

PROPOSED ORDINANCE NO. 24- 2017

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING A LEASE OF A PORTION OF THE RIGHT OF WAY LOCATED AT THE NORTHWEST CORNER OF WANTAGH AVENUE AND MERRICK ROAD, WANTAGH, NEW YORK TO WANTAGH 3215, LLC AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO EXECUTE SAID LEASE AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the County of Nassau is the owner of the right of way located at the northwest corner of Wantagh Avenue and Merrick Road, Wantagh, New York (the “Premises”);

WHEREAS, Wantagh 3215, LLC the owner of adjoining property has requested that the County of Nassau lease the Premises under the terms and conditions of a certain Lease Agreement, a copy of which is on file in the office of the Clerk of the Nassau County Legislature;

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 and found that it is an “Unlisted Action” pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and has issued a Negative Declaration indicating that the proposed action will have no significant environmental impact and does not require further environmental review;

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 Nassau County Legislature conclude that no further environmental review or action is required on such proposed action.

THEREFORE, BE IT ORDANED BY THE LEGISLATURE OF THE
COUNTY OF NASSAU AS FOLLOWS:

1., That the County Executive be and he is hereby authorized to execute the Lease and any ancillary documents and instruments necessary to effectuate the terms of said Lease, subject to all of the terms and conditions as outlined in said Lease Agreement, a copy of which is on file in the office of the Clerk of the Nassau County Legislature.

2. That it is hereby determined pursuant to the provisions of the New York 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 lease of property has been determined not to have a significant effect on the environment and that no further review is required for the reasons set forth in the attached Negative Declaration

3. That this Ordinance shall take effect immediately.