

A regular meeting of the Nassau County Industrial Development Agency (the "Agency") was convened in public session at the Theodore Roosevelt Executive & Legislative Building, Legislative Chambers, 1550 Franklin Avenue, Mineola, Nassau County, New York, on March 30, 2023, at 6:45 p.m., local time.

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

PRESENT:

Richard Kessel	Chair
John Coumatos	Asst. Treasurer
Reginald A. Spinello	Member
Raymond Pinto	Member
Victor LaGreca	Member

NOT PRESENT:

William H. Rockensies	Member
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THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Sheldon L. Shrenkel	Chief Executive Officer/Executive Director
Anne LaMorte	Chief Financial Officer
Colleen Pereira	Administrative Director
Carlene Wynter	Compliance Assistant
Nicole Gil	Administrative Assistant
Ben Ciorra	Director of Operations
Paul O'Brien	Bond/Transaction Counsel

The attached resolution no. 2023-18 was offered by V. LaGreca, seconded by R. Pinto.

Resolution No. 2023-18

**RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT
AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY
REVIEW ACT CONCERNING THE DETERMINATION OF SIGNIFICANCE
FOR A CERTAIN PROJECT FOR SEARING GROUP LLC AND/OR ITS
AFFILIATES**

Name of Project: SEARING GROUP LLC

Location: 101 & 105 Searing Avenue and 136 Willis Avenue, Village of Mineola,
Nassau County, New York Route 60, Town of Pomfret, New York 14063
(SBL Nos. 9.00-452-419, 9.00-452-509 and 9.00-452-511)

SEQR Status: Type I

**Determination
of Significance:** Negative Declaration

WHEREAS, the Nassau County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of the New York State Industrial Development Agency Act, constituting Title 1 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 71 of the 1972 Laws of New York, as amended, constituting Section 895-h 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, renovating, improving, maintaining, equipping and furnishing of 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, among other things, (i) acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein; and (ii) 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, SEARING GROUP LLC, a limited liability company duly 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 three parcels of land of a combined 0.80 acres located at 101 & 105 Searing Avenue and 136 Willis Avenue, Village of Mineola, Town of North Hempstead, Nassau County, New York (collectively, the “Land”), (2) the acquisition, construction, installation, and

equipping on the Land of: (i) building materials to construct an approximately 101,600 sq. ft. 6-story multifamily residential housing community consisting of 54 units with ground-level parking, (ii) a 28-space bituminous concrete paved parking area, (iii) fencing, (vi) a system of parking, landscaping, and related improvements to the Land (collectively, the “Improvements”), and (2) the acquisition and installation of certain furniture, fixtures, machinery and equipment necessary for the completion thereof (the “Equipment” and together with the Land and the Improvements, 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(ies) 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 (“NYSDEC”), 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 Agency has received and reviewed: (1) a Revised Part 1 of a Full Environmental Assessment Form dated January 23, 2023 (“EAF”); (2) NYSDEC’s Environmental Resource Mapper (“NYSDEC Mapper”); (3) the New York State Cultural Resource Information System (“CRIS”); (4) the Application; (5) an Expanded Environmental Assessment dated May 2022 (“Expanded Environmental Assessment”); (6) a survey of the Site conducted on August 31, 2022 (“Survey”); (7) a planting plan dated May 11, 2022 (“Planting Plan”); (8) a letter from the County of Nassau Department of Public Works dated August 13, 2021 (“Sewer Letter”); (9) correspondence between the Applicant’s consultant and the Village Superintendent of Buildings concerning water and sewer at the Land (“Water and Sewer Correspondence”); (10) a Traffic Impact and Parking Analysis Report dated May 2022 (“Traffic Report”); (11) a letter from PSEG Long Island dated February 12, 2021 (“Electric Letter”); (12) a letter from National Grid dated May 13, 2022 (“Gas Letter”); (13) (“Layout and Materials Plan”); (14) Architectural Site Plans for the Project (“Architectural Site Plans”); and (15) other relevant environmental information (collectively, 1-15 shall be referred to as the “Environmental Information”); and

WHEREAS, the Village of Mineola (“Village”) Board of Trustees classified the Project as an Unlisted action under SEQR and undertook an uncoordinated review of the Project in accordance with SEQRA; and

WHEREAS, because the Village undertook an uncoordinated review, the Agency is required to conduct its own review pursuant to SEQRA; and

