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Nassau County Planning Department
100 County Seat Drive
Mineola, NY 11501
Attn: Master Plan Comments

NC PLANNING DEPT

January 31, 2011

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Dear Nassau County Planning Commission:

For over twenty years, the New York League of Conservation Voters (NYLCV) has played a crucial role in the protection of New York's environment. We support the numerous conservation efforts underway in Nassau County and appreciate the opportunity to submit comments on the 2010 Nassau County Master Plan. The 2010 Master Plan allows Nassau County to build upon its existing achievements and pursue a more sustainable, healthy future.

The areas of specific interest to NYLCV concern land use, transportation, energy, waste management and green jobs. We feel that these areas address issues of particular significance for Nassau County and are critical to the county's future. I have highlighted some of our key recommendations below, which are further explained in the attached comments.

Land use is a broad category addressing a wide range of sustainability issues. For the purposes of Nassau County, we feel that there are several key points of relevance. Firstly, integrating smart growth principles into future development plans -- as well as the use of strategic growth areas -- can curb sprawl and concentrate development into areas where it is both economically advantageous and environmentally practical. The adoption of a "Smart Growth Scorecard" to assess building proposals could help to accurately identify projects that embrace smart growth principals; reduced permitting costs and approval time could be used to reward projects with a high score. We also support the expansion of the brownfields redevelopment program to facilitate the cleanup and redevelopment of contaminated sites. And the identification of pristine acreage vulnerable to development should be followed up with a plan to preserve those areas. Additionally, expanding mass transit options within the Nassau Hub can help create a true downtown center. Lastly, we encourage Nassau County to increase coordination among local municipalities with regard to future development plans.

Transportation is a vital component of Nassau County's future. In order for the County to continue to grow and expand, several transportation issues must be addressed. Firstly, LIRR expansion to underserved areas of the county, as well as increased intra-Long Island service, would greatly encourage the use of mass transit and improve the quality of life for many residents. The county should also evaluate possible funding alternatives for the MTA Long Island Bus (MTALIB) and possible privatization. While this may seem like an undue financial burden for the County, especially during harsh economic times, the restoration and expansion of MTALIB service could reap enormous economic benefits for Nassau, including job creation.





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Dear Nassau County Planning Commission:

The New York League of Conservation Voters (NYLCV) is a statewide non-profit environmental advocacy and education organization. For over 20 years, NYLCV has played a crucial role in the protection of New York's environment. We appreciate the opportunity to submit comments on the 2010 Nassau County Master Plan.

NYLCV strongly supports the numerous conservation and sustainability initiatives undertaken by Nassau County and hopes that the 2010 Nassau County Master Plan will build upon these important principles to create a healthy, sustainable future for Nassau County and its residents.

The Master Plan affords the opportunity to integrate important environmental initiatives into the future planning of Nassau County. While NYLCV is supportive of the Master Plan as a whole, there are certain areas that we feel are of special importance. Specifically, these areas include smart growth, mass transit, renewable energy, and green jobs. Further, while Nassau County is made up of 69 municipalities, for a comprehensive planning process to be most effective, it should be managed at the County level. We applaud the Nassau County Master Plan and encourage increased coordination among municipalities in its implementation.

Introduction:

While Nassau County has historically been an automobile friendly suburb, increasing development pressures and decreasing open space necessitate a revision of future planning for the County. The 2010 Draft Master Plan goes a long way toward targeting development to ensure a sustainable future for Nassau County. As the Plan notes, it is centers-oriented and focuses development on strategic growth areas while preserving much of Nassau's treasured open spaces. Also noted, future county planning requires a "paradigm shift" toward sustainability principles and away from the unimpeded sprawl that has characterized much of Nassau County's development history. Moreover, as the Plan states, "land use and transportation decisions must be coordinated and streamlined countywide." Historically, much of Nassau County's development decisions have been made locally by individual municipalities. However, as Nassau County continues to grow and expand, inter-jurisdictional coordination is key to the success of Nassau's future. To create a truly sustainable future for Nassau County, the smart growth, transit-oriented development, and renewable energy principles outlined in the Master Plan should play a significant role in future County planning initiatives.



