

**110117**

DATE: 12/10/2024

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution determining that that there will be no significant impact on the environment in connection with the County of Westchester entering into a loan agreement with the 438 Main Development LLC, its successors and/or assigns, whereby the County will loan an amount not to exceed \$9,200,000 from the Westchester County Housing Flex Fund Program to be used towards the construction of an affordable housing development that will affirmatively further fair housing with 114 units that will be reserved for eligible senior households aged 62 and over with incomes at or below 65% of AMI to be located at 438 Main Street in the City of New Rochelle.

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There is currently pending before your Honorable Board a resolution to authorize the County of Westchester (the "County"), acting by and through the Department of Planning (the "Planning Department"), to enter into a loan agreement with the 438 Main Development LLC, its successors and/or assigns, whereby the County will loan an amount not to exceed \$9,200,000 from the Westchester County Housing Flex Fund Program (the "Project").

The Project was determined to be an Unlisted action under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations 6 NYCRR Part 617, which requires an assessment of potential environmental impacts prior to any action by your Honorable Board in order to authorize the County to enter into the loan agreement.

The Project is part of a larger project that was reviewed by the City of New Rochelle Planning Board (the "City Planning Board"), which conducted an environmental review and adopted a Negative Declaration on November 22, 2022. The City Planning Board, however, did not undertake coordinated review or otherwise include the County as an involved agency in connection with SEQRA.

Therefore, to assist your Honorable Board in complying with the requirements of SEQRA, transmitted herewith is a Full Environmental Assessment Form ("EAF"), which was completed by the City Planning Board, along with a draft EAF containing the original Part 1, but a draft Part 2 and Part 3 for the consideration by your Board. Your Honorable

Board should carefully consider the proposed loan agreement and review the attached draft EAF and the criteria contained in Section 617.7 of 6 NYCRR Part 617 to identify the relevant areas of environmental concern.

Once you have thoroughly analyzed the relevant areas of concern, you must determine if the proposed action may have a significant impact on the environment. For the reasons set forth in the attached draft EAF, the Planning Department analysis concludes that the proposed action will not have any significant adverse impact on the environment. A resolution in support of this determination of significance is submitted for your review and consideration. Your Honorable Board may utilize the professional advice and assistance of the Planning Department in making your required determination under the applicable SEQRA regulations.

BPL/dsk/cnm/lac  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/12/2024 - RAYMOND SCULNY, SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of Planning,

**WHEREAS**, there is pending before this Board a Resolution to authorize the County of Westchester (the "County") to enter into a loan agreement with the 438 Main Development LLC, its successors and/or assigns, whereby the County will loan an amount not to exceed \$9,200,000 from the Westchester County Housing Flex Fund Program to be used towards the construction of an affordable housing development that will affirmatively further fair housing with 114 units that will be reserved for eligible senior households aged 62 and over with incomes at or below 65% of AMI to be located at 438 Main Street in the City of New Rochelle (the "Project"); and

**WHEREAS**, this Board has determined that the proposed action to enter into a loan agreement by the County would constitute an action under Article 8 of the New York Environmental Conservation Law, known as the State Environmental Quality Review Act ("SEQRA"), requiring this Board to comply with the regulations promulgated pursuant to SEQRA; and

**WHEREAS**, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this Project is classified as an "Unlisted action," which requires this Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

**WHEREAS**, the County is conducting uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

**WHEREAS**, in accordance with SEQRA and its implementing regulations, a Full Environmental Assessment Form ("EAF") has been prepared to assist this Board in its environmental assessment of this proposed action; and

**WHEREAS**, this Board has carefully considered the proposed action and has reviewed the attached EAF and the criteria contained in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified the relevant areas of environmental concern as described in the attached EAF to determine if the proposed action will have a significant impact upon the environment.

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Board of Acquisition and Contract of the County of Westchester, State of New York ("Board of Acquisition and Contract" or "Board"), that based upon this Board's review of the EAF and for the reasons set forth therein, it is determined that there will be no significant adverse impact on the environment from the proposed action as described above; and be it further

**RESOLVED**, that the Secretary of the Board of Acquisition and Contract is authorized and directed to sign the Determination of Significance in the attached EAF, which is made a part hereof, as responsible officer in Lead Agency, to issue this "Negative

Declaration” on behalf of this Board pursuant to Article 8 of the New York Environmental Conservation Law 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 this Resolution shall take effect immediately.

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/12/2024 - RAYMOND SCULKY, SECRETARY