

**155 Associates LLC
SEQRA Resolution**

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 August 15, 2024, at 6:30 p.m., local time.

The meeting was called to order by the Asst. Treasurer and Acting Chair, upon roll being called, the following members of the Agency were:

PRESENT:

John Coumatos	Asst. Treasurer & Acting Chair
Reginald A. Spinello	Member
Marco Troiano	Member
Marissa Brown	Member
Joseph Manzella	Member

NOT PRESENT:

William H. Rockensies	Chair
Raymond Pinto	Secretary

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Sheldon L. Shrenkel	Chief Executive Officer/Executive Director
Colleen Pereira	Administrative Director
Carlene Wynter	Compliance Assistant
Nicole Gil	Administrative Assistant
Ben Ciorra	Director of Operations
Stephanie Alfano	Temporary Administrative Assistant
Anthony Marano	Agency Counsel
Paul O’Brien	Bond/Transaction Counsel

The attached resolution no. 2024-45 was offered by R. Spinello, seconded by M. Troiano.

Resolution No. 2024-45

RESOLUTION FINDING THAT ACTION TO UNDERTAKE A
CERTAIN PROJECT FOR 155 ASSOCIATES LLC WILL NOT HAVE A SIGNIFICANT
ADVERSE IMPACT ON THE ENVIRONMENT

Project Name: 155 Associates LLC

Location: 155 First Street, Village of Mineola, Town of North Hempstead,
Nassau County, New York (Section: 9; Block: 420; Lots: 26-29, 122,
124 & 125).

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 “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, 155 ASSOCIATES LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 155 Associates LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “Applicant”), has presented an application for financial assistance (the “Application”) to the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) consisting of the following: (A)(1) the acquisition of an interest in an approximately 0.62 acre parcel of land located at 155 First Street, Village of Mineola, Town of North Hempstead, Nassau County, New York (Section: 9; Block: 420; Lots: 26-29, 122, 124 & 125) (the “Land”), (2) the demolition of an approximately 10,000 square foot portion of the existing approximately 20,000 square foot building on the Land (the “Existing Building”), (3) the renovation of an approximately 5,000 square foot portion of the remaining approximately 10,000 square foot portion of the Existing Building,

(4) the construction of an approximately 30,000 square foot three-story addition to the Existing Building over a one (1) story parking garage (the “New Building” and together with the Existing Building, the “Building”), together with related improvements to the Land, and (5) the acquisition of certain furniture, fixtures, machinery, equipment and building materials (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for use by the Applicant as a mixed-use commercial/residential rental facility consisting of approximately thirty (30) residential rental units, at least ten percent (10%) of which units shall be affordable housing units, and approximately 10,000 square feet of commercial office space; (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, sales and use taxes and mortgage recording 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, any land transfer is being undertaken solely to effectuate the Financial Assistance to facilitate the Project and the Agency will only be the nominal title holder 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) the Application; (2) Part 1 of a Full Environmental Assessment Form (“EAF”), dated March 26, 2024 (the “EAF”); (3) NYSDEC’s Environmental Resource Mapper Summary Report; (4) a Location Map; (5) an Aerial Map; (6) New York State Historic Preservation Office’s Cultural Resources Information System Mapper; (7) *The Comprehensive Master Plan for the Village of Mineola*, November 2005; (8) the Negative Declaration issued by the Board of Trustees for the Village of Mineola on October 18, 2023 by adoption of Res. No. 276-23; (9) the Site Plan for 155 First Street, dated March 13, 2023; (10) Building Elevations for 155 First Street, dated March 13, 2023; and (11) other relevant environmental information (collectively, (1) through (11) 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:

- (1) 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 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;
- (3) In doing so, the Agency determined that the Project is an Unlisted Action pursuant to SEQRA as it involves the partial demolition and renovation of the Existing Building as well as the construction of a 30,000-sq.ft. addition containing 30 rental residential units that will connect to the existing water and sewer lines in the Village of Mineola. 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:

