

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## **NOTICE OF PUBLIC MEETING**

**Notice is hereby given that the Council on Environmental Quality will convene a regular public meeting at 9:30 a.m. on Wednesday August 15, 2012 at Timber Point 398 Great River Road, Great River, New York 11739 Pursuant to the Citizens Public Participation Act, all citizens are invited to submit testimony, either orally or in writing at the meeting. Written comments can also be submitted prior to the meeting to the attention of:**

**Michael P. Mulé  
Environmental Projects Coordinator  
Council on Environmental Quality  
Suffolk County Planning Department  
P.O. Box 6100  
Hauppauge, NY 11788**

**Council of Environmental Quality  
Gloria Russo, Chairperson**

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## REVISED AGENDA

### MEETING NOTIFICATION

**Wednesday, August 15, 2012 9:30 a.m.**

**Timber Point Country Club  
398 Great River Road  
Great River, New York  
631-581-0022**

**All project materials can be found at:**

**<http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>**

### **Call to Order:**

### **Minutes: July 2012**

Available on the website above

### **Correspondence:**

- Town of Babylon response to coordinated review on Bergen Point Outfall Replacement
- “Act Now to Save the Bay”, Newsday
- Comments from Roger Tollefsen on Bergen Point Outfall Replacement
- Letter from CEQ to the Suffolk County Vanderbilt Museum and Planetarium
- Comments on Part 617 Draft Scope

### **Public Portion:**

**Historic Trust Docket:**

Director's Report:

- Updates on Housing Program for Historic Trust Sites
- Updates on Historic Trust Custodial Agreements
- Presentation by Lessings for Proposed improvements/additions to Timber Point Clubhouse
- Update on status and condition of the Horan House at Timber Point County Park

**Project Review:**

**Recommended Unlisted Actions:**

- A. Proposed Sale of John J. Foley Skilled Nursing Facility, Town of Brookhaven.
- B. Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Beaverdam Creek County Wetlands, Alvarado Property, Town of Brookhaven.
- C. Proposed Acquisition of Land for Hamlet Park Purposes Known as the EMB Enterprises, LLC property, Town of Riverhead.

**Other Business:**

**CAC Concerns:**

**\*CAC MEMBERS:** The above information has been forwarded to your local Legislators, Supervisors and DEC personnel. Please check with them prior to the meeting to see if they have any comments or concerns regarding these projects that they would like brought to the CEQ's attention.

**\*\*CEQ MEMBERS:** PLEASE NOTIFY THIS OFFICE AS SOON AS POSSIBLE IF YOU WILL BE UNABLE TO ATTEND.

**\*\*\*FOLLOWING THE MEETING PLEASE LEAVE BEHIND ALL PROJECT MATERIAL THAT YOU DO NOT WANT OR NEED AS WE CAN RECYCLE THESE MATERIALS LATER ON.**

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## SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: August 15, 2012  
TIME: 9:45 am to 11:55 pm  
LOCATION: Timber Point Country Club  
398 Great River Road  
Great River, New York

### PRESENT:

Gloria Russo, Chair  
James Bagg, Vice-Chair  
Eva Growney  
Hon. Kara Hahn  
Michael Kaufman  
Dan Pichney  
Mary Ann Spencer  
Larry Swanson

### ABSENT:

Thomas Gulbransen  
Richard Machtay

### CAC REPRESENTATIVES:

None Present

### STAFF:

Christine DeSalvo, Senior Clerk Typist  
Michael Mulé, Environmental Projects Coordinator

### GUESTS:

Sarah Lansdale, Director, Suffolk County Dept. of Eco. Dev. and Planning  
Lauretta Fischer, Principal Environmental Analyst, Suffolk County Dept. of Eco. Dev. and Planning  
Richard Martin, Director of Historic Services, Suffolk County Dept. of Parks, Recreation & Conservation  
Eric Crater, Assistant Director of Historic Services, Suffolk County Dept. of Parks, Recreation & Conservation  
Nick Gibbons, Environmental Analyst, Suffolk County Dept. of Parks, Recreation & Conservation

Angela Guarino, Contracts Examiner, Suffolk County Dept. of Parks, Recreation & Conservation  
Terry Maccarrone, Program Coordinator, Suffolk County Dept. of Parks, Recreation & Conservation  
Jim Barr, Parks Superintendent, Suffolk County Dept. of Parks, Recreation & Conservation  
Jessica Hogan, Suffolk County Attorney, Suffolk County Department of Law  
Dennis Brown, Suffolk County Attorney, Suffolk County Department of Law  
Margaret Bermel, Director, Suffolk County Department of Health Services  
Tom Cilmi, Suffolk County Legislator, 10<sup>th</sup> District  
Thomas Ryan, Legislative Aide, 5<sup>th</sup> Legislative District  
Michael Lessing, COO of Food Services, Lessing's  
Lawrence M. Feeley, Architect, BBS Architects

After opening the meeting, Ms. Russo allowed Legislator Kennedy to give a brief statement on the John J. Foley Skilled Nursing Facility. Legislator Kennedy reminded the Board that he came before the Council roughly two and a half years ago when there was a previous sale contemplated to a then prospective purchaser, Mr. Rosenberg. He went on to state that the purpose of his attendance was to encourage the board to look at the ramifications associated with this transaction and to look hard at what the Health Department has made as far as a recommendation that this is an unlisted action warranting a negative declaration. Legislator Kennedy reminded the Council that we are talking about the sale of an 181,000 square foot skilled nursing facility with 12 HIV/AIDS beds and 60 adult day care beds. The transaction would involve roughly 14 acres of property and would include undisturbed land that is adjacent to the nursing home which would presumably furnish access from Yaphank Avenue. Legislator Kennedy highlighted several threshold issues that he felt the Council should consider strongly. First, while there is a representation that the purchaser is looking to acquire this property for the purposes of operating a skilled nursing facility, there is no contractual obligation that would require the purchaser to maintain and operate the site as a skilled nursing facility. He went on to question the legality of the sale, citing that the asking price of \$23,000,000 violates the constitutional provisions of Article 8, Section 1 of the New York State Constitution which precludes any municipality from making a gift of municipal assets. In addition, Legislator Kennedy asked the Council to consider the fact that there are roughly 240 acres of land that right now are involved in a directed sale that would share a common boarder with the John J. Foley Nursing Facility. He went on to note that right now the Nursing Facility has no operating certificate and is not zoned for its present use. He also raised the issue that this transaction was brought about without the benefit of a an RFP process as required under General Municipal Law 103 and obviates the whole surplus process now contained in Section 215 of New York State County law. The Legislator reminded that Council that they are being asked to look at the environmental and the subservient socio-economic impacts on 200 county employees who would be severed from service and the 196 residences that would no longer have access to the high level and standards of care that are presently provided by our John J. Foley Nursing Home. Legislator Kennedy went on to suggest that the EAF is incomplete and does not fully address all of the social implications associated with the transaction and encouraged the CEQ to reject a negative declaration and to even significantly question whether or not this transaction constitutes an unlisted action as opposed to a Type I.

Mr. Kaufman and Legislator Kennedy discussed the project's effect on the character of the community and the potential future use of the site and lack of contract restrictions.

Legislator Kennedy questioned the adequacy of the County Executive's public hearing process and feels that the public should be more involved in the process. Mr. Kaufman noted that the Council is asked for an environmental determination and is not subject to all of the policy decisions and policy choices that the legislature has to undertake.

