STATE OF NEW YORK

6303

2019-2020 Regular Sessions

IN ASSEMBLY

March 5, 2019

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to requiring the preparation of a neighborhood impact statement prior to the construction of a homeless shelter in cities with a population of one million or more

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 2-A of the social services law is amended by adding a new title 5 to read as follows:

TITLE 5

NEIGHBORHOOD IMPACT STATEMENT

Section 54. Neighborhood impact statement.

§ 54. Neighborhood impact statement. 1. For purposes of this section, the term:

(a) "city" means any city with a population of one million or more;

(b) "project" shall mean a project:

(i) (A) directly undertaken by the mayor of a city, regardless of whether or not such project is being undertaken pursuant to a declaration of emergency; or

(B) supported in whole or part through contracts, grants, subsidies, loans, or other forms of funding assistance from the city or from one or more agencies; or

(C) involving the issuance by the city of a lease, permit, license, certificate or other entitlement; and

(ii) designed in whole or in part to provide shelter to the homeless;

(c) "neighborhood" means an area within a city identified by recognized or established boundaries.

2. A city shall use all practicable means, to the maximum extent practicable, to minimize or avoid adverse neighborhood effects, including effects revealed in the neighborhood impact statement process.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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3. Any city, by and through its city council, shall prepare, or cause to be prepared by contract or otherwise a draft and final neighborhood impact statement on any project which may have a significant effect on the neighborhood where such project shall be located. Such a statement shall include a detailed statement setting forth the following:

(a) a description of the proposed project and its neighborhood setting;

(b) the neighborhood impact of the proposed project including short-term and long-term effects;

(c) any adverse neighborhood effects which cannot be avoided should the project be implemented;

(d) alternatives to the proposed project;

(e) the number of schools in the neighborhood, the location of each school and the distance of each school from the location of the project;

(f) the number of day care centers in the neighborhood, the location of each day care center and the distance of each day care center from the location of the project;

(g) the number of parks in the neighborhood, the location of each park and the distance of each park from the location of the project;

(h) the number of playgrounds in the neighborhood, the location of each playground and the distance of each playground from the location of the project;

(i) the impact of the project on the existing infrastructure of the neighborhood;

(j) the impact of the project on the local economy of the neighborhood;

(k) mitigation measures proposed to minimize the impact of the project on the neighborhood; and

(j) such other information as the city council deems relevant.

4. Such final neighborhood impact statement shall also include copies or a summary of the substantive comments made pursuant to subdivision five of this section, and the city response to such comments. The purpose of a neighborhood impact statement is to provide detailed information about the effect which a proposed project is likely to have on a neighborhood, to list ways in which any adverse effects of such a project might be minimized, and to suggest alternatives to such a project so as to form the basis for a decision whether or not to undertake or approve such project. Such statement should be clearly written in a concise manner capable of being read and understood by the public, should deal with the specific significant neighborhood impacts which can be reasonably anticipated and should not contain more detail than is appropriate considering the nature and magnitude of the proposed project and the significance of its potential impacts.

5. After the completion of the draft neighborhood impact statement the city shall conduct a public hearing for public comment on the neighborhood impact of the project. Such hearing shall be held within sixty days of the completion of the neighborhood impact statement.

6. The final neighborhood impact statement, together with the comments of members of the public, shall be filed with the city, made available to the public, and posted on the Internet website of the city prior to the city taking any action on the proposal.

§ 2. This act shall take effect immediately.