1. Impact on Land. The Land sits within the Village of Mineola's Historic District Overlay, which was enacted in 2022 to encourage new development and reinvestment in the Village's downtown core by permitting additional uses as-of-right and providing flexibility from some zoning controls, like height, setback, and lot size. The Historic District Overlay grew out of the 2005 Comprehensive Master Plan, which set objectives for Mineola's Downtown Core, where the Land is located, of creating a more vibrant and walkable downtown through better-designed development. After the Historic District Overlay's enactment, the Applicant sought and received a special use permit, site plan approval, and architectural approval of the building's design from the Village of Mineola's Board of Trustees under the Overlay's rules. The special use permit application sought to relax the requirements for parking, loading, height, setback, lot coverage percentage, minimum unit size, and front and side yard. The approval noted that the Project would contribute to the vibrancy and economic stability of the

Village's downtown and its design demonstrates how to restore vintage Mineola features in the context of a functioning and vibrant downtown.

Per the EAF, the Project will involve minimal to no excavation for site preparation and no foundation work. The average depth of the water table is 40-50 feet below grade and the average depth of bedrock is about 800 feet below grade. The Land contains no bedrock outcroppings and is without steep slopes. While construction is expected to last 16 months, the activity will be limited to weekdays from 8:00 A.M. to 6:00 P.M. and to 9:00 A.M. to 6:00 P.M. on Saturday and Sundays.

The Project will bring 30 units of rental residential housing and renovated office space to the Downtown Core close to public transit and downtown businesses. Of the 30 units, two units will be studios and the remaining 28 will be one-bedroom units with three units reserved as affordable workforce units for residents making less than 80% of the area median income. The Land itself is currently developed with a two-story commercial office building that is not historic. The area surrounding the Land is developed with multi-storied commercial buildings, community facility uses and parking garages as well as small and medium-scale retail. The Project matches the character and density of development in the area and will improve the streetfronts along First and Main Streets, enhancing the pedestrian experience. The design varies the building's exterior materials and includes setbacks and small differentiations in the building's height to break up the mass of the building. The Project is a 3-minute walk from the N22, N23 and N24 bus stops and three-tenths of a mile from the Mineola Long Island Railroad Station. The 30 proposed residential rental units, as well as the renovated commercial office space, will reinvigorate this block and add visual appeal. Overall, the Project will renovate, improve, and construct on a previously developed site, and, as such, will not create any potentially significant adverse impacts to land resources or land uses.

2. Impact on Surface Water and Flooding. The EAF indicates that there are no wetlands or other surface bodies present near or on the Land, and the Project will not create any new waterbody or affect the surface area of any existing waterbody. The Project is not located in a designated 100-year or 500-year floodplain. The Land is currently developed with an open-air surface parking lot containing approximately 50 spaces and very little landscaping as well as a commercial office building. The Project will not increase the impervious area on the Land. The EAF notes that no additional stormwater runoff is anticipated to be generated by the Project either during construction or post-construction. Accordingly, the Project will not create any potentially significant adverse impacts on surface water.
3. Impact on Groundwater. The Project will connect to the existing water and sewer districts, which serve the Existing Building's uses. The Land is

served by the Incorporated Village of Mineola Water District and the Nassau-Suffolk Sole Source Aquifer lies underneath the Land. The Project will generate demand for water of about 6,000 gallons per day that will not require any additional line extensions. The Land is served by existing sewer lines sufficient for the demand to be created by the Project. It sits within the Mineola Sewer District and will utilize the Nassau County Sewage Treatment Plant, both of which have capacity to handle the sanitary wastewater generated by the Project. Although the Project site is located over the Nassau-Suffolk Sole Source Aquifer, the Project does not involve the storage of petroleum or chemical products or other types of industrial activities where groundwater or the aquifer could be exposed to contaminants. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to water.

