



Appendix 2-4

**Town of Hempstead Town Board
Resolutions for Nassau Events Center
(NEC)**

Adopted: May 26, 2015

Supervisor Murray offered the following resolution and moved its adoption:

RESOLUTION APPROVING THE PETITION BY NASSAU EVENTS CENTER, LLC FOR CONCEPTUAL MASTER PLAN APPROVAL IN THE MITCHEL FIELD MIXED-USE (MFM) DISTRICT AND TO DISPENSE IN PART WITH CONFORMITY WITH CERTAIN PROVISIONS APPLICABLE TO THE MFM DISTRICT AND TO MAKE CERTAIN FINDINGS AFFECTING REAL PROPERTY SITUATED IN UNIONDALE IN THE TOWN OF HEMPSTEAD, NEW YORK

WHEREAS, the Town Board of the Town of Hempstead (hereinafter the "Town Board") has received a petition and associated application materials for Conceptual Master Plan Approval from Nassau Events Center, LLC (hereinafter "NEC") for the Mitchel Field Mixed-Use (MFM) District and to dispense in part with conformity with certain provisions of the MFM District and to make certain findings (hereinafter the "Proposed Action"); and

WHEREAS, the subject property is situated in Uniondale in the unincorporated area of the Town of Hempstead, and is made up of three (3) parcels containing a total area of approximately 91 acres; and the subject property is currently improved with the Nassau Veterans Memorial Coliseum and the Long Island Marriott Hotel; and the subject parcels are designated as Section 44, Block F, Lots 403 and 351 (hereinafter "Coliseum Parcel"), Section 44, Block F, Lots 326 and 401 (hereinafter "Marriott Parcel") and Section 44, Block F, Lot 402 (hereinafter "Vacant Parcel") on the Nassau County Land and Tax Map, hereinafter collectively referred to as the "Subject Premises;" and

WHEREAS, specifically, the Conceptual Master Plan provides for NEC, subject to the terms of the ground lease by and between the County of Nassau and NEC with an effective date of October 30, 2013 (the "Ground Lease"), and subject to authorization by the County of Nassau, to construct additional development on the Coliseum Parcel of approximately 170,000 square feet of retail space, 38,000 square feet of restaurant space, a 60,000-square foot cinema containing 1,500 seats, 120,000 square feet of recreation space (all of which total 388,000 of space), and a plaza and memorial area which will be accessible to the public. The total proposed development, inclusive of the existing 416,000-square foot Coliseum, is 804,000 square feet of space. The proposal also includes a reduction in the number of seats in the Coliseum from existing capacity to 13,000 (although in the future, NEC, subject to SEQRA, which includes studying all parking and traffic implications, and all applicable law, may request an expansion of seating at the Coliseum back to existing capacity); and the foregoing is identified on the Conceptual Master Plan and hereinafter as the "NEC Project Plan;" and

WHEREAS, although the NEC Project Plan provides for future expansion, currently the first phase of the NEC Project Plan consists of space not to exceed 188,000 square feet, in the aggregate, which includes 22,601 square feet of retail space, 38,000 square feet of restaurant space, a 60,000-square foot cinema containing 1,500 seats, and 67,399 square feet of recreation space (the "NEC Phase I Plan"); and

WHEREAS, the Conceptual Master Plan also provides for the future development of the Subject Premises providing for a total of 3,477,700 square feet of space composed of the NEC Project Plan described above plus an additional 215,000 square feet of retail space, 162,000 square feet of restaurant space, 675,000 square feet of office space (e.g., for research and development, healthcare and other medical services), 230,000 square feet of recreation, retail and/or convention center space, and 466,350 square feet of hotel

space on the Coliseum Parcel, along with the existing hotel and convention center space of 573,500 square feet and a proposed additional hotel space of 351,850 square feet on the Marriott and Vacant Parcels; and

WHEREAS, additionally, the Conceptual Master Plan provides for 104,304 square feet of public open space (including, but not limited to, a plaza accessible to the public), equal to or exceeding three percent (3%) of the land area of the Subject Premises after deduction of the area of the right-of-ways, including 85,617 square feet of open space on the Coliseum Parcel and 18,687 square feet of open space on the Marriott Parcel and Vacant Parcel; and

