

RESOLUTION 32 - 2023  
ACT 49 - 2023

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Harrison (the "Town") has requested, pursuant to the attached Resolution of the Town, that the Blind Brook Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 2481 Purchase Street, Block 641, Lot 3 (the "Parcel"), which Parcel is not currently connected to the County sewer system. This removal is requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities ("Feasibility Report") dated November 29, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0173% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the District facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District, and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators to alter or change the sewer districts. However, the Board

of Legislators may only alter or change the districts after a public hearing is held thereon by the Board of Legislators, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee notes that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, 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 proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: February 13, 2023

White Plains, New York

Cather Parker  
Nancy Barr  
Jedat Jochi  
J. H.  
James J. Zullo John  
J. H.

Cather Parker  
Nancy Barr  
J. H.  
J. H.

Cather Parker  
Nancy Barr  
J. H.  
James J. Zullo John

Budget & Appropriations

Public Works & Transportation

Environment,  
Energy & Climate

COMMITTEE ON

Dated: February 13, 2023  
White Plains, New York

*The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

**COMMITTEES ON**

**Budget & Appropriations**

**Public Works & Transportation**

**Environment, Energy & Climate**

*David Q. Iulio*

*Catherine Boy*

*David Q. Iulio*

*David Q. Iulio*

# FISCAL IMPACT STATEMENT

SUBJECT: 2481 Purchase Street, Blind Brook SSD, Harrison

NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ \_\_\_\_\_ -

Total Current Year Revenue \$ \_\_\_\_\_ -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: \_\_\_\_\_

Potential Related Operating Budget Expenses: Annual Amount \$ \_\_\_\_\_ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ \_\_\_\_\_ -

Describe: Parcel represents 0.0173% of the Full Equalized Value of the Blind Brook SSD

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: CJ Gelardo, P.E.

Title: Associate Engineer (Construcion)

Department: Environmental Facilities

Date: November 29, 2022

*ijs*  
Reviewed By: 

Budget Director

Date: 1/20/23

June 16, 2022

V - - 2022 - - 059

AUTHORIZATION TO REMOVE 2481 PURCHASE STREET (BLOCK 641, LOT 3)  
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Sciliano,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodeo, on behalf of homeowners, Mark and Elizabeth Altman, that their property identified as 2481 Purchase Street (Block 641, Lot 3) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

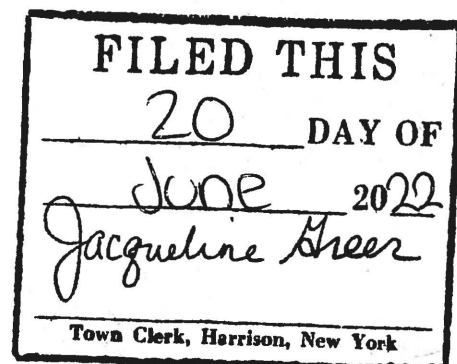
FURTHER RESOLVED to forward a copy of this Resolution to Westchester County Sewer District and the Engineering Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano  
Mayor Dionisio

NAYS: None

ABSENT: None



COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

November 29, 2022

FEASIBILITY REPORT  
IN THE MATTER OF

THE REMOVAL OF A CERTAIN PARCEL

IN THE

BLIND BROOK SANITARY SEWER DISTRICT

TOWN OF HARRISON



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Vincent F. Kopicki, P.E.  
Commissioner  
Environmental Facilities

The Town of Harrison has petitioned that one (1) property currently included in the Blind Brook Sanitary Sewer District be removed from the Blind Brook Sewer District.

**A.** The identification of the parcel presently within the Blind Brook Sanitary Sewer District and to be removed is contained on the attached Town Resolution of the Town of Harrison, Request for Removal from the Blind Brook Sanitary Sewer District as prepared by the Harrison Town Clerk. The Town of Harrison is petitioning to remove said parcel from the Blind Brook Sewer District. This parcel is known as 2481 Purchase Street (Block 641, Lot 3).

**B. EFFECT ON SEWER DISTRICT TAX RATE:**

Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuation in the 2022 levy pertinent to the subject parcel:

Full Value of Blind Brook District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Harrison	\$ 32,050,764	1.42%	\$2,257,096,056
North Castle	\$ 3,934,234	2.24%	\$ 175,635,446
Rye (City)	\$ 142,641,293	1.66%	\$8,592,848,976
Rye Town	\$ 3,194,744,197	100.0%	\$3,194,744,197

TOTAL: \$14,220,324,675

(TOWN OF Harrison) Total Value Removed: (-2,461,268)

TOTAL FULL VALUE OF DISTRICT AS AMENDED: \$14,217,863,407\*

\*Represents a 0.0173% decrease in the FEV of the District



C. Summary and Recommendations

The proposal to remove a certain parcel in the Blind Brook Sanitary Sewer Districts is feasible because:

1. The proposed change was requested by the Town of Harrison.
2. The subject change requires no engineering modifications to the district facilities and there is no impact on the County facilities because this parcel was never connected to the sewerage system.
3. The subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town of Harrison.
4. The subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities.
5. The subject parcel once removed from the district will be required to petition the County to re-enter the district. The County is not obligated to reserve any capacity for this parcel once it has been removed.
6. The subject parcel were reviewed by the Westchester County Health Department.

**RESOLUTION NO. 2023 - 32**

**WHEREAS**, there is pending before this Honorable Board an Act to authorize the County to modify the Blind Brook Sanitary Sewer District (the “District”) by removing one (1) parcel of property located in the Town of Harrison, which parcel is not currently connected to the County sewer system; and

**WHEREAS**, this Honorable Board has determined that the proposed removal would constitute an action under Article 8 of the Environmental Conservation Law, known as the 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 for this action 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 adverse 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 this Honorable Board’s review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of this one (1) parcel of property from the Blind Brook Sanitary Sewer District; and be it further

**RESOLVED**, 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 and made a part hereof, as responsible officer in Lead Agency; to issue this “Negative Declaration” on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Acting 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 this Resolution shall take effect immediately.

TO: Vincent Kopicki, P.E., Commissioner  
Department of Environmental Facilities

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



DATE: January 13, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR MODIFICATION  
OF THE BLIND BOOK SANITARY SEWER DISTRICT TO REMOVE  
1 PARCEL – 2481 PURCHASE STREET IN TOWN OF HARRISON**

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In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of one parcel, located at 2481 Purchase Street in the Town of Harrison, from the County's Blind Brook Sanitary Sewer District has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding these documents.

DSK/cnm  
Att.

cc: Joan McDonald, Director of Operations  
Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner  
Marian Pompa, Director of Maintenance, Dept. of Environmental Facilities  
C.J. Gelardo, Associate Engineer, Dept. of Environmental Facilities  
Jeffrey Goldman, Senior Assistant County Attorney  
Claudia Maxwell, Associate Environmental Planner

617.20  
**Appendix B**  
**Short Environmental Assessment Form**

**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: Removal of 1 Parcel from Blind Brook Sanitary Sewer District			
Project Location (describe, and attach a location map): 2481 Purchase Street (Block 641, Lot 3), Purchase (Town of Harrison), Westchester County, New York			
Brief Description of Proposed Action: Removal of one parcel from the Blind Brook Sanitary Sewer District. At the request of the property owner, the Town of Harrison has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel was never connected to the sewerage system and the Town has no plans to extend local sewers to service this area. The parcel is 3.48 acres in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.			
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"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

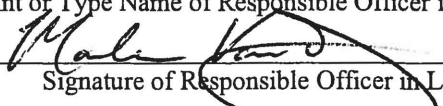
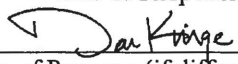




	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

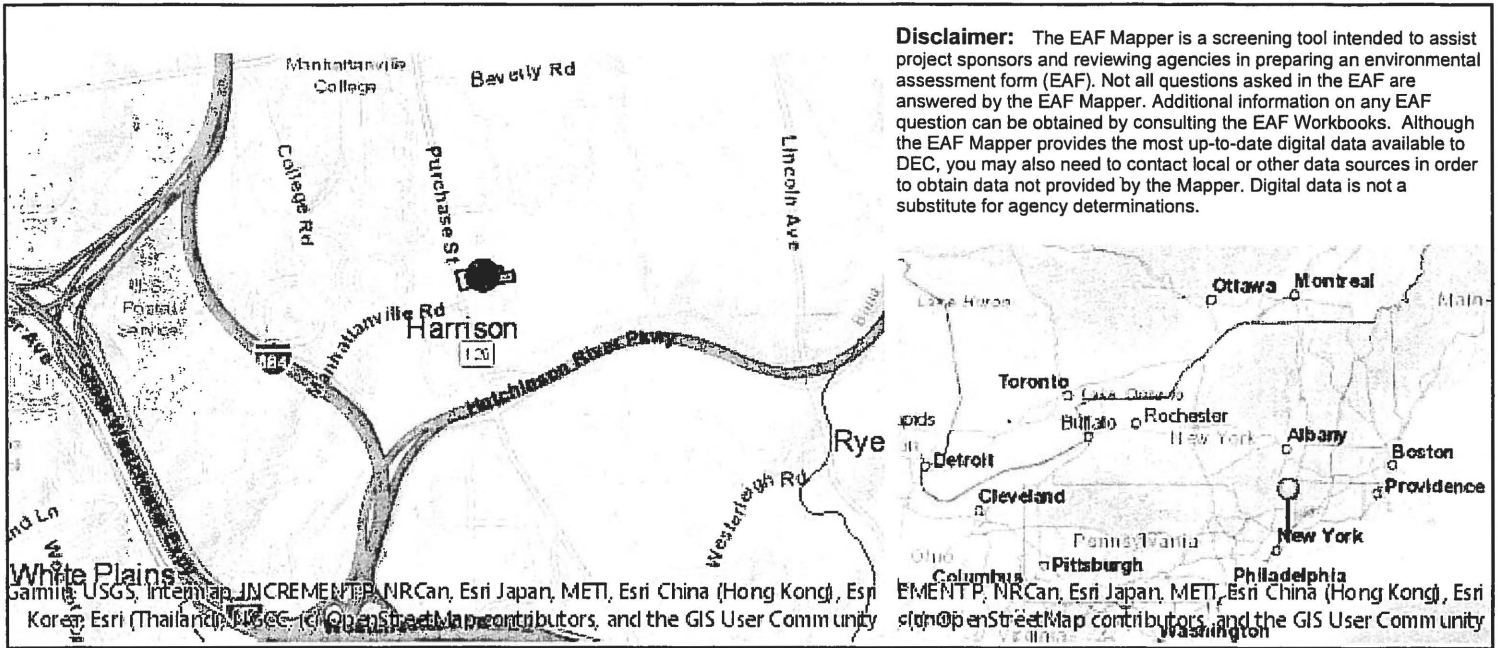
**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant 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 proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is already developed with a residence that is served by a functioning on-site septic system. The Health Department has no record of septic problems or failures occurring at this site within the past five years, which may otherwise warrant inclusion in the district. Additionally, the property is located in the Town's R-2 residential zoning district; as such, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 800 feet away. The Town does not have any plans to extend its local sewer lines to serve this property. Since the property was never connected to the sewer system, its removal from the district will have no physical impact on the County's sewer infrastructure.

<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	<u>12/21/23</u>
Name of Lead Agency	Date
Malika Vanderberg	Clerk and Chief Administrator 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)

**PRINT**





Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Airport 60 Ldn Noise Contour, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
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

**ACT NO. 2023 - 49**

**AN ACT to Modify the Blind Brook Sanitary Sewer District by the Removal of One (1) Parcel of Property located in the Town of Harrison.**

**BE IT ENACTED** by the County Board of Legislators of the County of Westchester as follows:

Section 1. The property located in the Town of Harrison, more particularly described as 2481 Purchase Street, Block 641, Lot 3 (the "Parcel"), is hereby removed from the Blind Brook Sanitary Sewer District (the "District").

§2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

§3. This Act, and the assessment area of the District as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the roll on which said tax is levied.

§4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

§5. This Act shall take effect immediately.

STATE OF NEW YORK            )  
  ) ss.  
COUNTY OF WESTCHESTER    )

**I HEREBY CERTIFY** that I have compared the foregoing Resolution No. 32 - 2023, and Act No. 49 - 2023, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Resolution, and Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on March 20, 2023, and approved by the County Executive on March 21, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22<sup>nd</sup> day of March, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

