

PROPOSED ORDINANCE NO. 28 - 2022

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 A RELEASE OF AN APPROXIMATELY TWENTY (20) FOOT EASEMENT RESERVED FOR HIGHWAY PURPOSES SITUATED IN PORT WASHINGTON, TOWN OF NORTH HEMPSTEAD, COUNTY OF NASSAU, NEW YORK

WHEREAS, the County of Nassau had previously acquired an easement for highway purposes upon a portion of property known as Section 5 Block 435 Lot 126 on the Land and Tax Map of Nassau County; and

WHEREAS, Montauk 3 L.L.C., the current owner of the property has requested that the Easement acquired by the County of Nassau for highway purposes and located in Port Washington, Town of North Hempstead, County of Nassau, New York, described in Schedule A attached hereto and made a part hereof be released;

WHEREAS, the County has determined that said Easement is no longer needed for highway purposes;

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 release by the County of Nassau of the Easement (the “Action”) 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, determined 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 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:

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SECTION 1. That the County Executive be, and she is hereby authorized to execute on behalf of the County of Nassau, the Release of Easement, ("Release") subject to all the terms and conditions as contained in said Release.

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

SECTION 3. 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 Release of Easement 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.