WHEREAS, the Town Board identified the Proposed Action as a Type I action in accordance with the New York State Environmental Quality Review Act (SEQRA), and pursuant to 6 NYCRR 617.6(b)(2)(i), for all Type I actions involving more than one agency, a lead agency must be established prior to a determination of significance; and

WHEREAS, 6 NYCRR 617.6(b)(3)(i) requires that, when an agency proposes to approve a Type I action undergoing coordinated review with other involved agencies, it must, as soon as possible, transmit Part I of the Environmental Assessment Form (EAF) completed by the project sponsor and a copy of any application it has received to all involved agencies and notify them that a lead agency must be agreed upon within 30 calendar days of the date the EAF was transmitted to them; and

WHEREAS, the Town Board declared its intent to be lead agency, followed the above mentioned lead agency designation procedure, received no objection from the other involved agencies during the ensuing 30-day period, and became the lead agency; and

WHEREAS, the Applicant prepared an Expanded Full Environmental Assessment Form (the "Expanded EAF") with attachments to analyze the potential adverse environmental impacts associated with the Proposed Action, as described above; and

WHEREAS, the Expanded EAF and its attachments were reviewed by the Town Board and its staff and consultants, and the significance of all environmental considerations, including those enumerated in 6 NYCRR Part 617.7(c), were thoroughly evaluated to determine whether significant adverse environmental impacts will result; and

WHEREAS, on May 26 2015, the Hempstead Town Board, after due consideration of the Expanded EAF and its attachments, found that the Proposed Action will not have any significant adverse impacts on the environment for the reasons contained in the Negative Declaration; and

WHEREAS, the State Environmental Quality Review Act process was satisfied and finished with the completion of the above mentioned review and the adopted Negative Declaration; and

WHEREAS, on May 19, 2015, the Town Board held a public hearing on the application for Conceptual Master Plan Approval at which time all those interested were given an opportunity to be heard; And

WHEREAS, the Town Board and its staff and consultants have reviewed the petition and associated materials relative to the requirements of the MFM District and the Building Zone Ordinance; and

WHEREAS, the Town Board is familiar with the Subject Premises and the vicinity thereof.

NOW, THEREFORE, BE IT RESOLVED, that after due consideration of the petition and associated materials, the Town Board hereby grants Conceptual Master Plan Approval to the NEC petition and dispenses in part with conformity with certain provisions applicable to the MFM District and makes certain findings, all as enumerated in the petition, subject to the following conditions:

1. All development proposed in the future for the Subject Premises, for site plan approval or otherwise, shall be consistent with the Conceptual Master Plan being approved hereby, and any development which is inconsistent with said Conceptual Master Plan shall be subject to the approval of an amended Conceptual Master Plan by the Town Board, as well as additional environmental review in accordance with SEQRA if deemed appropriate by the Town Board.
2. Any amount of development which may be proposed in the future for the Subject Premises which is above and beyond that contained in the NEC Project Plan shall be subject to further environmental review in accordance with SEQRA.
3. Site plan approval for the NEC Phase I Plan, the NEC Project Plan, and other possible phases of development shall be subject to the applicant demonstrating compliance with the Section 146.1.O(5), Green Site and Building Requirements, and Section 146.1.P, Design Guidelines, of the Building Zone Ordinance.
4. This Conceptual Master Plan Approval shall only be binding on the Coliseum Parcel.

The foregoing resolution was adopted upon roll call as follows:

Ayes: (7) SEVEN

Noes: (0) NONE

Case No.: 29282

Resolution: 1147-2015

Adopted: September 21, 2015

Councilman Santino offered the following resolution and moved its adoption:

RESOLUTION APPROVING THE APPLICATION BY NASSAU EVENTS CENTER, LLC FOR SITE PLAN APPROVAL IN THE MITCHEL FIELD MIXED-USE (MFM) DISTRICT AFFECTING REAL PROPERTY SITUATED IN UNIONDALE IN THE TOWN OF HEMPSTEAD, NEW YORK

WHEREAS, the Town Board of the Town of Hempstead (hereinafter the "Town Board") received a petition and associated application materials for Conceptual Master Plan Approval from Nassau Events Center, LLC (hereinafter "NEC") for the Mitchel Field Mixed-Use (MFM) District and to dispense in part with conformity with certain provisions of the MFM District and to make certain findings (hereinafter the "Proposed Action"); and