MINUTES:

A motion was made by Mr. Bagg to approve the July 18<sup>th</sup>, 2012 minutes. The motion was seconded by Mr. Kaufman. Motion carried.

CORRESPONDENCE:

- Town of Babylon response to coordinated review on Bergen Point Outfall Replacement  
Mr. Mulé informed the Council that the Town of Babylon is in receipt of our coordinated review letter for Bergen Point and they have no objections to the County being lead agency. They did however ask to be included in all future mailings.
- “Act Now to Save the Bay”, Newsday  
Mr. Mulé informed the Council that this Newsday editorial urges the County to move forward with the Bergen Point project.
- Comments from Roger Tollefsen on Bergen Point Outfall Replacement  
Mr. Mulé summarized a letter from Mr. Tollefsen suggesting that the Bergen Point ocean outfall contributed to the collapse of the Great South Bay shellfish population. He went on to suggest that bay-discharge alternatives will increase nutrient inputs and revive a struggling shellfish population.
- Letter from CEQ to the Suffolk County Vanderbilt Museum and Planetarium  
Mr. Mulé informed the Council that this letter was sent out based on a request made at the last CEQ meeting. The letter outlines the Council’s concerns and requests an update on the status of the information request. A response has not yet been received.
- Comments on Part 617 Draft Scope  
Mr. Mulé briefed the Council on the comments submitted to the NYSDEC on the proposed updates to the SEQRA Rules and Regulations.

PUBLIC PORTION:

No one appeared

HISTORIC TRUST DOCKET:

Mr. Martin updated the Council on the following:

Housing Program:

- All available vacancies have been filled. Work must be done on other County residences before they will be able to be rented.

Custodial Agreements:

- The Suffolk County Office of Historic Preservation is still working on the custodial agreement with the L.I. Maritime Museum.

- The contract with Lessing's for the operation at Timber Point County Park expires at the end of this year. They have been awarded a new 20-year contract agreement with the County which includes renovations and the construction of an addition to the main building. Mr. Martin gave a brief history of the site. Mr. Lessing, Mr. Feeley and Mr. Smith gave an extensive presentation concerning the proposed renovations. Council members questioned the historic integrity of the proposal and gave their suggestions on potential structural elements. The project, once fully conceived, will return to the Council for approval.

Mr. Martin updated the Council on the status and condition of the Horan House located at Timber Point County Park. The home dates back to the 1900's and is dedicated to the Suffolk County Historic Trust. As of the late 1980's the roof started to fail and there were no funds appropriated at that time to preserve the structure. The structure has severely deteriorated over time and the Park's Department is very concerned with the conditions they face right now and have considered a complete tear down of the building. However, the Historic Trust Committee first recommended getting an opinion from the County Attorney's office since the house is a dedicated structure. At this point, Mr. Maccarrone summarized his letter to the County Attorney's office as well as the one received from the Great River Fire Department asking what the County plans to do with the site. He went on to state that a storm on August 14, 2012 finally collapsed the majority of the structure. While this site may be a lost cause, the issue still stands and the Council would still like to know from the County Attorney how they could go about taking down hazardous dedicated buildings. Mr. Swanson requested that the Council get a formal report with pictures for the purpose of informing the Historic Trust but also have it formally submitted to the legislature. The Legislature very often wants to buy properties yet we can't afford to keep what we have up and running. They should be aware of the situation that can develop if we don't put the appropriate resources where we need them.

Mr. Pichney mentioned incidents of vandalism at Meadow Croft. The most significant item of concern was an eight-foot section of copper down spout. They also vandalized the garden, broke a brass fennel off of the sundial, which was donated to Meadow Croft from an 1880's estate in Bayport and completely destroyed a wooden tutory. Mr. Pichney stated that there is a gate which is not closed at night and there is an alarm system with motion detectors connected to flood lights, but that is no longer functioning. A recommendation should be made to Historic Services that perhaps Meadow Croft and other Historic sites which have gated access points be locked and a sign put up indicating that the park is closed. He went on to add that the motion detectors should be repaired as well.

#### PROJECT REVIEW:

##### *Recommended Type II Actions:*

##### Proposed Ratification of Recommendations for Legislative Resolutions Laid on the Table August 7, 2012.

Ms. Spencer made a motion to accept staff recommendations for the August 7, 2012 Legislative Resolutions. The motion was seconded by Mr. Swanson. Motion carried.

##### *Recommended Unlisted Actions:*

##### Proposed Sale of John J. Foley Skilled Nursing Facility, Town of Brookhaven.

Mr. Brown gave a brief presentation regarding the project and went on to introduce Ms. Bermel who further explained the proposal and requested a negative declaration. It was noted that the CEQ had previously issued a negative declaration for the same proposal on June 16<sup>th</sup>, 2010. Legislature Hahn asked if it was sold to the operator and the operator decided to build on the excess acreage if that would be subject to Town review. Ms. Bermel noted that any additional development would in fact be subject to local zoning and review. It was noted that the prospective buyer is not a developer. He is a nursing home

operator and the facility will continue the same operation. Mr. Bagg read into the record what the Council had recommended previously.

Legislator Cilmi questioned whether the scope of the contract had changed over time. Mr. Brown informed Legislator Cilmi that this is the same exact deal as reviewed in 2010 and has not changed recently.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative declaration and to adopt the previous resolves that were in CEQ Resolution 25-2010 of June 16<sup>th</sup>, 2010. The motion was seconded by Ms. Growney. Motion carried.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Beaverdam Creek County Wetlands, Alvarado Property, Town of Brookhaven.

Ms. Fischer gave a brief presentation on the 0.46± acres acquisition of land by Suffolk County for open space preservation purposes in the vicinity of Beaverdam Creek County Wetlands.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative declaration. The motion was seconded by Ms. Growney. Motion carried.

Proposed Acquisition of Land for Hamlet Park Purposes Known as the EMB Enterprises, LLC property, Town of Riverhead.

Ms. Fischer gave a brief presentation on the 4.19± acres acquisition of land by Suffolk County for hamlet park purposes. The Town of Riverhead has agreed to develop and maintain this hamlet park in perpetuity.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative declaration. The motion was seconded by Ms. Growney. Motion carried.

OTHER BUSINESS:

None

PUBLIC COMMENTS:

CAC CONCERNS:

No CAC's were present for this meeting.



## **Correspondence:**

### **Correspondence:**

- Town of Babylon response to coordinated review on Bergen Point Outfall Replacement
- “Act Now to Save the Bay”, Newsday
- Comments from Roger Tollefsen on Bergen Point Outfall Replacement
- Letter from CEQ to the Suffolk County Vanderbilt Museum and Planetarium
- Comments on Part 617 Draft Scope

# Town of Babylon

Dept. of Environmental Control  
281 Phelps Lane, Room 23  
North Babylon, New York 11703-4045  
(631) 957-3000  
(631) 422-7640  
Fax (631) 422-7686  
Email: dec@townofbabylon.com



**RICH SCHAFFER**  
SUPERVISOR

July 24, 2012

Mr. Michael P. Mule  
Environmental Project Coordinator  
County of Suffolk Economic Development and Planning  
H. Lee Dennison Building  
4<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

**Re: State Environmental Quality Review Act  
Lead Agency Coordinated Review  
Proposed Bergen Point Wastewater Treatment Plant Outfall Replacement**

Dear Mr. Mule:

We are in receipt of your SEQRA Lead Agency Coordination in connection with the above referenced action. The Town Board of the Town of Babylon is an Involved Agency in accordance with SEQRA for this proposal.