WHEREAS, prior to making a recommendation about the potential environmental significance of the Project, the Town Board has reviewed the list of activities that constitute Type I actions in Section 617.4 of the Regulations and the list of activities that constitute Type II Actions in Section 617.5 of the Regulations; and

WHEREAS, based upon the Application, the EAF and the Environmental Information, the Agency has determined that the Project constitutes a Type I action for purposes of SEQRA because the Project is located substantially adjacent to a Village-owned recreation area and will involve the construction of 54 residential units connecting to the existing Village water supply and sewer; and

WHEREAS, a coordinated review is mandatory for all Type I actions and the Agency has identified certain parties as potentially involved agencies for purposes of SEQRA (“Potentially Involved Agencies”); and

WHEREAS, in conjunction with its intention to act as lead agency to complete a coordinated review of the Project, the Agency, in February 2023, caused to be delivered to the Potentially Involved Agencies copies of the Application and EAF, together with notice of the Agency’s intent to act as lead agency for review of the Project pursuant to SEQRA; and

WHEREAS, none of the Potentially Involved Agencies contested lead agency status, and the time period for the Potentially Involved Agencies to object has expired; and

WHEREAS, the Agency having taken a hard look at the potential environmental impacts, and a thorough analysis of the Environmental Information and potential environmental impacts associated with the Project reveals that the Project will not have any potentially significant adverse environmental impacts; and

WHEREAS, prior to making a recommendation about the potential environmental significance of the Project, the Agency has reviewed the Environmental Information, consulted various information sources, and considered the list of activities that 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

WHEREAS, a thorough analysis of the Environmental Information and potential environmental impacts associated with the Project reveals that the Project will not have any potentially significant adverse environmental impacts; and

WHEREAS, it is appropriate that the Agency issue a negative declaration pursuant to SEQRA for 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 and 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:

- (A) The Project is a Type I Action pursuant to 6 N.Y.C.R.R. 617.4(b)(1) and 617.4(b)(5)(iii), as the Project involves construction of more than 50 residential units substantially contiguous to a municipal-owned recreation area in a village with a population of less than 150,000 people;
- (B) The Village has undertaken an uncoordinated review of the Project in accordance with the requirements of SEQRA which did not include the Agency and as such, the Agency is not bound by the Village's determination pursuant to SEQRA but rather must issue its own determination; and
- (C) No potentially significant adverse impacts on the environment are noted in the Environmental Information and none are known to the Agency.

Section 2. Based upon the Agency's review of the Environmental Information and investigations of the potential environmental impacts associated with the Project, considering both the magnitude and importance of each potential environmental impact indicated, and upon the Agency's knowledge of the Land and surrounding area and such further investigations of the Project and its environmental effects as the Agency has deemed appropriate, 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:

1. Impact on Land. The Project consists of the development of an approximately 0.80 acre parcel of land across three tax lots located at 101 & 105 Searing Avenue and 136 Willis Avenue in the Village of Mineola, Nassau County, New York (collectively, the "Land").

According to the EAF and the Expanded Environmental Assessment, the Project will involve the construction of a six-story approximately 101,600 square foot 54-unit residential development ("Residential Building") on 101 and 105 Searing Avenue ("Residential Parcel") consisting of a residential building with floor level parking and an adjacent offsite parking area ("Parking Lot") located at 136 Willis Avenue ("Parking Parcel"). The Residential Parcel was previously the site of two houses, but those houses were removed in 2019 and 2020.

The two lots comprising the Residential Parcel, will be combined. The Residential Parcel is bordered to the east by a relatively new four-story multifamily residential development, to the north by Searing Street and a similar development, to the east by the Oyster Bay Branch of the Long Island Railroad ("LIRR") and to the south by a parking lot which services the adjacent village-owned park ("Park"), which consists primarily of two baseball fields.

As noted in the EAF, the Residential Parcel is zoned R-5 (Residential) and the Parking Parcel is zoned B-1 (Business). Both are within the Development Incentive Overlay,

indicating that development, utilization and density of these parcels is consistent with the policies of the Village's Comprehensive Master Plan. Further, as noted in the EAF, the Applicant is seeking a Special Permit from the Village Board of Trustees. And the Village Board of Trustees provided relaxation of dimensional requirements consistent with the Village's development incentive bonus law. Moreover, the Project was contemplated by the Village's Master Plan, and will contribute to the vibrancy and economic stability of the Village's downtown, furthering the Comprehensive Master Plan's goals of creating a more desirable, safe and attractive place to live and work. The Project is therefore consistent with the Land's existing zoning classification, and will not impact or deter existing or future adjacent land use.

