

February 27, 2018

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION  
d/b/a EMPIRE STATE DEVELOPMENT**

**COMBINED NOTICE OF PROPOSED LEAD AGENCY DESIGNATION, POSITIVE DECLARATION,  
PUBLIC SCOPING AND INTENT TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**Belmont Park Redevelopment Project**

This combined notice is issued pursuant to and in accordance with 6 NYCRR Part 617 and Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act).

The New York State Urban Development Corporation d/b/a Empire State Development (“ESD”) proposes to serve as lead agency for the environmental review process to be carried out under the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations (6 NYCRR Part 617) in connection with the proposed Belmont Park Redevelopment Project (the “Proposed Project”) in the unincorporated hamlet of Elmont, Town of Hempstead, Nassau County, New York.

The Proposed Project involves the redevelopment of two underutilized sites (the “Project Sites”) located within Belmont Park. The Project Sites are located south of the existing Belmont Park Racetrack and Grandstand, and include approximately 15 acres on “Site A,” north of Hempstead Turnpike, and approximately 28 acres on “Site B,” south of Hempstead Turnpike (see Figure 1 in the attached Draft Scope). The Project Sites are currently owned by the State of New York (the State) acting by and through the Franchise Oversight Board (FOB), and are leased through a ground lease to The New York Racing Association, Inc. (NYRA).

New York Arena Partners, LLC (“NYAP” or “the Applicant”) proposes to construct a sports and entertainment destination at Belmont Park. The Proposed Project would redevelop the Project Sites with: an arena for the New York Islanders National Hockey League franchise and for other entertainment events; dining, retail, and entertainment uses; a hotel; commercial office space; community center space; publicly accessible open space; parking; and up to two pedestrian bridges providing access between Sites A and B. In addition to the parking proposed for the Project Sites, it is expected that visitors to the Proposed Project would also utilize existing parking at Belmont Park in the “North Lot” and “South Lot” (see the above referenced Figure 1) through a shared parking agreement with the FOB and NYRA. Construction of the Proposed Project would be expected to occur in a single phase over a period of approximately 28 months, starting in 2019, with full build-out of all project components in 2021.

The Proposed Project would require a number of actions (the “Proposed Actions”), including: adoption and authorization of a General Project Plan in accordance with the New York State Urban Development Corporation Act by ESD, which would include an override of the Town of Hempstead Building Zone Ordinance and provisions in the Town Code, where applicable. In addition, the Proposed Actions would include the necessary approvals to facilitate the construction of an electric substation immediately adjacent to the North Lot, and three associated underground distribution feeders and underground transmission lines to serve the Proposed Project. The substation would be constructed by the Long Island Power Authority and operated by PSE&G Long Island. These Proposed Actions are discretionary actions subject to environmental review under SEQRA.

ESD has determined the Proposed Project to be a Type I action and accordingly, the Applicant has prepared Part 1 of the full Environmental Assessment Form (“EAF”). As the Proposed Actions may have significant adverse environmental impacts, ESD has determined that a Draft Environmental Impact Statement (“DEIS”) will be prepared. The potential environmental impacts associated with implementation of the Proposed Actions will be evaluated in the DEIS, along with mitigation measures where warranted, as well as a range of feasible alternatives considering the goals and objectives of the lead agency.

A **public scoping meeting** has been scheduled for **March 22, 2018** to obtain comments on the draft scope of analysis for the DEIS, which is attached to this notice. **The meeting will be held in two separate sessions: 3:30pm to 5:30pm and 6:30pm to 9:30pm at the Elmont Memorial Library, 700 Hempstead Turnpike, Elmont, NY 11003.** As the format of the meeting will be identical at each session, attendance at only one session is necessary for those who would like to participate. Additional copies of the draft scope of analysis may be obtained from ESD’s website at: <https://esd.ny.gov/esd-media-center/public-notices>, or may be requested through the contact information provided below. Comments on the draft scope of analysis may be presented by members of the public or any interested party at the public scoping meeting or submitted in writing to: Michael Avolio, Empire State Development, 633 Third Avenue, New York, NY 10017, or by email to [belmontoutreach@esd.ny.gov](mailto:belmontoutreach@esd.ny.gov). Written and email comments on the draft scope of analysis will be accepted until **5:00 PM on April 6, 2018.**

This notice, the EAF and the draft scope of analysis have been sent to the following potentially involved or interested agencies, as well as the parties identified below:

Franchise Oversight Board  
NYS Office of General Services  
NYS Department of Transportation, Region 10 (Long Island)  
NYS Department of Transportation, Region 11 (NYC)  
NYS Department of Environmental Conservation, Region 1  
NYS Office of Parks, Recreation and Historic Preservation

MTA Long Island Rail Road  
Long Island Lighting Company d/b/a Long Island Power Authority  
County Executive, Nassau County  
Nassau County Department of Public Works  
Nassau County Fire Marshal's Office  
Nassau County Department of Health  
Nassau County Planning Commission  
Town of Hempstead  
Incorporated Village of Floral Park  
Incorporated Village of Bellerose  
Queens Borough President  
NYC Department of Transportation  
The New York Racing Association  
New York Arena Partners, LLC