Please include the Town of Babylon in any future correspondence or documents in connection with this action.

Please don't hesitate to contact this office if you have any questions.

Very truly yours,

Victoria A. Russell  
Commissioner

VAR:ch

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<b>Antonio A. Martinez</b> Councilman Deputy Supervisor	<b>Thomas Donnelly</b> Councilman	<b>Jacqueline A. Gordon</b> Councilwoman	<b>Lindsay Patrick Henry</b> Councilman	<b>Corinne DiSomma</b> Receiver of Taxes	<b>Carol A. Quirk</b> Town Clerk
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cc: Rich Schaffer, Supervisor, Town of Babylon  
Town Board of the Town of Babylon  
Ronald C. Kluesener, Chief of Staff, Town of Babylon  
Ann Marie Jones, Commissioner, Planning & Development, Town of Babylon  
Tom Stay, Commissioner, Department of Public Works, Town of Babylon

# grasps ons

## uggles to find ash runs low

Sau County Executive Edward balance his budget, the process ival ride. and last Monday, Mangano an- half through attrition, and \$19 a couple of days later, he an- s to county employees look- avoid the layoffs he had just , police officers excluded, will id days per year, with a maxi- prove.

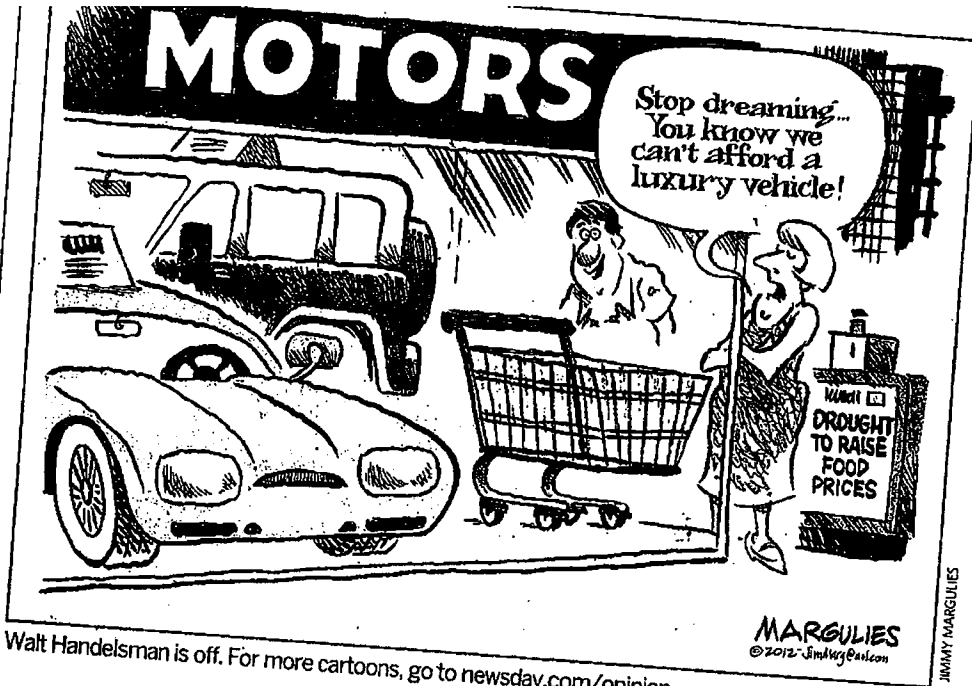
r fees a couple of weeks ago: me and business security sys- tions, register ATMs, obtain nes, and register as a county \$7,500 fee for medical trans-



County Executive  
Mangano

a bind no other county ex- De Democrats and the Nas- best thing that ever hap- financial problems by bal- rowing. Still, he must pick tant shifts in direction. nd medium term, cash is n spending so much more : now about \$330 million no must both deliver on hools and municipalities ty taxes are paid, and cut

rkers and offer optional police department will assigning those cops to unit's overtime. The de- ant cuts. All these mea- id would have served ago. Fixing the financ- that's going to enrage nly solution. Mangano nd being serious, he's can't do it, this carn- orrors. **N**



Walt Handelsman is off. For more cartoons, go to [newsday.com/opinion](http://newsday.com/opinion)

MARGULIES  
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JIMMY MARGULIES

# Act now to save the bay

The Great South Bay has trouble enough without a catastrophic spill of treated human waste. So it's time for Suffolk County to move more urgently to head off that doomsday event.

The clam harvest in the bay is down drastically. One major culprit is degradation of the bay with nitrogen and other pollutants from sources that include cesspools and stormwater runoff cascading from parking lots and roadways. Another problem is over-harvesting of clams.

The result is that this body of water, so crucial to both the Island's economy and its environment, is increasingly fragile. That's why we must take all the steps necessary to make sure there is no major break in the 14,000 feet of pipeline that runs from the county's Bergen Point sewage treatment plant to Cedar Beach. (Another pipe, undamaged, carries the waste 17,000 feet out into the Atlantic.)

The county Department of Public Works learned that pipe similar to the bay section had developed problems in other states. Then a test found breaks in more than 700 reinforcing wires. A consulting firm called that the worst set



The Bergen Point sewage plant in West Babylon

NEWSDAY PHOTO, 2008 / DANIEL GOODRICH

of breaks it had monitored.

Though the county has ordered replacement pipe to have on hand in case calamity occurs, we need something better than a wait-until-it-breaks strategy. Earlier this month, the department presented a much better idea to the county's Council on Environmental Quality: new pipe laid in a tunnel deep below the floor of the bay, dug by powerful, modern machinery.

This would be more environmentally sound and less costly than replacing the existing pipe, a project estimated at \$150 million. A tunnel far below the bay bottom

would not disturb the ecosystem. Simply replacing the current pipe, which sits much closer to the bay bottom, would disrupt marine life. It would cost more, because it would require a less efficient construction schedule to minimize the disturbance, plus other mitigation measures. It would also face a tough permit process with the state's Department of Environmental Conservation.

So the tunnel seems the way to go. After appropriate review, the council should approve it, and the legislature and executive move expeditiously to get this bay-saving project going. **N**

## Mule, Michael

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**From:** Roger C. Tollefsen <nyseafood@msn.com>  
**Sent:** Wednesday, July 25, 2012 3:44 PM  
**To:** Mule, Michael  
**Subject:** Comments concerning the proposed sewer effluent pipe replacement

Michael P. Mule  
Environmental Projects Coordinator  
Council on Environmental Quality  
Suffolk County Planning Department  
P.O.Box 6100  
Hauppauge, NY 11788

631 853-5191

Hello Michael,

First let me introduce myself. I have degrees in Chemistry and Chemical Engineering from Bucknell University and have been in the seafood business since 1972. In 1992, I was elected and continue as President of New York's Seafood Council; this organization was formed to help allow New York's seafood industry to better represent and market itself and its products. I also serve as a Program Advisor for New York Sea Grant.

For over twenty years, it has been my passion and hobby to try to understand the emergence of harmful algal blooms and coincident shellfish losses throughout the Peconic, Shinnecock and Great South Bays. My associations with scientists and managers and extensive reviews of existing data have caused me to develop a hypothesis that ties together both the algal blooms and shellfish losses. Simply - "The historically high levels of shellfish populations on Eastern Long Island were caused by man's inadvertent supply of nitrogen. The loss of these shellfish resources was caused by "successful" nutrient reduction policies".

As you know, nitrogen has been shown to be the limiting nutrient for the growth of the algae upon which our shellfish depend. A major source of the nitrogen that ultimately spurred shellfish growth came from groundwater that was laden by nitrogen from increasing human activities. As we came to value our extensive shellfish resources, we also tried to protect them from bacterial sources. In an effort to reduce bacterial loads, we coincidentally and dramatically reduced the important nutrient.

Recently, I submitted a letter to the Editor of *Newsday* in which I tried to explain the implications of simply replacing the Bergen Point Sewer effluent pipe. It has not yet been printed.

Letter to the Editor of *Newsday*

Wasted opportunity?

The Great South Bay once yielded over 675,000 bushels of hard clams. Today, that harvest has dropped by 95%. Although many are quick to blame over-fishing for the decline, another impact occurred coincident to it. That was when the Bergen Point Sewage treatment plant began pumping its treated effluent to the ocean. That water, which had previously been the major source of nutrients for the bay and the hard clams, was dramatically and radically removed from it. There was no discussion about how this event might affect the hard clams. It was a massive over-sight!

Suffolk County is now considering a proposal to replace the disintegrating pipe that is used to convey the treated effluent outside the bay. If this proposal is allowed to continue, we will condemn our bay to a continuum of low productivity for many generations. Because the valuable nutrients upon which our shellfish and finfish depend will be withheld from them, populations will remain low. In addition, without sufficient numbers of shellfish, our bay will continue to be susceptible to harmful algal blooms.

Instead of spending almost \$200 million dollars to replace a pipe that causes valuable nutrients to be lost, we should take this opportunity to explore nutrient management options. For instance, for less than half the cost, we could upgrade the Bergen Plant to seasonally remove the nutrients. The nutrients that are already in the effluent could be allowed to flow into the bay when the living resources could best use them. If the amount of nutrients were seasonally too great, they could be reduced in the plant. This method of management has been considered in Narragansett Bay where it was found that over 50% of the nitrogen (a limiting nutrient for clams) originated from local sewer outfalls. With this approach, we wouldn't need the old pipe at all.

Roger C. Tollefsen, President

New York's Seafood Council

23 Bay Ave West

Hampton Bays, NY 11946

cell 631 740-0381

Of course, I have greatly simplified the problem. However, I can offer a great wealth of supporting documentation that may influence you at this crossroad. I am willing to help in any way I can and look forward to the opportunity to participate.

Sincerely,

Roger C. Tollefsen

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GLORIA RUSSO  
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CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

August 1, 2012

Ron Beattie, President  
Suffolk County Vanderbilt Museum  
Board of Trustees  
180 Little Neck Road  
Centerport, New York 11721

Dear Mr. Beattie:

I would like to take this opportunity to welcome you as the newly appointed President of the Suffolk County Vanderbilt Museum Board of Trustees. The Suffolk County Council on Environmental Quality (CEQ) has had a long-standing relationship with the museum and we look forward to working with you to maximize its potential and preserve its historic integrity well into the future.

The CEQ, as the Suffolk County Historic Trust, is in receipt of the June 20, 2012 letter from VHB to the Suffolk County Department of Parks, Recreation and Conservation, Division of Historic Services regarding the proposed public utility wireless communications facility at the Vanderbilt site. It appears that VHB, on behalf of the Trustees, is preparing to reach out to the New York State Historic Preservation Office (SHPO) to obtain clearance for the project. According to the authorizing legislation, the County Legislature must still approve any contract between the museum and their chosen wireless communications development firm. Such an action is subject to the State Environmental Quality Review Act of which the CEQ advises and assists in the administration of for the County Legislature and Executive.

As you may know, this project came before the Council on May 18, 2011 where the CEQ raised a number of concerns and requested additional information before a decision could be rendered. I have enclosed a copy of the May 25, 2011 letter from this body to former President of the Board, Noel Gish, outlining the information requested. At this time, the Council respectfully requests an update on the status of our information request. In addition, we ask that SHPO be provided all project material and additional information requested by the CEQ so that they are able to make a fully informed determination on potential impacts to the historic nature of the property.



We ask that this body be included in all future correspondence regarding this project and I thank you for your continued cooperation.

Sincerely,

*Gloria Russo* (cc)

Gloria Russo  
Chairperson

Enc.

cc: Lance Reinheimer, Interim Director, Suffolk County Vanderbilt Museum and Planetarium  
Greg Dawson, Commissioner, Suffolk County Dept. of Parks, Recreation & Conservation  
Richard Martin, Director of Historic Services, S.C. Dept. of Parks, Recreation & Conservation  
Erin Echevarria, Project Manager, VHB  
Elizabeth Martin, Historic Preservation Office, NYS Office of Parks, Recreation & Historic Preservation

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING  
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson  
CHAIRPERSON  
CEQ

Michael P. Mule  
ENVIRONMENTAL PROJECTS  
COORDINATOR

May 25, 2011

Mr. Noel Gish, President  
Suffolk County Vanderbilt Museum Board of Trustees  
P.O. Box 0605  
180 Little Neck Road  
Centerport, NY 11721-0605

Dear Mr. Gish:

Thank you for attending last week's meeting of the Council on Environmental Quality (CEQ). As you are well aware, the Council felt that there were several outstanding issues that require further investigation before a decision could be rendered on your application. Since the meeting, the Council has submitted a written request to the County Attorney's Office seeking a determination on whether the proposed construction of a wireless communication facility at the Suffolk County Vanderbilt Museum constitutes an alienation of parkland under New York State Law and if the privatization of a public resource such as the Vanderbilt property would make this action subject to local zoning. In addition to these issues, on which we are awaiting a response, I would like to take this opportunity to outline what additional information the Council requires from the initiating unit before a vote will be entertained.

- Prepare visual impact simulations from the Mansion and entrance to the park property from the main gate.
- Obtain a determination from the New York State Historic Preservation Office (SHPO) on the proposed projects impact on the historic nature of the site. Please, be advised that should an impact be identified, pursuant to Title 6 NYCRR Part 617.7(c)(v), the impairment of the character or quality of an important historical or architectural resource calls for the preparation of a Draft Generic Environmental Impact Statement.
- Conduct a public meeting to solicit comments and concerns from the local community and provide the Council with a meeting summary or transcript.
- Provide a written summary on how this site meets the least intrusive available alternative for consideration to address the alleged gap in coverage.

LOCATION  
H. LEE DENNISON BLDG. 4TH FLOOR  
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099

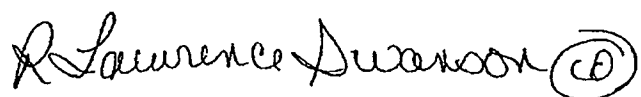
(631) 853-5191  
fax (631) 853-4044

- Revise the Environmental Assessment Form to expand discussion in Section E – Alternatives to include possible sites both on and off of the property and the reasons they were excluded.