Although there will be excavation, the average depth to the water table at the Site is approximately 50 feet, and the maximum depth of the excavations is 12 feet. Depth to bedrock is approximately 750 feet and there are no bedrock outcroppings at the Site. Further, the Land is relatively level, without steep slopes. Of the approximately 1.01 acres controlled by the Applicant, 0.80 acres will be physically disturbed by the Project, and it will create approximately 0.73 acres of impervious surfaces.

The Land consists of Urban land and Urban Land - Hempstead Complex. As noted in the EAF, a small portion of the Site, an area of approximately 0.53 acres, will be excavated. The excavation will reach a depth of approximately 12 feet and is necessary to install building foundations, drainage systems, and utilities to serve the Project. An approximate combined 2,632 cubic yards of material will be excavated consisting of asphalt, concrete, loam, loose soil, coarse to fine sand, silt and gravel. The excavation will take approximately 12 months; and even if the excavation exceeds 1 year, it will not be long-term or multi-phased. Moreover, the EAF notes that the Applicant will dispose of all excavated material in accordance with all applicable regulations. Thus, any potential impacts to land due to erosion resulting from the excavation will be limited.

Further, because the Project will disturb less than one acre, a SWPPP was not required. Nevertheless, as shown in the Layout and Materials Plan and explained in the Expanded Environmental Assessment, the Applicant has prepared an erosion and sediment control plan to manage stormwater runoff and sediments migration. The plan includes robust measures to control stormwater, manage runoff and capture and prevent sediment migration in accordance the standards in the New York State Stormwater Management Design Manual and Chapter 454 of the Village Code, including implementation of a sequenced construction process and other best management practices.

During construction, all clearing and grading will be scheduled to minimize the time non-vegetated areas are exposed. During operation, stormwater drainage from the residential building's rooftop, courtyard and garage will be redirected to an onsite stormwater recharge system located below the surface-level parking. To further prevent erosion, the existing landscape/lawn cover will be replaced with impervious surfaces and deeper rooted vegetation, as shown in the Planting Plan.

As noted in the EAF and NYSDEC Mapper, the Project is not within a Coastal Area, a waterfront area of a Designated Inland Waterway, an area with an approved Local Waterfront Revitalization Program or a Coastal Erosion Hazard Area.

Based on the foregoing, the Project will not create any potentially significant adverse impacts to land resources or land use.

2. Impact on Geological Features. The Project does not contain and is not adjacent to any unique geologic features or National Natural Landmarks. Accordingly, the Project will not create any potentially significant adverse impacts to geological features.
3. Impact on Surface Water. The EAF and NYSDEC Mapper indicate that there are no wetlands or other surface bodies that may be present near or on the Site. The Project will not create any new waterbody or affect the surface area of any existing waterbody. As discussed above, the Erosion and Sediment Control Plan will ensure that erosion is prevented, stormwater runoff is controlled and sediment migration is properly managed so that downstream surface waterbodies are not impacted by siltation, other degradation and are not otherwise adversely impacted.

As demonstrated by the Sewer Letter, the Nassau County Department of Public Works has confirmed that the sewer collection system has sufficient capacity for the additional 11,600 gallons per day of additional sanitary flow to be created by the Project. Therefore, existing wastewater treatment facilities are sufficient to serve the Project.

Although the size and precise location of a necessary water main for the Residential Building has not yet been ascertained, as noted in the EAF and as demonstrated by the Water and Sewer Correspondence, the Applicant is working with the Village to determine a suitable location for the water main while seeking to minimize physical disturbances and impacts to existing infrastructure.

Accordingly, the Project will not create any significant adverse impacts on surface water.

4. Impact on Groundwater. The EAF notes that the Nassau-Suffolk Sole Source Aquifer lies underneath or adjoining the Site. However, no water supply wells are contemplated by the Project. Further, as noted above, the average depth to the water table at the Site is approximately 50 feet, while excavation will only reach a depth of approximately 12 feet, well above the water table.

