

VILLAGE OF BUCHANAN RESOLUTION
DECLARING VILLAGE OWNED LAND 3229 BLEAKLEY AVENUE SURPLUS
AND UNNEEDED FOR ANY MUNICIPAL PURPOSE;
SEQRA FINDINGS FOR
SALE OF 3229 BLEAKLEY AVENUE, BUCHANAN, NY; AND
AUTHORIZING MAYOR TO SIGN CONTRACT OF SALE

Introduced by: _____
Seconded by: _____
Dated: _____

WHEREAS, the Village of Buchanan (“Village”) is a duly constituted municipal entity incorporated in 1928 and is currently governed by a duly elected Mayor and Board of Trustees; and

WHEREAS, the Village owns property known as 3229 Bleakley Avenue shown on the local tax maps as Section 43.11, Block 1, Lots 5 and 6 (the “Subject Property”), together consisting of .88 acre, which it now seeks to sell as surplus land (the “Proposed Action”); and

WHEREAS, the Village acquired title to Lot 5 by deed from George O. Ellgen and Eileen C. Ellgen to the Village of Buchanan dated March 1, 1968 and recorded with the Westchester County Clerk, Land Records, at Liber 6768, Page 155; and

WHEREAS, the Village acquired title to Lot 6 by deed from Rose Harbolic, as surviving tenant by the entirety to the Village of Buchanan dated March 14, 1969 and recorded with the Westchester County Clerk, Land Records, at Liber 6844, Page 682; and

WHEREAS, the Village Lots are unimproved and the above-referenced deeds do not contain any limitation or dedication limiting the use of the parcels; and

WHEREAS, the Village has never made any material use of the Subject Property; and

WHEREAS, New York State Village Law 1-102(1) authorizes a Village to sell real property which is no longer needed for municipal purposes with the method of sale chosen being within the sound discretion of the Board; and

WHEREAS, the Village Board of Trustees (“Board”) commissioned an independent appraisal on behalf of the Village, which was prepared by Valuation Plus, Inc., 875 Mamaroneck Avenue, Mamaroneck, NY 10543, dated January 14, 2023 (“Village Appraisal”); and

WHEREAS, the Village Appraisal opined that the Subject Property has a value of \$ 190,000.00; and

WHEREAS, the Board has engaged in a process of seeking bids for the sale of the Subject Property; and

WHEREAS, the Board is entrusted with a fiduciary duty to secure the best price obtainable in its judgment or on the most beneficial terms in the public interest for any lawful use; and

WHEREAS, the Board received the highest offer of \$388,000.00 from Janc Associates, Brookfield, Connecticut 06804 (“Purchaser”) seeking to develop ten (10) town house units (“Proposed Development”) on the Subject Property, subject to Site Plan approval and any other necessary Board approvals; and

WHEREAS, the sale of the Subject Property is subject to the State Environmental Quality Review Act (SEQRA) and the Board has caused to be prepared an environmental assessment form Parts 1, 2 and 3; and

WHEREAS, the Village Board is the only Agency with the ability to implement and conduct the Proposed Action and hereby declares itself to be the Lead Agency with respect to the Proposed Action; and

WHEREAS, the Proposed Action is an Unlisted Action as that term is defined under SEQRA and that after review of the complete EAF does hereby make a determination that the Proposed Action will not have an adverse impact on the environment;

NOW THEREFORE, BE IT RESOLVED, based on the foregoing findings of the Board as to the lack of any environmental impact resulting from the sale of the Subject Property, that the Board adopts a Negative Declaration under (SEQRA) finding that the proposed action will have no adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Board has determined that the public good will be served, and the public interest requires, this resolution to declare the Subject Property no longer needed for municipal purposes, and to authorize the Board, under New York State Village Law 1-102(1) to sell the Subject Property as shown in the legal description to be provided by the prospective purchaser and reviewed by the Village Attorney in order to convey same; and

BE IT FURTHER RESOLVED, that upon adoption of this resolution, the Village Attorney is authorized to negotiate a contract of sale with the Purchaser for \$ 388,000.00 and to submit same to the Village Mayor for signature, together with any other documents necessary to effectuate the transfer of title to the Subject Property.

Upon Roll Call Vote:

Mayor Theresa Knickerbocker _____

Trustee Anthony Capicotti _____

Trustee Steve Laker _____

Trustee Dan Stewart _____

Trustee Robert Wheeler _____

Vote: Resolution carried by a vote of ____ to ____ .

