Roslyn Plaza Housing SEQRA 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, Mincola, Nassau County, New York on December 19, 2017 at 9:00 a.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
John Coumatos
Christopher Fusco
Michael Rodin

Chairman
Vice Chairman
Asst. Secretary

NOT PRESENT:

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Joseph J. Kearney
Joseph Foarile
Colleen Pereira
Nicholas Terzulli
Paul O'Brien, Esq.
Milan Tyler, Esq.
Executive Director
Chief Financial Officer
Administrative Director
Director of Business Development
Bond/Transaction Counsel
Bond/Transaction Counsel

The attached resolution no. 2017-69 was offered by M. Rodin, seconded by C. Fusco:

Resolution No. 2017-69

RESOLUTION FINDING THAT ACTION TO UNDERTAKE A CERTAIN PROJECT FOR ROSLYN PLAZA HOUSING ASSOCIATES, L.P. WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

Project Name:

ROSLYN PLAZA HOUSING ASSOCIATES, L.P.

Location:

101-172 Laurel Street, North Hempstead, Nassau County, NY

(Section: 7; Block: 60; Lot: 321)

SEQR Status:

Type I ___

Unlisted XX

Determination

of Significance:

Negative Declaration XX

Positive Declaration

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 "project" (as defined in the Act) or to cause said project to be acquired, constructed, reconstructed and installed and to convey said project or to lease said project with the obligation to purchase; and

WHEREAS, ROSLYN PLAZA HOUSING ASSOCIATES, L.P., a limited partnership organized and existing under the laws of the State of New York (the "Applicant"), presented an application for financial assistance (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 an approximately 4.29 acre parcel of land located at 101-172 Laurel Street, Roslyn Heights, Town of North Hempstead, County of Nassau, New York (Section: 7; Block: 60; Lot: 321) (collectively, the "Land"), (2) the renovation of the existing approximately 96,806 square foot building on the Land and other related improvements to the Land (collectively, the "Building"), 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 residential rental facility consisting of 104 units, of which 103 units shall be affordable units and 1 unit shall be a building

superintendent's unit (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 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, any land transfer is being undertaken solely to effectuate the Financial Assistance to facilitate the Project and the Agency will only be the nominal holder of an interest in the Project for as long as is necessary to effectuate the Financial Assistance; 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 N.Y.C.R.R. 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 Agency has completed, received and/or reviewed (1) Part 1 of a Short Environmental Assessment Form, dated December 12, 2017 (the "EAF"); (2) NYSDEC's Environmental Resource Mapper; (3) New York State Historic Preservation Office's Cultural Resources Mapper; (4) the U.S. Fish and Wildlife Service's Information for Planning and Consultation Mapper; and (5) other relevant environmental information (collectively, 1, 2, 3, 4, and 5 shall be referred to as the "Environmental Information"); 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 Environmental Information 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:

- The Agency is undertaking an uncoordinated review of the Project in accordance with the requirements of SEQRA;
- (2) 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

- (3) In doing so, the Agency determined that the Project is an Unlisted Action pursuant to SEQRA as it involves the acquisition of an interest in an approximately 4.29 acre parcel of land and the interior renovation of an existing approximately 96,806 square foot Building on the Land with no land disturbance. The Project does not meet or exceed any threshold for a Type I Action.
- (4) No potentially significant adverse impacts on the environment are noted in the EAF and none are known to the Agency.

Section 2. 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 has determined that the Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

- Impact on Land. The Project is not anticipated to create any potentially significant adverse impacts to land resources or land use. The Project consists of the interior renovation of an existing approximately 96,806 square foot Building on the Land, and the acquisition of certain furniture, fixtures, machinery and equipment necessary for use by the Applicant as a residential rental facility. The zoning and land use classification will not change as a result of the Project. The Project is consistent with surrounding uses, which are commercial and residential in nature, and involves no land disturbance. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to land resources or land use.
- 2. Impact on Water. There are no wetlands on the Land and the Project will not create a new water body. The Project is not located in a designated 100 year floodplain. While the NYSDEC Mapper Summary Report does indicate that lands adjoining or nearby Land may contain wetlands or other regulated water bodies, the Land has been previously disturbed, and due to the Project consisting of interior renovations to an existing structure, the Project will not physically alter, or encroach into, any existing wetland or waterbody. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to water resources.
- 3. <u>Impact on Air.</u> The Project will not be a significant source of air emissions. The Project does not entail the types of activities or operations

that require the Applicant to acquire an Air Facility Permit or that are associated with a significant potential for air emissions. The Project does not involve new construction, and will not result in a significant increase in traffic. Accordingly, the Project will not create any significant adverse impacts to air resources.

