

**COUNTY OF SUFFOLK**



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

**DARNELL TYSON, P.E.**  
DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**  
COMMISSIONER

**ERIC M. HOFMEISTER**  
DEPUTY COMMISSIONER

**MEMORANDUM**

**TO:** Dennis Cohen, Chief Deputy County Executive; Honorable DuWayne Gregory, Presiding Officer of the Suffolk County Legislature; Honorable Legislators; Al Krupski, Chairman, Public Works, Transportation & Energy Committee; Robert Calarco, the Sewer Agency Legislator-At-Large; Fleming, Sunderman, Muratore, Hahn, Anker, Lindsay, Martinez, Cilmi, Flotteron, Kennedy, Trotta, McCaffrey, Berland, Donnelly, Spencer; Tanima Adhya, P.E., Associate Public Health Engineer, representing the Commissioner of the Suffolk County Department of Health Services; Sarah Lansdale, AICP, Director of Planning, Suffolk County Dept. of Economic Development and Planning; Lisa Broughton, representing County Executive Steven Bellone

**FROM:** Gilbert Anderson, P.E., Commissioner, SCDPW and Chairman, Suffolk County Sewer Agency 

**DATE:** June 12, 2018

**SUBJECT:** Please see the attached Suffolk County Sewer Agency minutes for the meeting of May 21, 2018.

GA/JD/br – Attachments

cc: Peter Scully, Deputy County Executive  
Amy Keyes, Director of Intergovernmental Relations  
Darnell Tyson, P.E., Deputy Commissioner, SCDPW  
Eric Hofmeister, Deputy Commissioner, SCDPW  
John Donovan, P.E., Chief Engineer, Division of Sanitation, SCDPW  
Janice McGovern, P.E., Principal Civil Engineer, Division of Sanitation, SCDPW  
Robert A. Braun, Esq., SC Department of Law  
Walter Dawydiak, P.E., SC Department of Health Services  
Christina DeLisi, Aide to Presiding Officer DuWayne Gregory  
Catherine Stark, Aide to Legislator Al Krupski  
Tony Leung, P.E., NYSDEC  
Boris Rukovets, P.E., Secretary, SC Sewer Agency

*The Suffolk County Sewer Agency meets at 12:30 PM at the offices of the Suffolk County Department of Public Works - 335 Yaphank Avenue - Yaphank, NY*

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# Suffolk County Sewer Agency Meeting Minutes May 21, 2018

The meeting was called to order at 12:37 PM by Commissioner Gilbert Anderson, P.E. In attendance were Legislator Al Krupski, Chairman of the Public Works, Transportation and Energy Committee; Robert Calarco, the Sewer Agency Legislator-At-Large; Tanima Adhya, P.E., representing the Commissioner of the Department of Health Services; Lisa Broughton, representing County Executive Steven Bellone; Christina DeLisi, representing Presiding Officer DuWayne Gregory.

*Note: Sarah Lansdale, AICP, Director of Planning telephoned earlier that she was unable to be in attendance. Ms. DeLisi arrived during the beginning of the discussion of the LIRR Wyandanch Train Station.*

Also present were John Donovan, P.E, Chief Engineer, Suffolk County Department of Public Works, Division of Sanitation; Catherine Stark, Aide to Legislator Krupski; Craig Platt, Suffolk County Department of Public Works; Marisa Schifano, Esq., Suffolk County Department of Law; Boris Rukovets, P.E., Secretary, Suffolk County Sewer Agency.

(See the attached sign-in sheet for others in attendance).

Commissioner Anderson welcomed attendees to the meeting of the May 21, 2018, Suffolk County Sewer Agency. A roll call was then taken.

**I. Roll Call** - (see above)

**II. Minutes of Previous Meeting**

The minutes from SCSA meeting of April 23, 2018 were discussed. A motion to accept the minutes as written was made by Commissioner Anderson, seconded by Ms. Broughton and approved unanimously.