Once the above stated issues are addressed and a response from the County Attorney's Office is received, the proposed project will be placed back on the agenda to be reviewed by the Council. Please notify CEQ staff upon completion of the above request.

Thank you.

Sincerely,



R. Lawrence Swanson, Chairman  
Council on Environmental Quality

RLS/cd

cc: Lance Reinheimer, Interim Director, Suffolk County Vanderbilt Museum  
Joseph Montuori, Commissioner, Suffolk County Parks, Recreation and Conservation  
Tracey Bellone, Deputy Commissioner, Suffolk County Parks, Recreation and Conservation  
Richard Martin, Director, Suffolk County Historic Services  
Hon. Jon Cooper, Legislator

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE


DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## MEMORANDUM

TO: New York State Department of Environmental Conservation  
Division of Environmental Permits & Pollution Prevention

FROM: Michael P. Mulé, Environmental Projects Coordinator 

DATE: August 2, 2012

SUBJECT: Comments on Part 617 Draft Scope

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The following comments are provided in response to the July 11, 2012 Draft Scope for the Generic Environmental Impact Statement on the Proposed Amendments to the State Environmental Quality Review Act (6 NYCRR Part 617).

### 1. Objective and Rationale

Acquisition of unimproved land for open space preservation purposes restricts the use of the subject lands to passive recreation, and by its very nature, such an action stops alteration and reconfiguration of the landscape, and is therefore protective of the environment. The Suffolk County Council on Environmental Quality frequently reviews projects involving the acquisition or donation of land for passive recreation and open space preservation purposes, which it finds to meet the criteria for Unlisted Actions. It routinely finds that such activities do not have significant adverse impacts on the environment, and as such, issues a Notice of Determination of Non-Significance. The addition of these activities to the Type II list would serve to encourage preservation of open space by streamlining the process and removing unnecessary bureaucratic hurdles freeing up time for the Council to deliberate on more complex projects where a greater level of documentation and analysis is appropriate.

### Proposed Text Amendment

- Amend 6 NYCRR Part 617.5 (Type II List) to include:
  - The acquisition, sale, lease, annexation or transfer of any ownership of unimproved land for passive recreation and open space preservation purposes

unless such action meets or exceeds any of the thresholds in 6 NYCRR Part 617.4(b)(4),(8),(9),(10) and (11).

- Amend 6 NYCRR Part 617.2 (Definitions) to include:
  - **Passive Recreation** means recreational opportunities that occur in a natural setting and do not significantly impact natural, cultural, scientific, historic or agricultural values, requiring minimal development or facilities directly related to safety, and providing areas for informal, self-directed activities for individuals or small groups. Examples may include hiking, photography or nature study. Facilities may include trails, pathways, signage, or kiosks limited to educational and safety purposes.
  - **Unimproved** means not in use, in temporary use or lacking permanent improvement.

## 2. Objective and Rationale

Many times structures, facilities or their components are replaced, rehabilitated or reconstructed because they are outdated, obsolete or no longer serve the purpose for which they were intended. As such, a more up-to-date or modernized version must be used to maintain function or reflect industry standards. The term “in kind” as referenced in §617.5(c)(2) implies that the new item will be of the same make and quality. This distinction often leads to an Unlisted Action designation and a lengthier and more in depth review then is appropriate.

### Proposed Text Amendment

- It is suggested that §617.5(c)(2) be revised to include the following:
  - Replacement, rehabilitation or reconstruction of a structure or facility [in kind] with one substantively similar in nature and size, on the same site, including upgrading buildings to meet building, energy or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4(b)(6),(8),(9),(10) and (11) of this Part.

## 3. Objective and Rationale

Disposition of large tracts of land by auction may eliminate the potential for future open space protection in a given area. In areas with limited open space resources, an interested public should be given the opportunity, through the SEQRA process, to comment on such an action.

### Proposed Text Amendment

- It is suggested that §617.5(c) be revised to include the following:
  - Disposition of land, by auction, where there is no discretion on the part of the disposing agency on the outcome unless such action meets or exceeds the criteria in section 617.4(b)(4) of this Part.

4. Objective and Rationale

Bullet 5 of the proposed text amendments for the Type II list outlined on page 4 of the draft scoping document should exclude those areas within 300 feet of wetlands, shorelines or significant local environmental features. Considering the proposed development thresholds as Type II Actions strips local municipalities the ability to review the full potential for significant environmental impacts.

Proposed Text Amendment

- It is suggested that §617.5(c) be revised to include the following:
  - In municipalities with adopted subdivision regulations, subdivisions involving 10 acres or less and defined as minor under a town, village or city's adopted subdivision regulations or subdivision of four or fewer lots, whichever is less; unless such action is located within 300 feet of a wetland, shoreline or significant local environmental feature.

5. The NYSDEC has acknowledged that the term "hard look", coined by the court system, is something that regulators should all be weary of when reviewing SEQRA documents. However, there is no official definition of the term and it is often times left up to the courts to define on a case by case basis. The updated regulations should better define the term "hard look", or at least outline what it is not. In addition, it should emphasize that a DEIS is meant to be factual and informative not to be "encyclopedic" for the sake of giving the appearance of a "hard look".
6. Finally, while bullets 7, 8, 9 and 10 of the proposed text amendments for the Type II list outlined on pages 4 and 5 of the draft scoping document encourage development in previously developed areas with existing infrastructure, it seems that there will no longer be the opportunity to assess the impacts on traffic patterns and volume during the environmental review as required under §617.7(c)(1)(i). I am not suggesting removing these items from the Type II list but I do believe there needs to be some mechanism to evaluate and consider traffic impacts in some way.

Thank you for the opportunity to provide these comments in connection with the request published in July 11, 2012 Environmental Notice Bulletin.

## **Project Information**

# COUNTY OF SUFFOLK



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**JAMES L. TOMARKEN, MD, MPH, MBA, MSW**  
Commissioner

July 31, 2012

Ms. Gloria Russo, Chair  
Council on Environmental Quality  
H. Lee Dennison Building - 4<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Sale of the John J. Foley Skilled Nursing Facility

Dear Ms. Russo:

Enclosed herein please find 25 copies of the Environmental Assessment Form, which includes the required attachments, for the above referenced project. This project consists of transferring the operation and ownership of the nursing home from the County to a private company. The transfer will include the sale of the building, inventory, bed license, and footprint of the facility with associated parking and road access on 14.06 acres of land. We feel this project should be considered an unlisted action.

We would appreciate a project review to be scheduled for the August 15, 2012 meeting of the Council on Environmental Quality.

Thank you for your continued cooperation. If you have any questions or require additional information concerning this matter, please feel free to contact me at 853-8083.

Very truly yours,

James L. Tomarken, M.D, MPH, MBA, MSW  
Commissioner of Health Services

Enclosures



**Public Health**  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927



**SUFFOLK COUNTY FULL ENVIRONMENTAL  
ASSESSMENT FORM (EAF)**

**Instructions:** This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire Data Sheet. Include as much information as possible such as feasibility studies, design reports, etc. Attach additional sheets if necessary. Mark irrelevant questions N.A., not applicable.

