

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 04-2025

RESOLUTION OF THE CITY OF WHITE PLAINS URBAN RENEWAL AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT DECLARING ITSELF LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW FOR THE PROPOSED DEVELOPMENT OF A PARKING GARAGE ON EAST POST ROAD, WHITE PLAINS, NEW YORK AND MAKING CERTAIN DETERMINATIONS IN CONNECTION THEREWITH

WHEREAS, The City of White Plains Urban Renewal Agency (hereinafter the "Agency") has previously acquired several parcels of real property known as 26-28 East Post Road (Section 130.27, Block 2, Lot 5 on the Tax Assessment Map of the City of White Plains), 42-44 East Post Road (Section 130.27, Block 2, Lot 3 on the Tax Assessment Map of The City of White Plains) and 60 East Post Road (Section 130.27, Block 2 Lot 1 on the Tax Assessment Map of the City of White Plains) (together, the "Agency Parcels") for the potential future development of a new multi-level public parking garage of up to 1,900 spaces to serve the general public and alleviate existing parking deficiencies in the area as well as to facilitate redevelopments in the area to be undertaken by the White Plains Hospital (the "Hospital") and the White Plains Housing Authority (the "Housing Authority"), which project includes the execution of a Memorandum of Understanding between The City of White Plains (the "City"), the Agency and the Hospital; the acquisition of parcels of real property in addition to the Agency Parcels from the Hospital and the Housing Authority; the establishment of a capital project fund and the authorization of financing for the project; environmental remediation of certain parcels; construction of the garage and a skybridge between the garage and the adjacent Hospital; and the lease of a portion of the garage to the Hospital with the execution of an associated Parking Operations and Management Agreement (the "Proposed Action"); and

WHEREAS, The Proposed Action would also have included an application to the New York State Brownfields Tax Credit Program and engaging a private contractor to take a leasehold interest in the property from the City or Agency and finance construction of the garage in order to obtain such credits; and

WHEREAS, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law § 8-0101 et seq. (the "SEQR Act") and its implementing regulations promulgated at Part 617 of Title 6 of the New York Codes Rules and Regulations (the "SEQR Regulations" and together with the SEQR Act, "SEQRA"), the acquisitions of the Agency Parcels were each treated as Unlisted Actions and were previously reviewed pursuant to SEQRA, all as stated in Resolutions 5-2019, 5-2021, 6-2021, 7-2024 and 8-2024 of the Agency; and

WHEREAS, the Agency has also sought to acquire a 1.06 acre parcel of underutilized property from the Housing Authority (the “Housing Authority Parcel”), which acquisition requires the authorization of the U.S. Department of Housing and Urban Development (“HUD”) pursuant to Section 18 of the Housing Act of 1937; and

WHEREAS, in connection with seeking HUD approval for the acquisition of the Housing Authority Parcel, the Agency conducted an environmental review of both the acquisition of the Housing Authority and the Proposed Action pursuant to the National Environmental Policy Act, as amended (42 U.S.C. 4321, et seq.) and the regulations adopted pursuant thereto at 40 C.F.R. Part 1501.5 and 24 C.F.R. Part 58, (collectively referred to as “NEPA”) resulting in a finding that the acquisition of the Housing Authority Parcel, and the Proposed Action, will present no significant adverse cumulative impacts to the environment; and

WHEREAS, pursuant to §617.15 of the SEQR Regulations, though the Agency has issued a Finding of No Significant Impact concerning the Proposed Action, and the Agency’s review of the Proposed Action for purposes of NEPA is informative for its review of the Proposed Action under SEQRA, the completion of NEPA review does not, by itself, satisfy the requirements of SEQRA; and

WHEREAS, following the completion of the review of the Proposed Action under NEPA, the Agency proceeded with the review of the Proposed Action pursuant to SEQRA; and

WHEREAS, a Part 1 of a Long Form Environmental Assessment (the “EAF”) for the Proposed Action has been completed; and

WHEREAS, the Proposed Action involved approvals to be granted by a number of agencies, including, but not limited to, the City of White Plains, the White Plains Housing Authority, the County of Westchester, the New York State Department of Environmental Conservation and the New York State Department of Health; and

WHEREAS, pursuant to Section 617.6(2)(I) of the SEQR Regulations, for all Type I Actions involving more than one agency, coordinated review of the Proposed Action must be conducted and a Lead Agency must be established prior to a determination of significance; and

WHEREAS, at its meeting held on March 31, 2025, this Board made a preliminary finding that the Proposed Action is a Type I Action pursuant to §617.4(b)(6) of the SEQR regulations, (b) declared its intent to serve as Lead Agency for the environmental review of the Proposed Action and (c) authorized the Executive Director to distribute the appropriate notice and a copy of Part 1 of the EAF (“EAF Part 1”) to the various involved agencies as required by the SEQR Regulations; and

WHEREAS, on March 31, 2025, a Notice of Intent to Serve as Lead Agency (the “Notice”) with EAF Part 1 attached was distributed to all involved and interested agencies as required by the SEQR Regulations; and

WHEREAS, since the distribution of the Notice of Intent to Serve as Lead Agency and the EAF Part 1, the general scope of the project, construction of a parking garage, has remained unchanged; however, certain project details have been amended, necessitating a “Revised Proposed Action”, as follows:

