

HEMPSTEAD HARBOR PROTECTION COMMITTEE

FINAL MEETING MINUTES

Meeting of January 18, 2006
Roslyn Harbor Village Hall – 7:30 pm

NOTE: Items Requiring Action are *Italicized in Bold*.

Present: Eric Swenson (Director), Kevin Braun (N. Hempstead), Aldona Lawson (Oyster Bay), Dan Maddock (Village of Sea Cliff), Len Shaw (Roslyn), Danielle Oglesby (Glen Cove), Carol DiPaolo (Coalition to Save Hempstead Harbor), Joel Ziev (North Hempstead), Patrice Benneward (Roslyn Harbor, Glenwood / Glen Head Civic Association & Manhasset Bay Protection Committee), and Doug Watson (representing Assemblyman Charles Lavine).

Discussion:

I. **Call to Order.** Eric welcomed everyone and explained that Bill Clemency (Chair) had a conflict that evening and could not attend.

II. **Approval of Minutes of December 14th meeting.** Motion by Dan Maddock. Seconded by Len Shaw. Approved unanimously.

III **Announcements, Reminders, & Upcoming Events** - Eric announced the following:

- The National Fish and Wildlife Foundation has agreed to transfer the Coalition to Save Hempstead Harbor's grant for the development of a water quality Quality Assurance Project Plan ("QAPP") and water monitoring to the Committee. Although a tight deadline, Eric hopes to have the QAPP in place prior to the start of this year's monitoring season. This will be sponsored by the Town of North Hempstead.
- Through the Town of North Hempstead, the Committee has applied for a Long Island Sound Futures Small Grant for the purchase of a traveling stewardship display. **Letters of Support are requested.**
- The Committee has applied for a \$50,000 Shared Municipal Services Incentive grant for a two year water quality monitoring program which will allow for DNA testing. The Town of North Hempstead agreed to be a joint sponsor with the Village of Sea Cliff serving as the lead on behalf of the Committee. **Letters of Support are requested.**
- Year 2006 Annual Member Contribution ("dues") Notices have been sent to member municipalities and include a small increase this year to cover the added expenses for the water quality monitoring program. Len Shaw noted that member municipalities can claim credit toward their Phase II stormwater plans for work undertaken by the Committee. Eric also noted that for may years, the Coalition to Save Hempstead Harbor saved municipalities the expense of conducting a water quality monitoring program. Eric also noted that for municipalities that have fiscal years other than calendar years, the Committee is willing to work with them on the payment dates. **Members should process dues payment as soon as possible.**
- The Department of State has agreed to the closing out of the Committee's Year 2000 Public Information grant. The only remaining item on this grant was the development of a model ordinance on steep slopes, sediment and erosion control and stormwater management. The need for the development of such a model law became somewhat moot when the DEC released its own model local law last month at a workshop.
- The Committee has lent its name to a 100+ member coalition called "Long Island's Last Stand" which is being organized by the Nature Conservancy to preserve an additional 25,000 acres of open space, 10,000 acres of farmland and to protect groundwater and our harbors and bays over the next ten years. A kickoff meeting and press conference was held on January 11th which was attended by Eric and Patrice. Discussion ensued over whether inter-municipal organizations like the Committee should be members of the Coalition and whether there was a potential conflict. It was agreed that the Committee shares the goals of the Coalition and that the Nature Conservancy has often worked closely with municipalities, often serving as an intermediary in negotiating land sales or in managing open spaces obtained by municipalities. Some concern was expressed that the parcels earmarked for preservation were predominantly located in Suffolk County but that this may be due to the fact that there is more open space available in Suffolk. **It was suggested that the Committee meet with the Nature Conservancy.**