4. Impact on Air. The Project will not be a significant source of air emissions as it does not include the types of activities or operations that require an Air Facility Permit or that are associated with a significant potential for air emissions. Also, the Project's uses will not substantially increase the traffic to the Land nor will it substantially increase demand for transportation facilities or services. Overall, the amount of commercial office space at the Land will be reduced by 10,000 sq.ft. and the Project will provide about the same amount of parking spaces, 30 of which will be dedicated to the residential tenants. While the Project's will add 30 rental residential units, the Land is three-tenths of a mile from the Mineola Long Island Railroad Station and within two blocks from bus stops served by several different bus routes. It is also within walking distance from neighborhood-serving retail and services. Any potential impact on air as a result of construction activities will be minor, and temporary in nature. Accordingly, the Project will not create any significant adverse impacts to air resources.
5. Impact on Plants and Animals. The Land is currently developed and is surrounded by blocks developed with one- and two-story office developments, community facility uses, retail and both surface parking and larger-scale, multiple-story parking facilities. The area surrounding the Project is Mineola's central downtown core and does not hold significant ecological value. It sits less than three-tenths of a mile from the Long Island Rail Road Station. The NYSDEC Mapper indicates that the Land does not contain a species of animal, or associated habitat listed as threatened or endangered. Accordingly, the Project will not create significant adverse impacts to plants, animals, natural communities, wildlife habitats, or wetlands.
6. Impact on Agricultural Land Resources. The Land is not located within an Agricultural District and is neither currently used for Agricultural purposes nor zoned to be used as such. Therefore, the Project will not create any potentially significant adverse impacts to agricultural land resources.

7. Impact on Aesthetic Resources. The Project will not be visible from any officially designated federal, state, or local scenic or aesthetic resource. Although the Land is fully developed with a 50-space surface parking lot and a 2-story, 33'0" in height office building that faces First Street, the surface parking predominates the Land, creating a void of street activity along the key intersections of First and Main Streets. The residential building design would add three stories above the one-story screened parking area. The height, which will vary from 41'9" in height to 44'0" (including the parapets), is specifically designed to break up the mass of the building along First and Main Street and is a small increase in height from the portion of the existing commercial to remain. The project will include a stairs bulkhead that rises to 50'4" but it will be set back from the First Street streetfront, reducing its appearance. While the building will add height at this corner, the height variation and the use of different exterior materials will break up the mass of the building. This is in contrast to several five-story buildings along First and Main Streets that have no building height variation or set back to break up the mass along the streetfront, including the existing five-story parking garage located directly across Main Street from the Land. Overall, the building will improve the streetscape along First and Main Streets and will not result in any significant adverse impacts to aesthetic resources.

8. Impact on Historic and Archeological Resources. The Land does not contain a building or archeological site and is also not within a district determined to be eligible for listing on the State Register of Historic Places by the NYS Historic Preservation Office. The Land sits directly across First Street from a building determined to be eligible, the former U.S. Post Office of Mineola. Occupied now by a bank, the U.S. Post Office of Mineola is directly across from the asphalt parking lot currently on the Land, which will be developed with the new three-story residential building that will sit above the one-story screened parking at grade level. The design for the residential portion of the Project varies the building's height, design features, and the exterior finishes along First Street, which breaks up the building's mass and creates the appearance of multiple, smaller residential buildings. The Project's design, massing, and size received a 2023 special use permit, site plan approval, and an architectural review approval from the Village of Mineola's Board of Trustees, which permitted the final design to vary slightly from several zoning code requirements, including setback, height, and lot coverage. The approval noted that the Project was designed to meet the goals of the Village's Comprehensive Master Plan and it was consistent with the community's current goals for smart growth established by the Historic District Overlay. Overall, the Project will improve the streetfronts along First and Main Streets, enhancing and not detracting from the eligible building. Accordingly, the Project's location,

design and uses will not create any significant adverse impacts to historical or archaeological resources.

