

ORDINANCE NO. 66-A- 2020

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN EASEMENT AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH BETWEEN THE COUNTY OF NASSAU AND THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC, FOR CERTAIN PREMISES BEING NASSAU COUNTY STORM WATER BASIN NUMBER 213 KNOWN AND DESIGNATED AS SECTION 51, BLOCK 465, LOT 15, NASSAU COUNTY STORM WATER BASIN NUMBER 210 KNOWN AND DESIGNATED AS SECTION 52 BLOCK 440 LOT 7, NASSAU COUNTY STORM WATER BASIN NUMBER 477 KNOWN AND DESIGNATED AS SECTION 52 BLOCK 376 LOT 60, ALONG AN AREA OF THE RIGHT OF WAY AT UNION AVENUE AND SEAMANS NECK ROAD 6' WIDE BY 4200' TOTALING 25,200 SQUARE FEET, AND ALONG AN AREA OF THE RIGHT OF WAY AT STEWART AVENUE AND THE BOUNDARY AVENUE TIE-IN 6' WIDE BY 50' TOTALING 300 SQUARE FEET, COUNTY OF NASSAU, NEW YORK

WHEREAS, the United State of America, acting by and through the Naval Facilities Engineering Command, Mid-Atlantic, has requested a Grant of Easement (the

“Easement”) over certain premises to construct, install, operate, maintain through repair and/or replacement of temporary and permanent treatment system components, including but not limited to creation of a laydown area, wells, piping, a clean water discharge location(s) and all related equipment to perform environmental remedial actions, said premises being Nassau County Basin Number 213 known and designated as Section 51, Block 465, Lot 15 on the Land and Tax Map of the County of Nassau, Nassau County Storm Water Basin Number 210 known and designated as Section 52 Block 440 Lot 7 on the Land and Tax Map of the County of Nassau, Nassau County Storm Water Basin #477 known and designated as Section 52, Block 376, Lot 60 on the Land and Tax Map of the County of Nassau, along an area of the right of way at Union Avenue and Seamans Neck Road 6' Wide by 4200' totaling 25,200 Square Feet and an area along the right of way at Stewart Avenue and the Boundary Avenue Tie-in 6' Wide by 50' totaling 300 Square Feet, County of Nassau, New York, as more particularly shown and described in the Easement and Exhibit A (the “Premises”); and

WHEREAS, the County of Nassau did heretofore acquire title to the above-described Premises; 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 Easement as to 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 determine, upon review of the EAF and any supporting documentation, 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 or resolutions regarding the proposed action, a copy of such resolution or resolutions being attached hereto as

Exhibit 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 she is hereby authorized to execute and grant the Easement over the Premises, which Premises are more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the County of Nassau, State of New York, known and designated as Section 51, Block 465, Lot 15 on the Land and Tax Map of the County of Nassau, Section 52 Block 440 Lot 7 on the Land and Tax Map of the County of Nassau, Section 52, Block 376, Lot 60 on the Land and Tax Map of the County of Nassau, and two areas of the right of way along Union Avenue and Seamans Neck Road 6' Wide by 4200' totaling 25,200 Square Feet and along Stewart Avenue and the Boundary Avenue Tie-in 6' Wide by 50' totaling 300 Square Feet, County of Nassau, New York, as more fully bounded and described in the Easement and Exhibit A attached hereto

subject to all of the terms and conditions as outlined in the Easement.

SECTION 2. That the County Executive is hereby authorized to execute any and all ancillary documents necessary to carry out the purposes of the Easement.

SECTION 3. 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 Easement as to 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 4. This Ordinance shall take effect immediately.