

## AR Westbury, 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 June 26, 2025, at 6:45p.m., local time.

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

### PRESENT:

William H. Rockensies	Chair
John Coumatos	Treasurer
Marissa Brown	Asst. Secretary
Reginald A. Spinello	Member
Marco Troiano	Member
Joseph Manzella	Member

### NOT PRESENT:

Raymond Pinto	Secretary, Asst. Treasurer
---------------	----------------------------

### THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Sheldon L. Shrenkel	Chief Executive Officer/Executive Director
Anne LaMorte	Chief Financial Officer
Colleen Pereira	Administrative Director
Stephanie Alfano	Temporary Administrative Assistant
Anthony Marano	Agency Counsel
Paul O'Brien	Bond/Transaction Counsel

The attached resolution no. 2025-26 was offered by M. Brown, seconded by J. Manzella.

RESOLUTION FINDING THAT THE PROPOSED PROJECT OF AR WESTBURY, LLC IS  
NOT SUBJECT TO FURTHER REVIEW UNDER THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT

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, AR WESTBURY, 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 AR Westbury, 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 1.91 acre parcel of land located at 353-363 Union Avenue, 131-139 Linden Avenue, 355-357 Linden Avenue, 141-147 Linden Avenue, 153 Linden Avenue and Scally Place, Village of Westbury, Town of North Hempstead, Nassau County, New York (Section: 10; Block: 228; Lots: 3, 145-150, 320-330 and 783) (the “Land”), (2) the construction of an approximately 225,924 square foot building (the “Building”) on the Land, including underground and on-site parking, together with related improvements to the Land, and (3) 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 residential rental facility consisting of one hundred eighty-seven (187) residential rental units, at least twelve percent (12%) of which units (i.e., twenty-three (23) units) shall be affordable housing units; (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, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, et. seq., as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), the Agency must consider whether the Project is an “action” that would require it to satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, the Incorporated Village of Westbury Board of Trustees (the “Village”) concluded the Project was an Unlisted Action and, on August 30, 2024, circulated a notice of intent to all Interested and Involved Agencies (as those terms are used pursuant to SEQRA) for the purposes of a coordinated SEQRA review of the Project, stating the Village’s intent to act as Lead Agency, together with a description of the Project and a completed Environmental Assessment Form, Part I; and

WHEREAS, the Agency, having no comments to the notice of intent, consented to the Village acting as the lead agency for the purposes of a coordinated review of the Project under SEQRA and the Village is the Lead Agency for the purposes of a coordinated SEQRA review of the Project; and

WHEREAS, the Village, as Lead Agency, issued a “negative declaration” on April 2, 2025 (“Negative Declaration”), concluding that the Project will not have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, in connection with this Project, the Applicant submitted to the Agency: (1) its Application; (2) Part 1 of a Full Environmental Assessment Form, dated December 9, 2024 (the “EAF”); (3) NYSDEC’s Environmental Resource Mapper Summary Report; (4) Boundary, Topographic & Roadway Survey, Prepared by William T. Whimple, NY Professional Land Surveyor, dated July 18, 2022; (5) the Site Plan for 353 Union Avenue, dated October 25, 2023, prepared by GRCH Architecture PC; (6) Floor Plans and Elevations for 353 Union Avenue, prepared by GRCH Architecture PC; (7) the March 13, 2024 Traffic Impact Study, prepared by Stonefield Engineering & Design, LLC; (8) Phase I Environmental Site Assessment, prepared by Roux Environmental Engineering & Geology, D.P.C., dated May 27, 2022 *related to Block 228, Lots 327-330 and 783*; (9) Phase II Environmental Site Assessment, prepared by Roux Environmental Engineering & Geology, D.P.C, dated October, 22, 2021, *related to Block 228, Lots 3, 145-150, and 320-325*; (10) Phase II Environmental Site Assessment, prepared by Roux Environmental Engineering & Geology, D.P.C, dated June 3, 2022, *related to Block 228, Lots 326-330*; (11) *The Findings, Conditions, Stipulations, Undertakings & Resolutions in the Matter of the Application of the Alpine Residential, LLC*, issued by the Board of Trustees for the Village of Westbury, dated April 2, 2025; and (12) Parts 2 and 3 of the Full Environmental Assessment Form completed by the Village, dated April 3, 2025 (collectively the “Project Environmental Documents”); and

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

Section 1. The Agency, as an Involved Agency, is bound by the Negative Declaration issued by the Village pursuant to of 6 NYCRR Part 617.6(b)(3)(iii).

Section 2. The Chair, CEO/Executive Director and Administrative Director of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Applicant and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. 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	VOTING	Aye
John Coumatos	VOTING	Aye
Raymond Pinto	NOT PRESENT	
Marissa Brown	VOTING	Aye
Reginald A. Spinello	VOTING	Aye
Marco Troiano	VOTING	Aye
Joseph Manzella	VOTING	Aye

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK

) SS.:

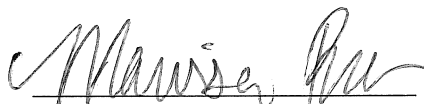
COUNTY OF NASSAU


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 June 26, 2025 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 26th day of June, 2025.

  
[Assistant] Secretary

  
~~[Vice]~~ Chair

(SEAL)