impact of noise generated in the future after the proposed development is completed. The DEIS merely states that the development noise "would be essentially the same as the existing ambient noise conditions in the surrounding residential areas."²⁶ The Final Scope Adopted by the Nassau County Planning Commission on September 26, 2019, at page 13, requires, "With respect to post construction conditions, this section will consider the compatibility of the proposed residential use with noise that typically occurs in residential areas, including the communities surrounding the Subject Property." Concentrated high levels of noise affecting the limited bottleneck entrance and exit routes after the development is completed are not addressed. The traffic generated by the occupants and visitors of the proposed 284 homes, school buses, delivery trucks, utility trucks, landscapers and the myriad others who will, in the normal course, enter and exit the development from a mere few chokepoints, will have a focused and overwhelmingly negative impact on current residents along the routes of entrances and exits. The DEIS merely dismisses these concerns out of hand with unsupported conclusory statements and does not adequately address them. Residents of the surrounding areas are likely, in the normal course, to have all sorts of traffic roaring by their homes frequently, if not constantly, preventing them from allowing their children to play around their homes and enjoying the quiet and healthful enjoyment they expected when they bought their homes and to which they have become accustomed and which should be protected by the lead agency.

The DEIS fails to account for the impact of the planned elimination of many mature trees, including clusters of mature trees, as described in Appendix J to the DEIS.²⁷ Also, the impact of the replacement of vegetation with hard surfaces has not been adequately addressed in the DEIS.

The proposed development area is surrounded by homes that border upon it and are therefore much closer than 50 feet from where construction might take place. Many homes are merely a driveway's width removed from the proposed construction site and have front yards, backyards, and side yards abutting the development site. Many, many residents of the South Shore will have to put up with destruction and construction noise, which, at the developers own estimate, will last from six to seven years.²⁸ Even the six to seven year estimate does not take into account delays from natural and economic causes. The developer, in the DEIS, merely estimates time frames because the developer cannot provide firm time periods for any phase of the construction.

The Planning Commission has not been given reasonably reliable information upon which to base a decision that will have real impact on the environment and how it affects thousands of residents of the Five Towns. And the affected residents entitled by law to full disclosure have, likewise, not been afforded their legal right to comment on a DEIS that complies with legal requirements.

²⁶ DEIS at Page 287

²⁷ At page 10 of Appendix J to the DEIS, the developer buries the fact that in Lawrence, Woodmere and Woodsburgh, respectively, 49.29%, 46.15% and a whopping 81.45% of mature trees will be removed.

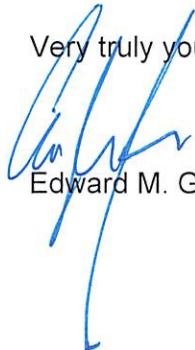
²⁸ Or as disclosed at DEIS page 214 add Appendix C to the DEIS at page 58.

Additionally, the DEIS does not comply with the instructions on page 17 of the Final Scope, which required that certain information be included in the Appendix of the DEIS and not the body of the DEIS. The Final Scope required, "However, at a minimum, the following should be provided as appendices to the DEIS". The list of items to be included in the appendices include "Noise analysis supporting data". The developer did not include this data in an appendix, but instead included it in the body of a 342-page document, which is itself dwarfed by an additional 3,766 pages of appendices, thereby sneakily diluting the impact of required adverse information. Failure by the developer to properly disclose information is not only inconsistent with the requirements of the Final Scope, but also make the DEIS more difficult to understand by the people who have a legal right to an honest presentation of information. The DEIS does not satisfy its required purpose.²⁹

The noise impact section of the DEIS is further deficient and not in compliance with the requirements of the Final Scope. In addition to relying on generic disclosures that are not applied to the facts on the ground and in the air in Hempstead, Lawrence and Woodsburgh, the hodge-podge duplicated boilerplate disclosure is confusing and does not allow for an "apples to apples" comparison and application of the data to the actual or hypothetical circumstances. One example of this relates to technical noise disclosure. There are two measurements employed in the DEIS when assessing noise. They are dB and dBA. The definitions of these measurements are included in the text of the DEIS,³⁰ though only one of them is included in the glossary.³¹ The Executive Summary at page xxxvi, the table/chart on page xxxviii, and pages 271 and 272 of the DEIS employ data based on dB, yet nearly everywhere else in the DEIS dBA is the employed defined term. This mish-mash of terms impairs the noise disclosure portions of the DEIS.

For all of these reasons, the DEIS and, particularly, the noise and traffic sections and disclosures of the DEIS should be disregarded in their entirety and the Planning Commission should require that these sections and the entire DEIS be presented in a meaningful way, consistent with the Final Scope and law.

Very truly yours,



Edward M. Grushko

EMG:al

²⁹ This is not the only area in which the presentation of the DEIS is faulty. For example, there is also some confusion in references to Appendices J and K.

³⁰ DEIS at Page 270, and amplified at page 271

³¹ DEIS at Page 340

Titan Golf, which seeks to develop the Woodmere Country Club, also owns the Tam O'Shanter Country Club in Brookville where I have been a member since 2016. They acquired the club in 2019 and it has deteriorated drastically in the two short years of their ownership. They have not lived up to their promises to keep the club in the same condition as pre-acquisition and as a result members have been leaving in droves. Based on their performance at Tam O'Shanter, I would be highly skeptical of any promises they might make with regard to Willow View Estates. These are not trustworthy people, in my opinion.

Andrew Silver

To whom it may concern,

I am a resident of Woodmere, New York and I live about 10 minutes walking distance from the former Woodmere Golf Club. With so little open space around here it would be a real shame to build literally hundreds of houses on one of the last unoccupied areas in the neighborhood. Just think what it would be like to have walking and biking trails on those grounds and with them a chance to enjoy a quiet environment.

If you are in this neighborhood any weekday after 3 PM you'd see that all of the east west roads, Broadway, West Broadway and Peninsula Boulevard are all packed. Most households now come with two cars and we shouldn't be adding any more traffic to the already chaotic mess. I hope that the planning commission will consider how open space would serve the greater community.

Regards,
David Diner

154 Woodmere Blvd.
Woodmere, NY 11598

Good evening

I was just wondering if you read the recent stories about the monolith discovered in the Utah desert.

If you haven't , you should , it's quite Interesting.

Well , the monolith has since disappeared. Witnesses to the removal of the monolith were told that now that it was discovered , there would be a lot of foot and car traffic and would potentially cause disasterous results to the natural beauty of the desert.

Well , I hope you see what I am getting at This sixth town development would be disasterous to all of nature That lives on this golf course The artist did the hard , but right , thing by removing it.

Let's remove the " monolith " about to be built here.

Best
Perl

Sent from my iPhone

Tonight's reason comes from former Zappos CEO Tony Hsieh

May he rest in peace

"..... we are both very customer focused companies - we just focus on different ways of making our customers happy .."

Let's emulate the ways of Tony

Have a blessed day

Perl

Sent from my iPhone

Nassau County Planning Commission,

During the Webinar Public Hearing held on November 17th, I had the opportunity to hear from the many residents who voiced their opposition to the proposed development of the Woodmere County club. They were articulate and quite clear in the reasons they oppose it. They live there and truly understand the impact this will have on the quality of their lives and the values of their homes.

This neighborhood is populated by many seniors and young families. The traffic along Broadway can be intense and since this is the road that will be the main thoroughfare accessed by the over 250 homes that are being considered, traffic will be at a standstill at various times of the day. As this road is one lane in each direction without the ability to be widened to accommodate more vehicles, this must be an important argument to be considered especially as it can impede rescue vehicles such as ambulances and fire trucks and possibly slow their response time.

Aside from the very important safety factor, many residents expressed their concern that this open space serves as a barrier protecting their community from flooding. As we know, water levels are rising and every effort should be made to protect our communities along waterways. Their fear is that this development will be raised to protect the new homes while leaving the established properties vulnerable.

There were other issues which supported their opposition and I urge you to side with these residents and put a stop to this overdevelopment.

Sincerely,



Denise Ford
Legislator, LD4

I am writing to strongly oppose the proposed construction of 284 single family homes on the Woodmere Club. The developers who, I have heard, live in New Jersey, are selfishly looking to make a huge profit and care nothing for what they will do to this community.

As has already been stated, the traffic on Broadway will be a nightmare especially during rush hours and before Shabbat. Cars will then congest Central Avenue and even West Broadway to travel in an east/west direction. Cars will be double parked on the streets since parking will be more difficult, if not impossible to find, further creating chaotic traffic jams on these streets. Ambulances and school busses will be stuck in traffic.

Secondly, the land is necessary to absorb the water from increasingly violent storms and rising sea levels. The golf course acts as a green sponge. Where will all this water go?

Third, the community needs its open areas. That's why most people move here in the first place. Manhattan has Central Park. What will the Five Towns have if these developers get their way? They are not interested in negotiating a scaled down plan. They want to make a ton of money and run back to New Jersey or wherever they are from with their millions. They won't have to deal with the traffic, the parking, the pollution, the crowding and the flooding they will have helped to create.

I sincerely hope the Judge in these lawsuits recognizes the damage and chaos this plan will create. The developers want to build a Sixth Town- Gertzbergville and/or Weissville. This is an outrageous, audacious and selfish plan that should not be allowed to materialize. These two men are the Potters of our time. Their "Pottersville" will destroy this community. It will not be a "wonderful life" living here.

As a lifetime resident and worker of the five towns, this would bring more traffic to a district where the traffic is already horrendous in each town and the congestion of people is already WAY more than a district should have to deal with. I have lived and worked here for more than 60 years and there is NO consideration for the thousands of people who HAVE and continue to PAY the HIGHEST TAXES IN THE COUNTRY!!! WE THE PEOPLE SHOULD have a say in what goes on in the communities that we LIVE and PAY for.

This is a BAD idea and should be the WILL of the PEOPLE, NOT the CORPORATIONS who do NOT pay taxes or live here in this community!

Sincerely
Barbara Callahan

To whom it may concern,

My name is Mia Rosenberg. I live at 91 Woodmere Blvd South, Woodsburgh .

When I first heard of the prospective development I was shocked and dismayed. Why weren't the residents surrounding the property notified of a pending sale? Maybe Woodsburgh and our neighboring towns would have found a solution that would make sense and better the community not hurt it.

There are so many issues that involve this prospective development. Many and most were mentioned at the webinar meeting on November 17th 2020.

I've lived here for a little over 30yrs. We were a young couple, hoping to have a family to raise here. I chose this house because I loved the small community feeling, the old charm and size and the school system (SD14). I also loved the fact that there was a country club and golf course to keep the area less populated. The property taxes were very high and still are, but we understood that living in a village with its personal feeling and excellent school system is why.

My children have grown up, having a top notch public school education. As children I felt it was safe walking the streets to their friends. I always loved the serenity and nature. This will all end if there will be an entire community adding over 250 homes. It's not even possible or conceivable. I can't fathom how much traffic there will be, and pollution. How will our older sewer system deal? I've had waste in my basement several times from back ups due to storms. I've had water in my basement from the past storms. This will most definitely worsen and has worsened over the years.

Woodmere Blvd was never a very busy street until several years ago. It has become a short cut to avoid the horrible mid day traffic on Broadway. Broadway at certain times is so backed up, it makes it hard to go one block and pull into CVS because of the back up. Adding over 250 homes would be a shame! That's adding more than 250+ cars (2 or even 3 a household makes it way over 500!) . The property value of my home would plummet! Is the developer willing to pay us all the amount we will lose when it's time to sell? I don't want to have to move. I like my home, I have an elderly mother nearby that I need to be near and a sibling and her family in Woodsburgh who are all very upset. They moved here 28yrs ago for the same reason I did.

Another concern of mine: When it rains there is always a flood in front of my home. So bad that it comes up to my property line and driveway, my fear is a car in my driveway will float away. Many observant Jewish people have moved to this neighborhood over the 30yrs I've been here. They don't drive from sundown Friday till sundown Saturday. Those are the days the traffic is normal. I can actually pull out of my driveway without waiting for cars to pass. A traffic assessment should be performed on days other than those. My street has become a shortcut to avoid the Broadway traffic going east. Drivers are constantly going through the stop sign at my corner and there have been many accidents. With this new prospective development the traffic, the short cut, the added cars, added school buses would all be a horrible outcome.

