

NASSAU COUNTY OPEN SPACE AND PARKS ADVISORY COMMITTEE

LEASE OF COUNTY-OWNED PROPERTY

NCPC-OSPAC FILE NO: 2-2024

WHEREAS, pursuant to Title 47, Section 1 of the Miscellaneous Laws of Nassau County, the Nassau County Open Space and Parks Advisory Committee (“OSPAC”) was established to provide review, evaluation, and where appropriate, recommendations concerning Nassau County’s (the “County”) open space, parks, and other areas of recreational, cultural, archeological, habitat or historic significance;

WHEREAS, OSPAC is required to review all leases of County land to non-governmental entities and make recommendations to the Nassau County Planning Commission (“NCPC”) with respect thereto regarding the impact that such lease has on open space, parks, and areas of cultural, archeological, habitat, or historic significance pursuant to Title 47, Section 3(e) of the Miscellaneous Laws of Nassau County and Nassau County Administrative Code Section 11-8.0;

WHEREAS, the NASSAU COUNTY EXECUTIVE signed a lease with LVS NY HOLDCO 2, LLC (“Sands”) for certain parcels of land in Nassau County including the Nassau Veterans Memorial Coliseum (the “Coliseum”) on May 26, 2023,

WHEREAS, that lease was annulled by order of the New York Supreme Court, Nassau County on November 9, 2023,

WHEREAS, following that annulment, the County of Nassau and Sands entered into a Use & Occupancy Permit to permit Sands to continue to use and occupy the Coliseum and certain surrounding land,

WHEREAS, the NASSAU COUNTY EXECUTIVE’S OFFICE forwarded to the COMMISSION a proposal for the execution of a new lease between the County of Nassau and Sands for the Coliseum site (“Proposal”), more particularly described as:

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Section: 44, Block: F, Lot(s): 351, 411, 412 & 415
1255 Hempstead Turnpike, Uniondale, Town of Hempstead

WHEREAS, the NCPC forwarded to OSPAC the Proposal for review pursuant to Nassau County Administrative Code Section 11-8.0;

WHEREAS, OSPAC held a public meeting concerning the proposal on June 18, 2024,

WHEREAS, the NCPC held a public hearing concerning the Proposal on June 20, 2024 (“Public Hearing”), in accordance with N.Y. Public Officers Law, notice of which was sent to Nassau County Legislator Siela A. Bynoe, and Town of Hempstead Supervisor Donald X. Clavin, Jr., as well as to all surrounding property owners within a 150 ft. radius, with regard to the Proposal;

WHEREAS, OSPAC is required to report any recommendations concerning the Proposal to NCPC within thirty (30) days of the Public Hearing pursuant to Nassau County Administrative Code Section 11-8.0; and

WHEREAS, while Sands intends to seek to develop a casino at the Coliseum site, the proposed lease does not authorize the Coliseum site to (i) be developed or (ii) used for a casino,

WHEREAS, OSPAC has conducted its review in accordance with an order of the New York Supreme Court, Nassau County,

WHEREAS, pursuant to Nassau County Administrative Code Section 11-8.0 and Title 47, Section 3(e), OSPAC hereby issues the following recommendation to the NCPC regarding the Proposal; and

NOW THEREFORE BE IT RESOLVED that, based upon review of the Proposal, OSPAC finds that the Proposal has [a negative/no] impact on County open space or parks or any areas of cultural, archeological, habitat, or historic or of an otherwise environmentally sensitive nature and hereby recommends that the NCPC [recommend/not recommend] that Proposal without condition.

DRAFT

The foregoing resolution was offered:

The resolution herein was, in accordance with all applicable law, duly considered, moved, and adopted by the following vote:

Ralph Fumante, Chair	[AYE/NAY/ABSTAIN]
Paolo Pironi, Vice Chair	[AYE/NAY/ABSTAIN]
Matthew T. Meng	[AYE/NAY/ABSTAIN]
Lauren Moriarty	[AYE/NAY/ABSTAIN]
Jason Steinberg	[AYE/NAY/ABSTAIN]
Yaron Levy	[AYE/NAY/ABSTAIN]
Ruca Anzai	[AYE/NAY/ABSTAIN]
Monolita Mitra	[AYE/NAY/ABSTAIN]
Daniel Casella	[AYE/NAY/ABSTAIN]

The Chair declared the resolution duly adopted.
OSPAC 2-2024
Adopted: , 2024]

This resolution may be modified to allow for the correction of any mathematical, graphical and/or clerical errors, and to finalize any placeholders to reflect the vote, subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the Nassau County Open Spaces and Parks Advisory Committee if said resolution is approved and adopted by the affirmative vote of a majority of said Nassau County Open Spaces and Parks Advisory Committee.

Resolution of Nassau County OSPAC

Adopted: , 2024]
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