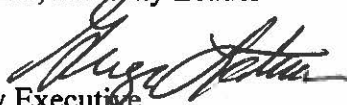


December 3, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive



RE: Message Requesting Immediate Consideration: **Bond Act – BPL26 – Flood Mitigation, & IMA with the Village of Briarcliff Manor.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators December 9, 2024 Agenda.

Transmitted herewith for your review and approval is a bond act (the “Bond Act”) which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to One Million Two Hundred Thousand (\$1,200,000.00) Dollars in bonds of the County to finance a component of capital project BPL26 - Flood Mitigation – Law Memorial Park – Briarcliff Manor (“BPL26”). Also attached is an act (the “Act”) authorizing an intermunicipal agreement (the “IMA”) with the Village of Briarcliff Manor (the “Village”) setting forth the terms of the flood mitigation project.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for December 6, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



December 3, 2024

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue up to One Million Two Hundred Thousand (\$1,200,000.00) Dollars in bonds of the County to finance a component of capital project BPL26 - Flood Mitigation – Law Memorial Park – Briarcliff Manor ("BPL26"). Also attached is an act (the "Act") authorizing an intermunicipal agreement (the "IMA") with the Village of Briarcliff Manor (the "Village") setting forth the terms of the flood mitigation project.

The Bond Act, in the amount of One Million Two Hundred Thousand (\$1,200,000.00) Dollars, would finance up to 50% of the costs associated with a municipally proposed project to make improvements to two portions of the basin situated at the Law Memorial Park (the "Park" or "Law Memorial Park"), in the Village of Briarcliff Manor, including the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an outfall from the Pond to alleviate flooding within the Park. Said project will improve current stormwater systems to alleviate flooding in the Law Memorial Park and surrounding areas. The project includes the installation of new stormwater piping sized to meet 50-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system. It is estimated that this project will take approximately twenty-four (24) months to complete.

The IMA, a copy of which is attached, will set forth the responsibilities of the County and the Village in connection with the project. Under the proposed IMA, the Village will grant a non-exclusive easement to the County over the Law Memorial Park in order to facilitate the issuance of County bonds to finance the capital project's final design and construction and such easement shall encumber the property for so long as the bonds of the County are outstanding. The Village shall construct, operate, maintain, repair, replace, inspect or restore the project. In accordance with the IMA, the County and the Village will each provide up to fifty (50%) percent of the total cost of the project which is estimated to be Two Million Four Hundred Thousand (\$2,400,000.00) Dollars. The County will pay to the Village, on a reimbursement basis, an amount not to exceed One Million Two Hundred Thousand (\$1,200,000.00) Dollars. Should the project costs exceed the amount contributed by the County, the Village shall be solely responsible for any additional amount. Following construction, the Village will be responsible for the operation, maintenance, scheduling and security of the Law Memorial Park and the project at its expense. The term of the IMA will commence upon execution, and will continue for a period at least equal to the life of any County bonds issued to fund the project, which is estimated to be thirty (30) years.

In 2011 your Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") to assist municipalities with storm water management (flood mitigation). *See* Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans," and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 120 – 2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed dated December 2012. The Village is identified as an area of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Village to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed.

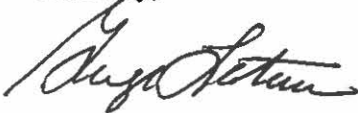
It should be noted that your Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth in the attached fact sheet.

It should also be noted that since BPL26 is a "general fund" project, specific components are subject to a capital budget amendment. Section 1 of the Bond Act authorizes an amendment to the County's capital budget to the extent the project scope is inconsistent with any details set forth in the current capital budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2024 capital budget to reflect the specific location of this project component.

In addition, section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL26 and the resolution approving same are annexed.

Based upon the foregoing, I recommend the adoption of the aforementioned Bond Act as well as the Act authorizing the IMA.

Sincerely,



George Latimer
County Executive

GL/BL/MLLL/SD/cmc
Attachments

**THE HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”), which if adopted, would authorize the County of Westchester (the “County”) to issue up to \$1,200,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation – Law Memorial Park – Briarcliff Manor (“BPL26”). Also attached is an act (the “Act”) authorizing an intermunicipal agreement (the “IMA”) with the Village of Briarcliff Manor (the “Village”) setting forth the terms of the flood mitigation project.