With a prospective adding of over 250 homes, just going to the local pharmacy would be daunting. I have so many other concerns and I can go on and on. I heard many at the meeting.

I needed to write this to hopefully be heard and voice for those who feel like me. I do not think there is one resident in Woodsburgh or Lawrence or Woodmere who are for this prospective development.

Thank you for your time,

Mia Rosenberg

Sent from my iPhone

Hello Mr Perrakis

I hope you're enjoying today's beautiful weather!

At 2:45 pm I needed to make a left turn From my street white drive onto broadway. Due to tremendous traffic, I absolutely could not. I had to make a right turn INstead and go out of my way . What will happen when there are 600-1000 more cars on broadway. I won't even be able to make a righT turn :(I hope that this commission makes all the RIGHT decisions Have a good wknd Perl

Sent from my iPhone

Dear Sir,

I am writing to you today concerning the future of the Woodmere Club.

I have been living in the Lawrence for over 35 years. I and my family moved here because it was a beautiful quiet suburban community. A truly nice place to raise a family. As time went on members of my family married and moved into their own homes in Lawrence so they could raise their families in the same way. In the last few years though the lifestyle I and my family had hoped and worked so hard for has been challenged. When the Broadway Traffic circle was removed and the introduction of the 878 highway was laid the noise levels quickly went rampant with sirens of emergency vehicles running through all hours of the day and night. As the amount of traffic began to increase it became more and more difficult for me to leave my driveway as the flow of traffic is constant and often at time with speed. While it once took just a few minutes for me to drive into Cedarhurst to do my shopping and to visit my friends and family that part of suburban life has vanished. In the past few years the concentration of traffic has become painfully frustrating. It often takes over 20 minutes for me to drive to my brothers who only live a mile away. I've been forced to travel with an insulated ice box in my car during the spring and summer because frozen items melt as I am forced to crawl with the slow flow of traffic down Broadway or Central Ave. Many people have told me they have had to resort to going all the way to Rock Hall road or West Broadway to Burnside Ave just to avoid the Broadway and Central ave. traffic congestions. Admittedly I have increased my bicycle use to be able to bypass all the traffic but even that has its issues. The streets are two narrow especially with the increased traffic for bikes to squeeze between the traffic and parked cars. There have been numerous time I have had close calls with frustrated drives trying to maneuver out of and around traffic without looking and anticipating bikers.

The increased traffic one could and should expect from the increased housing from the proposed Woodmere Club housing project would totally destroy our community. The increase of multi car families, demand for increased school buses, teachers, schools, places of worship, visiting home health professionals etc. would totally over stress the limitations of our beloved community.

I urge you to reject the housing proposal planned for the Woodmere club.

I thank you in advance.

Shalom Golombeck

1 Lord Ave.

Lawrence, NY 11559

Good evening Mr Perrakis

These accidents occur on Broadway , way too often

What will happen when 600-1000 new cars are added to broadway ?

Thank you
Perl

Hello Mr Perrakis

I attended tonight's Zoom meeting and thought it went well. Thank you and your board for their time and effort in running it Tonight's reason why this development should be curtailed :

These developers have no heart. They have no feelings They couldn't care less about the impact on this community. They live safely ensconced in Englewood with little to no traffic or congestion. Their quality of life will not be impacted. Except for the millions of dollars they stand to make. They are the only ones who will benefit from this At our expense.

They will sleep blissfully at night We won't

It's not fair

They have no heart

Please show them that you do

Best

Perl Ash

Good evening.

As a resident who backs the woodmere golf course, I see the way the golf course turns into ponds and lakes during heavy rainstorms. I also know how easily flooded our streets get during those storms- I can only imagine the horrific flooding that would destroy our neighborhood if that permeable land were to be developed. I am scared for the safety and security of my home and the whole neighborhood.

In addition, I live just off of Broadway on Sherwood lane. I am gratto have a traffic light at my corner or it would be nearly impossible for me to get out of my block during the workday hours as the traffic is often a seemingly neverending trail of vehicles.

I firmly believe that developing the woodmere golf course only benefits the developer, but negatively impacts every resident.

Thank you for listening.

Chana Chrein

30 Sherwood lane

Off of Broadway

Town of Hempstead

Attn: John Perrakis

As a direct neighbor to the Woodmere Club - the only other property bordering the coast line - I wish to offer my perspective at today's hearing:

I have serious concerns that allowing construction at the scale proposed in the developers plans will result in irreversible damage to the fragile ecosystem.

Over the last four years my children and I have been making regular kayak trips to clean the channel coastline and surrounding wetlands of pollution. We have made a dent in removing the number of debris and see more native wildlife in the area now than when we first began our efforts.

Lengthy development scale construction noise and pollution from wind strewn debris will make the area untenable for shore birds and the many native animals that make their home in the area, including Blue Herons, Egrets, Ospreys, Yellow Crested Night Herons, turtles, muskrats, rabbits, blue crabs and more. The last 4 years have seen a marked return of the horseshoe crabs who used to use this area as an annual mating grounds decades ago, but disappeared due to pollution.

Woodmere Channel is one of a handful of natural jewels in the Five Towns area, and protecting its wildlife and the coast that protects them is critical to maintaining its authenticity and longevity. I urge the committee to proceed with the plan to protect the coastal area by minimizing construction impact and applaud your efforts in this regard.

Sincerely,
Abraham Muchnick
319 West Ivy Hill Road
Woodsburgh, NY

I will submit my comment in writing.

Essentially, I'm baffled as to why this hearing is being held at all in light of the fact that the Town changed the zoning to a Coastal Conservation Zone, and the initial plan that was filed should be rendered invalid. Even considering that the zoning change is currently being litigated by the Club's developers, this hearing should be suspended, pending the outcome of that lawsuit.

Thank you

Please add my voice to all who object to this development. It will cause environmental problems, traffic congestion and flooding to name a few of the horrors of such a disaster. Thank you, Margaret Carpenter. (I may not be able to attend this meeting virtually.)

As a resident of Woodsburgh and a lifetime resident of the Five Towns area, I have seen the traffic increase incrementally over the last ten years or so in our neighborhood to the residents' and environment's detriment. All one needs to do is to try to drive down Broadway on any weekday (Fridays in particular) between 7:30 am and 9:30 am, or between 3:00 p.m. and 5:00 p.m, in either direction, sit in the usual bumper to bumper traffic, wait 2 or 3 turns to get through many traffic lights and he/she will know firsthand that the addition of 284 homes (or any substantial number of homes) and the corresponding addition of motor vehicles will have a severe environmental impact on the area and negative impact on quality of life of the residents. To make matters worse, most of the homes in the development on the grounds of the Woodmere club will need to access Broadway for ingress or egress. Broadway is one of the main thoroughfares, and already one of the most traffic impaired thoroughfares, in our neighborhood.

To Whom it May Concern

I wish to add my voice to the many who are opposed to any changes to the already agreed upon zoning plan. New plans by the builders in defiance to the agreed upon plan should not be entertained.

Our way of life as Woodsburgh Residents should not be compromised because of the avarice, and greed of a few persons wanting to get rich.

Come to the area after any major rainfall and you will see the flooding. Come and attend any gathering in the neighborhood to see the impassability of the narrow roads.

Please save our neighborhoods and our way of life.

What we need in the area are more parks and open spaces. If the protected wildlife could write, they would agree.

Hello . Hope all are well

This is today's reason why this housing project should be sharply curtailed To me it's the most important one Have you ever traveled on broadway in the morning , or anywhere in the afternoon from 3:30pm on ?? Have you experienced The traffic , the Inability to safely make a left turn on broadway , even a right turn ??

Have you ever seen an ambulance or fire truck stuck on broadway in an emergency, because it is only one lane either way , and cars can't move out of the way to let them pass I have Many times And my heart goes out to the people in need of medical assistance and can't get it on time because of the traffic Just think of what adding exponentially more traffic on broadway would do In that situation I'm starting to lose sleep over this I hope everyone else is as well Thanks for you time. Thanks so much Perl Ash
30 white drive
Cedarhurst

Sent from my iPhone

Traffic, storm surge flooding, coastal flooding, environment, protected species, sea level rise, ecology, emergency services such as fire, police and EMS, overburdened infrastructure such as electricity and sewers, utilities such as gas, electricity and water, municipal services such as sanitation and snow removal, parking, property values, taxes, aesthetic resources, concerns about years of construction traffic, debris, noise and air pollution, and overall quality of life concerns.

Sent from my iPhone

"We strenuously object to the Draft EIS hearing going forward at this time. As a result of the zoning changes, the subdivision map filed by the property owner with the NCPC proposes to create parcels of property which are not compliant with the new applicable zoning. The proposed subdivision map is no longer viable and no further action should be taken by the Commission unless and until a new zoning compliant map is filed".

Sent from my iPhone

To whom it may concern,

I have significant concerns about the Willow Estates development. This development will cause increased traffic, storm surge flooding, overburdened infrastructure such as electricity and sewers, utilities such as gas, electricity and water, municipal services and will significantly effect our overall quality of life.

Thank you,
Rebecca Gottlieb

Hi. This development has given me much concern and worry about what will become of our neighborhood. The open land absorbs so much water and really helps save or neighborhood from tremendous flooding. The traffic on Broadway is already crazy especially during peak hours. I cant imagine an emergency vehicle needing to get through with an added 350+ cars to this road. Just the infrastructure alone, is a huge ordeal . Living across the street, worries me greatly about the time, noise, mess, Danger, random workers... that will be brought to my view and be exposed to my young children. These issues effect everyone. Let alone the issues that effect me directly as my house faces the golf course. I lose my view, my property value goes down. I purposely bought my house not too long ago for it's beautiful and unique setting which will be taken away. Please take these concerns to heart.

Thank you,
Shani fuchs

Sent from my iPhone

Dear Sir,

As a life long resident of the 5 towns I strenuously oppose the appalling plans to develop several hundred homes on the Woodmere Club property and urge you to suspend any planning or operations toward that end. Sincerely,
James P. MacGuire

Comments for the hearing:

Hi. I live on Rose Street in Cedarhurst, our street is off the golf course and we benefit greatly from the quiet it provides.

I have been a commercial real estate developer for over 25 years and I'm at a loss as to why the NCPC would even consider an application that is completely non compliant to the current zoning, it's out of character for the commission and should not be processed until the appropriate map has been filed. I strenuously object to the Draft EIS hearing going forward at this time. As a result of the zoning

changes, the subdivision map filed by the property owner with the NCPC proposes to create parcels of property which are not compliant with the new applicable zoning. The proposed subdivision map is no longer viable and no further action should be taken by the Commission until a new zoning compliant map is filed.

If for whatever reason the commission will continue with the proposed hearing, I want to state my objection to the street cutout that will allow traffic onto Tulip street. Tulip is a small Dead-End block that was not built for through traffic. Tulip Street leads onto Lotus Street, another small street that was never intended or built for through traffic. It would be a huge nuisance and a danger to the existing neighborhood to open those street as thru traffic for the benefit of the new development. Those streets are quiet dead-end streets that have been that way since the development was built in 1926 - when considering the site plan please take the neighborhood's quality of life into consideration (along with all other possible dangers associated). Please do not allow the opening of the Tulip street cut through. If the commission feels strongly that they must open Tulip Street I ask that they require the developer to run the traffic count on Tulip Street and implement this into a new traffic study specifically geared to the impact on Tulip and Lotus Streets.

For the record - every homeowner on Tulip, Ivy, Lotus, and Rose Streets are opposed to this development.

Thank you,
David Elkouby

Dear Sir/Madam,

I strenuously object to the Draft EIS hearing going forward at this time. As a result of the zoning changes, the subdivision map filed by the property owner with the NCPC proposes to create parcels of property which are not compliant with the new applicable zoning. The proposed subdivision map is no longer viable and no further action should be taken by the Commission unless and until a new zoning compliant map is filed.

