



## CITY OF GLEN COVE

City Hall  
9 Glen Street  
Glen Cove, NY 11542-4106

PLANNING BOARD MEETING  
TUESDAY, NOVEMBER 15, 2016

### AGENDA

- A. PRE-BOARD MEETING - 7:00 p.m. in Conference Room
- B. PUBLIC HEARING - 7:30 p.m. in Council Chambers
  1. PILLAR VALI -  
Applicant seeks a Special Use Permit for a new restaurant located at 58 Landing Road, Glen Cove, N.Y., as shown on the Nassau County Land & Tax Map as Section 31, Block 18, Lot 522 and located in the B-1 Central Commercial District as per the Zoning Code of the City of Glen Cove.
- C. REGULAR MEETING -
  1. PILLAR VALI -  
Consideration of a resolution granting a Special Use to permit a restaurant at 58 Landing Road, Glen Cove, N.Y.  
- Motion to approve, deny or reserve decision. -
  2. DAVID FRENCH -  
Preliminary review of a Minor Subdivision of three lots proposed at 14 & 16 McGrady Street, Glen Cove, N.Y., with less than the required minimum rear yards in the R-3A 6,500 s.f., One Family Residence District as per the Zoning Code of the City of Glen Cove.
  3. ALL OTHER BOARD BUSINESS -

**RESOLUTION SCHEDULING A JOINT PUBLIC HEARING FOR APPLICATIONS  
FOR PUD SITE PLAN (PHASE II) AND AMENDED PUD SUBDIVISION APPROVAL  
FOR THE GARVIES POINT WATERFRONT PROJECT**

**WHEREAS**, RXR Glen Isle Partners LLC (“RXRGIP”) has submitted a PUD Site Plan Application for Phase II (*i.e.*, Building B, and public amenities/site improvements), and a further Amended PUD Subdivision Application (collectively, the “Applications”), relating to the Garvies Point Waterfront Project (the “Project”); and

**WHEREAS**, the Planning Board and its consultants have reviewed, and are continuing to review, the various application materials submitted to the Board; and

**WHEREAS**, the Planning Board conducted a Work Session on November 2, 2016, to discuss stormwater and certain other technical questions with the Board’s and RXRGIP’s consultants; and

**WHEREAS**, the Planning Board is desirous of scheduling a Joint Public Hearing to receive public comment on the Applications, subject to the receipt of additional information from RXRGIP as set forth below; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the City of Glen Cove, that the Planning Board hereby determines that the PUD Site Plan (Phase II) and Amended PUD Subdivision for the Project are ready for the purpose of holding a Joint Public Hearing, provided, that RXRGIP submits the following information by November 22, 2016: (i) revised stormwater drawings and related information consistent with the discussion at the November 2<sup>nd</sup> Work Session and pursuant to the comments of Nelson & Pope, (ii) plans, as appropriate, showing the proposed improvements relating to the bulkhead system, wetland plantings, marinas, docks, ecology pier, boardwalk and beach, and other shoreline improvements, and (iii) details and renderings, as appropriate, of the esplanade and all public amenity structures; and

**BE IT FURTHER RESOLVED**, that the Planning Board directs that a Joint Public Hearing on the PUD Site Plan (Phase II) and Amended PUD Subdivision Applications for the Project shall be held on December 6, 2016, at 7:30 p.m. in City Hall, Council Chambers, 9 Glen Street, Glen Cove, New York, 11542, where public comment will be heard regarding the aforementioned Applications, subject to receipt of the information described above; and

**BE IT FURTHER RESOLVED**, that the Planning Board Secretary shall arrange to fulfill the public notice requirements for the Joint Public Hearing set forth in the City Zoning Ordinance, as well as to refer the Applications to the Nassau County Planning Commission pursuant to GML Section 239-m; and

**FURTHER RESOLVED**, that this Resolution shall take effect immediately.

VOTE:

AYES:

NOES:

ABSENT:

RESOLUTION ADOPTED. SO ORDERED.