**Full Environmental Assessment Form  
Part 1 – Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonable available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D, & E, most items contain an initial question that must be answered either “Yes” or “No.” If the answer to the initial question is “Yes,” complete the sub-questions that follow. If the answer to the initial question is “No,” proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information**

Name of Action or Project: <b>Belmont Park Redevelopment Project</b>		
Project Location (describe, and attach a general location map): <b>The Project Sites (Sites A and B) are located within Belmont Park in the unincorporated hamlet of Elmont, Town of Hempstead, Nassau County, NY (see Figure 1).</b>		
Brief Description of Proposed Action (include purpose or need): <b>The New York Arena Partners, LLC (“NYAP” or “the Applicant”) proposes to construct a sports and entertainment destination (the “Proposed Project”) at Belmont Park. The Proposed Project would redevelop the Project Sites with: an arena for the New York Islanders National Hockey League (NHL) franchise and for other entertainment events; dining, retail, and entertainment uses; a hotel; commercial office space; community center space; publicly accessible open space; parking; and up to two pedestrian bridges providing access between Sites A and B. Construction of the Proposed Project would be expected to occur in a single phase over approximately 28 months with full build-out of all project components in 2021. The Proposed Project requires adoption and authorization of a General Project Plan in accordance with the New York State Urban Development Corporation Act by Empire State Development (ESD), with override of the Town of Hempstead Building Zone Ordinance and provisions in the Town Code, where applicable. The Proposed Project intends to enhance Belmont Park to become one of Long Island’s premier destinations with uses that are complementary to the existing Belmont Park Racetrack; maximize economic benefit to the State while minimizing environmental impacts; provide jobs for area and New York State residents; and benefit the surrounding neighborhood with incorporation of green building and sustainable design practices. See also Attachment F, “Additional Information.”</b>		
Name of Applicant/Sponsor: <b>New York Arena Partners, LLC c/o Richard Browne, Sterling Project Development</b>	Telephone: <b>917-440-1162</b>	E-Mail: <b>rbrowne@sterlingprojectdevelopment.com</b>
Address: <b>150 Greenwich Street, 49th Floor</b>		
City/PO: <b>New York</b>	State: <b>NY</b>	Zip Code: <b>10007</b>
Project Contact (if not same as sponsor; give name and title/role): <b>Anthony Guardino</b>	Telephone: <b>(631) 367-0716</b>	E-Mail: <b>aguardino@farrellfritz.com</b>
Address: <b>Farrell Fritz, P.C., 400 RXR Plaza, 100 Motor Parkway, Suite 138</b>		
City/PO: <b>Hauppauge</b>	State: <b>NY</b>	Zip Code: <b>11788</b>
Property Owner (if not same as sponsor): <b>The People of the State of New York, acting by and through the State Franchise Oversight Board (FOB)</b>	Telephone: <b>(518) 474-1292</b>	E-Mail:
Address: <b>c/o The Executive Chamber, New York State Capitol</b>		
City/PO: <b>Albany</b>	State: <b>NY</b>	Zip Code: <b>12224</b>

**B. Government Approvals**

<b>B. Government Approvals Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.) See Attachment F, “Additional Information”		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Nassau County Dept. of Public Works (sewer connection/drainage requirements)</b>	<b>Second Quarter 2019</b>
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Empire State Development (ESD), Franchise Oversight Board (FOB), Office of General Services (OGS), NYSDOT, NYSDEC, OPRHP, LIPA</b>	<b>Second Quarter 2019</b>
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <sup>1</sup>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1.</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <b>Elmont Community Vision Plan (2008)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	

<sup>1</sup> According to NYSDOS’s website, the Town of Hempstead does not have an approved Local Waterfront Revitalization Program ([https://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP\\_status.html](https://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html)).

<b>C.3. Zoning</b>		
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<u>Town of Hempstead B Residence District and Hempstead Turnpike-Elmont District overlay</u>		
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. What is the proposed new zoning for the site? <u>Zoning override, See Attachment F, "Additional Information"</u>		
<b>C.4. Existing community services.</b>		
a. In what school district is the project site located?	<u>Elmont Union Free School District; Sewanhaka Central High School District</u>	
b. What police or other public protection forces serve the project site?	<u>Nassau County Police Department, 5th Precinct</u>	
c. Which fire protection and emergency medical services serve the project site?	<u>Nassau County Police Medic Association; Elmont Fire Department</u>	
d. What parks serve the project site?	<u>TBD in the Draft Environmental Impact Statement (DEIS)</u>	

**D. Project Details**

<b>D.1. Proposed and Potential Development</b>		
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	<b>The Proposed Action includes commercial and recreational uses including an arena; dining, retail, and entertainment; hotel; commercial office space; community center space; publicly accessible open space; parking; and up to two pedestrian bridges.</b>	
b. a. Total acreage of the site of the proposed action?	<u>+/- 43</u> acres	The project also intends to utilize existing parking on the North and South Lots (see <b>Figure 1</b> ).
b. Total acreage to be physically disturbed?	<u>+/- 43</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>0</u> acres	
c. Is the proposed action an expansion of an existing project or use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?	% _____	Units: _____
d. Is the proposed action a subdivision, or does it include a subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,		
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	_____	
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed?	_____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____		
e. Will proposed action be constructed in multiple phases?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If No, anticipated period of construction:	<u>28</u> months	
ii. If Yes:		
• Total number of phases anticipated	_____	
• Anticipated commencement date of phase 1 (including demolition)	_____ month ____ year	
• Anticipated completion date of final phase	_____ month ____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	_____ _____	

f. Does the project include new residential uses?  Yes  No  
 If Yes, show number of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