Furthermore, I have serious concerns about the amount of additional traffic congestion that will result from any large scale development in the area. Our local roads and thoroughfares are already increasing in traffic at an alarming rate. Parking spaces in the business and shopping districts are also increasingly hard to come by. In short, our existing infrastructure is finite and strained. It would be a flat out disaster for the community to allow further large scale development.

Sincerely,

Michael Dachs
821 Oliver St
Woodmere NY 11598

Good morning,
My wife and I will try to join tomorrow night on the ZOOM, but we wanted to make sure our concerns are heard.

We strenuously object to the Draft EIS hearing going forward at this time. As a result of the zoning changes, the subdivision map filed by the property owner with the NCPC proposes to create parcels of property which are not compliant with the new applicable zoning. The proposed subdivision map is no longer viable and no further action should be taken by the Commission unless and until a new zoning compliant map is filed.

We live 1 block from the club in Woodsburgh with 5 children, the impact this will have on our lives will be

disastrous, we moved here for the beauty and tranquility of the neighborhood. Adding more traffic will impact the children living around the area in a huge way, the safety issue will be more than a lot of people can handle.

The flooding we get now is unbearable, adding more homes to the golf course, which is a natural buffer would destroy everything.

I hope you can see this is project is a detriment to everyone involved except the greedy developers.

Thank you

Michael Jacobs
pond lane
Woodsburgh, NY

My wife, Judith, and I are vehemently opposed to the plan under consideration. We are both long term residents of the Five Towns and specifically Lawrence. Our home is located on Atlantic Avenue, Lawrence bordering and immediately south of the golf course.

This beautiful property should be preserved to the greatest extent possible with minimal addition of dwellings to avoid the enormous negatives which will be caused by the proposed plan. The additional traffic is only part of the problem for our neighborhood. The construction period will be horrendous for us and the loss of the visual which we both grew up with, will disappear. Environmental considerations, like the effect on sewage and on wildlife, are being ignored, and that is sad.

Sincerely,

Arthur and Judy Murray
572 Atlantic Ave
Lawrence, NY 11559

I would like to express my support for the Coastal Conservation District plan, which would allow 59 houses and provide much needed open space.

We must protect the community and not allow over-development that will threaten the health and safety of residents, who already suffered through Sandy, and need regulators to look ahead on how to best protect us from adverse environmental impacts.

I am glad to see that the Town of Hempstead is taking the right approach -- rejecting a city of new homes for a much more logical plan.

Karen Freifeld
336 Argyle Road
Cedarhurst NY 11516

Attn: John Perrakis

As a direct neighbor to the Woodmere Club - the only other property bordering the coast line - I wish to offer my

perspective at today's hearing:

I have serious concerns that allowing construction at the scale proposed in the developers plans will result in irreversible damage to the fragile ecosystem.

Over the last four years my children and I have been making regular kayak trips to clean the channel coastline and surrounding wetlands of pollution. We have made a dent in removing the number of debris and see more native wildlife in the area now than when we first began our efforts.

Lengthy development scale construction noise and pollution from wind strewn debris will make the area untenable for shore birds and the many native animals that make their home in the area, including Blue Herons, Egrets, Ospreys, Yellow Crested Night Herons, turtles, muskrats, rabbits, blue crabs and more. The last 4 years have seen a marked return of the horseshoe crabs who used to use this area as an annual mating grounds decades ago, but disappeared due to pollution.

Woodmere Channel is one of a handful of natural jewels in the Five Towns area, and protecting its wildlife and the coast that protects them is critical to maintaining its authenticity and longevity. I urge the committee to proceed with the plan to protect the coastal area by minimizing construction impact and applaud your efforts in this regard.

Sincerely,
Abraham Muchnick
319 West Ivy Hill Road
Woodsburgh, NY

To whom it might concern!

My family and I reside in the Village of Lawrence and we are very concerned about The potential development of the Woodmere Country Club land.

Read the environmental study put forth and it is clear that a rezoning of the Woodmere Country Club grounds will have a huge impact on the surrounding wetlands and the Environment in our community. We already have a flooding issue in this area and By adding more impervious surfaces that problem will become an even bigger problem.

Increase in population will result in added traffic and it will put a stain on the already awful Traffic pattern in this area.

You're creating a precedence if approving this development. What will stop other country clubs from developing their land. You are potentially looking at 2 other country clubs in Lawrence That would be able to develop their land and therefore the amount of new homes in the area could Reach almost 900.

Please help this community by not approving this development.

Best regards,
Hanne E. Donovan

To whom it may concern,

This is a terrible proposal. Neither Woodmere nor Lawrence can support this influx of people and cars. We reside in the back of Lawrence, and feel that this will affect us horribly. Please stop the developer who is trying to push this through, i beg of you. There will be devastating effects for pre-existing homeowners and the environment too if this actually happens.

Thank you for your help.

Sincerely,

Sarah Strader

To Whom it May Concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

Additionally, Reynolds Channel remains polluted due to the Bay Park sewer outflow pipe. Until the bypass is fully completed to connect to the outflow pipe further into the ocean, our waterways simply cannot handle more waste burden.

Finally, since its origin the Woodmere Club Property has been home to wildlife and migratory animals and its green spaces and trees have fed our air and contributed to the beautiful environment that drew us to Lawrence in the first place. Additionally, after Hurricane Sandy, it is also clear that our area is at risk and should there be another storm combined with a water surge, the water needs someplace to go. Open areas like the current Woodmere Club provide such a place for a storm surge and protect the surrounding homes. Should you develop this land, you will put at risk all of the existing homes in the vicinity.

It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development and humbly suggest that instead of building any homes, the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

Kelley Gott

To Whom it May Concern,

I have read the environmental impact study for the development of the Woodmere Club. Clearly this plan is deeply flawed

This would significantly strain all facilities in the area. As a resident of this area for decades I cannot believe we have not learned from the mistakes of the past. Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

Additionally, Reynolds Channel remains polluted due to the Bay Park sewer outflow pipe. Until the bypass is fully completed to connect to the outflow pipe further into the ocean, our waterways simply cannot handle more waste burden.

Finally, since its origin the Woodmere Club Property has been home to wildlife and migratory animals and its green spaces and trees have fed our air and contributed to the beautiful environment that drew us to Lawrence in the first place. Additionally, after Hurricane Sandy, it is also clear that our area is at risk and should there be another storm combined with a water surge, the water needs someplace to go. Open areas like the current Woodmere Club provide such a place for a storm surge and protect the surrounding homes. Should you develop this land, you will put at risk all of the existing homes in the vicinity.

It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development and support the proposal to instead have the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

Donna Haight Ganson

To Whom it May Concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

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us to Lawrence in the first place. Additionally, after Hurricane Sandy, it is also clear that our area is at risk and should there be another storm combined with a water surge, the water needs someplace to go. Open areas like the current Woodmere Club provide such a place for a storm surge and protect the surrounding homes. Should you develop this land, you will put at risk all of the existing homes in the vicinity.

It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development and humbly suggest that instead of building any homes, the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

Kate Reilly Piccard

To Whom it May Concern,

My husband and I and our sons are residents of Lawrence and live very close to the Woodmere Club just off Ocean Avenue. We have read the environmental impact study. We strongly oppose the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

Additionally, Reynolds Channel remains polluted due to the Bay Park sewer outflow pipe. Until the bypass is fully completed to connect to the outflow pipe further into the ocean, our waterways simply cannot handle more waste burden.

Finally, the Woodmere Club Property has been home to wildlife and migratory animals and its green spaces and trees have fed our air and contributed to the beautiful environment that drew us to Lawrence in the first place. Additionally, after Hurricane Sandy, it is also clear that our area is at risk and should there be another storm combined with a water surge, the water needs someplace to go. Open areas like the current Woodmere Club provide such a place for a storm surge and protect the surrounding homes. Should you develop this land, you will put at risk all of the existing homes in the vicinity.

It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider

this under any circumstances. We strongly oppose this proposed development and suggest instead that the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", make it a park or at least make a good part of it a park for all residents to enjoy. That will enable the owners to write-off their investment for tax purposes.

Sincerely,

Nancy E. Havens-Hasty

Nancy Havens-Hasty & J. Dozier Hasty
221 Polo Lane
Lawrence, NY 11559

To Whom it May Concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

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It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development and humbly suggest that instead of building any homes, the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

Edward G. Reitler

102 Berkshire Place

Lawrence, New York 11559

To Whom it May Concern,

I am a resident of the Village of Lawrence and I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

The roads in our neighborhood are overcrowded (the number of times the traffic on Broadway is moving much slower than a person walking are too many to count) and the systems are already overtaxed serving the existing residents. Given that the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems, the infrastructure simply cannot support 284 additional homes.

Additionally, Reynolds Channel remains polluted due to the Bay Park sewer outflow pipe. Until the bypass is fully completed to connect to the outflow pipe further into the ocean, our waterways simply cannot handle more waste burden.

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It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development.

Sincerely,
Ann McGowan

To Whom it May Concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly **opposed** to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

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Sincerely,



Carol Vencil
5 Livingston Place
Lawrence, NY 11559

To whom it may concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

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It seems clear that development of the Woodmere Club Property would so meaningfully harm the local environment and overwhelm the local municipal infrastructure that it seems unconscionable to consider this under any circumstances. I strongly oppose this proposed development and humbly suggest that instead of building any homes, the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

George A. Graham
562 Atlantic Avenue
Lawrence, NY 11559

To whom it may concern,

I am a resident of the Village of Lawrence and I have thoroughly read the environmental impact study. I strongly opposed to the proposal to rezone the Woodmere Club Property for development.

Not only are the roads in the neighborhood already severely overcrowded and the municipal systems unable to service the existing residents, but the Nassau County water table is polluted from too many homes and too much development and inadequate/nonexistent sewer systems. There is simply not adequate infrastructure to support additional homes, and certainly not 284 additional homes.

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consider this under any circumstances. I strongly oppose this proposed development and humbly suggest that instead of building any homes, the developers donate the land to the Village of Lawrence to be deeded "Forever Wild", take the tax write-off on their investment and move on.

Sincerely,

Jennifer Wallace

Dear Sir:

I find it hard to believe that no soil characterization analysis has been performed. The environmental site assessment seems to indicate expected contamination (see below).

Thank you

Appendix D - Phase I Environmental Site Assessment

page 17.

"6.2 Hazardous Substances A storage container housing fertilizers, pesticides, herbicides and equipment associated with those applications was noted immediately south of the maintenance garage. **Due to the extensive use of fertilizers, pesticides and herbicides throughout the Site, soil characterization may be required in the event soil excavation is part of any redevelopment plans for the Site.**"

Dear Mr. Perrakis,

I hope this finds you and your family healthy and well.

I live in Lawrence and walk every day. My walk takes me along the The Woodmere Country Club. To contemplate redeveloping that beautiful property into 200 plus houses is beyond belief.

That property is primarily an ecological habitat and sits on a low flood plain. The proposed development would have an impact on increased flooding. There would be a huge increase in traffic and parking, would ruin existing community character and arguably have a negative impact on current residential property prices.

My biggest objection is the total ruination it would have on the wildlife and ecological habitat further increasing pollution. Whether one believes in global warming or not, no one can deny since lockdown, the birds are singing and the sky and air is clearer. Hasn't humanity done enough damage to our planet? We need to coexist with nature, not destroy it. If we continue to build on ecological habitats, what resemblance of nature will there be for the next generation? There is abundant evidence that Covid 19 hit densely populated neighbourhoods much harder than more remote ones and perhaps spread much faster given where it originated from due to its population density.

The developer of The Woodmere Country Club appears to have no regard for maintaining what little pieces of nature that exist locally, preferring to make a huge profit at the expense of all of us who live here.

I urge you to refuse planning and to consider the TOH proposal.

With many thanks,

Hilary Northrop

Sent from my iPad

We are not in favor of any large scale development of the Woodmere Club property. It will change the suburban feel of our neighborhood & increase already burgeoning traffic. We also oppose using our dead end streets of Lotus & Tulip as access routes. The thought of years of construction & it's accompanying noise & traffic is horrendous.