9. Impact on Open Space and Recreation. The Project does not include the reduction of public open space or public recreation space. Currently, the Land is fully developed with the existing 20,000-sq.ft. building and surface parking with little on-site landscaping or impervious surfaces. Accordingly, the Project will not create any significant adverse impacts to open space or recreational resources.
10. Impact on Critical Environmental Areas. The Land is not located in or substantially contiguous to any Critical Environmental Area (“CEA”). Accordingly, the Project will not create any significant adverse impacts to any CEA.
11. Impact on Transportation. The Project’s 30 proposed rental housing units and the reduction in 10,000 sq.ft. in commercial office space on the Land will not result in a substantial increase in traffic nor generate a significant demand for transportation facilities or services. The Existing Building contains 20,000 sq.ft. of existing office space adjacent to an asphalt surface parking lot with approximately 50 spaces of surface parking. The addition of 30 rental residential units at the Land will provide needed housing in the Village’s downtown core that will be close to services and public transit. The Land is an approximately 3-minute walk from the N22, N23 and N24 bus stops and three-tenths of a mile from the Mineola Long Island Railroad Station, about a 6-minute walk. The proposed 30 dedicated parking spaces for the residential tenants will not significantly increase the number of vehicles on the surrounding streets. The Land is also within walking distance of retail, restaurants and multiple services. Accordingly, the Project will not create any significant adverse impacts to transportation.
12. Impact on Energy. The EAF notes that that Project will not result in an increase in energy for commercial or industrial purposes. No significant energy infrastructure improvements are necessary to accommodate the Project. Accordingly, the Project will not create any significant adverse impacts to energy.
13. Impact on Noise, Odor and Light. 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. The EAF recognizes that construction activity may result in noises exceeding ambient levels, but this increase in noise levels is typical of construction and will be limited to weekdays from 8:00 A.M. to 6:00 P.M., Monday through Fridays and 9:00 A.M. to 6:00 P.M. on Saturday and Sundays in compliance with §376-17.1 of the Village of Mineola Code. Any impacts to noise and/or odor from construction activities will be minor, and

temporary in nature. The Project will add pole lighting to the entryways, parking areas and pedestrian walkways in compliance with of §300-18 of the Town Code. The lighting will enhance the safety and security of the corner and streetfronts and will be consistent with surrounding uses. Overall, the Project will not create any significant adverse impacts to noise, odors or light.

14. 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. During the demolition and the construction period, the Project will generate solid waste that will be properly handled, recycled, and disposed of by the Applicant pursuant to Federal, State and local laws and regulations. The NYCDEC's Spill Incidents Database Search noted two reported spills near the Land, but not on the Land. Both spills are on sites owned by the Long Island Rail Road located along Main and Front Streets. Remediation work began in 2004 and has been completed according to the EAF. The water table at the Land is about 40 to 50 feet below ground surface. While the Project is located within 1,500 feet of NYU Langone Hospital Long Island and Cohen Children's Northwell General Pediatrics at Mineola, the proposed uses within the Project will not have a significant impact on these facilities. Overall, there is a lack of affordable, safe, rental housing in the Town of North Hempstead. This Project will provide needed, modern rental housing, which will maintain residents in Mineola to support the area's businesses and enhance the Village's vibrancy. Accordingly, the Project will not create any significant adverse impact to public health.
15. Impact on Growth and Character of the Community and Neighborhood. The Project will reduce the amount of commercial office space and add 30 needed rental residential units within the downtown core. The 30 units will be broken into 2 studio units and 28 one-bedroom apartments. Adding affordable, well-designed rental units into the Village's established but aging downtown core is smart growth that will reinvigorate the area. It will not result in significant population growth and will aid in retaining residents in the Village. The Project has been designed to add visual appeal along the streets and to reduce the mass of the building when viewed along both First and Main Streets. Accordingly, the Project will not create any significant adverse impacts to the growth or character of the community.
16. 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 Chair, the Vice Chair, 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 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:

William H. Rockensies	NOT PRESENT	
John Coumatos	VOTING	Aye
Raymond Pinto	NOT PRESENT	
Reginald A. Spinello	VOTING	Aye
Marco Troiano	VOTING	Aye
Marissa Brown	VOTING	Ate
Joseph Manzella	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 August 15, 2024 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 17th day of August, 2024.


[~~Assistant~~] Secretary


[~~Vice~~] Chair