Your Committee is advised that the Bond Act, in the amount of One Million Two Hundred Thousand (\$1,200,000.00) Dollars, prepared by the law firm of Hawkins Delafield & Wood LLP, would finance up to 50% of the costs associated with a municipally proposed project to make improvements to two portions of the basin situated at the Law Memorial Park (the “Park” or “Law Memorial Park”), in the Village of Briarcliff Manor, including the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an outfall from the Pond to alleviate flooding within the Park. Said project will improve stormwater systems to alleviate flooding in the Law Memorial Park and surrounding areas. The project includes the installation of new stormwater piping sized to meet 50-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system. It is estimated that this project will take approximately twenty-four (24) months to complete.

Your Committee is advised that the IMA, a copy of which is attached, will set forth the responsibilities of the County and the Village in connection with the project. Under the proposed IMA, the Village will grant a non-exclusive easement to the County over the Law Memorial Park in order to facilitate the issuance of County bonds to finance the capital project’s final design and construction and such easement shall encumber the property for so long as the bonds of the County are outstanding. The Village shall construct, operate, maintain, repair, replace, inspect or restore the project. In accordance with the IMA, the County and the Village will each provide up to fifty (50%) percent of the total cost of the

project which is estimated to be Two Million Four Hundred Thousand (\$2,400,000.00) Dollars. The County will pay to the Village, on a reimbursement basis, an amount not to exceed One Million Two Hundred Thousand (\$1,200,000.00) Dollars. Should the project costs exceed the amount contributed by the County, the Village shall be solely responsible for any additional amount. Following construction, the Village will be responsible for the operation, maintenance, scheduling and security of the Law Memorial Park and the project at its expense. The term of the IMA will commence upon execution, and will continue for a period at least equal to the life of any County bonds issued to fund the project, which is estimated to be thirty (30) years.

Your Honorable Board enacted the Westchester County Storm Water Management Law (“SWML”) in 2011 to assist municipalities with storm water management (flood mitigation). *See* Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed “reconnaissance plans,” and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 120 - 2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed dated December 2012. The Village is identified as an area of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Village to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth on the attached fact sheet.

Your Committee is further advised that since BPL26 is a “general fund” project, specific components are subject to a capital budget amendment. Section 1 of the Bond Act authorizes an amendment to the County’s capital budget to the extent the project scope is inconsistent with any details set forth in the current capital budget. Accordingly, the Bond Act, in addition to

authorizing the issuance of bonds for this project will also amend the 2024 capital budget to reflect the specific location of this project component.

In addition, section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL26 and the resolution approving same are annexed.

The Department of Planning has advised that pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR), the Village classified this capital project as an Unlisted action. On July 2, 2024, the Village Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 20, 2024, the Village issued a Negative Declaration for the project. Since the Village undertook coordinated review and the County was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County. Your Committee concurs with this recommendation.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act, while a simple majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act and Act authorizing the IMA.

Dated: _____, 2024

White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL26

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

LAW MEMORIAL PARK BRIARCLIFF MANOR

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,200,000 PPU 30 Anticipated Interest Rate 3.45%

Anticipated Annual Cost (Principal and Interest): \$ 62,089

Total Debt Service (Annual Cost x Term): \$ 1,862,660

Finance Department: maab 12-2-24

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 13

Prepared by: Michael Lipkin

Title: Associate Planner

Department: Department of Planning

Date: 12/2/24


Reviewed By: 

Date: 12/13/24

Budget Director

12/3/24

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL26 FLOOD MITIGATION – BRIARCLIFF MANOR
LAW PARK & PINE ROAD DRAINAGE IMPROVEMENTS**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2441) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, the Village of Briarcliff Manor classified this project as an Unlisted action. On July 2, 2024, the Village Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 20, 2024, the Village Board issued a Negative Declaration for the project. Since the Village undertook coordinated review and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please contact me if you require any additional information regarding this document.

DSK/CNM

Att.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Blanca Lopez, Commissioner
Dean Tarulli, Director of Flood Mitigation & Resiliency
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

**SEQRA
NOTICE OF INTENT
LEAD AGENCY DETERMINATION/COORDINATED REVIEW**

**Law Park & Pine Road Drainage Improvements
Briarcliff Manor, New York
July 2, 2024**

The Village of Briarcliff Manor Board of Trustees issues this Notice of Intent for the purpose of determining lead agency pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and Part 617 (6NYRR Part 617), the Statewide implementing regulations pertaining to SEQRA. If no written objections are received the Village of Briarcliff Manor Board of Trustees will assume lead agency 30 days after the date of this notice. This notice has been prepared pursuant to Article 8 of the Environmental Conservation Law.

Project Title: Law Park & Pine Road Drainage Improvements

Project Location: From Law Park Retention Pond 1031 Pleasantville Road, Briarcliff Manor, Westchester County, New York along Pine Road.

SEQRA Type: Unlisted Action

Project Description: The Village of Briarcliff Manor is proposing the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park and the reconstruction of pine road to install an adequate drainage system where none currently exists. The new drainage infrastructure proposed within Law Park will provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River. The reconstructed roadway & new drainage within Pine Road will provide underground conveyance of stormwater and reduce flooding and erosion of the properties on the east side of Pine Road.

Contact Person: Christine Dennett, Assistant Village Manager/Village Clerk
1111 Pleasantville Road
Briarcliff Manor, New York 10510
Phone: 914-941-4801
cdennett@briarcliffmanor.gov

Copies of this notice have been sent to:

Village of Briarcliff Manor Planning Board
Village of Briarcliff Manor Fire Department
Westchester County Board of Legislators
Westchester County Department of Planning
New York State Department of Environmental Conservation
Town of Ossining
Village of Ossining
Town of Mt. Pleasant
Village of Sleepy Hollow

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

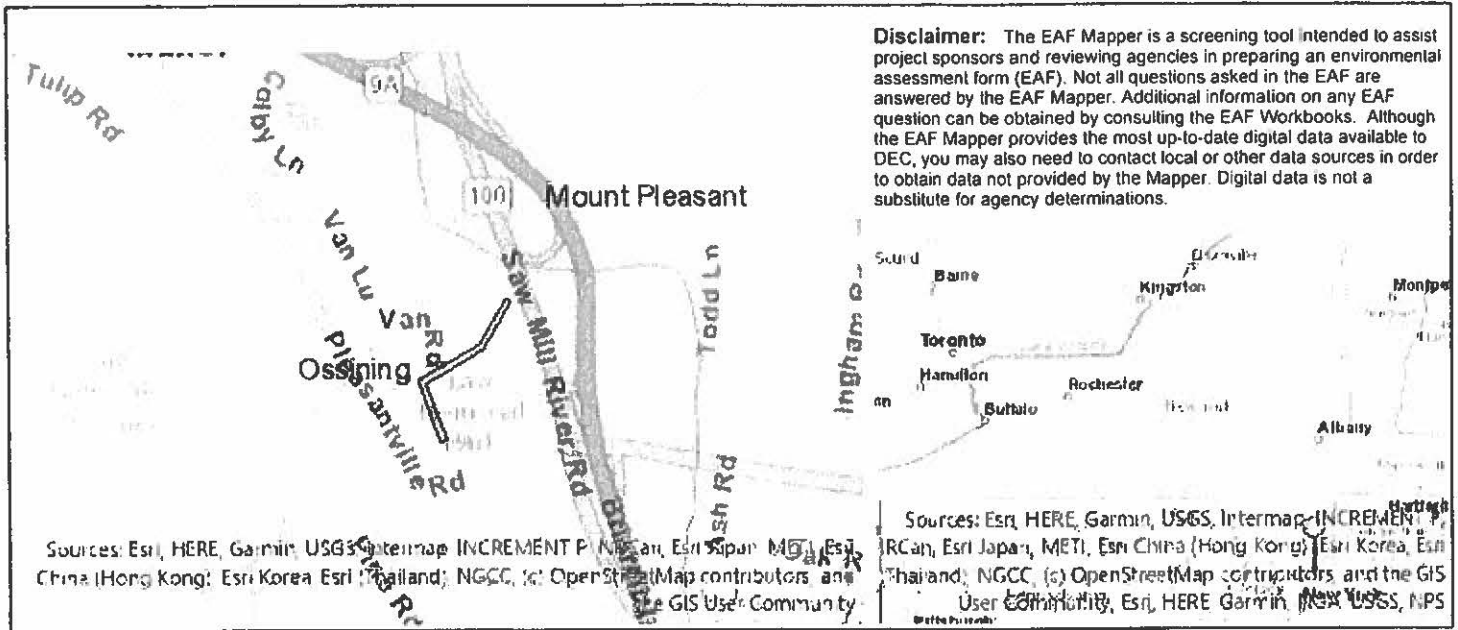
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Law Park Drainage Improvements			
Project Location (describe, and attach a location map): Law Park, 1031 Pleasantville Rd, Briarcliff Manor, NY 10510			
Brief Description of Proposed Action: The proposed action consists of the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park. The new drainage infrastructure proposed will provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River.			
Name of Applicant or Sponsor: Hudson Engineering & Consulting, P.C.		Telephone: 914-909-0420 E-Mail: Michael@hudsonec.com	
Address: 45 Knollwood Road - Suite 201			
City/PO: Elmsford	State: New York	Zip Code: 10523	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Westchester County (Funding)			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		12.5 acres	
b. Total acreage to be physically disturbed?		.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		12.5 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Not Applicable</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ <u>Not Applicable</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ <u>Not Applicable</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ <u>The proposed project will include the construction of a new outlet to the pond located within Law Park and reconstruction of the boulder retaining wall at the outfall of the 48" pipe. (approximate disturbance <0.1 ac)</u>	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
There is no increase in runoff nor change in outfall location associated with this project. The proposed drainage improvements will provide additional relief from flooding for the pond within Law Park. Stormwater piping will convey runoff from Law Park to the outfall prior to the Pocantico River along side the existing pond outfall.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Hudson Engineering & Consulting, P.C. - Michael Stein, P.E Date: 06/05/2024		
Signature:  Title: President		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Project:

Date:

**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?"

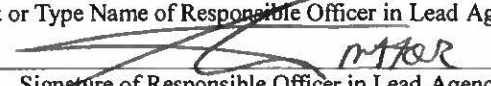
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____
 Date: _____

**Short Environmental Assessment Form
 Part 3 Determination of Significance**

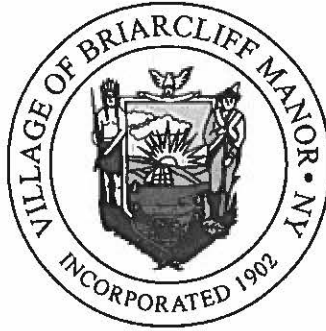
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify 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.

The Short EAF Part 2 indicated no, or small impacts may occur as a result of this project. The EAF discussed impacts associated with the project's work within Law Park. Drainage improvements, as noted in the Notice of Intent, will also occur within Pine Road. Pine road is an existing paved roadway which drains into Law Park. The Pine Road work will be limited to existing impervious areas and is not expected to have an adverse impact on the environment. No previously undisturbed areas within Pine Road right-of-way are anticipated to be disturbed by this project. Moreover, drainage improvements will maintain current drainage patterns and flow into Law Park Basin prior to being routed to an upstream outfall of the Pocantico River. This project, both the Law Park and Pine Road sections, do NOT increase the impervious area or the overall tributary drainage area to Law Park or the upstream outfall of the Pocantico River. Therefore the overall project is determined to have no significant adverse environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village of Briarcliff Manor _____ Name of Lead Agency	8/20/2024 _____ Date
Steven A. Vescio _____ Print or Type Name of Responsible Officer in Lead Agency	Mayor _____ Title of Responsible Officer
 _____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM

VILLAGE OF BRIARCLIFF MANOR
1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510



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Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

**SEQR NEGATIVE DECLARATION LAW PARK
& PINE ROAD DRAINAGE IMPROVEMENTS**

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor, Westchester County, New York, is proposing the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park and the reconstruction of Pine Road to install an adequate drainage system where none currently exists ("Proposed Action");

WHEREAS, the new drainage infrastructure proposed within Law Park, located at Law Park, 1031 Pleasantville Rd, Briarcliff Manor, NY 10510, would provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River. The reconstructed roadway & new drainage within Pine Road will provide underground conveyance of stormwater and reduce flooding and erosion of the properties on the east side of Pine Road; and

WHEREAS, in support of the Proposed Action, the Village's Consulting Engineer, Hudson Engineering, prepared a Short Environmental Assessment Form Part 1 ("Short EAF"), dated June 5, 2024 pursuant to the State Environmental Quality Review Act ["SEQRA"(6 NYCRR Part 617)]; and

WHEREAS, the Board of Trustees reviewed the Short EAF Part 1 for preliminary assessment of the environmental impacts of the Proposed Action under SEQRA, determined that it is subject to SEQRA, that it does not involve any federal agency, that it will involve other agencies, and that it is classified as an Unlisted Action under SEQRA, and by Resolution adopted July 2, 2024, declared its intent to serve as Lead Agency for the purpose of a coordinated review of the environmental impacts of the Proposed Action under SEQRA, directed the Village Clerk to transmit and file a notice, dated July 2, 2024 of the Board of Trustees' intent to serve as Lead Agency pursuant to 6 N.Y.C.R.R. §617.6(b), and preliminarily classified the Proposed Action as an Unlisted Action under SEQRA pursuant to 6 N.Y.C.R.R. §617.6(a).; and

WHEREAS, the Village Clerk transmitted the Board of Trustees' Notice of Intent to serve as the SEQRA Lead Agency to the Village of Briarcliff Manor Planning Board,

Village of Briarcliff Manor Fire Department, Westchester County Board of Legislators, Westchester County Department of Planning, New York State Department of Environmental Conservation, Town of Ossining, Village of Ossining, Town of Mt. Pleasant, and the Village of Sleepy Hollow; and

WHEREAS, the Board of Trustees received and reviewed a Short Environmental Assessment Form, Part 2 ("EAF Part 2") prepared on its behalf by Hudson Engineering for assessment of approval of the Law Park and Pine Road drainage improvements; and

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Board of Trustees of the Village of Briarcliff Manor hereby confirms its Lead Agency designation for the SEQR Review of the Proposed Action.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the Proposed Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form (Short EAF Part 3).

BE IT FINALLY RESOLVED that this SEQR Negative Declaration resolution shall have an effective date of August 20, 2024.

Roll Call:

Trustee Netburn	Aye
Trustee Mallett	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Aye

RESOLUTION 24-09
WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report on 2024 Capital Project Requests
BPL26 Flood Mitigation
Law Memorial Park, Village of Briarcliff Manor**

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the *Law Memorial Park, Village of Briarcliff project* will provide \$1,200,000 in funding for to analyze and mitigate flooding in the Law Park Drainage Basin in the Village of Briarcliff Manor; and

WHEREAS, the project will include improvements to the stormwater system to alleviate flooding in Law Park and surrounding areas. Project includes installation of new stormwater piping in areas with no existing system and replacement of undersized existing stormwater piping sized to meet 25-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system; and

WHEREAS, and the Village of Briarcliff Manor has received numerous complaints from residents within the watershed of runoff exceeding the capacity of the existing drainage system and flowing over curbs and down driveways causing damage to private properties. Additionally, the Village has been victim to flooding caused by the Law Park Pond overtopping and flooding the Village's pool on multiple occasions. Each incident necessitated the draining, cleaning, and refilling of the entire pool resulting in a significant unexpected maintenance cost as well as an extended periods of loss of service to residents; and

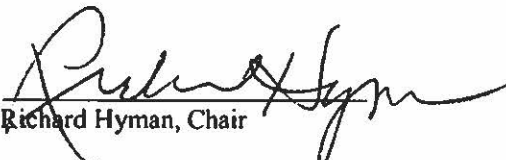
WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 Law Memorial Park, Village of Briarcliff Manor.

Adopted this 5th day of March 2024


Richard Hyman, Chair