Legislator Krupski recused himself from voting on the minutes due to the fact that he had not participated in the April 23, 2018 Sewer Agency meeting.

**III. Public Portion** – There were no requests to address the Agency.

## **V. New Business**

### **A. Formal Approval – Connection/Construction Agreement**

#### **LIRR WYANDANCH TRAIN STATION**

**BA-1477.1-012**

Mr. Donovan mentioned that this project is a proposed new train station in Wyandanch being constructed by the Long Island Railroad (LIRR) and located in the Wynadanch Commercial Corridor (WCC) also known as Wyandanch Rising. The County operates the sewer main system. The anticipated discharge is One Thousand Six Hundred Forty gallons per day (1,640 GPD) of wastewater. As per the agreement for connection to the sewer main in the WCC, the connection fee is waived for the parcels included in the agreement for a period of five (5) years from the activation of the sewer system.

The capacity is available in the sewer district and the staff recommends granting Formal Approval of the connection to the Sewer District No. 3 - Southwest.

Commissioner Anderson asked if there was a representative present and Joseph Costagna, P.E., the project engineer, mentioned that he was.

Legislator Krupski asked if the Long Island Railroad would be paying the usage fee and Mr. Donovan responded affirmatively. Legislator Krupski asked with regards to the whole concept of avoiding fees for five years that is expiring in September 2018, would the other people in the “waived” area be notified again before the expiration of the waiver? Mr. Donovan said that SCDPW had not been planning to notify everybody. Ms. Broughton noted that that was something that might be brought back to the Town of Babylon as a recommendation. Mr. Donovan mentioned that at that point there were probably only eight parcels that either had been connected or executed connection agreements – out of several hundred parcels in the area.

Commissioner Anderson asked if there were any other questions or comments and, seeing none, he made a motion to approve the resolution; the motion was seconded by Legislator Krupski and approved unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO: 18 - 2018 AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF LIRR WYANDANCH TRAIN STATION (BA-1477.1-012) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, LIRR Wyandanch Train Station is a proposed new Wyandanch Long Island Railroad train station building in Wyandanch, New York, situated on 0.63± Acre property identified on the Suffolk County Tax Map as District 0100, Section 040.00, Block 02.00, Lot 048.011, and

WHEREAS, the Premises is not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, but is located within the Agency project “Wyandanch Commercial Corridor” (WCC), and

WHEREAS, Pursuant to the agreement for the construction and connection of the main in the WCC, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and

WHEREAS, it is anticipated that LIRR Wyandanch Train Station will generate a wastewater flow of One Thousand Six Hundred Forty gallons per day (1,640 GPD), and

WHEREAS, the Town of Babylon has applied to this Agency for permission to connect LIRR Wyandanch Train Station to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from LIRR Wyandanch Train Station, and

WHEREAS, the connection of LIRR Wyandanch Train Station to the District will be environmentally beneficial to Suffolk County, and

WHEREAS, Pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this project involved the extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list; and routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. No further action under SEQRA should be taken by the Sewer Agency, and

NOW, THEREFORE, IT IS

1st RESOLVED, that the SEQRA requirements for this project have been met, and requires no further action, now, therefore, be it further

2<sup>nd</sup> RESOLVED, that LIRR Wyandanch Train Station be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3<sup>rd</sup> RESOLVED, that a total of One Thousand Six Hundred Forty gallons per day (1,640 GPD) of capacity in the District's sewage treatment plant be allocated to LIRR Wyandanch Train Station, and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the Town of Babylon, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6<sup>th</sup> RESOLVED, that Pursuant to the agreement for the construction and connection of the main in the WCC, connections made from designated parcels to the collection system during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and it is further