Approved for Filing:

Lois Stemcosky,  
Planning Board Secretary

Dated:  
November 15, 2016

DRAFT

**RESOLUTION GRANTING EXTENSION OF PUD SITE PLAN APPROVAL  
(PHASE ONE) FOR THE GARVIES POINT WATERFRONT PROJECT**

**WHEREAS**, on November 18, 2014, the City of Glen Cove Planning Board issued a Resolution granting, among other things, conditional PUD Site Plan Approval for Phase One (the "Phase One PUD Site Plan Approval") to RXR Glen Isle Partners LLC ("RXRGIP"), with respect to the proposed mixed-use waterfront redevelopment known as Garvies Point, encompassing approximately 56-acres on the north side of Glen Cove Creek, in the MW-3 Zoning District (the "Project"); and

**WHEREAS**, Phase One of the Project ("Phase One") was approved to consist of 387 multi-family rental units, 3,055 gsf of retail, Renaissance Park, Crescent Park, relocation of Anglers Club building and boat slips, reconstructed Marina Support Building, esplanade to Ferry Terminal, related parking, and associated site improvements; and

**WHEREAS**, the Planning Board, with the assistance of its professional consultants, is continuing to review certain improvements to the Project's stormwater management plan with respect to Phase One and the Project as a whole, including improvements to the proposed water quality features to mitigate any potential significant adverse impacts to Glen Cove Creek pursuant to suggestions made by the New York State Department of Environmental Conservation ("DEC"); and

**WHEREAS**, RXRGIP has submitted a request for the Planning Board to grant its second six-month time extension for RXRGIP to complete the conditions of the Phase One PUD Site Plan Approval, from November 18, 2016 to May 18, 2017; and

**WHEREAS**, on October 6, 2015, the Planning Board issued a Resolution granting, among other things, conditional Amended PUD Subdivision Approval for the Project (the "Amended PUD Subdivision Approval") (the original PUD Subdivision Approval was granted on November 18, 2014); and

**WHEREAS**, RXRGIP has also submitted a request for the Planning Board to extend the time within which to complete the conditions of the Amended PUD Subdivision Approval, if the Board determines that such an extension is necessary in light of General City Law Section 38, which imposes a statutory stay of all proceedings when a subdivision approval is challenged in an Article 78 proceeding, as occurred here; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board finds that RXRGIP is working diligently towards satisfying the conditions of the Phase One PUD Site Plan Approval, and has been proceeding in good faith to develop the Project in accordance with the Phase One PUD Site Plan Approval, and be it

**FURTHER RESOLVED**, that the Planning Board grants RXRGIP's request for an extension pursuant to Section 280-73.2(C)(3)(c)[11][g] of the Zoning Ordinance, subject to the following conditions:

1. The extension of time shall be for a period of six (6) months, and shall expire on May 18, 2017;
2. All conditions of the Phase One PUD Site Plan Approval as set forth in the Resolution shall remain valid and in effect;
3. The Planning Board and its consultants shall continue to review the proposed improvements to the stormwater management plan for Phase One pursuant to Condition 23 of the Phase One PUD Site Plan Approval, which requires a SWPPP to be submitted to the Planning Board and its consultants for review and approval prior to filing a Notice of Intent with DEC; and be it

**FURTHER RESOLVED**, that the Planning Board finds, based upon advice of legal counsel, that the statutory stay under General City Law Section 38 tolled RXRGIP's time to meet the conditions of the Amended PUD Subdivision Approval during the pendency of the Article 78 proceedings filed with respect thereto, and therefore an extension is not necessary at this juncture as the Amended PUD Subdivision Approval is not scheduled to expire until January 17, 2017; and be it

**FURTHER RESOLVED**, that this Resolution shall take effect immediately.

VOTE:

AYES:

NOES:

ABSENT:

RESOLUTION ADOPTED. SO ORDERED.

Approved for Filing:

Lois Stemcosky,  
Planning Board Secretary

Dated:  
November 15, 2016