Dr. & Mrs. Gustavo Rodriguez

Sent from my iPhone

As a former Far Rockaway resident with 2 children living in the 5 Towns, I can only say that this is an absolute disaster. Non-local developers, come in to make a fortune on something that is going to destroy the local quality of life. The flooding is going to increase, the traffic which at certain times is horrific now, is only going to get worse, and the parking on Central Ave, and in the municipal lots, which is already difficult, is going to become impossible.

How can any responsible local official have allowed this to happen?

Reva Faska

a former local with a current vested interest, as I still spend a significant amount of time in Lawrence and Cedarhurst.

Re: Willow View Estates Subdivision DEIS Comments

Dear Mr. Perrakis,

On behalf of the South Shore Audubon Society, thank you for the opportunity to comment on DEIS for Willow View Estates. We are a local chapter of the National Audubon Society representing approximately 1300 households in southern Nassau County. The mission of the South Shore Audubon Society is to promote environmental education; conduct research pertaining to local bird populations, wildlife, and habitat; and to preserve and restore our environment through responsible activism, for the benefit of both people and wildlife.

Local residents report an increase in the number and variety of birds using the area of the golf course since the closing of the Woodmere Club. New bird surveys are necessary to assess the impact of Willow View Estates on birds. It is unlikely that displacement will be temporary, as the DEIS claims.

According to the National Audubon Society's report Survival by Degrees, two-thirds of North American birds, or 389 species, are vulnerable to extinction because of climate change and

habitat loss. As reported in the journal Science, one- third of North American birds, or 3 billion birds, have been lost since 1970. The birds at risk include those found in local parks and suburban settings, and it underscores the urgency of preserving even small amounts of habitat.

The extensive tree removal for Willow View Estates will have a significant negative impact on both birds and people. Trees capture carbon, cleanse the air, and provide shade as well as habitat. The native plantings proposed by the DEIS will not compensate for the loss of trees. Further, the tree removal will change the character of the neighborhood and reduce the benefits that green space provides for our physical and mental health—benefits that have been highlighted by the COVID-19 pandemic.

With coastal resilience becoming a national priority, it is mind-boggling that coastal development like Willow View Estates is allowed to proceed: this is disaster capitalism run amok. The bioswales and retention pools proposed by the DEIS are feeble measures against the intensifying storms and sea level rise of our climate crisis—the equivalent of using a pea shooter to stop a tank. The added impervious surface will exacerbate flooding. The only effective solution is marsh restoration. U.S. coastal wetlands provide \$23.2 billion of storm protection every year by slowing down wind and wave energy, and reducing erosion and flood damage. Living shoreline measures have lower replacement costs, can grow with sea level rise, improve water quality by filtering pollutants, and support fisheries as well as at-risk shorebirds.

Birds are an indicator of the health of our environment, and we are imperiled too. Five of the most destructive hurricanes in the last hundred years have occurred since 2005—Katrina, Sandy, Harvey, Irma, and Maria combined not only caused \$497 billion in damage, but also thousands of deaths, millions of evacuees, and extreme loss of habitat, the tragedy of which is incalculable in monetary terms. If these tragedies can be traced to climate crisis and coastal development, then those truths can be traced to climate denial and profiteering.

Building on a floodplain is a risky and reckless gamble by a developer who will be bailed out by taxpayers to rebuild when properties are flooded. The time is now to stop further coastal development and start building natural defenses. Willow View Estates will also fuel our climate crisis by prolonging our dependency on natural gas. Adding 285 houses will put stress on our sewer system and water supply, and threaten our sole source aquifer.

Stop the insanity and build a park for the community.

Brien Weiner
President
South Shore Audubon Society

Dear Mr. Perrakis,

Attached are comments from the South Shore Audubon Society on the DEIS for the Willow View Estates Subdivision. The increased bird population on the property since the closing of the Woodmere Club is evidence that nature will rejuvenate itself if given the chance. At a time when coastal resiliency is a priority, further development on a floodplain, which will exacerbate flooding and strain resources, should be avoided. Nature-based measures of flood mitigation are our best defense against the rising

sea level and intensifying storms of our climate crisis. We urge you to allow the property to be restored to a natural state.

Thank you for considering the attached comments.

Sincerely,

Brien Weiner
President
South Shore Audubon Society

Hello, I am a neighbor of the Woodmere Club project, and am writing to tell you how much I object to their plan to build hundreds of homes on this property. I have been living in the area for over 30 years, and can tell you without a doubt that the infrastructure of the neighborhood cannot handle this.

To allow a project that just benefits the developer without ANY benefit to the community is simply wrong.

Thank you

Stuart Samuels
900 Barberry Lane
Woodmere

The Woodmere Club Development as currently designed is unworkable for the area. There would be a negative environmental impact and would hurt the standard of living of the people in the area. Please stop this development.

Marlyn Press

To Whom It May Concern:

I fully support the proposed Coastal Conservative District for the Woodmere Country club. It will provide a tremendous service to the community and allow the developers to develop some houses as well.

If the developers are allowed to build close to 300 homes the entire landscape of the community will change and the traffic it will create on Broadway and Central will be disastrous. It would be a tremendous mistake and disservice to the community to allow the developers to develop almost 300 homes. Please don't allow our community to be destroyed by these developers.

David Samuels

I've lived in the five towns for 15 years. The community has become more congested over this time. Driving, parking, even walking is sometimes prohibitive. Developing the woodmere club in the way the developers plan will be detrimental to the way of life here. Environmentally, this will be devastating. Also a strain on our police, fire and sanitation services. Please take this in consideration When making your decision. Thank you Sherri Harari

Sent from my iPhone

My name is Marcel Scheinman and I live in 828 Jefferson Street, Woodmere, NY and have my private office in Lawrence, NY.

I fully endorse the proposal of TOH and village of Lawrence limiting the number of residences that could be developed in the area.

The impact in our quality of life far outweighs the additional taxes revenue that would be generated by 244 properties.

To the Nassau County Planning Commission.

I am a resident of Woodsburgh. I have a lot of money invested in my home, as do most of the residents in this town. We moved our families here so that we could enjoy a better life style and we saw the character of Woodsburgh as the perfect solution.

The proposal by the developers is plain out not fair to any of us who currently reside here. It will destroy the character of the neighborhood, and our life styles will be impacted big time, not to mention the terrible impact it will have on the already impossible local traffic problems. And of course, the large \$\$ we invested in our homes and properties will be destroyed.

For what? So that the developers will make profit? Again, NOT fair and NOT right for all of us here in Woodsburgh.

Please vote to turn down the proposal of the developers.

Please accept The TOH proposal as submitted, with studies supporting a total of 59 homes over 25% of the property.

Thank you for your consideration.

Neal

*Neal J. Nissel CPA
835 Barberry Lane
Woodsburgh, NY 11598*

Hello,

We live on Ivy Street in Cedarhurst.
I would like to bring another comment related to cars and parking.

Assuming Lotus St will become an outlet for Willow dev. we are just wondering where will all the cars that are currently parked on the street go ?
I assume resident will not have the right to park their cars on the street anymore (as the street is way to narrow to accommodate 2 way cars).

How can this narrow street become an outlet while there is not even enough room for the street residents to park their cars in the their own driveways?
As you might be aware, each family has now a min of 3 cars !!

On top of that, as you might know, Lotus St serves as a Parking lot for Temple Emanuel every time they hold an event in their social hall... where will those cars be parked if the few spots left on Lotus aren't available? On Broadway ?

It might be a little detail ... for us its our everyday that will become a real pain to access Ivy, Tulip street....

PLEASE TAKE OUR COMMENTS IN CONSIDERATION !
DO NOT LET THEM DESTROY PEACEFUL AND CLEAN ENVIRONNEMENT FOR GREED !!!!

S KAPETAS

--

Salomon

I am writing as a very concerned Lawrence resident.
There are countless reasons for not allowing this development to take place.
To my mind, the most important consideration is traffic.
At this time, it is already nightmarish trying to drive on Broadway or on Central Avenue during peak traffic times.
Adding several hundred additional cars to these over-congested streets would be catastrophic.
Please use your powers to avoid making our neighborhood unlivable.
Yours truly,
Fred and Jeffrey Galler
18 Copperbeech Lane
Lawrence

In response to this email I received, I would like to know why Nassau County is allowing invalid traffic surveys to be conducted and relied upon for their final determination.

To clarify my point, I have personally witnessed multiple traffic surveys being conducted on Saturdays. For those who may not be aware, the five towns, specifically, Woodmere/Woodsburgh area is comprised of predominantly Orthodox Jewish households. This means they do not operate any vehicle from sundown on Friday- sundown on Saturday. I have personally witnessed traffic surveys being done on Saturday afternoons. This clearly skews any data being gathered during this time period. Whether it's being averaged out throughout the week-thereby requiring a division of 6 days not 7, or being used in any other way is blatantly WRONG and providing MISLEADING results about the local population.

I have also witnessed surveying being done this week, during the COVID crisis, when almost all New Yorkers are being told to stay home. This is also NOT AN ACCURATE traffic survey for the area.

This area is exploding with people and cars. There are too many people here to begin with. Lest we even remind the Nassau County Board about the horrific results brought by Hurricane Sandy only 8 short years ago due to lack of drainage. This area can not sustain additional housing, certainly not 258 homes. There are multiple apartment complexes in the 11598 area code. Tell the developers to find another area in Hempstead. Might I suggest Hempstead itself, there are plenty of open plots there. Leave the overcrowded, traffic nightmare, impossible to park five towns alone.

It will be detrimental to existing community. Do not approve!!!

**COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo**

To: Nassau County Planning Commission

From: Department of Public Works – Planning Division

Date: January 28, 2021

Subject: Willow View Estates DEIS Comments – Land Use and Zoning Section

1. Site Coverage Table is provided for the existing use (Table 21). An additional table should be provided comparing site coverages for Existing Use and the Reasonable Alternatives that have been identified, including the Cluster Plan Configuration and the Reduced Density with Nine-Hole Golf Course.
2. Table 24 compares Existing and Future Site Coverages. The Table compares site coverages for the Proposed Subdivision and the Proposed Future Buildout. How is the Proposed Subdivision different than the Proposed Future Buildout?
3. As currently proposed, the subdivision map does not conform to the zoning ordinances of the Town of Hempstead, Village of Lawrence and Village of Woodsburgh. The DEIS must reference and reflect conformity with the Town of Hempstead, Village of Lawrence and Village of Woodsburgh's recently adopted "Coastal Conservation District" that encompasses the subject property.
4. Depiction of Proposed subdivision should be included in in the Description of Proposed Action section and the Zoning/Land Use/Community Character section of the DEIS. The Lead Agency is not able to locate the proposed subdivision in the text of DEIS.
5. Mitigation measures should be identified in the Zoning/Land Use/Community Character section of the DEIS that makes the proposed subdivision more amenable. No mitigation is proposed. For instance, a planted buffer along the site's perimeter may be appropriate. The installation of planted berms may be considered as a flood mitigation measure as well as the installation of bioswales to enhance drainage in flood prone areas that would also protect local waterways from stormwater pollutants, create habitats for wildlife, reduce non-point pollution by filtering stormwater, reduce standing water that can attract mosquitoes. Bioswales should only be considered where depth to groundwater and soil suitability permit. Such analysis should be incorporated into the Stormwater section of the FEIS.
6. The DEIS states that the Village of Woodsburgh prepared the Vision Plan but has not amended its Zoning Code to reflect the Vision Plan's recommendation. In consultation with the Village Attorney, staff of the Lead Agency learned that the Village has, in fact, amended its zoning code to reflect the Vision Plan's recommendations as it relates to the Woodmere Country Club property.