7<sup>th</sup> RESOLVED, that LIRR Wyandanch Train Station shall, at its sole cost, expense and effort, construct a sewage collection facility for LIRR Wyandanch Train Station and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8<sup>th</sup> RESOLVED, that LIRR Wyandanch Train Station shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for LIRR Wyandanch Train Station, as well as for all of the project related obligations under the Connection Agreement, and it is further

9<sup>th</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the Town of Babylon if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting – May 21, 2018)

Mr. Donovan mentioned that this project is an existing office building proposed to be renovated to include office space, storage and fitness room with showers located in Melville. The project is expected to generate Four Thousand Four Hundred Four gallons per day (4,404 GPD) of flow and the owner is requesting a formal approval to be connected to the County Sewer District No. 3 - Southwest.

The District's STP has sufficient excess treatment capacity to accommodate this project and the staff recommends granting Formal Approval.

Commissioner Anderson asked if there was a representative present and Dan Peveraro, project engineer, mentioned that he was.

Ms. Broughton asked what kind of building the 576 Broadhollow Rd. building was? Mr. Peveraro said that it was just an office building.

Commissioner Anderson asked if there were any other questions or comments and, seeing none, he made a motion to approve the resolution; the motion was seconded by Ms. Broughton and approved unanimously.

# SUFFOLK COUNTY SEWER AGENCY

## RESOLUTION NO. 19 - 2018

### GRANTING FORMAL APPROVAL FOR THE CONNECTION OF

### 576 BROADHOLLOW ROAD (HU-1719)

### TO SUFFOLK SEWER DISTRICT NO. 3 – SOUTHWEST

WHEREAS, 576 Broadhollow Road is an existing office building situated in Melville, New York, on property identified on the Suffolk County Tax Map as District 04.00, Section 265.00, Block 01.00, Lot 008.001, and

WHEREAS, the sewage flow from 576 Broadhollow Road is expected to be Four Thousand Four Hundred Four gallons per day (4,404 GPD), and

WHEREAS, 576 Broadhollow Road is not located within the boundaries of Suffolk County Sewer District No. 3 – Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, 576 Broadhollow Road has applied to this Agency for permission to connect its Four Thousand Four Hundred Four gallons per day (4,404 GPD), of flow to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the proposed flow of Four Thousand Four Hundred Four gallons per day (4,404 GPD) which is expected to emanate from 576 Broadhollow Road, and

WHEREAS, the connection of 576 Broadhollow Road to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this project involves the extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list; and routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. No further action under SEQRA should be taken by the Sewer Agency, and

NOW, THEREFORE, IT IS

1st RESOLVED, that SEQRA requirements for this project have been met, and requires no further action, now, therefore, be it further

2nd RESOLVED, that 576 Broadhollow Road be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

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3rd RESOLVED, that Four Thousand Four Hundred Four gallons per day (4,404 GPD) of capacity in the District's sewage treatment plant be allocated to 576 Broadhollow Road, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of 576 Broadhollow Road, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk, and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee to be paid for 576 Broadhollow Road shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of flow per day for a total of One Hundred Thirty-Two Thousand One Hundred Twenty Dollars (\$132,120.00), and it is further

7th RESOLVED, that 576 Broadhollow Road shall, at its sole cost, expense and effort, construct a sewage collection facility for 576 Broadhollow Road and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that 576 Broadhollow Road shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for 576 Broadhollow Road, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of 576 Broadhollow Road if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting May 21, 2018)

Mr. Donovan mentioned that this project is a proposed mixed-use residential and commercial development consisting of 51 single family homes and 241 residential units (a combination of condominiums and rental apartments), a private resident clubhouse, three 200-seat restaurants and 9,100 SF of office space (medical and non-medical). The project is proposed to be located on the south side of Horseblock Road, north of the LIE and west of Hanrahan Ave in Farmingville.

The project is expected to generate One Hundred Fifty Thousand (150,000 GPD) gallons per day of wastewater. The developer proposes to construct an on-site sewage treatment plant capable of treating the wastewater. SEQRA review was completed by the Town and the Sewer Agency's staff has reviewed the submittals and is recommending that the Agency issue its own SEQRA statement stating that the Agency is accepting the Town's Findings.

