

PROPOSED ORDINANCE NO. 76 - 2019

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE GRANT OF AN ENVIRONMENTAL EASEMENT TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION OVER PARCELS OF COUNTY-OWNED REAL PROPERTY SITUATED IN UNIONDALE , TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID REAL PROPERTY KNOWN AS SECTION 44, BLOCK F, PART OF LOT 338 AND SECTION 44, BLOCK 56, PARTS OF LOTS 20, 21, 22, 23 AND 24 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU (HEREINAFTER THE “PREMISES”), AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN ENVIRONMENTAL EASEMENT AGREEMENT AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO GRANT SUCH ENVIRONMENTAL EASEMENT.

WHEREAS, the County of Nassau did heretofore acquire title to the above-described Premises;

WHEREAS, the County of Nassau (the “Grantor”) desires to grant to The People of the State of New York (the “Grantee”), acting through their Commissioner of the Department of Environmental Conservation (the “NYSDEC”) a permanent environmental easement (the “Environmental Easement”) in, on, over, under, and upon the Premises pursuant to Article 71 Title 36 of the New York State Environmental Conservation Law;

WHEREAS, the County has no objection to the grant of the Environmental Easement in, on, over, under, and upon the Premises, subject to the mutual covenants, terms and conditions contained in the Environmental Easement and the terms and conditions of the Order on Consent Index Number: HW.130014.1985-01-01; and

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the grant of the Environmental Easement over the Premises, and determined that it is an “Unlisted Action” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the Environmental Assessment Form (“EAF”) for the proposed action and recommends that the Legislature upon its review of the (“EAF”) and any supporting documentation, if any, determine that the evidence before it indicates that the proposed action will have no significant environmental impact and does not require further environmental review; and

WHEREAS, the Nassau County Planning Commission, acting in an advisory capacity to the Nassau County Legislature, passed a resolution regarding the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

SECTION 1. That the County Executive be and is hereby authorized to grant the Environmental Easement in, on, over, under, and upon the Premises pursuant to Article 71 Title 36 of the New York State Environmental Conservation Law, which Premises is more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the Uniondale (Garden City Zip Code), Town of Hempstead, County of Nassau, State of New York, known and designated as Section 44 Block F Part of Lot 338 and Section 44 Block 56 Parts of Lots 20, 21, 22, 23 and 24 on the Land and Tax Map of the County of Nassau as more fully bounded and described in Schedule A attached hereto

subject to the mutual covenants, terms and conditions contained in the Environmental Easement and the terms and conditions of the Order on Consent Index Number: HW.130014.1985-01-01.

SECTION 2. That the County Executive be and he is hereby authorized to execute, on behalf of the County of Nassau, the Environmental Easement.

SECTION 3. That the County Executive is hereby authorized to execute any and all ancillary documents necessary to carry out the purposes of the Environmental Easement.

SECTION 4. That it is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed grant of the Environmental Easement over the Premises, has been determined not to have a significant effect on the environment and no further review is required for the reasons set forth in the attached Determination of Non-Significance.

SECTION 5. This Ordinance shall take effect immediately.