Nassau Hub:

The Nassau Hub represents a crucial opportunity for Nassau County to implement and expand its use of smart growth techniques, as well as to assess its countywide planning capacity. The 2010 Master Plan describes numerous ways to increase Hub access, which would greatly benefit Nassau County environmentally as well as economically. As the Plan notes, the Hub -- which incorporates two colleges, a sports arena, apartments, offices, and shopping -- has the potential to serve as a downtown center for Nassau County. However, the 10 square miles encompassing the Hub are not readily served by the LIRR or the Long Island Bus System. The disparate nature of Hub attractions makes it difficult to consider the Hub a central destination.

Expanding mass transit options to Hub destinations, would extend access to more Long Island residents and visitors. There are already several LIRR stations adjacent to the Hub; Carle Place, Garden City, Hempstead, and Mineola all have LIRR stations. The creation of shuttle buses that would run between these stations and Hub attractions is one possible way to make the Hub more readily accessible and decrease automobile traffic within the Hub and surrounding areas.

Creating designated bike lanes along roads within and immediately surrounding the Hub is another way to make the area more accessible and user friendly. Bike lanes have the potential to cut down on automobile traffic by providing a viable alternative mode of transportation.

Additionally, the Hub can be further developed to bring together disparate parts of the area. The additional revenue generated by increased development within the Hub can spur economic growth and increase the property tax base. This would enable Nassau County to put additional resources into countywide sustainability measures.

Land Use Recommendations:

- Continue and expand the use of Strategic Growth Areas to curb sprawl and increase infill and redevelopment.
- Increase coordination among local municipalities to facilitate the preservation of undeveloped land that spans multiple municipalities.
- Increases in user and polluter fees should be explored as environmental funding sources.
- Explore the potential for enhanced public/private partnerships, particularly for parks and local land trust funding.
- Explore incentives for the establishment of local farm markets and distribution.
- Expand brownfields redevelopment programs throughout Nassau County using the successes in Glen Cove and elsewhere as models of redevelopment strategies.
- Work toward increased protection of those untouched acres threatened by development by creating new parks or otherwise preserved areas. The 2004 and 2006 Nassau County Environmental Program Bond Acts that secured the preservation of 300 acres may serve as a model and should be rigorously continued.
- Examine and consider the implementation of a "Smart Growth Scorecard" for assessing compliance with smart growth principles similar to that of Suffolk County's "Blight to Light" program and Score Sheet. See Appendix A: "Blight to Light Scoring Checklist."

As the Master Plan notes, while 59 percent of Nassau County residents work within the County, only 16 percent of all Nassau residents use mass transit to commute to work. Additionally, while the LIRR is the “busiest railroad in North America,” commuting within Long Island is extremely difficult. The LIRR system is heavily geared toward travel between Nassau County and Manhattan.

Therefore, as noted in the Master Plan, while many Nassau County residents live close to LIRR stations, they are unable to commute via mass transit to jobs on Long Island.

Bus System/Bus Lanes:

Bus systems have the ability to use existing infrastructure to operate and may be able to reach areas where LIRR expansion is unfeasible. Thus, bus service within Nassau County is a crucial component of any comprehensive transportation plan for a sustainable Nassau.

Currently, Nassau County’s bus system is the MTA Long Island Bus (MTALIB). While the MTA operates MTALIB, the buses and depots themselves are presently owned by Nassau County. The MTA also largely subsidizes MTALIB funding, putting Nassau County’s bus system at the mercy of the MTA budget. Recent drastic service cuts to MTALIB highlight the problems with the current bus system. In an attempt to decrease its own budget deficit, the MTA has cut 11 MTALIB lines.

Nassau County needs to look into an alternative funding stream for MTALIB or an alternative bus transit system without reliance on MTA funding and operation. Additionally, the county may need to allocate more resources and funding to the Long Island bus system. Presently, the Nassau County budget allocates \$9 million for MTALIB operations, while operation of the system costs \$26 million annually. As a strong bus transit system has the ability to foster development, employment opportunities, and more access to shopping and recreation, it may be in the county’s interest to fund its own bus system.

Bikeways:

To date, Nassau County bikeways have been constructed through the New York State Department of Transportation. NYSDOT currently maintains two main bikeways in Nassau County. As noted in the Master Plan, Nassau bikeways have historically been oriented toward recreation as opposed to transportation.

However, Nassau County has the potential to greatly expand bikeway infrastructure throughout the county to make bikeways a viable transit option. The Emerald Ribbon outlined in the Master Plan shows a prospective bikeways network that would connect disparate parts of the Nassau Hub, making the area more accessible and integrated.