As noted in the EAF and the Sewer Letter, the Project is anticipated to use approximately 11,600 to 12,180 gallons of water per day and create approximately 11,600 gallons per day of additional wastewater, with an additional 580 gallons per day used for irrigation during the growing season. Additionally, as discussed above, except for the additional water main necessary to serve the Residential Building, the existing water and wastewater treatment infrastructure is sufficient to serve the demand created by the Project. Wastewater from the site will be managed at the Bay Park Sewage Treatment Plant and will not be discharged to groundwater.

The Project does not involve bulk storage of chemicals, production of hazardous waste, commercial application of pesticides near water sources or any other activities that would pose a threat to groundwater. Accordingly, the Project is not anticipated to create any significant adverse impacts to groundwater.

5. Impact on Flooding. The EAF states that the Project will not result in the development of lands which are subject to flooding and does not include the impoundment of water. The Project is not within a designated floodway, or the 100-year or 500-year floodplain. Accordingly, the Project is not anticipated to create any significant adverse impacts to flooding.
6. Impact on Air. As demonstrated in the EAF, any impacts to air quality from construction activities will be minor and temporary in nature. Additionally, during operation, an emergency generator may be used occasionally. The Project will not include significant sources of air emissions, and it does not entail the types of activities or operations that require the Applicant to obtain air registration permits or that are associated with a significant potential for air emissions. Accordingly, the Project is not anticipated to create any significant adverse impacts to air resources.
7. Impact on Plants and Animals. As noted in the EAF, the Project will result in a loss of approximately 0.73 acres of lawn or landscaped land, which is not suitable habitat for most species. As noted in the EAF, there are no predominant wildlife species that occupy or use the site. As such, the Project will not substantially interfere with the nesting/breeding, foraging or over-wintering habitat for any species because, and the Project will not fragment the habitat or reduce the value of the surrounding land to any species.

Nothing in the Environmental Information indicates the potential presence of an endangered or threatened species at the Site. However, even if there were the potential for such species, the Site is not suitable habitat for them. The Parking Parcel consists of an existing parking lot and a grassy lawn area with no other vegetation. The Residential Parcel presently consists of short weedy grass covering a field and is surrounded by a chain-link fence, and there is small to medium shrubby placed as landscaping along the southern side of the Residential Parcel. Neither parcel contains suitable habitat for wildlife.

Although some impacts to flora and fauna may occur from the construction of the Project as a result of the conversion of lawn or landscaped lands to a building and parking lot, the Land does not contain a designated significant natural community. Moreover, the Project will not involve the use of pesticides during construction or operation. Accordingly, the Project is not anticipated to create any significant adverse impacts on plants and animals.

8. Impact on Agricultural Land Resources. The EAF shows that the Project is not located in a designated agricultural district, and there are no agricultural activities on, adjoining or near the Land. The surrounding area is very developed and not suitable for agricultural

activities, and the Land is not located in a designated agricultural district. Accordingly, the Project will not create any significant adverse impacts to agricultural land.

9. Impact on Aesthetic Resources. The EAF notes that the Project is within “fives [sic] miles” of four officially designated and publicly accessible federal, state or local scenic or aesthetic resources, all of which are scenic byways. They include: the Northern State Parkway (approx. 1.14 miles away), the Meadowbrook State Parkway (approx. 1.18 miles away), the Southern State Parkway (approx. 3.72 miles away) and the Cross Island Parkway (approx. 4.53 miles away). The Project is not visible from any of the scenic byways and given the distance between the Project and the aesthetic resources, it will not have any impact upon these resources.

The area surrounding the Land is made up of buildings of various architectural styles, materials, heights and uses, as well as parking lots. The two buildings closest to the Residential Parcel are similar in size, scale and design as the Residential Building, and the Residential Building will have similar setbacks and massing as the neighboring buildings and make use of similar materials.

While the Survey labels the nearby buildings as four-story frame buildings, the buildings are in fact four to five stories high, with the five-story part along its Searing Avenue side. And, although the 69-foot Residential Building is one story higher, it is shorter in height than the five-story existing buildings, which measure over 70 feet. As such, the Project height is consistent with the surrounding development.

As noted in the Expanded Environmental Assessment, temporary fencing with privacy screening will be utilized during construction to limit visual impacts. After construction, natural screening in the form of vegetation, including pine trees and shrubbery will be installed, as shown in the Planting Plan.

