

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 07/31/2017)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant - Disaster Recovery (CDBG-DR)	2. HUD/State Identification Number B-13-DS-36-0001	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity NYS Homes and Community Renewal 38-40 State Street Hampton Plaza Albany, NY 12207	
6. For information about this request, contact (name & phone number) Daniel Greene (212) 480-4644	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request HUD, Office of Block Grant Assistance Disaster Recovery and Special Issues Division 451 7th Street SW, Washington, D.C. 20410		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) New York State Homes & Community Renewal (HCR) and the Housing Trust Fund Corporation (HTFC) [RROF for HUD Community Development Block Grant Disaster Recovery (CDBG-DR) program in NYS].	10. Location (Street address, city, county, State) Ludlow Commons project, at 7-17 Ludlow Street, City of Yonkers, (Westchester County) New York.
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11. Program Activity/Project Description

The Governor's Office of Storm Recovery ("GOSR"), operating under the auspices of New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the responsible entity for direct administration of the Housing and Urban Development ("HUD") Community Development Block Grant – Disaster Recovery ("CDBG-DR") program in New York State. GOSR proposes to potentially provide funding to carry out the proposed Ludlow Commons project, at 7-17 Ludlow Street, City of Yonkers, Westchester County, New York.

The proposed project, sponsored by Westhab, Inc., involves construction of one building with eight floors and 63,982 square feet. The building would include 71 units—70 one-bedroom units of senior housing and 1 two-bedroom superintendent unit. The building has been designed to help older adults "age-in-place." Eight units would be accessible for mobility impaired tenants, and three units would be adapted for visual and hearing impaired residents. The building would include two elevators. Windows would be energy efficient aluminum windows with integrated sun shades on the south facade and will provide abundant light and clear sight paths. The front of the building would have a ground floor laundry and a community room with attached exercise/yoga room, all of which would access the front veranda. The facade would consist of a combination of brick and metal panels. Outdoor seating areas would be available in a landscaped patio at the rear of the building.

Westhab, Inc., would be the property manager and housing services provider. As housing services provider, Westhab would coordinate with the Family Service Society of Yonkers (referrals and services) and Westchester Disabled on the Move (referrals only) to provide comprehensive services to residents and supportive services to frail elderly residents (15 percent special needs set-aside), including the mobility, vision, or hearing impaired, to meet all resident needs. Residents would be offered a full range of supportive services designed to empower them to live independently.

GOSR requests \$3,400,000 in CDBG-DR funds for the project.

PUBLIC NOTICE

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

LUDLOW COMMONS

January 30, 2015

Governor's Office of Storm Recovery
25 Beaver Street, Fifth Floor
New York, NY 10004
(212) 480-4644

This Notice shall satisfy the above-cited two separate but related procedural notification requirements.

Name of Responsible Entity: The New York State Governor's Office of Storm Recovery (GOSR), under the auspices of New York State Homes & Community Renewal (HCR) and the Housing Trust Fund Corporation (HTFC). Contact: Daniel Greene.

Project Description: GOSR is the responsible entity for direct administration of the US Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to potentially provide funding to carry out the proposed Ludlow Commons project, at 7-17 Ludlow Street, City of Yonkers, Westchester County, New York.

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A major portion of the construction of the project would be financed with an \$11,556,800 HUD 202 capital grant and a \$400,000 HUD Demonstration Pre-Development Grant, both of which were awarded to Westhab in 2012. In combination with the HUD funds, Westhab is requesting \$15.8 million in tax-exempt bond financing from the New York State Housing Finance Agency to partner with four percent as-of-right Low Income Housing Tax Credits. If it is determined that this project should receive the award, the award shall be the lesser of \$9 million (which is stated in the RFP as the maximum per project award in Westchester County) or the minimum amount needed to cover approved project costs once all other available sources of financing have been taken into account.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Review Record (ERR) for the project has been prepared and is maintained on file. The ERR is incorporated by reference into this FONSI. Subject to public comments, no further review of the project is anticipated. A full copy of the ERR, including a completed National Environmental Policy Act of 1969 (NEPA) Environmental Assessment Checklist and area map, is available for public inspection during normal business hours in accordance with 24 CFR Part 58 at the office listed below and online at:

<http://www.stormrecovery.ny.gov/environmental-docs>.

GOSR has determined that the ERR for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58, et al.

GOSR has also determined that the project, as proposed, will have no significant adverse environmental or socioeconomic impacts, either direct, indirect, or cumulative. There will be no significant impact on the human environment, and the project will not negatively impact the quality of the environment. Therefore, GOSR has determined that the project does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the ERR is available online at the website listed above and is also available in person Monday – Friday, 9:00 AM - 5:00 PM at the following address:

*Governor's Office of Storm Recovery
25 Beaver Street, Fifth Floor
New York, NY 10004
Contact: Daniel Greene (212) 480-4644*

Further information may be requested at NYSCDBG_DR_ER@nyshcr.org or by calling GOSR at (212) 480-4644. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state, and federal agencies, the regional office of U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

Public Comments on FONSI/Findings and NOIRROF: Any individual, group, or agency may submit written comments on the Project. Those wishing to comment should specify in their comments which distinct parts of this Combined Notice they intend to address. Comments should be submitted via email, in the proper format, on or before Tuesday, February 17, 2015, at: NYSCDBG_DR_ER@nyshcr.org. Written comments may also be submitted at the following

address, or by mail, in the proper format, to be received on or before Tuesday, February 17, 2015:

*Daniel Greene, Certifying Officer
Governor's Office of Storm Recovery
25 Beaver Street, Fifth Floor
New York, NY 10004*

Comments may be received by telephone at (212) 480-4644. All comments must be received on or before 5:00 PM on Tuesday, February 17, 2015, or they will not be considered.

If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

REQUEST FOR RELEASE OF FUNDS

Written notice of environmental clearance will be required prior to the removal of any limitation on commitment of federal funds in accordance with regulations at 24 CFR Part 58.70.

On or about Wednesday, February 18, 2015, the GOSR Certifying Officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York State CDBG-DR program.

GOSR certifies to HUD that Daniel Greene, acting in capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process, decision-making, and action, and that these responsibilities have been satisfied. Moreover, GOSR certifies that an environmental review of the project described herein has been completed. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use CDBG-DR program funds.

Objections to Release of Funds - HUD will accept objections to the RROF and/or FONSI certification for a period of fifteen (15) days. The last day of the objection period is Thursday, March 5, 2015. Potential objectors may contact HUD to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are:

- (a) Certification was not executed by the responsible entity's Certifying Officer;
- (b) The responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58;
- (c) The responsible entity has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; or
- (d) A federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to:

*Tennille Smith Parker
Director, Disaster Recovery and Special Issues Division
Office of Block Grant Assistance
U.S. Department of Housing & Urban Development
451 7th Street SW
Washington, DC 20410
Phone: (202) 402-4649*

Daniel Greene
GOSR Certifying Officer
January 30, 2015

**AFFIDAVIT OF PUBLICATION
FROM**



CECILIA HERNANDEZ

being duly sworn says that he/she is the principal clerk of **THE JOURNAL**

NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date (s) below:

**Zone:
Westchester**

**Run Dates:
01/30/15**

Signature

Sworn to before me, this 10 day of February 2015

Notary Signature

FOR A M. HALL
Notary Public, State of New York
No. 01617070
County of Westchester
Commission Expires July 6, 2016

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnville, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0000285205

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