

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a communication from the County Executive wherein he requests that your Honorable Board adopt the attached act (the “Act”) that would authorize the County of Westchester to purchase real property located at 187 Cottage Avenue in Mount Vernon, New York. The property, identified by tax map designation as Section 165.47 Block 1159, Lot 17, consists of a residential building with approximately 5,548 square feet of space. The future use of the building is to be determined. The County Executive also requests the adoption of an act amending the 2021 Capital Budget in the amount of \$1,000,000 (the “Capital Budget Amendment”). The Capital Budget Amendment is needed to create the project entitled BLA05 – Acquisition of 187 Cottage Ave, Mt Vernon. The County Executive further requests the adoption of a bond act (the “Bond Act”) that would authorize the issuance of up to \$1,000,000 in County bonds to finance the \$800,000.00 purchase price of the property, closing costs and costs to secure the building.

The Department of Planning has advised that based on their review, this project falls within the definition of an “Unlisted” Action under Article 8 of the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617, which requires an assessment of environmental impacts. Your Committee has reviewed the attached Short Environmental Assessment Form (“EAF”) and the applicable SEQRA regulations and for the reasons set forth in the attached EAF, your Committee believes that this proposed action will not have any significant adverse impact on the environment. Accordingly your Committee recommends passage of the annexed Resolution prior to enacting the Act authorizing the County to purchase the property.

In addition, Section 167.131 of the County Charter 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 necessary Planning Board Resolution approved on May 4, 2021, is herewith attached.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Act to authorize the purchase of the property, amend the County's Capital Budget, as well as to adopt the related Bond Act.

Your Committee has carefully considered the Resolution, proposed Act, Capital Budget Amendment as well as the related Bond Act and recommends approval noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment.

Dated: June 7, 2021  
White Plains, New York

*Benjamin Boyfunt*  
*Cliff*  
*Culnan*

*Benjamin Boyfunt*  
*Cliff*  
*Ruth Weber*

*Benjamin Boyfunt*  
*Cliff*  
*Culnan*  
*Ruth Weber*

COMMITTEE ON

c/div 5-21-2021

*Labor & Housing*

*Public Works  
& Transportation*

*Budget  
& Appropriations*

Dated: June 7, 2021  
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**Labor & Housing**

*Klamos R. Maher*  
*Margaret A. Cunzio*  
*Catherine F. Parker*  
*Alfreda Willis*


**Budget & Appropriations**

*Velat Palmi*  
*Catherine F. Parker*  
*Doris A. Jablonski*  
*Klamos R. Maher*  
*Margaret A. Cunzio*  
*Alfreda Willis*  
*Nancy E. Pan*

**Public Works & Transportation**

*Velat Palmi*  
*Catherine F. Parker*  
*Mary Jane Skimich*  
*Doris A. Jablonski*  
*John J. Smith*

TO: David Vutera, Associate County Attorney  
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: May 21, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BLA05 ACQUISITION OF 187 COTTAGE AVENUE, MT. VERNON**

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The Planning Department has reviewed capital project BLA05- Acquisition of 187 Cottage Avenue, Mt. Vernon (Fact Sheet ID: 1683) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This project falls within the definition of an Unlisted action pursuant to SEQR. Coordinated review was not undertaken since the County is the only involved agency. A Short Environmental Assessment Form has been prepared for the project and is attached for consideration by the Board of Legislators.

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  
Norma Drummond, Commissioner of Planning  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

## **RESOLUTION**

**WHEREAS**, there is pending before this Honorable Board an Act to authorize the County of Westchester to purchase real property located at 187 Cottage Avenue in Mount Vernon, New York; and

**WHEREAS**, this Honorable Board has determined that the proposed property purchase would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an "Unlisted action," which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

**WHEREAS**, the County of Westchester is the only involved agency and, therefore, is assuming the role of Lead Agency; and

**WHEREAS**, in accordance with SEQRA and its implementing regulations, a short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

**WHEREAS**, this Honorable Board has carefully considered the proposed action and has reviewed the attached short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.

**NOW, THEREFORE**, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

**RESOLVED**, that based upon the Honorable Board's review of the short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the proposed action; and be it further

**RESOLVED**, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the short Environmental Assessment Form, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

**RESOLVED**, that the Resolution shall take effect immediately.

## 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.

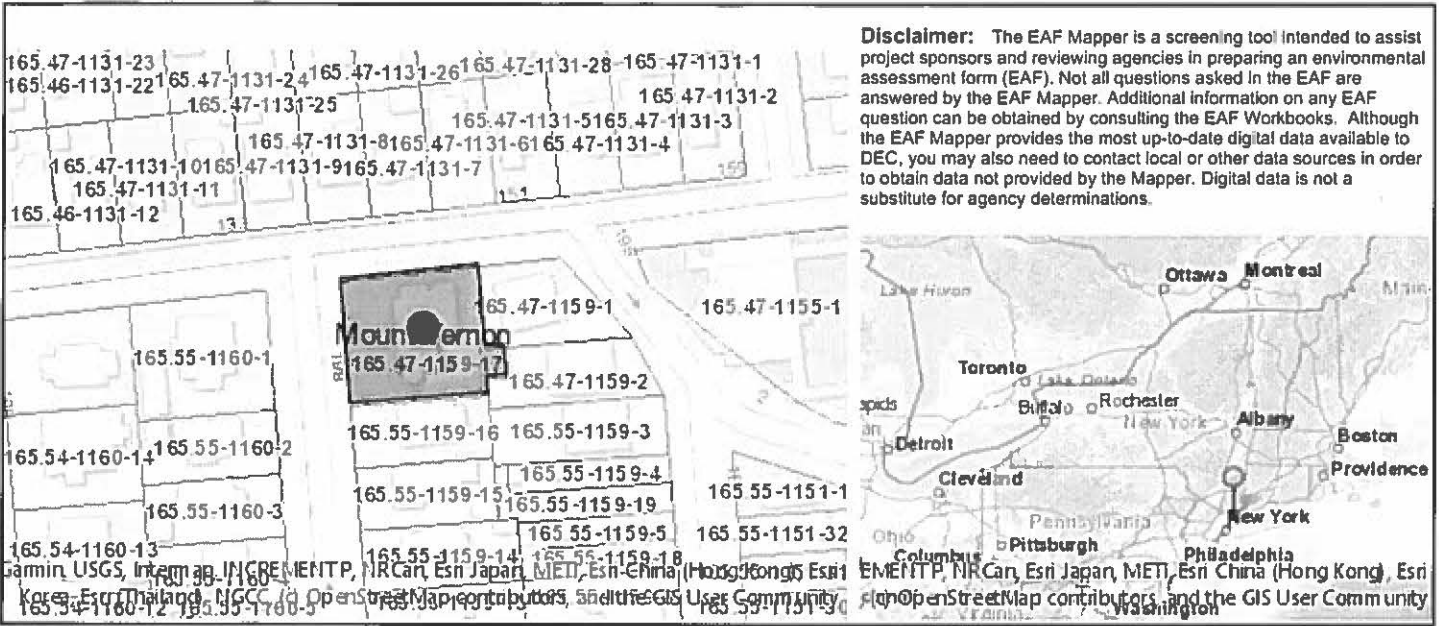
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Acquisition of 187 Cottage Avenue, Mount Vernon (BLA05)			
Project Location (describe, and attach a location map): 187 Cottage Avenue, Mount Vernon (Section 165.47, Block 1159, Lot 17), Westchester County, New York			
Brief Description of Proposed Action: The County proposes to purchase a vacant residential property, approximately 0.26-acre in size, containing approximately 5,548 square feet of building space. Other than minor work to secure the building from further deterioration and vandalism, no improvements or uses are proposed at this time.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestergov.com	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
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"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.26 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0 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 checked="" type="checkbox"/> Other(Specify): School <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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	YES	
	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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>N/A - Only acquisition is proposed at this time.</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Existing connection to public water supply. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Existing connection to public sewers. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" 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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	







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]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

**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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" 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: 187 Cottage Ave, MTV (BLA05)

Date: May 2021

### 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.

Since the action only provides for the purchase of real property and minor work that is immediately necessary to protect the building from further deterioration and vandalism, there will be no environmental impacts.

Any subsequent action that provides for physical improvements or new uses of the residential property will be reviewed for compliance with SEQR.

<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.	
County of Westchester	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Clerk of the Board of Legislators
Signature of Responsible Officer in Lead Agency	Title of Responsible Officer <i>Dark Kuisge</i>
	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**