Storquest Westbury SEQR Resolution

A regular meeting of the Nassau County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 1550 Franklin Avenue, Mineola, Nassau County, New York, on February 11, 2015 at 5:00 p.m., local time.

The meeting was called to order by the Chairman, upon roll being called, the following members of the Agency were:

PRESENT:

Timothy Williams

Chairman

John Coumatos

Vice Chairman

Christopher Fusco

Asst. Secretary

ABSENT:

Gary Weiss

Secretary

Michael Rodin

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Joseph J. Kearney

Executive Director

Joseph Foarile

Chief Financial Officer

Colleen Pereira

Administrative Director

Nicholas Terzulli

Director of Business Development

Edward Ambrosino, Esq.

General Counsel

Paul O'Brien, Esq.

Bond/Transaction Counsel

The attached resolution no. 2015-07 was offered by J. Coumatos, seconded by T. Williams:

Resolution No. 2015-07

RESOLUTION FINDING THAT ACTION TO UNDERTAKE A CERTAIN PROJECT FOR WILLIAM WARREN PROPERTIES, INC. WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Nassau County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), and Chapter 674 of the 1975 Laws of New York, as amended, constituting Section 922 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, WILLIAM WARREN PROPERTIES, INC., a corporation organized and existing under the laws of the State of California and qualified to do business in the State of New York as a foreign corporation (the "Applicant"), presented an application (the "Application") to the Agency, which Application requested that the Agency consider undertaking a project (the "Project") consisting of the following: (A)(1) the acquisition of an interest in a parcel of land located at 401-415 Railroad Avenue, Incorporated Village of Westbury, Town of North Hempstead, Nassau County, New York (Section: 10; Block: 229; Lots: 8 & 14) (the "Land"), (2) the demolition of the existing improvements on the Land, (3) the construction of an approximately 90,000 square foot building on the Land (collectively, the "Building"), together with related improvements to the Land, and (4) the acquisition of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the "Equipment"), all of the foregoing for use by the Applicant as a self-storage facility (collectively, the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, et. seq., as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Applicant submitted to the Agency: (1) Short Environmental Assessment Form dated July 25, 2014 (the "EAF"), and (2) Applicant's Application for Financial Assistance dated August 15, 2014 (collectively, the "Project Environmental Documents"); and

WHEREAS, pursuant to SEQRA, the Agency desires to conduct a review of the Project to determine whether the Project may have a significant adverse impact on the environment and whether an Environmental Impact Statement must be prepared with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

- Section 1. Based upon a thorough review and examination of the Project Environmental Documents and upon the Agency's knowledge of the area surrounding the Land and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings with respect to the Project:
 - (A) The Agency is undertaking an uncoordinated review of the proposed action in accordance with the requirements of SEQRA;
 - (B) Prior to making a recommendation about the potential environmental significance of the Project, the Agency has consulted several information sources, and has considered the list of activities which are Type I Actions outlined in Section 617.4 of the Regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the Regulations, and the criteria for determining significance outlined in Section 617.7 of the Regulations; and
 - (C) The Project is an Unlisted action pursuant to SEQRA.

Section 2. No potentially adverse significant impacts on the environment are noted in the EAF and none are known to the Agency.

Section 3. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Agency makes the following determinations with respect to the Project.

The Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

- The Project consists of the demolition of existing improvements on the Land and the construction of a new, 90,000 square foot self-storage facility to meet the needs of the underserved market in Nassau County.
- Land use conditions at the Project Facility will not change as a result of the Project. The Project is consistent with the Industrial District zoning classification of the Land.
- The Land is in a developed industrial area with no scenic views known to be important to the community.
- The Land does not contain, nor lie in the immediate vicinity of, any surface waterbody.
- The Project will not entail the types of activities or operations that are associated with a significant potential for groundwater contamination.
- 6. The Project will not be a significant source of air emissions or odors. The Project, as a commercial use located nearby public transportation, will not result in a significant increase in traffic. The existing roadway system has the capacity to accommodate additional traffic volumes and a minor increase in traffic would not be a significant impact to air quality.
- The Land is already developed and does not possess significant ecological value.
- 8. The Project does not involve any agricultural land.
- The Project Facility does not contain historically significant resources.
 Because the Land is located in a suburban, densely developed area, it lacks the characteristics which would suggest the potential presence of significant archaeological resources.
- The Land is located in a dense industrial area and does not comprise public open space and is not used for recreation.
- The Project Facility is not located in or substantially contiguous to any Critical Environmental Area.
- Existing utility lines serve the Project Facility and no significant improvements are necessary to accommodate the Project.