The Zoghlin Group PLLC
Attorneys at Law
300 State Street, Suite 502
Rochester, New York 14614
Tel: 585-434-0790
Fax: 585-563-7432
<http://www.ZogLaw.com>

From: Mindy L Zoghlin, Esq.
To: NCPC
RE: Willow View Estates – Comments On DEIS
Date: January 7, 2021

1. IMPACTS THAT ARE A HAZARD TO HUMAN HEALTH — CONTAMINATION

The DEIS attaches multiple Phase I Environmental Site Assessments (“ESAs”) which indicate prior reported contamination and remediation. The ESAs include DEC Spills files for the Property, including those that were opened in 1990, 1992, 2003, and 2011.

However, the DEIS does not discuss these issues with respect to potential adverse impacts to human health. Instead, it only discusses these issues in the subsection on “physical alteration of land.”¹

Potentially significance adverse impacts to human health should be addressed in its own section and in greater depth. Additionally, this section should identify mitigation measures that could address any potentially significant adverse health impacts and analyse whether such mitigation options would be effective and practicable, and why.

2. OPEN FOIL / FOIA / INFORMATION REQUESTS

The DEIS includes DEC FOIL documents for petroleum spills 0301889 and 090745, but not spills 1100373, 8910563, or 9112195.

Spill 8910563: The Phase I Environmental Site Assessment (Appendix D to the DEIS, page 22 of 835) (“Phase I ESA”) reports that spill 8910563 was opened on February 2, 1990 after petroleum product was found in a well associated with tank removal, and that the spill was closed on September 29, 2003. The only FOIL document related to this spill is a printout of the DEC Spill Incident Database Search Detail accessed on 2/17/2017 (Appendix D to the DEIS, pages 343 of 835).

Spill 9112195: The Phase I ESA (page 22 of 835) reports that spill 9112195 was opened on February 27, 1992 after a tank removal caused 6 yards of soil to be contaminated with gasoline. This spill was closed on June 21, 2000. The only FOIL document related to this spill

¹ See DEIS at internal page 60-75, section 3.1—3.1.3.

is a printout of the DEC Spill Incident Database Search Detail accessed on 2/17/2017 (Appendix D to the DEIS, pages 344 of 835).

The Phase I ESA does not contain the DEC FOIL responses for these spills.

The Phase I ESA (at section 5.2) states that “[i]f any pertinent environmental information is received from any of these agencies following the issuance of this report, Roux Associates will provide a Phase I ESA addendum to this report detailing this information.”

The FOIL responses should be obtained, reviewed, incorporated into the FEIS, and analyzed. *Waldbaum, Inc. v. Inc. Vil. of Great Neck*, 10 Misc.3d 1078(A) (Nassau Co. 2006).

3. ADVERSE IMPACTS TO RARE, THREATENED, OR ENDANGERED SPECIES.

The DEIS contains several apparent inconsistencies and/or data gaps that make it difficult to evaluate the Project’s impacts to rare and protected species.

- a. The field survey performed on May 9, 2019 does not identify the person conducting the survey or his qualifications. Page 131 of the DEIS indicates that the field survey was conducted by a certified Ecologist and Professional Wetland Scientist. A copy of the survey scientist’s cv or qualifications should be exhibited to the DEIS or Appendix H.
- b. The DEIS states that “[n]o New York State or federally-listed rare/protected plant or wildlife species were observed at the subject property during the field survey.” DEIS, p. 142. However, the osprey, a species of special concern in NYS and the common tern, a threatened species in NYS, were observed at or over the subject Property during the May 9, 2019 field survey.² The DEIS does not address potential impacts to these species. These inconsistencies should be addressed.³
- c. It is unclear whether the field survey was performed during the appropriate time of year.⁴ The applicant should confirm that the survey was performed at the appropriate time of the year and ascertain if a survey performed at a different time (for example, late summer) would have yield different results relevant to this analysis.

² Appendix H, Field Survey, p. 7 of 57.

³ Further clarification should be obtained regarding the presence of the osprey and yellow-night heron on the Project site as the DEIS indicates that most of the species listed in the NYSBBA may occur at the Project Site. Appendix H, NYS Bird Breeding Atlas, p. 28 of 57. If it is determined that these species have habitat on the Project Site, the applicant should evaluate how impacts to nesting sites can be avoided or mitigated. Additionally, clarification is needed regarding the significance of the FWS probability of presence/breeding season graph. The applicant should determine if any of the endangered or rare migratory birds are likely to be present on the Project Site during the year and if any mitigation is required.

⁴ Further clarification from the applicant is needed regarding the discrepancies and information missing from the field survey discussed above. Appendix H, Field Survey, pgs. 7-8 of 57.

- d. The DEIS states that the Project Site may provide habitat for “bats,” but bat species were not observed during the field survey and it is unclear what species of bat may nest at the property.⁵ This is a crucial omission because New York State is home to nine different bat species.⁶ Of these species, one is endangered (Indiana bat), one is threatened (northern-long eared bat), and one is a species of special concern (small-footed bat).⁷
- e. It is unclear whether certain rare, threatened, or endangered birds that have been observed at or near the Project Site will be adversely affected by the Project. According to the DEIS, “[i]t is expected that most, if not all of the birds that occur within the NYSBBA may also occur at the subject Property, either as residents, during yearly migration stopovers, or as occasional transients.” DEIS, p. 141. The NYSBBA indicates that the osprey (observed on site) and yellow night-heron (observed off-site but listed in NYSBBA breeding block for Project Site) may use the Project Site for breeding habitat.⁸ It is unclear whether there will be any potential impacts to these bird’s nesting habitats if they are found to exist on the Project Site.
- f. Despite the documented siting of the Yellow-Crowned Night Herons near the Property in 2009⁹, and evidence of it nest-building near the property in 2002¹⁰, the DEIS does not discuss whether the bird has been spotted on the Project Site since those times or whether the Project Site provides suitable habitat for this species. Therefore, it is impossible to determine what impacts, if any, the Project may have on this species.
- g. The DEIS does not discuss the FWS probability of presence/breeding season graph and fails to explain whether any of such endangered or rare migratory birds are likely to be present on the Project Site during the year.¹¹
- h. The FWS IPaC Report states that the Project Site might contain suitable habitat or the Sandplain Gerardia and the Seabeach Amaranth¹², even though these species were not observed at the Project Site during the field survey.¹³ But the DEIS

⁵ Appendix H, Field Survey, p. 8 of 57.

⁶ Bats Fact page, NYC.gov website, <https://www1.nyc.gov/site/wildlifeny/animals/bats.page>. Appendix H, Field Survey, p. 8 of 57.

⁷ List of Endangered, Threatened and Special Concern Fish and Wildlife Species of New York State, NYS DEC website, <https://www.dec.ny.gov/animals/7494.html>.

⁸ Appendix H, NYS Bird Breeding Atlas, p. 28 of 57.

⁹ Appendix H, New York Natural Heritage Program database report, p. 34 of 57. DEIS, p. 143.

¹⁰ Appendix H, New York State Bird Breeding Atlas (Block 6049A) 2000-2005, p. 28 of 57.

¹¹ Appendix H, FWS IPaC Report, p. 40 of 57.

¹² Appendix H, FWS IPaC Report, p.38 of 57.

¹³ Appendix H, Field Survey, pgs. 3-6 of 57.

appears to contradict that assertion, stating the Project Site lacks the grassland habit required for the fragile Sandplain *Gerardia*, an endangered species which blooms in late summer, and which thrives in hearty, coastal, grassland areas.¹⁴ DEIS, p. 143-144.

These data gaps should be investigated further, the apparently conflicting data should be addressed, and the EIS should reasonably elaborate on its conclusions related thereto.

4. ALTERNATIVES

An EIS must provide a detailed, comparative description and evaluation of the range of reasonable alternatives to the action that are feasible¹⁵, considering the objectives and capabilities of the applicant¹⁶. 6 NYCRR 617.9(b)(5)(v). In applying these requirements, New York Courts have held that a lead agency must be aware of all reasonable¹⁷ options, not just the proposed action.¹⁸ The degree of detail required to perform this analysis must be determined by the lead agency on a case-by-case basis. *Id.*

The DEIS dismisses certain project alternatives (cluster development and nine-hole golf course with scaled-back development) as not meeting the applicant's objectives. However, it does not include any raw data to support these conclusions or state that these alternatives are beyond the applicant's capabilities.

The EIS should include the facts that support the conclusion that it is not feasible for the Applicant to develop the Site in a manner that include some outdoor recreational component. The Analysis of Viability for the Woodmere Club, Troon Analysis of 9 Hole Private Golf Course and 235 Homes for the Woodmere Club (DEIS, Appendix P) purports to analyse the economic feasibility of a project that includes single family residences and a nine-hole golf club. However, the Troon report does not include the facts upon which the analysis is based.

¹⁴ <https://www.nytimes.com/2012/09/06/nyregion/botanists-fear-long-island-droughts-toll-on-sandplain-gerardia-flower.html>.

¹⁵ The lead agency is also required to determine the feasibility of alternatives. 6 NYCRR 617.9(b)(5)(v). See *Morse v. Town of Gardiner*, 164 A.D.2d 336, 340 (3d Dept. 1990) (Planning Board took "Hard Look" at project alternatives, which included several clustering alternatives. The Planning Board determined that clustering would not be feasible due to existing deed restrictions, soil conditions and the unavailability of central water and sewer facilities).

¹⁶ Conversely, a lead agency is *not required* to consider alternatives that *do not meet* the applicant's objectives and capabilities. 6 NYCRR 617.9(b)(5)(v). See *Residents for Reasonable Development v. City of New York*, 128 A.D.3d 609, 610 (1st Dept. 2015) (holding that lead agency was not required to consider petitioner's favored alternative scenario of residential development because that scenario would not meet project sponsor's objectives and capabilities).

¹⁷ A review of reasonable alternatives is necessary to assess the costs and benefits of the applicant's proposal. *Jackson*, 67 N.Y.2d at 417.

¹⁸ *Webster Assoc. v. Town of Webster*, 59 N.Y.2d 220, 228 (1983).

5. COMMUNITY CHARACTER.

The Town of Hempstead, Village of Woodsburgh and Village of Cedarhurst rezoned the Project Site in in June 2020. The FEIS must address the extent to which the project is consistent with local zoning and land use plans.

STORMWATER ASSESSMENT

Task Order 31-2019: Environmental & Plan Review Support for

Willow View Estates

Project No. PW-H61001-10C

PROPOSED 284-LOT SUBDIVISION
99 MEADOW DRIVE
HAMLET OF WOODMERE, TOWN OF HEMPSTEAD
VILLAGE OF LAWRENCE, AND VILLAGE OF WOODSBURGH
NASSAU COUNTY, NEW YORK

Prepared for:
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Prepared by:
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01/11/2021



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TASK DESCRIPTION

NV5 was retained by the County of Nassau Department of Public works to perform a third party review to assess the potential environmental impacts outlined in the draft Environmental Impact Statement (EIS) as prepared by *VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.* to the County for review by all involved agencies and the general public during the prescribed public comment period and required public hearings. NV5 will provide an extensive review of the documents submitted, including any interim or draft environmental documentation or alternative site plans submitted by the Applicant, and provide technical input and comments on the completeness of the environmental documentation, specifically pertaining to the stormwater and traffic chapters. This section will focus on the stormwater portion of the plans. This stormwater assessment will provide an:

- Overview of the existing conditions,
- Overview of the proposed conditions,
- Assessment of the proposed stormwater system.

As part of the assessment the following documents were reviewed:

- Draft Environmental Impact Statement Proposed 284-Lot Subdivision 99 Meadow Drive Hamlet Of Woodmere, Town of Hempstead Village Of Lawrence, and Village of Woodsburgh Nassau County, New York, including:
 - Subdivision Plan Package
 - Subsoil Investigation Report
- Environmental Assessment Form
- Expanded Environmental Assessment: Coastal Conservation District – Woodmere Club

EXISTING CONDITIONS

Existing Site Description

The Woodmere Club is a 116.72±-acre private golf and country club located at 99 Meadow Drive, within the Hamlet of Woodmere (Town of Hempstead), Village of Lawrence and Village of Woodsburgh, Nassau County, New York. The site is bounded by Broadway to the north; Atlantic Avenue to the south; Meadow Drive and Ivy Hill Road to the east; and local roadways including Sherwood Lane, Iris Street, Rose Street, Tulip Street, Ivy Street, East Hawthorne Lane, Copperbeeche Lane, and Auerbach Lane to the west. Existing access to the subject property is provided via Meadow Drive, Ivy Hill Road, Atlantic Avenue, and Railroad Avenue.