**A. General Information:**

1. Name of Project:

Sale of the John J. Foley Skilled Nursing Facility

2. Location of Project: (specify Town, Village or Hamlet and include project location map on next page.)

Town of Brookhaven, Yaphank, New York

Street Address:

14 Glover Drive

Name of property or waterway:

Suffolk County John J. Foley Skilled Nursing Facility

3. Maps of Property and Project: Attach relevant available maps, including a location map (note: use road map, Hagstrom Atlas, U.S.G.S. topo map, tax map or equivalent) and preliminary site plans showing orientation, scale, buildings, roads, landmarks, drainage systems, areas to be altered by project, etc.

4. Type of Project: (check one) New \_\_\_\_\_ Expansion \_\_\_\_\_ Sale X

5. Capital Program: (specify) Item # N/A Date Adopted N/A Amount\$

6. General Description of Project Including its Purpose (attach relevant design reports, plans etc.): **See IR \_\_\_\_\_-2012 with exhibits attached to the EAF.**

To transfer operation and ownership of the nursing home from the County to a private company. The transfer will include sale of the building, inventory, bed license and footprint of the facility with associated parking and road access on 14.06 acres of property. The 14.06 acre parcel will be created from County owned property.

The use of the facility will not change – it will continue to be operated as a skilled nursing facility with a total of 264 beds (252 skilled nursing facility beds plus 12 AIDs beds) and a licensed adult day care program. (See IR \_\_\_\_\_-2012 with exhibits)

There is no anticipated change in the number of residents who will be served at the facility.

This sale is subject to approval by the New York State Department of Health.

All changes to the operation of the facility (in terms of patients and major services provided) must be approved by the New York State Department of Health through the Certificate of Necessity (CON) process. As a few examples, if an owner wants to expand the number of beds in the facility, change the number of AIDs beds, increase or decrease the number of Adult Day Care Slots, add dialysis units, etc., NYS must approve a CON, which can be a very intensive and lengthy process.

The prior CEQ determination is attached as an exhibit. The 2010 CEQ recommendation was an unlisted action without significant adverse on the environment (negative declaration).

7. Project Status: (check if begun)

		Start	Completion
	EXECUTIVE REVIEW AND PLANNING	January 2012	June 2012
	CONTRACT PHASE	July 3, 2012	July 31, 2012
	CLOSING PROJECTED		ON OR BEFORE 12-31-2012

8. Departments Involved:

NAME AND ADDRESS OF DEPT. PERFORMING DESIGN & CONSTRUCTION	NAME AND ADDRESS OF INITIATING DEPT. (If different)
Name: N/A	Suffolk County Department of Health Services
Street/P.O.:	225 Rabro Drive
City, State:	Hauppauge, New York
Zip:	11788
Contact Person:	James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Business Phone	631-853-3005

B. Project Description

1. Scale of Project:

a. Total contiguous acres now owned at site:	
b. Acreage to be acquired:	14.06
c. Developed acreage now:	14.06
Developed acreage at completion of project:	14.06
Developed acreage ultimately:	14.06
d. Acreage of vegetation or cover to be removed:	0
e. Acreage to remain undeveloped:	NA

f. Building gross floor area now: Building gross floor area proposed:	Approximately 171,674 sq. ft. NA acres Same sq. ft.                      acres
g. Height of tallest structure on site now: Height of tallest structure proposed on site:	80 Ft. NA
h. Proposed Building use (if any):	Skilled Nursing continued
i. Off-street parking spaces now: Off-street parking spaces proposed:	299    number    2.49 acres 0       number    0 acres
j. Max. vehicle trips/hr. when operational:	Same as current
k. Roads on site now:	2,770 length      1.9 acres
l. New road construction or reconstruction	NA    length                  acres
m. Will project result in an increase in energy use? If yes, indicate type(s):	No
n. Will project require storage of liquid fuels and chemicals? If yes, describe substances and amounts to be stored:	NA

2. Project Schedule:

a. Is project single or multi-phase?	One
b. If multi-phase, how many phases?	NA
c. Total construction time (months)	NA

3. Wastes and Pollutants Generated During Project Construction and Operation: **NA - sale of an existing facility for same use.**

	Components	Quantity	Mode of Disposal
a. Sanitary Sewage			
b. Liquid industrial waste			
c. Toxic chemicals			
d. Pesticides or herbicides			
e. Solid wastes			
f. Clearing or demolition debris			
g. Spoil disposal or sedimentation			

h. Atmospheric emissions			
i. Surface water runoff			
j. Noise exceeding ambient			
k. Odors exceeding 1hr/day			
l. Other (specify)			

4. Does Project Involve Any:

Grading Cut/Fill; List amounts.	NA
Dredging; List max. depth, length & width.	NA
Spoil Area; List amount.	NA
Bulkheading; List length.	NA
Dewatering; List g.p.m. & period of time.	NA

5. Indicate Sources of Utilities:

Water	SCWA
Electricity	LIPA
Gas	National Grid
Other (please specify)	NA

6. Total Water Usage:

Gallons per Day

If water supply is from wells, indicate pumping capacity in gallons per minute \_\_\_\_\_.

C. Project Area Description/Existing Conditions:

1. Acreage of Physical Characteristics of Project Area:	Presently	After Completion
Meadow, field, scrub growth		
Wooded	5.43	Same
Agricultural		
Freshwater wetland		
Tidal wetlands		
Surface waters		
Cleared, graded or filled land		

Paved areas (roads, parking, etc.)	4.39	Same
Buildings (List number and sq. ft.) <b>1 building</b>	1.02 acres	1.02 acres
Other (please specify) grass/landscaped	3.22	Same
<b>TOTAL</b>	<b>14.06</b>	<b>Same</b>

2. Streams within or contiguous to project area: *(Please list name of stream and/or name of river to which it is tributary, including intermittent streams)*

NA

3. Lakes, Ponds, Wetland areas within or contiguous to project area: *(Please list name(s) and size(s) in acres)*

None

4. a. Are there natural drainage channels on the project site? \_\_\_yes\_\_\_  no

b. How far is project area from freshwater wetlands, tidal wetlands or surface waters?

1.5 miles from the Carmens River to the east

5. Is the Project area within the 100 yr. Flood plain? \_\_\_\_\_yes\_\_\_  no

6. Depth to the water table: at surface \_\_\_\_\_0-3 ft\_\_\_3-8 ft\_\_\_8-16 ft\_\_\_  > 16 ft

7. Predominant soil type (s) on project site as identified in the Soil Survey of Suffolk County - 1975: *(Include soils map of site.)*

HaA-Haven loam, 0 to 2% slopes and RdA-Riverhead sandy loam; 0 to 3% slopes

8. General character of the land: Generally uniform slope  Generally uneven and rolling or irregular\_\_\_\_\_. *(Include topographic map of site.)*

9. Approximate percentage of proposed project site with slopes: 0-10% 100 10-15%\_\_\_or greater \_\_\_%.

10. Any unique or unusual land forms on the project site? (i.e. cliffs, dunes, kettle holes, eskers, other geological formations):

No

11. Describe the predominant vegetation types on the site:

Predominantly developed with a small portion of pine/oak woods

12. Describe the predominant wildlife on the site:

Squirrels and birds

13. Does project site contain any species of plant or animal life that is identified as threatened or endangered?   yes   X  no; if yes, give source and identify each species;

14. Is project contiguous to, or does it contain a building or site of historic, pre-historic or paleontological importance?   yes   X  no. Explain.

15. List the specific activities now occurring at project location (ie. hunting, fishing, hiking etc.)

Nursing Facility

16. Is the project site presently used by the community or neighborhood as an open space or recreation area?   yes   X  no.

17. Does the present site offer or include scenic views or vistas known to be important to the community?   yes   X  no.

18. Zoning:

a. Current specific zoning or use classification of site?	Municipal/Institutional (Permissible Use) in an A-1 Residential Zone
b. Is proposed use consistent with present zoning or use?	Yes, pre-existing nonconforming use
c. If no, indicate desired zoning or use.	NH-N

19. What is the dominant land use and zoning classification within a 1/4 mile radius of the project (e.g. single family residential, R-2) and the scale of development (e.g. 2 story)? *(Include existing land use map)*

County institutional use surrounding; some residential to the east

20. Is the site served by existing public utilities?   X  yes   no.

a) If yes, does sufficient capacity exist to allow connection?   X  yes   no.

b) If yes, will improvements be necessary to allow connection?   yes   X  no

21. Is the site located in an agricultural district certified pursuant to Agriculture and Market Law, article 25-AA, Section 303 and 304?   yes   X  no.

22. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?   yes   X  no.

23. Has the site ever been used for disposal of solid or hazardous wastes?   yes   X  no.

D. Impact Summary and Mitigation

1. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site?  
0 acres

2. Will any mature forest or other locally important vegetation be removed by this project?  
yes  no  Explain.

NA

3. Are there plans for erosion control and stabilization?  yes  no. Explain and attach plans.

NA

4. Are there any plans for revegetation to replace that removed during construction?  
 yes  no. Explain and attach plans.

NA

5. Will project physically alter any surface water bodies?  yes  no. Explain.

6. Will project require relocation of any projects, facilities or homes?  yes  no. Explain.

7. Number of jobs generated: NA

During construction?	
After project is completed?	

8. Number of jobs eliminated by this project 0.

E. Alternatives - Briefly list alternatives to the proposal considered

Do not sell and keep in County ownership  
Close the facility

F. Approval and Compliance

1. Will project involve funding or financing by any: No

a. Federal agency (specify) \_\_\_\_\_; amount \_\_\_\_\_.

b. State agency (specify) \_\_\_\_\_; amount \_\_\_\_\_.

c. Local agency (specify) \_\_\_\_\_; amount \_\_\_\_\_.

2. Does project require permit or approval from:

	YES	NO	TYPE
a. Army Corps of Engineers		X	
b. U.S. Environmental Protection		X	
c. Other Federal agency (specify)		X	
d. N.Y.S. Environmental Conservation Department		X	
e. Other State agency (specify) NY State DOH	X		Approval of Sale
f. County Health Department		X	
g. County Planning Department		X	
h. County Public Works Department		X	
i. Town or Village Board		X	
j. Town or Village Planning Board		X	
k. Town or Village Zoning Board	X		Change of zone
l. Town or Village Building Department	X		CO
m. Town or Village Highway Department		X	
n. Town or Village Environmental Agency		X	
o. Local Fire Marshal		X	
p. Other local agency (specify i.e. CAC) Suffolk County Legislature	X		Approval of Sale

3. Conformance to existing comprehensive or project master plans.

	yes	no	Description
a. State	<u>X</u>	___	<u>Existing Facility approved by State Health Department</u>
b. Bi County	___	___	
c. County	<u>X</u>	___	<u>Existing Facility approved by Suffolk County Legislature</u>
d. Town	___	___	
e. Village	___	___	

PREPARER Sarah Lansdale Date July 31, 2012

TITLE Director of Planning

SIGNATURE\*

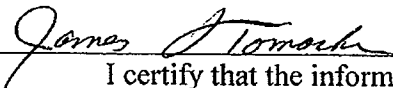
I certify that the information herein is accurate.



PROJECT DIRECTOR James L. Tomarken Date: July 31, 2012

TITLE Commissioner of Health Services

SIGNATURE\*

  
I certify that the information herein is accurate

\*Signature of both preparer and project director required

## Part 2 - RESPONSIBILITY OF LEAD AGENCY

### Project Impacts and Their Magnitude

**PROJECT: Sale of John J. Foley Skilled Nursing Facility by Suffolk County**

**General Information (Read Carefully)**

1. In completing the form the reviewer should be guided by the question: Have my decisions and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.
2. Identifying that an effect will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. By identifying an impact in column 2 simply asks that it be looked at further.
3. The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact rating.
4. Each project, on each site, in each locality, will vary. Therefore, the examples have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
5. The number of examples per question does not indicate the importance of each question.

**Instructions (Read carefully)**

1. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be **any** impact.
2. **Maybe** answers should be considered as **Yes** answers.
3. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If threshold impact equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
4. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
5. If a potentially large impact or effect can be mitigated by a change in the project to a less that large magnitude, check the yes box in column 3. A No response indicates that such a reduction is not possible.

**IMPACT ON LAND**

1. Will the proposed action result in a physical change to the project site?  Yes  No

<b>IMPACT ON LAND</b> Examples that would apply to Column 1	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)
Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.			
Construction of land where the depth to the water table is less than 3 feet.			
Construction of paved parking area for 1,000 or more vehicles.			
Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.			
Construction that will continue for more than w year or involve more than one phase or stage.			
Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.			
<b>IMPACT ON LAND</b>	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)

Construction of any new sanitary landfill.			
Construction in a designated floodway.			
Other Impacts (Please describe)			

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)  
 yes  no.

List Specific land forms:			
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**IMPACT ON WATER**

3. Will proposed action affect any water body designated as protected? (under Articles 15,24,25 of the Environmental Conservation Law, ECL)  yes  no.

<b>IMPACT ON WATER (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Developable area of site contains a protected water body.			
Dredging more than 100 cubic yards of material from channel of a protected stream.			
Extension of utility distribution facilities through a protected water body.			
Construction in a designated freshwater or tidal wetland.			
Please List Other Impacts:			

4. Will proposed action affect any non-protected existing or new body of water?  yes  no

A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.			
Construction of a body of water that exceeds 10 acres of surface area.			
Please List Other Impacts:			

5. Will proposed action affect surface or groundwater quality?  yes  no

Proposed Action will require a discharge permit.			
Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.			
Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.			

<b>IMPACT ON WATER (cont.) (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Construction or operation causing any contamination of a public water			

supply system.			
Proposed Action will adversely affect groundwater.			
Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.			
Proposed Action requiring a facility that would use water in excess of 20,000 gallons per day.			
Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.			
Proposed Action will require the storage of petroleum products greater than 1,100 gallons.			
Proposed Action will allow residential uses in areas without water and/or sewer services.			
Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.			
Please list other impacts:			

6. Will proposed action alter drainage flow, patterns or surface water runoff? \_\_\_ yes X no.

Proposed Action would impede flood water flows.			
Proposed Action is likely to cause substantial erosion.			
Proposed Action is incompatible with existing drain patterns.			
Proposed Action will allow development in a designated floodway.			
Please list other impacts:			

**IMPACT ON AIR**

7. Will proposed action affect air quality? \_\_\_ yes X no.

IMPACT ON AIR (Examples that would apply to column 2)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change (Enter Yes or No)
Proposed Action will induce 1,000 or more vehicle trips in given hour.			
Proposed Action will result in the incineration of more than 1 ton of refuse per hour.			