- i. Total number of structures +/- **5**
- ii. Dimensions (in feet) of largest proposed structure: **126** height; **425** width; and **550** length
- iii. Approximate extent of building space to be heated or cooled: **1,328,000 gsf (total), which includes: 660,000 gsf (Arena); 435,000 (retail, dining, and entertainment); 193,000 (hotel); 30,000 (office); 10,000 (community space/innovation center) square feet**

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

- i. Purpose of the impoundment: \_\_\_\_\_
- ii. If a water impoundment, the principal source of the water:  Ground Water  Surface water streams  Other specify: \_\_\_\_\_
- iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_
- iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres
- v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading, or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

- i. What is the purpose of the excavation or dredging? **New building foundations and below-grade floor area**
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
  - Volume (specify tons or cubic yards): **Unknown**
  - Over what duration of time? **+/- 14 months**
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. **TBD pending Phase II environmental site assessment (currently underway).**
- iv. Will there be onsite dewatering or processing of excavated materials? **TBD**  Yes  No  
 If yes, describe. \_\_\_\_\_
- v. What is the total area to be dredged or excavated? **TBD<sup>1</sup>** acres
- vi. What is the maximum area to be worked at any one time? **TBD<sup>1</sup>** acres
- vii. What would be the maximum depth of excavation or dredging? **TBD<sup>1</sup>** feet (**currently underway**)
- viii. Will the excavation require blasting?  Yes  No
- ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes,

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

<sup>1</sup> Following completion of geotechnical report.

ii. Describe how the proposed action would affect that water body or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion \_\_\_\_\_
- purpose of proposed removal (e.g., beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance:  
 \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: **TBD in DEIS** gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: **Water Authority of Western Nassau County**
- Does the existing public water supply have capacity to serve the proposal? **TBD in DEIS**  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project:  
 \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: **TBD in DEIS** gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):  
Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: **Bay Park Sewage Treatment Plant**
- Name of district: **Nassau County Department of Public Works**
- Does the existing wastewater treatment plant have capacity to serve the project? **TBD in DEIS**  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing sewer lines serve the project site?  Yes  No
- Will line extension within an existing district be necessary to serve the project?  Yes  No

If yes:

- Describe extensions or capacity expansions proposed to serve this project:  


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iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  


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vi. Describe any plans or designs to capture, recycle or reuse liquid waste  


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e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e., ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel? **TBD in DEIS**  
\_\_\_\_ Square feet or \_\_\_\_ acres (impervious surface)  
\_\_\_\_ Square feet or \_\_\_\_ acres (parcel size)

ii. Describe types of new point sources  
**TBD in DEIS**  


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iii. Where will the stormwater runoff be directed (i.e., on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
**The Proposed Project will target LEED Version 4 certification, which indicates NYAP's commitment to a sustainably designed and built project. The Proposed Project would implement a variety of low-impact development methods, including the use of green stormwater infrastructure.**

- If to surface waters, identify receiving water bodies or wetlands:
- Will stormwater runoff flow to adjacent properties? **TBD**  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

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f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? **TBD**  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation): **Fossil-fuel fired heating and hot water systems**

g. Will any air emission sources in D.2.f (above) require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V permit? **TBD in DEIS**  Yes  No

If Yes,

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes,

i. Estimate methane generation in tons/year (metric):  
\_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):  
\_\_\_\_\_  
\_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):  
\_\_\_\_\_  
\_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: **TBD**

iii. Parking spaces: Existing<sup>1</sup> **3,275** Proposed **up to 6,974** Net increase/decrease **up to 3,699**

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
**TBD in DEIS**  
\_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: **TBD in DEIS**

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
**LIPA/PSEG-LI**  
\_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation? (see **Figure 1**)  Yes  No

<sup>1</sup> The exact number of parking spaces that would be available on the North and South Lots would be subject to further engineering study and the conditions of the shared parking agreement with the FOB and NYRA.

<p>1. Hours of operation. Answer all items which apply. <b>TBD</b></p>	
<p><i>i. During Construction:</i></p> <ul style="list-style-type: none"> <li>• Monday – Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii. During Operations:</i></p> <ul style="list-style-type: none"> <li>• Monday – Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Provide details including sources, time of day and duration:</i></p> <p style="margin-left: 40px;"><u><b>TBD in DEIS</b></u></p> <hr style="margin-left: 40px;"/>	
<p><i>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?</i> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe:</p> <p style="margin-left: 40px;"><b>The project would displace a portion of private open space within Belmont Park (on the easterly portion of Site A, adjacent to the Belmont Park paddock) that includes a lawn with trees, and picnic benches, this area is not adjacent to residential uses. It is anticipated that the removal of any existing trees on Site B would be offset by the proposed buffered landscape that would separate Site B from adjacent residential areas.</b></p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</i></p> <p style="margin-left: 40px;"><b>Lighting for the parking lots will be designed to avoid any potential intrusion into neighboring properties. NYAP commits to using downcast lighting fixtures to direct the light only onto its leased premises, and to utilizing low-impact LED bulbs.</b></p> <hr style="margin-left: 40px;"/>	
<p><i>ii. Will proposed action remove existing natural barrier that could act as light barrier or screen?</i> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe:</p> <hr style="margin-left: 40px;"/> <hr style="margin-left: 40px;"/>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <hr style="margin-left: 40px;"/>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)? <b>TBD</b> <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p><i>i. Product(s) to be stored</i> _____</p> <p><i>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</i></p> <p><i>iii. Generally describe proposed storage facilities</i></p> <hr style="margin-left: 40px;"/> <hr style="margin-left: 40px;"/>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Describe proposed treatment(s):</i></p> <p style="margin-left: 40px;"><u><b>TBD</b></u></p> <hr style="margin-left: 40px;"/>	
<p><i>ii. Will the proposed action use Integrated Pest Management Practices?</i> <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes: **TBD in DEIS**

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:

\_\_\_\_\_

- Operation:

\_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:

\_\_\_\_\_

- Operation:

\_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:

\_\_\_\_\_

ii. Generally describe processes or activities involving hazardous waste or constituents:

\_\_\_\_\_

iii. Specify amount to be handled or generated: \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

\_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility:

\_\_\_\_\_

If No: Describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

\_\_\_\_\_

**E. Site and Setting of Proposed Action**

<b>E.1 Land uses on and surrounding the project site</b>																																							
<p>a. Existing land uses.</p> <p>i. Check all land uses that occur on, adjoining and near the project site.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Forest                 </div> <div style="width: 20%;"> <input type="checkbox"/> Industrial <input type="checkbox"/> Agriculture                 </div> <div style="width: 20%;"> <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Aquatic                 </div> <div style="width: 20%;"> <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Other (specify): <b>Transportation/Roads</b> <b>(Cross Island Parkway, Hempstead Turnpike)</b> </div> <div style="width: 20%;"> <input type="checkbox"/> Rural (non-farm)                 </div> </div> <p>ii. If mix of uses, generally describe:  <div style="text-align: center; border: 1px solid black; padding: 2px;"><b>Belmont Park is one of the major thoroughbred horse racing facilities in the country and largely surrounded by suburban residential development with commercial uses along Hempstead Turnpike.</b></div> </p>																																							
<p>b. Land uses and covertypes on the project site.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 40%;">Land use or covertype</th> <th style="width: 15%;">Current Acreage</th> <th style="width: 25%;">Acreage After Project Completion</th> <th style="width: 20%;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td>• Roads, buildings, and other paved or impervious surfaces</td> <td style="text-align: center;">+/- 36</td> <td style="text-align: center;">+/- 36</td> <td style="text-align: center;">0</td> </tr> <tr> <td>• Forested</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Agricultural (includes active orchards, field, greenhouse, etc.)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Wetlands (freshwater or tidal)</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Non-vegetated (bare rock, earth or fill)<sup>1</sup></td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>• Other Describe: <b>Existing: Private open space (lawn, trees, paths, benches); Proposed: publicly accessible open space: 5.9 acres landscaped on Site B, 0.22 acres basketball courts on Site B; 1.15 acres hardscaped on Site A</b></td> <td style="text-align: center;">+/- 7</td> <td style="text-align: center;">+/- 7</td> <td style="text-align: center;">N/A</td> </tr> </tbody> </table>				Land use or covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces	+/- 36	+/- 36	0	• Forested	N/A	N/A	N/A	• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	N/A	N/A	N/A	• Agricultural (includes active orchards, field, greenhouse, etc.)	N/A	N/A	N/A	• Surface water features (lakes, ponds, streams, rivers, etc.)	N/A	N/A	N/A	• Wetlands (freshwater or tidal)	N/A	N/A	N/A	• Non-vegetated (bare rock, earth or fill) <sup>1</sup>	N/A	N/A	N/A	• Other Describe: <b>Existing: Private open space (lawn, trees, paths, benches); Proposed: publicly accessible open space: 5.9 acres landscaped on Site B, 0.22 acres basketball courts on Site B; 1.15 acres hardscaped on Site A</b>	+/- 7	+/- 7	N/A
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<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If yes: explain: <b><u>Belmont Park is open to the public but requires payment for entry.</u></b></p>																																							
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Identify Facilities:  <div style="text-align: center; border: 1px solid black; padding: 2px;"><b>Queens Village Dialysis Center; Elmont Health Center</b></div> </p>																																							
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection:            _____</p>																																							
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed?</p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:            _____</p>																																							

<sup>1</sup> The project also intends to utilize an existing unpaved parking lot (North Lot) and may also improve that lot.

iii. Describe any development constraints due to the prior solid waste activities:  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store, and/or dispose of hazardous waste?  Yes  No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

**Belmont Park was identified on the RCRA database as a Large Quantity Generator on May 7, 1986 and February 28, 1992 under USEPA ID #NYD981483852, and was verified as a non-generator [RCRA (Non-Gen)] by July 8, 1999. At the time of generation, ignitable waste and waste containing polychlorinated biphenyls (PCBs) were produced (waste codes D001 and X002, respectively). According to the NY Manifest database, the generation of ignitable waste appears to be related to NYSDEC Spill No. 07501666 where paint was dumped into a dry well by a worker. The waste within the dry well was disposed of as ignitable waste material containing chromium, lead, barium, and methyl ethyl ketone and was transported offsite on February 17, 2011 and February 26, 2011. In addition, according to the NJ Manifest database, 300 pounds of hazardous lead-containing material was transported offsite on April 29, 2009.**