The subject property has been operated as a golf course since 1910. For the past 109 years, a majority of stormwater runoff from the subject property has been captured on-site via the existing six ponds, which are interconnected via subsurface pipes. Stormwater that does not infiltrate or evaporate is permitted to pond at the site or be discharged to Woodmere Basin via two outfalls at the northern

portion of the Basin nearest to the clubhouse; and one outfall at the southwest portion of the Basin, near Keene Lane/Rutherford Lane. Drainage from the site that is directed to the ponds may be held for a period of time allowing sediments to settle to the bottom, before the stormwater is discharged via a system of interconnected underground pipes to the Basin; additional treatment is provided via existing stormwater treatment structures installed within the drainage pipe network. The areas immediately surrounding Woodmere Basin, along Keene Lane, Martha Lane and south of Ivy Hill Road, do not feed into the existing piped pond system and discharge directly into the basin without any treatment. As a result, pesticides, herbicides, fertilizers, and other heavy landscape maintenance techniques that may have been used at the golf course has the potential to have impacted water quality in Woodmere Basin and Woodmere Channel over the past century.

Under existing conditions, the subject property currently generates approximately 474,327 cubic feet (CF) of stormwater runoff, based on a three-inch rainfall event. The six on-site ponds receive runoff from portions of the subject property, excluding the areas surrounding Woodmere Basin along Keene Lane, Martha Lane and south of Ivy Hill Road. Drainage from the site is minimally treated by the six ponds, as stormwater is held for a period of time, providing the opportunity for sediments to settle to the bottom before discharging into the basin.



Figure 1 – Project Location

Existing Soils

The United States Department of Agriculture (USDA) Web Soil Survey indicates that the subject property is comprised of soil/land type mapped as Udipsamments, wet substratum (Ue); Riverhead sandy loam (RdB); Urban land-Riverhead complex (UrA); and Water (W). However, the majority of the soils identified on the subject property (84.5± percent) are Ue. Section 3.1.1 of this DEIS contains a detailed description of soil characteristics for the soils identified on the subject property. Soil Suitability and Engineering Limitations. The USDA Natural Resources Conservation Service website and the Soil Survey of Nassau County were consulted for information regarding the potential limitations to development that each of the soils may possess. Limitations associated with Ue soils which make up the vast majority of the subject property are depicted below.

| Symbol | Mapping Unit | Slopes | Dwellings without Basements | Dwellings with Basements | Local Roads and Streets | Lawns and Landscaping |
|--------|------------------------------|--------|-----------------------------|--------------------------|-------------------------|-----------------------|
| Ue | Udipsamments, wet substratum | 0-3% | Not limited | Not limited | Not limited | Very limited (F) |

Source: United States Department of Agriculture. Natural Resources Conservation Service. *Web Soil Survey*. Available online at <https://websoilsurvey.sc.egov.usda.gov/>. Accessed February 2019.

Table 1 - Soil Engineering and Planning Limitations

As the subject property has been previously disturbed for the creation and maintenance of the golf course, the general information conveyed in the Soil Survey has been supplemented with a site-specific geotechnical investigation. A geotechnical investigation by Soil Mechanics Drilling Corp ("Soil Mechanics") was performed to confirm the accuracy of the soils identified by the Soil Survey of Nassau County, accurately characterize the types of existing soils, and identify potential engineering limitations that could impact the proposed action. The results of the site-specific geotechnical investigation indicate that the areas drilled (17 test borings at locations throughout the site) are covered by 2± to 11± feet of loam, loose soil fill, soft compressible peat and organic silt and clay. These soils are underlain, generally, by a moderately dense to dense-coarse to fine sand with traces of silt and gravel extending to the deepest depths drilled. Accordingly, the actual soils on the site do not exhibit the engineering limitations of the Ue soils as set forth in the Soil Survey of Nassau County. Moreover, these results confirm what would be expected to be observed at the site given the previous disturbances discussed above. Regarding the limitations of Ue to support lawns and landscaping; the subject property has operated for over a century as a well-maintained golf course with greens, fairways, roughs, and hazards, thus, it is clear that potential limitations related to the

ability of the site to support lawns and landscaping for the future residential development have been overcome.

It is recommended that the full geotechnical report by Soil Mechanics be provided in the EIS. Though it is likely a majority of the infiltrated ground at proposed leaching basins will be suitable fill that is brought in from outside sources, was any information provided by Soil Mechanics on the quality of the soil above groundwater for infiltration? If not, it is recommended that percolation tests be performed in areas where leaching basins are anticipated.

Ground Water

Based on the geotechnical investigation performed by Soil Mechanics and included in the EIS, ground water was encountered on site during the subsurface exploration on October 22, 2019 at 17 test borings at locations throughout the site. During the subsurface investigation the ground water ranged from 3'-1" to 15'-11" below the surface elevation. Four (4) monitoring wells were installed at boring B-1, B-8, B-10, and B-14. Table 1 shows the approximate groundwater elevations. Groundwater is likely influenced by the tide.

| 20' Boring # | Surface Elevation | Approx. Ground Water Depth Below Ground Surface | Ground Water Elev. |
|-----------------|-------------------|--|-----------------------|
| B-1 | 12.1 | 17'-7" | -5.5 |
| B-2 | 17.3 | 15'-10" | 1.5 |
| B-3 | 16.8 | 15'-2" | 1.6 |
| B-4 | 4.2 | 3'-11" | 0.3 |
| B-5 | 15.7 | 9'-8" | 6.0 |
| B-6 | 8.2 | 4'-3" | 4.0 |
| B-7 | 5.3 | 5'-4" | 0.0 |
| B-8 | 6.7 | 4'-5" | 2.3 |
| B-9 | 7.2 | 3'-10" | 3.4 |
| B-10 | 10.2 | 8'-2" | 2.0 |
| B-11 | 4.8 | 3'-1" | 1.7 |
| B-12 | 6.7 | 4'-3" | 2.5 |
| B-13 | 6 | 4'-1" | 1.9 |
| B-14 | 4.9 | 3'-4" | 1.6 |
| B-15 | 3.3 | 4'-7" | -1.3 |
| B-16 | 4.2 | 2'-8" | 1.5 |
| B-17 | 6.3 | 3'-4" | 3.0 |

Table 2 –Groundwater Elevations

PROPOSED SITE CONDITIONS

Proposed Development

The proposed action consists of the subdivision of the 116.72±-acre subject property into 284 single-family residential lots in accordance with the prevailing bulk and dimensional zoning regulations of the Town of Hempstead B Residence, Village of Lawrence Residence AA, and Village of Woodsburch, Residence 1A and 2A zoning districts. Of the 284 single-family residential lots, 248 lots would be located within the Town of Hempstead B Residence zoning district, 12 lots would be located within the Village of Lawrence Residence AA zoning district (two of which, Lots 232 and 235, are partially located within the Village of Woodsburch 1A Residence zoning district), 23 lots would be located within the Village of Woodsburch Residence 1A zoning district (six of which, Lots 223, 236, 237, 238, 239, and 240, are partially located within the Village of Lawrence Residence AA zoning district), and one lot would be located within the Village of Woodsburch Residence 2A zoning district. The individual lots included in the proposed subdivision have been designed to conform to the minimum lot area requirements of the zoning districts in which they are located.

Proposed Storm Water System

The volume of stormwater runoff generated on the subject property would be increased under the proposed action as a result of the development of new subdivision roadways, as well as new residences, driveways, walkways, patios and other impervious surfaces within the proposed residential lots. Stormwater runoff from the proposed subdivision roadways is to be collected and managed through the creation of four (4) Bioretention Areas located throughout the proposed development. The intent is for runoff to be retained within these areas and to be recharged through the soils to groundwater. Under proposed conditions the subject property would generate approximately 700,683 CF of stormwater runoff volume based on a three-inch rainfall event. The grading and drainage design would create a total of four (4) drainage watershed areas (A through D), each having a corresponding Bioretention Area. The final design of the Bioretention Areas is expected to include an interconnected pipe system between the Bioretention areas and overflow structures piped to Woodmere Basin and Woodmere Channel via three (3) existing stormwater outfalls to be retained. These pipe connections are not currently shown on the plans. The pipes connecting existing outfalls to overflow structures would be fitted with water quality chambers to provide additional treatment prior to discharge. Water quality chambers are not shown in the current design. The individual developed lots will manage their own runoff via leaching pools that would be installed upon development of the individual residences. It is anticipated that stormwater runoff generated within the proposed residential lots will contain and recharge stormwater via the leaching pools to a minimum three-inches of stormwater.

Three of the proposed Bioretention Areas (A, B, and D) would be created by modifying six existing on-site ponds as part of the stormwater management system for the proposed subdivision. Bioretention Area A (created from three of the existing artificial ponds) would be 133,298± SF in area and located in the southwest corner of the subject property. Bioretention Area B (created from two of the existing artificial ponds) would be 94,837± SF in area and located in the southeast portion of the subject property by Rutherford Lane. Bioretention Area C would be newly excavated (not modified from an existing pond) at 48,537± SF in area and located in the mid-west portion of the subject property. Bioretention Area D (created from one of the existing artificial ponds) would be 109,156± SF in area and located in the northeast portion of the subject property west of Keene Lane.

As Broadway is a Nassau County Roadway, the proposed development will require separate review and approval of the Stormwater Management system by NCDPW under section 239-f of the General Municipal Law. This will include the portion of the site (Lots 1-21) that may have impact on Nassau County facilities. All areas included will be required to meet the NCDPW Requirement of 8 inches of storage.

Drainage from the site is minimally treated by the six ponds, as stormwater is held for a period of time, providing the opportunity for sediments to settle to the bottom before discharging into the basin. The areas surrounding Woodmere Basin, along Keene Lane, Martha Lane and south of Ivy Hill Road, do not feed into the existing piped pond system and discharge via overland flow directly into the basin without any treatment.

The runoff coefficients used to calculate stormwater volumes are as follows:

- › Pavement, roof, concrete, surface water and other impervious areas: 1.0
- › Landscaped, grassed, natural or other pervious surfaces: 0.3

The proposed stormwater management system is also to include a biofiltration swale to be constructed within an existing upland area adjacent to the western shoreline of Woodmere Basin. This biofiltration swale would treat stormwater runoff overflowing from select Bioretention Areas in the event of storms exceeding the design capacity, prior to discharging into Woodmere Basin. The swale would also provide additional storage volume for overflow from the proposed bioretention areas during those potential heavier rainfall events. Stormwater runoff discharging from the biofiltration swale would be controlled by multiple weir structures at each outfall to maintain peak discharge flow rates equal to or less than pre-development conditions.

ASSESSMENT OF PROPOSED STORMWATER SYSTEM

Proposed Stormwater System Assessment

Per Nassau County Department of Public Works *Drainage Requirements*, developers are responsible for providing storage for eight (8) inches of runoff from the subdivision's tributary area, whether contributed from onsite or offsite sources, in conjunction with relevant Engineering factors. The storage can be provided through construction of Storm Water Basins, Drainage Reserve Areas, installation of Drywells, or by other storage devices deemed acceptable by the Department of Public Works. The volume storage requirement is to be determined utilizing the following formula:

$$\text{Volume} = A \times C \times 8''/12''$$

A = Tributary Area in square feet

C = Runoff Coefficient determined

The Town of Hempstead's *Policy for Design of Roadway and Storm Drainage Projects* states the design and technical criteria listed therein shall be used as a guide only. Specific design criteria to be utilized by the designer for each Project should comply with NCDPW guidelines where applicable.

Per the Village of Woodsburgh's November 2019 *Vision Plan*, as provided in the Expanded Environmental Assessment, the "Village Code does not provide specific requirements for onsite stormwater management systems, the Village should consider adopting the County's storage requirements and stormwater standards no less stringent than Nassau County. In this regard, given the potential coastal impacts due to the Village's geographical location, any waivers permitted in Nassau County regulations should be restricted in any new Village standards".