- The Long Island Sound Ferry Coalition will be holding a meeting on February 14th in New York City. Details can be found on the Committee's website: www.hempsteadharbor.org
- Nassau County has approved the Committee's request to extend the agreement that provided funding to the Committee through 2002 and vouchers were recently submitted which will cover most of the remaining funds owed through 2002. Payment is expected shortly.
- DEC has announced a new round of nonpoint source and Phase II stormwater grants with applications due by March 31st. Applications can be downloaded from: <http://www.dec.state.ny.us/website/bondact/bamenu.html#wqipapp>.
- The NYS budget for 2005 - 2006 includes an appropriation of \$1,000,000 for an Aquatic Invasive Species Eradication Grant Program. This program will award grants for projects to eradicate infestations of aquatic invasive species such as Eurasian watermilfoil, water chestnut, zebra mussels, common reed (*Phragmites* invasive strain), purple loosestrife, or others. Administration of this program has been assigned to the Bureau of Habitat of the Division of Fish, Wildlife, and Marine Resources. This is for eradication only. Details can be found at the following site: <http://www.dec.state.ny.us/website/dfwmr/habitat/erad.html>

IV. Municipal & Civic Updates -

North Hempstead – Kevin announced that Planning Commissioner David Wasserman would be leaving his position in mid-February and that no replacement has been named yet. The Town recently received notice that it is being awarded three NYS grants, as follows:

Mill Pond -- \$1,012,000 Funds will be used to restore and enhance Mill Pond, a tributary to Manhasset Bay, which is stressed by pollutants from runoff. The project will increase pond storage capacity, moderate water temperatures, and increase available oxygen for wildlife habitat and recreational uses in the pond, Manhasset Bay and Long Island Sound.

Roslyn Pond -- \$91,000 Funds will be used to implement a management plan to restore and enhance the natural flow of Roslyn Pond (Silver Lake), a tributary to Hempstead Harbor. The project will increase pond storage capacity, moderate water temperatures, and increase available oxygen for wildlife habitat and recreational uses in the pond, the harbor, and Long Island Sound.

Wetlands Restoration -- \$127,500 Funds will be used to restore shoreline along Hempstead Harbor Cove, reducing the amount of sediment and pollutants entering the harbor. The restoration will provide wildlife habitat and improve the aesthetics of the area.

The Town has also applied to the National Fish and Wildlife Foundation for Long Island Sound Futures Funds for development of a two year maintenance plan for the wetlands restoration and for alterations to the drainage culvert that enters the area from West Shore Road.

Oyster Bay – nothing to report this month.

Roslyn Harbor – nothing to report this month.

Glen Cove – Danielle reported that the city and DEC will be holding a public meeting on the proposed remedial action plan for the former Gladsky property on Garvies Point Road. The meeting will take place at City Hall on January 31st at 7:00 pm. She also reported that the construction project for the connector roadway behind the Firehouse is continuing and that guard railing behind the firehouse has been installed. The retaining wall and drainage at Konica has been completed and the connector road pavement adjacent to the Firehouse is finished. NYS DOS has funded phase I and phase II of the Glen Cove Waterfront Infrastructure Project. Phase I is for the north side of the creek. The project includes engineering design of fresh water supply, storm water management and sanitary sewer systems. Upgrades for future development along Garvies Point Road includes evaluation of existing systems and coordination with LIPA, KeySpan, Verizon and Cablevision. Cameron Engineering and Sidney B. Bowne are the consultants on phase I (\$140,000 NYS / \$140,000 City). Phase II concerns the south side of the creek and includes data collection which will be analyzed to address problems that contribute to impairments and/or threats to water quality and habitat. The final report will list priorities and recommendations and integrate them with phase I. Cameron

Engineering is the consultant (\$75,000 NYS DOS / \$75,000 City). The City's ferry consultants (Urbitran) have just finished a Draft Environmental Assessment. Meetings have also begun for phase II of the Esplanade project which will be designed around Mill Pond. Nick DeSantis has left his position as Public Works Director. No replacement has been named yet. Finally, Danielle has arranged a meeting between newly-elected Mayor Ralph Suozzi and the Committee's Chair and Director. That meeting will take place on February 22nd.

