Chapter 2: Land Use, Zoning, and Community Character

A. INTRODUCTION

The Proposed Project would substantially change the land use on two recognizable sites on the Nassau County/Queens County border, adjacent to the Cross Island Parkway (a major north-south highway), bisected by Hempstead Turnpike (also known as New York State Route 24), a major east-west corridor and served by the Long Island Rail Road (LIRR). The Proposed Project would provide a new arena for the New York Islanders National Hockey League (NHL) team (the "Islanders") as well as a wide array of land uses, including retail, entertainment, hotel, office, community space, and open space.

As the Proposed Project would introduce major land uses directly affecting the Project Sites' 43 acres (Sites A and B), as well as other directly affected areas, including the increased use of the parking areas in the North, South, and East Lots, the potential for the Proposed Project to impact land use and community character on the Project Sites, as well as in the surrounding neighborhoods, is an important consideration.

The implementation of the Proposed Project would be subject to the land use and design controls of the General Project Plan (GPP), which would be administered by Empire State Development (ESD). The Proposed Project would not be governed by the local zoning ordinance. ESD would override the Town of Hempstead Building Zone Ordinance (BZO) as well as the Town Code. Design Guidelines would be imposed that would control features such as use, density, height, setbacks, and parking. Nonetheless, the issue of compatibility with local zoning, where applicable, is studied as part of this analysis.

The analysis contained in this chapter assesses possible impacts on land use and community character and focuses on the mixed-use nature of the Proposed Project. It reviews aspects of all the proposed land uses on the Project Sites and other directly affected areas, as well as the public policy recommendations contained in local, county, and state planning documents. It also provides an evaluation of the community character and the changes upon implementation of the Proposed Project.

PRINCIPAL CONCLUSIONS

The Proposed Actions would not result in significant adverse impacts to land use, zoning, or community character. The Proposed Project would result in a substantial change to the existing land use and character of Sites A and B, while the North, South, and East Lots would be used in a similar manner to what currently occurs with regard to event parking, but on a more frequent basis. In particular, the North Lot would be used more frequently for active parking during events as compared to its current use for the storage of vehicles and New York Racing Association (NYRA)-related equipment, horse shipping, feed storage, and overflow parking for the annual Belmont Stakes. The East Lot, which is currently used not only for vehicle dealership storage, but also for manure storage and removal, storage of construction and landscaping debris, and tractor-trailer training, would be used less frequently than the North Lot for active parking, but would be used

on a regular basis for bus parking. While the Proposed Project would represent intensification of land uses on the Project Sites, the proposed land uses would be compatible with the existing development of the Belmont Park property as a racetrack and entertainment facility, which has been in existence for over 110 years.

The Belmont Park property was chosen for redevelopment and enhancement with a new arena and complementary uses such as the hotel, office, and retail establishments, because of the nature of its existing use and its prominence in the community. The overarching goals of the state for this site are to foster economic development and increase activity at Belmont Park with uses that are compatible with the Racetrack and the surrounding neighborhoods. The proposed new uses would activate sites that are used only on a sporadic basis over the course of a year. The proposed arena, hotel, office, retail, and community uses on the Project Sites would make Belmont Park more of a year-round destination and would draw the surrounding community onto the Belmont Park property through economic and social opportunities. In addition to the intensification of uses on Site A, the North Lot and East Lot would be used on a more frequent basis than currently occurs for overflow event parking. NYAP has committed to providing a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening. This would be provided along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening would be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. The proposed fencing and vegetated buffer (and natural berm) on Site B would serve to separate the commercial and parking uses from the existing residences.

From a land use perspective, the Proposed Project meets the development objective set forth by New York State of enhancing Belmont Park to become one of Long Island's premier destinations for sports, entertainment, hospitality, and retail with uses that are complementary to the existing Racetrack and associated facilities. Based on the foregoing, the Proposed Project provides land uses that fit well within the existing Belmont Park property and community (since Belmont Park has been a sports/entertainment venue and a major part of the Elmont community for well over a century), and that would draw people to Belmont Park year-round. As detailed in Chapter 7, "Socioeconomic Conditions," the proposed retail uses would complement, rather than directly compete with, existing retail facilities in the area. Thus, implementation of the Proposed Project, while substantially intensifying development on the Project Sites, is not expected to result in a significant adverse land use impact on the surrounding community.

The Project Sites are generally zoned residential (Residence B), although Sites A and B are zoned Business X along their Hempstead Turnpike frontage to a depth of 100 feet and the entire parcel (Site B) is mapped within the Town's Hempstead Turnpike–Elmont Overlay Zone (Gateway) (HT-E, G). Thus, the historical use of the Project Sites as a destination for sports and entertainment does not conform with the underlying zoning, nor would the proposed use of the property. Therefore, zoning overrides of the Hempstead BZO and Hempstead Town Code would be sought to effectuate the development of Sites A and B.

No change in underlying zoning of the Project Sites would occur, and it is expected that there would be no impact to the zoning of surrounding areas.

The proposed redevelopment of Sites A and B is consistent with the local, county, and state comprehensive planning documents and policy recommendations, as one of the major goals

consistently identified in policy statements at all levels is for this area to leverage the prominence of Belmont Park to spur economic development and to create an important gateway to Long Island.

Based on the scale of development, the number of employees and visitors who are expected to use the Project Sites and the parking lots would substantially increase, which would change the character of the site and surrounding community. The effect of the Proposed Project on community character would be felt mostly on the residential areas immediately adjacent to the Project Sites, particularly Site B, as there would be a substantial change in land use on that parcel. The activity generated by the arena, hotel and retail shops would be evident along Hempstead Turnpike. The office use would be substantially set back from Hempstead Turnpike (behind the arena) and would not be located near any residential neighborhoods or external roadways. Much of the activity on Site A would center around events occurring at the arena, generally on nights and weekends. The core of the surrounding neighborhoods, particularly to the north and east of Site A, are shielded by the Belmont Park complex (including the Racetrack itself and the Backstretch area). As the retail village shops on Site B would be inward facing and substantially buffered by vegetation, the impacts to the community directly to the east and south surrounding Site B would be minimized. Vegetation would also buffer any surface parking, interior roadways, and drop-off areas within Site B from the surrounding residential communities. Furthermore, the Cross Island Parkway and its right-of-way act as a buffer between Sites A and B and the communities to the west. Hempstead Turnpike also provides a buffer between Site A and residential communities to the south. Therefore, impacts from development on Sites A and B are not expected to be significant.

Under the Proposed Action, the North Lot and East Lot would be used for active parking of vehicles associated with the Proposed Project, which would change the nature of these areas of the property. While more active use of these parking lots on a regular basis may increase noise, litter, as well as the need for additional security, the Applicant is developing an agreement with the Franchise Oversight Board (FOB) and NYRA that would address the responsibility for maintenance and security of these lots. Each of the Project components (i.e., arena hotel, office retail) would be responsible for the maintenance of its own buildings and portions of the property under its control. Problems related to litter, loitering and security detract from the enjoyment and economic success of the venues, so it is incumbent upon the Applicant and operators to plan and manage these concerns.

The following measures are proposed to minimize impacts on the community. The parking lots would have security personnel, signage, and 24/7 closed circuit television (CCTV) to monitor and enforce all parking lot regulations, including prohibitions regarding tailgating and celebration/honking. Specifically, on event days, there would be a security presence in each parking lot. On non-event days, there would be regular patrols by on-site security guards in the parking lots. Staffing associated with traffic and parking, including crowd management agents, traffic and parking attendants, permit attendants, police and traffic enforcement would be distributed throughout the Project Sites and would handle various venues, parking lots and on-site as well as off-site roadways. In addition to personnel, signage and cameras within the property, the Applicant is proposing to install a buffer composed of a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening would be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. The fencing and vegetation would be installed on Belmont Park property.

As indicated, Belmont Park is already a key feature that defines the character of the immediately surrounding community. The intensification of development on the Project Sites and other directly affected areas would change the character of the surrounding community. However, it is expected that the Proposed Project would have a synergistic effect with Belmont Park and would transform two underutilized sites into a vibrant, year-round operating and accessible mixed-use development that would be compatible with the surrounding area.

B. METHODOLOGY

This chapter describes existing conditions and future conditions without the Proposed Project and analyzes the potential impacts of the Proposed Project as they relate to land use, zoning, and community character. Because of the scale of the Proposed Project, this analysis considers both a primary study area, defined as ¼ mile from the Project Sites and the North, South and East Lots, and a secondary study area, defined as between ¼ mile and ½ mile from beyond the primary study area (see **Figure 2-1**). The overall study area generally extends from just north of Braddock Avenue/Jericho Turnpike to the north, south of Dutch Broadway/115th Avenue to the south, Herbert Avenue/Hickory Street to the east, and Springfield Boulevard to the west. It encompasses portions of the Town of Hempstead in Nassau County and portions of Queens County in New York City. The communities and neighborhoods within the study area include the Incorporated Village of Bellerose and Bellerose Terrace (unincorporated portion of the Town of Hempstead) to the north, the Incorporated Village of Floral Park to the northeast, the Incorporated Village of South Floral Park to the east, Elmont (unincorporated portion of the Town of Hempstead) to the south and southeast, Cambria Heights to the southwest, and Queens Village (as well as Bellerose Manor) to the west-northwest. A land use survey was conducted in March 2018 and supplemented in October 2018, within the primary and secondary study areas.[1] A land use map covering the Project Sites, other directly affected areas, and the entire study area is included in **Figure 2-2**.

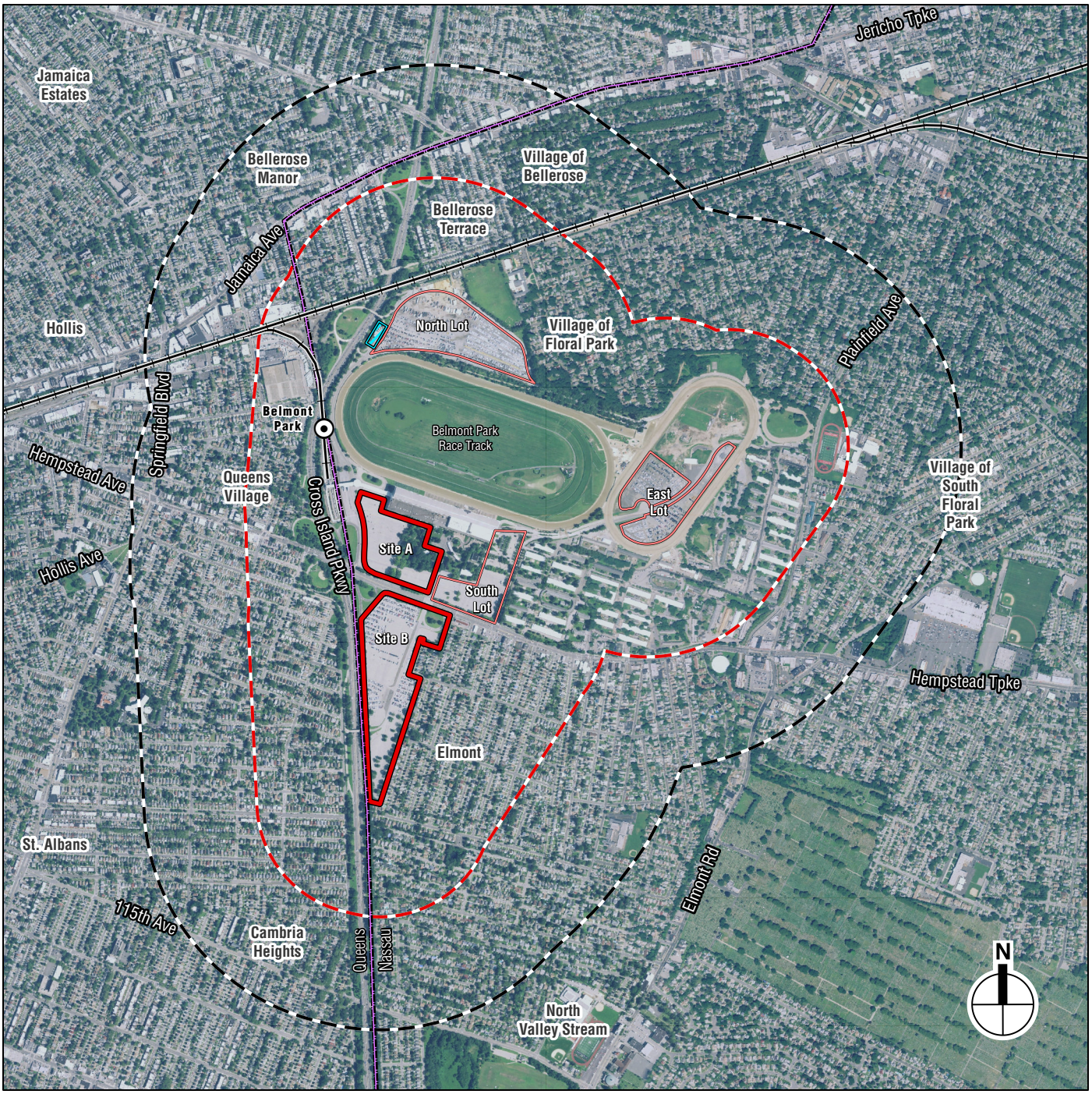
Because of the study area's size and the location of the Proposed Project on the border of Nassau County and Queens, the study area is described by communities that have been grouped within a specific geographic area, as described herein:

- *Bellerose Terrace, the Villages of Bellerose, Floral Park, and South Floral Park:* the area north and east of Belmont Park, south of Jericho Turnpike, north of Hempstead Turnpike, east of the Cross Island Parkway (north and east of the Project Sites)
- *Elmont:* the area south and east of Belmont Park and east of the Cross Island Parkway (south, southeast and east of the Project Sites)
- *Queens Village (south)/Cambria Heights:* the area south of Hempstead Avenue and west of the Cross Island Parkway (southwest and west of the Project Sites)
- *Queens Village (north)/Bellerose Manor:* the area north of Hempstead Avenue, between Springfield Boulevard and the Cross Island Parkway (north and northwest of the Project Sites).

Ongoing changes to land use patterns within the ½-mile study area are described in terms of both development proposals and capital projects based on information provided by the municipalities

[1] The "other directly affected areas" include the North, South and East Lots and the locations of the proposed substation and transmission lines, where parking and other improvements are proposed to serve the Proposed Project.

11.21.18



0 2,000 FEET

- Project Sites
- North, South, and East Parking Lots
- Proposed Belmont Electrical Substation
- Primary Study Area (1/4-mile radius)
- Secondary Study Area (1/2-mile radius)
- Long Island Rail Road (LIRR)
- Belmont Park LIRR Station

Study Areas

BELMONT PARK REDEVELOPMENT CIVIC AND LAND USE IMPROVEMENT PROJECT

Figure 2-1

Data source: NYC Dept. of City Planning MapPLUTO 17v1; Nassau County; field verified by VHB.

11.21.18

- Project Sites
- North, South, and East Parking Lots
- Proposed Belmont Electrical Substation
- Primary Study Area (1/4-mile radius)
- Secondary Study Area (1/2-mile radius)
- Long Island Rail Road (LIRR)

Existing Land Uses

- Belmont Park
- Parks, Open Space, and Parkway Right-of-Way
- Residential
- Commercial
- Industrial
- Transportation and Utility
- Community Facility/Institutional
- Vacant

0 2,000 FEET

Land Use

BELMONT PARK REDEVELOPMENT CIVIC AND LAND USE IMPROVEMENT PROJECT

Figure 2-2

included within the study areas, as well as the New York City Department of Building's online query system.

The proposed changes to the land use of the Project Sites and other directly affected areas are discussed in terms of compatibility with existing land uses and any other changes in development patterns due to development proposals and/or capital improvements within the study area. A comparison of the existing land use and its compatibility to the existing zoning in the surrounding area is also described.

Relevant land use plans that encompass the Project Sites, including the community-based *Elmont Community Vision Plan*, the most recently adopted version of the *Nassau County Comprehensive Plan* (1998) as well as the more recent *2008 Nassau County Master Plan Update* and the draft *2010 Nassau County Comprehensive Plan*, are described, as applicable. The consistency of the Proposed Project with these plans is analyzed.

The Proposed Project requires the adoption, authorization, and implementation of a GPP by Empire State Development (ESD) in accordance with the New York State Urban Development Corporation Act. The GPP would override the Hempstead BZO and the Hempstead Town Code. Therefore, while the existing zoning of the Project Sites and primary and secondary study areas are described and depicted on figures, the Proposed Project is not subject to local zoning. Since there would be an override of local zoning as part of the GPP, a set of proposed Design Guidelines, which would provide use, bulk, dimensional, and form parameters for both structures and parking in lieu of zoning and other local regulations, would be developed and made a condition of the lease.

Community character encompasses a broad range of topics in addition to land use and zoning, including socioeconomic conditions, open space, visual resources, transportation, and noise. This chapter provides a discussion of community character and the potential impact of the Proposed Project within the study areas.