Based on the areas provided in the EIS, there is 1,589,069 SF of proposed impervious surface, 3,259,595 SF of proposed pervious surface, and 235,659 SF of surface water. Using runoff coefficients of 1.0 and 0.3 for Impervious/Surface Water and Pervious areas respectively, a total volume of 700,652 CF of storage is required for a 3" rainfall and 1,868,405 CF of storage is required for an 8" rainfall.

The bioretention Areas are designed to accommodate stormwater runoff from the proposed subdivision roadway areas. The applicant provided volumes needed for each of the bioretention areas to capture a 3" storm from the roadways areas, A – 29,726 CF, B – 31,130 CF, C – 56,888 CF, D – 75,573 CF, as well as the volumes that could actually be captured by the bioretention areas, A – 94,648 CF, B – 83,332 CF, C – 56,970 CF, D – 75,573 CF, in Table 8 of the EIS. Interpolating the area (SF) from the required rainfall volumes provided in Table, using a runoff coefficient of 1.0 and 3" storm, the areas computed do not appear to match up with the summation of the plan roadway areas using 50' Right-of-way plus the area of the bioretention basin. This would be the assumed collection area for the bioretention basins. The exact areas being used in these calculations should be clarified. There is a note under table 8 that suggests the volume shown in the

second column for A & B is actually for an 8" rainfall. These volumes should be clarified for bioretention basins. Assuming what is shown in the table for required volume is for a 3" rainfall and the respective areas are correct, an 8" rainfall would require: A – 79,274 CF, B – 83,018 CF, C – 151,709 CF, D – 201,539 CF.

Bioretention areas A & B can accommodate the 8" storm while bioretention areas C & D only accommodate about 37% of the 8" storm. Bioretention areas will capture a total of 310,779 CF of stormwater runoff or 44% of the total volume required for the entire subdivision for a 3" rainfall. It is assumed that the remainder will be contained in the leaching basins within the residential lots. Recommend using minimum of 18" diameter pipe for the trunk line along the roadways and minimum 15" diameter pipe for feeder lines only.

It is the expectation that residential lots will contain and recharge stormwater to a volume of 8 inches, as set forth in NCDPW Drainage Requirements. Stormwater containment using leaching basins was demonstrated on the plans using 6,000 SF, 40,000 SF, and 43,560 SF typical lots. The lot sizes vary from 6,000 to 9,000 SF and 40,000 to 60,000 SF, with some outliers, however the typical lot size used for the calculations is on the low end of the spectrum. An average lot size would be preferred. A 6,000 SF lot would require 809 CF of storage to capture 3" of stormwater and therefore need two (2) 5' effective depth leaching basins, as described in the EIS. That same 6,000 sf lot would require 2,157 CF of storage to capture 8" of stormwater and therefore need five (5) 5' effective depth leaching basins. A 40,000 SF lot would require 5,100 CF of storage to capture 3" of stormwater and therefore need nine (9) 6' effective depth leaching basins, as described in the EIS. That same 40,000 SF lot would require 13,601 CF of storage to capture 8" of stormwater and therefore need twenty-three (23) 6' effective depth leaching basins. Increasing to a 43,560 SF lot would require ten (10) 6' effective depth leaching basins to capture 3" of stormwater and twenty-seven (27) 6' effective depth leaching basins to capture 8" of stormwater. Leaching Basin bottoms should be at least two feet above groundwater. With groundwater varying from elevation 6.0 to -5.5, groundwater should be verified at all locations where leaching basins are to be installed. 5' & 6' effective depth basins should be installed at ground elevations of approximately 9' and 10' higher than groundwater (respectively) to ensure 2' of separation from the base of the structure to groundwater. Per County Standards, test holes are required at proposed storm water storage sites and therefore at locations of proposed leaching basins. It is recommended that these test holes all be performed at high tide to account for tidal effect on groundwater. A member of the Water and Waste Water Engineering Unit is to be on site to witness the results of test holes. The test hole log information is to be included on the Grading and Drainage Plan in subsequent plan submissions with locations labeled on plan. If Bioretention areas will capture a total of 310,779 CF of the overall 700,652 CF of 3" stormwater runoff, it is assumed the remainder (389,873 CF) will be captured by leaching basins from the residential lots. This would amount to six hundred and forty five (645) 6' effective depth leaching basins.

The pipes connecting existing outfalls to overflow structures are anticipated to be fitted with water quality chambers to provide additional treatment prior to discharge. This is recommended, however, additional information on these structures will need to be provided to properly assess.

The proposed grading plan shows lots on the perimeter of the subdivision with grades pitched toward neighboring residential properties or water bodies. It is not clear how stormwater would be kept on-site. Existing drainage systems in the surrounding residential area are already strained and over capacity with some roads experiencing flooding in the existing condition. Raising the subdivision property and sending any amount of stormwater to the neighboring areas will only exacerbate these existing issues. It is also likely that raising the subdivision area, even while capturing all stormwater on site, will negatively impact the surrounding residential properties during a flood event.

Per Nassau County Department of Public Works *Drainage Requirements*, the Department of Public Works is aware that conditions may exist which could affect the potential of providing the storage required by Nassau County's review. A waiver of the storage requirement can be requested. A letter outlining the hardship is to be forwarded to the Water Resources Engineering Unit for consideration. The letter shall include the following information:

- 1) Volume storm water runoff to be retained onsite.
- 2) Destination of storm water overflow from subdivision's property.
- 3) Municipality responsible for accepting the overflow.
- 4) Justification for the failure to meet the County's storage requirement.

Should the proposed subdivision direct overflow runoff into water bodies under the jurisdictional control of the New York State Department of Environmental Conservation, the Developer will be required to forward a copy of any permits required by that agency pertaining to that overflow. Developers are responsible for providing the maximum amount of storage the site permits in an effort to attain the Department of Public Works eight (8) inch requirement. Where the Department of Public Works concurs with the hardship and site overflow affects Nassau County facilities, the Developer will be subject for the payment of compensation to Nassau County. For waiver where the on-site storage is less than eight (8) inches but is five (5) inches or greater, there will be no fee. However, if the volume provided under the design is less than the storage five (5) inches of runoff from the tributary area, the Developer is responsible for paying compensation to Nassau County for the difference. The fee is assessed to compensate Nassau County for the added maintenance cost to be incurred as a result of accepting responsibility for the maintenance of the site overflow associated the stricter control of runoff mandated by Federal Regulations enacted under Phase II of the Storm Water Discharge Program and as may be amended. Where sites overflow solely to facilities maintained by Municipalities other than Nassau County, the Developer shall be responsible for providing the storage of runoff, which satisfies that Municipality's requirement. A letter from the Municipality holding jurisdiction shall be forwarded to the Water and Waste Water Engineering Unit stating the Municipality is willing to accept the overflow runoff as part of its Storm Water Protection Plan prior the Department of Public Works concurrence to any reduction in the County's eight (8) inch storage requirement. The Department will not approve any waiver for less than two (2) inches of storage on site.

Assessment Summary

The proposed Stormwater Management Plan and site drainage system for Willow View Estates, as set forth, is designed to function using a 3 inch design storm. The applicant should be aware that this does not meet the NCDPW requirement of 8 inches for a major subdivision of this type. It is the expectation of NCDPW that every effort will be made to meet the full requirement for all areas tributary to the development, including roadways, common areas, as well as individual lots. Any consideration for a reduction of this requirement based on site limitations/engineering factors must be demonstrated and documented as part of the Final Environmental Impact Statement (FEIS).

Questions/Comments

- Plans should be revised to increase stormwater capacity throughout the site to capture an 8" storm per NCDPW standards. How will the plans be revised to accommodate this?
 - Volumes of Bioretention Basins C & D will need to be increased.
 - Subdivision Lots will require more than double the number of leaching basins currently proposed.
- Sizes of lots vary from the sample shown, most being larger; how many total leaching basins are anticipated?
- Will all leaching basins be able to maintain the required two feet of clearance from groundwater?
- Most lots are graded off-site toward neighboring residential properties or water bodies. How does the applicant intend to prevent stormwater from running-off to and affecting off-site properties? Drainage systems in the surrounding residential area are already strained and over capacity with some roads experiencing flooding in the existing condition.
- Will Bioretention areas A and B be piped to the biofiltration swale? How will this be achieved?
- As the proposed action will result in a post-construction condition that produces a net increase in runoff to the existing outfalls, the site will require review/coverage by NYSDEC under SPDES General Permit GP-0-15-002. NCDEC written concurrence/permit shall be included in the FEIS.
- Existing Outfalls are owned by Town of Hempstead, Village of Woodsburgh, and Nassau County. Have these outfalls been studied to determine if they are currently overcapacity? Are the existing outfalls partially submerged? Will the various municipalities approve of this connection?
- Recommend using minimum of 18" diameter pipe for the trunk line along the roadways and minimum 15" diameter pipe for feeder lines only.
- Provide delineation lines indicating tributary areas for each proposed Bioretention basin shown on the plans.
- Interpolating the area (SF) from the required rainfall volumes provided in Table, using a runoff coefficient of 1.0 and 3" storm, the areas computed do not appear to match up with the summation of the plan roadway areas using 50' Right-of-way plus the area of the bioretention basin. This would

be the assumed collection area for the bioretention basins. The exact areas being used in these calculations should be clarified.

- Please provide sections for bioretention basins with 8" storage water and surface water shown.
- It is recommended that the full geotechnical report by Soil Mechanics be provided in the EIS. Though it is likely a majority of the infiltrated ground at proposed leaching basins will be suitable fill that is brought in from outside sources, was any information provided by Soil Mechanics on the quality of the soil above groundwater for infiltration? If not, it is recommended that percolation tests be performed in areas where leaching basins are anticipated.
- In the drainage calculations summary, it says Bioretention basins A & B were designed for 8" storm (and the volumes seem to match up with that) however rainfall is listed as 3" in the table. Please revise or clarify.

MEMORANDUM

To: Nassau County Department of Public Works **Date:** January 5, 2021

From: Justin Iwinski, P.E., Senior Transportation Engineer, NV5

Project: Willow View Estates Peer Review

Subject: Traffic Study Review Comments

The purpose of this memorandum is to summarize the review of and provide comments on the traffic impact study prepared by Vanasse Hangen Brustlin (the “consultant”) for the Willow View Estates project (the “proposed project”) located in Woodmere, NY. The traffic impact study was prepared on December 15, 2019 to supplement the Draft Environmental Impact Statement (DEIS) pursuant to NYS SEQRA. A review of the traffic impact study was conducted to support Nassau County DPW in ensuring that the methodologies, analyses, and conclusions included in the report are consistent standard traffic engineering principles and practices. The following memo will summarize this review and provide comments on data collection and the existing conditions analysis, forecasts of vehicle trips and trip patterns in the future No-Build and Build conditions, as well as proposed mitigation measures.

Scope of Work

- 1) The scope of work included in Appendix A of the proposed project DEIS was reviewed for adherence to the analyses included in the traffic impact study. Generally, it was found that the traffic impact study was performed in accordance with the scope of work.