Although not a scenic view, the Project will be visible from the LIRR’s Oyster Bay Branch. Thus, commuters traveling on this route may be able to view the Project. However, these impacts will be very brief since the Project will only be visible as the train passes by the Project and the Park. Additionally, recreational users of the Park may experience some visual impacts.

As shown in the Expanded Environmental Assessment and Planting Plan, to limit these visual impacts, the Applicant will plant evergreen trees and shrubs to provide a dense screen along the eastern property boundary of the Residential Parcel. Additionally, the outdoor generator on the concrete pad will be screened by this vegetation.

Presently, the Land consists of mostly unmaintained vacant lots covered with naturally occurring vegetation including grass and weeds. As shown in the Architectural Site Plans, the Project will dramatically improve the visual aspects of the Site by bringing it in line with the surrounding visual character. Moreover, the Project will fill a visual gap that presently exists due to the empty space, enhancing the visual appeal of Searing Avenue and the surrounding community. Based on the foregoing, the Project is not

anticipated to create any significant adverse impacts to aesthetic resources.

10. Impact on Historic and Archaeological Resources. One nearby historic resource was identified by CRIS and the EAF: the U.S. Post Office-Mineola, which is located approximately 440 feet from the Parking Lot. While the historic resource is relatively close to the Land, the Land is not visible from the historic resource due to buildings which screen the Land from view. Further, the Land is not located in an area flagged as sensitive for archaeological resources. Accordingly, the Project will not create any significant impacts to historic or archeological resources.

11. Impact on Open Space and Recreation.

While the Village of Mineola does not have an Open Space Plan, the Village recognizes the benefit of open space throughout its Zoning Code. From 2005, the Village in its Comprehensive Master Plan recognized the need to protect open spaces and described them as community anchors and resources. Although not designated open space, the Park is used for recreation. The Project will in no way impinge on the Park and will instead enhance the overall visitor experience by the number of available increasing parking spots.

However, neither the Residential Parcel nor the Parking Parcel are what would be considered valuable "open space." Until recently, the Residential Parcel had two structures, both houses. The house at 101 Searing Avenue was demolished in 2019, and the house at 105 Searing Avenue was demolished in 2020. The Parking Parcel includes an existing parking lot that serves as overflow parking and is little more than a small grassy area. Accordingly, the Project will not create any significant impacts to open space or recreational resources.

12. Impact on Critical Environmental Areas. The Project is not located in or substantially contiguous to any Critical Environmental Areas. Accordingly, the Project will not create any significant impacts to Critical Environmental Areas.

13. Impact on Transportation.

Traffic during construction will be limited to Searing Avenue, which is a local roadway which dead-ends and therefore does not experience much traffic. During operation, although the Project will result in a slight increase in traffic in and around the Site, estimated at approximately 19 AM peak hour trips, 24 PM peak hour trips and 24 Saturday midday trips.

The Applicant completed a traffic analysis as examined in the Traffic Report. The Project will result in 54 parking spaces on the floor level of the Residential Building and 28 additional parking spaces on the Parking Parcel, exceeding the 1.5 parking stall per unit requirement of the Village. Four of the new parking spots will be parallel parking spots to serve Park visitors.

As shown in the Traffic Report, the Project includes sufficient traffic mitigation measures

including a significant improvements to traffic circulation along Searing Avenue and Willis Avenue by creating continuity between the two roads and adding additional parking spaces that can be used by visitors to the Park.

The parking in the Residential Building will be in a circular pattern, promoting ideal traffic flow, reducing congestion and limiting impacts to traffic on nearby roadways. Similarly, the parking on the Parking Parcel leaves in place the existing circulation in the parking lot of the nearby Park, and it provides four additional parallel parking spots for the park.

The Traffic Report examined in detail the existing, projected and peak trips resulting from the Project and capacities of the existing roadways and nearby. The Traffic Report demonstrates that the existing roadways surrounding and near the Site have sufficient capacity to absorb any increase in traffic resulting from the Project particularly in light of the techniques employed in the Project design, most notably by preserving traffic circulation while adding spaces.

Moreover, the 28 additional parking spots and the existing Park parking spots will be shared between residents and Park visitors. Resident traffic will be most frequent on weekdays during the peak AM and PM hours, and Park-related peak traffic will primarily be midday on Saturdays. Thus, with peak parking demand at different times for those groups, parking impacts resulting from the Project will be inconsequential. Moreover, the shared parking will provide more space in the areas surrounding the Park for pedestrian circulation and landscaping.