C. EXISTING CONDITIONS

LAND USE

BELMONT PARK

The 430±-acre Belmont Park complex and the structures and facilities inside it are owned by the State of New York and are operated by NYRA under a long-term lease with the state. Belmont Park is a major thoroughbred-horse racing facility that first opened on May 4, 1905. Belmont Park closed in 1963 due to structural issues and re-opened in 1968 with the Grandstand that is still in use today. Since 2012, numerous improvements have been made to enhance the guest experience while preserving Belmont Park's 1960's architecture. In 2015, approximately $5 million in improvements were made to the transit rotunda on the west end of the Grandstand, as well as new rail station platforms, which increased the Belmont Park Station train capacity to 10 cars and improved egress from the track on major racing days. Belmont Park is typically open for racing from late April through mid-July (known as the Spring Meet), and again from mid-September through late October (the Fall Meet). The Grandstand seats about 33,000 and the Racetrack facility can accommodate up to 100,000. It is the host of the third leg of the Triple Crown of thoroughbred racing, known as the Belmont Stakes, held in the beginning of June. The Belmont Stakes race has been run at Belmont Park since the facility opened in 1905, with the exceptions of 1911–1912 (when gambling was banned in New York State), and 1963–1967 (while the Grandstand was being reconstructed) when the races were held at Aqueduct Racetrack.

Belmont Park not only contains the main track and Grandstand (which includes seating for viewing the races, the Clubhouse, and a number of dining facilities), but comprises other areas, including the Backyard area.[2] East of the Grandstand and Backyard area are: parking for the Horsemen (including trailers); the Backstretch area (including the Training Track, indoor track, Pony Track, barns and stables, blacksmith, exercise and grooming areas, backstretch personnel living quarters/dormitories), and the Anna House.[3] There is an on-site pedestrian bridge connection between the Grandstand area (on the west) and the LIRR platforms.

PROJECT SITES AND OTHER DIRECTLY AFFECTED AREAS

The Project Sites within Belmont Park (Site A, north of Hempstead Turnpike and Site B, south of Hempstead Turnpike) comprise approximately 43 acres, with Site A encompassing approximately 15 acres and Site B encompassing approximately 28 acres. The Project Sites are located within Elmont, an unincorporated community (or hamlet) in the Town of Hempstead. Site B is located at the edge of the Elmont neighborhood; however, due to its current use for parking and the fact that the entire parcel is fenced off, it is essentially cut off from the Elmont community.

Site A is currently used for surface parking for Belmont Park and includes a portion of the Backyard area adjacent to the Belmont Park Grandstand. This Backyard area of about 7 acres contains, among other features, concession stands, television monitors, betting kiosks, picnic tables, mature trees, and grassy open spaces, which are located south of the Grandstand. Site A is bordered on the south by Hempstead Turnpike (NYS Route 24), a four- to six-lane state arterial road that is a major commercial corridor. Site A is also adjacent to the Interchange 26B of the Cross Island Parkway, a six-lane limited access highway that extends north from the intersection of the Southern State and Belt Parkways near Valley Stream to its intersection with the Whitestone Expressway near College Point, Queens. West of Site A, the Cross Island Parkway runs along the Nassau-Queens border. Immediately west of Site A is the LIRR Belmont Park Station, a spur of the Main Line. Limited LIRR service is activated during the Spring and Fall Meets at Belmont Park, with between two and four trains operating per day. There is currently no regular LIRR service to the Project Sites at other times of the year. North of Site A is the Belmont Park Grandstand and Racetrack and associated facilities. East of Site A is the existing Paddock area.

Site B, located south of Hempstead Turnpike, is an approximately 28-acre parcel currently used for vehicle storage and surface parking with approximately 2,500 to 3,000 spaces for Belmont Park visitors. It is surrounded to the north by Hempstead Turnpike, to the west and the south by the Cross Island Parkway, and to the east and southeast by residential land uses. There are two tunnels under Hempstead Turnpike that connect Site B with Site A and the rest of Belmont Park, as well as vehicular ramps as part of the Cross Island Parkway Interchange 26B.

In addition to the two Project Sites, the Proposed Project would utilize the North, South and East Lots at Belmont Park for additional parking through a shared parking agreement among NYAP,

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[2] The Backyard area contains picnic tables, concession stands, televisions and betting kiosks, a playground, a human-made water feature, and the Paddock (where horses are saddled before races, and which is accessible to the viewing public) that are intended as amenities for NYRA patrons and invitees.

[3] The Anna House is a childcare and early childhood education facility, located within Gate 6 at Belmont Park approximately 0.29 mile from the South Lot. The Anna House is only accessible to employees of Belmont Park and Aqueduct Racetrack, specifically for the children of parents working in the thoroughbred racing backstretch area at New York State's Belmont Park, Aqueduct Racetrack and Saratoga Race Course.

the FOB, and NYRA. The North Lot (the existing NYRA Green parking area) is an approximately 39-acre, partially paved parcel located north of the Racetrack that can currently accommodate approximately 3,000 parking spaces. Approximately 80 percent of the North Lot is currently leased for vehicle storage by car dealerships, the daily operations of which include the transportation of cars to and the removal of cars from the lot, three to five times a day, five days a week. The remaining 20 percent is used for the storage of NYRA equipment and vehicles, horse shipping, feed deliveries and feed storage, and tree-trimming services. The horse-related and racetrack-related operations occur seven days a week, much of it throughout the entire day and night. The tree trimming services operate at a minimum of five days a week whereas the horse shipping and feed companies operate all times of the day and night, seven days a week. The North Lot is also used for overflow parking once a year for the Belmont Stakes. The North Lot has a direct fully directional interchange with the Cross Island Parkway (Interchange 26D). The South Lot (comprising the existing NYRA Gold, Purple, Orange and Silver parking areas) is located east of Site A, south of the Grandstand and Racetrack, west of the Belmont Paddock and north of Hempstead Turnpike, and contains around 1,150 parking spaces. The portion of the East Lot that would be utilized by the Proposed Project is the approximately 14.2 paved acres of the existing 18.2-acre NYRA Blue Lot parking area, located east of the Main Racetrack within the interior oval of the Belmont Park Training Track. The existing NYRA Blue Parking area contains approximately 2,520 parking spaces and is currently used for car dealership vehicle storage, Belmont Park employee parking, and large-volume event parking. The vehicle storage operations are similar to what is described for the North Lot. Other uses within the interior of the Training Track include a manure/hay waste storage facility[4] and an area for the temporary staging of trash and construction debris, as well as a top soil staging and screening area used for landscaping purposes. These uses operate from 11 a.m. until approximately 9 p.m., seven days a week. Further, the Training Track interior includes a staging area for a number of inoperable vehicles and trucks, and includes a helicopter landing area, as well as a soccer field/softball field for Backstretch employees (which is used from the late spring until early fall during the hours of 11 a.m. to dusk). Additionally, the East Lot is used by the New York State Department of Motor Vehicles for tractor-trailer training courses. These training courses occur three to four days a week.

As noted in Chapter 1, "Project Description," directly adjacent to and to the west of the North Lot is the location of an approximately 42,450-square-foot parcel for the proposed PSEG electrical substation and associated feeders, which are required to serve the Proposed Project. The electrical substation would be located in the vicinity of the Cross Island Parkway ramps, just north of the Racetrack in an area that is currently used for truck trailer storage. Operated by the American Red Cross in coordination with the Nassau County Office of Emergency Management, these trailers contain emergency supplies that are available for use for large–scale disasters, large fires or localized flooding.

STUDY AREAS

This section examines the existing land uses within the surrounding area within an approximately ¼-mile radius and the wider study area, which encompasses the area between approximately ¼

[4] According to NYRA personnel, manure/hay waste generated from the horse barns is temporarily stored in a building within the interior of the Training Track (where the East Lot is situated), and is trucked off-site on a daily basis over the entire year. Additional information regarding the manure/hay waste storage facility is included in Chapter 3, "Community Facilities and Utilities."

mile and ½ mile from the Project Sites. These areas are defined by the communities that fall within these study area boundaries (see **Figures 2-1 and 2-2)**.

Outside of Belmont Park itself and the nearby primary commercial corridors (described below), the predominant land use in the primary and secondary study areas is single-family residential.

There are numerous neighborhood retail nodes as well as highway-oriented retail uses along Jamaica Avenue/Jericho Turnpike and Hempstead Avenue/Hempstead Turnpike. The commercial core closest to Sites A and B consists of predominantly lower-density free-standing retail buildings with convenience retail and automobile-related services. These types of uses line the south side of Hempstead Turnpike eastward from Wellington Road (directly across from Belmont Park) to Plainfield Road/Elmont Road. To the west, in Queens, small-scale convenience retail is found along Hempstead Avenue. The Hempstead Turnpike commercial area in the Elmont portion of the Town of Hempstead extends from the Cross Island Parkway through the secondary study area (Hempstead Turnpike is a commercial corridor for many miles to the east of the secondary study area, through to its merger with Fulton Avenue in Hempstead).

Jamaica Avenue is a divided roadway (with decorative lighting in the center median), west of the Cross Island Parkway. It is also generally commercial in nature (one-to-three stories), with local retail shops, as well as office buildings and institutional uses (e.g., public school, houses of worship). However, there are some single-family homes and larger and taller apartment buildings between Springfield Boulevard and the Cross Island Parkway. Traveling east from the Cross Island Parkway, the center median of Jericho Turnpike continues with the decorative lighting and contains brick paving. The buildings east of the Cross Island Parkway are generally lower at one-to-two stories and contain retail and other types of commercial uses.

An initial land use map was created using both Nassau County and New York City geographic information system (GIS) data. This information was then verified by a drive-through of the area conducted in March 2018. Adjustments were then made and a final land use map, depicting the land uses within the entire ½-mile radius study area was created (see **Figure 2-2**).

Primary Study Area (1/4-mile Radius)

The primary study area includes communities within both the Town of Hempstead in Nassau County and the Borough of Queens in New York City. It generally extends from Waldorf Avenue on the east, to 222nd Street on the west, from the vicinity south of Jamaica Avenue/Jericho Turnpike on the north, and to 114th Drive and Renfrew Avenue on the south.

Aside from portions of Belmont Park that are not part of the Project Sites, the predominant land use within the primary study area outside the Project Sites is single-family residential, with some two-family and multi-family residential. The exception is that the predominant use along Hempstead Turnpike within the primary study area is commercial.

Bellerose Terrace and the Villages of Bellerose and Floral Park

This area, which comprises the Village of Floral Park and the hamlet of Bellerose Terrace and a very small portion of the Village of Bellerose, is a largely residential area, but contains a mixture of residential, and some community facility uses, as described below. There is minimal commercial development within these communities.

Residential: Single-family residences are predominant throughout this area, with interspersed two-family residences within both Bellerose Terrace and the Villages of Floral Park and Bellerose. Both single- and two-family residences are generally two stories.

Community Facility/Institutional: Within this area there are several community/institutional uses. The Floral Park-Bellerose School and associated fields are located 0.11 mile from the North Lot at 2 Larch Avenue in Floral Park. Further, the Floral Park Memorial High School and associated fields located at 210 Locust Street in Floral Park are located approximately 0.2 mile east of the East Lot. Floral Park Fire Department Active 3 Engine Company is located on Atlantic Avenue between Spruce and Pine Avenues approximately 0.23 mile from the North Lot. Bellerose Terrace Fire Department located at 9441 243rd Street is also within this neighborhood. This Fire Department is approximately 0.21 mile north of the North Lot.

Commercial: The Cornell Ruffian Equine Specialists animal hospital and several other commercial uses, including two landscaping businesses, are located along Plainfield Avenue between Vanderwater and Pelham Streets.

Parks and Open Space: There are several designated open space areas along Atlantic Avenue in Floral Park between Spruce and Chestnut Avenues, and between Chestnut and Walnut Avenues.

Transportation and Utility: The LIRR tracks of the Hempstead Branch traverse this neighborhood. An LIRR substation is also present, adjacent to the North Lot.

Elmont

Elmont is located within the Town of Hempstead, Nassau County. This neighborhood is located south and southeast of the Project Sites. The Elmont neighborhood is predominantly residential with commercial uses along the Hempstead Turnpike corridor.

Residential: Residential uses are primarily single-family homes on 6,000-square-foot lots with some two-family and multifamily residences scattered throughout the hamlet. Residences in this neighborhood are generally two stories, although one-story houses are present. Several vacant residences were identified throughout the area south of the Project Sites.

Commercial: This neighborhood contains commercial uses along the south side of Hempstead Turnpike, which is a major east-west commercial thoroughfare. Restaurants and other food-related establishments, as well as other convenience retail and services (gas stations, doctor offices, etc.) are situated along Hempstead Turnpike. The commercial uses along this thoroughfare are primarily one-story and street-facing with some off-street parking. Furthermore, there are several storefront vacancies along Hempstead Turnpike between Elzey and Claridge Avenues.

Transportation and Utility: Within this neighborhood, outside the Project Sites, the only transportation uses are the arterial and local streets. In addition, a recharge basin is located within this portion of the study area.

Queens Village (south)/Cambria Heights

This area consists of the neighborhoods of Cambria Heights and a portion of Queens Village, both within the Borough of Queens. This area is a largely residential area with a few mixed residential and commercial uses. The Cross Island Parkway and its interchange with Hempstead Turnpike defines the eastern boundary of these neighborhoods.

Residential: Residential uses within these communities primarily consist of single-family, two-story residences on lots of less than 4,000 square feet. There are some multifamily residences within this neighborhood that are all located along 227th Street between 111th and 114th Avenues.

Commercial: Commercial uses are limited in this portion of the study area. There is a car dealership along Hempstead Avenue, west of the Cross Island Parkway and one small commercial

use within this neighborhood that is within a mixed-use building with a ground-floor mini-mart and residential use on the second level.

Queens Village (north)/Bellerose Manor

This area comprises the neighborhoods of Bellerose Manor and a portion of Queens Village, both situated in the Borough of Queens. These neighborhoods contain a diversity of uses including residential, industrial and manufacturing, transportation and utility, and community facilities. The Cross Island Parkway and its right-of-way generally define the eastern edge of these neighborhoods.

Residential: There are two small residential areas within this portion of the study area: one west of the Cross Island Parkway and north of Hempstead Avenue and one west of the Cross Island Parkway and north of the LIRR tracks. Both primarily contain two-story, single-family residences.

Commercial: Hempstead Avenue (NYS Route 24), which becomes Hempstead Turnpike as it crosses into Nassau County, runs east-west in the southern portion of this area, containing commercial uses and office buildings, along with mixed residential and commercial buildings. Most of the buildings along this road typically contain ground-floor retail (e.g., restaurants, delis and offices) with residential and/or office uses above; however, some buildings are one-story retail uses. Buildings within these neighborhoods are street-facing with little or no setback from the sidewalk.

Industrial: The few industrial and manufacturing facilities within this neighborhood are located within Queens Village, primarily along the north side of LIRR tracks. These uses include auto-repair shops, construction/building supply companies, and storage/warehouse facilities along 222nd Street, in the vicinity of 96th and 97th Avenues.

Transportation and Utility: The Cross Island Parkway is a major transportation corridor located within this portion of the study area, and a partial interchange at the Parkway and the North Lot at Belmont Park is located in this area. The LIRR runs east-west parallel to Jamaica and Hempstead Avenues. These neighborhoods also contain several surface parking lots, which serve local businesses in the area. One of the largest facilities within this category is the MTA New York City Transit-Queens Village Bus Depot, which comprises over a city block, is also located within this neighborhood on 222nd Street, west of the Cross Island Parkway.

Community Facility/Institutional: There are several institutional uses in this area, including the Sikh Center of New York, which is a religious institution located between 95th and 96th Avenues in Queens Village, and a Seventh Day Adventist Temple also located within this neighborhood.

Secondary Study Area (1/2-mile Radius)

The secondary study area is located between ¼- and ½-mile from the Project Sites. The secondary study area generally extends from the ¼-mile boundary west of Plainfield Avenue to Hickory Street/Herbert Avenue on the east, to Springfield Boulevard on the west, and from the vicinity of Braddock Avenue on the north to just south of Dutch Broadway/115th Avenue on the south. As with the primary study area, the predominant use within the secondary study area is residential (mostly single-family). However, the mix of uses, especially along the main corridors (Hempstead Turnpike and Jericho Turnpike), becomes much broader in this extended area.

Bellerose Terrace and the Villages of Bellerose, Floral Park and South Floral Park

Land uses found in this secondary study area are similar to those within the primary study area: single-family and multifamily residential uses and community facilities.

This secondary study area also includes a small stretch of Jericho Turnpike, which is mainly composed of commercial uses (e.g., retail establishments and office spaces). Many of the buildings contain commercial uses on the ground level with residential uses above.

In addition, an area within the Village of Bellerose, located along the LIRR tracks, east of the Cross Island Parkway consists of the Village Hall and Justice Court, the Bellerose Fire Station and a recreational area. The LIRR Bellerose Station and associated parking lots are also located in this area.

Elmont

Except for the primarily commercial uses along Hempstead Turnpike, Elmont Road and Plainfield Avenue (described below), this portion of the Elmont neighborhood is primarily residential, including both single and multifamily residential uses located south of Hempstead Turnpike.

Interspersed in this area are several institutional and educational facilities, including the Emanuel Baptist Church and its associated parking lots, Salem Assembly of God, Mahanaim Seven Day Adventist Church, and the Redeemed Christian Church of God House of Praise, as well as the Gotham Avenue School. Additionally, Elmont Fire Department Engine Company 1 is located at 106 Gotham Avenue, less than ½ mile from the Project Sites.

