

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JOSEPH T. BROWN, P.E.
COMMISSIONER

ERIC M. HOFMEISTER
DEPUTY COMMISSIONER

DARNELL TYSON, P.E.
CHIEF DEPUTY COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Lisa Black, Chief Deputy County Executive; Honorable Robert Calarco, Presiding Officer of the Suffolk County Legislature; Honorable Legislators; Al Krupski, Chairman, Public Works, Transportation & Energy Committee; Tom Donnelly, the Sewer Agency Legislator-At-Large; Fleming, Sunderman, Muratore, Hahn, Anker, Piccirillo, Gonzalez, Richberg, Cilmi, Flotteron, Kennedy, Trotta, McCaffrey, Berland, 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: Joseph T. Brown, P.E., Commissioner, SCDPW and Chairman, Suffolk County Sewer Agency 

DATE: September 16, 2020

SUBJECT: Please see the attached Suffolk County Sewer Agency agenda for the meeting of September 21, 2020.

JB/JM/br – Attachments

cc: Peter Scully, Deputy County Executive
Nicole Amendola, Director of Intergovernmental Affairs
Robert A. Braun, Esq., SC Department of Law
Afreen Wright, Esq., SC Department of Law
Walter Dawydiak, P.E., SC Department of Health Services
Ramsey Pack, Aide to Presiding Officer Robert Calarco
Karen Klafter, Aide to Legislator Tom Donnelly
Catherine Stark, Aide to Legislator Al Krupski
Tony Leung, P.E., NYSDEC
Darnell Tyson, P.E., Chief Deputy Commissioner, SCDPW
Eric Hofmeister, Deputy Commissioner, SCDPW
Philip Berdolt, Deputy Commissioner, SCDPW
Janice McGovern, P.E., Acting Chief Engineer, Division of Sanitation, SCDPW
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*

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency
Meeting Agenda
September 21, 2020
12:30 PM

I. Roll Call

II. Minutes of Previous Meeting (August 24, 2020)

III. Public Portion

IV. Old Business

1. Lewis Road PRD (SH-1743)

- Connection to privately owned STP (45,000 GPD)

Note: At the request of SCDPW staff, the discussion of Lewis Road PRD will be postponed until the Central Pine Barrens Joint Planning & Policy Commission makes its final determination on this project's subdivision application

V. New Business

A. Formal Approval – Connection/Construction Agreement

1. Hartz Mountain Pinelawn (HU-0649.1)

- Connection to SCSD No. 3 – Southwest (39,812 GPD)

2. Scalamander Cove Apartments (BR-1578.2)

- Connection to privately owned Concern at Middle Island STP (21,608 GPD)

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

B1. Connection Agreement - Time Extension

- N/A

B2. Construction Agreement - Time Extension

1. The Arboretum (BR-1720)

- Connection to privately owned STP (150,000 GPD)

C. Conceptual Certification – Connection/Construction Agreement

1. 1660 Route 112 (BR-1751)

- Connection to SCSD No. 11 – Selden (1,631 GPD)

D. Conceptual Certification – Time Extension

- N/A

E. Miscellaneous

- N/A

Due to public health and safety concerns related to COVID-19, the September 21, 2020 Sewer Agency meeting and its Public Portion will be held via a Zoom meeting.

To request participation in the Public Portion of the meeting in order to provide comments on the projects listed on the Agenda or to request participation in the meeting as an observer, please contact Boris Rukovets, P.E., Secretary of the Sewer Agency, at Boris.Rukovets@suffolkcountyny.gov by the close of business on September 18, 2020.

A. Formal Approval – Connection/Construction Agreement

HARTZ MOUNTAIN PINELAWN

HU-0649.1

This project is a former Newsday building, proposed to be redesigned to include warehouse and mezzanine areas and office space. The project is situated on 53.4± acre property located in Melville. The Newsday building was previously connected to an on-site private treatment plant which will be abandoned as a result of this project.

The project is expected to generate Thirty-Nine Thousand Eight Hundred Twelve gallons per day (39,812 GPD) of flow and the owner is requesting a Formal Approval to be connected to the County Sewer District No. 3- Southwest. The project previously received a conceptual certification at the April 15, 2019 Sewer Agency meeting.

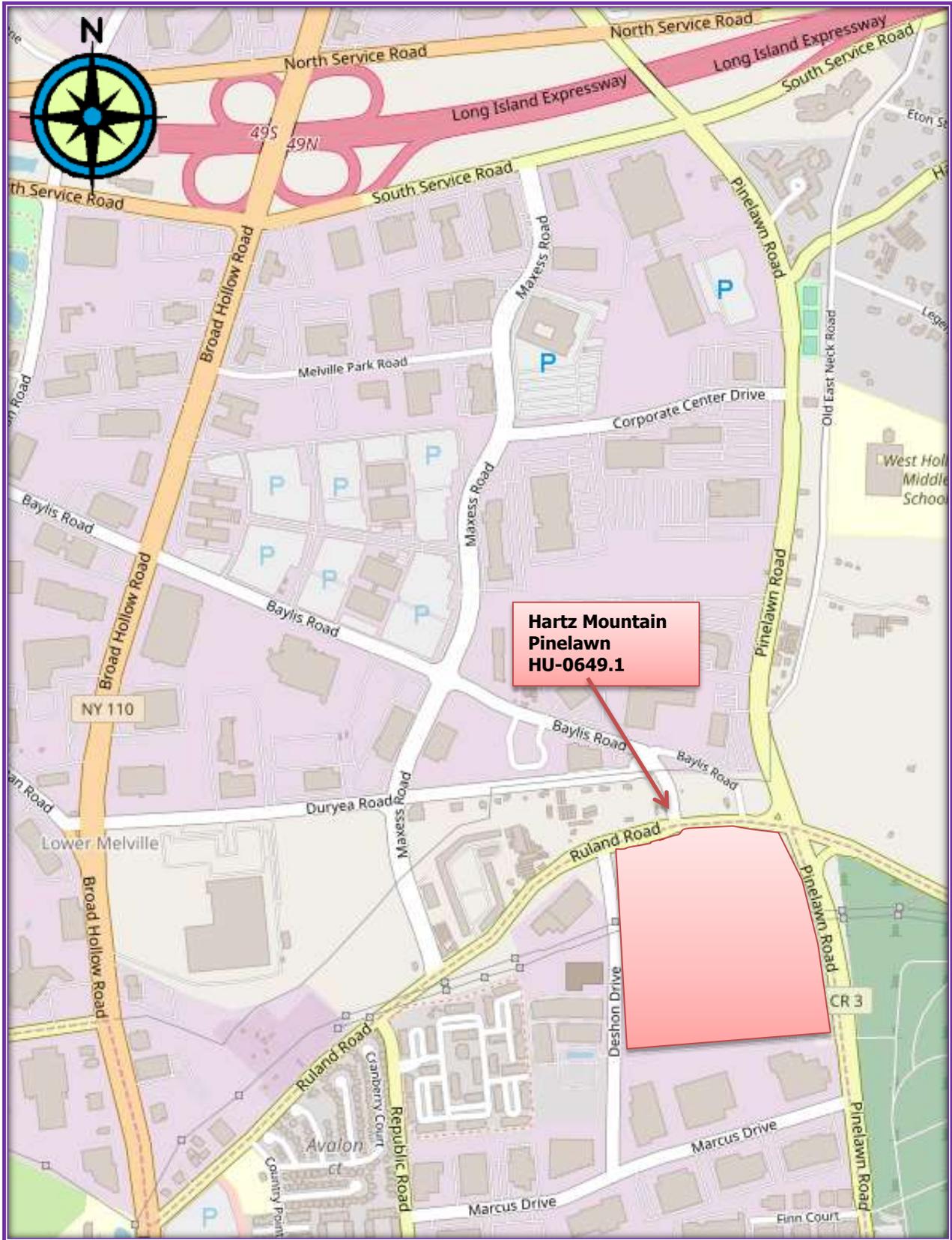
The District's STP has sufficient excess treatment capacity to accommodate this project and the staff recommends granting Formal Approval.

Sewer Agency Timeline:

Application Type	SA Meeting Date	Agency Reso No.	GPD
Conceptual Certification	April 15, 2019	14-2019	39,812

Project Facts:

Type/units: Industrial Subdivision – Warehouse Area (747,380 SF); Mezzanine Area (99,203 SF); and Office Space (99,203 SF)
Proposed Flow: 39,812 GPD
Sewer District: SCSD No. 3 – Southwest
Groundwater Zone: II
SEQR: Complete
RPTM: 04.00-270.00-01.00-008.001 and 024.001
Legislative District: 17th



NIS 2020



Suffolk County Sewer Agency Application

(Choose One)

Application Type

- Formal Approval - (Projects Which Have Completed SEQRA)
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)
- Formal Approval - Time Extension - (Time Extension to complete Agreement-projects with prior Agency approval)
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA-projects with prior Agency Approval)

Please note that items No. 1-3 will be filled out by the Agency

1. SCDPW Project #: HU-0649.1 2. Application Received: 9/8/2020 3. Application Processed: _____

4. Applicant Name: Hartz Mountain Industries, Inc 5. Corporation Name: Hartz Mountain Industries, Inc

6. Telephone No.: 201.272.5403 7. Address: 400 Plaza Drive, PO Box 1515 8. City: Secaucus, NJ 07096

9. Federal ID No.: 13-2670903 10. Email Address: Andrew.coords@hartzmountain.com

11. Project Plat Name: Hartz Mountain Pinelawn 12. Project Location: Melville, New York

13. Real Property Tax Map #(s): 400-270-1-8.1 & 24.1

(Note: Use additional Sheets if necessary) _____

14. Exact address of ALL owners of the land. If individuals, give home address. If corporation, give corporation address, plus name, email, and office in the corporation held by party who will execute Agreement with Agency. In addition, please furnish names of all principals of corporation. **THIS IS NOT OPTIONAL.** (Attach additional sheets as necessary).

235 Pinelawn Road South LLC 235 Pinelawn Road North LLC

235A Pinelawn Rd 235B Pinelawn Rd

Melville, NY 11747 Melville, NY 11747 Email Address: Andrew.coords@hartzmountain.com

15. Project Attorney: Keith P. Brown - Brown & Altman, LLP

538 Broadhollow Road, Suite 301, Melville, NY 11747 Email Address: brown@brownaltman.com

16. Project Engineer/Professional: Thomas F Lembo, PE - Nelson & Pope

572 Walt Whitman Road, Melville, NY 11747 Email Address: tlembo@nelsonpope.com

17. Project Area in Acres: 53.4 No. of Plots: 2 No. Units: 2 Gallons/day: 39,812

18. Type of Development:
- | | | |
|--|------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> c. Subdivision - Industrial | a. Subdivision - Residential | b. Subdivision - Commercial |
| <input type="checkbox"/> f. Garden Apartments | d. HOA Subdivision | e. Condominium |
| <input type="checkbox"/> i. Combination of above letters ___ and ___ | g. Shopping Center | h. Planned Retirement Community |
| | | j. Other _____ |

19. The following must accompany the application:

- A. Check in the amount of \$1,000.00 payable to Suffolk County Comptroller.
- B. Copy of deed in the name of number 4 (above).
- C. Copy of Lead Agency's SEQRA Declaration.
- D. Date application submitted to the SCDHS: March 2019 SCDHS Project #: C04-19-0007
(Note: The SCDHS application must be submitted prior to the Sewer Agency meeting. It is the applicant responsibility to submit the SCDHS application in a timely manner. Please allow sufficient time for the SCDHS to review the application thoroughly. The applicant must have a SCDHS Project # before the application will be placed on the Agenda of the Sewer Agency meeting.)
- E. Other pertinent information, i.e. site plan and/or survey, or SCDHS Board of Review Determination.

20a. Is the project connecting to a County Sewage Treatment Plant? Yes, Sewer District No.: #3

20b. Is the project subject to Suffolk County Local Law 20-2007 - Affordable Housing? No

20c. If answer for 20a. is yes and answer for 20b. is no, state reason: The project is an industrial subdivision providing no residential housing. The project is not required to meet the requirements of the Local Law regarding affordable housing.

The applicant certifies that the applicable zoning and variances have been secured from the Town.

Andrew Coords, P.E. [Signature] AVP - Site Development 9/2/2020
Applicant's Printed name Signature Title Date

Note: Incomplete Applications Will Not Be Processed

Please return application to:
Suffolk County Sewer Agency
335 Yaphank Avenue
Yaphank, NY 11980
Attn: Boris Rukovets, P.E.
Page 5 of 24

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. _ - 2020, GRANTING FORMAL APPROVAL FOR THE CONNECTION OF HARTZ MOUNTAIN PINELAWN (HU-0649.1) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST

WHEREAS, Hartz Mountain Pinelawn is a former Newsday building proposed to be redesigned into an industrial subdivision to include warehouse and mezzanine areas and office space, located in Melville, New York, on property identified on the Suffolk County Tax Maps as District 04.00, Section 270.00, Block 01.00, Lots 008.001 and 024.001, and

WHEREAS, the sewage flow from Hartz Mountain Pinelawn is expected to be Thirty-Nine Thousand Eight Hundred Twelve gallons per day (39,812 GPD), and

WHEREAS, Hartz Mountain Pinelawn 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, Hartz Mountain Pinelawn has applied to this Agency for permission to connect its Thirty-Nine Thousand Eight Hundred Twelve gallons per day (39,812 GPD) of anticipated flow to the sanitary sewerage facilities of the District and to abandon the on-site sewage treatment plant previously servicing the Newsday building, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the proposed flow of Thirty-Nine Thousand Eight Hundred Twelve gallons per day (39,812 GPD) which is expected to emanate from Hartz Mountain Pinelawn, and

WHEREAS, the connection of Hartz Mountain Pinelawn 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) (13) and (26), 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,

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 Hartz Mountain Pinelawn 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

3rd RESOLVED, that Thirty-Nine Thousand Eight Hundred Twelve gallons per day (39,812 GPD) of capacity in the District's sewage treatment plant be allocated to Hartz Mountain Pinelawn, 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 Hartz Mountain Pinelawn, 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 Hartz Mountain Pinelawn 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 Million One Hundred Ninety-Four Thousand Three Hundred Sixty Dollars (\$1,194,360.00), and it is further

7th RESOLVED, that the developer shall, at his sole cost, expense and effort, construct a sewage collection facility for Hartz Mountain Pinelawn 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 the developer 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 Hartz Mountain Pinelawn, 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 Hartz Mountain Pinelawn 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 – September 21, 2020)

SCALAMANDER COVE APARTMENTS

BR-1578.2

Scalamander Cove Apartments is a proposed 96 unit apartment complex with a clubhouse located in Middle Island, New York on a 13.3± acres property. The estimated flow from this project is Twenty-One Thousand Six Hundred Eight gallons per day (21,608 GPD) for which the developer requests a formal approval for connection to the existing privately owned Concern at Middle Island Sewage Treatment Plant.

The Town Board of the Town of Brookhaven was declared the Lead Agency for SEQR with respect to Scalamander Cove Apartments. The Town Board completed the environmental review and issued a Findings. The Sewer Agency should issue its own Findings regarding the project, stating that the Agency has reviewed the submittals and the project before them is in conformance with the Town Board of the Town of Brookhaven’s Findings.

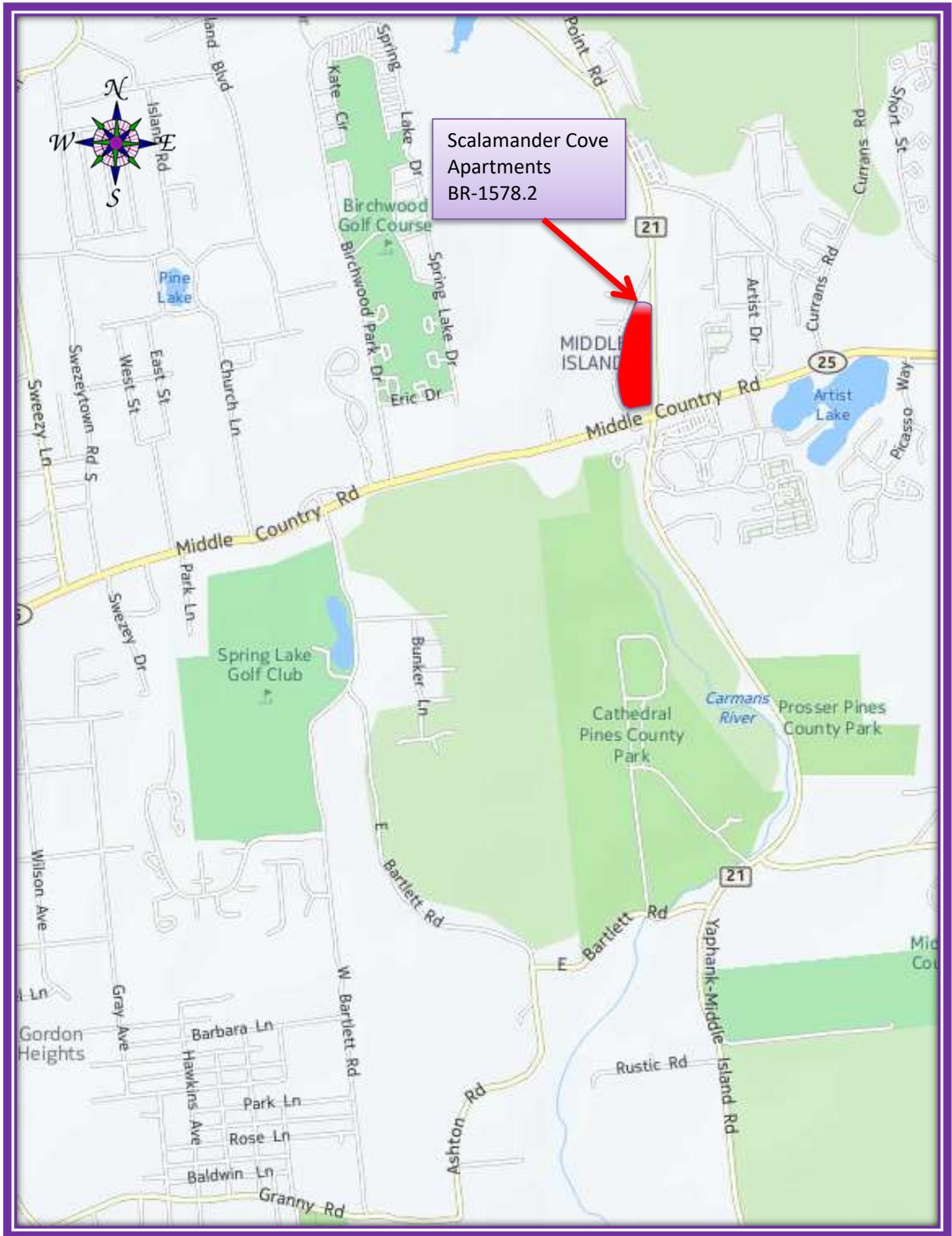
Staff recommends granting Formal Approval for the connection of the project to the Concern at Middle Island STP.

Sewer Agency Timeline:

Application Type	SA Meeting Date	Agency Reso No.	GPD
Conceptual Certification	September 16, 2019	50-2019	21,608

Project Facts

Type/units: 96 Apartments with a Clubhouse
Acreage: (Ac) 13.3±
Flow: (GPD) 21,608
Sewer District: N/A – Privately owned STP
Groundwater Zone: III
SEQRA: Complete
SC Tax Map 0200-378.00-01.00-008.000, 012.004 and 013.000
Legislative District 6th



NTS 2020



Suffolk County Sewer Agency Application

Choose One
(Please note that items No. 1-3 will be filled out by the Agency)

Application Type

- Formal Approval - (Projects Which Have Completed SEQRA)**
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)**
- Formal Approval - Time Extension - (Time Extension to complete Agreement-projects with prior Agency approval)**
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA-projects with prior Agency Approval)**

1. SCDPW Project #: BR-1578.2 2. Application Received: 9/9/2020 3. Application Processed: _____

4. Applicant Name: Sam Glass 5. Corporation Name: Scalamander Cove, LLC

6. Telephone No.: 516-481-7612 7. Address: 249-12 Jericho Turnpike, Suite 230 8. City: Floral Park

9. Federal ID No.: 20-3233622 10. Email Address: sam@samglasslaw.com

11. Project Plat Name: Scalamander Cove Apartments 12. Project Location: W side of Rocky Pt Rd. N of Rt 25, Rocky Pt

13. Real Property Tax Map #(s): 0200-378-01-8, 12.4 & 13

(Note: Use additional Sheets if necessary) _____

14. Exact address of ALL owners of the land. If individuals, give home address. If corporation, give corporation address, plus name, email, and office in the corporation held by party who will execute Agreement with Agency. In addition, please furnish names of all principals of corporation. **THIS IS NOT OPTIONAL.** (Attach additional sheets as necessary).
see attached

Scalamander Cove, LLC, 249-12 Jericho Turnpike Suite 230, Floral Park, NY 11001

_____ Email Address: _____

15. Project Attorney: Erik W. Snipas, Esq., Forchelli, Deegan, Terrana, 333 Earle Ovington Blvd., Suite 1010 Uniondale, NY 11553

_____ Email Address: _____

16. Project Engineer/Professional: Thomas F. Lembo, P.E., Nelson & Pope

_____ Email Address: tlembo@nelsonpoppe.com

17. Project Area in Acres: 13.35 No. of Plots: _____ No. Units: 96 Gallons/day: 21,608 GPD

18. Type of Development:
- | | |
|--|---|
| a. Subdivision - Residential | b. Subdivision - Commercial |
| c. Subdivision - Industrial | d. HOA Subdivision |
| <input checked="" type="radio"/> Garden Apartments | e. Condominium |
| f. Shopping Center | g. Planned Retirement Community |
| h. Other _____ | i. Combination of above letters _____ and _____ |
| j. Other _____ | |

19. The following must accompany the application:
- A. Check in the amount of \$1,000.00 payable to Suffolk County Comptroller.
 - B. Copy of deed in the name of number 4 (above).
 - C. Copy of Lead Agency's SEQRA Declaration.
 - D. Date application submitted to the SCDHS: _____ SCDHS Project #: CO2-19-0098
(Note: The SCDHS application must be submitted prior to the Sewer Agency meeting. It is the applicant responsibility to submit the SCDHS application in a timely manner. Please allow sufficient time for the SCDHS to review the application thoroughly. The applicant must have a SCDHS Project # before the application will be placed on the Agenda of the Sewer Agency meeting.)
 - E. Other pertinent information, i.e. site plan and/or survey, or SCDHS Board of Review Determination.

20a. Is the project connecting to a County Sewage Treatment Plant? No Sewer District No.: _____

20b. Is the project subject to Suffolk County Local Law 20-2007 - Affordable Housing?

20c. If answer for 20a. is yes and answer for 20b. is no, state reason: _____

The applicant certifies that the applicable zoning and variances have been secured from the Town.

SAMUEL GLASS [Signature] [Title] 9/11/2020
Applicant's Printed name Signature Title Date

SCALAMANDER COVE LLC

Note: Incomplete Applications Will Not Be Processed

Please return application to:
Suffolk County Sewer Agency
335 Yaphank Avenue
Yaphank, NY 11980
Attn: Boris Rukovets, P.E.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

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DEPUTY COMMISSIONER

Sewer Agency Memorandum

To: Joseph T. Brown, P.E., Commissioner, SCDPW,
Chairman, Suffolk County Sewer Agency

CC: Suffolk County Sewer Agency

From: Boris Rukovets, P.E.

Date: September 15, 2020

Subject: Sewer Agency SEQRA Evaluation – Scalamander Cove Apartments (BR-1578.2)

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:

Scalamander Cove Apartments application for an amendment of restrictive covenants was the subject of a review by the Brookhaven Town Board. The Brookhaven Town Board was declared the Lead Agency for this project and classified the Scalamander Cove Apartments action as Type I action under SEQRA and issued a Negative Declaration. 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 Scalamander Cove Apartments 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 of the sewer collection system and its connection to the privately owned Concern at Middle Island Sewage Treatment Plant.

Based on the information presented, the Sewer Agency has reviewed the proposed action as submitted by Scalamander Cove Apartments and determined that it is consistent with the final project as identified within the Brookhaven Town Board SEQRA Findings Statement and July 16, 2020 Resolution of Adoption granting the application for an amendment of restrictive covenants.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency

Joseph T. Brown, P.E.,
Commissioner, SCDPW,
Chairman,
Suffolk County Sewer Agency

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

Date adopted by the SCSA: September 21, 2020

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: Scalamander Cove Apartments – construction of the sewer collection system for the proposed 96 unit apartment complex with a clubhouse and its connection to the existing privately owned Concern at Middle Island sewage treatment plant (BR-1578.2)

Description of Action: This project includes the construction of the collection system for the proposed apartment complex 96 unit apartment complex with a clubhouse located on a 13.3± acre property in Middle Island, NY and its connection to the existing privately owned Concern at Middle Island sewage treatment plant (BR-1578.2).

Location: East side of Middle Island Road, North of NYS Route 25; SCTM# 0200-378.00-01.00-008.000, 012.004, 013.000

Agency Jurisdiction: Construction of the sewer collection system and its connection to the existing privately owned sewage treatment plant

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

1. Scalamander Cove Apartments (Middle Island Apartments) application for an amendment of restrictive covenants has been the subject of a review by the Brookhaven Town Board. The Town Board declared the proposed action a Type I action and issued a Negative Declaration.
2. The impacts relevant to the Sewer Agency identified within the SEQRA process have been shown to be insignificant or adequately mitigated.
3. The Sewer Agency has reviewed the proposed action as submitted by Scalamander Cove Apartments and determined that it is consistent with the final project as identified within the Brookhaven Town Board SEQRA Findings Statement and the Resolution of Adoption dated July 16, 2020 granting the application for an amendment of restrictive covenants.

Certification to Approve:

Having considered the draft and final Environmental Impact Statement and 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

Joseph T. Brown, P.E., Commissioner, SCDPW,
Chairman, Suffolk County Sewer Agency

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. - 2020

AUTHORIZING THE CONNECTION OF SCALAMANDER COVE APARTMENTS (BR-1578.2) TO CONCERN AT MIDDLE ISLAND SEWAGE TREATMENT PLANT

WHEREAS, application has been made for Scalamander Cove Apartments, a proposed 96 unit apartment complex with a clubhouse located in Middle Island, New York, on a 13.3± acre property identified on the Suffolk County Tax Maps as District 0200, Section 378.00, Block 01.00, Lots 008.000, 012.004 and 013.000, and

WHEREAS, there is no Suffolk County Sewer District, or any other municipal sewer district in the vicinity of Scalamander Cove Apartments, and

WHEREAS, there is an existing privately owned Concern at Middle Island Sewage Treatment Plant (the "Plant"), which is sufficiently close to the development to permit the connection of Scalamander Cove Apartments thereto, and

WHEREAS, the developer of Scalamander Cove Apartments has applied to this Agency for permission to connect the Twenty-One Thousand Six Hundred Eight gallons per day (21,608 GPD) of flow to the existing privately owned Concern at Middle Island Sewage Treatment Plant (STP), and

WHEREAS, this Agency has been advised that the owner of the Plant is receptive to the connection of Scalamander Cove Apartments to the Plant, and

WHEREAS, this Agency has determined that the Twenty-One Thousand Six Hundred Eight gallons per day (21,608 GPD) of sanitary sewage generated by Scalamander Cove Apartments shall be treated at the Concern at Middle Island STP, and

WHEREAS, the connection of Scalamander Cove Apartments to the Concern at Middle Island STP will be environmentally beneficial to Suffolk County, and

WHEREAS, Pursuant to Title 6 NYCRR Part 617.5(c) (13) and (26), 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

NOW, THEREFORE, IT IS

1st RESOLVED, that the SEQRA requirement for this project have been met, and the Town Board of the Town of Brookhaven issued a negative declaration under SEQRA and the Resolution of Adoption dated July 16, 2020 granting the project's application for an amendment of restrictive covenants, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the said application be approved subject to the execution of an agreement between the owners of Scalamander Cove Apartments and Concern at Middle Island STP, 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 system for the project in accordance with Agency standards and shall offer to dedicate the said facility to the Agency at no charge;

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

3. 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;

4. The developer shall furnish a copy of the agreement between Scalamander Cove Apartments and the owner of the Concern at Middle Island STP for review and approval;

And be it further

3rd 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 Scalamander Cove Apartments 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 – September 21, 2020)

B2. CONSTRUCTION AGREEMENT – TIME EXTENSION

THE ARBORETUM

BR-1720

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 (7,500 SF), three 200-seat restaurants and 9,100 SF of office space (medical and non-medical). The project is proposed to be situated on 65.2± acre property 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 and has requested a time extension to complete the construction agreement.

The Agency's staff also received a notification of transfer of ownership of the project and the project property to BRP Farmingville, LLC.

Staff recommends granting time extension to complete the construction agreement for the construction and operation & maintenance of an on-site STP.

Sewer Agency Timeline:

Approval Type	Approval Date	Resolution No.	Capacity (GPD)
Formal Approval Time Extension	August 19, 2019	42-2019	150,000
Formal Approval	May 21, 2018	20-2018	150,000

Project Facts:

Type/units: 51 single family homes; 241 residential units (condos and apts); private resident clubhouse (7,500 SF), three 200-seat restaurants; 9,100 SF of office space (medical & non-medical)

Sewer District: N/A – Private On-site STP

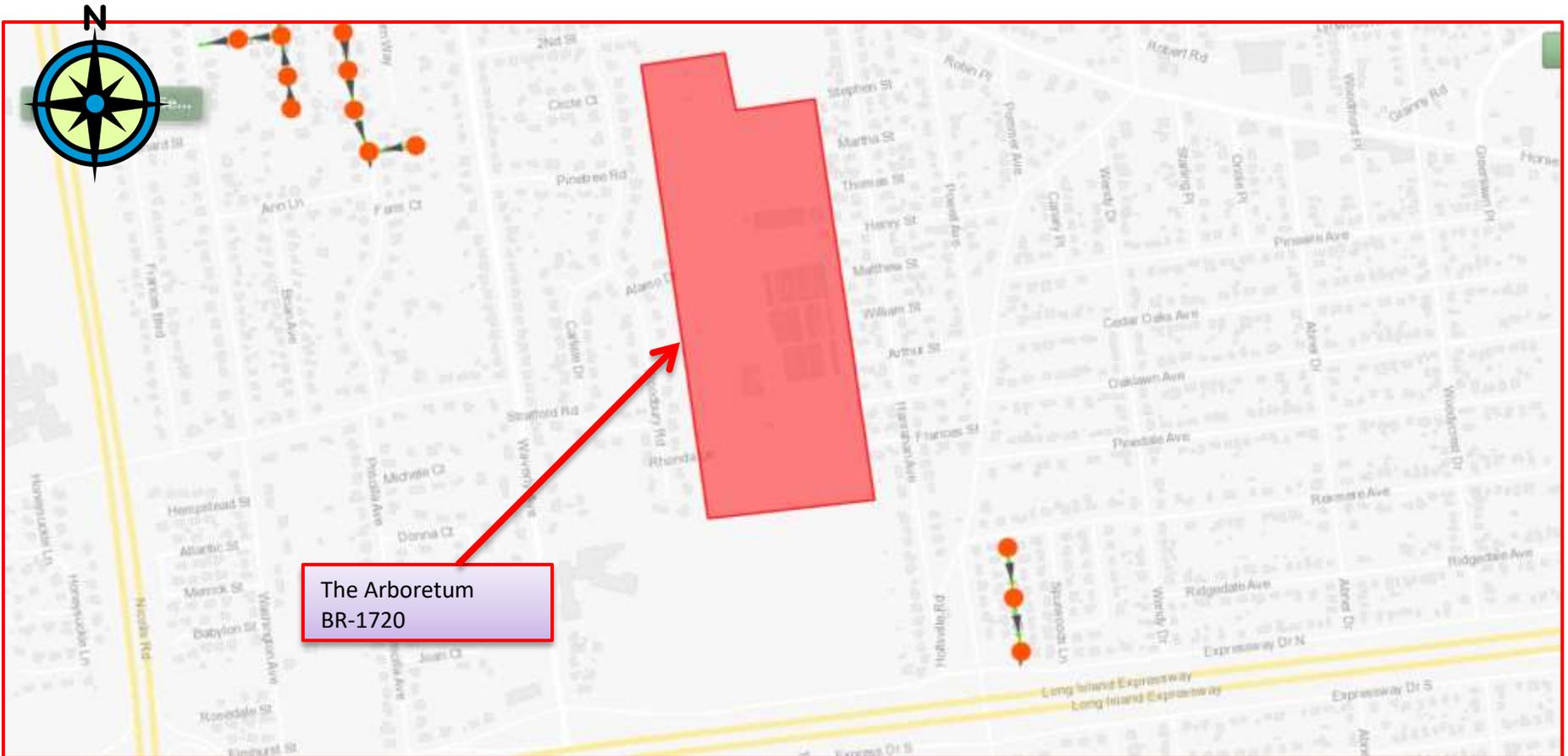
Proposed Flow: 150,000 GPD

Groundwater Zone: III

SEQR: Complete

RPTM: 0200-65300-0700-001.000; 0200-62600-0300-039.005 & 040.000

Legislative District: 4th



NTS 2020



Suffolk County Sewer Agency Application

Please note that items No. 1-3 will be filled out by the Agency

(Choose One)

Application Type

- Formal Approval - (Projects Which Have Completed SEQRA)
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)
- Formal Approval - Time Extension - (Time Extension to complete Agreement-projects with prior Agency approval)
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA-projects with prior Agency Approval)

1. SCDPW Project #: BR-1720 2. Application Received: 9/11/2020 3. Application Processed: _____

4. Applicant Name: Meredith Marshall 5. Corporation Name: Brookhaven Venture LLC

6. Telephone No.: (212) 488-4169 7. Address: 767 Third Ave, 33rd Floor 8. City: New York, NY 10017

9. Federal ID No.: 84-5037474 10. Email Address: gfournoy@brpcompanies.com

11. Project Plat Name: _____ 12. Project Location: s/s of Horseblock Road 811' west of Manhattan Avenue

13. Real Property Tax Map #(s): 200-653-7-1, 0200-62600-0300-039.005 & 040.000

(Note: Use additional Sheets if necessary) _____

14. Exact address of ALL owners of the land. If individuals, give home address. If corporation, give corporation address, plus name, email, and office in the corporation held by party who will execute Agreement with Agency. In addition, please furnish names of all principals of corporation. **THIS IS NOT OPTIONAL.** (Attach additional sheets as necessary).

Brookhaven Venture LLC, 767 Third Ave, 33rd Floor, New York, NY 10017

_____ Email Address: mmarshall@brpcompanies.com

15. Project Attorney: Timothy Shea, Esq.

100 Motor Parkway Hauppauge NY Email Address: tshea@certilmanbalin.com

16. Project Engineer/Professional: R&M Engineering, Matthew P. Scheiner, PE

50 Elm Street, Huntington NY 11743 Email Address: mscheiner@rmengineering.com

17. Project Area in Acres: 65.24 No. of Plots: _____ No. Units: 292 Gallons/day: 150,000

18. Type of Development:
- | | |
|---|--|
| a. Subdivision - Residential | <input checked="" type="radio"/> b. Subdivision - Commercial |
| c. Subdivision - Industrial | d. HOA Subdivision |
| f. Garden Apartments | g. Shopping Center |
| i. Combination of above letters <u>E</u> and <u>F</u> | h. Planned Retirement Community |
| | j. Other _____ |

19. The following must accompany the application:
- A. Check in the amount of \$1,000.00 payable to Suffolk County Comptroller.
 - B. Copy of deed in the name of number 4 (above).
 - C. Copy of Lead Agency's SEQRA Declaration.
 - D. Date application submitted to the SCDHS: 09/13/2017 SCDHS Project #: C02-17-0094
- (Note: The SCDHS application must be submitted prior to the Sewer Agency meeting. It is the applicant responsibility to submit the SCDHS application in a timely manner. Please allow sufficient time for the SCDHS to review the application thoroughly. The applicant must have a SCDHS Project # before the application will be placed on the Agenda of the Sewer Agency meeting.)
- E. Other pertinent information, i.e. site plan and/or survey, or SCDHS Board of Review Determination.

20a. Is the project connecting to a County Sewage Treatment Plant? No Sewer District No.: _____

20b. Is the project subject to Suffolk County Local Law 20-2007 - Affordable Housing? No

20c. If answer for 20a. is yes and answer for 20b. is no, state reason: Private STP

The applicant certifies that the applicable zoning and variances have been secured from the Town.

Meredith Marshall [Signature] Managing Partner 9/2/2020

Applicant's Printed name Signature Title Date

Note: Incomplete Applications Will Not Be Processed

Please return application to:
Suffolk County Sewer Agency
335 Yaphank Avenue
Yaphank, NY 11980
Attn: Boris Rukovets, P.E.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. - 2020

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE AGREEMENT TO CONSTRUCT, OPERATE, AND MAINTAIN AN ON-SITE SEWAGE TREATMENT PLANT FOR THE ARBORETUM (BR-1720)

WHEREAS, on May 21, 2018, this Agency adopted Resolution No. 20-2018, authorizing the construction and operation and maintenance of an on-site sewage treatment plant for the Arboretum, and

WHEREAS, on August 19, 2019, this Agency adopted Resolutions 42-2019, authorizing an extension of time for one (1) year for the completion of the Connection Agreement, and

WHEREAS, Resolution No. 42-2019, expired on August 19, 2020 without the completion of the agreement, and

WHEREAS, the developer of the Arboretum has requested an extension of the authorization granted in Resolution No. 20-2018, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 20-2018, adopted by this Agency on May 21, 2018, is hereby renewed, and it is further

2nd 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 – September 21, 2020)

C. CONCEPTUAL CERTIFICATION – CONNECTION/CONSTRUCTION AGREEMENT

1660 ROUTE 112

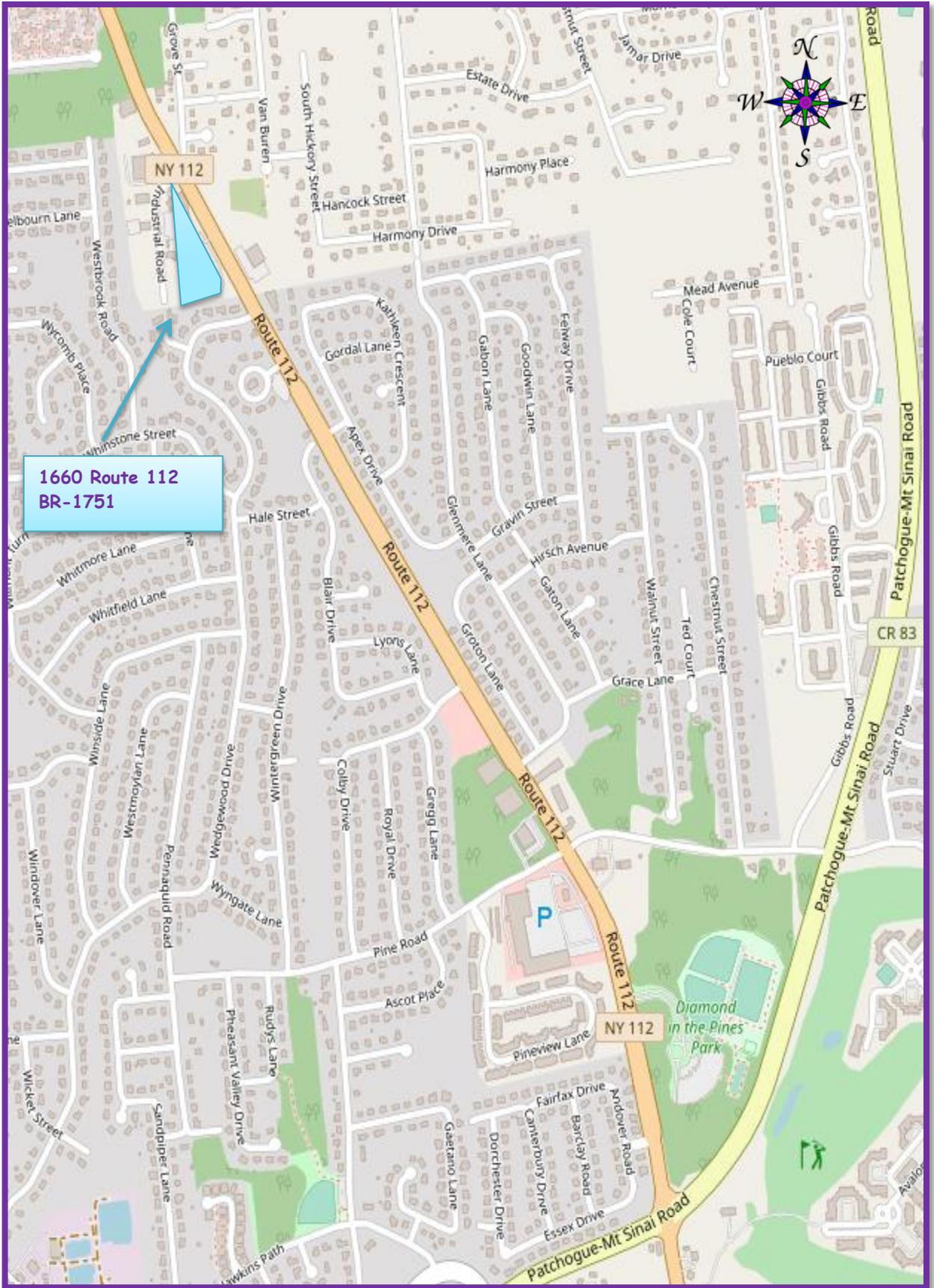
BR-1751

The project is an existing medical office located on a 3.3 ± acre parcel on NYS Route 112 in Port Jefferson Station. The projected wastewater flow is One Thousand Six Hundred Thirty-One gallons per day (1,631 GPD). The developer is requesting a conceptual certification to connect to SCSD NO. 11 - Selden.

The District's STP has sufficient excess treatment capacity to accommodate this project and the staff recommends granting the request for conceptual certification.

Project Facts:

Type/units:	Medical Office
Area (AC):	3.3 ±
Flow (GPD):	1,631
Sewer District:	SCSD No. 11 – Selden
Groundwater Zone:	III
SEQR:	Incomplete
RPTM:	0200-28300-0300-008.000
Legislative District:	5 th



2020 NTS



Suffolk County Sewer Agency Application

Application Type

- Formal Approval - (Projects Which Have Completed SEQRA)
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)
- Formal Approval - Time Extension - (Time Extension to complete Agreement-projects with prior Agency approval)
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA-projects with prior Agency Approval)

Please note that items No. 1-3 will be filled out by the Agency

1. SCDPW Project #: BR-1751 2. Application Received: 8/13/2020 3. Application Processed: _____

4. Applicant Name: Leonard H. Shapiro 5. Corporation Name: Commander Enterprises, 112 LLC

6. Telephone No.: 516-972-0667 7. Address: 5 Fairchild Court 8. City: Plainview

9. Federal ID No.: 32-0416724 10. Email Address: Lshapiro@commanderent.com

11. Project Plat Name: N/A 12. Project Location: Port Jefferson Station

13. Real Property Tax Map #(s): 0200-283-03-08

(Note: Use additional Sheets if necessary) _____

14. Exact address of ALL owners of the land. If individuals, give home address. If corporation, give corporation address, plus name, email, and office in the corporation held by party who will execute Agreement with Agency. In addition, please furnish names of all principals of corporation. **THIS IS NOT OPTIONAL.** (Attach additional sheets as necessary). -Commander Holdings, LLC 5 Fairchild Court, Plainview, NY

Leonard H. Shapiro Managing MBR 10 Whitney Circle, Glen Cove, NY 11542

Libby P. Shapiro 4240 Galt Ocean Drive, FT. Lauderdale, FL 33308

Joseph G. Shapiro INR Trust 4240 Galt Ocean Drive, FT. Lauderdale, FL Email Address: Lshapiro@commanderent.com

15. Project Attorney: DNA KEITH RICHMAN, RICHMAN & LEVINE, PC

666 OLD COUNTRY Rd. Ste 101, GARDEN CITY, NY 11530 Email Address: KRICHMAN@RICHHANLEVINE.COM

16. Project Engineer/Professional: Jaclyn Peranteau, PE, Key Civil Engineering

Email Address: jackie@keycivilengineering.com

17. Project Area in Acres: 3.264 No. of Plots: N/A No. Units: N/A Gallons/day: 1630.2

18. Type of Development:
- | | |
|---|---------------------------------|
| a. Subdivision - Residential | b. Subdivision - Commercial |
| c. Subdivision - Industrial | d. HOA Subdivision |
| e. Condominium | f. Garden Apartments |
| g. Shopping Center | h. Planned Retirement Community |
| i. Combination of above letters ___ and ___ | j. Other <u>Medical Office</u> |

19. The following must accompany the application:
- A. Check in the amount of \$1,000.00 payable to Suffolk County Comptroller.
 - B. Copy of deed in the name of number 4 (above).
 - C. Copy of Lead Agency's SEQRA Declaration. N/A
 - D. Date application submitted to the SCDHS: 8/17/2020 SCDHS Project #: 602-03-0103
- (Note: The SCDHS application be submitted prior to the Sewer Agency meeting. It is the applicant responsibility to submit the SCDHS application in a timely manner. Please allow sufficient time for the SCDHS to review the application thoroughly. The applicant have a SCDHS Project # before the application will be placed on the Agenda of the Sewer Agency meeting.)
- E. Other pertinent information, i.e. site plan and/or survey, or SCDHS Board of Review Determination.

- 20a. Is the project connecting to a County Sewage Treatment Plant? Yes, Sewer District No.: A 11
- 20b. Is the project subject to Suffolk County Local Law 20-2007 - Affordable Housing? No
- 20c. If answer for 20a. is yes and answer for 20b. is no, state reason: Existing Building

The applicant certifies that the current applicable zoning and variances have been secured from the Town. conceptual

LEONARD H. SHAPIRO [Signature] MANAGING MBR 8/13/2020

Applicant's Printed name Signature Title Date

Note: Incomplete Applications Will Not Be Processed

Please return application to:
Suffolk County Sewer Agency
335 Yaphank Avenue
Yaphank, NY 11980
Attn: Boris Rukovets

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. - 2020 GRANTING CONCEPTUAL CERTIFICATION FOR THE CONNECTION OF 1660 ROUTE 112 (BR-1751) TO SUFFOLK SEWER DISTRICT NO. 11 – SELDEN

WHEREAS, 1660 Route 112 is an existing medical office located on a 3.3 ± acre in Port Jefferson Station, New York, on a property identified on the Suffolk County Tax Map as District 02.00, Section 283.00, Block 03.00, Lot 008.000, and

WHEREAS, the sewage flow from 1660 Route 112 is expected to be One Thousand Six Hundred Thirty-One gallons per day (1,631 GPD), and

WHEREAS, 1660 Route 112 is not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, 1660 Route 112 has applied to this Agency for permission to connect its One Thousand Six Hundred Thirty-One gallons per day (1,631 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 One Thousand Six Hundred Thirty-One gallons per day (1,631 GPD), which is expected to emanate from 1660 Route 112, and

WHEREAS, the connection of 1660 Route 112 to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, inasmuch as the SEQRA process for the aforesaid connection has not been completed, this Agency cannot, at this time, approve the said connection, 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,

NOW, THEREFORE, IT IS

1st RESOLVED, that this Agency hereby grants "Conceptual Certification" to the proposed connection of 1660 Route 112 to SCSD No. 11– Selden, as aforesaid, and it is further

2nd 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 1660 Route 112, within two (2) 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.

3rd 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 September 21, 2020)