


September 26, 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 - BPL30 & Land Acquisition Act – 60 South Kensico Avenue, White Plains.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is the necessary legislation to authorize the purchase of the above-referenced property.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 30, 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 please find the following:

Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 0.198 acres (8,625 square feet) of real property located at 60 South Kensico Avenue in the City of White Plains (the "Property") to Regan Development Corp., its successors, assigns or any entity created to carry out the purposes of the proposed transaction (the "Developer"), as part of the County's program to support the construction of affordable housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act"), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$1,030,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning ("Planning") has advised that subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$1,030,000 to purchase the Property from the current owner to create twelve (12) Affordable AFFH Units for rent and approximately fifteen (15) parking spaces for use by the residents (the "Development").

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 60% of the Westchester County area median income. The units will remain affordable for a period of not less than fifty (50) years noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to construct the Affordable AFFH Units.

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900 Website: westchestercountyny.gov



Planning has further advised that additional funds for the Development are anticipated to be provided by New York State Homes and Community Renewal (“HCR”), Westchester County Housing Flex Fund, City of White Plains Affordable Housing Fund and a first mortgage from a conventional bank for an estimated total Development cost of approximately \$6.42 Million.

Planning has further advised that 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 by a report of the Westchester County Planning Board (“Planning Board”) with respect to the physical planning aspects of the project. On July 2, 2024, the Planning Board adopted Resolution No. 24-24 that recommends funding for the purchase and conveyance of the Property which is annexed hereto. In addition, the report of the Commissioner of Planning is annexed pursuant to Section 191.41 of the Westchester County Charter.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Latimer", is written over a faint, illegible background.

George Latimer
Westchester County Executive

GL/BPL/LAC
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the “Land Acquisition Act”) to authorize the purchase and subsequent conveyance of approximately +/- 0.198 acres (8,625 square feet) of real property located at 60 South Kensico Avenue in the City of White Plains (the “Property”) to Regan Development Corp., its successors, assigns or any entity created to carry out the purposes of the proposed transaction (the “Developer”), as part of the County’s program to support the creation of affordable housing units that affirmatively further fair housing (the “Affordable AFFH Units”). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the “NHLA Bond Act”), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$1,030,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning (“Planning”) has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$1,030,000 to purchase the Property from the current owner to create twelve (12) Affordable AFFH Units for rent and approximately fifteen (15) parking spaces for use by the residents (the “Development”).

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to households earning at or below 50% and up to 60% of the Westchester County area median income. The units will remain affordable for a period of not less than fifty (50) years noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to construct the Affordable AFFH Units.

Your Committee has been advised that additional funds for the Development are anticipated to be provided by New York State Homes and Community Renewal (“HCR”), Westchester County Housing Flex Fund, City of White Plains Affordable Housing Fund and a first mortgage from a conventional bank, for an estimated total Development cost of approximately \$6.42 Million.

Your Committee has been advised by Planning that the proposed Development was classified as an Unlisted Action by the City of White Plains Planning Board, which issued a negative declaration pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617, which requires an assessment of environmental impacts. Your Committee has further been advised by Planning that since the County was not included as an involved agency in the City’s review, the County must conduct its own environmental review. As such, a Short Environmental Assessment form (“EAF”) was prepared by Planning and is attached hereto for your Honorable Board’s consideration. Your Committee has carefully considered the proposed legislation. It has reviewed the attached EAF and the criteria contained in Section 617.7 of the SEQRA regulations to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed Resolution by which this Board would issue a Negative Declaration for this Development.

Your Committee has been further advised that 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 by a report of the Westchester County Planning Board (“Planning Board”) with respect to the physical planning aspects of the project. On July 2, 2024, the Planning Board adopted Resolution No. 24-24 that recommends funding for the purchase and conveyance of the Property which is annexed hereto. In addition, the report of the Commissioner of Planning is annexed pursuant to Section 191.41 of

the Westchester County Charter.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested, noting that the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: , 2024

White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL30

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

60 South Kensico Avenue, City of White Plains

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,030,000 PPU 30 Anticipated Interest Rate 3.32%

Anticipated Annual Cost (Principal and Interest): \$ 52,589

Total Debt Service (Annual Cost x Term): \$ 1,577,679

Finance Department: maab 9-19-24

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: N/A

Prepared by: Blanca P. Lopez

Title: Commissioner

Department: Planning

Date: 9/19/24


Reviewed By: 

Budget Director

Date: 9/20/24

9/20/24

TO: Leonard Gruenfeld, Program Director
Division of Housing and Community Development

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

DATE: September 12, 2024

**SUBJECT: STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL30, NEW HOMES LAND ACQUISITION II
60 SOUTH KENSICO AVENUE, WHITE PLAINS**

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project in connection with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital project BPL30 – New Homes Land Acquisition II to facilitate the development of twelve units of affordable rental housing to be constructed at 60 South Kensico Avenue in the City of White Plains. Funds from BPL30 will be applied towards the purchase of approximately 0.198 acre of property, upon which the County will file a restrictive covenant that will require all of the proposed apartments to be marketed and leased to households meeting certain income thresholds for a period of not less than fifty years.

The proposed development was classified as an Unlisted Action by the City of White Plains Planning Board, which issued a negative declaration pursuant to SEQR for this project on April 19, 2022. However, since the County of Westchester was not included as an involved agency in the City's review, the County must conduct its own environmental review. As such, a Short Environmental Assessment Form (EAF) has been prepared 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: Lynne Colavita, Senior Assistant County Attorney
Blanca Lopez, Commissioner
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

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: 60 South Kensico			
Project Location (describe, and attach a location map): 60 South Kensico Avenue, White Plains, NY 10601			
Brief Description of Proposed Action: Regan Development Corporation ("Regan" or "RDC") proposes 60 Kensico (the "Project"), the new construction of a twelve-unit 100% affordable multi-family rental building to be developed on vacant real property located at 60 South Kensico Ave, White Plains, NY 10601 (SBL: 126.53-6-18). The gross square footage for the proposed three-story building is 12,155 sq. ft. Of that total, 8,505 sq. ft. will be residential space and 2,555 sq. ft. will be common area. The basement of the building will be dedicated as a parking structure housing fifteen parking spaces underneath the residential building. The basement parking level entrance will be located along South Kensico Ave. Residents can access the building from the basement and first level entrances. The building holds a mix of 12 affordable studio and one-bedroom apartments. Three apartments will be 535 square foot studios, six apartments will be 618 or 665 square foot one-bedrooms, and three apartments will be 940 square foot one-bedroom units with a den space. Floors 1-3 will have identical layouts with four apartments per floor. There will be one studio apartment, two one-bedroom apartments, and one one-bedroom apartment plus a den. All units are accessible by two stairways or by elevator. Trash and recycling rooms will be on each of the three residential floors.			
Name of Applicant or Sponsor: Regan Development Corporation		Telephone: (914) 693-6613 E-Mail: Larry@reganddevelopment.com	
Address: 1055 Saw Mill River Rd, Suite 204			
City/PO: Ardsley		State: NY	Zip Code: 10502
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: Westchester County New York State Homes and Community Renewal			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .198 acres b. Total acreage to be physically disturbed? _____ .198 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .198 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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): Educational <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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 checked="" 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? Although Peregrine Falcon was identified, the site is already fully developed as a parking lot and provides no wildlife habitat.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All stormwater is treated on site. No discharge beyond property line. All contained site.		
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"/>
DECinfo Locator, Spill Incidents Database and Environmental Site Remediation Database were searched and yielded no results.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Regan Development Corporation / Larry Regan</u> Date: <u>8/30/24</u>		
Signature: <u></u> Title: <u>President</u>		

Project: WHP 60 S. Kensico (BPL30)

Date: September 2024

**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"/>

Short Environmental Assessment Form Part 3 Determination of Significance

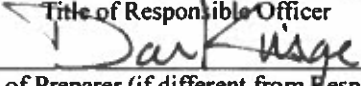
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify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

There will be minimal environmental impacts as the project is located on a site that has already been fully developed as a paved municipal parking lot and is completely surrounded by existing development, including multi-family residences, a school and a self-storage building.

There will be minimal community impacts since the parking lot is no longer being utilized by the municipality and the development consists of only 12 studio and one-bedroom apartments in a 3-story building with the required number of parking spaces on site.

Although the site has been identified as being within or adjacent to an area designated by SHPO as archaeologically sensitive, the entire neighborhood has already been heavily disturbed; as such, no further impacts on archaeological resources are anticipated.

The development will improve existing conditions by adding landscaping and an underground infiltration system that will help beautify and reduce stormwater runoff currently associated with the former parking lot.

<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
Malika Vanderberg	Clerk of the Board of Legislators
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
	

RESOLUTION

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester to acquire and convey real property for the purpose of constructing 12 affordable rental units at 60 South Kensico Avenue in the City of White Plains, that will affirmatively further fair housing and remain affordable for a period of not less than 50 years; and

WHEREAS, this Honorable Board has determined that the proposed real property acquisition and conveyance 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 conducting an uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; 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 real property acquisition and conveyance of 60 South Kensico Avenue in the City of White Plains in support of the construction 12 affordable rental units that will affirmatively further fair housing; 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.



Memorandum

**Department of Planning
432 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601**

TO: Honorable George Latimer
County Executive

FROM: Blanca P. Lopez
Commissioner

DATE: September 30, 2024

SUBJECT: Acquisition of Real Property – 60 South Kensico Avenue –City of White Plains

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 0.198 acres of real property located at 60 South Kensico Avenue in the City of White Plains, identified on the City tax maps as Section 126.53: Block 6; Lot: 18 (the “Property”) for the purpose of creating 12 affordable housing units (the “Affordable AFFH Units”), that will affirmatively further fair housing (“AFFH”). The development will also provide approximately 15 parking spaces for residents.

The County of Westchester (“the County”) intends to finance the purchase of the Property from the current owner in an amount not to exceed \$1,030,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Regan Development Corporation (the “Developer”), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to construct one new three-story building on the Property that will include a mix of affordable studios and one-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 60% of the area median income (collectively the “Development”).

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County’s efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning*

in Westchester County and Policies to Guide County Planning, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development is proposed to include green technology, such as an airtight envelope, energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. The Development is designed to meet the green building and sustainability standards of New York State Homes and Community Renewal (“NYS HCR”);
4. The Development is consistent with the land use policies and regulations of the City of White Plains; and
5. On July 2, 2024, the County Planning Board adopted a resolution to recommend County financing towards the purchase of the Property to support the Development.

BPL/lg

cc: Kenneth Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
John M. Nonna, County Attorney
Westchester County Planning Board

RESOLUTION 24- 24

WESTCHESTER COUNTY PLANNING BOARD

**New Homes Land Acquisition II
Capital Project Funding Request
60 South Kensico Avenue,
City of White Plains**

WHEREAS, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Regan Development Corporation (the "Developer"), its successors or assigns, desires to develop the real property located at 60 South Kensico Avenue in the City of White Plains (the "City"), identified on the tax maps as Section 126.53, Block 6, Lot: 18 (the "Property") to create 12 affordable residential units that will affirmatively further fair housing including one employee unit ("AFFH"; collectively the "Affordable AFFH Units") and approximately 15 parking spaces (collectively the "Development"). and

WHEREAS, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$1,030,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 50% and up to 60% of the Westchester County Area Median Income ("AMI"); and

WHEREAS, the County will transfer ownership of the Property to the Developer to construct a mix of studio and one bedroom units to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL30 NHLA II to add the Property, 60 South Kensico Avenue; City of White Plains, and authorize bonding in a not to exceed amount of \$1,030,000 to develop the Property; and

WHEREAS, the Development is subject to approvals by the City of White Plains; and

WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 - Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and


WHEREAS, the staff of the County Department of Planning have reviewed the proposal

and recommend the requested funding associated with acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$1,030,000 from BPL30 NHLA II for property acquisition; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2024 Capital Project requests to include 60 South Kensico Avenue in the City of White Plains, as a new component project in Capital Project BPL30 under the heading of Buildings, Land and Miscellaneous.

Adopted this 2nd day of July 2024.


Richard Hyman/Chair