Transportation Recommendations:

- Create a countywide transportation planning commission to coordinate and fund transportation at the county level.
- Integrate transit oriented development strategies into future Nassau development.
- Expand LIRR infrastructure and service to underserved parts of the county where it is feasible to do so.
- Increase intra-Long Island service to facilitate mass transit as a commuting option for Nassau County residents.

Nassau Hub Energy Plan:

As the Master Plan notes, future development goals include creating “a more cost effective energy alternative for prospective development” and that “alternative energy sources should be linked directly to future development of the Hub.” The Hub represents a huge development opportunity for the county to integrate renewable energy sources. Since the Hub is centrally located and is slated to be a large focal point for future county development, it represents an ideal location for the expansion of solar and wind power. Rooftops of future buildings could be utilized for solar photovoltaic cells and possibly for wind turbines.

Green Jobs:

The expansion of renewable energy infrastructure and its maintenance have the potential to create green jobs within the county. Photovoltaic installations, wind power, and energy efficiency upgrades necessitate professionals trained in these industries. Areas slated for future development, such as the Nassau Hub, could experience enormous job growth in this sector if Nassau expands its use of renewable energy. Additionally, industries directly relating to renewable energy installations could experience growth within the county as well.

Energy Recommendations:

- Expand the use of energy improvement districts throughout Nassau County to develop renewable energy infrastructure.
- Expand the use of solar and wind power on municipality and county-owned buildings. Since excess energy can be sold back to the main power grid, renewable energy generation has the potential to create enormous cost savings for Nassau County and its municipalities.
- Future development of the Nassau Hub should incorporate renewable energy infrastructure. The Hub’s central location and development potential make it a strong choice for the expansion of renewable energy within Nassau County.
- Bring job and economic growth to the county through the expanded use of renewable energy.

Waste Management:

Waste Conversion Technologies:

The Plan has done an excellent job of beginning to employ methods for waste conversion. Implementing methods such as methane capture and utilizing wastewater by-product for energy generation is a step in the right direction. Using digested sludge and collections of fats, oils, and greases at treatment plants for additional energy sources is also an important component of sustainable change.

Stormwater runoff:

The investigations into reducing the pollutants contained in stormwater runoff are commendable; especially given its multi-agency collaborative effort. Illegal discharge identification and elimination will better inform these agencies on the exigency of the situation, and the additional 5 categories (e.g. construction site stormwater runoff control, good housekeeping for municipal operations, etc) of action on this topic will hopefully result in reductions in the near future. Finally, the contribution of

Conclusion:

Nassau County has already made great strides toward a sustainable future. The 2010 Draft Master Plan builds upon this foundation by encouraging smart growth, transit oriented development, and the use of renewable energy. Nassau County's many municipalities have the potential to fracture the planning process. Therefore, it is essential that Nassau take measures to coordinate future development at the county level. The Master Plan lays the framework for such coordination and The New York League of Conservation Voters encourages the use of coordinated, countywide planning in the implementation of the Master Plan recommendations. NYLCV strongly supports the sustainability initiatives outlined in the Master Plan and encourages the Nassau County Planning Commission to consider the aforementioned recommendations when finalizing the Master Plan.

Research and testimony for these comments was performed by Policy Director Ricardo Gotla as well as Policy Assistants Stacy Garfinkle and Sarah Zoubek.

The New York League of Conservation Voters thanks the Nassau County Planning Commission for the opportunity to comment on this crucial planning document.

Respectfully Submitted,



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LOCATION CHARACTERISTICS OF EXISTING BLIGHT SCORE

The location of blight has both positive and negative aspects such that the Location Characteristics of Existing Blight Score is the sum of the positive location characteristics points less the sum of the negative characteristics points.