- Operation of the Project Facility is not expected to appreciably increase ambient noise or odor levels.
- 14. The Project will not result in any impacts to public health, because the Project will be used as self-storage facility and does not involve those activities that increase risk of public exposure to hazardous or toxic materials.
- The Project will not result in population growth and generally is in character with adjacent development.
- The Project will not result in any significant impacts associated with solid waste generation.
- There will be no significant adverse environmental impacts as a result of the Project.

Section 4. The Chairman, Administrative Director and Executive Director of the Agency are each hereby authorized and directed to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Timothy Williams	VOTING	Aye
John Coumatos	VOTING	Aye
Gary Weiss	ABSENT	
Christopher Fusco	VOTING	Aye
Michael Rodin	ABSENT	8

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.
COUNTY OF NASSAU)

We, the undersigned [Assistant] Secretary and [Vice] Chairman of the Nassau County Industrial Development Agency (the "Agency"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on February 11, 2015, with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the scal of the Agency this Agency this day of February, 2015.

[Vice] Chairman

[Assistant] Secretary

(SEAL)

STATE ENVIRONMENTAL QUALITY REVIEW ACT DETERMINATION OF SIGNIFICANCE

This notice is issued by the Nassau County Industrial Development Agency (hereinafter the "Agency"), acting as lead agency, in an uncoordinated environmental impact review, pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA").

William Warren Properties, Inc., a corporation organized and existing under the laws of the State of California and qualified to do business in the State of New York as a foreign corporation (the "Applicant"), presented an application (the "Application") to the Agency, requesting that the Agency consider undertaking a project consisting of: (A)(1) the acquisition of an interest in a parcel of land located at 401-415 Railroad Avenue, Incorporated Village of Westbury, Town of North Hempstead, Nassau County, New York (Section: 0; Block: 229; Lot: 8) (the "Land"), (2) the demolition of the existing improvements on the Land, (3) the construction of an approximately 90,000 square foot building on the Land (collectively, the "Building"), together with related improvements to the Land, and (4) the acquisition of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the "Equipment"), all of the foregoing for use by the Applicant as a self-storage facility (collectively, the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency (collectively, the "Project"). On November , 2014, the members of the Agency determined that the Project will not have a significant adverse impact upon the environment.[[

Reasons supporting this determination are fully explained below.

Project Name:	William Warren Properties, Inc. Westbury Self-Storage Project
SEQR Status:	Type I Unlisted:X
Project Description:	The Project consists of: (A)(1) the acquisition of the Land, (2) the demolition of existing improvements on the Land, (3) the construction of the Building, and (4) the acquisition of the Equipment; (B) the granting of certain "financial assistance"; and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.
Project Site:	401-415 Railroad Avenue, Incorporated Village of Westbury,

Town of North Hempstead, Nassau County, New York

Reasons Supporting This Determination:

- The Project consists of the demotion of existing improvements on the Land and the construction of a new, 90,000 square foot self-storage facility to meet the needs of the underserved market in Nassau County.
- Land use conditions at the Project Facility will not change as a result of the Project. The Project is consistent with the Industrial District zoning classification of the Land.
- The Land is in a developed industrial area with no scenic views known to be important to the community.
- The Land does not contain, nor lie in the immediate vicinity of, any surface waterbody.
- The Project will not entail the types of activities or operations that are associated with a significant potential for groundwater contamination.
- 6. The Project will not be a significant source of air emissions or odors. The Project, as a commercial use located nearby public transportation, will not result in a significant increase in traffic. The existing roadway system has the capacity to accommodate additional traffic volumes and a minor increase in traffic would not be a significant impact to air quality.
- The Land is already developed and does not possess significant ecological value.
- The Project does not involve any agricultural land.
- The Project Facility does not contain historically significant resources.
 Because the Land is located in a suburban, densely developed area, it lacks the characteristics which would suggest the potential presence of significant archaeological resources.
- The Land is located in a dense industrial area and does not comprise public open space and is not used for recreation.
- The Project Facility is not located in or substantially contiguous to any Critical Environmental Area.
- Existing utility lines serve the Project Facility and no significant improvements are necessary to accommodate the Project.
- 13. Operation of the Project Facility is not expected to appreciably increase

ambient noise or odor levels.

- 14. The Project will not result in any impacts to public health, because the Project will be used as self-storage facility and does not involve those activities that increase risk of public exposure to hazardous or toxic materials.
- The Project will not result in population growth and generally is in character with adjacent development.
- The Project will not result in any significant impacts associated with solid waste generation.
- There will be no significant adverse environmental impacts as a result of the Project.

Supporting Documentation:

- 1) Application for Financial Assistance dated August 15, 2014.
- Short Environmental Assessment Form dated July 25, 2014.

For Further Information Contact:

Joseph J. Kearney

Executive Director

Nassau County Industrial Development Agency

Theodore Roosevelt County Executive &

Legislative Building

1550 Franklin Ave., Suite 235

Mineola, NY 11501

516-571-1945

617.20 Appendix B Short Environmental Assessment Form

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information						
Name of Action or Project: William Warren Properties, Inc. Westbury Self Storage Project	t.					
Project Location (describe, and attach a location map):					
401-415 Railroad Avenue, Westbury, NV						
Brief Description of Proposed Action: Raze existing structures on premises and construct a state-of	6the-art 90,000	square foot premium	StorQuest brand se	elf-slorage	e facility.	
Name of Applicant or Spousor:		Teleph	one: 516-584-6656	5	-1	
William Warren Properties, Inc.		E-Mail	gsugarman@willi	amwarren	.cem	
Address: 201 Wilshire Blvd., Suite 102				Ta		
City/PO: Santa Monica			State: CA	904	p Code: 01	
Does the proposed action only involve the legislat administrative rule, or regulation? If Yes, attach a narrative description of the intent of may be affected in the municipality and proceed to F	the proposed	action and the envi	ronmental resour	ces that	NO	YES
Does the proposed action require a permit, appro-	val or funding	g from any other go	vernmental Agen	icy?	NO	YES
If Yes, list agency(s) name and permit or approval: Nassau County Industrial Development Agency						V
3.a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous por controlled by the applicant or project spursor.)	roperties) ow	1	1 acres 1 acres 0 acres			
4. Check all and uses that occur on, adjoining and a Urban Rural (non-agriculture) & Forest Agriculture C	near the prop ☑ Industrial ☑Aquatic	osed action, Commercial Other (specify)		uhurban)	

