

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

PHILIP A. BERDOLT  
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

DARNELL TYSON, P.E.  
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 of the Public Works, Transportation, & Energy Committee, Louis D'Amaro, the Sewer Agency Legislator-At-Large; Schneiderman, Browning, Muratore, Hahn, Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy, Trotta, McCaffrey, Stern, Spencer; Michael Cavanaugh, representing Presiding Officer Gregory; Walter Hilbert, P.E., Principal Public Health Engineer, representing the Commissioner of the Suffolk County Department of Health Services; Sarah Lansdale, AICP, Director, Suffolk County Planning Department; Lisa Broughton, representing County Executive Steven Bellone

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

**DATE:** August 12, 2015

**SUBJECT:** Please see the attached Suffolk County Sewer Agency agenda for the meeting of August 17, 2015.

GA/JD/cap – Attachments

cc: Jon Schneider, Deputy County Executive  
Philip A. Berdolt, Deputy Commissioner SCDPW  
Darnell Tyson, P.E., 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  
James Meyers, P.E. SC Department of Health Services  
Kathy Negri, SC Department of Health Services  
Catherine Stark, Aide to Legislator Al Krupski  
Ted Klein, SC Planning Department  
Tim Laube, Clerk of the SC Legislature  
Justin Littell, Aide to Legislator Louis D'Amaro  
Karen Klaffer, Aide to Legislator Louis D'Amaro  
Debbie Colonna, County Executive's Office  
Tony Leung, NYSDEC  
Craig A. Platt, Secretary, SC Sewer Agency

*The Suffolk County Sewer Agency meets at 11:00 AM 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 August 17, 2015**

- I. **Roll Call**
- II. **Minutes of Previous Meeting** (July 13, 2015)
- III. **Public Portion**
- IV. **Old Business**
  - 1. N/A
- V. **New Business**
  - A. **Formal Approval – Connection/Construction Agreement**
    - 1. **1055 Portion Road – Deera Homes (BR-1688)**
      - **Connection to SCSD No. 12 – Birchwood/Holbrook (5,000 GPD)**
    - 2. **Wyandanch Plaza Park (BA-1477.1-011)**
      - **Connection to SCSD No. 3 - Southwest (1,750 GPD)**

This project is an existing commercial shopping center situated on 4.0± acres in Farmingville on Horseblock Road ¼ miles west of Nicholls Road (CR97). The shopping center is expected to generate Five thousand (5,000 GPD) gallons per day of wastewater. The developer requests a connection agreement for connection to the Sewer District No. 12 – Birchwood Holbrook. The capacity continues to be available in the District.

Staff recommends granting Formal Approval of the connection to the District.

*Project Facts*

Type/units:	Commercial Shopping Center
Area: (AC)	4.0±
Flow: (GPD)	5,000
Sewer District:	SCSD No.12 – Birchwood Holbrook
Groundwater Zone:	III
SEQRA:	Complete
SC Tax Map:	0200-62400-0400-008000
Easement Required?	Yes
Legislative District:	8th

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO.     - 2015**

### **AUTHORIZING THE CONNECTION OF 1055 PORTION ROAD – DEERA HOMES (BR 1688) TO SUFFOLK COUNTY SEWER DISTRICT NO. 12 – BIRCHWOOD/HOLBROOK**

WHEREAS, application has been made for 1055 Portion Road – Deera Homes, Two (2) existing commercial multi-occupancy buildings, located in Farmingville, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 624.00, Block 04.00, Lot 008.000, and

WHEREAS, 1055 Portion Road – Deera Homes is not located within the boundaries of Suffolk County Sewer District No. 12 – Birchwood/Holbrook (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Deera Homes, Inc. has applied to this Agency for permission to connect 1055 Portion Road – Deera Homes to the sanitary sewerage facilities of the District, and

WHEREAS, it is anticipated that 1055 Portion Road – Deera Homes will generate a wastewater flow of Five Thousand gallons per day (5,000 GPD), and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from 1055 Portion Road – Deera Homes, and

WHEREAS, the connection of 1055 Portion Road – Deera Homes to Suffolk County Sewer District No. 12 – Birchwood/Holbrook will be financially beneficial for the sewer district and environmentally beneficial to Suffolk County, and

WHEREAS, this Agency has determined that the Five Thousand gallons per day (5,000 GPD) of sanitary sewage generated by the said project shall be treated at the facilities of the District, 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

<sup>1st</sup> 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 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

3<sup>rd</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between Deera Homes, Inc., 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

4<sup>th</sup> RESOLVED, that the connection fee to be paid for 1055 Portion Road – Deera Homes shall be paid upon the execution of the Connection Agreement at the rate of Thirty Dollars (\$30.00) per gallon per day for a total of One Hundred Fifty Thousand Dollars (\$150,000.00), prior to execution of the Connection Agreement, and it is further

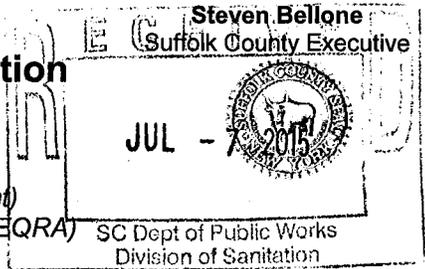
5<sup>th</sup> RESOLVED, that Deera Homes, LLC. shall, at its sole cost, expense and effort, construct a sewage collection facility for 1055 Portion Road – Deera Homes and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

6<sup>th</sup> RESOLVED, that the Deera Homes, LLC. 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 1055 Portion Road – Deera Homes, as well as for all of the owner's obligations under the Connection Agreement, and it is further

7<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 owner of 1055 Portion Road – Deera Homes 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 (August 17, 2015)

# Suffolk County Sewer Agency Application



## Application Type:

(Choose One)

- Formal Approval - (Projects Which Have Completed SEQRA)**
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)**
- Formal Approval - Time Extension - (Time Extension to complete Agreement)**
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA)**

1. SCDPW Project #: 1688    2. Application Received: \_\_\_\_\_    3. Application Processed: \_\_\_\_\_  
 4. Applicant Name: Mosh Sams, Deera Homes Inc    5. Corporation Name: Deera Homes Inc  
 6. Address: 1055 Portion Rd    7. City: Farmingville, NY 11738  
 8. Telephone #: 631-736-3374    9. Federal ID #: 11-2457896    10. Email Address: realestatash@gmail.com  
 11. Project Plat Name: \_\_\_\_\_    12. Project Location: Farmingville, Suffolk County  
 13. Real Property Tax Map #(s): 200 624 04.00 008.000  
 (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 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 if necessary).

Deera Homes Inc 1055 Portion Rd, Farmingville, NY 11738  
Mosh Sams - President

15. Project Attorney Information: James Schultz, 12 South Drive, Lake Ronkonkoma, NY 11779  
Tel 631-2851073

16. Project Engineering Firm Information: requesting approval of sewer line extension to our shopping center for 5000 gpd

17. Project Area in Acres: 4.0 # of Plots: \_\_\_\_\_ # of Units: \_\_\_\_\_ # Gallons/day: 5,000

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 numbers \_\_\_\_\_ and \_\_\_\_\_     j. Other \_\_\_\_\_

19. The following must accompany the application

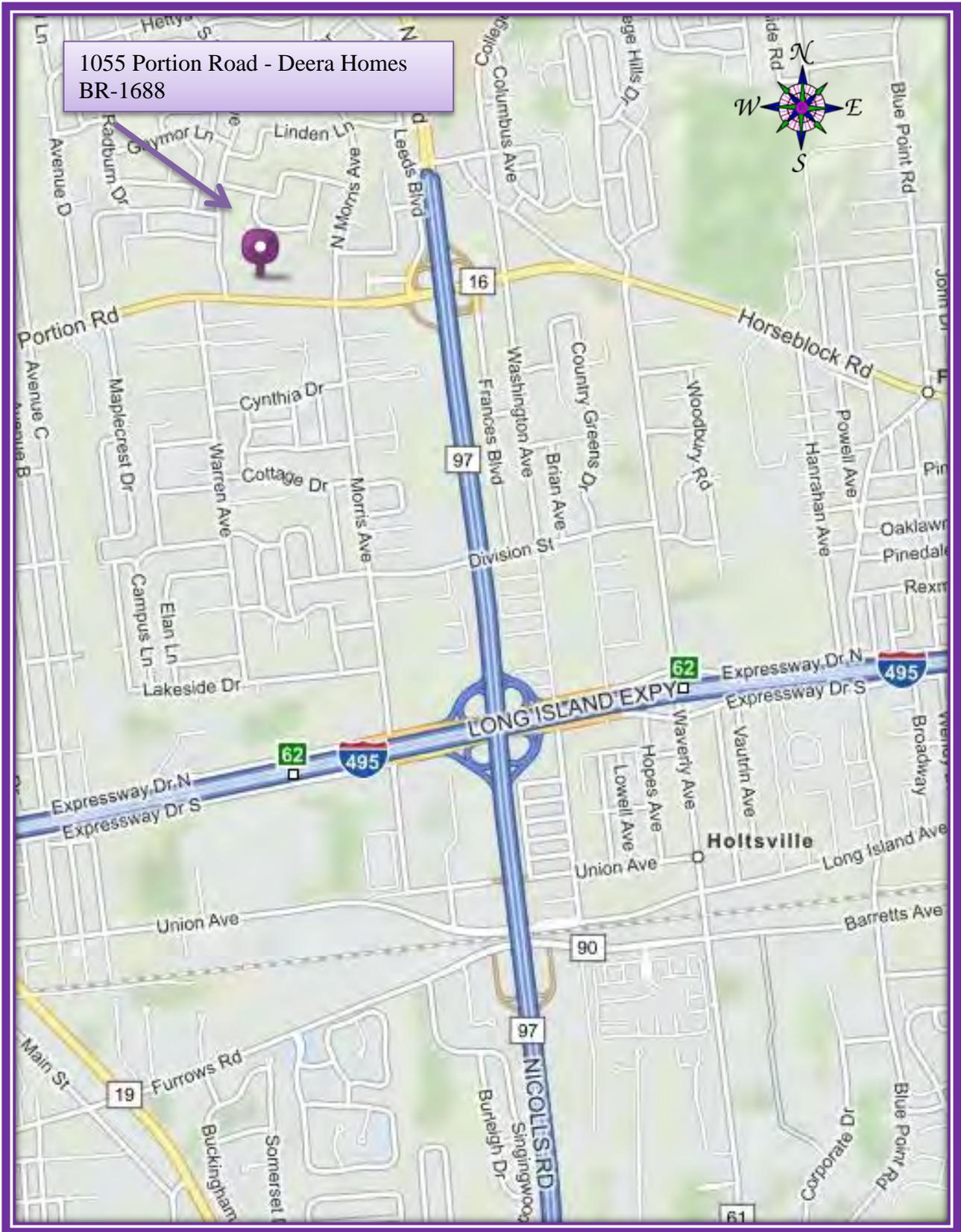
- A. Check in the amount of \$550.00 payable to Suffolk County Treasurer.
- B. Copy of deed in the name of number 4 (above).
- C. Copy of Lead Agency's SEQRA Declaration.
- D. Date application submitted to the SCDHS: \_\_\_\_\_ SCDHS Project #: \_\_\_\_\_  
(Note: The application must be submitted prior to the Sewer Agency meeting. It is the applicant's responsibility to submit the application in a timely manner. Please allow sufficient time for the SCDHS to review the application thoroughly. Failure to do so may result in the removal of the application from the Agency agenda or the project may be tabled at the meeting)
- E. Other pertinent information, such as site plan and/or survey of property, or SCDHS Board of Review Determination.

**Please return application to:**  
**Suffolk County Sewer Agency**  
**335 Yaphank Avenue**  
**Yaphank, NY 11980**  
**Attn: Craig A Platt**

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

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

Mosh Sams Mosh Sams Pres.    6/28/15  
 Applicant's Printed name, Signature, & Title    Date:



1055 Portion Road - Deera Homes  
BR-1688

*NTS 2015*

This project is a proposed Town of Babylon Park situated on 0.98± acres on Straight Path in Wyandanch. The parcel is within the Town of Babylon revitalization project area and requests to connect to Sewer District No. 3 – Southwest through the Wyandanch Commercial Corridor (WCC) sewer system. The anticipated discharge is One Thousand Seven Hundred Fifty gallons per day (1,750 GPD), of wastewater. The capacity is available in the sewer district. As per the connection agreement, 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.

Staff recommends granting Formal Approval of the connection to the Southwest Sewer District.

Project Facts

Type/units:	Town Park
Area: (AC)	0.98±
Flow: (GPD)	1,750
Sewer District:	SCSD No.3-Southwest
Groundwater Zone:	I
SEQRA:	Complete
SC Tax Map	0100-04000-0200-048012
Easements/Appraisal	Not required – simple house connection
Legislative District	16 <sup>th</sup>

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO: \_\_ - 2015 AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF WYANDANCH PLAZA PARK (BA-1477.1-011) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, Wyandanch Plaza Park is a proposed Town of Babylon Park situated on Straight Path in Wyandanch, New York, on property identified on the Suffolk County Tax Map as District 0100, Section 040.00, Block 02.00, Lot 048.012, 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 Wyandanch Plaza Park will generate a wastewater flow of One Thousand Seven Hundred Fifty gallons per day (1,750 GPD), and

WHEREAS, the Town of Babylon has applied to this Agency for permission to connect Wyandanch Plaza Park 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 Wyandanch Plaza Park, and

WHEREAS, the connection of Wyandanch Plaza Park 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 Wyandanch Plaza Park 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 One Thousand Seven Hundred Fifty gallons per day (1,750 GPD), of capacity in the District's sewage treatment plant be allocated to Wyandanch Plaza Park, 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 the Town of Babylon shall, at its sole cost, expense and effort, construct a sewage collection facility for Wyandanch Plaza Park 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 the Town of Babylon 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 Wyandanch Plaza Park, as well as for all of the developer's 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 owner of Wyandanch Plaza Park 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 – August 17, 2015)



# Suffolk County Sewer Agency Application

(Choose One)

- Formal Approval - (Projects Which Have Completed SEQRA)**
- Conceptual Certification - (Projects Which Have Not Completed SEQRA)**
- Formal Approval - Time Extension - (Time Extension to complete Agreement)**
- Conceptual Certification - Time Extension - (Time Extension to complete SEQRA)**

1. SCDPW Project #: 1477.1-011 2. Application Received: 7/20/15 3. Application Processed: \_\_\_\_\_

4. Applicant Name: Town of Babylon 5. Corporation Name: \_\_\_\_\_

6. Address: 200 East Sunrise Highway 7. City: Lindenhurst, NY 11757

8. Telephone #: 631 422-7640 9. Federal ID #: 11-600-1024 10. Email Address: rgroh@townofbabylon.com

11. Project Plat Name: Wyandanch Transit Oriented Development 12. Project Location: Straight Path, Wyandanch, NY 11798

13. Real Property Tax Map #(s): 0100-40-02-48.12, \_\_\_\_\_

(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 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 if necessary).

Town of Babylon, 200 East Sunrise Highway, Lindenhurst, NY 11757

15. Project Attorney Information: Afreen S. Rizwan, Chief Deputy Town Attorney

16. Project Engineering Firm Information: Bowne AE & T Group, 235 East Jericho Turnpike, Mineola, NY 11501

17. Project Area in Acres: .98 # of Plots: 1 # of Units: 1 # Gallons/day: 1750

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 numbers \_\_\_\_\_ and \_\_\_\_\_
  - j. Other Park

19. The following must accompany the application

- A. Check in the amount of \$550.00 payable to Suffolk County Treasurer.
- B. Copy of deed in the name of number 7 (above).
- C. Copy of Lead Agency's SEQRA Declaration.
- D. Date application submitted to the SCDHS: May 28, 2015 SCDHS Project #: C01-14-0014  
Note: Applications without the SCDHS submittal date may be rejected.
- E. Other pertinent information, such as site plan and/or survey of property, or SCDHS Board of Review Determination.

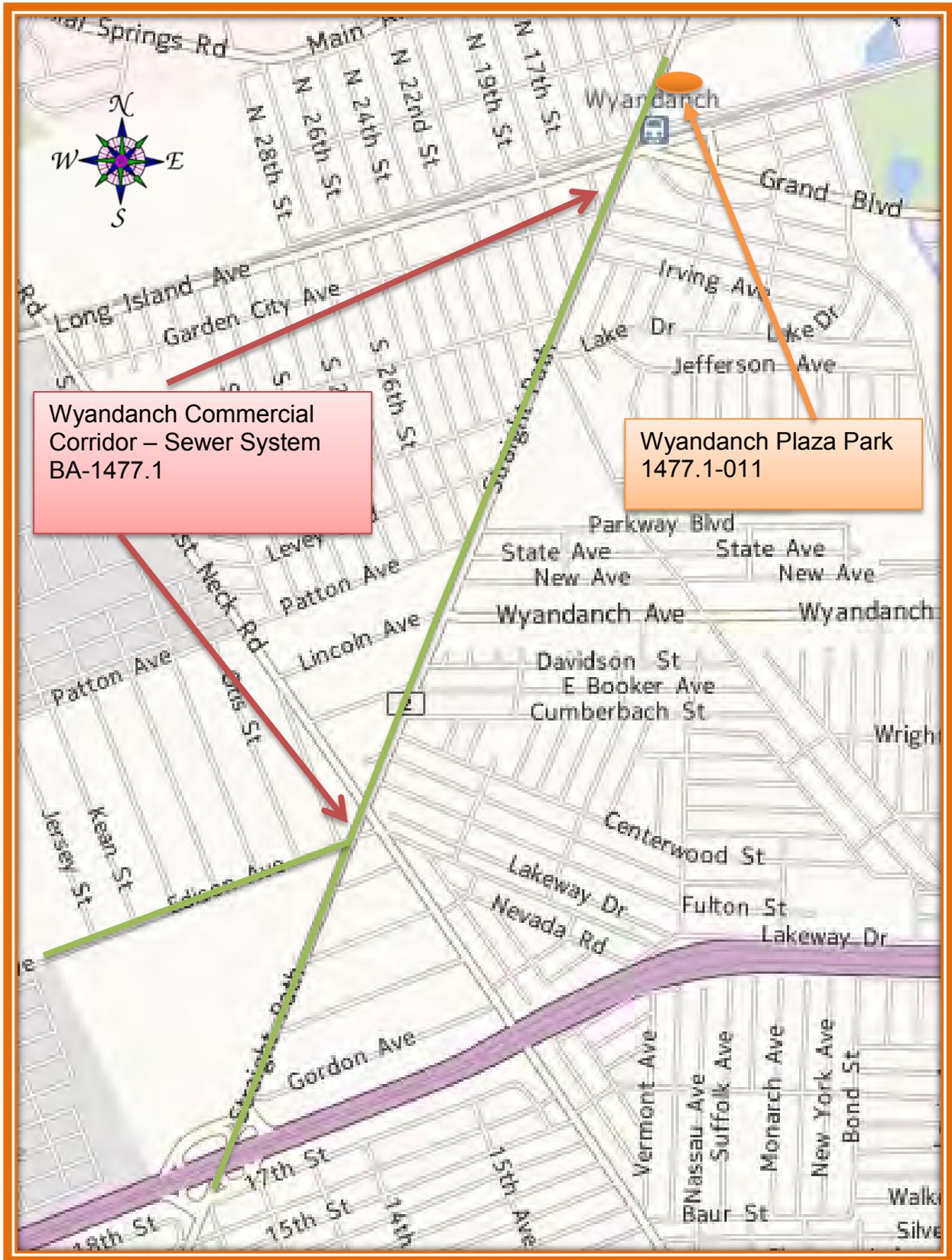
20. Is the project subject to Suffolk County Local Law 20-2007 - Affordable Housing? No

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

\_\_\_\_\_  
Applicant's Signature & Title

7/17/15  
Date:

**Note: Incomplete Applications Will Not Be Processed**



2015 NTS