Councilman D’Esposito offered the following resolution and moved its adoption:

RESOLUTION ADOPTING A FINAL SCOPE IN ACCORDANCE WITH THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR PROPOSED AMENDMENTS TO THE TOWN OF HEMPSTEAD ZONING ORDINANCE CREATING THE BALDWIN MIXED-USE OVERLAY DISTRICT

WHEREAS, in August 2018, the Town Board accepted the Baldwin Downtown and Commercial Corridor Resiliency (DCCR) Study, which was the culmination of a comprehensive planning effort that reviewed existing economic and physical conditions along the corridor and outlined a series of strategies and projects that would address critical issues and contribute to a more resilient, safe, and sustainable future for the Baldwin community; and

WHEREAS, a key recommendation of the DCCR Study was the creation of a new overlay district along the corridor that would encourage the development of a walkable, compact and transit-oriented downtown with a mix of residential, retail and commercial uses supported by enhanced infrastructure; and

WHEREAS, the subject property is situated in Baldwin in the unincorporated area of the Town of Hempstead, and is made up of approximately 87 acres along the Grand Ave. corridor consisting of 185 individual tax lots, with approximate boundaries of the corridor being Florence Street and Milburn Avenue to the north, and Merrick Road between Gale Avenue and Park Avenue to the south; and between Chestnut Street/Rockwood Avenue to the west, and Milburn Avenue to the east, and includes the Baldwin Long Island Railroad (LIRR) station at Grand Avenue and Sunrise Highway; and

WHEREAS, the Town Board is considering, in consultation with VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. ("VHB") and Vision Long Island, a Baldwin Mixed-Use Overlay District ("the Proposed Action"), with accompanying Design Guidelines, for the Grand Avenue corridor in the hamlet of Baldwin to facilitate private investment and economic development by leveraging the area’s proximity to public transportation and promoting mixed-use transit-oriented development around the Baldwin LIRR station; and

WHEREAS, the Town Board, in consultation with VHB and Vision Long Island, has developed a draft zoning ordinance known as the Baldwin Mixed-Use Overlay District ("the Proposed Action"), with accompanying Design Guidelines, for the Grand Avenue corridor in the hamlet of Baldwin; and

WHEREAS, pursuant to NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), the Town Board seeks to conduct an environmental review of this project; and

WHEREAS, the Town Board has preliminarily identified the Proposed Action as a Type I Action in accordance with SEQRA; and

WHEREAS, pursuant to 6 NYCRR 617.6(b)(2)(i), for Type I actions involving more than one agency, a lead agency must be established prior to a determination of significance; and

WHEREAS, 6 NYCRR 617.6(b)(3)(i) requires that when an agency proposes to approve a Type I action undergoing coordinated review with other agencies, it must, as soon as possible, transmit Part I of the Environmental Assessment Form (EAF)
completed by the project sponsor and a copy of any applications it has received to all involved agencies and notify them that a lead agency must be agreed upon within 30 calendar days of the date the EAF was transmitted to them; and

WHEREAS, the Town Board declared its intent to be lead agency on March 8, 2019 and followed the above mentioned procedure, received no objection from the other involved agencies during the ensuing 30-day period; and

WHEREAS, the Town Board has caused to be prepared Parts 1, 2, and 3 of a Full Environmental Assessment Form of the EAF (collectively "the EAF") to analyze and evaluate potential significant adverse environmental impacts associated with the proposed action, as described above, and has reviewed the aforesaid EAF and agrees with the contents therein; and

WHEREAS, the Town Board has compared the potential impacts of the proposed action, as set forth in Parts 2 and 3 of the EAF, with the criteria set forth in 6 NYCRR 617.7(c); and

WHEREAS, the Town Board found that the proposed action may have one or more significant adverse impacts on the environment and issued a Positive Declaration on April 16, 2019, requiring the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Town Board determined that formal scoping would be conducted; and

WHEREAS, the Town Board has caused a Draft Scope to be prepared in accordance with 6 NYCRR 617.8(b) and which Draft Scope was issued on April 16, 2019; and

WHEREAS, the Town Board directed the Town Clerk to file, distribute and publish the Draft Scope along with the Positive Declaration, in accordance with the requirements of 6 NYCRR 617.12(b)(c); and

WHEREAS, a public scoping meeting was held on May 6, 2019 at 7 p.m. at the Town of Hempstead Town Hall, and all persons there present wishing to be heard on the Draft Scope were given the opportunity to do so; and

WHEREAS, the comment period on the Draft Scope ended on May 24, 2019 and the lead agency received comments from the public, as well as involved and interested agencies, in addition to the testimony entered at the public scoping meeting; and

WHEREAS, the lead agency has caused a Final Scope, dated June 11, 2019, to be prepared in accordance with 6 NYCRR 617.8(e), the content of which gives due consideration to the comments received during the public review period for the Draft Scope.

NOW, THEREFORE, BE IT

RESOLVED, that based on the foregoing, the Hempstead Town Board, as lead agency, hereby adopts the annexed Final Scope; and be it further

RESOLVED, that the Hempstead Town Board directs the Town Clerk to file, distribute and publish the Final Scope in accordance with the requirements of 6 NYCRR 617.8(e) and 617.12(b) and (c).

The foregoing resolution was adopted upon roll call as follows:

AYES: FIVE (5)

NOES: NONE (0)