Hempstead Turnpike, east of the primary study area, contains commercial uses including retail, dining, and office uses, as well as automotive repair shops. Hempstead Turnpike in this area can be characterized as a typical suburban commercial corridor, with the exception that the Belmont Backstretch Area completely comprises the north side of the street. There are several vacant storefronts and parcels located along the south side of Hempstead Turnpike. In addition, there is a water supply facility located on Hempstead Turnpike near Plainfield Avenue.

Elmont Road, east of Belmont Park, includes a mix of uses such as the Engine and Hose Company No. 2 of the Elmont Fire Department located adjacent to a municipal parking lot. Moreover, there is also a mix of uses (e.g., office, single-family residences and retail) opposite the firehouse and parking lot. South of the intersection of Elmont Road and Hempstead Turnpike, there are several mixed-use commercial buildings on each side of the road. Beyond, a municipal parking lot is Engine Company No. 3 of the Elmont Fire District. Further south, along Elmont Road, the uses consist of a mix of single-family and multi-family residences, institutional uses, such as schools and churches as well as industrial and utilities uses.

Plainfield Avenue from Hempstead Turnpike to its intersection with Elmont Road contains several retail uses, a religious use, and a vacant storefront. There is also an entrance to a Town of Hempstead municipal parking lot.

Queens Village (south)/Cambria Heights

This area includes the predominantly residential neighborhoods of Cambria Heights and a portion of Queens Village, both within the Borough of Queens. Similar to the residential uses in the primary study area, the secondary study area consists of mainly single-family, two-story detached residential uses, south of Hempstead Avenue. In addition, community facilities and institutions including the Prince of Peace Lutheran Church and Little Sisters of the Poor Convent and Queen-of Peace Residence for the Aged are also located in this area. This area also includes utility uses such as a water district parcel. Typical of the major arteries in the study area, Hempstead Avenue in this part of the secondary study area contains a mix of retail establishments, along with automotive uses.

Queens Village (north)/Bellerose Manor

This portion of the study area generally consists of single-family residential development with intensive commercial activity along Hempstead Avenue, as well as Jamaica Avenue/Jericho Turnpike in Queens and Nassau County. Aside from these two commercial corridors, there are two major transportation corridors within the study area: the Cross Island Parkway, which runs north-south and generally divides Queens from Nassau, and the LIRR, which runs east-west at the northern portion of the study area, including the spur line that serves the Belmont Park Station. There are a number of transportation and industrial uses located along the LIRR, west of New York City/Nassau County boundary.

As can be seen on **Figure 2-2,** the northern portion of the Queens Village neighborhood is the most intensely developed of the areas examined, due to the presence of the railroad tracks, Jamaica Avenue/Jericho Turnpike and Springfield Boulevard, another generally commercial street in the area. This area also contains the widest variety of non-residential uses of the overall study area, including commercial, transportation and utility, industrial, and community facility/institutional uses, as well as the Queens Village Veterans Plaza. While this area contains the least amount of residential development of the areas examined, it has the widest variety, with not only single-family residences, but numerous apartment buildings, particularly along Jamaica Avenue. On the other hand, except for the Jamaica Avenue/Jericho Turnpike and Braddock Avenue corridors, Bellerose Manor is much more residential than Queens Village, containing single-family residences and several parks (e.g., Breininger Park).

RELEVANT POLICIES AND COMPREHENSIVE PLANS

2008 ELMONT COMMUNITY VISION PLAN

As part of Nassau County's Community Visioning Program (described in more detail below), the *2008 Elmont Community Vision Plan* was created to provide a long-term blueprint that would serve as a roadmap for future development in the Elmont community and along Hempstead Turnpike within this community. The principal goal of the *2008 Elmont Community Vision Plan* (the "*Vision Plan*") was to create a desirable aesthetic for the community around Belmont Park; to foster economic development and community revitalization; and, to create a range of housing opportunities.

A public participation process helped establish goals and objectives that represented the views of the community and key elements of the plan were discussed to further illustrate the goals and objectives. The plan's goals and objectives, as well as key elements, primarily focusing on the Project Sites at Belmont Park, are outlined below.

The plan identified the goals to improve the local economy by attracting businesses that will meet the needs of the community while generating jobs and tax revenue. By reinforcing Belmont Park-related uses via attracting businesses that are related to horse racing, the local economy could benefit from being in proximity to the Park and the benefits it provides to the area. In addition, redeveloping the parking lot and adjacent areas south of Hempstead Turnpike across from Belmont Park with a hotel, restaurants and quality retail would aid in boosting the local economy.

Transportation goals were identified to improve safety and access by balancing the transportation needs of pedestrians, vehicles, and public transportation. Goals were identified to create better and expanded public services and facilities, including recreational opportunities that serve the entire community. The plan suggests that Belmont Park allow "year-round" recreation to provide additional public facilities in the area. Furthermore, as Belmont Park is located on the border of Nassau and Queens Counties, the plan identifies goals to beautify the appearance of the

community to create a unique suburban identity. Efforts towards beautifying Belmont Park's frontage along Hempstead Turnpike and Plainfield Avenue could allow for a "Gateway to Nassau."

Zoning goals were identified to create or revise zoning regulations to guide future development in a manner that meets local objectives. Differentiating commercial uses by creating new zones along commercial corridors and major thoroughfares would allow for varying uses. Development and applying a mixed-use zoning "overlay" district to areas along Hempstead Turnpike to allow office/residential above retail uses would increase density of the area allowing for more uses.

Creating a sustainable community by implementing initiatives that will complement other recommendations will ensure the success of the vision plan for all Elmont Stakeholders. In order to do so, the Town and community in local and regional planning issues would need to be involved when it comes to any proposals for redevelopment of Belmont Park.

In summary, the *Vision Plan* identified Belmont Park frontage along Hempstead Turnpike as a location of special focus. Moreover, a detailed conceptual vision plan was developed for this location that identified key goals, such as:

- *Attract a hotel or conference center to Elmont* by redeveloping the underutilized parking areas south of Hempstead Turnpike. The redevelopment should include an area that contains signs, monuments, a fountain, etc. to act as a visual gateway into the community.
- *Provide beautification* through improvements in landscaping, crosswalks, sidewalks and lighting. In addition, work with Belmont Park to create a better buffer between residents' property and Hempstead Turnpike and Plainfield Avenue.
- *Extend Retail* to include sit-down restaurants and pedestrian-oriented retail close to the hotel/conference center.
- *Promote Belmont Park* via Belmont Park-related businesses, activities and uses as well as community involvement and inclusion in the annual Belmont Stakes.

Elements of the *Vision Plan* have been effectuated by establishment of the Hempstead Turnpike—Elmont (HT-E) zoning district under Article XL, Section 409 of the Town of Hempstead BZO, discussed below.

NASSAU COUNTY COMPREHENSIVE PLANS

The adopted *Nassau County Comprehensive Plan* was prepared in 1998. However, there have been several updates to this plan since that time, with the latest in 2008. Nassau County also began preparing a new comprehensive plan in 2010, but this plan is in draft format and has not been adopted by the County. However, it is discussed briefly at the end of this subsection. A discussion of the *1998 Nassau County Comprehensive Master Plan* (the "*1998 Comprehensive Plan*") and 2008 update follows.

1998 Comprehensive Plan

The *1998 Comprehensive Plan*, prepared by the Nassau County Planning Commission, et al. and published in December 1998, indicated that it:

> *"...is a policy document which outlines a vision for the future of Nassau County. It focuses on the protection of the County's natural resources, current and long-range growth and development which is compatible with the County's quality of life, and provides guidance to decision makers, residents and organizations. The Plan is comprehensive because it*

> *blends and prioritizes the various factors and issues relevant to the subject matters of: interagency planning and coordination, land use, environmental resources, transportation, housing, the economy, culture and recreation and community facilities and services." (Page P-1)*

The *1998 Comprehensive Plan* is divided into several topics, including Interagency Planning and Coordination; Land Use; Environmental Resources; Transportation; Housing; Economy; Culture and Recreation; Community Facilities and Services. The land use and economic sections of the *1998 Comprehensive Plan* are the most relevant to the Proposed Project. A summary of the overall goals for each topic is presented below.

The Existing Land Use Plan (Figure 8 in Appendix B of the *1998 Comprehensive Plan*) shows the designation of the Project Sites as open space/recreational, representing the current use of the property as Belmont Park.

Figure 3, the Comprehensive Plan Map, shows generalized development intensity for the year 2020, and depicts the Project Sites as existing open space within an area of moderate development intensity (0.20 to 0.40 floor area ratio). However, the development that has occurred near Belmont Park is higher in intensity than suggested by the Plan, with numerous commercial uses along Hempstead Turnpike between the Cross Island Parkway and Belmont Boulevard to the east as well as higher density single-family residential development located beyond the commercial development to the north and south of Hempstead Turnpike.

The overall goal for the land use chapter of the *1998 Comprehensive Plan* is to promote a balanced pattern of land use that encourages the concentration of future development in established areas with adequate infrastructure and facilities. The land use chapter further emphasizes as goals efficient utilization of the transportation network, preservation of the County's environmental and scenic resources, and revitalization of downtowns and centers. Within the Redevelopment subsection of this chapter, the County compiled a list of vacant or underutilized parcels within Nassau County that have the potential for redevelopment. Belmont Park was identified as an underutilized property that has the potential to result in a substantial increase in development generating positive impacts on the surrounding communities. <u>In addition, Appendix page B-9 of this plan recognizes that Belmont Racetrack is a significantly-sized parcel, among others in Nassau County, which has extensive potential for redevelopment but, which upon redevelopment, could substantially impact surrounding neighborhoods.</u>

The relevant goals within the transportation chapter are to enhance the availability and efficiency of mass transit options to improve air quality, reduce the number of single-occupancy vehicles, provide convenient service to residents and commuters, and reduce traffic congestion. Another goal is to maintain the function and improve the capacity of the roadway network to serve a variety of transportation purposes. Additionally, the *1998 Comprehensive Plan* identifies another goal to support safety and efficiency improvements planned for the LIRR service which are designed to benefit local residents and employees commuting to and from Nassau County.

The economy chapter of the *1998 Comprehensive Plan* includes goals to strengthen the County's economy by encouraging economic development activities which would provide jobs, increase the tax base, ensure a stable land use pattern, and diversify the County's employment sectors. In addition, another major goal of this chapter is to support initiatives which are targeted at strengthening and improving the County's downtowns and centers.

The culture and recreation chapter includes relevant goals to support and enhance the cultural facilities, services, programs and events in the County to improve the quality of life and encourage

tourism. Furthermore, the *1998 Comprehensive Plan* highlights another goal to provide sufficient parks, preserves, and recreational facilities to serve the current residents and growing segments of the population.

The overall goal for the community facilities and services chapter is to assure that there is an adequate system of public and private facilities, as well as educational and social services to support current and future residents of Nassau County.

Nassau County Master Plan Update 2008: Trends Analysis

As noted in the Nassau County Master Plan Update 2008: Trend Analysis "*2008 Update*":

> *Five years have passed since the 2003 Update to the 1998 Comprehensive Master Plan. During that time, much has changed. Our nation faces numerous challenges that were not anticipated five years ago, from a troubled economy, to declining home values, increasing foreclosures, rising health care costs, and impacts of climate change. It is now more important than ever for Nassau to capitalize on its assets and develop a plan for its future.*

The *2008 Update*, which was adopted on April 3, 2009, also recognized that "when the 2008 update was begun, we could not have anticipated the serious and unprecedented economic times we now face. Our report is based upon available data for the period 2003 to 2008, which lags behind current conditions."

According to the *2008 Update*, a vision of "New Suburbia" has emerged and the basic principles are as follows:

- Support and Promote Industries
  - High-Tech/High-Skilled Industry
  - Sports, Entertainment, and Tourism
  - Next Generation and Senior Housing
- Target Development in Growth Areas
  - Downtown Revitalization – Cool Downtowns
  - Brownfield Redevelopment – 105 acres at Bethpage
  - Emerging Minority Communities
  - The Nassau "Hub"
- Invest in Infrastructure Improvements
  - Transportation
  - Open Space
  - Schools

The principles and information contained in the *2008 Update* have been developed to lay the foundation for the next Nassau County Master Plan.

The *2008 Update* identifies economic development initiatives for Nassau County that included "Visioning Programs." As part of the Visioning Programs, meetings that provided forums to discuss and understand the needs, concerns for each municipality of interest and identify the community's vision for its future were held. Residents from Elmont comprised one of several "Visioning Communities" that met to discuss the change of local zoning regulations, specific governmental limitations, and economic development to improve their towns. The *2008 Elmont*

Community Vision Plan that came out of this visioning process as described in the previous section.

Overall, the *2008 Update* indicates that the population of the County is aging and there is general support for opportunities to provide housing stock to address the needs of the various demographics. Furthermore, the *2008 Update* identifies that retail and industrial uses are increasing within the County, therefore creating more employment opportunities. However, as the *2008 Update* is a trend analysis, rather than a goals-oriented document, there are no specific recommendations with respect to the land use of the Project Sites.

Draft 2010 Nassau County Master Plan

While it remains unadopted, the Draft 2010 Nassau County Master Plan ("*2010 Master Plan*") provides guidance and addresses several issues, sets goals, and identifies policies for the economy, land use, and infrastructure. In response to the strains on Nassau County's residents, economy, and environment caused by high property taxes and costs of doing business, failure to retain young people and recent graduates, and stagnation in employment growth, the Plan calls for supporting and promoting investment and job creation; targeting sustainable development in areas; and retrofitting the county's infrastructure.

The action plan described in the *2010 Master Plan* recommends leaving 90 percent of the County as it is and targeting development in growth areas, which account for approximately 10 percent of Nassau County's land area. Specifically identified growth areas include "transit-oriented" downtowns, the Nassau Hub, and the Grumman Property. In addition to these specific locations, the *2010 Master Plan* also calls for the revitalization and redevelopment of brownfields and select underperforming strip malls. The main objective of this targeted development approach is to encourage job growth proximate to transit and to increase tax revenues while minimizing new public expenditures.

Each chapter of the *2010 Master Plan*, which includes People and Housing, The Economy: Support and Promote Investment and Job Creation, Land Use: Sustainable Development, and Infrastructure: Retrofitting Nassau County, concludes with a series of policy recommendations for implementation, and these policy recommendations are summarized in the Action Plan. The *2010 Master Plan* notes the following: "Sports, entertainment, recreation, arts, leisure, dining and hospitality activities represent the most promising consumer-oriented sectors for tourism development and enhancement of Nassau County's quality of life." It calls for Nassau County to focus on attracting about 20,000 new leisure and hospitality jobs in the sports, entertainment & tourism industries. This section notes that the gambling and racetrack industry plays a relatively small role in Nassau County's tourism draw.

Specific to this project area, the economic chapter of the *2010 Master Plan* references the ESD proposal to redevelop the 36 acres,[5] which are largely surface parking lots adjoining Belmont Park into recreation-related uses that would create jobs, generate additional tax revenue, and bolster economic development in Elmont, Bellerose, and Floral Park. The proposed redevelopment options could transform Belmont Park into a vibrant destination center.

The land use chapter of the *2010 Master Plan* references the local land use and planning authority of the County's 69 municipalities. However, to coordinate and collaborate on local planning

[5] The overall Project Sites now encompass 43 acres, as an additional 7 acres were added to the eastern portion of Site A, east of the existing parking area.

initiatives that benefit the County, the Nassau County Community Visioning Program provides grants to local communities to engage the public and develop a consensus on where and how the community should grow both in the long- and short-terms. Since the Visioning Program's inception in 2007, the Village of Hempstead, Elmont, City of Glen Cove (Cedar Swamp Road corridor), and the Villages of Freeport and Farmingdale have completed visioning studies. The plans that came out of these visioning processes call for reasonable yet increased density in the downtown area and streetscape improvements—all aimed at increasing safety and the quality of life for local residents. Several communities have participated in this program. Specific to this project area, the *Elmont 2008 Vision Plan* (discussed above), which targeted Hempstead Turnpike from the Queens border to the Franklin Square border, and consisted of three education workshops, a charrette weekend, and a community presentation, recommends the redevelopment of Hempstead Turnpike frontage opposite Belmont Park with a mix of uses including hotel, restaurants, and quality retail and the integration of NYRA's development plans with the surrounding community.

Smart Growth Public Infrastructure Policy Act

The State Smart Growth Public Infrastructure Policy Act (Smart Growth Act)[6] prohibits state infrastructure agencies from approving, undertaking, supporting, or financing public infrastructure projects, including providing grants, awards, loans or assistance programs unless, to the extent practicable, they are consistent with specific smart growth criteria. Where a project cannot meet these criteria, or compliance is considered to be impracticable, the Smart Growth Impact Statement shall provide a detailed statement of justification. The smart growth criteria are as follows:

a) to advance projects for the use, maintenance or improvement of existing infrastructure;
b) to advance projects located in municipal centers;
c) To advance projects in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan;
d) to protect, preserve and enhance the state's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources;
e) to foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups;
f) to provide mobility through transportation choices including improved public transportation and reduced automobile dependency;
g) to coordinate between state and local government and intermunicipal and regional planning;
h) to participate in community based planning and collaboration;
i) to ensure predictability in building and land use codes; and
j) to promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and

[6] State of New York. *State Smart Growth Public Infrastructure Policy Act.* New York State Environmental Conservation Law, Article 6. May 15, 2009.

implementing a community plan and ensuring the governance structure is adequate to sustain its implementation.

k) to mitigate future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable.

ZONING

This section discusses the existing zoning of the Project Sites and the surrounding area and generally describes permitted uses and bulk and dimensional requirements. Town of Hempstead, Village of Floral Park, Village of South Floral Park, and Village of Bellerose in Nassau County and New York City zoning codes and maps were reviewed as part of this analysis. A composite zoning map is included as **Figure 2-3**.

PROJECT SITES

All of Belmont Park, including Sites A and B are located within the Town of Hempstead in Nassau County. Pursuant to the Hempstead BZO, Belmont Park including Sites A and B, as well as much of the surrounding area is mapped as Residence B District, which is primarily a single-family residential zone. Furthermore, both Site A and B's Hempstead Turnpike frontage is zoned as Business X ("Bus" as depicted on the Zoning Map) to a depth of 100 feet.

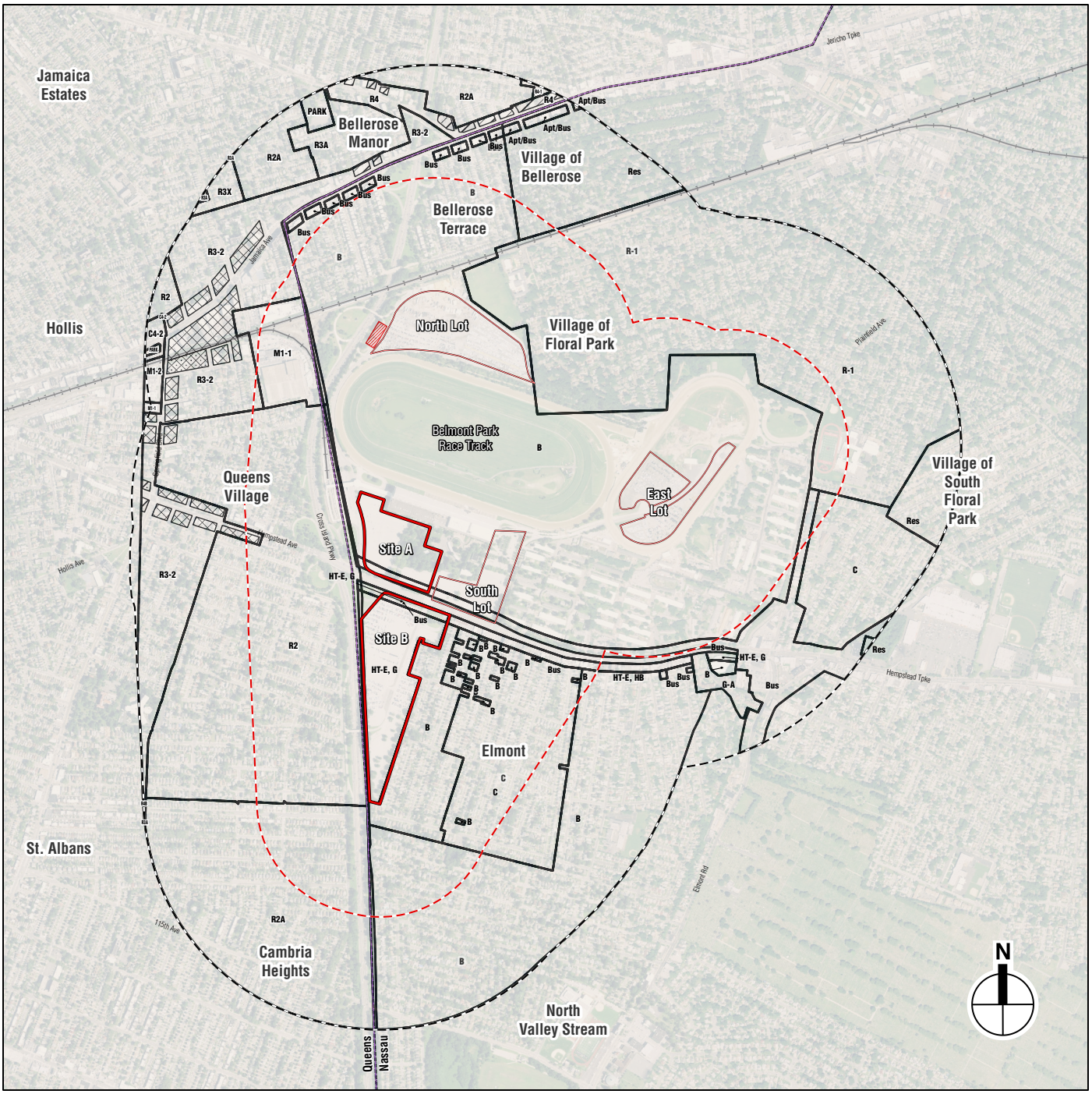
In addition, the entirety of Site B is located within the HT-E, G Overlay District. While Belmont Park and its associated buildings do not currently conform to the local zoning regulations, Belmont Park is permitted to operate as a pre-existing non-conforming use because it pre-dates zoning in this area. Furthermore, Belmont Park is a state-owned property that is exempt from the zoning requirements of the Town of Hempstead. A discussion of the predominant zoning of the Project Sites and directly surrounding areas follows. Dimensional and bulk regulations of these zoning districts are included in **Table 2-1**.

Residence B Zoning District

The Residence B zoning district permits single-family detached homes or senior residences, agricultural or nursery uses that do not display for commercial purpose or advertisement on the premises, municipal recreational use, and railway passenger stations. Accessory uses such as private garages including rooms used for home occupations are permitted on the same lot with the above-permitted uses. The maximum building area is 27.5 percent of the lot area, with some allowances for additional coverage. The minimum lot size of the Residence B district is 6,000 square feet, and the minimum lot width is 55 feet at the front setback line.

For any building other than a single-family dwelling or any accessory building there must be two side yards. If such building is under 40 feet in height the width of each side yard must be at least 20 feet. If the building is over 40 feet in height, the width of the two yards must increase five feet per each 12 feet or portion thereof that the building exceeds 40 feet. The minimum rear yard setback is 25 feet, subject to change due to exceptions regarding building height and lot depth.

11.21.18



Data source: NYC Dept. of City Planning GIS Zoning Features, 2018; Nassau County.

- *Project Sites*
- *North, South, and East Parking Lots*
- *Proposed Belmont Electrical Substation*
- *Primary Study Area (1/4-mile radius)*
- *Secondary Study Area (1/2-mile radius)*
- *Long Island Rail Road (LIRR)*
- *Zoning District Boundary*

0 2,000 FEET

Queens County Zoning

Residential District

R2; R2A
R3-2; R3A; R3X
R4-1; R4

Manufacturing District

M1-1

Commercial District

- *C1-2 Commercial Overlay District*
- *C1-3 Commercial Overlay District*
- *C2-2 Commercial Overlay District*
- *C2-3 Commercial Overlay District*

Nassau County Zoning

Town of Hempstead

C: Residence C
B: Residence B
Bus: Business X

Village of Floral Park

R-1: Residence District

Village of Bellerose

Res: Residence District
Apt/Bus: Apartment and Business District

Village of South Floral Park

Res: Residence District

Overlay District: HT-E,G – Gateway, HB – Highway Business

Zoning

BELMONT PARK REDEVELOPMENT CIVIC AND LAND USE IMPROVEMENT PROJECT

Figure 2-3

Table 2-1
Zoning Districts Located in Primary and Secondary Study Areas

Location	Zoning District	Uses/Zone Type	Minimum Lot Area	Maximum Height for Dwellings	Maximum Height for Other Uses	Lot Coverage	Minimum Front Yard	Minimum Side Yards	Minimum Rear Yard	FAR*
Nassau County										
Village of Floral Park	Residence -1	Single-family detached residences	4,000 SF	35 FT or 2.5 stories	--	30%	20 FT	Aggregate 15 FT with no less than 5 FT on any side	20% or 25 FT, whichever is greater	N/A
Village of Bellerose	Residence District	Single-family detached residences, park, railroad station, municipal hall or firehouse, home occupations and accessory uses	6,000 SF	30 FT	--	30%–35%	25 FT	8 FT	30 FT	N/A
	Apartment and Business District	Public Library, school, apartment house, retail stores, office buildings	600 SF – 5,000 SF	30 FT or 2.0 stories	--	80%	N/A	N/A	15 FT	N/A
Village of South Floral Park	Residence District	Single-family detached residences, churches, firehouses, billboard and signs, and home occupation uses	--	2.5 stories**	45 FT or 3 stories	30%	20 FT	5 FT	15 FT	N/A
Town of Hempstead	Residence B	One- and two- family detached or senior residences	6,000 SF	30 FT or 2.5 stories	45 FT or 3 stories	27.5%	40 FT	15 FT	25 FT	N/A
	Residence C	One- and two- family detached or senior residences	6,000 SF	30 FT or 2.5 stories	50 FT or 4 stories	35%	35 FT	15 FT	25 FT	N/A
	Business X	Single-family and two-family detached dwelling, restaurant, office, agricultural, municipal recreational use, train station	N/A	30 FT or 2.0 stories***	--	70%	20 FT	N/A	10 FT	N/A
	HT-E	Various retail, commercial, restaurant, mixed-uses, hotels, places of amusement or public assembly, storage warehouses, etc.	N/A	30 FT or 2.0 stories****	--	25%	20 FT	25 FT	50 FT	0.25

Table 2-1 (cont'd)
Zoning Districts Located in Primary and Secondary Study Areas

Location	Zoning District	Uses/Zone Type	Minimum Lot Area	Maximum Height for Dwellings	Maximum Height for Other Uses	Lot Coverage	Minimum Front Yard	Minimum Side Yards	Minimum Rear Yard	FAR*
Queens County (NYC)										
	R2	Single-family detached residences	3,800 SF	N/A	--	N/A	15 FT	5 FT	30 FT	0.50
	R2A	Single-family detached residences	3,800 SF	35 FT	--	30%	15 FT	5 FT	30 FT	0.50
	R3X	One- and two- family detached residences	3,325 SF	35 FT	--	N/A	10 FT	2 FT	30 FT	0.50
	R3A	Single- and two-family detached residences	2,375 SF	35 FT	--	N/A	10 FT	0 FT	30 FT	0.50
	R3-2	Low-rise attached houses, small multifamily apartment houses and detached and semi-detached one- and two- family residences	3,800 SF	35 FT	--	35%	15 FT	5-8FT	30FT	0.50
	R4-1	One- and two- family detached and semi-detached houses	2,375 SF	35 FT	--	N/A	10 FT	0FT	30 FT	0.75
	R4	Single- and two- family residences and multifamily residences	3,800 SF	35 FT	--	45%	10 FT	5 FT	30 FT	0.75
	C1-3	Retail uses including grocery stores, dry cleaners, drug stores, restaurants and local clothing stores	--	--	--	--	--	--	--	2.0
	C1-2	Retail uses including grocery stores, dry cleaners, drug stores, restaurants and local clothing stores	--	--	--	--	--	--	--	2.0
	C4-3	Specialty and department stores, theaters, commercial and office uses	--	--	--	--	--	--	--	3.4

Table 2-1 (cont'd)
Zoning Districts Located in Primary and Secondary Study Areas

Location	Zoning District	Uses/Zone Type	Minimum Lot Area	Maximum Height for Dwellings	Maximum Height for Other Uses	Lot Coverage	Minimum Front Yard	Minimum Side Yards	Minimum Rear Yard	FAR*
	M1-1	One or two-story warehouses with loading bays or light industrial uses such as woodworking shops, repair shops and wholesale service and storage facilities. Other permitted uses include offices, hotels and most retail uses. Hospitals are allowed by special permit.	--	--	--	--	--	--	--	1.0 – 10.0

Notes:
*FAR = Floor Area Ratio
**Minimum height of residences is 1½ stories. Buildings other than residences can be no greater than 3 stories or 45 feet in height, except a church.
***Except for buildings on lots that contain two or more acres and have a lot depth in excess of 100 feet, no building shall exceed four stories or 60 feet.
****Except that a maximum of four stories or 60 feet shall be permitted by the Town Board.
Sources: Town of Hempstead Building Zone Ordinance and Map, Village of Bellerose Zoning Code and Zoning Map, Village of Floral Park Zoning Code and Zoning Map, Village of South Floral Park Zoning Code, New York City Planning Zoning and Land Use Map

Business X Zoning District

As noted, Site A and B's Hempstead Turnpike frontage is designated as Business X ("Bus" as depicted on the Zoning Map) to a depth of 100 feet. The Business X zoning district is a general commercial district that permits uses such as office space, restaurants, retail stores, motor vehicle repair shops, and other community oriented retail uses. It also allows for single-family and two-family detached dwellings, institutional uses such as hospitals, educational schools, philanthropic uses and dormitories, agricultural uses, and recreational uses. No buildings within this district may be greater in height than two stories or 30 feet except on lots that contain two or more acres in which up to four stories and a maximum height of 60 feet is permitted. For any building type including residential dwellings, the building area may not exceed 70 percent of the lot area. The minimum lot size in this district is 1,500 square feet.

Setbacks within this zoning district require the front yard setback to be the same as the average front yard depth of the existing buildings within 200 feet on each side of the lot within the same block in the same use district. The maximum lot depth is 20 feet. For corner lots, a front yard is required on each street, and each such front yard shall not be less than 10 feet. Rear yards are required to be a minimum of 10 feet unless a building is used in whole or in part as a dwelling, in which case the rear yard depth must be a minimum of 15 feet. Furthermore, the depth shall be increased by five feet for each 12 feet the building exceeds 40 feet in height.

Hempstead Turnpike-Elmont Overlay District

The HT-E District overlay, adopted in 2012, is an effort to coordinate and guide future development in the Elmont area, as the land use pattern is not coherent or consistent, and uses often do not match the zoning in this vicinity. The HT-E overlay district and its requirements are set forth in Article XL of the Hempstead BZO.

The HT-E District was designed to implement the planning and design recommendations of the *Elmont Community Vision Plan*, which is described above. Among the *Vision Plan's* recommendations was the development of contemporary zoning regulations for Hempstead Turnpike, including design guidelines and updated lot and bulk controls that would coordinate and guide future development, while recognizing the differing land use areas in the corridor. The HT-E overlay district consists of regulations applicable to new development, redevelopment, and building expansions which results in a 10 percent or greater increase in the building's floor area along the Hempstead Turnpike corridor. The primary purpose of the HT-E District is to encourage a variety of land uses and build upon the strengths of the Elmont area, including the presence of Belmont Park and the diverse residential community that is within walking distance of many of the corridor's commercial establishments. The HT-E District regulations, as an overlay district, were designed to minimize non-conformity with properties previously zoned Business X. The HT-E District is divided into four subdistricts:

- Hempstead Turnpike–Elmont, Shopping Center (HT-E, SC), which includes the strip shopping area to the east of Elmont Road and School Street on the north side of Hempstead Turnpike, as well as the strip shopping area to the west of Butler Boulevard on the south side of Hempstead Turnpike.
- Hempstead Turnpike–Elmont, Neighborhood Center (HT-E, NC), which includes the area near the intersection of Hempstead Turnpike and Elmont Road/Plainfield Avenue.
- Hempstead Turnpike–Elmont, Gateway (HT-E, G), which encompasses the large Belmont Park parking lot located on the south side of Hempstead Turnpike adjacent to the Cross Island Parkway. Site B of the Project Sites is located in the HT-E, G subdistrict (see below).

- Hempstead Turnpike–Elmont, Highway Business (HT-E, HB), which encompasses areas not included in the other three subdistricts.

The Hempstead BZO outlines the permitted use for each of these subdistricts, except for the HT-E, G subdistrict, which is reserved for the future. Article XL of the Hempstead BZO notes of the HT-E District:

> *Belmont Park, which is owned by the State of New York and which includes both the racetrack and associated parking fields, is currently zoned B Residence and shall remain zoned as such until the Town of Hempstead acquires zoning jurisdiction. Should such property be subject to the zoning jurisdiction of the Town of Hempstead, consideration shall be given to creating a new Gateway Zone that generates economic development through jobs and property tax revenue and considers the area's preference for the property, as set forth in the Vision Plan. Such a zone could permit a mixture of uses, including, but not limited to, hotel, entertainment, related commercial, and any uses ancillary to the racing uses at Belmont Park.*

As described above, Site B is mapped within the Town's HT-E, G overlay district, but no regulations have been established for this district. Moreover, the Hempstead BZO provides that should the Town of Hempstead acquire zoning jurisdiction over Belmont Park, the Town would consider creating regulations for the new Gateway zone that would permit a mixture of commercial, hospitality and entertainment uses to achieve the zone's intent to generate economic development.

STUDY AREAS

The zoning in the study areas includes the districts included in **Table 2-1**. A map depicting the zoning in the primary and secondary study areas is included as **Figure 2-3**. This map and the table were derived from the Building Zone Ordinance of the Town of Hempstead, the zoning codes and maps of the Villages of Floral Park, South Floral Park and Bellerose and the New York City Zoning Code. The zoning consists of a mix of predominantly residential districts, particularly within the Villages, as well as commercial zoning and some industrial zoning. The commercial zoning is generally along the major transportation corridors of Hempstead Turnpike/Hempstead Avenue and Jericho Turnpike/Jamaica Avenue.

Primary Study Area (1/4-mile Radius)

Bellerose Terrace and the Villages of Bellerose and Floral Park

Village of Floral Park's Zoning Map depicts the area northeast of the Project Sites as being within the Residence-1 zoning district, including Plainfield Avenue. Residence-1 district typically permits single-family detached dwellings and accessory structures. However, special uses permitted within the district include religious institutions and associated buildings, public libraries, fire stations, parks or playgrounds and private schools.

According to the Town of Hempstead's Zoning Map, Bellerose Terrace is zoned Residential B north of the LIRR to Huron Road.

Elmont

Pursuant to change of zone approvals obtained on April 10, 2012, and as depicted on the Town of Hempstead Zoning Map, the majority of the area within this neighborhood is zoned Residence C with the parcels abutting Hempstead Turnpike zoned as Business X. This area of Elmont encompasses the HT-E, HB and HT-E, G overlay districts (as described above) along Hempstead

Turnpike. Residence C district typically permits single-family or two-family detached dwelling or senior residences The Business X zoning generally permits retail uses.

Queens Village (south)/Cambria Heights

This neighborhood is predominately zoned as residential with the northern portion zoned as R2 residential district and the southern portion from south of Murdock Avenue zoned as R2A residential district.

R2 residential district permits only single-family detached houses on lots similar in size to those in the Village of Floral Park. A C1-2 commercial overlay district is situated within the R2 district to allow for local retail services such as grocery stores, dry cleaners, and restaurants. This overlay district is found along the northeast side of Hempstead Avenue. Within this overlay district, mixed-use buildings may only have commercial uses on one or two levels and must have residential uses above. Uses within this district have a maximum commercial floor area ratio (FAR) of 1.0 and are subject to commercial bulk rules.

The R2A residential district was created to preserve low-rise neighborhoods characterized by single-family detached homes on small lots (i.e., 3,800 sf).

Queens Village (north)/Bellerose Manor

This neighborhood is comprised of predominantly residential zoning within Queens County. R2 residential district permits only single-family detached houses on a lot area with a minimum 3,800 sf. R3-2 residential district allows a variety of housing types including low-rise attached houses, multifamily apartments and detached and semi-detached one- and two-family residences. This district is generally characterized as low density residential within New York City.

Consistent with the uses along the LIRR, the M1-1 district is designated for areas of light industrial uses, which include uses such as workshops, wholesale service, storage facilities and repair shops. Furthermore, if standards are met, this district could also include offices, hotels and most retail uses. In addition, some community facilities are allowed within this district by special permit only, but religious institutions are allowed as-of-right. FAR within this district ranges from 1.0 to 10.0 depending on location. Building height and setbacks are regulated by a sky exposure plane, which may be penetrated by a tower in certain districts.

Secondary Study Area (1/2-mile Radius)

Zoning within the secondary study area, between ¼- and ½-mile from the Project Sites, is described below.

Bellerose Terrace and the Villages of Bellerose, Floral Park and South Floral Park

This neighborhood is primarily zoned R-1 in the Village of Floral Park and Residence District in the Villages of Bellerose and South Floral Park. The Village of Bellerose also contains Apartment and Business zoning along Jericho Turnpike.

R-1 zoning is located south of the LIRR and is within the Village of Floral Park's jurisdiction. The R-1 district typically permits single-family detached dwelling and accessory structures. However, special uses permitted within the district include religious institutions, public libraries, fire stations, parks or playground, and private schools. The Apartment and Business District permits multifamily dwellings and apartments, as well as stores, restaurants, office buildings, professional offices, public libraries, schools and museums, among other uses. Special permit uses include fast-food establishments, car washes, etc.

The area north of Jericho Turnpike is zoned R2A, which is a residential district that was created to preserve low-rise neighborhoods characterized by single-family detached homes. This district permits single-family detached residences with separate garages that are exempt from floor area calculations, up to a maximum of 300 square feet.

The study area, east of Plainfield Avenue, within the Village of South Floral Park is zoned Residence District. The Residence District permits single-family detaching dwellings and accessory structures, churches, municipal firehouses, home occupation uses and billboards or other advertisement signs.

Elmont

Pursuant to the Town of Hempstead's Zoning Map, the majority of this study area is zoned as Residence B district, with a small area of Residence C. Zoning along Hempstead Turnpike is Business, with the HT-E, HB and HT-E, NC overlay and one parcel zoned GA (Golden Age Residence, which permits residents 62 years or older in multifamily dwellings on land owned or controlled by the Town of Hempstead Housing Authority). In addition, Plainfield Avenue/Elmont Road within this study area is zoned Business X to a depth of approximately 100 feet.

Queens Village (south)/Cambria Heights

The Queens Village (south) and Cambria Heights neighborhoods are entirely zoned residential amongst three New York City zoning districts: R2A, R2, and R3-2. The R2A district is mapped south of Murdock Avenue; the R2 district is located north of Murdock Avenue and continuing north of Hempstead Avenue; and the R3-2 district is located west of 221st Street and continuing past Springfield Boulevard. The only exception is the C1-2 Commercial Overlay District, which is located along Hempstead Avenue in this portion of the secondary study area.

Queens Village (north)/Bellerose Manor

This neighborhood, which is within Queens County, is mapped with commercial C1-2, C1-3, C4-3. Furthermore, the Queens Village neighborhood is zoned residential R3-2, R3X, R2, R3A, R2A, and R4 in Queens County. R3-2 residential zoning allows a variety of housing including low-rise attached houses, small multi-family apartment houses and detached and semi-detached one- and two-family residences. R3X district consists of only one- and two-family detached homes on a lot of at least 35 feet wide. R3A features modest single- and two-family detached residences on lots smaller than the R3X district R4 zoning district allows all housing types as being characterized as a higher-density zoning district allowing for lot coverage of 45 percent. As described above, R2 and R2A residential zoning districts are characterized as single-family detached homes. Furthermore, the C1-2 and C1-3 zoning districts in Queens (described above) permit retail stores with ground level commercial uses with residential uses above. C4-3 zoning district permits specialty and department stores, theaters and other commercial uses including office use.

In the Bellerose Manor neighborhood, R4-1 district is located between 247th Street and Commonwealth Boulevard north of Jericho Turnpike. This district permits only one- and two-family detached and semi-detached houses. Residences within this zone tend to have larger FAR than other residential districts with a FAR of 0.75 plus an attic allowance.

Fronting the R2A and R4-1 districts along the westbound side of Jericho Turnpike, is the C1-3 commercial overlay district. This district is mapped within residence districts that allow for local retail and commercial uses along major corridors. Mixed-use buildings within the commercial district are limited to one or two floors of commercial use with required residential uses above. All commercial buildings within this district are subject to the overlay's bulk requirements.

COMMUNITY CHARACTER

Community character encompasses a number of categories of potential environmental impacts that may affect the surrounding community identity, including: land use, visual characteristics and urban design, cultural resources, socioeconomic conditions, traffic, and noise. However, not all these elements affect community character in all cases; a neighborhood usually draws its distinctive character from a few determining elements. This section examines the existing character, and later in this chapter, the effects of the Proposed Project on the community's character are examined.

The character of the Project Sites is defined mostly by the parking lots that support the Belmont Racetrack. Site A, which is directly adjacent to the Grandstand, is generally flat and barren at the western end, with an area containing a stand of mature deciduous trees, including pin oaks, located at the eastern end within the existing Backyard area. The stand of mature trees is located directly south of the Grandstand, and has defined the community character for decades. In addition, there are some mature trees that line the Hempstead Turnpike frontage at Site A and Site B, although there are significant gaps in the vegetation along the roadway.

Aside from the buffering along the Cross Island Parkway and minimal buffering along the eastern extent of the property, Site B is characterized as a flat and open surface parking lot containing minimal vegetation. The site is located at the crossroads of two counties and is the gateway from New York City into Long Island. The Site B parking lot shields the Elmont neighborhood to the east from the Cross Island Parkway.

The study area's character is generally dominated by four features: 1) Belmont Park, which opened in 1905 and which comprises over 430 acres; 2) single-family residential neighborhoods located to the north and south of Hempstead Turnpike; 3) two major transportation features (the Cross Island Parkway and the LIRR); and 4) two primary commercial corridors (Hempstead Turnpike/Hempstead Avenue and Jericho Turnpike/Jamaica Avenue). The Belmont Park Grandstand, the Cross Island Parkway, and the LIRR contribute to the visual character of the community, and the Parkway and LIRR are a source of existing noise in the study area. The traffic on the Parkway, Hempstead Turnpike, and Jericho Turnpike also affect the character of the study area. The residential neighborhoods make up the most widespread use within the study area, and the small lot (approximately 2,400 – 6,000 square feet), single-family development pattern in all the neighborhoods examined, in both Nassau and Queens, is a dominant contributing factor to the character of the area outside of Belmont Park.

Belmont Park is a unique facility, as the largest single land use within Elmont and the gateway into Nassau County from the central portion of Queens. The Grandstand and stables dominate the visual character within the community. The Grandstand extends to a height of 105 feet, surpassing the height of all the other buildings within the Elmont and Floral Park areas. Furthermore, the 63 barns and stables and other uses associated with thoroughbred racing add a distinctive character to the area.

Hempstead Turnpike along Belmont Park is characterized as densely developed with commercial retail uses on the south side set back between 100 and 200 feet from the roadway with residential uses behind. Street trees line the north side of Hempstead Turnpike along the Belmont Park property.

The communities within Nassau County examined in this FEIS have generally similar characteristics as they are all quintessentially suburban and composed of predominantly two-story, single-family residences on moderately sized lots. Elmont is more ethnically and economically

diverse as compared with Floral Park, South Floral Park, and Bellerose. In addition, aside from Belmont Park, which is the predominant feature of the community, Elmont contains several large cemeteries that also define the neighborhood character. Floral Park is characterized by its small town feel and its civic amenities (including the school districts, fire departments, pool, parks and library). Tucked between Floral Park and Elmont, South Floral Park is a small village of approximately 1,800 (2017), with about 550 housing units. The median age of residents has been trending younger over the last decade. The Village was one of the earliest racially integrated villages on Long Island and remains ethnically diverse. It is characterized by its overwhelming majority of single-family homes.

These communities have a distinctly different visual character than that of the communities within Queens County, as Nassau County is less densely developed. However, Bellerose Terrace located within Nassau County strongly emulates the visual character of Queens, as residential roadways are narrow and lined with two-story residences on small lots. Moreover, along the major corridors mentioned above within Nassau County, two-story mixed-use buildings with commercial on the ground level and residences above are commonly found. The neighborhoods within Nassau County are primarily working class, suburban areas comprising residences, schools, small parks and local commercial retail establishments.

The communities within Queens examined in this FEIS are more densely developed with single-family residences, commercial and industrial uses. These communities consist of predominantly single-family residences yet are more densely and diversely developed with more mixed commercial, industrial, and manufacturing uses, which are located along the major commercial and transportation corridors. Bellerose Manor is considered a suburban pocket of Queens with well-kept homes and yards, as well as tree-lined streets. Queens Village is more diverse in both housing stock and the population that resides there. This ethnic diversity is reflected in the number of houses of worship within this community. Finally, Cambria Heights contains quiet, tree-lined streets, and the area is also considered relatively suburban as compared to other parts of Queens.

D. FUTURE WITHOUT THE PROPOSED ACTIONS

The future without the Proposed Actions condition (or the No Action condition) provides a baseline condition in the future that is evaluated and compared with the incremental changes caused by the Proposed Project. Conditions in the future without the Proposed Actions are assessed for the same 2021 analysis year as the Proposed Actions.

LAND USE

BELMONT PARK

In the future without the Proposed Actions, it is anticipated that NYRA will seek to make renovations to the Belmont Park facility. NYRA is planning the following improvements to Belmont Park that for purposes of analysis are assumed to occur by the 2021 analysis year:

- Rebuilding of the outer dirt track, and existing turf tracks within their current footprint to provide greater safety, improved drainage and irrigation.
- Installation of LED lighting around the dirt and turf courses to provide for possible future night racing at Belmont Park.
- Within the existing Grandstand structure, expansion of the Clubhouse (a limited-access area).
- Potential installation of high-definition video boards in the Paddock and Backyard areas.

These future renovation activities are included in the background condition as part of the assessment of construction impacts (see Chapter 15, "Construction"), given that the future renovation and construction of the Proposed Project would have overlapping schedules. Night racing has not yet been authorized or funded and would need legislative approval to proceed. The FEIS also considers other conditions that would result from night racing in the background conditions for the Proposed Project, even though, as noted, night racing has not yet been authorized.

In addition, Chapter 21, "Cumulative Impacts," summarizes the Proposed Actions' anticipated cumulative impacts, or effects that result from the incremental impact of the Proposed Actions when added to other past, present, and reasonably foreseeable future actions, including those associated with NYRA. However, any activities by NYRA are separate projects from the Proposed Project, with the Proposed Project having independent utility from such efforts and in no way dependent on such activities.

It is expected that NYRA would continue to pursue its anticipated renovation activities in the near future with or without the Proposed Project.

PROJECT SITES AND OTHER DIRECTLY AFFECTED AREAS

No changes in use are anticipated for the Project Sites in the future without the Proposed Actions. Sites A and B would continue to be used for occasional parking related to Belmont Park Racetrack and its associated activities and events. Site B would also continue to be used for vehicle storage. The Project Sites would continue to be underutilized and not further the goals of the *Elmont Community Vision Plan* and the *Nassau County Comprehensive Plan* and *Updates* or New York State's vision for the redevelopment of this area into an economic engine and community gateway. Any changes to Belmont Park by NYRA are separate from the Proposed Actions and would be expected to occur in the future with or without the Proposed Project.

As with the Project Sites, it is expected that in the future without the Proposed Actions, the other directly affected areas (including the North, South and East Lots and the area of the proposed electrical substation) would continue in their current and underutilized condition to accommodate visitor parking (South Lot) the occasional parking demand from the Belmont Stakes and for the storage of vehicles (North and East Lots).

STUDY AREAS

Information request letters were transmitted to the Town of Hempstead, and the Villages of Bellerose, Floral Park, and South Floral Park asking for information regarding recently approved or planned private or public developments, that are anticipated to be completed by the Proposed Project's analysis year (2021), and generally located within ½-mile of the Project Sites. Also requested was information regarding anticipated zoning projects and/or capital improvement projects within the study areas for both land use and zoning, as well as traffic analysis purposes. Information that has been received at the time of publication of this FEIS is listed in **Table 2-2** and has been reviewed as part of the impact evaluation. Furthermore, information in the table below is also based on coordination between the Applicant and Nassau County, and between the lead agency and the Village of South Floral Park. In addition, the table includes planned projects that were identified in the Queens portion of the study area using the New York City Department of Building's online query system. Unless otherwise noted, the projects listed below are included in the land use and zoning and other study areas that have been identified in this FEIS.

Table 2-2
Other Planned Developments and Capital Improvements

Project	Location	Square Footage	Residential Units
Nassau County			
Village of Floral Park			
Four-story residential apartment building*	North-east corner of Mayflower Place and South Tyson Avenue	700 to 900 square feet per unit	27 units
Fast food store**	Jericho Turnpike, approximately 230 feet east of Tulip Avenue	--	--
Re-construction of roadway	Floral Boulevard	--	--
Construction of a recharge basin and storm sewer pipes	Belmont Park property/Floral Park residential streets	--	--
LIRR's Third Track project	Main line on the LIRR – south of Tyson Avenue, continuing through the Village of Floral Park to Hicksville	--	---
Village of Bellerose			
Mixed Use Development	248-34-38 Jericho Turnpike	--	--
Mixed Use Development	250-72 Jericho Turnpike	--	--
Road Repaving and Reconstruction	Village-wide, Hudson Road and Ontario Road between Commonwealth Boulevard and Colonial Road	--	--
North New Hyde Park			
383 Jericho Turnpike – Retail*	Northwest corner Jericho Turnpike/Cherry Lane	17,116	0
Queens County			
Four-story commercial building***	222-25 Jamaica Avenue	32,167 SF	0
Mixed use development	110-38 Springfield Boulevard	4,980 gsf of local retail 5,842 gsf community facility (preschool)	

Notes:
* Projects located *not* within the ½-mile land use/zoning study area but analyzed within the traffic analysis in Chapter 11, "Transportation."
** Project located *not* within the ½-mile land use/zoning study area, but which are analyzed within the traffic and socioeconomic chapters of this FEIS (see Chapter 7, "Transportation," and Chapter 11, "Transportation," respectively).
*** Project located within only the socioeconomic study area (see Chapter 7, "Transportation").
Sources: Nassau County Planning Commission; New York YIMBY LLC, 2018; New York City Department of Buildings; and Village of Floral Park Building Department

As identified in **Table 2-2**, there are several infrastructure projects proposed to occur within the study area. Also, just outside the study area, but within the traffic and socioeconomic study areas, three commercial and one residential projects were identified. Furthermore, one project consisting of the construction of a four-story commercial building was identified within only the socioeconomic study area. This commercial project is further analyzed in Chapter 7, "Socioeconomic Conditions," of this FEIS.

Moreover, there are several projects identified in Queens outside of the study area including commercial and residential projects. The New York Police Department has announced plans to build a new 45,000-gross-square-foot police precinct at 242-20 North Conduit Avenue (for a newly established 116th Precinct district) in Rosedale to serve portions of southeastern Queens.

Moreover, there are several small-scale residential projects that have been identified within Queens that will not have an impact on the Proposed Project.

The Village of Floral Park Building Department has indicated that are no private development plans within the ½-mile study area. However, there are plans for capital improvements including road re-construction and storm drainage projects that are planned for 2018–2019 (see **Table 2-2**).

The Village of Bellerose indicated two private development projects within the study area. Further, there is a capital improvement project for road repaving and reconstruction within the ½-mile study area that began in 2018 and is expected to continue into 2019.

The Town of Hempstead has indicated that there are no major development or capital improvement projects within the identified study areas.

As noted, correspondence was transmitted to the Village of South Floral Park requesting information regarding major development and/or capital improvement projects. To date, no response has been received from the Village regarding this matter.

The projects listed above are not expected to have a substantial effect on land use patterns or zoning in and around the primary and secondary study areas.

RELEVANT POLICIES AND COMPREHENSIVE PLANS

At this time, there are no known new local, county, or regional plans, other than those identified above, that would directly affect the Project Sites and other directly affected areas, or neighborhoods within the study area.

ZONING

PROJECT SITES' OTHER DIRECTLY AFFECTED AREAS

No zoning changes to the Project Sites and other directly affected areas are anticipated in the future without the Proposed Actions. Sites A and B are owned by New York State acting by and through the FOB, and are exempt from local zoning.

STUDY AREAS

As noted, information request letters were sent to the municipalities within the study areas for information related to any planned zoning projects. No major rezoning initiatives have been identified in the study area. However, should the Town of Hempstead seek to guide new development in the HT-E overlay zoning district (which was the result of the *2008 Elmont Community Vision Plan*) it has reserved the ability to add new zoning regulations in the future. This would control new development within the overlay for areas along Hempstead Turnpike that are directly adjacent to and in the vicinity of the Project Sites.

COMMUNITY CHARACTER

With little change expected in development patterns, as much of the area is already developed, limited new proposed development (as described above) and no major changes to zoning are expected in the near future without the Proposed Actions. Therefore, the community character at the Project Sites and within the study areas is not expected to change. Belmont Park has been a prominent feature in the community for over 110 years. It is one of the major elements that defines the character of the community, and this is unlikely to change in the future, even without the Proposed Project.

The recently enacted Hempstead Turnpike–Elmont Overlay District was created based on community input that came directly out of the *Elmont Community Vision Plan*. Therefore, any new development that is expected to occur by 2021 in the area of the HT-E zoning would directly

reflect the goals expressed by the community with regard to maintaining and enhancing this area's character with respect to economic and visual resources, among others.

Site A and B would continue to be used for parking related to Belmont Park and its associated activities and events. The Project Sites, as well as the other directly affected areas (the North, South, and East Lots) would continue to be underutilized. The parking lots at the Project Sites would continue to appear unkempt, but would remain active (e.g., the North Lot would remain unpaved and continue to house scattered NYRA-related equipment, horse shipping trailers and feed storage, and dealership cars, the South Lot would remain a mostly underutilized parking lot and the East Lot would continue to house dealership cars, the manure transfer facility, construction and landscaping debris, employee and larger event parking, etc.). Furthermore, although there are several smaller projects proposed to be developed by 2021, the visual resources of the surrounding area are expected to remain essentially unchanged.

Further, with respect to traffic, there are no changes expected for the Project Sites; however, several projects were identified within the study area that are expected to be developed by the year 2021. Traffic volumes associated with three No Action development projects were incorporated into the traffic analyses; these projects were found to generate relatively little new traffic through the analyzed intersections, and demand from other smaller sites is assumed to be reflected as a part of general background growth. Thus, no significant change to traffic within the community is anticipated.

E. POTENTIAL IMPACTS OF THE PROPOSED ACTIONS

The analysis below addresses land use, zoning, and community character, and the compatibility of the Proposed Project with surrounding uses and densities, and consistency of the Proposed Actions with community character. As described in Chapter 1, "Project Description," the intention of the Proposed Project is to strengthen Belmont Park as a premier destination for sports, entertainment, recreation, retail, and hospitality on Long Island. The development is also proposed to include designated open space for the community. Therefore, with those goals in mind, the compatibility of the mix of the proposed land uses with Belmont Park and the surrounding area is examined.

The Proposed Project requires the adoption, authorization, and implementation of a GPP by ESD in accordance with the New York State Urban Development Corporation Act, with overrides of the Town of Hempstead BZO Building Zone Ordinance and the Hempstead Town Code. The GPP would permit uses, densities, and building heights that do not comply with the use and dimensional requirements of the underlying zoning regulations of the Project Sites. The non-conformity between the zoning and the uses and bulk of the Proposed Project on Site A is not considered significant because for over 110 years, Belmont Park has existed as a use that does not conform to the local zoning (as it pre-dated zoning in the area), and the proposed structures on Site A relate to the bulk and height of the existing Belmont Park Grandstand. The height of the proposed buildings on Site B would be no higher than what is permitted by the existing underlying residential zoning and underlying business zoning under certain conditions. The non-conformity between the zoning and the bulk of the proposed buildings on Site B is not considered significant because Site B has been recognized by the Town of Hempstead, in the HT-E Overlay District, as an area that would augment the Gateway character of Hempstead Turnpike, with development that would not conform to the bulk and density regulations of the Town's Business X and Residential B zoning districts, which are the extant districts on Site B. Additionally, the Proposed Project components are consistent with the uses identified in plans and studies conducted for the area,

such as the 2008 Elmont Community Vision Plan and Nassau County Comprehensive Plan and Updates.

LAND USE

PROJECT SITES AND OTHER DIRECTLY AFFECTED AREAS

In 2021, it is anticipated that the entirety of the Project Sites (Sites A and B) comprising approximately 43 acres would be fully redeveloped and operational. The 43-acre redevelopment represents about 10 percent of the overall Belmont Park property. As described in detail in Chapter 1, "Project Description," the Proposed Project would include an arena for the New York Islanders and other sports, music, cultural, community, recreational, and entertainment events, along with commercial retail, office, hotel, and community space, as well as associated parking. The Proposed Project may include a pedestrian bridge and/or the utilization of the existing vehicle and pedestrian underpasses below Hempstead Turnpike that connect Site A to Site B.

As Sites A and B almost totally comprise parking for Belmont Park today, the proposed land uses on these sites would constitute a major change of use. The uses that would be displaced are the existing surface parking areas that comprise Sites A and B and a portion of the Backyard concession, man-made water feature, and picnic area on Site A. New parking, as well as luxury outlet/destination retail would supplant the existing parking on Site B. The future use of the North, South, and East Lots for parking would not change from the present use, although the level of use, configuration, and certain features (e.g., parking surface, lighting) may change.

As shown in Figure 1-2 in Chapter 1, "Project Description," the basic land use distribution of the Proposed Project includes the arena, retail, food and beverage establishments, a hotel, and office and community space on Site A. Site B is proposed to contain the retail village and a vegetated/open space buffer along the eastern and southern property boundaries. Parking on Site A would include about 440 spaces, while Site B would contain approximately 1,500 parking spaces below the retail, as well as some drop off/staging toward the southern end of the parcel.

Overall, the Proposed Actions would introduce a more intensive land use condition to the Project Sites which are now mostly underutilized parking areas. The proposed uses are compatible with the entertainment uses associated with Belmont Park and are consistent with public policy at a local, county, and state level looking to create economic development opportunity at this important gateway location. A brief description of the proposed land uses follows. A more detailed discussion of the proposed uses is contained in Chapter 1, "Project Description."

Arena

The proposed maximum 125-foot tall, multi-purpose arena would be a new state-of-the-art facility located in the eastern central portion of Site A. The arena would contain up to 19,000 seats (see Chapter 1, "Project Description," for additional details) and interior arena spaces that would be accessible to arena patrons. The arena would be located adjacent to the Hempstead Turnpike/Cross Island Parkway interchange, just south of the 105-foot-tall Grandstand. It would not be situated directly adjacent to any residential neighborhood and would be surrounded by an internal roadway and landscaped buffers along Hempstead Turnpike and the interchange.

Retail, Dining, and Entertainment

The Applicant is proposing a total of up to 350,000 square feet of retail, dining and entertainment spaces on Sites A and B. As described in more detail in Chapter 1, "Project Description," Site A would contain up to 35,000 square feet of experiential retail, which is assumed to consist primarily

of food and beverage establishments. Site B would contain up to 315,000 square feet of luxury outlet stores/destination-type retail within a retail village.

This retail area on Site B is intended to create a village-type atmosphere that would incorporate pedestrian pathways and squares, lined with small and unique buildings featuring boutiques, restaurants, and special events to complement the shopping experience. The retail establishments in this area would be built over the proposed below-grade parking. The main retail buildings on Site B are proposed to be one to two stories in height and would be designed to complement the scale of the adjacent residences. Architectural elements on Site B that may exceed that height would be located toward the interior of the site and set back further from the property lines to minimize visibility from the residences.

Hotel

A hotel with up to 250 hotel rooms is proposed to be located on Site A along Hempstead Turnpike between the arena/plaza area and the South Lot and existing Paddock, opposite the Retail Village on Site B. The hotel is anticipated to extend to a maximum height of 150 feet (exclusive of mechanical space), approximately 45 feet higher than the existing Grandstand, located to the north. However, the hotel would not be directly adjacent to any residential neighborhood and is located along a major commercial thoroughfare.

Office Space and Community Space

The proposed office space totaling approximately 30,000 square feet would be located on Site A and is expected to be used by employees associated with New York Islanders and Proposed Project operations. It is expected that the office space would be located west of the Grandstand, north of the proposed arena, near the LIRR access at the west side of Site A.

Approximately 10,000 gsf of community space would be funded, maintained, and operated by NYAP or its partners. It is anticipated that the community space would be located within a number of proposed structures (e.g., the office building, hotel, arena, and retail buildings) and would offer an array of educational and career development services.

Open Space and Buffers

Hard- and soft-scape plazas would be located on Site A and would flow into the existing Belmont Park Paddock. The plazas would include sitting areas, gathering spaces for on-site events, and programming. Site A is expected to include approximately 2 acres of publicly accessible open space and Site B would include approximately 3.75 acres of publicly accessible open space.

Site A also would include landscaped buffers along portions of Hempstead Turnpike and the ramps to the Cross Island Parkway. Furthermore, since the frequency of active parking would increase in the North Lot upon implementation of the Proposed Project, fencing with privacy screening and a hedgerow with dense evergreen vegetation would be installed along the northeastern boundary of the North Lot, screening the parking lot from the recreation areas associated with the adjacent elementary school. This evergreen vegetation would line the fencing to soften the separation of the areas and to reduce visibility between the North Lot and the school. Additional fencing with privacy screening would be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. Vegetated buffers would be installed that would separate the proposed development from Hempstead Turnpike and the Cross Island Parkway interchange. A vegetated buffer (and natural berm) would be created between the retail village on Site B and the neighborhoods to the east and south.

Parking and Circulation

Site A is expected to contain approximately 440 parking spaces, most of which would be located within the hotel podium. Site B is proposed to contain approximately 1,500 parking spaces, mostly below grade under the Retail Village. Site B also would include surface-level drop-off and staging areas for taxi/ride-share services and buses.

Pedestrian access between Site A and Site B would be by either a new pedestrian bridge across Hempstead Turnpike, existing tunnels beneath Hempstead Turnpike, or both. A pedestrian walkway would also be constructed from the south side of Hempstead Turnpike near the intersection of Wellington Road to the bus stop along the east side of the retail village, running on the east side of the Belmont Park Road.

As indicated above, through a shared parking agreement among NYAP, the FOB, and NYRA, the Proposed Project would utilize existing parking areas on the North, South, and East Lots (just over 6,000 surface parking spaces) and would provide electric shuttle transportation from the North and East Lot to Site A for major events. The North Lot, currently consisting of mostly gravel parking areas, would be resurfaced and restriped. The South and East Lots would remain in their existing paved condition. New lighting would be provided in all three lots. In addition, the East Lot would contain a parking area for buses (see Chapter 11, "Transportation," for a more in-depth discussion of the proposed parking).

Electrical Substation

The Proposed Actions would facilitate the construction of an electrical substation and associated feeders on an approximately 42,450-square-foot area north of the main track, immediately west of the North Lot and southeast of the LIRR tracks adjacent to the Cross Island Parkway on-off ramps. Associated transmission lines would be routed underground along the northern boundary of the North Lot and extend east from the proposed substation along Belmont Park Road for approximately 1.5 miles, until they are transitioned by riser poles to overhead power lines on Plainfield Avenue; a transmission overpass would be installed to connect to the existing overhead circuit on Plainfield Avenue. The substation is not located near nor would it be visible from any residences or any other facilities not associated with the track, Parkway or train. It would be screened from the Parkway by existing vegetation both in the roadway right-of-way and on the Belmont Park property. The existing vegetation would be supplemented by additional vegetation and fencing installed between the North Lot, Cross Island Parkway, and substation.

STUDY AREAS

Primary Study Area (1/4-mile Radius)

Land uses on the Project Sites would be at a higher intensity and height than currently exists or would exist in future conditions without the Proposed Project. While the surrounding neighborhoods are densely developed, it is primarily commercial development along the main thoroughfares of Hempstead Turnpike/Hempstead Avenue and Jericho Turnpike/Jamaica Avenue, with single-family residential development beyond. Given the highly developed nature of the surrounding community, the potential for the Proposed Project to alter land use patterns in the primary study area would be minimal. Therefore, although the Proposed Project would significantly alter the land use of the Project Sites, it is not expected that there would be a substantial change in land use or development patterns in the surrounding neighborhood. These are expected to remain relatively stable due to existing zoning regulations (including the recently enacted HT-E overlay district along Hempstead Turnpike in the project area).

Belmont Park has been and continues to be an important land use and major contributing factor to community character. The intensification of entertainment, sports, and food and beverage establishments on Site A would largely be compatible with the existing Belmont Park. Most of the proposed uses would be located adjacent to the Grandstand and would be separated from the residential community to the north by the Racetrack and its associated facilities. The parking area within the North Lot, which is next to the Floral Park–Bellerose Elementary School, would be formalized (resurfaced, restriped and lighted), and the frequency of its use for active parking would increase with the Proposed Project. However, the Applicant is proposing to install a hedgerow with dense evergreen vegetation along a new replacement fence with privacy screening along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening would be provided along a portion of Belmont Park Road to shield the adjacent Floral Park neighborhood from parking activities in the North Lot and to minimize potential impacts on the adjacent school facilities, such that there would be no direct line-of-sight to the new formalized parking use from the school and associated fields. In addition, use of the East Lot for parking would not impact the surrounding community, as it is located within the interior of the property and access would only be from gates located along Hempstead Turnpike.

While Site B has also been identified by local zoning and public policy as a gateway economic development, it is located adjacent to an existing residential neighborhood. Therefore, while the Proposed Project's introduction of a more intensive retail use and a large parking garage is generally consistent with the goals of gateway economic development and compatible with Belmont Park, it has more direct sensitivity along its eastern and southern boundaries with the Elmont residential neighborhood. As detailed in Chapter 1, "Project Description," the establishment of a well landscaped buffer and context sensitive design is expected to minimize and avoid an adverse impact on the adjacent residential use.

Secondary Study Area (1/2-mile Radius)

The secondary study area is between ¼- and ½-mile from the Project Sites, and is at a distance less likely to be directly affected by the proposed land use. As with the primary study area, the secondary study area is well-established and densely developed and, thus, land use and development patterns are unlikely to change due to the implementation of the Proposed Project.

Overall, implementation of the Proposed Project, while substantially intensifying development on the Project Sites, is not expected to result in a significant adverse land use impact on the surrounding community.

ZONING

PROJECT SITES

Like all Belmont Park, the Proposed Project is not consistent with the parameters of the existing underlying Town of Hempstead zoning as mapped for the Project Sites. Pursuant to the Town of Hempstead BZO: (i) the Project Sites are generally zoned Residence B District; (ii) Site B's Hempstead Turnpike frontage is zoned Business X District for a depth of 100 feet; and (iii) Site B is mapped as part of the Town's Hempstead Turnpike–Elmont District, Gateway Subdistrict (HT-E, G), for which there are currently no regulations.

The Residence B District permits single-family detached dwellings, senior residences, agriculture or nurseries, municipal recreational uses, railway passenger stations, and customary and incidental

accessory uses. The regulations of this district impose dimensional requirements that are suitable for these limited permitted uses.

The Business X District permits single-family and two-family detached dwellings, clubs, fraternity houses and lodges, philanthropic uses, hospital, sanatoriums and dormitories, music and dance schools, agriculture, greenhouses and nurseries, municipal recreational uses, railway passenger stations, office, banks and financial institutions, retail stores, restaurants, carpenters, furniture repairs, metalworking, plumbing, pet shops, jewelers, undertakers and embalmers, and customary and incidental accessory uses. The dimensional requirements applicable to the Business X District are suitable for the uses permitted in that district.

Neither the Residence B District nor the Business X District permits the arena or hotel uses that are proposed on Site A as part of the Proposed Project. While retail uses are proposed on Site B, they are located almost entirely within the portion of the site zoned Residence B. The dimensional requirements of the Residence B and Business X Districts do not permit development at the scale that is proposed. For these reasons, compliance with the local zoning requirements is not feasible or practicable, and ESD would override those sections of the BZO and Hempstead Town Code that are inconsistent with the Proposed Project pursuant to the UDC Act.

The UDC Act allows ESD to override local zoning requirements where compliance therewith is "not feasible or practicable" and, instead, to regulate development by imposing design guidelines in accordance with the general project plan for a project. Authorization of the GPP for the Proposed Project would allow overrides related to principal and accessory uses, height, density, coverage and setbacks, parking signage, lighting, stormwater management and sediment control, and fences and planted screens, among others. For illustrative purposes, **Table 2-3** sets forth several of the current regulations within the BZO and Hempstead Town Code that would be inconsistent with various aspects of the Proposed Project.

Table 2-3
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead BZO § 1 (Definitions - "Height of Buildings")	Defines "height of building" as the vertical distance measured from the mean level of the established center-line grade of the street adjacent to the building plot to the highest level of a flat or mansard roof, or to the peak of a pitched, gable, hip or gambrel roof, inclusive of bulkheads, penthouses and similar constructions enclosing equipment or stairs, unless they are less than 12' in height, as measured from the roof upon which they are located, and do not occupy more than 30% of the area of the roof.

Table 2-3 (cont'd)
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead BZO § 1 (Definitions - "Floor Area")	Defines "floor area" as the sum of the areas of all floors of a building or buildings, measured horizontally in a plane to the exterior faces of perimeter walls or from the center line of walls separating buildings, and includes the areas of cellars, basements, interior balconies and mezzanines, enclosed porches, partitions, columns, stairwells, elevator shafts, duct shafts, elevator rooms, pipe spaces, mechanical penthouses and the floor area of accessory buildings and structures. Mechanical rooms, pipe spaces, spaces having a headroom of less than six feet, balconies projecting beyond exterior walls, covered terraces, covered walkways, covered porches and similar spaces shall have their measured floor area multiplied by 0.50 when calculating total "floor area." The following are exempted from "floor area": A. The floor area of a cellar and/or basement and/or grade level and/or first story above grade level of buildings and structures, provided that the floor area of such cellar and/or basement and/or grade level and/or first story above grade level of buildings and structures is used exclusively for off-street parking facilities. B. The floor area of an arcade, covered plaza or atrium, provided that the floor area of such space is not used for any purpose other than pedestrian traffic. C. The floor area of a pedestrian mall/plaza.
Hempstead BZO § 63 (Permitted uses)	Restricts permitted uses in a B Residence District to a single-family detached dwelling or senior residence, agriculture or nursery, provided that there is no display for commercial purposes or advertisement on the premises, municipal recreational use, or railway passenger station
Hempstead BZO § 64 (Accessory uses)	Restricts accessory uses in a B Residence District to a private garage, professional office or studio of a doctor, dentist, masseur, teacher, artist, architect, real estate broker, engineer, musician or lawyer, or rooms used for home occupations such as dressmaking, millinery or similar handicrafts
Hempstead BZO § 65 (Signs)	Only permits signs which are authorized under the provisions of BZO, Article XXIV
Hempstead BZO § 66 (Excavations)	Prohibits certain excavations on property unless approved by the Board of Appeals
Hempstead BZO § 67 (Special uses)	Requires a Special Permit from the Board of Appeals in the B Residence District for certain uses specified in BZO § 272, including parking fields, temporary amusement-ride facilities, the parking of automobiles in the minimum required front yard setback, religious and private educational uses
Hempstead BZO § 68(B) (Height – Principal Buildings)	Restricts the height of all buildings other than single-family dwellings (except a church) to 3 stories or 45'
Hempstead BZO § 69 (Building area – Principal Buildings)	Restricts building area to 27.5% of the lot area, unless a portion of lot area is devoted to accessory decking of no greater than 3' in height, in which case building area is limited to no more than 30% of the lot area

Table 2-3 (cont'd)
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead BZO § 70 (Front yards – Principal Buildings)	Requires a minimum front yard that is equal to the average front yard depth of existing buildings within 200' and within the same block in the same use district, or on the opposite site of the street, where applicable, but in no case greater than 40'; except in the case of a corner lot, a front yard shall be required on each street which shall not be less than 25'; all other buildings must be set back at least 25' back of the street line
Hempstead BZO § 71(B) (Side yards – Principal Buildings)	Requires two side yards for a building other than single-family dwelling or a building accessory thereto, each yard having a minimum width of 20' if the building is not over 40 feet high, and if the building is over 40' high, the width of each side yard shall be increased by 5' for each 12' or portion thereof by which the building exceeds 40'
Hempstead BZO § 72 (Rear yards – Principal Buildings)	Requires a rear yard having a minimum width of 25', and if the building is over 40' high, the width of the rear yard shall be increased by 5' for each 12" or portion thereof by which the building exceeds 40'
Hempstead BZO § 74 (Fences)	A fence, not exceeding six feet in height, shall be permitted on the rear lot line and those linear portions of the side lot lines enclosing a rear yard; provided, however, that the six-foot fencing and its relationship to the street fronting upon the premises shall not exceed a greater distance frontward to the street than the front building line of the dwelling; provided that any fencing frontward of the front building line shall be no greater than four feet in height, and of a type which does not substantially obstruct line of sight, and provided that there shall be compliance with § 311 of Article XXXI of this ordinance, with respect to clear sight triangles.
Hempstead BZO § 75 (Accessory Buildings - coverage, height, front yards, side yards and rear yards)	Accessory buildings may occupy 40% of the required area of the rear yard up to an average height of 12', provided that the yard area occupied by such accessory buildings shall be included in computing the maximum percentage of the lot area which may be built upon. No accessory building shall be nearer any front property line than 45' and must be at least 2' from the rear and side property lines.
Hempstead BZO § 76 (Minimum lot area and width)	No building shall be constructed on a lot unless it contains an area of not less than 6,000 square feet and has a minimum width of 55' at the front setback line and a minimum width of 55' from and on the street line to the front setback line.
Hempstead BZO § 197 (Special uses)	Requires a Special Permit from the Board of Appeals in the X Business District for certain uses specified in BZO § 272, including parking fields, temporary amusement-ride facilities, the parking of automobiles in the minimum required front yard setback, religious and private educational uses
Hempstead BZO § 198 (Excavations)	Prohibits certain excavations on property unless approved by the Board of Appeals
Hempstead BZO § 199 (Signs)	Only permits signs which are authorized under the provisions of BZO, Article XXIV

Table 2-3 (cont'd)
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead BZO § 200 (Height)	Restricts the height of all buildings to 2 stories and 30', except on lots with 2 or more acres and having a lot depth in excess of 100', no building shall exceed 4 stories or 60', provided that the Town Board finds, as part of the site plan approval process, that the height would not adversely affect adjacent residential uses.
Hempstead BZO § 202 (Front yards)	Requires a minimum front yard that is equal to the average front yard depth of existing buildings within 200' and within the same block in the same use district, or on the opposite site of the street, where applicable, but in no case greater than 20'; except in the case of a corner lot, a front yard shall be required on each street which shall not be less than 10'; all other buildings must be set back at least 10' back of the front property line
Hempstead BZO § 203 (Rear yards)	Requires a rear yard having a minimum depth of 10', and if the building is over 40' high, the width of the rear yard shall be increased by 5' for each 12' or portion thereof by which the building exceeds 40'
Hempstead BZO § 205 (Fences)	Restricts the height of fences and walls to no more than 6', unless a permit is issued following approval by the Board of Appeals.
Hempstead BZO § 302(P) (Dark-sky compliant lighting)	Requires all parcels improved with a business to use dark-sky compliant lighting that so that the lighting fixtures do not emit visible light onto any part of an adjacent or nearby residential dwelling.
Hempstead BZO § 302(Q) (Dark-sky compliant lighting)	Requires all parcels improved with a business that primarily serves food to patrons for on-site consumption to have a window or windows that occupy not less than 20% of the surface area of each exterior wall, and each such window is unobstructed so that persons may directly and substantially view the indoors or outdoors at all times that the use is open for business.
Hempstead BZO § 312 (Fences and planted screens)	Imposes requirements for and limitations on fences and planted screens, and obligations to obtain approval from the Board of Appeals for certain fences
Hempstead BZO § 319 (Number of accessory parking spaces required)	Requires that off-street parking be provided as follows: hotels, 1 space for each guestroom or unit; places of public assembly, 1 space for each 3 authorized occupants or for each 200 square feet; retail stores, 1 space for each 200 square feet of floor area; office uses, 1 space for each 200 square feet of total floor area or for each 3 employees, whichever is greater; restaurants, 1 space for each 3 seats or each 100 square feet of total floor area, whichever is greater, plus 1 parking space for each 4 employees; all commercial uses not otherwise provided for: 1 space for each 4 employees or each 500 square feet of total floor space, whichever is greater
Hempstead BZO § 319(D)(1) (Parking stall size and design)	Requires that lots used for off-street parking be designed to comply with the requirements of BZO § 319(D), and have sufficient self-contained drainage, asphalt paving and adequate levels of lighting.

Table 2-3 (cont'd)
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead BZO § 319(D)(2) (Parking stall size and design)	Requires that each parking space be a minimum of 9' in width and 18' in depth, but that employee parking spaces (not exceeding more than 15% of the total required or provided parking, whichever is less) may be only 8½' in width; and that all parking spaces be separated by double painted lines in accordance with specifications approved by the Town of Hempstead Department of Buildings
Hempstead BZO § 319(D)(3) (Minimum parking space and maneuvering aisle dimensions)	Requires that parking areas be designed in accordance with the table of minimum parking space and maneuvering aisle dimensions set forth in BZO § 319(D)(3).
Hempstead BZO § 319(D)(4) (Landscaped islands in parking lots)	On sites of 1 acre or more, requires raised landscaped islands at least 5' wide located at the ends of each parking bay containing 10 or more spaces, and landscaped islands at least 8' wide separating opposing rows of parking spaces at least every third parking bay.
Hempstead BZO § 319(D)(5) (Shade trees in parking lots)	Requires 1 shade tree of not less than 3" caliper for each 10 parking spaces.
Hempstead BZO §§ 319(F) & 272(F)(3) (Parking area setback)	Prohibits parking areas from being located in the minimum front setback of a lot, except when permitted by resolution of the Town Board or when a special exception from this prohibition is granted by the Board of Appeals.
Hempstead BZO § 244 (Signs)	Restricts and regulates the type, size and number of allowable signs
Hempstead BZO § 305 (Site plan review)	Requires site plan review and approval by the Hempstead Town Board prior to the issuance of a building permit for a building or structure on a parcel having a lot area of 1 acre or more
Hempstead BZO, Art. XXXVIII (Stormwater Management and Erosion and Sediment Control)	Requires the approval of a Stormwater Pollution Prevention Plan ("SWPPP") by the Town's Stormwater Management Officer
Hempstead Town Code § 86-9 (Applications for permits)	Requires a building permit from the Town Building Inspector prior to the construction of any building or structure
Hempstead Town Code, Chapter 96 (Places of public assembly)	Prohibits the operation of a place of public assembly without a license from the Town's Commissioner of Buildings
Hempstead Town Code, Chapter 122 (Sunday exhibitions)	Prohibits public sports, exercises or shows on Sundays
Hempstead Town Code, § 132-4 (Storage of flammable or combustible liquids)	Prohibits the storage of flammable or combustible liquids without a special exception and storage permit issued from the Hempstead Town Board and a permit from the Department of Buildings
Hempstead Town Code, § 142-5 (Wireless telecommunications facilities)	Prohibits the placement and use of a wireless telecommunications facilities without obtaining a special use permit from the Board of Appeals and a building permit issued by the Department of Buildings

Table 2-3 (cont'd)
Current Regulations Requiring Overrides[1]

Current Regulation	Nature of Regulation
Hempstead Town Code, § 144-3 (Unreasonable Noise)	Prohibits, among other things, (1) the erection, alteration or demolition of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in a case of urgent necessity with a permit from the Department of Buildings, (2) the use of any loudspeaker or amplifier device that creates unreasonable noise across a real property boundary, (3) using any radio apparatus, loudspeaker, public address system or similar device between the hours of 11:00 p.m. and 9:00 a.m. producing sound across a real property boundary, (4) operating or permitting the operation of any mechanical powered saw, sander, drill, grinder, lawn or garden tool, snowblower or similar device, which creates an unreasonable noise across a real property boundary other than between the hours of 8:00 a.m. and 9:00 p.m. on Saturdays and Sundays, and between the hours of 7:00 a.m. and 9:00 p.m. on Mondays through Fridays, (5) the operation of any machinery, equipment, pump, fan, exhaust fan, attic fan, air-conditioning apparatus or similar mechanical device in such a manner as to create an unreasonable noise across a real property boundary.
[1] This table sets forth an illustrative list of inconsistent local requirements and is not intended to be exhaustive.	

The GPP for the Proposed Project would control, among other things, site planning, allowable uses, size, bulk, and densities, and would require design controls for the Proposed Project's buildings, open spaces, and other features.

The Proposed Project would introduce land uses at a density and height substantially greater than is permitted in the surrounding area. However, Belmont Park is a unique use within the community, and the presence of greater density on the Project Sites is not expected to spur changes to zoning regarding density and height elsewhere in the study area. The non-conformity between the zoning and the uses and bulk of the Proposed Project on Site A is not considered significant because for over 110 years, Belmont Park has existed as a use that does not conform to the local zoning (as it pre-dated zoning in the area), and the proposed structures on Site A relate to the bulk and height of the existing Belmont Park Grandstand. The height of the proposed buildings on Site B would be no higher than what is permitted by the existing underlying residential zoning and underlying business zoning under certain conditions. Site B has been recognized by the Town of Hempstead, in the HT-E Overlay District, as an area that would augment the Gateway character of Hempstead Turnpike, with Belmont Park on the north side of Hempstead Turnpike and a major economic generator on the south side of Hempstead Turnpike. The types and mix of uses contemplated for future development on Site B under the HT-E Overlay District provisions of the BZO (e.g., hotel and entertainment-related commercial uses), would not conform to the bulk and density regulations of the Town's Business X and Residential B zoning districts, which are the extant districts on Site B. Therefore, the non-conformity between the zoning and the bulk of the Proposed Project on Site B, which would similarly not conform with the Town's Business X and Residential B zoning districts, is not considered significant.

Also, there would be no changes to the zoning districts in the larger study area. Therefore, there are no significant adverse impacts regarding zoning expected as a result of the proposed GPP.

RELEVANT COMPREHENSIVE PLANS/PUBLIC POLICIES

The Proposed Project complies with the overall goals of the local and County comprehensive plans and policies, many of which focus on the redevelopment of Belmont Park as a principal driver of economic development and revitalization and enhancement of the area surrounding the property, as well as the foundation for the creation of a gateway into Elmont and Nassau County. A consistency analysis of the Proposed Project with the relevant plans and policies follows.

ELMONT COMMUNITY VISION PLAN

One of the key elements of the *Elmont Community Vision Plan* is to strengthen the Belmont Park area and provide opportunities for economic development and community revitalization, creating a gateway into Elmont and Nassau County, in part by enhancing Hempstead Turnpike in terms of attracting new businesses, including a hotel and conference center, situated at and around Belmont Park, and improving the landscape and visual elements along the corridor. Thus, the development of a GPP for the Proposed Project that addresses land use issues, including the desire to allow more mixed-use development within the community, would provide opportunities for economic development within Elmont. One of the key elements of the plan is to ensure that the community is involved in the overall redevelopment process, including the proposals around the proposed enhancement of Belmont Park.

The Proposed Project is generally consistent with the goals and objectives as outlined in the *Elmont Community Vision Plan*. The Proposed Project would provide a visually appealing gateway into the community and foster economic development through the creation of retail businesses, the hotel, the arena and the office/innovation center. The new surrounding land uses would also energize the existing uses at Belmont Park and provide for year-round activity at the Project Sites. The socioeconomic benefits of the proposed land uses are discussed in Chapter 7, "Socioeconomic Conditions."

NASSAU COUNTY COMPREHENSIVE PLANS

The *1998 Comprehensive Plan* identifies the Belmont Park property as being underutilized and having the potential for redevelopment. This plan, in general, focuses on achieving a balance of land uses and the Proposed Project with its mix of uses would help to meet this goal.

The economic chapter of the plan encourages economic development activities to provide jobs, increase the tax base and expand the diversity of employment sectors within the County. Chapter 7, "Socioeconomic Conditions," discusses how the Proposed Project meets these County goals and objectives with respect to jobs and tax base. Nassau County also desires to focus on attracting new leisure and hospitality jobs in the sports, entertainment, and tourism industries, and the Proposed Project would expand this sector, and help to accomplish these goals.

In conjunction with land use and economic development activities, the plan addresses the need to enhance the availability and efficiency of mass transit and to reduce traffic congestion. Furthermore, the plan identifies the need to improve the LIRR service within Nassau County. Most of the traffic generated by the Proposed Project would access the Project Sites via the Cross Island Parkway and Hempstead Turnpike, not the local road network. Thus, the traffic impact to the local roadway network and the surrounding residential communities would be minimized. Nevertheless, to mitigate traffic congestion on local roadways, standard traffic engineering improvements would be implemented such as: the installation of new traffic signals at currently unsignalized intersections, modification of signal phasing and timing at currently signalized intersections,

deployment of traffic-control personnel before or after arena events, implementation of turn prohibitions where needed, and geometric improvements at specific intersections.

