

**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.

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 facade would consist of a combination of brick and metal panels. 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. 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.

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](mailto: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](mailto: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