- 4. <u>Impact on Plants and Animals</u>. The Land in the area of the Project does not possess significant ecological value as it is within a well-developed residential and commercial area. Accordingly, the Project will not create significant adverse impacts to plants, animals or natural communities, wildlife habitat or wetlands.
- Impact on Agricultural Land Resources. The Project is located in an area currently used for commercial and residential purposes. The Project will not involve the conversion or loss of agricultural land resources. Accordingly, the Project will not create any significant adverse impacts to agricultural land resources.
- 6. Impact on Aesthetic Resources. The Project will not be visible from any officially designated federal, state or local scenic or aesthetic resource. The Land is situated in a well-developed area and is consistent with surrounding uses which are commercial and residential in nature. Accordingly, the Project is not anticipated to create any significant adverse impacts to aesthetic resources.
- 7. Impact on Historic and Archeological Resources. The Land and Project do not contain, nor are they adjacent to, a building, archeological site or district which is listed on, or that has been nominated to the State or National Register of Historic Places. While the NYSDEC Mapper Summary Report indicates that the Site is in an archeologically sensitive area, the Project consists of interior renovations to an existing facility and activities associated with the Project will have no impact on surrounding properties. Accordingly, the Project will not create any significant adverse impacts to historical or archaeological resources.
- Impact on Open Space and Recreation. The Project does not comprise
 public open space nor is the Land or surrounding area currently used for
 public recreation. Accordingly, the Project will not create any significant
 impacts to open space or recreational resources.
- Impact on Critical Environmental Areas. The Land is not located in or substantially contiguous to any Critical Environmental Area ("CEAs"). Accordingly, there will be no significant adverse impacts to CEAs.
- Impact on Transportation. The Project will not result in a substantial increase in traffic above present levels or generate substantial new

demand for transportation facilities or services. Public transportation services are available near the Project. Accordingly, the Project will not create any significant adverse impacts to transportation.

- 11. <u>Impact on Energy</u>. The Project may result in a slight increase in energy usage, however, existing utility lines serve the Project and no significant improvements are necessary to accommodate the Project. Accordingly, the Project will not create any significant adverse impacts to energy.
- 12. <u>Impact on Noise and Odor.</u> The Project is not expected to appreciably increase ambient noise levels or to create odors. The Project does not involve the types of activities that create significant noise or odors. Accordingly, the Project will not create any significant adverse impacts relating to noise or odors.
- 13. Impact on Public Health. The Project does not entail the types of activities or operations that are associated with a significant potential for affecting public health, such as storing large amounts of hazardous or toxic materials. Any solid waste generated at the Project Facility will be properly disposed of pursuant to Federal, State and local laws and regulations. Accordingly, the Project will not create any significant adverse impact to public health.
- 14. Impact on Growth and Character of the Community and Neighborhood. The Project will not result in significant population growth, and is in character with adjacent residential development and surrounding uses. Accordingly, the Project will not create any significant adverse impacts to the growth or character of the community.
- Considering all of the above, the Project will not have a significant adverse impact upon the environment and a negative declaration pursuant to SEQRA is hereby issued.

Section 3. The Chairman, the Vice Chairman, the Executive Director and the Administrative Director of the Agency are hereby further authorized on behalf of the Agency, or acting together or individually, 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 4. 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
Christopher Fusco	VOTING	Aye
Michael Rodin	VOTING	Aye

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 December 19, 2017 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 seal of the Agency this [4] day of December, 2017.

[Vice] Chairman

Asst. Secretary

(SEAL)

Doc #01-3084693.1

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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.