1. The garage is now planned to consist of approximately 1,950 spaces;
2. It is now contemplated that the properties needed for the construction of the garage will be transferred to the Hospital (or an entity controlled by the Hospital) for the Hospital to construct and manage the garage; therefore, the Revised Proposed Action would no longer require the execution of a Memorandum of Agreement, Lease and Parking Operations and Management Agreement between the Agency, The City of White Plains (the “City”) and the Hospital, or funding by the City;
3. The Hospital (or its affiliated entity) would acquire all properties, construct the garage and manage the garage for its purposes, in addition to providing parking to accommodate residents of the Brookfield Commons development adjacent to the site of the proposed garage, being undertaken by the Housing Authority.
4. The Revised Proposed Action would involve the approval of the transfer of the Agency’s properties to the Hospital (or its affiliated entity) as well as the designation of the Hospital (or its affiliated entity) as an urban development “sponsor” by the Agency and the Common Council of the City.
5. The Revised Proposed Action would also require variances from the White Plains Board of Appeals, special permit approvals from the Common Council of the City and site plan approval by the Common Council of the City;
6. The Revised Proposed Action would require the approval of the Housing Authority to transfer an approximately 1.06-acre property to the Hospital (or its affiliated entity, either directly or after transfer to the Agency).. The construction of the garage may also involve the use of Brownfields Remediation Program tax credits, though any plan to do so would be solely in the purview of the Hospital, or its affiliated entity;

; and

WHEREAS, on June 20, 2025, staff of the Agency distributed a Supplemental Notice of Intent to Serve as Lead Agency (the “Supplemental Notice”) to all involved and interested agencies along with a revised EAF Part 1 (the “Revised EAF Part 1”); and

WHEREAS, the purpose of the Supplemental Notice was to keep all involved and interested agencies apprised of developments in the proposed project since the Agency had not yet declared itself as Lead Agency; and

WHEREAS, due to the fact that as the required thirty (30) day period for Lead Agency coordination had already passed after distribution of the Notice and prior to distribution of the Supplemental Notice, the general scope of the proposed project had not changed, all involved and interested agencies included on the Supplemental Notice were already included on the Notice, and no objections to the Agency declaring itself Lead Agency had been received, no additional notice period was required in accordance with the SEQR Regulations; and

WHEREAS, the Executive Director has thus recommended that this Agency now (a) make a final determination that the Proposed Action is a Type I Action for purposes of the SEQRA Regulations and (ii) declare itself Lead Agency for the environmental review of the Revised Proposed Action; and

WHEREAS, staff of the Agency have reviewed and analyzed the Revised Proposed Action, Revised EAF Part 1 prepared for the Revised Proposed Action and the materials prepared in connection with the review of the Revised Proposed Action in connection with SEQRA and have prepared Part 2 of the EAF (“EAF Part 2”) for the Revised Proposed Action for review by this Board, which EAF Part 2 and attached supporting documentation have been submitted to this Board and are attached to this Resolution and are made a part hereof; and

WHEREAS, having reviewed the Revised EAF Part 1 and EAF Part 2, the Executive Director has recommended that the White Plains Urban Renewal Agency, as Lead Agency, (1) determine that the Revised Proposed Action, when compared to the SEQRA criteria for environmental review, will not have a significant adverse effect on the environment and (2) issue a Negative Declaration for the Proposed Action; and

WHEREAS, pursuant to SEQRA and the SEQR Regulations, the Agency is required to incorporate environmental considerations in approval actions by (1) identifying environmental issues, (2) taking a “hard look” at relevant environmental concerns and (3) making a “reasoned elaboration” as a basis for an environmental determination; and

WHEREAS, in compliance with its duties under SEQRA and the SEQR Regulations, the Board has considered the Revised Proposed Action, Revised EAF Part 1 and EAF Part 2 and supporting materials that, when considered together, constitute the Environmental Review Record which serves as the basis for a SEQRA determination, and has prepared Part 3 of a Long Form Environmental Assessment, dated July 15, 2025 (the “EAF Part 3”) containing the Board’s

analysis of the Revised Proposed Action as compared to the SEQRA criteria for environmental review and its reasoned determination as to the effects of the Proposed Action on the environment.

NOW, THEREFORE, BE IT,

RESOLVED, that the Agency makes a final determination that the Revised Proposed Action is a Type I Action pursuant to §617.4(b)(6) of the SEQR Regulations; and be it further

RESOLVED, that the Agency declares itself Lead Agency for the environmental review of the Revised Proposed Action; and

RESOLVED, that the Agency has examined the potential environmental effects of the Revised Proposed Action and, for the reasons stated in EAF Part 3 constituting the Agency's analysis of the environmental criteria established by SEQRA and the Agency's reasoned determination as to the environmental effects of the Revised Proposed Action, which EAF Part 3 is attached to this Resolution and is incorporated herein and made a part hereof, the Agency determines that the Revised Proposed Action will not have a significant adverse effect on the environment; and be it further

RESOLVED, that the Agency hereby issues a Negative Declaration for the Revised Proposed Action; and be it further

RESOLVED, that the Executive Director is hereby authorized to file the appropriate notices and other documents required by SEQR Regulations; and be it further

RESOLVED, that this resolution shall be effective immediately upon adoption by the Agency.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Hon. Thomas M. Roach, Chair	[✓]	[]	[]	[]
Walter Eddie	[✓]	[]	[]	[]
John M. Martin	[✓]	[]	[]	[]
Daniel Moriarty	[✓]	[]	[]	[]

The Resolution was thereupon duly adopted.

CERTIFICATION
(*EDPL Article IV Authorization*)

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

The undersigned, being the acting Assistant Secretary and Executive Director of the City of White Plains Urban Renewal Agency, DOES HEREBY CERTIFY THAT:

I have compared the foregoing extract of the minutes of the meeting of the City of White Plains Urban Renewal Agency (the "Agency") including the resolution contained therein, held on July 16, 2025, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject in matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal, if any, of said Agency this July 16, 2025.



Christopher N. Gomez, AICP
Executive Director & Acting Assistant Secretary