

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

DARNELL TYSON, P.E.
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS G. VAUGHN
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; 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: September 14, 2016

SUBJECT: Please see the attached Suffolk County Sewer Agency minutes for the meeting of August 15, 2016.

GA/JD/br – Attachments

cc: Jon Schneider, Deputy County Executive
Peter Scully, Deputy County Executive
Darnell Tyson, P.E., Deputy Commissioner, SCDPW
Thomas Vaughn, 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
Justin Littell, Aide to Legislator Louis D'Amaro
Tony Leung, P.E., NYSDEC
Boris Rukovets, P.E., Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency Meeting Minutes August 15, 2016

The meeting was called to order at 11:03 AM by Commissioner Gilbert Anderson, P.E. In attendance were Legislator Al Krupski, Chairman of the Public Works, Transportation, & Energy Committee; Karen Klaffer, representing Legislator Lou D'Amaro, 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.

Also present were John Donovan, P.E, Chief Engineer, Suffolk County Department of Public Works, Division of Sanitation; Catherine Stark, Aide to Legislator Krupski; Janice McGovern, P.E. Suffolk County Department of Public Works; Robert A. Braun, Esq., Suffolk County Department of Law; Boris Rukovets, P.E., Secretary, Suffolk County Sewer Agency.

Sarah Lansdale, AICP, Director, Suffolk County Planning Department, was unable to attend the meeting.

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

Commissioner Anderson welcomed attendees to the meeting of the August 15, 2016, 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 June 20, 2016, were discussed. A motion to accept the minutes as written was made by Commissioner Anderson, seconded Ms. Broughton; and approved unanimously.

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

IV. New Business

A. Formal Approval – Connection/Construction Agreement

495 MIDDLE COUNTRY ROAD, LLC f/k/a Island Green Associates

BR-1634

Mr. Donovan mentioned that this project is a proposed 126 unit condominium subdivision situated on 14.1± acres on NYS Route 25 in Selden. The subdivision is expected to generate 34,000 GPD of wastewater to the Sewer District No. 11 – Selden. The developer has an agreement to purchase capacity from the District 11 Venture (3,000 GPD) and has purchased capacity from the Selden Commercial Center (10,000 GPD); the balance of the capacity (21,000 GPD) continues to be available in the District. The original developer, Island Green Associates, previously transferred ownership to 495 Middle Country Road, LLC.

Staff recommends granting approval of the request for time extension to complete the connection agreement.

Commissioner Anderson asked if there was a representative present and Vincent Candurra, Esq., the attorney for 495 Middle Country Rd., LLC, mentioned that he was. He provided an update stating that the project team had submitted the final plans to the Town Building Department and Town Engineer. In addition, they also provided resubmittals to SCDPW and SCDHS for approval and will be working with the County Attorney's Office on the exhibits for the contract.

Legislator Krupski asked how much capacity would remain at the plant after the completion of the project. Mr. Donovan said that SCDPW had received an approval from the State about five or six years ago allowing to add probably around 600,000 gpd to the plant the way the plant was currently operating. SCDPW had used up around 100,000 to 150,000 gpd of that amount, so there should be plenty of capacity. Legislator Krupski asked if the plant had a groundwater discharge and Mr. Donovan responded affirmatively.

Commissioner Anderson asked if there were any 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: 27 - 2016 AUTHORIZING A TIME EXTENSION TO FOR THE CONNECTION OF 495 MIDDLE COUNTRY ROAD, LLC (BR-1634) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN

WHEREAS, on December 17, 2012, this Agency adopted Resolution No. 8B-2012, for the connection of 495 Middle Country Road, LLC, formerly known as Island Green Associates, to Suffolk County Sewer District No. 11 - Selden, and on November 18, 2013 and July 13, 2015, adopted Resolution No. 35-2013 and 31-2015, respectively, each granting an additional one year term to complete the connection agreement, and

WHEREAS, Resolution No. 31-2015, granted a one year time extension for completion of the Agreement, expired on July 13, 2016, without the completion of said Agreement, and

WHEREAS, the developer has requested an extension of the authorization granted in Resolution No. 8B-2012,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 8B-2012, adopted by this Agency on December 17, 2012, 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 August 15, 2016)

Mr. Donovan mentioned that this project is an existing 271 unit garden apartment complex and a single house. The project is situated on a 16.8-acre parcel located on the east side of August Road, adjacent to Belmont Lake State Park. The owner is looking to abandon its existing treatment plant to connect to the County treatment plant. This application is for an additional one year extension to complete the Connection Agreement to connect to Sewer District No. 3- Southwest, which continues to have the reserved capacity available. Staff recommends granting the application for the extension of time to complete the Connection Agreement.

Commissioner Anderson asked if there was a representative present and Matt Scheiner, P.E., the project engineer for Somerset Woods, mentioned that he was. He introduced Lan Abrams and David Osterland from Somerset Woods. He said that he did not have anything to add to the narrative but that he would be happy to answer any questions.

Legislator Krupski asked that since the time extension was from 2004 whether there was any expiration on these time extensions. Commissioner Anderson said that there had been a discussion to extend the sewers to enable them not to go underneath the Southern State Parkway or down to the west. Therefore, the Agency had always given the project team the extensions and the plant was under the jurisdiction of the Department of Health Services who was making sure that the plant was operational. The plant in recent years had been upgraded to meet the SCDHS requirements.

Ms. Adhya noted that her understanding was that the plant had completed its upgrade and was good to go until 2020. Legislator Krupski asked why the owner would then want to connect and when did they want to connect. Mr. Scheiner said that the goal was to be able to hook up once the sewers were available on the owner's side of the Southern State Parkway or before that time if the Health. Department tells the owner that they had to go under the Southern State Parkway and the owner would do that. Legislator Krupski asked, if the plant was operational, why did the project team want to hook up? Mr. Scheiner responded that this was an aging plant and at some point the SCDHS would ask his client to demolish the plant and rebuild or to make a connection to Sewer District.

Legislator Krupski asked if there were any considerations of reusing the effluent at a park similar to the Riverhead sewage treatment plant that is reusing its effluent at the adjacent County golf course rather than discharging it to the ocean. Commissioner Anderson said that that would also require an agreement with the State Parks Department. Mr. Donovan added that that would require a lot more treatment. Legislator Krupski noted that the current alternative was to discharge to the ocean which may not be the best alternative. He then asked what was the current Sewer District capacity. Mr. Donovan responded that the Bergen Point is designed for 30 million gallons per day (MGD) of flow and was presently doing around 25 MGD. SCDPW is expanding the plant up to 40 MGD and possibly up to 46 MGD, so the plant has plenty of capacity even for larger projects and the project at hand was only for 61,275 gallons per day. Legislator Krupski asked how many projects were included in the 30 MGD and how many homes and businesses in the District were not hooked up. Mr. Donovan responded that there were approximately one million gallons of flow that had to

be hooked up in the existing district. He added that there were a number of future contractees such as Ronkonkoma Hub, Carlls River expansion project and Connetquot River expansion project, both federally and state funded. There was also Jerry Wolkoff's Heartland project, which was estimated to be 2.5 MGD, but the developer thought that it would be half of that amount. Mr. Donovan said that all of that has been taken into account and would be available once the plant is upgraded to 40 MGD which should be completed by next year.

Legislator Krupski noted that that was a lot of water to discharge since we all knew what happened at Nassau County with salt water intrusion never recharged back into the aquifer. He asked when it was shown that it would not be a big impact. Mr. Donovan said that SCDPW did the Flow Augmentation Needs Study back when the District was created and that was a 15-20 year project that was completed around 2000 and it really did not show that there was a great impact in depleting the groundwater in those areas. Legislator Krupski asked what about Nassau County, did they do a similar study that showed similar results? Mr. Donovan said that Nassau County also did a study but there was conflict in data – some people said there was an impact and some people said that there were not. Nassau County is more than 90% sewerred so the impact could be greater.

Mr. Donovan said that it was a localized area in Islip and Babylon but these areas are already sewerred and additional projects are located outside of that area. Therefore, Mr. Donovan did not think it would have a big impact on groundwater levels. Legislator Krupski clarified that he was more concerned about the big picture rather than this specific project. Commissioner Anderson said that from his past experience when he worked in North Hempstead, the Port Washington peninsula had significant salt water intrusion but it was due to the fact that the peninsula itself was not that big and had a landfill that had significant amounts being pumped out to get around landfill. He added that based on the Flow Augmentation Study mentioned by Mr. Donovan, the salt intrusion was not a significant impact for Sewer District No. 3. In addition to sewers, the area also has a significant amount of stormwater and as we urbanize further to the east, there is less stormwater that gets naturally back into a recharge area so it may be considered for impact as well especially on the North Fork where there is a small area. Legislator Krupski concurred that drainages are also very important for recharge and asked if SCDPW has been satisfied that salt water intrusion that has been looked into 15 years ago is not a factor even currently when the flow is expected to increase to 40 MGD and possibly in the future to 46 MGD.

Mr. Donovan said that the study lasted from early 1980s to 2000, i.e., essentially going from zero to 25 MGD discharging to the ocean around 2000 and that impact had been studied looking at streams in the area as part of it and there was no significant impact found. The biggest lake that had an impact was Deer Lake and it was assumed that it was depleted because of the sewers, but they found out from further studies that Deer Lake is reciprocal to the weather patterns. When there was a drought in the 1990s, SCDPW was asked to do some kind of replenishing of the lake but then by the time the capital project was ready to go, the lake was overflowing because of the heavy rain which was not anything to do with the sewers, it was just a natural flow of water in that area. This was the only area that study identified as having potential impact and then SCDPW demonstrated that it was not the case. Commissioner Anderson added that there was a Superfund site north of Deer Lake

that in the 1960s and 1970s would pump the treated water back into the stream of Deer Lake. That Superfund site was taken down when the sewers came online so obviously no water was coming from it and sewers were then blamed for the saltwater intrusion at the time. Legislator D'Amaro's is facilitating this project for SCDPW but the study showed that it was not an impact from sewers.

Legislator Krupski asked if USGS was doing groundwater monitoring on a regular basis. Ms. Adhya responded that she did not have the information right now but she would be able to provide it.

Commissioner Anderson asked if there were any 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. 28-2016

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT

BY SOMERSET WOODS, LLC (BA-1459)

TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, on August 21, 2006, this Agency adopted Resolution No. 25-2006, authorizing the connection of Somerset Woods, LLC to the Suffolk County Sewer District No. 3 - Southwest, and

WHEREAS, on July 17, 2007, this Agency adopted Resolution No. 13-2007, on July 21, 2008, adopted Resolution No. 16-2008, on August 17, 2009, adopted Resolution 31-2009, on August 16, 2010, adopted Resolution 17-2010, and on September 19, 2011, adopted Resolution 15-2011, on July 16, 2012, adopted Resolution 21-2012, on July 15, 2013 adopted Resolution 21-2013, on July 14, 2014, adopted Resolution 25-2014, and on July 13, 2015 adopted Resolution 32-2015, each extending the time one (1) year for the completion of the Connection Agreement, and

WHEREAS, Resolution 32-2015, granted a one (1) year time extension for completion of the agreement, but the approval expired on July 13, 2016, without the completion of the Agreement, and

WHEREAS, the on-site sewage treatment plant is operating without issues, and

WHEREAS, the owners of Somerset Woods, LLC have requested an additional extension of the authorization granted in Resolution No. 25-2006, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 25-2006, adopted by this Agency on August 21, 2006 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 – August 15, 2016)

C. Conceptual Certification – Connection/Construction Agreement

569 BROADHOLLOW RD

HU-1700

Mr. Donovan mentioned that this project is a proposed restaurant to be located on 1.98± acres at 569 Broadhollow Rd. in Melville. The project is expected to generate Seven Thousand Three Hundred Twenty gallons per day (7,320 GPD) of flow and the owner is requesting a Conceptual Certification 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 Conceptual Certification. The representative of the applicant was unable to attend the meeting.

Ms. Broughton asked what were the pre-existing uses of the building – was it Wonder Hostess Bakery Outlet that was shut down? Ms. Klafter responded affirmatively.

Commissioner Anderson asked if there were any additional 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. 29 - 2016, GRANTING CONCEPTUAL CERTIFICATION FOR THE CONNECTION OF 569 BROADHOLLOW RD (HU-1700) TO SUFFOLK SEWER DISTRICT NO. 3 – SOUTHWEST

WHEREAS, 569 Broadhollow Rd is a proposed restaurant, located in Melville, New York, on property identified on the Suffolk County Tax Maps as District 04.00, Section 267.00, Block 01.00, Lots 056.000 & 057.000, and

WHEREAS, the sewage flow from 569 Broadhollow Rd is expected to be Seven Thousand Three Hundred Twenty (7,320 GPD) gallons per day, and

WHEREAS, 569 Broadhollow Rd 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, 569 Broadhollow Rd has applied to this Agency for permission to connect its Seven Thousand Three Hundred Twenty gallons per day (7,320 GPD) of flow to the sanitary sewerage facilities of the District, and

WHEREAS, capacity is currently available and 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, and

WHEREAS, in furtherance of such policy, this Agency is desirous of giving 569 Broadhollow Rd 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

^{1st} RESOLVED, that this Agency hereby grants "Conceptual Certification" to the proposed connection of 569 Broadhollow Rd to SCSD No. 3 – Southwest, as aforesaid, and it is further

Page 1 of 2

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 569 Broadhollow Rd, 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, and it is further

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 August 15, 2016)

D. Conceptual Certification – Time Extension

LYON RETAIL PROPERTIES

BR-1638

Mr. Donovan mentioned that this project is a proposed retail shopping center and rental apartments situated on 3.6± acres on NYS Route 25 in Coram. The proposed project was granted Conceptual Certification in 2012. In 2014, the developer redesigned the proposed project and requested Fourteen Thousand Four Hundred gallons per day (14,400 GPD) of wastewater thereby amending the previously granted Conceptual Certification for the connection to the Sewer District No. 11 – Selden for that flow. The amended Conceptual Certification was approved at the July 14, 2014 Agency meeting.

The capacity continues to be available in the District. Staff recommends granting approval of the request for time extension for the Conceptual Certification of the connection.

Commissioner Anderson asked if there was a representative present and Steve Hayduk, P.E., the engineer for Lyon Retail Properties mentioned that he was. He said that the narrative was accurate.

Commissioner Anderson asked if there were any 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. 30 - 2016

AUTHORIZING EXTENSION OF TIME FOR AMENDED CONCEPTUAL CERTIFICATION FOR THE CONNECTION OF LYON RETAIL PROPERTIES (BR-1638) TO SUFFOLK SEWER DISTRICT NO. 11 – SELDEN

WHEREAS, Lyon Retail Properties is a proposed Retail Shopping Center and Rental Apartment subdivision situated in Coram, New York, on property identified on the Suffolk County Tax Map as District 02.00, Section 449.00, Block 04.00, Lot 025.000, and

WHEREAS, this Agency granted Conceptual Certification to Lyon Retail Properties on June 18, 2012, (Resolution 19-2012), and on July 14, 2014 granted amended conceptual certification (Resolution 30-2014) for the increased amount of flow of Fourteen Thousand Four Hundred gallons per day (14,400 GPD) due to proposed parcel redesign, and

WHEREAS, Resolution 30-2014 granted two years to complete SEQRA, and, by its terms, expired on July 14, 2016, since SEQRA had not been adopted in furtherance of the authorization granted, and

WHEREAS, the developer has requested an extension of the authorization granted in Resolution No.30-2014,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 30-2014, adopted by this Agency on July 14, 2014, 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 two (2) years from the date of the adoption hereof, an application for Formal Approval in furtherance of the authorization granted herein has not been submitted, in form and content satisfactory to the Chairman of this Agency.

(Suffolk County Sewer Agency Meeting August 15, 2016)

Seeing no further business, Commissioner Anderson made a motion to adjourn the meeting. The motion was seconded by Legislator Krupski and approved unanimously at 11:22 AM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Boris Rukovets".

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

August 15, 2016

Suffolk County Sewer Agency
SCDPW - Sanitation - Engineering

No.	Name	Firm/Company	Project	Email Address (copy of minutes)
1	Vincent A. Candurra	Egan & Goldeny LLP	495 Middle Country Road, LLC	VCandurra@egangolden.com
2	Steve Haydick	Haydick Engineering	LYON	shaydick@haydickengineering.com
3	MATTHEW SCHEINER	CHIARELLI ENG.	SOMERSET	mscheinera@mscheiner.com
4	LEN ABRAMS	SOMERSET WOODS	SOMERSET	
5	DAVID OSTERLAND	SOMERSET WOODS	SOMERSET	
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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.