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No

- Yes – Spills Incidents database Provide DEC ID number(s): **See Attachment F, “Additional Information”**
- Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_
- Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:

**See Attachment F, “Additional Information”**

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No

If yes, provide DEC ID number(s): **See Attachment F, “Additional Information,” response to iii**

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

**See Attachment F, “Additional Information,” responses to i, ii, and iii.**

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet **TBD in DEIS**

b. Are there bedrock outcroppings on the project site?  Yes  No

If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: **Urban land (Ug)** \_\_\_\_\_ %  
**Urban land-Riverhead complex (UrA)** \_\_\_\_\_ %  
**Urban land-Flatbush complex (UFCI)** \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet  
**TBD following completion of geotechnical report (currently underway)**

<p>e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of Site  <input type="checkbox"/> Moderately Well Drained: _____ % of Site  <input type="checkbox"/> Poorly Drained: _____ % of Site</p> <p><b>TBD in DEIS</b></p>	
<p>f. Approximate proportion of proposed action site with slopes: : <input checked="" type="checkbox"/> 0-10%: <u>100</u> % of Site  <input type="checkbox"/> 10-15%: _____ % of Site  <input type="checkbox"/> 15% or greater: _____ % of Site</p>	
<p>g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If Yes, describe:  _____  _____</p>	
<p>h. Surface water features:</p> <p>i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes to either i or ii, continue. If No, skip to E.2.1.</p> <p>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>iv. For each identified regulated wetland and waterbody on the project site, provide the following information.</p> <ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____  Wetland No. (if regulated by DEC) _____</li> </ul> <p>v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If yes, name of impaired water body/bodies and basis for listing as impaired:  _____</p>	
<p>i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  If Yes:  i. Name of aquifer: <b>Sole Source Aquifer Names: Brooklyn-Queens SSA, Sole Source Aquifer Names: Nassau-Suffolk SSA</b></p>	
<p>m. Identify the predominant wildlife species that occupy or use the project site: <b>American crow (Corvus brachyrhynchos), red-tailed hawk (Buteo jamaicensis), rock pigeon (Columbia livia), American robin (Turdus migratorius), turkey vulture, mourning dove (Zenaida), blue jay (Cyanocitta cristata), gray catbird (Dumetella carolinensis)</b></p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If Yes:  i. Describe the habitat/community (composition, function, and basis for designation):  _____  _____  ii. Source(s) of description or evaluation: _____  iii. Extent of community/habitat:  <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul> </p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

<sup>1</sup> See **Figure 2**. To the east of Site A, there is a man-made duck pond, which was preliminarily determined not to be regulated (TBD in DEIS).

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
q. Is the project site or adjoining area currently used for hunting, trapping, fishing, or shell fishing? If yes, give a brief description of how the proposed action may affect that use: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>E.3. Designated Public Resources On or Near the Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Marks Law, Article 25-AA, Sections 303 and 304? If Yes, provide county plus district name/number: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Are agricultural lands consisting of highly productive soils present? <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s) _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the project site located in or does it adjoin a state-listed Critical Environmental Area? If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? If Yes: <i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District <i>ii.</i> Name: _____ <i>iii.</i> Brief description of attributes on which listing is based: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resourced been identified on the project site? <b>TBD in DEIS</b> If Yes: <i>i.</i> Describe possible resource(s): _____ <i>ii.</i> Basis for identification: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: <i>i.</i> Identify resource: _____ <i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ <i>iii.</i> Distance between project and resource: _____ miles.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: <i>i.</i> Identify the name of the river and its designation: _____ <i>ii.</i> Is the activity consistent with development restrictions contain in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Richard Browne

Date 2/27/18

Signature [Handwritten Signature]

Title Owner's Representative



-  Project Sites
-  North and South Parking Lots
-  New Belmont Substation

**BELMONT PARK REDEVELOPMENT PROJECT**

Project Location  
**Figure 1**



Data source: <http://www.fws.gov/wetlands/Data/State-Downloads.html>

- Project Sites
- North and South Parking Lots
- New Belmont Substation
- Wetland Type (Map Codes)**
- Freshwater Pond (PUB, PAB)

0 1,000 FEET



**A. Project Description**

In addition to the parking proposed for the Project Sites, it is expected that visitors to the Proposed Project would also utilize existing parking at Belmont Park in the “North Lot” and “South Lot” shown in **Figure 1** through a shared parking agreement with the Franchise Oversight Board (FOB) and The New York Racing Association (NYRA). In addition, the Proposed Actions include lease approval from the FOB and the necessary approvals to facilitate the construction of an electric substation immediately adjacent to the North Lot, and three associated underground distribution feeders and underground transmission lines to serve the Proposed Project (to be constructed by the Long Island Lighting Company d/b/a Long Island Power Authority [LIPA] and operated by the Public Service Enterprise Group Long Island [PSEG Long Island]).