Name of Action or Project:			- Contract Contract		
Rostyn Plaza Housing Associates, L.P.					
Project Location (describe, and attach a location r	nap):				
101-172 Laurel Street, Roslyn Heights, NY (Section 07, 6	Rock 080, Lot 321)				
Brief Description of Proposed Action:					
The Project is a 104-unit affordable housing facility. Final to replace the existing Tax Exemption Agreement.	ncial assistance from the	Nassau County Industrial Deve	eopment Age	лсу із га	quested
Name of Applicant or Sponsor:	······································	Telephone: 516-487-0	0060		
Rostyn Plaza Housing Associates, L.P E-Mail: mpascucci@jobco.com					
Address					
277 Northern Boulevard, Suite 203					
City/PO:		State:	Zi	Coce:	
Great Neck			1.700		
		NY	136	21	
1. Does the proposed action only involve the legis	lative adoption of a pi	1.1.1	116	NO NO	YES
Does the proposed action only involve the legis administrative rule, or regulation? If Yes, attach a narrative description of the intent may be affected in the municipality and proceed to	of the proposed action	un, toest law, ordinance,			YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent may be affected in the municipality and proceed to 2. Does the proposed action require a permit, app	of the proposed action o Part 2. If no, continu royal or funding from	on, local law, ordinance, and the environmental reso are to question 2.	ources that	NO	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent may be affected in the municipality and proceed to	of the proposed action o Part 2. If no, continu royal or funding from	on, local law, ordinance, and the environmental reso are to question 2.	ources that	NO V	
administrative rule, or regulation? If Yes, attach a narrative description of the intent- may be affected in the municipality and proceed to 2. Does the proposed action require a permit, app If Yes, list agency(s) name and permit or approva Nassau County Industrial Development Agency 3.a. Total acreage of the site of the proposed action	of the proposed action o Part 2. If no, contin royal or funding from	on, local law, ordinance, and the environmental reso are to question 2.	ources that	NO V	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intentmay be affected in the municipality and proceed to 2. Does the proposed action require a permit, applif Yes, list agency(s) name and permit or approva Nassau County Industrial Development Agency 3.a. Total acreage of the site of the proposed action. b. Total acreage to be physically disturbed?	of the proposed action o Part 2. If no, continu royal or funding from	an, tocal law, ordinance, and the environmental reso the to question 2. any other governmental Ag	ources that	NO V	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intent- may be affected in the municipality and proceed to 2. Does the proposed action require a permit, app If Yes, list agency(s) name and permit or approva Nassau County Industrial Development Agency 3.a. Total acreage of the site of the proposed action	of the proposed action o Part 2. If no, continu royal or funding from the properties of the properties	an, tocal law, ordinance, and the environmental reso are to question 2. any other governmental Ag	ources that	NO V	YES
administrative rule, or regulation? If Yes, attach a narrative description of the intentmay be affected in the municipality and proceed to 2. Does the proposed action require a permit, applif Yes, list agency(s) name and permit or approva Nassau County Industrial Development Agency 3.a. Total acreage of the site of the proposed action. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous	of the proposed action of Part 2. If no, continu royal or funding from a n? sproperties) owned sor? d near the proposed ac	an, tocal law, ordinance, and the environmental resorie to question 2. any other governmental Ag 4.29 acres 0 acres 4.29 acres	narces that	NO NO	YES

F + 1	TS T		Trace
 Is the proposed action, a. A permitted use under the zoning regulations? 	NO []	VES.	N/A
b. Consistent with the adopted comprehensive plan?	-	V	H
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			1
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental A	rea?	NO	YES
If Yes, identify:		V	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
		1	
b. Are public transportation service(s) available at or near the site of the proposed action?			1
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	tion?	П	1
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			1
		I	L.
10. Will the proposed action connect to an existing public/private water supply?	-	NO	YES
If No, describe method for providing potable water:			1
			Animal
11. Will the proposed action connect to existing wastewater utilities?	-	NO	YES
If No, describe method for providing wastewater treatment:			[1]
	****	2.723	*****
12. a. Does the site contain a structure that is listed on either the State or National Register of Historia. Places?	-	NO.	YES
b. Is the proposed action located in an archeological sensitive area?		4	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, conta	in	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?	1880	V	
b. Would the proposed action physically after, or encroach into, any existing wetland or waterbody	2	1	
If Yes, identify the wetland or waterhody and extent of alterations in square feet or notes:		hairman	Samuel
14. Identify the typical habitat types that occur en, or are likely to be found on the project site. Cheek	all that a	pply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-success ☐ Wetland ☐ Urban ☐ Suburban	ловаі		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or entlanguared?		V	
16. Is the project site located in the 100 year flood plan?	Mayorphonia to to .	NO	YES
		1	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties?NOYES		V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain	17637		
If Yes, briefly describe:	32.00		

18. Does the proposed action include construction or other activates that result in the inconstruction of water or other liquids (e.g. cetention point, waste ligoon, gamy?	NO	YES
If Yes, explain purpuse and size:	1	
19. Has the site of the proposed action or an adjoining property been the location of in active or closed solid waste management facility?	NO	VES
If Yes, describe	1	П
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	1	
1 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST O	FMY
Applicant/sponsor name: Roslyn Plaza Housing Associates LP Date: 10/16/17 Signature: Monday of G.P.		

ency Use Only [If applicab	lej

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	V	
2,	Will the proposed action result in a change in the use or intensity of use of land?	✓	
3.	Will the proposed action impair the character or quality of the existing community?	✓	
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	V	
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	V	
7.	Will the proposed action impact existing: a. public / private water supplies?	V	
	b. public / private wastewater treatment utilities?	V	
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	V	
9,	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	
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	

Agency U	se Only [If applicable]
roject:	
Date:	

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

No potentially moderate to large impacts have been identified. Applicants have provided Part I of the Short Environmental Assessment Form ("EAF"), along with supporting documentation which strongly supports issuance of a negative declaration. Please see attached Resolution/Negative Declaration.

that the proposed action may result in one or more pote environmental impact statement is required.	ormation and analysis above, and any supporting documentation,
Nassau County Industrial Development Agency ("NCIDA") Name of Lead Agency	12/15/17 Date
Joseph J. Kearney	Executive Director, NCIDA
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM