

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act, which, if adopted by your Honorable Board, will authorize the County of Westchester (the "County") to convey certain County-owned real property consisting of approximately 1.859 acres located on Saw Mill River Road, in the Town of Mount Pleasant, New York and designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant (the "Property") to the Town of Mount Pleasant (the "Town").

The conveyance would be in consideration of Ten (\$10.00) Dollar and subject to the following:

- (i) the Town using the Property for public commuter parking purposes and other public parking purposes or for floodplain restoration as described below,
- (ii) the Town conveying to the County a free, permanent and perpetual 15-foot wide sewer easement on, over, in and through the Property for the County trunk sewer (the "Sewer Easement"), and
- (iii) the Town conveying a perpetual access easement over the Town-owned parcel adjacent to the Property known as Residual Parcel C, which the Town acquired through an indenture, dated April 11, 1967, recorded October 20, 1967 at Liber 6740 page 464 in the Office of the Westchester County Clerk (the "Adjacent Town Parcel"). The Property is landlocked, and the access easement through the Adjacent Town Parcel is necessary to provide the County access to the Property ("Access Easement").

The County acquired the Property for the construction of the Saw Mill River parkway by an indenture, dated April 8, 1925 and recorded in Liber 2564 at page 189 in the Office of the Westchester County Clerk, which indenture was corrected by an indenture, dated October 11, 1927,

and recorded in Liber 2811 at page 189 in the Office of the Westchester County Clerk (the "1927 Indenture"). The Property was part of Parcel No. 1 of Sheet No. 27 in the 1927 Indenture as shown on Map 3919 filed in the Office of the Westchester County Clerk on November 5, 1932.

In 1960, the East Hudson Parkway Authority was established to take over the Westchester County Parkway System pursuant to Chapter 649 of the Laws of 1960. In February 1961, the County entered into "a certain instrument in writing to carry out the intents and purposes of Chapter 649 of the Laws of 1960, and did by said instrument grant and release unto the [People of the State of New York] certain lands and premises" comprising the Westchester County Parkway System consisting of the Hutchinson River Parkway, Saw Mill River Parkway and Cross County Parkway (the "1961 Agreement").

The 1961 Agreement was never recorded, however, so in 1968 the County and the People of the State of New York (the "State") executed an indenture, dated April 17, 1968 (the "1968 Indenture") recorded in the Office of the Westchester County Clerk in Liber 6775 at page 198, documenting the transfer of lands comprising the Saw Mill River Parkway to the East Hudson Parkway Authority. Through the 1968 Indenture, the County conveyed the Property to the People of the State of New York as part of Plot No. 54 on Map Sheet No. 29 filed as Map Number 14263 in the Office of the Westchester County Clerk.

The County was advised by the State that for a number of years the State had allowed the Town to operate a commuter parking lot for the Hawthorne Train Station on the Property. The State was interested in conveying the Property to the Town, however, because the County trunk sewer runs

through a portion of the Property, the State instead conveyed the Property to the County so that the County could convey the Property to the Town for public commuter parking purposes and other public parking purposes and simultaneously reserve an easement right for the County trunk sewer. Thereafter, the State conveyed the Property to the County through an indenture, dated February 15, 2024, and recorded on April 4, 2024 at Control No. 631843355 in the Office of the Westchester County Clerk.

The County now wishes to convey the Property to the Town through a Bargain and Sale Deed without Covenants against Grantor's Acts subject to the Town using the Property for public commuter parking purposes and other public parking purposes through the insertion of the following reverter clause in the Bargain and Sale Deed:

That the part of the second part [Town] shall use the said premises solely and exclusively for public commuter parking purposes and other public parking purposes or to introduce vegetation and other natural features that may alter or remove the existing parking lot as part of any action to contribute to floodplain restoration, and same shall not be conveyed, transferred, or assigned by the party of the second part without the consent of the party of the first part. In the event that the premises so conveyed are put to another use than herein mentioned or conveyed, transferred, or assigned by the party of the second part without the consent of the party of the first part, then the land hereby conveyed and any and all improvements thereon or thereto shall revert to the party of the first part herein or its successors, and all right, title and interest of the party of the second part shall be forfeited and the title to said premises shall revert to the party of the first part or its successors without the necessity of re-entry by the party of the first part, hereby creating as to said premises a determinable fee, to be terminated upon breach of the conditions herein set forth.

The County's conveyance to the Town will be also subject to Town Sewer Easement and Access Easement described above.

According to County Director of Real Estate, the County has no plans to utilize this Property for any County purpose.

In accordance with LWC Section 191.41, the Commissioner of Planning has provided a report recommending the disposition of the real property. A copy of the Commissioner's Report is attached hereto for your consideration.

The Department of Planning has advised your Committee that based on its review, the conveyance of approximately 1.859 acres of County-owned real property located on Saw Mill River Road, in the Town of Mount Pleasant, New York and designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant (the "Property") to the Town of Mount Pleasant (the "Town") may be classified as an "Unlisted" action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQRA"). A Resolution, along with a Short Environmental Assessment Form ("EAF"), prepared by the Department of Planning, are attached to assist your Honorable Board in complying with SEQRA. 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 and accordingly recommends passage of the annexed Resolution prior to enacting the Act authorizing the conveyance of the Property.

Your Committee has been advised that, pursuant to LWC Section 104.11(2), an affirmative two-thirds vote of all the members of your Honorable Board is required to adopt the annexed Act.

Your Committee has carefully considered this matter and recommends favorable action upon the proposed legislation.

Dated: October 15th, 2025
White Plains, New York

Henry Williams John

MJL

Willie

and Ann

James Ben

Willie

Henry Williams John
and Ann

COMMITTEE ON

C/ran

Budget & Appropriations

Housing & Planning

FISCAL IMPACT STATEMENT

SUBJECT: Conveyance of SMR Road Parcel

☒ 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 0

Describe: Conveyance of SMR Road Parcel(1.859 acres) to Town of Mt Pleasant, subject to the Town using the property for public commuter parking purposes and other public parking purposes and subject to the Town conveying to the County a sewer easement and access easement.

Potential Related Operating Budget Revenues:

Annual Amount 0

Describe: _____

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

Current Year: _____

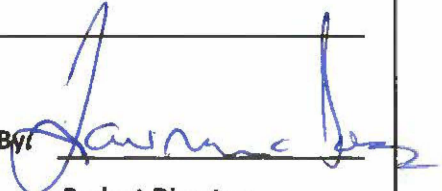
Next Four Years: _____

Prepared by: Ugochukwu Chibuikem

Title: Asst. Budget Analyst

Department: Budget

Date: September 29, 2025

Reviewed By: 

Budget Director

Date: 9/30/25

RESOLUTION

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester to convey certain County-owned real property consisting of approximately 1.859 acres located on Saw Mill River Road, in the Town of Mount Pleasant, New York and designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant (the "Property") to the Town of Mount Pleasant (the "Town"); and

WHEREAS, this Honorable Board has determined that the proposed 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 conveyance 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 uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations for the environmental review of this project; 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 conveyance of certain County-owned real property consisting of approximately 1.859 acres located on Saw Mill River Road, in the Town of Mount Pleasant, New York and designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant (the "Property") to the Town of Mount Pleasant (the "Town"); 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.

TO: Rachel Noe, Associate County Attorney

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



DATE: September 4, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR LAND TRANSFER –
BROADWAY COMMUTER PARKING LOT, TOWN OF MOUNT
PLEASANT**

The Planning Department has reviewed the above referenced action in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, this project is an Unlisted action. The Department of Planning has prepared the attached Short Environmental Assessment Form for the project on behalf of the Board of Legislators, with uncoordinated review as permitted by SEQR.

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

Att.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Claudia Maxwell, Principal Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

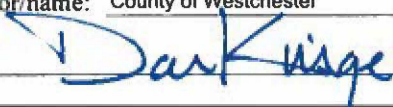
Instructions for Completing

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.

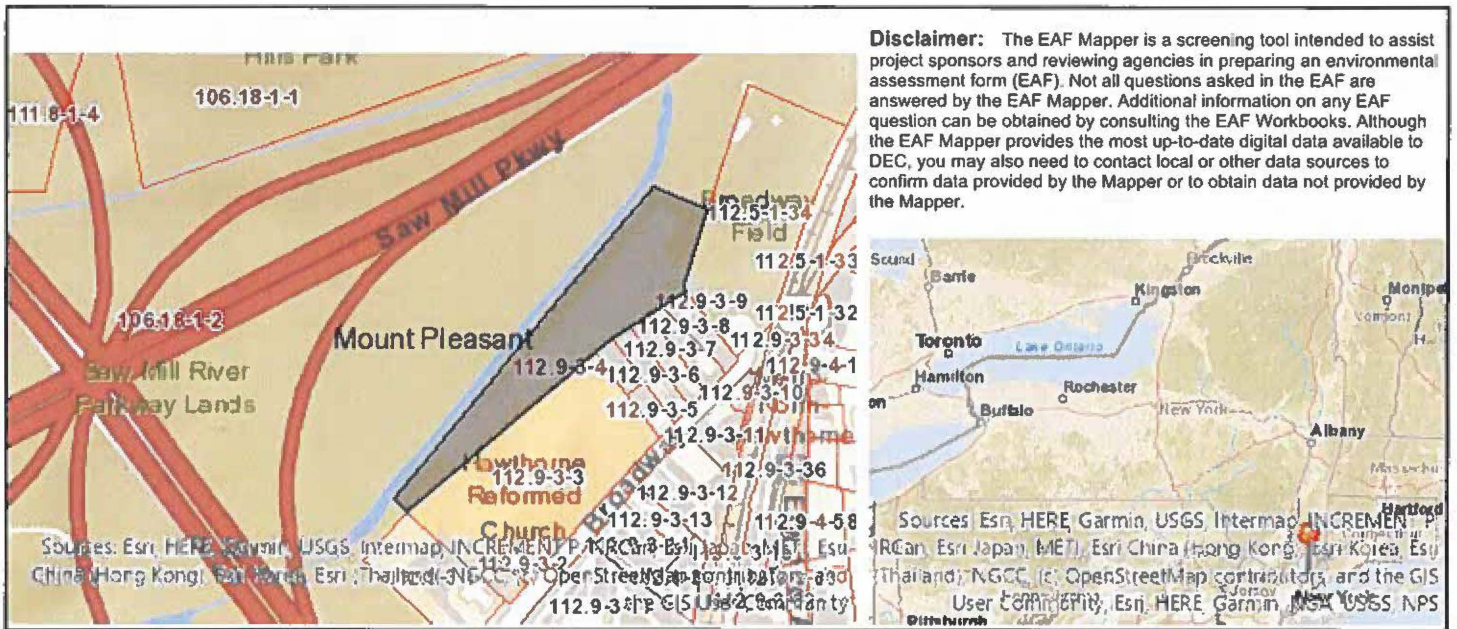
Part 1 – Project and Sponsor Information			
Name of Action or Project: Boradway Field Parking Lot Land Transfer			
Project Location (describe, and attach a location map): Broadway, Hawthorne, Town of Mount Pleasant			
Brief Description of Proposed Action: The County will convey an approximately 1.9-acre portion of a parcel (Tax ID 106.18-1-2) located adjacent to the Saw Mill River and Saw Mill River Parkway to the Town of Mount Pleasant for its continued use as a commuter parking lot or for future floodplain restoration and other flood mitigation purposes. The County will retain an easement over a portion of the property and gain an easement over additional property in order to access and maintain a County-owned sanitary sewer line. The property was originally owned by the County of Westchester and conveyed to the State of New York for the construction of the Saw Mill River Parkway. The property is located in proximity to the Hawthorne Train Station, and the state permitted the Town of Mount Pleasant to operate a commuter parking lot on the parcel for many decades through the issuance of various use & occupancy permits. Pursuant to New York State Transportation Law §71(7), the property reverted to the County from the State in 2024. The County now wishes to convey the parcel to the Town for continued use as a public commuter parking lot subject to certain conditions.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail:	
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?		NO	YES
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.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Town Board, Town of Mount Pleasant (agreement to receive parcel)		☐	☒
3. a. Total acreage of the site of the proposed action?		+/- 1.9 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?		+/-166 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☒ Aquatic ☒ Other(Specify): Transportation ☒ 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 ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Reason: Exceptional or unique character, Agency: Westchester County, Date: 1-31-90 If Yes, identify: _____	NO ☐	YES ☒	
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 ☐ ☒ ☒	
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: _____ _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☒	YES ☐	
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 ☒ ☐	
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 ☒ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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: _____ _____		
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
	☒	☐
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
	☒	☐
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
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>September 4, 2025</u> Signature: <u></u> Title: <u>Assistant Commissioner of Planning</u>		

EAf Mapper Summary Report

Thursday, September 4, 2025 1:13 PM



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	, 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]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the 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

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?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
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?	☒	☐
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?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

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 action involves the conveyance of a certain County-owned real property consisting of approximately 1.9 acres located on Saw Mill River Road in the Town of Mount Pleasant, New York. The approximately 1.9-acre area to be conveyed is designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant.

The site is located adjacent to the Taconic State Parkway, which includes elements that are on the National Register of Historic Places. The closest historic features to the subject parcel are two bridges which span over the Saw Mill River Parkway. They are identified as BIN 5502091 and 5502092 respectively and are over 500 feet from the proposed action. Furthermore, the action only involves conveyance of a property and does not include any physical disturbance. As such, the project will not adversely impact the closest identified features' historic character or the community's historic character.

Graham Hills Park is a designated Critical Environmental Area located nearby. All County park lands were designated Critical Environmental Areas as they possess recreational, educational, social, cultural and ecological values for residents and visitors. The action will not impact the values provided by Graham Hills Park as no physical alterations are proposed.

The project site is located within the 100-year floodplain. No floodplain impacts are anticipated as the conveyed portion will continue its use as a commuter parking lot. In addition, no physical disturbance is proposed in association with the action. As such, existing stormwater flow patterns or amounts will not change as a result of the action.

☐ 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.	
☒ 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
Sunday Vanderburg	Clerk to 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)



Kenneth W. Jenkins, County Executive
Blanca P. Lopez, Commissioner
Department of Planning

Memorandum
Department of Planning

TO: Honorable Kenneth W. Jenkins
County Executive

FROM: Blanca P. Lopez, M.S.
Commissioner 

DATE: August 1, 2025

SUBJECT: Disposition of real property on Saw Mill River Road, Town of Mount Pleasant

Pursuant to Section 191.41 of the County Charter, submitted is the required report of the Commissioner of Planning on the proposed disposition of real property on Saw Mill River Road, owned by Westchester County, currently identified as part of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps of the Town of Mount Pleasant.

The County originally acquired the property for the construction of the Saw Mill River Parkway. The County then conveyed the property to the State of New York and the State permitted the Town to operate a commuter parking lot for the Hawthorne Train Station on the property through the issuance of various use and occupancy permits. The State then conveyed the property to the County pursuant to an Indenture, dated February 15, 2024. The property was never used for the purpose of the construction of a parkway.

The County's conveyance to the Town would be subject to the Town conveying to the County a free, permanent and perpetual 15-foot-wide sewer easement on, over, in and through the property for the County trunk sewer located through the property, and the Town conveying a perpetual access easement over the Town-owned parcel adjacent to the property known as Residual Parcel C, which the Town acquired through an indenture, dated April 11, 1967, recorded October 20, 1967 at Liber 6740 page 464 in the Office of the Westchester County Clerk.

Based on this record, I recommend the disposition of this property owned by Westchester County.

cc: John Nonna, County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Rachel Noe, Associate County Attorney
Christopher Steers, Director of Real Estate
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner