

83087

DATE: March 4, 2021

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Norma Drummond
Commissioner, Department of Planning

Marguerite Beirne
Chief Information Officer

SUBJECT: Resolution issuing a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act in connection with the authority to amend the Landscaping Agreement entered into with the Town of Bedford, dated August 14, 2020, to permit the County to remove additional trees and a rock outcropping at the Guard Hill site as part of the County's Public Safety Voice Radio Communications Systems Replacement Project.

There is currently pending before your Honorable Board a Resolution authorizing the County of Westchester (the "County"), acting by and through its Department of Planning, to amend the Landscaping Agreement entered into with the Town of Bedford (the "Town"), dated August 14, 2020, to permit the County to remove additional trees and a rock outcropping at the Guard Hill Site in order for construction vehicles, equipment, and materials to access and maneuver around the Guard Hill Site and permit the County to remove additional trees at the Guard Hill Site as part of selective tree removal for an open view shed requested by the Bedford Historical Society. The proposed amendment also will permit the County to remove any additional trees at the Guard Hill Site necessary to carry out and complete the Guard Hill Project with the prior approval of the Town's Director of Planning or Superintendent of Parks and Recreation, which approval shall not be unreasonably withheld.

The Planning Department has advised that the action was previously reviewed under the State Environmental Quality Review Act ("SEQRA") by the Westchester County Board of Legislators, which classified the action as an Unlisted action under SEQRA. In accordance with SEQRA, a Short Environmental Assessment Form was prepared, and on July 15, 2019, a Negative Declaration was issued by the Board of Legislators (Resolution 176-2019). Since that time, the project was further revised and reviewed under SEQRA by the Westchester County Board of Legislators, which classified the action as an Unlisted action and issued a Negative Declaration

on December 4, 2019 by Resolution 242-2019. The project has since been further revised by the proposed amendment to the Landscaping Agreement, and an environmental review has been conducted, which is attached. The Planning Department has advised that based on its review the action is still an "Unlisted" action pursuant to 6 NYCRR Part 617, the implementing regulations of SEQRA. In accordance with SEQRA, a Short Form Environmental Assessment Form ("EAF") and Resolution have been prepared and are attached to assist your Honorable Board in complying with SEQRA.

Your Honorable Board should carefully consider the proposed action and review the attached 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 reason set forth in the attached EAF, the Planning Department analysis concludes that the proposed action will not have any significant adverse impact on the environment. The EAF and a resolution in support of this determination of significance are 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.

ND/RAN
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
DATE: 05/20/2021
LISA M. RIAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Planning and the Chief Information Officer, be it hereby

WHEREAS, there is pending before your Honorable Board a Resolution to authorize the County of Westchester (the "County"), acting by and through its Department of Planning, to amend the Landscaping Agreement entered into with the Town of Bedford (the "Town"), dated August 14, 2020, to permit the County to remove additional trees and a rock outcropping at the Guard Hill Site in order for construction vehicles, equipment, and materials to access and maneuver around the Guard Hill Site and permit the County to remove additional trees at the Guard Hill Site as part of selective tree removal for an open view shed requested by the Bedford Historical Society. The proposed amendment also will permit the County to remove any additional trees at the Guard Hill Site necessary to carry out and complete the Guard Hill Project with the prior approval of the Town's Director of Planning or Superintendent of Parks and Recreation, which approval shall not be unreasonably withheld; and

WHEREAS, this action was previously reviewed under the State Environmental Quality Review Act ("SEQRA") by the Westchester County Board of Legislators, which classified the action as an Unlisted action under SEQRA. In accordance with SEQRA, a Short Environmental Assessment Form was prepared, and on July 15, 2019, a Negative Declaration was issued by the Board of Legislators (Resolution 176-2019). Since that time, the project was further revised and reviewed under SEQRA by the Westchester County Board of Legislators, which classified the action as an Unlisted action and issued a Negative Declaration on December 4, 2019 by Resolution 242-2019. The project has since further been revised by the proposed amendment to the Landscaping Agreement, and an environmental review has been conducted, which is attached. The Planning Department has advised that based on its review the action is still an "Unlisted" action pursuant to 6 NYCRR Part 617, the implementing regulations of SEQRA, 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 of Westchester 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 Short 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 determinate if the proposed action will have a significant impact upon the environment now, therefore, be it

RESOLVED, that that the Board of Acquisition and Contract of the County of Westchester, State of New York, 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 Form 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 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.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
					N/A

Budget Funding Year(s): _____ Start Date: _____ End Date: _____
(must match resolution)

Funding Source

N/A
(must match resolution)

Tax Dollars: N/A
State Aid: _____
Federal Aid: _____
Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/05/2021 - LISI, MIA, SECRETARY