STATE OF NEW YORK)

COUNTY OF WESTCHESTER)

I, CYNTHIA KEMPTER, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held October , 2023.

Cynthia Kempter, Village Clerk

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

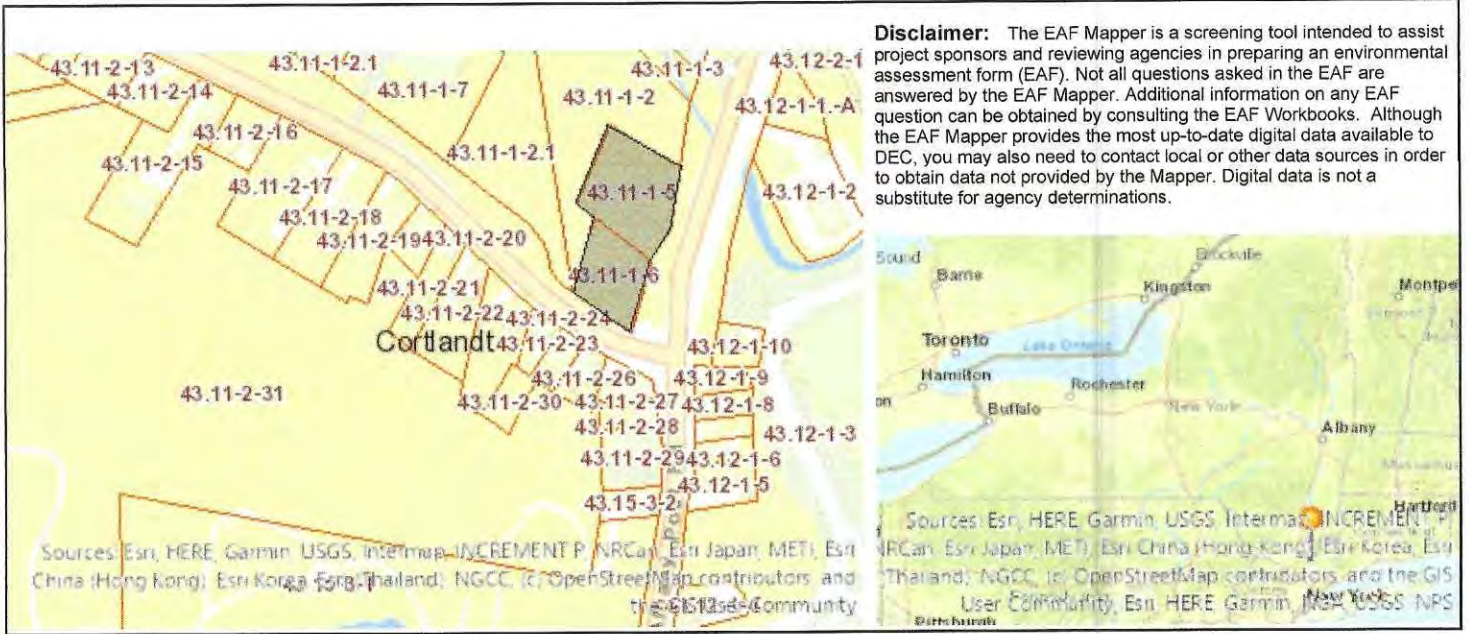
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 3222 Albany Post Road Land Sale			
Project Location (describe, and attach a location map): 3222 Albany Post Road, Buchanan, Westchester County, NY 10511			
Brief Description of Proposed Action: Sale of two parcels of real property totaling approximately 0.88 acres from the Village to a private entity.			
Name of Applicant or Sponsor: Village of Buchanan		Telephone: 914-293-0910 E-Mail: ckempter@villageofbuchanan.com	
Address: 236 Tate Avenue			
City/PO: Buchanan		State: NY	Zip Code: 10511
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.88 +/- acres	
b. Total acreage to be physically disturbed?		NA acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.88 +/- acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90 If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: Not applicable _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle, Atlantic Sturge...	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> <hr/>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<hr/> <hr/>		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
<hr/> Former Indian Point facility, BASF Corp, Tensolite Co. source: https://gisservices.dec.ny.gov/gis/dil/		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Village of Buchanan</u> Date: <u>7-31-23</u>		
Signature: <u>David B. Smith</u>  Title: <u>Village Planner</u>		



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle, Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project:	Village of Buchanan Land Sale
Date:	7-31-23

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	Sale of Village Land
Date:	7-31-23

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Name of Lead Agency	Date
Hon. Theresa Knickerbocker	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)