Roslyn – Len mentioned that the Village is sending out support letters on behalf of the Committee's grant applications and that he has submitted the 2006 dues notice to the Village. He also reported that the owner of the site that formerly contained the Dreams East building near the clocktower (which burned down about three years ago) has applied to the village to rebuild the building basically as it was prior to the fire. It will contain two retail locations with commercial rental space above. The pre-existing non-conforming use of the upper floors was residential, which would require fewer parking spaces, but the Board approved commercial use because it accepted the petitioner's assertion that it would be hard to get residential tenants in view of the lack of parking. The owner was given a variance from needing to supply parking spaces called for in the Code, since the previous building had none. With regard to the proposed townhouse project on the former Stop-n- Shop site, the developers have submitted a Draft Environmental Impact Statement to the village and it is currently being reviewed for completeness by the village's consultants. Once it is determined to be complete, it will be released to the public for review. Len passed around a copy of the most recent rendering. It will be attached to these minutes and added to the Committee's website. The following is a summary of the Village's December 20th meeting on the project:

- The draft Environmental Impact Statement should be finished and presented to the Village in a few weeks.
- The architect's drawings of the layout and appearance of individual buildings is infinitely more attractive than those in the initial pictures. There was a lot of discussion of a new approach to have brick facades (rather than imitation clapboard). Also, they were proud of a change to make the end units closest to the water shorter (or at least with lower roof lines) than the units to which they are attached.
- A previous plan to build a commercial building on a piece of their property that extends to Old N. Blvd is no longer operative because there is a 40 ft wide easement on that property.
- The current Taverna restaurant building will be cut down in size to an historically earlier and more authentic version. It will be used for some commercial use permitted by current zoning, perhaps as a restaurant.
- Monitoring wells were installed some time ago, and the height of ground water at those sites was recorded over a period of time including rainy and dry periods and various tidal conditions. I think they said that the water level even after heavy rain and at high tide (which slows underground drainage into the creek) was about 7 ft below the lowest planned ground elevation on the site. Now that the site topography has been specified in more detail, more detailed drainage calculation will be made.
- The lower levels of the drainage ponds will be lined, to keep them from drying out in dry periods, and the water will be aerated. When the ponds are full there will be drainage from the higher levels into the surrounding earth.
- The Village is about to codify rainwater retention requirements that were said to be close to those of Nassau County. The basic requirement will be to retain water after 8 inches of rainfall (100 year maximum?). It was said that a reduction to a 5 inch requirement was almost automatic if provisions are made to suitably filter silt from the runoff that cannot be retained. Furthermore, a 2 inch retention requirement can be achieved by making a one-time payment to the Village that presumably would be used to mitigate runoff effects on the creek by better retaining rainwater or filtering runoff at other sites in the Village.
- A traffic analysis looked at congestion levels at 6 intersections around the village, using traffic volume measured recently at those sites, together with US Transportation data for traffic generated by similar developments around the country. The heaviest hourly flows in morning and evening were determined by combining the heaviest 4 quarter-hours (even if they were not contiguous). They estimate that 60% of traffic to and from the new development will be via Skillman street at the existing signalized intersection. The rest will be via a road entering Bryant just north of the intersection with Old N Blvd and East Broadway - - - which will only allow entrance by right turns by those going South and exit

by a right turn. The national data leads to peak AM townhouse traffic of 7 in and 36 out per hour. The evening peak will be 33 in and 17 out. So the peak AM flow out of Skillman will be 22 vehicles/hr. Adding that to, say, the current flow of 1200 vehicles/hr going south from that intersection leads to their conclusion that the townhouse traffic will have an insignificant effect on traffic flow. Their detailed study, which concluded that the development will not significantly increase the congestion at any of the key intersections, was said to take into account other nearby residential developments, as well as a NY State Traffic projection of annual traffic growth in this area of 0.5% per year.

- They plan to have 104 more parking places than required by the current code for the 80 units. The total was in the three-hundreds, but I did not catch the figure. I think they estimated 24 spaces around the shrunken Taverna building.