WHEREAS, the subject property is situated in Uniondale in the unincorporated area of the Town of Hempstead, and is made up of three (3) parcels containing a total area of approximately 91 acres; and the subject property is currently improved with the Nassau Veterans Memorial Coliseum and the Long Island Marriott Hotel; and the subject parcels are designated as Section 44, Block F, Lots 403 and 351 (hereinafter "Coliseum Parcel"), Section 44, Block F, Lots 326 and 401 (hereinafter "Marriott Parcel") and Section 44, Block F, Lot 402 (hereinafter "Vacant Parcel") on the Nassau County Land and Tax Map, hereinafter collectively referred to as the "Subject Premises;" and

WHEREAS, specifically, the Conceptual Master Plan provides for NEC, subject to the terms of the ground lease by and between the County of Nassau and NEC with an effective date of October 30, 2013 (the "Ground Lease"), and subject to authorization by the County of Nassau, to construct additional development on the Coliseum Parcel of approximately 170,000 square feet of retail space, 38,000 square feet of restaurant space, a 60,000-square foot cinema containing 1,500 seats, 120,000 square feet of recreation space (all of which total 388,000 square feet of space), and a plaza and memorial area which will be accessible to the public. The total proposed development, inclusive of the existing 416,000-square foot Coliseum, is 804,000 square feet of space. The proposal also includes a reduction in the number of seats in the Coliseum from existing capacity to 13,000 (although in the future, NEC, subject to SEQRA, which includes studying all parking and traffic implications, and all applicable law, may request an expansion of seating at the Coliseum back to existing capacity); and the foregoing is identified on the Conceptual Master Plan and hereinafter as the "NEC Project Plan;" and

WHEREAS, although the NEC Project Plan provides for future expansion, currently the first phase of the NEC Project Plan consists of space not to exceed 188,000 square feet, in the aggregate, which includes 22,601 square feet of retail space, 38,000 square feet of restaurant space, a 60,000-square foot cinema containing 1,500 seats, and 67,399 square feet of recreation space (the "NEC Phase I Plan"); and

WHEREAS, the Conceptual Master Plan also provides for the future development of the Subject Premises providing for a total of 3,477,700 square feet of space composed of the NEC Project Plan described above plus an additional 215,000 square feet of retail space, 162,000 square feet of restaurant space, 675,000 square feet of office space (e.g., for research and development, healthcare and other medical services), 230,000 square feet of recreation, retail and/or convention center space, and 466,350 square feet of hotel space on the Coliseum Parcel, along with the existing hotel and convention center space

of 573,500 square feet and a proposed additional hotel space of 351,850 square feet on the Marriott and Vacant Parcels; and

WHEREAS, additionally, the Conceptual Master Plan provides for 104,304 square feet of public open space (including, but not limited to, a plaza accessible to the public), equal to or exceeding three percent (3%) of the land area of the Subject Premises after deduction of the area of the right-of-ways, including 85,617 square feet of open space on the Coliseum Parcel and 18,687 square feet of open space on the Marriott Parcel and Vacant Parcel; and

WHEREAS, the Town Board identified the Proposed Action as a Type I action in accordance with the New York State Environmental Quality Review Act (SEQRA), and pursuant to 6 NYCRR 617.6(b)(2)(i), for all Type I actions involving more than one agency, a lead agency must be established prior to a determination of significance; and

WHEREAS, 6 NYCRR 617.6(b)(3)(i) requires that, when an agency proposes to approve a Type I action undergoing coordinated review with other involved agencies, it must, as soon as possible, transmit Part I of the Environmental Assessment Form (EAF) completed by the project sponsor and a copy of any application it has received to all involved agencies and notify them that a lead agency must be agreed upon within 30 calendar days of the date the EAF was transmitted to them; and

WHEREAS, the Town Board declared its intent to be lead agency, followed the above mentioned lead agency designation procedure, received no objection from the other involved agencies during the ensuing 30-day period, and became the lead agency; and

WHEREAS, the Applicant prepared an Expanded Full Environmental Assessment Form (the "Expanded EAF") with attachments to analyze the potential adverse environmental impacts associated with the Proposed Action, as described above; and