The Project will promote transit-oriented development, and as the Expanded Environmental Assessment points out, the Project is within walking distance of the Mineola LIRR station. Additionally, it does not propose the creation of a new, or modification of an existing, roadway. Based on the foregoing, the Project is not anticipated to create any significant adverse impacts on transportation.

14. Impact on Energy. The Project will involve the construction of 54 residential units and related infrastructure, including a transformer, gas meter and an emergency generator, which will increase energy demand. However, the Project is in a densely populated suburbanized area with sufficient energy infrastructure such that it will not require a new, or upgrade to an existing, substation.

While the Project involves over 110,000 square feet of space, only approximately 83,200 feet of interior space will be finished, which will need to be cooled and heated. This includes approximately 65,500 square feet of residential units and approximately 17,700 square feet of common space. The remaining 20,700 square feet is the open parking garage which will be lit but not heated or cooled. As evidenced by the Electric Letter, PSEG Long Island confirmed that, based on this information and estimates of the total demand, it will be able to provide electric service to the Project. Similarly, National Grid has confirmed that it will be able to provide natural gas service to the Project, as shown in the Gas Letter.

Moreover, the Project will follow the New York State Energy Code with regard to energy efficiency design. Accordingly, the Project will not create any significant adverse impacts on energy.

15. Impact on Noise, Odor and Light. The Project is not expected to appreciably create odors or result in excessive lighting. During construction, there may be minor odors in the vicinity of the Parking Parcel as bituminous asphalt is laid. As shown in the Layout and Materials Plan, trash will be contained in a dumpster within an enclosed trash room.

As noted in the EAF, outdoor light fixtures will be installed for safety and security. All such lighting will be downward facing and shielded to prevent light impacts, and all existing natural light screens will be retained, limiting sky glow. And according to the Expanded Environmental Assessment, building and adjacent street lighting installed will be in accordance with Village requirements. Further, lighting is consistent with that of the surrounding uses.

The EAF and Expanded Environmental Assessment recognize that construction activity may exceed ambient noise, and cause vibration, but this increase in noise levels will be limited by the allowed construction hours in the Village Code, and noise impacts are temporary, ceasing upon the completion of construction. The Project will not involve any blasting, and it will limit construction-related noise through the use of noise muffler systems. The Project will also adhere to the time requirements for construction noise in the Village, between 8:00 AM and 6:00 PM on weekdays and 9:00 AM and 6:00 PM on weekends for the Residential Parcel, and between 7:00 AM and 6:00 PM on weekdays and 9:00 AM and 6:00 PM on weekends for the Parking Parcel.

The Project will likely result in a minor increase in noise during operation as the Project will likely result in an increase in residential traffic, including moving trucks for resident move-in and move-out. There may also be a slight increase in noise levels due to infrastructure such as the emergency generator, but any such increases will be minor and/or temporary. Moreover, the noises resulting from the Project will be consistent with the surrounding uses.

Based on the foregoing, the Project will not create any significant adverse impacts on noise, odor or light.

16. Impact on Public Health. As identified in the EAF, while there are a number of facilities nearby which serve susceptible populations, including the Park, the Hampton Street School located approximately 1,060 feet east of the Site, the Willis Avenue School located approximately 1,020 feet north of the Site and numerous facilities associated with NYU Langone Hospital - Long Island located within 1,500 feet of the Site, the Project does not involve the types of activities or operations that are associated with a significant potential for affecting public health, including the use, creation, disposal or storage of a hazardous or toxic substance. Further, any solid waste generated at the Project Facility will be properly disposed of pursuant to Federal, State and local laws and regulations.

The EAF notes the potential presence of a former Voluntary Cleanup Program and State Superfund Program site approximately 950 feet south of the Land; but remediation at the site is complete, and any residual contamination is being managed according to the site management plan.

As shown in the Expanded Environmental Assessment, the solid waste generated at the Project Facility, anticipated to be approximately 5.1 tons per month, will be collected and disposed of by private carter. Solid waste at the Residential Building will be collected in an enclosed area as depicted in the Layout and Materials Plan, which will have space blocked off for the private carter to securely remove the solid waste, limiting the potential for waste to escape into the surrounding environment.

Accordingly, the Project is not anticipated to create any significant adverse impact to public health.