Staff recommends granting Formal Approval for the construction and operation and maintenance of an on-site STP.

Commissioner Anderson asked if there was a representative present and Matt Scheiner, P.E., the project engineer, mentioned that he was. He said that he had nothing to add to Mr. Donovan's narrative and added that he was available for questions.

Legislator Krupski asked what kind of treatment system was proposed for the treatment plant. Mr. Scheiner said that it was an SBR (Sequencing Batch Reactor). Mr. Donovan noted that the SBR, along with an MBR (Membrane Bioreactor) were typical state of the art treatment systems for sewage treatment plants. He added that an SBR system could achieve nitrogen effluent concentration of 10 mg/l and could probably do better than that.

Legislator Krupski asked since the private STP was not required to implement an affordable housing component through the County Law, was there any affordable housing requirements through the Town's Laws? Mr. Scheiner said that he was not sure and added that he would have to find out and get back to Legislator Krupski on this.

Legislator Calarco asked if the proposal was to transfer this plant to the County after construction. Mr. Scheiner responded that that was not the plan. Legislator Calarco asked if the Homeowners Association (HOA) was proposed to be formed to be responsible for the plant and Mr. Scheiner responded affirmatively. Legislator Calarco asked if the option was made available to the HOA to transfer the plant upon completion to the County. Mr. Scheiner said that he believed that was at the discretion of the County to offer that to the HOA. Commissioner Anderson said that it was usually within the language of the contract with the Agency that if the County wants to take over the plant, they can do it but generally SCDPW does not take over the private treatment plants. Legislator Calarco clarified that he asked this question because of the situation with one of the treatment plants in his district where the cost of operating the STP has significantly increased recently. Mr. Donovan noted that while the takeover could be considered, typically the County's cost to operate the plant is higher than the cost charged by the private STP operator.

Commissioner Anderson asked if there were any other questions or comments and, seeing none, he made a motion to approve the resolution; the motion was seconded by Ms. Adhya and approved unanimously.

# COUNTY OF SUFFOLK



**STEVE BELLONE**  
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

**DARNELL TYSON, P.E.**  
DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**  
COMMISSIONER

**ERIC M. HOFMEISTER**  
DEPUTY COMMISSIONER

## Sewer Agency Memorandum

**To:** Gilbert Anderson, P.E., Commissioner, SCDPW,  
Chairman, Suffolk County Sewer Agency

**CC:** Suffolk County Sewer Agency

**From:** John Donovan, P.E.

**Date:** May 16, 2018

**Subject:** Sewer Agency SEQRA Evaluation – The Arboretum (BR-1720)

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Having reviewed the environmental record for the above-referenced project requiring a SEQRA finding, the Sewer Agency staff after consultation offers the following for consideration:

The Arboretum was the subject of a review by the Brookhaven Town Board. The Brookhaven Town Board was declared the Lead Agency for this project and has completed the review of the EAF and after classifying the Arboretum action as Type I action under SEQRA (June 24, 2014 Resolution No. 2014-476), on August 6, 2015 accepted the Final Environmental Impact Statement for this project. On September 17, 2015, the Brookhaven Town Board issued Resolution adopting a SEQRA Findings Statement for the proposed action. The impacts relevant to the Sewer Agency identified within the SEQRA process have been shown to be insignificant or adequately mitigated. The Sewer Agency has reviewed the proposed action as submitted by the Arboretum and determined that it is consistent with the final project as identified in the Brookhaven Town Board SEQR Findings.

Once the Sewer Agency has adopted its own Findings Statement, the Agency can proceed with final approval of the project. This project involves the Construction, Operation and Maintenance of an On-Site Sewage Treatment Plant.