F & A Standardon			-		NO	YES	NIA
 Is the proposed action, a. A permitted use under the zoning regulations' 	?					V	
b. Consistent with the adopted comprehensive						V	
6. Is the proposed action consistent with the predo	minant character of	f the existing	built or nat	cral		NO	YES
landscape?							V
7. Is the site of the proposed action located in, or	does it adjoin, a stat	te listed Critic	al Environ	mental A	Arca?	NO	YES
If Yes, identify:						8	
8. a. Will the proposed action result in a substant	ist increase in traffi	c shove prese	ent levels?			NO	YES
8. 8. Will the proposed action result in a superant	rai tirei dibo ili dani	7 700 35				V	
b. Are public transportation service(s) available	e at or near the site	of the propos	sed action?			П	V
e. Are any pedestrian accommodations or bicy					ction?	V	
Describe proposed action meet of exceed the sta	ate energy code requ	uirements?				NO	YES
If the proposed action will exceed requirements, d	escribe design feat	ares and tech	ologies:			V	
10. Will the proposed action connect to an existing	og public/private wa	iter supply?				NO	YES
If No, describe method for providing pote							V
11. Will the proposed action connect to existing w	vastewater utilities?		-14 mai (1-510)			NO	YES
If No, describe method for providing was	rewater treatment: _						V
12. a. Does the site contain a structure that is liste	ed on either the Stat	e or National	Register o	f Histori	c	NO	YE
Places? b. Is the proposed action located in an archeo	ological sensitive are	ca?	83			V	+
13. a. Does any portion of the site of the proposed			ronnsed act	tion, con	tain	NO	YE
wetlands or other waterbodies regulated by	a federal, state or le	ocal agency!				0	IL.
 b. Would the proposed action physically after, If Yes, identify the welland or waterbody and extended. 	or encroach into, a ent of alterations in	ny existing w square feet o	etland of v r acres:	waterbod	y?	2/	L
	Agricultural/grassla	e found on the nds	e project si DEarly m	te. Chec id-succe	k all tha ssional	t apply:	
	Suburban		a bables	Date 4	in the same of the	NO	YE
 Does the site of the proposed action contain a by the State or Federal government as threater 	ny species of anima ned or endangered?	ii, or associat	ed nabitats	, iisted		V	1
16. Is the project site located in the 100 year floor	d plain?					NO	YE
						V	IL
17. Will the proposed action create storm water d	ischarge, either from	m point or no	n-point so	irces?		NO	YE
If Yes, a. Will storm water discharges flow to adjacen	t properties?		□ NO	YES		V	1
			NAME OF TAXABLE PARTY.		uins)?		

1	Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	N	O	YES
Y	es, explain purpose and size:	_ [1	

9.1	Has the site of the proposed action or an adjoining property been the location of an active or closed	N	10	YES
	orbid waste management facility?	- 1	V	П
Ϋ́	es, describe:	_ '		لـا
	Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing	g or N	10	YES
	completed) for hazardous waste?			
ſY	es, describe:		V]	_
A	FFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO	THE BE	ST C	F M
CN.	OWLEDGE Indicant/sponsor name/William Warren Properties, Inc. Date: 7-25-14			
Apj Sim	panire:			
DIE	All i	0.00		a contract
que	t 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer stions in Part 2 using the information contained in Part 1 and other materials submitted by the project erwise available to the reviewer. When answering the questions the reviewer should be guided by the proposes been reasonable considering the scale and context of the proposed action?"	ne concept	t "Ha	ve my
que	stions in Part 2 using the information contained in Part 1 and other materials such state by the project crimise available to the reviewer. When answering the questions the reviewer should be guided by the proposed action?"	No, or small impact may	Me to	oderati large npact may
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	8. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	of	NO	YES
If	Yes, explain purpose and size:			
	Has the site of the proposed action or an adjoining property been the location of an active or close solid waste management facility? Yes, describe:	ed	NO	YES
	Has the site of the proposed action or an adjoining property been the subject of remediation (ongo completed) for hazardous waste? Yes, describe:		NO	VES
	AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE T NOWLEDGE	O THE BE	EST O	F MY
	pplicant/sponsor name: Date:			
	gnature:			
		No, or small impact may occur	to l	lerati large pact nay
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	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	V	
11. Will the proposed action create a hazard to environmental resources or human health?	V	
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Paquestion in Part 2 that was answered "moderate to large impact may occur", or if there is a need to experiment of the proposed action may or will not result in a significant adverse environmental impact, part 3 should, in sufficient detail, identify the impact, including any measures or design elements that the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determay or will not be significant. Each potential impact should be assessed considering its setting, probaduration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term,	plain why a dease comp have been i nined that the bility of occ	particular lete Part 3. included by he impact curring,

that the proposed action may result in one or more pot environmental impact statement is required.	ormation and analysis above, and any supporting documentation,
Nassau County Industrial Development Agency	2/11/17
Name of Lead Agency	Date
Jusiph J. Kenney	Description of the second
Print or Type Name of Responsible Officer in Lead Agency Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT