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Memorandum

TO: Robert S. Derico, R.A., Director, Office of Environmental Affairs

FROM: Sara E. Stein, AICP, LEED-AP, Senior Environmental Manager
Office of Environmental Affairs

DATE: February 1, 2022

RE: *State Environmental Quality Review (SEQR) Involved Agency Negative Declaration Concurrence* for the Oceanside Library's *2022 Financing of the Proposed Expansion of the Oceanside Library and Development of Surface Parking on Adjacent Properties and Refunding Project*, Town of Hempstead, Nassau County, New York (Public Libraries Program)

Oceanside Library (the "Library") has requested financing from the Dormitory Authority of the State of New York ("DASNY") for its *2022 Financing of the Proposed Expansion of the Oceanside Library and Development of Surface Parking on Adjacent Properties and Refunding Project* (the "Proposed Project"), pursuant to DASNY's Public Libraries Program. Accordingly, the Proposed Project is subject to environmental review pursuant to the *State Environmental Quality Review Act ("SEQRA")*.

Based on a review of the attached *Transaction Summary Update,* dated January 25, 2022, it has been determined that, for purposes of *SEQRA*, the Proposed Action would consist of DASNY's authorization of the issuance of one or more series of tax exempt, and/or taxable, fixed and/or variable rate Series 2022 bonds (the "Bonds") in an amount not to exceed $35,000,000 to be sold through a negotiated offering.

The bond proceeds would be used to fund all, or a portion of, the Proposed Project, which would consist of the expansion and renovation of the Library building and the acquisition and redevelopment of adjacent properties to be converted into additional parking for the Library. More specifically, the existing one-story, western portion of the Library building would be removed, and a two-story addition with basement would be constructed within the same building footprint. The expanded library would include a basement level and a second floor to the existing Children's Room. An approximately 432-gross-square-foot ("gsf") addition for use as a reading room is also proposed on the rear of the Library building. Upon implementation, the library building would increase from approximately 32,205 gsf to 45,704 gsf, which represents an approximate 42 percent expansion in gross floor area. The Proposed Project would also include repairs to or replacement of major infrastructure, including the heating, ventilating and air conditioning ("HVAC") system, roof, bathrooms, windows, lighting, elevators, parking lots and sidewalks.

The Proposed Project would also include demolition of the existing structures on 26 Davison Avenue and 21 Fairview Avenue and the utilization of those parcels for additional surface parking accessory to the Library.

The proceeds from the Series 2022 Bonds would also be used to refund all or a portion of DASNY's Oceanside Public Library Insured Revenue Bonds, Series 2005.

Description of the Institution. Founded in 1937, Oceanside Library is a not-for-profit corporation operating as an association library chartered by the Board of Regents of the State of New York. Oceanside Library is located on Long Island, at 30 Davison Avenue in the hamlet of Oceanside, Town of Hempstead, Nassau County, New York. Oceanside Library is one of 54 member libraries in the Nassau Library System. The seven Board members of Oceanside Library are elected by the residents of the Oceanside Union Free School District as members of the association at elections conducted by Oceanside Library. The Library presently serves a local population of approximately 37,000.

SEQR Determination. DASNY completed this environmental review pursuant to the *State Environmental Quality Review Act ("SEQRA")*, codified at Article 8 of the *Environmental Conservation Law ("ECL")* of the State of New York, and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations ("N.Y.C.R.R.")*, which collectively contain the requirements for the *State Environmental Quality Review ("SEQR")* process.

The Board of Trustees of the Oceanside Library ("Board of Trustees") served as lead agency for this Unlisted action and conducted a coordinated *SEQR* review of the Proposed Project. In 2019, the Board of Trustees identified the neighboring property to the west of the Library building, 26 Davison Avenue, for acquisition and utilization for surface parking. On April 22, 2020, the Board of Trustees, as lead agency, commenced coordinated review and distributed a *Short Environmental Assessment Form ("SEAF") – Part 1* with supplemental analyses that evaluated the expansion of and improvements to the Library building and the acquisition and redevelopment of the 26 Davison Avenue property. The Board of Trustees issued a *Negative Declaration Notice of Determination of Non-significance ("Negative Declaration")* for the Proposed Project on June 2, 2020.

Subsequently, the Board of Trustees conducted a modified *SEQR* review that included the acquisition and redevelopment of the 21 Fairview Avenue property for utilization for additional surface parking.[1] The Board of Trustees, as lead agency, determined that the Proposed Project, as modified, would not have a significant adverse effect on the environment and issued a *SEQR Negative Declaration* dated June 29, 2021 (attached).

DASNY was included as an involved agency during the Board of Trustees' coordinated *SEQR* process and is therefore bound by the determination of the lead agency.[2] DASNY discussed the Proposed Project's possible environmental impacts with representatives of the Library and reviewed the Board of Trustees' *Negative Declaration*, including the *SEAF—Parts 2 and 3*, and supplemental documentation for the Proposed Project. Based on the above, and the additional information set forth below, DASNY, as an involved agency, independently analyzed the relevant areas of environmental concern for the Proposed Project, as summarized in the *SEQR* documentation, and concurs with the lead agency's *Negative Declaration* that the Proposed Project would not have a significant adverse impact on the environment.

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[1] The Oceanside Library is located within the Town of Hempstead's B Residence and C Residence Zoning Districts, and 26 Davison Avenue and 21 Fairview Avenue are located within the B Residence Zoning District. The parcels acquired would be converted from a mixed-use (commercial and residential) building and two-family residence to all surface parking for use by the Library patrons. The proposed creation of surface parking on 26 Davison Avenue and 21 Fairview Avenue would require a Special Permit from the Town of Hempstead Board of Appeals ("BOA"). The Proposed Project would also require area variances from the BOA for minimum side yard depth, building area, minimum rear yard depth, and parking.

[2] 6 N.Y.C.R.R. § 617.6(b)(3)(iii).

Additionally, the refunding component of the Proposed Project would involve the *"…refinancing of existing debt…"*, which is a Type II action as specifically designated by 6 *N.Y.C.R.R.* § 617.5(c)(29) of *SEQR*. Type II *"actions have been determined not to have significant impact on the environment or are otherwise precluded from environmental review under ECL, article 8*."[3] Therefore, no further *SEQR* determination or procedure is required for any component of the Proposed Project identified as Type II.

SHPA Determination. The Proposed Project was also reviewed in conformance with the *New York State Historic Preservation Act of 1980 ("SHPA")*, especially the implementing regulations of Section 14.09 of the *Parks, Recreation and Historic Preservation Law ("PRHPL")*, as well as with the requirements of the Memorandum of Understanding ("MOU"), dated March 18, 1998, between DASNY and the New York State Historic Preservation Office ("SHPO").

The Proposed Project was reviewed by the Division for Historic Preservation of the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP" Project №. 20PR02524). In its letters dated April 22, 2020, and May 4, 2021 (attached), OPRHP rendered an opinion that *"…no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places ["S/NR"] will be impacted by this project."* It is the opinion of DASNY that the Proposed Project would have no adverse impact on historical or cultural resources in or eligible for inclusion in the S/NR.

SSGPIPA Determination. Since the Proposed Action would include DASNY bond financing, a Smart Growth Impact Statement ("SGIS") for the Proposed Project was prepared pursuant to the State of New York *State Smart Growth Public Infrastructure Policy Act ("SSGPIPA")* procedures (see "Smart Growth Impact Statement Assessment Form ["SGISAF"], attached). DASNY's Smart Growth Advisory Committee reviewed the SGIS and attested that the Proposed Project, to the extent practicable, would meet the smart growth criteria established by the legislation. The compatibility of the Proposed Project with the criteria of the *SSGPIPA*, Article 6 of the *ECL*, is detailed in the SGISAF. As indicated on the form, the Proposed Project would be generally supportive of the *SSGPIPA*, and no further analysis is required.

Attachments

cc:

Frederick W. Clark, III, Esq
Stephen J. Kosier
SEQR File
OPRHP File

[3] 6 *N.Y.C.R.R.* § 617.5(a).