**B. Government Approvals, Funding, or Sponsorship****ESD DISCRETIONARY ACTIONS**

The Proposed Project is preliminarily expected to require the following ESD discretionary actions (the “Proposed Actions”):

- ESD adoption and authorization of a General Project Plan in accordance with the New York State Urban Development Corporation Act, including an override of the Town of Hempstead Building Zone Ordinance (BZO) and provisions in the Town Code, where applicable, to facilitate the Proposed Project. Specific BZO and Code regulations anticipated to be subject to the override may include but are not limited to:
  - Permitted and accessory uses;
  - Minimum lot area and width;
  - Maximum building area and height;
  - Minimum front, side, and rear yard depths;
  - Maximum building coverage and heights;
  - Minimum parking stalls, stall size, aisle width, and parking setbacks; and
  - Signage.

**OTHER REQUIRED APPROVALS AND AGENCIES**

In addition to the above-described required approvals, several other involved and interested agencies and approvals have been preliminarily identified as being required to implement the Proposed Project, as follows:

- FOB: approval of easements for substation and cables;
- NYS Office of General Services (OGS): review of transaction as agent of the FOB; building permits for construction;

## **Belmont Park Redevelopment Project**

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- NYS Department of Transportation (NYSDOT): highway work permits for curb cut access and pedestrian bridge(s);
- NYS Department of Environmental Conservation (NYSDEC): State Pollutant Discharge Elimination System Permit/approval of Storm Water Pollution Prevention Plan (SWPPP);
- NYS Office of Parks, Recreation and Historic Preservation (OPRHP): historic resources determination;
- Long Island Lighting Company d/b/a Long Island Power Authority (LIPA): new substation and electric connection;
- Nassau County Department of Public Works: sewer connection/drainage requirements; and
- Nassau County Fire Marshal: application of the Nassau County Fire Prevention Ordinance.

### **C.3. Zoning**

#### ***c.i What is the proposed new zoning for the site?***

ESD is expected to use its special powers to override municipal zoning jurisdiction, and therefore, the Proposed Actions do not contemplate the need for local zoning approvals. As part of the GPP development, a set of Design Guidelines will be prepared to provide bulk and form parameters in lieu of zoning and other local regulations. The specific overrides required to implement the Proposed Project will be enumerated in the DEIS and described in terms of the aspects of the Proposed Project that do not conform to local zoning and certain other regulatory provisions.

### **E. Site and Setting of Proposed Action**

#### ***h.i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database?***

The Belmont Park property is identified in the NYSDEC Spills Incidents database for the following; it is unknown whether these incidents occurred on the Project Sites:<sup>1</sup>

- Leaking Underground Storage Tank (LTANKS) database: NYSDEC Spill No. 1300291 was assigned on April 9, 2014 due to two tank test failures for 6,000-gallon underground storage tanks (USTs), one diesel tank and one gasoline tank, that were the result of leaking manway gaskets located within the containment sumps; no actual spill occurred. The spill was closed by NYSDEC on April 24, 2014.
- LTANKS database: NYSDEC Spill No.8708909 was assigned on January 19, 1988 due to a tank test failure of a 550-gallon tank. The database indicated that there was a gross leak; could not fill stand pipe. The spill was closed by NYSDEC on May 16, 1988.
- LTANKS database: NYSDEC Spill No.8801223 was assigned on May 9, 1988 for a gross failure of a petrotite tank test performed on a 550-gallon tank. The spill was closed by NYSDEC on July 7, 1994.
- LTANKS database: NYSDEC Spill No.8709874 was assigned on February 2, 1988 due to a tank test failure of two 550-gallon tanks. One tank was removed on August 17,

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<sup>1</sup> Roux Associates (2017) *Environmental Findings Report*; Pages. 13, 14.

1989. The pipes were replaced on the second tank and it passed its retest. The spill was closed by NYSDEC on August 23, 1989.

- LTANKS database: NYSDEC Spill No.8709559 was assigned on February 2, 1988 due to a tank test failure of a No. 2 fuel oil tank. The tank was removed on March 11, 1991. The spill was closed by NYSDEC on July 7, 1994.
- LTANKS database: NYSDEC Spill No.8709374 was assigned on February 3, 1988 due to a tank test failure of two USTs, one 550-gallon tank and one 1,000-gallon tank. The 550-gallon tank was removed on July 28, 1989 and the 1,000-gallon tank had its pipes replaced and passed the retest. The spill was closed by NYSDEC on July 28, 1989.
- LTANKS database: NYSDEC Spill No.8708958 was assigned on January 20, 1988 due to a tank test failure of a 550-gallon tank. The tank was removed on May 18, 1989. The spill was closed by NYSDEC on May 18, 1989.
- New York Spills database (NY Spills): NYSDEC Spill No.0750166 was assigned on April 30, 2007 due to a worker spilling paint into a dry well. The spill was closed by NYSDEC on March 25, 2008.