As discussed in detail in Chapter 7, "Socioeconomic Conditions," the Proposed Project is not expected to result in significant adverse impacts to local retail establishments or to harm existing downtown areas in Nassau County.

Therefore, although the *1998 Comprehensive Plan* generically notes that the redevelopment of some significant properties within the County may result in substantial impacts to their surrounding communities, the analyses conducted as part of this environmental review recognizes a substantial increase in development on the Project Sites and other directly affected areas, but did not identify significant adverse environmental impacts with the exception of transportation and construction-period transportation and noise. As indicated, mitigation measures (discussed in Chapter 17) have been developed to address, among other things, traffic congestion and mass transit issues. Unavoidable adverse impacts that remain are discussed in Chapter 18 and include transportation and construction noise. As indicated in Chapter 18, these significant adverse impacts cannot be fully mitigated while still allowing the Proposed Project to meet the state's development objectives for the Project Sites.

The *2008 Update* did not contain specific recommendations regarding the Project Sites, as it is more of a trends analysis. However, supporting and promoting sports, entertainment, and tourism was cited as one of the basic principles of the "New Suburbia" vision contained in the *2008 Update*, which the Proposed Project clearly addresses. The *2008 Update* also identifies economic development initiatives and supports the local visioning concept that the Elmont community has embraced regarding the overall area, including Belmont Park.

While the *2010 Master Plan* has not been adopted, it is a guidance document that can be used to track the thinking of the County at that time. As with previous County plans, the goal is to support and promote investment and job creation within the community, especially in terms of boosting leisure, sports, entertainment and tourism activities within the County. The Proposed Project is consistent with this idea (which has been discussed for the last two decades). Further, the *2010 Master Plan* specifically acknowledges ESD's proposal to develop the Hempstead Turnpike parking lots associated with Belmont Park, and supports the notion that this could bolster the area's economy and transform it into a vibrant destination, that operates on a year-round basis.

Overall, the Proposed Project is consistent with the policies and recommendations set forth in the Nassau County plans. It strengthens the economy and supports the notion of attracting leisure and hospitality jobs in the consumer-oriented sector of sports, entertainment and tourism. The plans specifically mention Belmont Park as an ideal place for transformative development to occur, as it is a prominent site that is significantly underutilized.

The Final Smart Growth Impact Statement for the Proposed Actions is included in **Appendix H**. As described in the draft statement, the Proposed Actions would be consistent with the Smart Growth Public Infrastructure Policy Act.

COMMUNITY CHARACTER

Based on the scale of development, the number of employees and visitors who are expected to use the Project Sites and the parking lots would substantially increase, which would change the character of the site and surrounding community. The effect of the Proposed Project on community character would be felt mostly on the residential areas immediately adjacent to the Project Sites, particularly Site B, as there would be a substantial change in land use on that parcel. The activity

generated by the arena, hotel and retail shops would be evident along Hempstead Turnpike. The office use would be substantially set back from Hempstead Turnpike (behind the arena) and would not be located near any residential neighborhoods or external roadways. Much of the activity on Site A would center around events occurring at the arena, generally on nights and weekends. The core of the surrounding neighborhoods, particularly to the north and east of Site A, are shielded by the Belmont Park complex (including the Racetrack itself and the Backstretch area). As the retail village shops on Site B would be inward facing and substantially buffered by vegetation, the impacts to the community directly to the east and south surrounding Site B would be minimized. Vegetation would also buffer any surface parking, interior roadways, and drop-off areas within Site B from the surrounding residential communities. Furthermore, the Cross Island Parkway and its right-of-way act as a buffer between Sites A and B and the communities to the west. Hempstead Turnpike also provides a buffer between Site A and residential communities to the south.

For the reasons outlined above, impacts from development on Sites A and B are not expected to be significant.

Under the Proposed Action, the North Lot and East Lot would be used for active parking of vehicles associated with the Proposed Project, which would change the nature of these areas of the property. While more active use of these parking lots on a regular basis may increase noise, litter, as well as the need for additional security, the Applicant is developing an agreement with the FOB and NYRA that would address the responsibility for maintenance and security of these lots. Each of the Project components (i.e., arena hotel, office retail) would be responsible for the maintenance of its own buildings and portions of the property under its control. Problems related to litter, loitering and security detract from the enjoyment and economic success of the venues, so it is incumbent upon the Applicant and operators to plan and manage these concerns.

The following measures are proposed to minimize impacts on the community. The parking lots would have security personnel, signage, and 24/7 CCTV to monitor and enforce all parking lot regulations, including prohibitions regarding tailgating and celebration/honking. Specifically, on event days, there would be a security presence in each parking lot. On non-event days, there would be regular patrols by on-site security guards in the parking lots. Staffing associated with traffic and parking, including crowd management agents, traffic and parking attendants, permit attendants, police and traffic enforcement would be distributed throughout the Project Sites and would handle various venues, parking lots and on-site as well as off-site roadways. In addition to personnel, signage and cameras within the property, the Applicant is proposing to install a buffer composed of a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening would be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. The fencing and vegetation would be installed on Belmont Park property.

As indicated, Belmont Park is already a key feature that defines the character of the immediately surrounding community. The intensification of development on the Project Sites and other directly affected areas would change the character of the surrounding community. However, it is expected that the Proposed Project would have a synergistic effect with Belmont Park and provide a year-round destination for sports, entertainment, hospitality, and retail, whereas currently their use is limited to only certain times of the year. In keeping with NYAP's goal to use the arena and other elements of the Proposed Project as a platform for innovation in live entertainment and guest

experience, NYAP intends to create and operate community space that would provide educational and job training opportunities for students, young adults, veterans, and other community members interested in careers in: sports and entertainment (e.g., sales, technology and systems operations, event production, and journalism); hospitality (e.g., guest relations, manager training, marketing, sales); food and beverage (e.g., culinary skills training, food business incubation, food service training, urban agriculture) and retail (e.g., product management, visual merchandising, retail fundamentals, and manager training).

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

Moreover, as described in Chapter 7, "Socioeconomic Conditions," although increased pedestrian and vehicular activity due to increased activity can have adverse community character effects, with the Proposed Project such effects are not predicted to occur on residential streets within neighborhoods, and generally would be limited to periods before and after major arena events. Therefore, these factors are not expected to significantly affect the residential real estate market in the surrounding communities. Also, such potentially adverse effects would be offset by the potential of the Proposed Project to reinforce trends towards increasing commercial investment in the broader trade areas, drawing direct investment to the area through building construction, enhanced retail activity, and increased event-based economic activity. The Proposed Project also would present on-site publicly accessible open space, off-site open space improvements, and would include community space, all of which would benefit the surrounding neighborhoods.

LAND USE AND ZONING

The Proposed Project would result in a substantial change to the existing use and character of Site B, would intensify land use on Site A, and would intensify the frequency of the use of the North, South and East Lots for parking. As described above, the North and East Lots are currently intensively used for vehicle dealership car storage, storage of NYRA equipment, horse shipping, feed storage, tree-trimming, manure storage and removal, construction and landscaping debris storage, and tractor-trailer training. The overall use of the North Lot would shift more to active parking and in the East Lot, where there is currently vehicle storage, there also would be overflow parking, but on a more limited basis, with the exception of bus parking, which would occur on a regular basis. The Proposed Project would be developed along an existing high density commercial corridor and would complement the existing uses surrounding the Proposed Project. The Proposed Project provides land uses that fit well within the existing Belmont Park property and community and would draw people to Belmont Park year-round. Moreover, there would be no change in underlying zoning of the Project Sites, thus, it is expected that there would be no impact to the zoning of surrounding areas. Therefore, the Proposed Actions would not affect the land use and zoning character of the neighborhood. Further, the Proposed Project would advance the overall goals of local, county, and state comprehensive plans and policy recommendations (which documents and actions help shape and define community character), by focusing on the redevelopment of Belmont Park as a principal driver of economic development and revitalization and enhancement of the area surrounding the property.

VISUAL RESOURCES

The presence of a new arena and its ancillary lodging, office, and retail uses on Site A would change the visual character as the bulk and height of some of the proposed uses would be different from the existing features. The same is true for Site B, which currently contains no buildings and is only used as a parking lot for activities associated with Belmont Park, as well as other vehicle storage.

The Proposed Project would alter the visual character of Hempstead Turnpike in this area. Although having the same general massing as the 105-foot-tall Grandstand, the proposed 150-foot-tall hotel and 125-foot-tall arena on Site A would substantially alter views along Hempstead Turnpike (from the east and west) and from the surrounding neighborhoods. Although the Grandstand already exists at Belmont Park, it is set back approximately 800 feet from Hempstead Turnpike, whereas the hotel and arena would be much closer to and much more visible from the roadway. However, the proposed buildings would be set back on Site A by an access road that would wrap around the west and south boundary of the subject property. Further, a corridor of trees would act as a buffer separating the arena and hotel from Hempstead Turnpike keeping the community character consistent with the partially tree-lined roadway that currently exists. The Grandstand and other Belmont Park facilities would block views of the Project components on Site A from neighborhoods to the north and northeast. Project components would be visible from some residences to the west, south and southwest. Furthermore, as described above, the parking activities on the North Lot would be screened from the Floral Park-Bellerose School and recreation area, and a fence with privacy screening would be provided along Belmont Park Road to shield the adjacent Floral Park neighborhood from parking activities in the North Lot.

Since Site B would be developed with generally two-story retail structures, with taller structures toward the interior of the site, the character of the property would change from completely undeveloped (with parking and car storage only) to almost completely developed with retail establishments, parking and bus drop-off area(s). While buffers will be maintained and enhanced along the perimeter, views of the site would be substantially modified. However, the height of the proposed buildings on Site B would be no higher than what is permitted by the existing underlying residential zoning and underlying business zoning under certain conditions.

Chapter 6, "Visual Resources," provides photo-simulations of the Proposed Project from various viewpoints within the community. These photo-simulations demonstrate that there would be no significant adverse impact to the surrounding community with respect to massing and visual resources.

To prevent light spill-over onto neighboring properties, the proposed lighting strategy would incorporate best-practice principles related to duration and usage, brightness, orientation, directionality, form, and fixtures that would minimize light pollution. Parking field illumination would be controlled by time clock and daylight sensors to operate from dusk to dawn. A lighting control system would provide the ability to lower light levels after events on site to limit unwanted lighting late at night, but still provide sufficient safety and security lighting. Therefore, the Proposed Project would not result in any significant lighting-related impacts to the surrounding community, including locally sensitive receptors within the study area.

The densely developed Project Sites and the proposed pedestrian bridge would create a more pronounced gateway to Long Island from Queens, which would change the visual character of the area.

NOISE

The Cross Island Parkway, LIRR, and Hempstead Turnpike are substantial sources of existing noise in the study area. Implementation of the Proposed Project would increase the noise on and emanating from the Project Sites, both from activity on the Project Sites, as well as from project-generated traffic along adjacent roadways, particularly Hempstead Turnpike. The maximum predicted incremental change in noise levels is 4 dBA, which represents a perceptible change but is less than the Village of Floral Park and NYSDEC thresholds for significant noise increases. Therefore, the additional noise is not expected to affect the character of the communities adjacent to the North Lot and the East Lot, as no significant adverse impacts are anticipated. Furthermore, in addition to the prohibition of tailgating in the parking lots, there would be a prohibition of celebratory/excessive honking in parking lots, thus minimizing the impact to sensitive receptors in the surrounding community regarding potential noise associated with certain arena events.

HISTORIC AND CULTURAL RESOURCES

As there are no known or potential archaeological or architectural resources on the Project Sites or within the other directly affected areas, the Proposed Project would not result in any adverse impacts to historic and archaeological resources.

Further, the Floral Park-Bellerose School is the only identified architectural resource (State/National Register-eligible) in the study area, located approximately 400 feet from the North Lot. No new buildings are proposed to be constructed on that lot; however, the North Lot would be used more frequently for active parking during events. The proposed fencing and buffer, described above, would screen the North Lot to reduce visibility from the Floral Park-Bellerose School. In addition, although Belmont Park is visible from the School, the Proposed Project would be located far enough away from the school that visibility would be insignificant.

Therefore, the Proposed Project would not have any direct or indirect impacts to architectural resources within the study area.

SOCIOECONOMIC CONDITIONS

The Proposed Project would bring additional transient population to the area on a year-round basis. This would result in several changes to the study area's business and economic profile, namely: the introduction of dining and entertainment-oriented retail, luxury outlet retail, an arena, a hotel, and office and community space uses. However, the neighborhood character would not be adversely affected due to the potential effects of the Proposed Actions on socioeconomic conditions. As discussed in Chapter 7, "Socioeconomic Conditions," it is concluded that the Proposed Actions would not result in significant adverse environmental impacts due to changes in socioeconomic conditions as the Proposed Project would generate economic benefits for the surrounding communities and region.

The Proposed Project would have a beneficial impact by bringing employment opportunities back to Nassau County (associated with the New York Islanders) and would create new opportunities in the lodging, entertainment, and retail sectors. The Proposed Project would lead to economic and social gains that would make the surrounding communities more vibrant, with the potential to attract more businesses. Furthermore, since there would be no displacement (either direct or indirect) of any populations, businesses, or employment, the Proposed Project would not significantly affect competition within the primary trade areas and, therefore, would not have the potential to generate significant adverse changes in neighborhood character.

The addition of retail including dining and entertainment that is proposed for Site A and the proposed luxury outlet/destination retail on Site B is different than what is existing within the area. Therefore, these uses would attract a greater number of visitors to the area that could increase demand for local commerce off-site. Further, rather than crowding out commerce in the primary trade area, the introduction of luxury outlet/destination retail in this area would be supplemented by national and international destination shoppers that would provide positive spillover effects on the local retail sector beyond the proposed development.

Further, given its niche role within Nassau County and its immediate vicinity, and the fact that the hotel market in Nassau County is sufficiently robust, the proposed hotel would not be expected to exert competitive pressures in its primary trade area that would lead to displacement, or to significant impacts that would cause adverse changes in neighborhood character.

Overall, the Proposed Project would benefit the local community by providing new retail, hospitality and entertainment and a substantial number of employment opportunities. Aside from new jobs, the Proposed Project would include community benefits such as mass transit improvements, community space, new tax revenue and upgrades to the Elmont Road Park and Hendrickson Avenue Park, which constitute a long-term investment in the community that would have a positive effect on community character.

TRANSPORTATION

The increase in traffic on the Cross Island Parkway, Hempstead Turnpike, and Jericho Turnpike would affect the character of the study area (see Chapter 11, "Transportation"). The Proposed Project would result in significant adverse traffic impacts at multiple intersections on weekdays in the morning and evening, as well as on Saturdays midday, throughout the study area surrounding the Project Sites, which would affect the character of the community. However, such effect would not result in a significant adverse impact. The vast majority of the intersections with significant adverse traffic impacts could be fully mitigated via implementation of standard traffic engineering improvements such as: the installation of new traffic signals at currently unsignalized intersections, modification of signal phasing and timing at currently signalized intersections, deployment of traffic-control personnel before arena events, implementation of turn prohibitions where needed, and geometric improvements at specific intersections. Existing internal site roadways on the Project Sites would be reconfigured to generally consist of access roads around the perimeter of the sites as well as roads within the sites to provide access to parking facilities and pick up/drop off areas. Further, taxi and rideshare vehicles would have designated areas to pick up/drop off their patrons. The use of rideshare vehicles and taxis help to alleviate traffic on local roadways.

With the implementation of such measures, significant adverse traffic impacts would be fully mitigated at all but three traffic movements at one intersection during the weekday AM peak hour, one traffic movement at one intersection during the weekday PM peak hour, six traffic movements at two intersections during the Saturday Midday peak hour, and two traffic movements at one intersection during the Saturday PM peak hour. In addition, most of the traffic generated by the Proposed Project would access the Project Sites via the Cross Island Parkway and Hempstead Turnpike, not the local road network. Thus, the traffic impact to the local roadway network and the surrounding residential communities would be minimized.

If nighttime horse racing receives approval and becomes authorized by the New York State Legislature, NYAP and NYRA would agree to coordinate in such a manner that night racing would not be scheduled on the same evening as a hockey game, but non-hockey arena events could be

scheduled on the same evening as long as the aggregate attendance for both events does not exceed the maximum attendance level for a sold-out hockey game (18,000 seats). Additionally, NYAP and NYRA would agree to avoid scheduling a full-house arena event (i.e., a hockey game or concert with a maximum capacity of 18,000 or more attendees) on a Saturday afternoon or a holiday afternoon at the same time as daytime horse racing, thereby limiting the number of high attendance occurrences.

In addition to the increased traffic on the major corridors surrounding the Project Sites, the LIRR Belmont Park Station would be utilized on days with scheduled events at the proposed arena, in which it is anticipated that the LIRR would provide at least two round trip trains between Jamaica Station and the Belmont Park Station. However, it is unlikely that the increased use of the Belmont Park Station would result in any impacts to community character. ✷