Based on the information presented, the Sewer Agency has reviewed the proposed action as submitted by the Arboretum and determined that it is consistent with the final project as identified within the EAF and the Brookhaven Town Board SEQR Findings.

JD/br

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

## Suffolk County Sewer Agency

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Gilbert Anderson, P.E.,  
Commissioner, SCDPW, Chairman,  
Suffolk County Sewer Agency

335 Yaphank Avenue  
Yaphank, NY 11980  
(631) 852-4010

**Date adopted by the SCSA: May 21, 2018**

Title 6 NYCRR Part 617.11 –  
Decision-making and findings requirements  
State Environmental Quality Review  
Findings Statement

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Suffolk County Sewer Agency, as involved agency, makes the following findings

**Name of Action:** The Arboretum – Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant (BR-1720)

**Description of Action:** This project includes the construction, operation, and maintenance of an on-site sewage treatment plant (STP) to service the wastewater generated by a proposed mixed-use residential and commercial development consisting of 51 single family homes and 241 residential units (a combination of condominiums and rental apartments), a private resident clubhouse (7,500 SF), three 200 seat restaurants and 9,100 SF of office space situated on 65.2± acres.

**Location:** South of Horseblock Rd, north of the LIE, and west of Hanrahan Ave in Farmingville, NY. SCTM No. 0200-65300-0700-001.000, 0200-62600-0300-039.005, 040.000

**Agency Jurisdiction:** Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant

**Date EAF filed: April 16, 2014; revised February 12, 2015**

**Date DEIS issued: January 2015; revised February 2015**

**Facts and conclusions in the environmental review record relied upon to support the decision:**

1. The Arboretum was the subject of a review by the Brookhaven Town Board. On September 17, 2015, the Brookhaven Town Board issued a Resolution adopting the SEQRA Findings Statement for the proposed action.
2. The impacts relevant to the Sewer Agency identified within the SEQR process have been shown to be insignificant or adequately mitigated.
3. The Sewer Agency has reviewed the proposed action as submitted by the Arboretum and determined that it is consistent with the final project as identified within the EAF, DEIS, FEIS the Brookhaven Town Board's June 24, 2014 Resolution No. 2014-476 classifying the Arboretum as Type I action under SEQRA and the Brookhaven Town Board's September 17, 2015 Resolution adopting the SEQRA Findings Statement for the proposed action.

**Certification to Approve:**

Having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

**Suffolk County Sewer Agency**



Gilbert Anderson, P.E., Commissioner, SCDPW,  
Chairman, Suffolk County Sewer Agency

6/12/18

Date

Address of Agency:  
Suffolk County Sewer Agency  
335 Yaphank Avenue  
Yaphank, NY 11980

cc: Other Involved Agencies  
Applicant

# SUFFOLK COUNTY SEWER AGENCY

## RESOLUTION NO. 20 -2018 AUTHORIZING THE CONSTRUCTION AND OPERATION & MAINTENANCE OF AN ON-SITE SEWAGE TREATMENT PLANT FOR THE ARBORETUM (BR-1720)

WHEREAS, application has been made for the Arboretum which is a proposed mixed-use residential and commercial development consisting of 51 single family homes, 241 residential units (a combination of condominiums and rental apartments), a private resident clubhouse, three 200-seat restaurants and 9,100 SF of office space located in Farmingville, New York, situated on property identified on the Suffolk County Tax Maps as District 0200, Section 653.00, Block 07.00, Lot 001.000 and District 0200, Section 626.00, Block 03.00, Lots 039.005 and 040.000.

WHEREAS, there is no Suffolk County Sewer District, or any other municipal sewer district in the vicinity of Arboretum with available capacity to treat the proposed One Hundred Fifty Thousand gallons per day (150,000 GPD) of wastewater, and

WHEREAS, the developer has applied to this Agency for permission to construct, operate, and maintain an on-site sewage treatment plant to treat such wastewater for the Arboretum, and

WHEREAS, this Agency has determined that the One Hundred Fifty Thousand gallons per day (150,000 GPD) of sanitary sewage generated by the said project shall be treated at an on-site sewage treatment plant to be constructed by the developer, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, the Suffolk County Sewer Agency has issued a Findings Statement, and requires no further action, and

WHEREAS, this Agency believes that prospective purchasers of the units should be apprised of the annual cost of the operation and maintenance of the proposed sewage treatment plant, not only while the plant is privately owned, but also if and when the County, or another municipality, assumes ownership of the plant,

NOW, THEREFORE, BE IT

1<sup>st</sup> RESOLVED, by the Suffolk County Sewer Agency as follows:

The Issuer hereby finds and determines:

- (a) The Agency's jurisdiction over the project is the Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant.

(b) Based upon an independent review by the Issuer of the EAF, DEIS and FEIS; the Brookhaven Town Board's June 24, 2014 Resolution No. 2014-476 classifying the Arboretum as Type I action under SEQRA and the Brookhaven Town Board's September 17, 2015 Resolution, adopting the Findings Statement for this action, the Issuer hereby concurs in the Brookhaven Town Board's resolution and decisions contained in the Statement and hereby adopts the Findings Statement attached hereto as Exhibit A as its own Findings Statement under SEQRA.

(c) Having considered the EAF, DEIS and FEIS, the Brookhaven Town Board's Resolution No. 2014-476 classifying the Arboretum as Type I action under SEQRA and the Brookhaven Town Board's September 17, 2015 Resolution, adopting the Findings Statement for the Arboretum and such other documents as may be necessary or appropriate, the Sewer Agency finds that:

(i) The requirements of 6 NYCRR Part 617 have been met;

(ii) Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the Action is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including effects disclosed in the environmental impact statement; and

(iii) Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement will be minimized or avoided by incorporating as conditions those mitigative measures which were identified as practicable.

(d) The basis for this decision is set forth in the Statement of Findings attached as Exhibit A hereto and incorporated by reference herein, thus all of the provisions of SEQRA have been complied with.

2<sup>nd</sup> RESOLVED, that the said application be approved subject to the execution of an agreement between the developer, the Suffolk County Department of Public Works, the Suffolk County Department of Health Services, the County of Suffolk and this Agency, on such terms as the Chairman of this Agency shall determine, including, but not limited to, the following:

1. The developer shall, at its sole cost, expense and effort, construct a complete sewage collection, treatment and disposal facility for the project in accordance with Agency standards and shall offer to dedicate the said facility to the Agency at no charge;

2. The developer and/or the Home Owners Association (HOA) shall operate and maintain the said facility until such time, if ever, as a Suffolk County, or other municipal, sewer district is formed encompassing the premises within its boundaries;

3. No Certificate of Occupancy shall be issued for any of the units in the project until the sewage treatment plant has been completed, and is operating, to the satisfaction of this Agency's staff;

4. The developer shall post a Letter of Credit, in form, wording and amount as determined by this Agency's staff, as security for the performance of all of the developer's obligations under the said agreement;

5. The developer shall disclose, in the project's Offering Plan/Prospectus, in language to be approved by this Agency's staff, the annual cost of operation and maintenance of the proposed sewage treatment plant, in order to ensure that prospective purchasers of the condominiums are apprised of said cost. The developer shall include in said notice the projected annual cost of operation and maintenance of the proposed sewage treatment plant for the ensuing years, based on an inflation factor, in order to ensure that all future owners of the condominium units are apprised of said cost, not only while the plant is privately owned, but also if and when the County, or another municipality, assumes ownership of the plant.

And be it further

3<sup>rd</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of the Arboretum if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

Suffolk County Sewer Agency Meeting (May 21, 2018)

## **B. Formal Approval – Connection/Construction Agreement – Time Extension**

### **B1. Connection Agreement - Time Extension**

#### **MIDDLE COUNTRY MEADOWS**

**BR-1640**

Mr. Donovan mentioned that this project is a proposed 124 Unit PRC/Garden Apartment development situated in Selden. The development is expected to generate Nineteen Thousand gallons per day (19,000 GPD) of wastewater and the developer requests a time extension to complete the connection agreement to connect to the Sewer District No. 11 – Selden. The capacity continues to be available in the District and the Staff recommends granting the request for a time extension.

Commissioner Anderson asked if there was a representative present and Tom Lembo, P.E., the project engineer, mentioned that he was. He added that the project was subject to the County affordable housing component and that his client was willing to meet that requirement.

Legislator Krupski asked, since the original formal approval was received in 2014, was the affordable housing component proposed to be 20%? Mr. Lembo responded affirmatively.

Commissioner Anderson asked if there were any other questions or comments and, seeing none, he made a motion to approve the resolution; the motion was seconded by Legislator Calarco and approved unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 21 - 2018**

### **AUTHORIZING AN EXTENSION OF TIME FOR THE CONNECTION OF MIDDLE COUNTRY MEADOWS (BR-1640) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN**

WHEREAS, on February 10, 2014, this Agency adopted Resolution No. 6-2014, authorizing the connection of Middle Country Meadows to Suffolk County Sewer District No. 11 - Selden, and

WHEREAS, on February 22, 2016, this Agency adopted Resolution No. 2-2016 and on May 15, 2017, this Agency adopted Resolution No. 24-2017, each granting one (1) year time extension to complete the Connection Agreement, and

WHEREAS, Resolution No. 24-2017 expired on May 15, 2018, without the completion of the Connection Agreement, and

WHEREAS, negotiations concerning such an agreement are incomplete, and

WHEREAS, the owner of Middle Country Meadows has requested an extension of the authorization granted in Resolution No. 6-2014, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that Resolution No. 6-2014, adopted by this Agency on February 10, 2014, is hereby renewed, and it is further

2<sup>nd</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer, if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting May 21, 2018)

## **C. Conceptual Certification – Connection/Construction Agreement**

**FELDMAN ISLANDIA**

**IS-1602.1**

Mr. Donovan mentioned that this project is a proposed mixed-use development consisting of 250-unit 5-story residential building, assisted living facility with 150 beds and a retail pharmacy, located on the southwest corner of Veterans Memorial Highway and Motor Parkway. This project represents a newly proposed project for this project area, replacing in its entirety the Islandia Village Center project that previously received the Sewer Agency and Legislative approval in 2009, with both of these approvals expired in February 2013. The developer is requesting conceptual certification for the estimated flow of Seventy-Six Thousand Two Hundred Nine gallons per day (76,209 GPD) proposed to be connected to the SCSD No. 13 - Windwatch.

The capacity is available in the district and the staff recommends granting the request for conceptual certification.

Commissioner Anderson asked if there was a representative present and Matt Scheiner, P.E. the project engineer, mentioned that he was.

Legislator Krupski asked, given that the application summary stated that the project was planning to have a 15% affordable housing component, has Mr. Scheiner's client considered going higher on that? Mr. Scheiner said that he and the project team discussed this item with the client and the client had indicated that he wanted to stay with 15% of affordable housing.

Commissioner Anderson asked if there were any further questions or comments and, seeing none, he made a motion to approve the resolution; the motion was seconded by Ms. Broughton and approved unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 22 - 2018**

### **GRANTING CONCEPTUAL CERTIFICATION**

#### **FOR THE CONNECTION OF**

#### **FELDMAN ISLANDIA (IS-1602.1)**

#### **TO SUFFOLK COUNTY SEWER DISTRICT NO. 13 – WINDWATCH**

WHEREAS, Feldman Islandia is a proposed mixed-use development consisting of 250-unit 5-story residential building, assisted living facility with 150 beds and a retail pharmacy situated on 12.66± acres located in Hauppauge, New York on property identified on the Suffolk County Tax Maps as District 0504, Section 001.00, Block 01.00, Lots 007.000, 008.000, 009.000, & 010.000, and

WHEREAS, the sewage flow from Feldman Islandia is expected to be Seventy-Six Thousand Two Hundred Nine gallons per day (76,209 GPD), and

WHEREAS, Feldman Islandia is not located within the boundaries of Suffolk County Sewer District No. 13 – Windwatch (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Feldman Islandia has applied to this Agency for permission to connect its Seventy-Six Thousand Two Hundred Nine gallons per day (76,209 GPD), of flow to the sanitary sewerage facilities of the District, and

WHEREAS, the proposed capacity is currently available and inasmuch as the SEQRA process for the aforesaid connection has not been fully completed, this Agency cannot, at this time, approve the said request for additional capacity, and

WHEREAS, in the interest of good planning, and in order to minimize potential hardship on applicants, it is the policy of this Agency, upon review of an application prior to the completion of the SEQRA process, to give applicants an indication of what method of wastewater disposal this Agency would like to see for a particular project, thereby giving applicants an indication of the action that this Agency might take if it were to pass upon the application at the time of such review, and

WHEREAS, in furtherance of such policy, this Agency is desirous of giving Feldman Islandia an indication of the action that this Agency might take regarding the proposed connection if the SEQRA process had been completed, and this Agency were to pass upon the matter at this time,

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that this Agency hereby grants "Conceptual Certification" to the proposed connection of Feldman Islandia to SCSD No. 13 – Windwatch, as aforesaid, and it is further

2<sup>nd</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Feldman Islandia, within two years from the date of the adoption hereof if an application for Formal Approval in form and content satisfactory to the Chairman of this Agency, has not been submitted for consideration.

3<sup>rd</sup> RESOLVED, that

1. such conceptual certification is not, and is not to be construed as, final approval, which can only be granted by this Agency after the SEQRA process for the proposed connection has been completed;
2. the applicant shall return to this Agency for such final approval;
3. the granting of conceptual certification as set forth herein shall not be binding upon this Agency when final approval is sought; and
4. the granting of conceptual certification does not constitute a position by this Agency, favorable or otherwise, with respect to local land use, zoning and/or subdivision requirements.

(Suffolk County Sewer Agency Meeting May 21, 2018)

Seeing no further business, Commissioner Anderson made a motion to adjourn the meeting. The motion was seconded by Ms. Broughton and approved unanimously at 12:54 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Boris Rukovets". The signature is fluid and cursive, with a prominent initial "B" and a long, sweeping tail.

Boris Rukovets, P.E.  
Secretary, SC Sewer Agency

*Note: These minutes represent the recorder's understanding of the issues discussed. Please report any discrepancies to the recorder within seven days of distribution for discussion at the next available Agency meeting or move to amend the meeting's minutes at the next meeting.*

Sign-in

May 21, 2018

Suffolk County Sewer Agency  
SCDPW - Sanitation - Engineering

No.	Name	Firm/Company	Project	Email Address
1	DAN PEUTZADO	LAURO GROUP	57th Broadhollow Road	Dpeutzero@thelaurogroup.com
2	MATT SCHEINER	R&M ENGR.	ARBORUM & FELDMAN ISLANDIA	mscheinerm@rmengineering.com
3	TOM LEMBO	N/A	MCM	TLEMBO@NEWSWADPE.COM
4	JOSEPH CASTAGNA	LIRO	LIRR TRAIN STATION	CASTAGNAJ@LIRO.COM
5	MARVIN OSMAN	GLASS FLO TECH		daisted02@aol.com
6	THOMAS GALLAGHER	Sewer Stewards Inc		thomas@sewerstewards.com
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If you are not a project representative but would like to address the Sewer Agency, please fill out an index card.