17. Impact on Character of the Community and Community Plans.

The Residential Parcel was identified by the Village for multifamily residential development like the one proposed by the Project in its Village Comprehensive Master Plan (“Master Plan”) with a zoning classification of R-5 (Residential).

As shown in the Layout and Materials Plan, the northern and eastern sides of the Residential Building will be adorned with landscaping, and landscaping will also be placed on the northern and southern sides of the Parking Lot to provide screening and lessen visual impacts.

The Master Plan recognizes the importance of providing housing variety in the Village without creating intrusions on neighborhood cohesion; and the Project accomplishes this while meeting the housing demand due to the local workforce. The Project is consistent with the existing character of the neighborhood and complements the existing multifamily residential buildings surrounding the Site. Similarly, the Parking Lot, although separated by a gate and fencing, will visibly appear like an extension of an existing parking lot at the Parking Parcel, visually connecting the existing lots. Although the Residential Building is adjacent to the Park, it will act as a visual continuation and an appropriate endpoint for the development along Searing Avenue, removing the empty lot which is presently an unsightly focal point and providing other benefits like parking.

The Village granted the Applicant’s request for relaxation of the Village zoning regulations with respect to building height, front yard setback, side yard setback and lot coverage percentage so that the building would have similar massing as the existing neighboring buildings, markedly increasing community cohesion along Searing Avenue. Further contributing to this visual cohesion, the design of and materials chosen for the Residential Building are squarely in line with the existing neighboring buildings and will serve to complement them. Overall, the Residential Building and the Parking Lot will serve to fill gaps in underutilized spaces better suited for their planned uses.

The Project advances the Village's Comprehensive Master Plan in many ways. Nassau County, and Long Island overall, needs additional housing, particularly housing with close access to transit to support growing and vibrant communities in the greater New York City metro area. The Project directly addresses this need but providing multifamily housing in close proximity to transit, in line with State, regional and local objectives to create vibrant transit-oriented developments to support the local population. And while the Project results in the conversion of lawn/landscaping to multifamily residential, the Project is not anticipated to result in secondary development effects or significant population growth. Rather, it will support natural growth without straining existing public infrastructure or resulting in secondary development impacts.

Accordingly, the Project will not create any significant adverse impacts to the character of the community or community plans.

Section 3. Since the Project will not have a significant adverse impact on the environment, a negative declaration ("Negative Declaration") pursuant to SEQRA is hereby issued, and the EAF Parts II and III prepared by the Town are hereby adopted by the Agency. This Negative Declaration has been prepared pursuant to and in accordance with the requirements of SEQRA.

Section 4. The Chairman, the Vice Chairman, the CEO/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 5. This Resolution, which is adopted by a majority vote of the Agency, shall serve as the Negative Declaration (as defined in 6 N.Y.C.R.R. 617.2(y)) for the Project, and is issued by the Agency pursuant to and in accordance with SEQRA in connection with the Agency's environmental impact review, shall take effect immediately.

Section 6. For further information on this Negative Declaration contact:

Nassau County Industrial Development Agency
1 West Street, 4th Floor
Mineola, New York 11501-4813
ATTN: Colleen Pereira, Administrative Director
Phone: 516-571-1945
Fax: 516-571-1076

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

Richard Kessel	VOTING	Aye
John Coumatos	VOTING	Aye
Reginald A. Spinello	VOTING	Aye
William H. Rockensies	EXCUSED	
Raymond Pinto	VOTING	Aye
Victor LaGreca	VOTING	Aye

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK

) SS.:

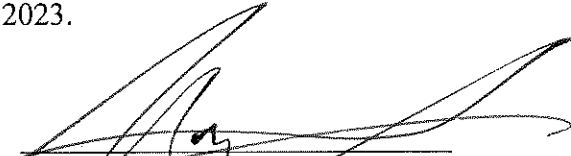
COUNTY OF NASSAU

We, the undersigned ~~[Vice]~~ Chair and ~~[Assistant]~~ Secretary 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 March 30, 2023 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.

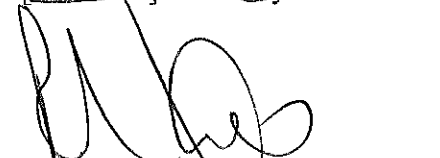
WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said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

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 30th day of March, 2023.



~~[Assistant]~~ Secretary



~~[Vice]~~ Chair

(SEAL)