WHEREAS, the Expanded EAF and its attachments were reviewed by the Town Board and its staff and consultants, and the significance of all environmental considerations, including those enumerated in 6 NYCRR Part 617.7(c), were thoroughly evaluated to determine whether significant adverse environmental impacts will result; and

WHEREAS, on May 26, 2015, the Hempstead Town Board, after due consideration of the Expanded EAF and its attachments, found that the Proposed Action will not have any significant adverse impacts on the environment for the reasons contained in the Negative Declaration; and

WHEREAS, the State Environmental Quality Review Act process was satisfied and finished with the completion of the above mentioned review and the adopted Negative Declaration; and

WHEREAS, on May 26, 2015, after reviewing the petition and associated materials relative to the requirements of the MFM District and the Building Zone Ordinance, the Town Board granted Conceptual Master Plan Approval to the NEC petition and dispensed in part with conformity with certain provisions applicable to the MFM District and made certain findings, all as enumerated in the petition, subject to the following conditions:

1. All development proposed in the future for the Subject Premises, for site plan approval or otherwise, shall be consistent with the Conceptual Master Plan being approved hereby, and any development which is inconsistent with said Conceptual Master Plan shall be subject to the approval of an amended Conceptual Master

Plan by the Town Board, as well as additional environmental review in accordance with SEQRA if deemed appropriate by the Town Board.

2. Any amount of development which may be proposed in the future for the Subject Premises which is above and beyond that contained in the NEC Project Plan shall be subject to further environmental review in accordance with SEQRA.
3. Site plan approval for the NEC Phase I Plan, the NEC Project Plan, and other possible phases of development shall be subject to the applicant demonstrating compliance with the Section 146.1.O(5), Green Site and Building Requirements, and Section 146.1.P, Design Guidelines, of the Building Zone Ordinance.
4. This Conceptual Master Plan Approval shall only be binding on the Coliseum Parcel; and

WHEREAS, the Town Board has received an application for Site Plan Approval from Nassau Events Center, LLC for the NEC Phase I Plan (referred to in the application materials as "Phase 1A") on the Coliseum Parcel; and

WHEREAS, while still totaling 188,000 square feet, the NEC Phase I Plan incorporates relative minor adjustments to the floor areas specified above, to wit 33,551 square feet of retail space, 38,000 square feet of restaurant space, a 54,335-square foot cinema containing 1,500 seats, and 62,114 square feet of recreation space; and

WHEREAS, the Town Board and its staff and consultants have reviewed the application relative to the requirements of the MFM District, the Building Zone Ordinance and the conditions of the Town Board's Resolution of Conceptual Master Plan Approval; and

WHEREAS, the proposed NEC Phase I Plan was referred to the Nassau County Planning Commission in accordance with Sections 239-1 and m of the New York State General Municipal Law; and

WHEREAS, in response to said referral the Nassau County Planning Commission has stated that the subject application is a matter for local determination; and

WHEREAS, the Town Board is familiar with the Subject Premises and the vicinity thereof.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board hereby finds that the currently proposed NEC Phase I Plan application conforms to the conditions of Conceptual Master Plan Approval subject to the condition below; and
2. The Town Board hereby finds that the above mentioned relatively minor adjustments to floor area do not warrant approval of an amended Conceptual Master Plan or additional environmental review in accordance with SEQRA; and
3. After due consideration of the subject application, the Town Board hereby grants Site Plan Approval to the NEC Phase I Plan as currently proposed, subject to the following condition:

The applicant has provided proposed elevation drawings for Buildings 4, 5a and 5b. Prior to the issuance of the Building Permits for Buildings 1, 2 and 3, the applicant shall submit elevations and, at the discretion of the Town

Board, other renderings of the architecture of Buildings 1, 2 and 3 for the review and approval of said board.

The foregoing resolution was adopted upon roll call as follows:

Ayes: (5) FIVE

Noes: (0) NONE


STATE OF NEW YORK }
COUNTY OF NASSAU } ss.:
TOWN OF HEMPSTEAD }

I do hereby certify that I have compared the annexed copy of **Resolution No. 1147-2015**

with the original on file in the office of the Town Clerk of the Town of Hempstead, and that the same is a true and correct copy of said original and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Hempstead on this day of **September 24, 2015**




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NASRIN G. AHMAD
Town Clerk