Positive location characteristics points are:

1. 10 points for a property that is within 1,250 feet of a geographic center of an existing downtown/hamlet center or a downtown/hamlet center designated by an adopted land use plan. **NUMBER OF POINTS** _____
2. 10 point for a property that is within a transit oriented development center designated by an adopted plan or is within 1,250 feet of a MTA/Long Island Rail Road station. **NUMBER OF POINTS** _____
3. 10 points for a property that complies with the recommendations of a local land use plan, corridor study or comprehensive plan. **NUMBER OF POINTS** _____
4. 5 points for a property that is located on a major arterial roadway. **NUMBER OF POINTS** _____
5. 5 points for a property that is located within a Town designated Historic District or a Historic District Transitional Area. **NUMBER OF POINTS** _____
6. 5 Points for a property that is within 1,250 feet of an existing park, library, or civic center. **NUMBER OF POINTS** _____
7. 5 points for a property that is within 1,250 feet of another Town of Brookhaven designated redevelopment parcel. **NUMBER OF POINTS** _____

TOTAL NUMBER OF POSTIVE LOCATION CHARACTERISTICS POINTS _____

Negative location characteristics points are:

1. 5 points for a property that is not within 1,250 feet of a geographic center of an existing downtown/hamlet center or a downtown/hamlet center designated by an adopted land use plan. **NUMBER OF POINTS** _____
2. 5 points for a property that is not within a transit oriented development center designated by an adopted plan or is not within 1,250 feet of a MTA/Long Island Rail Road station. **NUMBER OF POINTS** _____
3. 5 points for a use that is not in compliance with the recommendations of the local land use plan, corridor study or comprehensive plan. **NUMBER OF POINTS** _____

REDEVELOPMENT BENEFIT POTENTIAL SCORE

1. 10 points for an applicant that has engaged the community and stakeholders during the planning of the project. **NUMBER OF POINTS**_____
2. project will have a positive property tax generation in comparison to existing tax generation: 1 point for every 2% increased tax generation to a maximum of 10 points. **NUMBER OF POINTS**_____
3. project has permanent full time job creation as determined by the Division of Economic Development: 1 point per 10 permanent jobs created to a maximum of 10 points. **NUMBER OF POINTS**_____
4. project includes a proposal for mixed use: 4 points for 2 uses, 6 points for 3 uses and 10 points for 4 or more uses. Mixed use shall be a project that contains a mix of the following uses.
 - (a) Retail, personal services shops or take-out restaurant use.
 - (b) Office, manufacturing or warehouse use.
 - (c) Restaurant or major restaurant use.
 - (d) Recreational or health club use.
 - (e) Multi family or residential apartment use.
 - (f) Planned retirement or assisted living use.

NUMBER OF POINTS_____

5. project proposes LEED green building compliant development: 3 points for Certified certification, 5 points for Silver certification, 7 points for Gold certification and 10 points for Platinum certification. **NUMBER OF POINTS**_____
6. 10 points for a project that proposes demolition of existing non-historic building. **NUMBER OF POINTS**_____
7. 10 points for a project that proposes adaptive reuse of existing historic building. **NUMBER OF POINTS**_____
8. project proposes off-site public or community benefits: 1 point per \$10,000.00 of the cost of the public amenity (amenity must be determined by the Commissioner or Planning Board to be beyond that which would customarily be provided or required by the Code of the Town of Brookhaven) to a maximum of 10 points. **NUMBER OF POINTS**_____
9. project proposes on-site amenities at a rate of 1 point per \$10,000.00 of the cost of on-site amenity (amenity must be determined by the Commissioner, with consultation with the local Town Council member, to be beyond that which would customarily be provided or required by regulations of the Town of Brookhaven) to a maximum of 10 points. **NUMBER OF POINTS**_____

REDEVELOPMENT INITIATIVE CHAPTER 85

OVERVIEW ENVIRONMENTAL PROTECTIONS AND INCENTIVES THAT ENCOURAGE GOOD LAND USE PLANNING

Jeffrey Kassner
Division of Environmental Protection
October 15, 2010

While the goal of the Redevelopment Initiative is to redevelop properties that are blighted, the Initiative includes a number of provisions that will enhance and protect the environment and encourage good land use planning. It should be emphasized that the Initiative only applies to properties that are or have been developed which will preserve lands that are undeveloped. The following summarizes the key components of the Redevelopment Initiative that provide environmental protections and incentives that encourage good land use planning and in some instances discourage redevelopment that might be harmful to the environment or is inconsistent with good planning principles.

