

PROPOSED ORDINANCE NO. 27 - 2023

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO EXECUTE AN AGREEMENT OF LEASE BY AND BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND LVS NY HOLDCO 2, LLC, AS TENANT, IN CONNECTION WITH THE LEASING OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 351, 411, 412 AND 415, ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE.

WHEREAS, the County of Nassau (the “County”) has negotiated that certain Lease (the “Lease”) with LVS NY HOLDCO 2, LLC, a copy of which is on file with the Clerk of the County Legislature, relative to the County’s leasing of certain land and the improvements thereon (the “Premises”) consisting of the Nassau Veterans Memorial Coliseum and the approximately 72 acre Coliseum site known and designated on the Nassau County Land and Tax Map as Section 44, Block F, Lots 351, 411, 412 and 415;

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 leasing of the subject property, and recommends that the action be identified as a “Type 1” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the full 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 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 for 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, and

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

1. That the County Executive be and he is hereby authorized to execute on behalf of the County of Nassau the Lease, subject to all the terms and conditions as contained in said Lease, and to execute any and all other instruments and to take such other action as is necessary, to effectuate the terms of such Lease and carry out the purposes of the Lease.

2. 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 execution of the proposed Lease of the subject property has been determined to be a “Type I” pursuant to SEQRA and based on the EAF and the supporting documentation 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.

3. This ordinance shall take effect immediately.