Sea Cliff – Dan mentioned that the village continues to receive complaints about the debris on the beach from spent casings from skeet shooting that takes place at the adjacent Sea Cliff Yacht Club. Joel Ziev pointed out that a similar problem existed in Manhasset Bay involving the Port Washington Yacht Club and it had been determined that the discharge of any debris in the water can be considered a violation of the Clean Water Act. In the Manhasset Bay case, the yacht club had agreed to switch to cardboard wadding and steel shot, both of which will eventually decay.

Long Island Sound Study Dredging Committee – Joel reported that as chair of the dredging committee, he has been working to keep alternate disposal methods on the federal agenda. At present, there is no budget to study alternate disposal methods. Apparently much of the federal budget was re-directed to assist with Hurricane Katrina recovery. On the proposed Broadwater liquefied natural gas facility, the Citizens Advisory Committee has not taken a stand for or against the proposal. The CAC feels that more information is needed in order to form an opinion. That sentiment was echoed by a recent announcement by the Army Corps of Engineers that sent the proposal back to the proposers for more details. Joel questioned whether there were any efforts at coordinating joint harbor patrols. Eric mentioned that the Committee had convened a meeting of all the area's Bay Constables and the Nassau Marine Police and reported that a great deal of inter-municipal cooperation has developed since September 11, 2001 and that information had been gathered regarding hours of operations and boats available but that not much further progress had been made. ***Eric agreed to revisit the issue.***

Coalition to Save Hempstead Harbor – Carol advised the group that New York City and the DEC had recently come to agreement on a revised plan to implement the planned nitrogen reductions from the city's sewage treatment plants and that this agreement also contained a comprehensive plan for Jamaica Bay. She also noted that in December, Congress reauthorized the Long Island Sound Restoration Act which provides for \$40 million per year in funding for Long Island Sound projects. She also pointed out that the soil and garbage-filled barge in front of the Gladsky site in Glenwood Landing is still there and has been there since the summer. The barge appears to be moored close to the navigation channel that is used by the oil and gas tankers and it is believed that its mooring has not been approved by the Army Corps of Engineers. Joel Ziev suggested that the Committee write to the Captain of the Port (of the Army Corps of Engineers) to express concern. ***If Eric contacts Joel by e-mail, Joel will provide a contact.*** Carol also asked if there was any new developments in the Hin Fin or Sea Isle projects. No one was aware of any recent developments

Glenwood / Glen Head Civic Association - Patrice noted the civic association is working with County Legislators Yatauro and Johnson to set up a meeting with Deputy County Executive Peter Gerbasi to discuss the issue of the proposed Hin Fin sewer line. The civic association would like to know what opportunities there are for public input into the decision and also would like to investigate the possibility of hooking up some of the downtown Glenwood Landing area into the line. The high water table in the area makes it difficult for cesspools to work effectively.

V. **KeySpan Glenwood Main Power Station SPDES Permit Renewal** – Eric announced that the SPDES permit for the area around the KeySpan main power station in Glenwood Landing (the old plant) is up for renewal and comments are being sought by DEC. Eric reminded the Committee that the Committee had concerns over the design of the stormwater system on the portion of the site that contains

the new generators and that the Committee had discussed commenting when that permit came up for renewal. This apparently is a separate permit. Carol noted that there are discharges into the harbor from pipes in the seawall that in the past had caused foaming and that the utility had begun using low levels of chlorine (none of which had been detected in the samples taken by the Coalition). She suggested that ***Eric discuss the issue with John Jacobs of the Nassau County Department of Health***. She also mentioned that KeySpan had been undertaking a fish survey to determine the impact of the plant on young fish that may be sucked into the plant's cooling water intakes. To her knowledge, KeySpan has not released the results of this study. Perhaps this is an opportunity to learn of the results.

VI. **Next Meeting Date and Location** – the next meeting will be held at 7:30 pm on Wednesday, March 8th, at Glen Cove City Hall – 2nd Floor Conference Room.

The meeting adjourned at 9:45 pm