The Belmont Park property is also identified on the following additional environmental databases:

- New York Underground Storage Tank (NY UST) database: According to the NYSDEC PBS database, Belmont Park is listed as PBS facility No. 1-000747 for one 530-gallon diesel AST closed in place on Feb. 22, 2017; one 630-gallon diesel AST closed in place on Feb. 22, 2017; one 550-gallon active diesel AST installed in 1965; two 12-gallon active diesel ASTs installed in 1965; one 15-gallon active diesel AST installed in 1965; one 2,000-gallon diesel AST installed on Sept. 16, 2016; one 240-gallon waste oil/used oil AST installed on Dec. 1, 1999; and three 6,000-gallon diesel USTs installed on Feb. 4, 1991. According to the database, the PBS registration expires on Dec. 1, 2019.
- Resource Conservation Recovery Act (RCRA) Non-Generator (NonGen) database: Belmont Park was identified on the RCRA database as a Large Quantity Generator on May 7, 1986 and February 28, 1992 under USEPA ID #NYD981483852, and was verified as a non-generator [RCRA (Non-Gen)] by July 8, 1999. At the time of generation, ignitable waste and waste containing polychlorinated biphenyls (PCBs) were produced (waste codes D001 and X002, respectively). No violations were reported.
- Integrated Compliance Information System (ICIS) database: The property is listed as ID #110004404626.
- Facility Index System (FINDS) database: The property is registered as ID #110006445221, which is trackable due to its listing as a RCRA facility.
- Enforcement and Compliance History (ECHO) database: The property is registered as ID #110004404626 on the ECHO database due to the RCRA facility listing.
- New York Manifest database (NY Manifest): Paint was dumped into a dry well by a worker, associated with NYSDEC Spill No.0750166. The waste within the dry well was disposed of as ignitable waste material containing chromium, lead, barium, and methyl ethyl ketone and was transported offsite on February 17, 2011 and February 26, 2011.

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- New Jersey Manifest database (NJ Manifest): Hazardous material classified as lead-containing material was transported offsite on April 29, 2009.
- EDR Historical Automotive Database (EDR Hist Auto): Sure Shot Transmissions operated on the Project Sites from 2005 to 2013 as an automotive transmission repair shop.

The identification of Belmont Park as a Historical RCRA NonGen and Large Quantity Generator, the identification of several leaking USTs, closed NYSDEC Spill Nos., and the possible existence of transmission service center on the property are considered potential environmental concerns.

### *h.ii. If site has been subject of RCRA corrective activities, describe control measures.*

Belmont Park was identified on the RCRA database as a Large Quantity Generator on May 7, 1986 and February 28, 1992 under USEPA ID #NYD981483852, and was verified as a non-generator [RCRA (Non-Gen)] by July 8, 1999. At the time of generation, ignitable waste and waste containing polychlorinated biphenyls (PCBs) were produced (waste codes D001 and X002, respectively). No violations were reported.

### *h.iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?*

The following properties were identified in the searched databases and found to be within 2,000 feet of the Project Sites:<sup>2</sup>

1. The property identified as “Deknatel” owned by Pfizer Inc. (Pfizer), located at 96-20 and 96-14 222<sup>nd</sup> Street, Queens Village, New York , is listed on the following databases:

- Superfund Enterprise Management System (SEMS): The Deknatel property has been identified as registered with the SEMS, but is not on the National Priorities List (NPL), EPA identification number NYD093760775.
- State Superfund Registry (SHWS): The Deknatel property has been identified as a Hazardous Waste Superfund site, site code #55921.
  - A Consent Order (CO) for the investigation of the Deknatel property was executed in March 1992. A Remedial Investigation/Feasibility Study (RI/FS) has been completed. The Record of Decision (ROD) selected soil excavation, offsite disposal, and a groundwater extraction and disposal system as the effective remediation for the site.
  - Remedial activities began with soil excavation in 1994. The Deknatel property was excavated to the depth of groundwater, 55 feet below land surface, and all contaminated soils were disposed of offsite. The excavated areas were backfilled with clean sand. The groundwater extraction and disposal system was installed and was operated effectively through 2001 when the request to shut down the groundwater extraction system was granted. Groundwater monitoring continued through 2003. Pfizer's petition

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<sup>2</sup> Roux Associates, *Environmental Findings Report*; Pages. 13, 14, August 2017.

to delist this site from Registry was approved in November 2003. The Deknatel property is currently being used as a parking lot for a nearby church. This is a fenced inactive facility. The soil contamination has been excavated and removed, thereby eliminating potential direct exposure to onsite soil. The groundwater extraction system effectively reduced contamination levels in groundwater.

- NY UST database: Tank #2-033006, a 5,000-gallon No. 2 fuel oil tank, was registered to the Deknatel property. The tank was reported closed by March 1991.
- LTANKS database: NYSDEC Spill No. 8708821 was assigned to the Deknatel property on January 16, 1988 due to a tank test failure for a gross leak of a 5,000-gallon No. 2 fuel oil tank. The spill was closed by NYSDEC on February 27, 2003.
- RCRA NonGen database: The Project Sites have been identified as a RCRA NonGen for hazardous waste. Non-generators do not currently generate hazardous waste. USEPA ID #NYD093760775 is also assigned to the Deknatel property. At the time of generation, ignitable waste (D001) containing calcium chromate (U032), dimethyl sulfate (U103), and lead phosphate (U145) was produced. No violations were reported.
- NY Spills database: NYSDEC Spill No. 8706101 was assigned to the Deknatel property on October 20, 1987 due to a release from manufacturing processes completed onsite. The spill was closed by NYSDEC on October 20, 1987.