Existing Condition

- 2) Generally, the traffic analysis locations and peak periods selected for data collection appear to be appropriate for site’s location and proposed residential use. In particular, the inclusion of a Sunday midday peak period appears to be important, as traffic volumes are significantly higher than the Saturday midday peak period. This is likely due to religious observance of the Sabbath (Saturday) by the Jewish population, whom is a significant demographic in the study area.
 - a. Turning Movement Count (TMC) data was collected on Thursday, May 10th, 2018 for the weekday count. TMC data for Saturday and Sunday were collected on the weekday of May 12th and 13th. While May 13th was Mother’s Day, it is unclear if there would be a significant impact to traffic conditions due to this holiday.
 - b. Two 7-day continuous counts using ATRs were collected the week after TMCs were collected: on Broadway north of Prospect Avenue, and on Meadow Drive south of Broadway.
- 3) NV5 performed traffic observations during the weekday AM and PM peak periods on Wednesday November 4, 2020 as well as on Sunday, November 1, 2020 during the Sunday midday peak period to verify existing traffic operations modelled in the traffic impact study. Note that these observations were conducted during the Covid-19 pandemic, and thus detailed comparisons between the two data sets should be made carefully. However, these observations showed two

locations experiencing vastly different traffic operations than as described in the traffic impact study, which is described below:

- a. Meadow Lane/Rockaway Turnpike & Broadway
 - i. The traffic impact study shows the westbound approach operating with LOS B during the weekday PM peak hour. NV5 observations documented extensive back-ups and queuing for the westbound approach along Broadway during the PM peak period, extending several to a dozen blocks (beyond Prospect Avenue, nearly 1 mile away, see attached photo log). This back-up was observed effecting several other study area intersections along Broadway, including Broadway & Washington Avenue, Broadway & Cedarhurst Avenue, Broadway & Grove, and Broadway & Prospect Avenue. Please have the consultant verify how unmet demand was modelled and incorporated at these study area intersections.
 - b. Rockaway Turnpike & Central Avenue
 - i. Similar to Broadway in the westbound direction, extensive queuing backing up several intersections was observed on the westbound approach during the weekday PM peak hour (see photo log attached). Please have the consultant identify how unmet demand at this approach was incorporated into the analysis, the westbound approach is shown as operating at LOS B during the PM peak hour.
- 4) Due to the congested conditions which exist in the area, please have the consultant include average and 95th percentile queues for each intersection and peak hour in addition to the delay and LOS presented in Tables 5, 6, 7, and 8 of the traffic impact study, which will aid in the validation of existing conditions.

No-Build Condition

- 5) As discussed on page 58 of the traffic impact study, note that there were no planned improvement projects included in the No-Build condition, as none were identified. Note that while a resurfacing and drainage improvements project is planned for West Broadway (H61587-63C Phase 63), it is unlikely to have a significant impact on traffic conditions along the roadway.
- 6) The consultant states on page 59 of the traffic impact study that there was a street direction change on Grove Avenue after data collection had already occurred, and therefore, an adjustment to the No-Build traffic volumes were made to account for this change. First, it is recommended the consultant should include the diversions assumed for each analyzed peak hour on a traffic volume flow map in the appendix so adjustments can be checked and verified. Secondly, it is recommended that additional data collection along Grove Avenue and Prospect Avenue be performed to verify the effects of the Grove Avenue street direction change. Note that control count locations will likely be required to make adjustments to traffic counts for pre-Covid-19 and 2021 conditions. New data collection locations should be coordinated with NCDPW.
- 7) The consultant states that an annual background growth rate of 0.6 percent was utilized to project existing volumes to the 2022 build year, using NYS DOT data. The data utilized to determine this growth rate should be included in the appendix.

Trip Generation and Assignment

- 8) As discussed on page 64, the consultant did not assume a trip credit for the trips generated by the existing golf course and catering hall that would be removed from the future traffic network and replaced by the proposed project. This would generally result in a more conservative traffic analysis than if a credit was taken. However, it should be noted that volumes generated by the existing golf course and catering hall would vary substantially by the time of year.
- 9) Based on the description of the proposed project, the ITE Land Use Code 210, Single-Family Detached Housing, appears to be the most applicable trip generation available in the ITE Trip Generation Handbook. The ITE Trip Generation Handbook is a widely accepted source for trip generation rates for new developments across the United States, as well as in the state of New York. The trip rates and direction distribution percentages included in the traffic impact study on Table 3 match those included in the ITE Trip Generation Handbook, 10th Edition.

It should be noted that the consultant modified trip rates for the Saturday and Sunday midday peak hours, based on the presence of the Jewish community in the area. While it is mentioned that Saturday traffic volumes were observed to be lower than Sunday volumes, the consultant applied a 50 percent reduction to the Saturday trip rate, and utilized the Saturday trip rate for the Sunday trip rate. While a comparison between Saturday and Sunday peak hour volumes did show significantly higher volumes during the Sunday peak hour, the consultant should provide justification for how the Saturday and Sunday trip rate adjustments were made, and justification for not further increasing the Sunday trip rate to account for increased activity during the Sunday midday peak period.

- 10) In Appendix D, the Journey to Work summary states that 16 percent of traffic from the site would utilize Broadway EB (Local), however, only 4 percent of traffic is shown passing through the intersection of Broadway and W Broadway on the Willow View Estates Trip Distribution Map(following page 66). Please clarify how the assignment was performed for Broadway EB Local trips, and adjust if necessary.
- 11) As shown on the Willow View Estates Trip Distribution (following page 66), 30 percent of inbound trips are anticipated to utilize Grove Avenue to reach Broadway, while no inbound trips would utilize Prospect Avenue, which has a direct connection into the proposed project at Prospect Avenue and Broadway. Please explain the rationale of this assignment, and adjust if necessary.

Build Condition/Delay and LOS Analysis

- 12) Meadow Lane/Rockaway Turnpike & Broadway – Weekday AM Peak Hour
 - a. The consultant states that the degradation of LOS at the southbound approach from LOS D (52.7 sec/veh delay) in the No-Build Condition to LOS E (62.9 sec/veh delay) in the Build condition would not be significant. However, an increase of delay of 10.2 sec/veh at an approach that is already operating under congested conditions could be considered significant and warrant mitigation to improve operations back to No-Build condition. It is recommended the consultant explore potential mitigation measures for this intersection.

Parking

- 13) As discussed on page 128 of the traffic impact study, the average peak parking demand for single family detached housing is anticipated to be 1.83 vehicles per dwelling unit, based on the ITE Parking Generation Manual, 4th Edition. To accommodate this parking demand, the consultant anticipated that one parking space would be provided in each driveway of each dwelling unit,

while the remaining demand would be accommodated on-street throughout the subdivision. In the villages of Lawrence and Woodsburgh, on-street parking is prohibited on the majority of streets (with minor exceptions) between 3:00 AM and 5:00 AM. If similar parking restrictions would be applied throughout new streets in the subdivision according to the respective village regulations, overnight on-street parking would be prohibited in those portions of the subdivision. Therefore, on-street parking should not be utilized to serve overnight parking demand generated by the portions of the proposed project located in the villages of Lawrence and Woodsburgh. The consultant should revise the analysis accordingly and identify how the excess demand will be accommodated.

Mitigation

- 14) It is likely that commuters from the proposed project may choose to walk or bike to the Woodmere LIRR station, located ½ mile from the project site. However, based on the subdivision plan included in Appendix B of the Draft EIS, the pedestrian desire line from the proposed project to the intersection of Meadow Drive and Broadway is blocked by parcel 21, and the alternative route using the site access driveways at Porter Place and Prospect Street would be circuitous for many of the proposed project's residents.

Therefore, it is highly recommended that the developer consider a direct pedestrian and bicycle connection (such as a walking or shared use path) from the internal street network of the site to the corner of Meadow Street and Broadway, to accommodate the pedestrian desire line from the individual residences to the Woodmere LIRR station. A project improvement of this nature will serve to promote alternative modes of travel for residents, reduce automobile dependency, potentially improve traffic conditions along likely routes to and from the Woodmere LIRR station, as well as reduce demand for parking at the Woodmere LIRR station.

Similarly, it is recommended that pedestrian facilities at the intersection of Meadow Drive and Broadway be brought up to current standards including crosswalks for all approaches, and pedestrian signals and ADA ramps at all corners. This would provide a safe connection for pedestrians to cross Broadway and connect to the existing sidewalk along the north side of Broadway.

Appendix

- 15) Appendix pdf pages 211 through 215 may have printing errors, TMCs cannot be viewed.

Woodmere PM Peak Hour -Field Observations – 11/4 – PM Peak Hour



Meadow Lane/Rockaway Turnpike and Broadway – Westbound Approach (Looking East)



Washington Avenue & Broadway – Westbound Approach (Looking East)



Washington Avenue & Broadway – Westbound Approach (Looking East)



Grove Avenue & Broadway – Westbound Approach (Looking East)



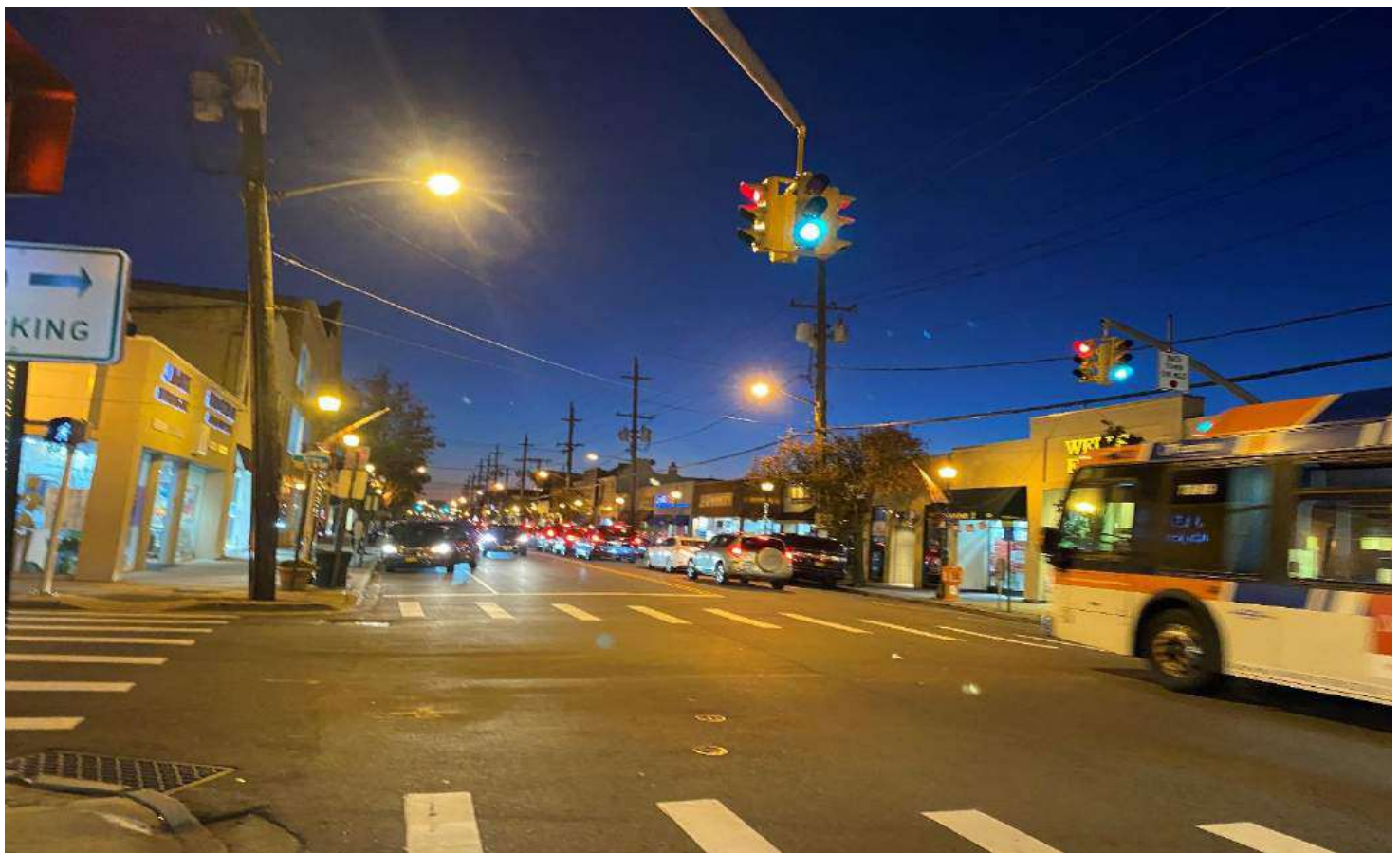
Grove Avenue & Broadway – Eastbound Approach (Looking West)



Grove Avenue & Broadway – Eastbound Approach (Looking West)



Rockaway Turnpike and Central Avenue – Westbound Approach (Looking East)



Spruce Street and Central Avenue – Eastbound Approach