1. Legislative intent

The Town Board hereby finds and determines that blighted properties have prevented and arrested the sound growth and development of the local community. These blighted properties are predominantly commercial or industrial in nature and are characterized by deteriorating and/or abandoned building(s), in whole or substantial part thereof, and are typically inadequately maintained with debris, litter and/or trash accumulation and are lacking in basic public amenities. It is the purpose of this initiative to implement and achieve the objectives of the Town Board by providing clear guidelines to accomplish the following goals:

- Eliminate blighted properties throughout the Town;
- Stimulate the revitalization of abandoned, vacant or underutilized blighted properties;
- Where appropriate, encourage the demolition of existing abandoned, vacant or underutilized structures;
- Where appropriate, encourage adaptive reuse of abandoned, vacant or underutilized business or manufacturing buildings or structures;
- Promote development or redevelopment of multiple structures in a coordinated fashion;
- Encourage flexibility in site and architectural design;
- Maintain a consistently high level of design quality;
- Establish redevelopment procedures that define and maintain a clear and predictable site plan review process. Administrative policies should support this objective sending a positive message to land owners and developers.
- Encourage applications to the Town of Brookhaven Industrial Development Agency for possible tax abatement of qualifying projects.
- Encourage applications to the County of Suffolk and other municipalities to further enhance the redevelopment of these properties.

- d) A determination that there are no substantial unresolved violations or litigation on the property that impact the nature and character of the property and/or the surrounding area.
- e) A determination that the application is in reasonable conformance with the Town's comprehensive land use plan or adopted local hamlet, community or corridor plan.
- f) A determination that any existing buildings have been substantially vacant for at least one year. Substantially vacant for multiple buildings or multi-tenant buildings shall mean that at least 75% of the existing square footage of the building(s) has been vacant for at least one year.
- g) The Planning Board shall take into consideration the applicant's efforts to engage the community and stakeholders in determining the value and adequacy of any public benefits proposed.

6. Encourages redevelopment at critical locations

Points are awarded for redevelopment in the following locations:

- 1. property that is within 1,250 feet of a geographic center of an existing downtown/hamlet center or a downtown/hamlet center designated by an adopted land use plan. **10 points**
- 2. property is within a transit oriented development center designated by an adopted plan or is within 1,250 feet of a MTA/Long Island Rail Road station. **10 points**
- 3. property complies with the recommendations of a local land use plan, corridor study or comprehensive plan. **10 points**
- 4. property is located on a major arterial roadway. **5 points**
- 5. property is located within a Town designated Historic District or a Historic District Transitional Area. **5 points**
- 6. property is within 1,250 feet of an existing park, library, or civic center. **5 points**
- 7. property that is within 1,250 feet of another Town of Brookhaven designated redevelopment parcel. **5 points**

7. Discourages redevelopment at sensitive locations

Points are deducted for redevelopment in the following locations:

- 1. property is not within 1,250 feet of a geographic center of an existing downtown/hamlet center or a downtown/hamlet center designated by an adopted land use plan. **5 points**
- 2. property is not within a transit oriented development center designated by an adopted plan or is not within 1,250 feet of a MTA/Long Island Rail Road station. **5 points**
- 3. redevelopment is not in compliance with the recommendations of the local land use plan, corridor study or comprehensive plan. **5 points**
- 4. property is not located on a major arterial roadway. **5 points**
- 5. property located within a flood zone. **5 points**
- 6. property has or is located within 150 feet of a wetland or surface water. **5 points**
- 7. property is located within a Special Groundwater Protection Area designated by New York State ECL § 55-0113 or the Compatible Growth Areas of Central Pine Barrens. **5 points**
- 8. property has on-site or is located within 535 feet of Federal or State currently listed and identified endangered, rare or threatened species. **5 points**

9. Redevelopment Initiative Packages support Green Building Initiative energy savings

- **Illuminated Initiative Package:** Projects that obtain LEED certification shall upon request be given a partial Building Permit fee refund based on the following: Certified 45% refund, Silver 50% refund, Gold 55% refund, Platinum 60% refund.
- **Bright Initiative Package:** Projects that obtain LEED certification shall upon request be given a Building Permit fee refund based on the following: Certified 50% refund, Silver 60% refund, Gold 65% refund, Platinum 70% refund.
- **Radiant Initiative Package:** Projects that obtain LEED certification shall be given a partial Building Permit fee refund based on the following: Certified 55% refund, Silver 65 % refund, Gold 80% refund, Platinum 100% refund.
- **Brilliant Initiative Package:** 100% reduction Town application and permit fees.