2. The property identified as “Belmont Service Station,” located at 101 Hempstead Turnpike, Elmont, New York is listed on the following databases:

- EDR Hist Auto Database: The Belmont Service Station operated on this site from 1969 to 1998 as a gasoline service station.

3. The property identified as “Queens Wildlife Preserve,” located at 100 47<sup>th</sup> Avenue and 221<sup>st</sup> Street, Springfield Gardens, New York is listed on the SEMS database. Further research suggests that this is the incorrect location for this Superfund site.

- Several properties identified as utility vaults contain manifest, hazardous waste generator, and/or spill information. However, due to the containment within the vault or *de minimis* nature of the spill incidents prohibiting groundwater contamination, these properties are not considered to be an environmental concern in relation to the Project Sites.

In addition, several properties surrounding the Project Sites contain leaking USTs and/or spill information. However, due to the small volume of the spill, spill closure to the satisfaction of the NYSDEC, or *de minimis* nature of the spill incidents prohibiting groundwater contamination, these properties are not considered to be an environmental concern in relation to the Project Sites.

According to a Phase I Environmental Site Assessment (ESA) completed by O’Brien & Gere Engineers, Inc. (OBG) for Belmont Park, the assessment found no evidence of recognized

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environmental conditions (RECs) in connection with Belmont Park (within Belmont Park, but outside of the Project Sites) as they related to spills, with the exception of the following:<sup>3</sup>

Track Area 1:

- Greenfield Dealership Parking Area: petroleum impacted soil was found during site reconnaissance as well as several trucks (appear to be abandoned) which may have released fuel/oil into the soil.
- North side of excersie track infield: petroleum stained soil were found during reconnaissance associated with abandoned landscaping equipment.

Maintenance Area 3:

- Maintenance Garage: petroleum stained soils were found during reconnaissance near the fill port of the used oil tank.

Grandstand/Clubhous Area 4:

- East Side: petroleum impacted soils were found during reconnaissance on the eastern end of the clubhouse at the location of a temporary heat wagon (portable No. 2 fuel oil-fired furnace) near the fill port of the used oil tank.
- West Side: Two flammable cabinets and one unlabeled 55-gallon drum were noted stored outside near the train station on the west side of the Grandstand. These items appeared to be abandoned. It is not clear as to whether the items were within the Phase I ESA boundary. Petroleum staining was noted on the asphalt in close proximity to the cabinets and drum.

Records Review:

- Metropolitan Transportation Authority Long Island Railroad (MTA-LIRR): The MTA LIRR maintenance yard was observed to be unknown fill material and stockpiled railroad ties. Railroad operations in this area are associated with impacted soil from historic fuel spills. The long term storage of railroad ties may have resulted in the leaching of creosote (a known carcinogen) and other hazardous consitutents into soils.
- Floral Park Memorial Elmont Road: a 20,000-gallon UST leaked at this location, however no details were found on a site assessment. NYSDEC LTank database only refers to repairs conducted on the transfer piping. This historic LTank location is considered an REC, based on the lack of data and proximity to the project site.
- Mobil Oil Corp., Service Station No. KD7, 101 Hempstead Turnpike: 33 tons of petroleum impacted soil were removed from this site as part of a fuel transfer piping replacement project.

### **E.2. Natural Resources on or Near the Project Site**

#### ***m. Identify the predominant wildlife species that occupy or use the project site***

Use of the Project Sites and surrounding area by wildlife is generally expected to be minimal as it is heavily urbanized. The primary source of wildlife habitat on-site are trees, with the mature trees anticipated to provide the highest degree of ecological value and biodiversity. Bird species, which could be expected to use the Project Sites and immediately surrounding areas, include those species that are tolerant of urban settings and high levels of human disturbance, including,

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<sup>3</sup> OBG, Phase I Environmental Site Assessment, October 2017 .

but not limited to red-tailed hawk (*Buteo jamaicensis*), turkey vulture, mourning dove (*Zenaida macroura*), rock pigeon (*Columbia livia*), blue jay (*Cyanocitta cristata*), American crow (*Corvus brachyrhynchos*), American robin (*Turdus migratorius*), gray catbird (*Dumetella carolinensis*), house sparrow (*Passer domesticus*), European starling (*Sturnus vulgaris*), common grackle (*Quiscalus quiscula*), brown-headed cowbird (*Molothrus ater*), and song sparrow (*Melospiza melodia*). Canada goose (*Branta canadensis*), turkey vulture, American robin, house sparrow, European starling, and rock pigeon were also observed within the project limits during a field investigation of the site.

The following mammal species could be expected to utilize the Project Sites and immediately surrounding area: eastern cottontail (*Sylvilagus floridanus*), eastern gray squirrel (*Sciurus carolinensis*), raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), groundhog (*Marmota monax*), Norway rat (*Rattus norvegicus*), and white-footed mouse (*Peromyscus leucopus*). Eastern gray squirrel was the only mammal observed within the project limits during a field investigation of the site.

No rare or unusual species were identified during field observations. Additionally, no rare or unusual species are anticipated to rely on the Project Sites as critical habitat but it is not out of the question that a rare and mobile species, such as a bird or a bat, could pass through the area and possibly perch in an on-site tree.

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