IMPACT ON AIR (cont.)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change (Enter Yes or No)
Proposed Action emission rate of all contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.			

Proposed Action will allow an increase in the amount of land committed to industrial use.			
Proposed Action will allow an increase in the density of industrial development in existing industrial areas.			
Please List Other Impacts:			

**IMPACT ON PLANTS AND ANIMALS**

8. Will Proposed Action affect any threatened or endangered species? \_\_\_ yes  no.

<b>IMPACT ON PLANTS AND ANIMALS (Examples that would apply to Column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.			
Removal of any portion of a critical or significant wildlife habitat.			
Application of pesticide or herbicide over more than twice a year other than for agricultural purposes.			
Please list other impacts:			

9. Will Proposed Action substantially affect non-threatened or endangered species? \_\_\_ Yes  No

Proposed Action would substantially interfere with any resident or migratory fish or wildlife species.			
Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.			

**IMPACT ON AGRICULTURAL LAND RESOURCES**

10. Will the Proposed Action affect agricultural land resources? \_\_\_ Yes  No

<b>IMPACT ON AGRICULTURAL LAND RESOURCES (Examples that would apply to Column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
The Proposed Action would sever, cross through, or limit access to a field of agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.			

<b>IMPACT ON AGRICULTURAL LAND RESOURCES (cont.)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Construction activity would excavate or compact the soil profile of agricultural land.			
The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than one acre of agricultural land.			
The Proposed Action would disrupt agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); prevent agricultural land management measures from being installed; or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff)			
Prime or unique farmland as defined by USDA-SCS 7 CFR Part 657 and governed by the Farmland Protection Policy Act of 1981 is involved.			
Please list other impacts:			

**IMPACT ON AESTHETIC RESOURCES OR COMMUNITY CHARACTER**

11. Will proposed action affect aesthetic resources, or the character of the neighborhood or community? Yes  No

<b>IMPACT ON AESTHETIC RESOURCES OR COMMUNITY CHARACTER</b> (Examples that would apply to column 2) <i>(If Necessary Use the Visual EAF Addendum in Section 617.23)</i>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Introduction of proposed land uses, projects or project components obviously different or in sharp contrast to current surrounding land use patterns or existing man-made additions to the landscape.			
Introduction of proposed land uses, projects or project components as described in the above example that will be visible to users of aesthetic resources. This will eliminate or significantly reduce the public enjoyment or appreciation of the appearance or aesthetic qualities of a resource or community character.			
Introduction of project components that will result in the elimination or significant screening of scenic views known to be important to the area.			
Please list other impacts:			

**IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? Yes  No

<b>IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES</b> (Examples that would apply to column 2)	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Proposed Action occurring wholly or partially within or contiguous to			

any facility or site listed or eligible for listing on the State or National Register of historic places.			
Any impact to an archeological site or fossil bed located within the project site.			
Proposed Action will occur in an area designated as sensitive for archeological sites on the NSY Site Inventory.			
Please list other impacts:			

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

Yes  No

<b>IMPACT ON OPEN SPACE AND RECREATION (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
The permanent foreclosure of a future recreational opportunity.			
A major reduction of an open space important to the community.			
Please list other impacts:			

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? \_\_\_ Yes  No

List the environmental characteristics that caused the designation of the CEA.

Site is not in a CEA

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<b>IMPACT ON CRITICAL ENVIRONMENTAL AREAS (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Proposed Action to locate within the CEA?			
Proposed Action will result in a reduction in the quantity of the resource?			

Proposed Action will result in a reduction in the quality of the resource?			
Proposed Action will impact the use, function or enjoyment of the resource?			
Please list other impacts.			

**IMPACT ON TRANSPORTATION**

15. Will there be an effect to existing transportation systems? \_\_\_ Yes X No

<b>IMPACT ON TRANSPORTATION</b> (Examples that would apply to column 2)	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)
Alteration of present patterns of movement of people and/or goods.			
Proposed Action will result in severe traffic problems			
Please list other impacts:			

**IMPACT ON ENERGY**

16. Will proposed action affect the communities sources of fuel or energy supply? \_\_\_ Yes X No

<b>IMPACT ON ENERGY</b> (Examples that would apply to column 2)	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)
Proposed Action will cause a greater than 5% increase in any form of energy in municipality.			
Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences.			
Please list other impacts:			

**IMPACT ON NOISE**

17. Will there be objectionable odors, noise, glare, vibration or electrical disturbance as a result of the Proposed Action?  
\_\_\_ Yes X No

<b>IMPACT ON NOISE</b> (Examples that would apply to column 2)	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)
Blasting within 1,500 feet of a hospital, school or other sensitive facility.			
Odors will occur routinely (more than one hour per day).			
Proposed Action will produce operating noise exceeding the local			



ambient noise levels for noise outside of structures.			
Proposed Action will remove natural barriers that would act as a noise screen.			
Please list other impacts:			

**IMPACT ON PUBLIC HEALTH AND (HAZARDS) SAFETY**

18. Will Proposed Action affect public health and safety? \_\_\_ Yes  No

<b>IMPACT ON PUBLIC HEALTH AND (HAZARDS) SAFETY (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Proposed Action will cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there will be a chronic low level discharge or emission.			
Proposed Action will result in the burial of "hazardous wastes" (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc., including wastes that are solid, semi-solid, liquid or contain gases).			
Storage facilities for one million or more gallons of liquified natural gas or other liquids.			
Please list other impacts:			

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

19. Will Proposed Action affect the character of the existing Community? \_\_\_ Yes  No

<b>IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
The population of the city, town or village in which the project is likely to grow by more than 5% of resident human population.			
The municipal budgets for capital expenditures or operating services will increase by more than 5% per year as a result of this project.			
Will involve any permanent facility of a non-agricultural use on more than one acre in an agricultural district or remove more than 10 acres of (prime) agricultural lands from cultivation.			
Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.			
Development will induce an influx of a particular age group with special needs.			
Proposed Action will set an important precedent for future projects.			
Proposed Action will relocate 15 or more employees in one or more			

businesses.			
Please List other impacts:			

**PUBLIC INPUT**

20. Is there public controversy related to Potential Adverse Environmental Impacts?  Yes  No

Either government or citizens of adjacent communities have expressed opposition or rejected the project or have not been contacted.			
Objections to the project from within the community.			

**If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

**Determination of Significance**

Portions of EAF completed for this project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF (Parts 1, 2 and 3) and considering both the magnitude and importance of each impact, it is reasonably determined that:


- X. The project will result in no major impacts and, therefore, is one which may not cause significant damage to the environment. **Prepare a negative declaration:**  
**For unlisted actions only.** Although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Part # have been included as part of the proposed project. **Prepare a CONDITIONAL negative declaration:**  
The project will result in one or more major adverse impacts that cannot be reduced and may cause significant damage to the environment. **Prepare a positive declaration, proceed with EIS:**

  
\_\_\_\_\_

Michael Mulé, Environmental Projects Coordinator

Signature of Preparer (if different from responsible officer)

Date 8/1/12

  
\_\_\_\_\_

**James L. Tomarken, MD, MPH, MBA, MSW, Commissioner**  
Print or Type Name of Responsible Officer in Lead Agency

Suffolk County  
Name of Lead Agency

Date  
7/31/12

## **Part 3 - Responsibility of Lead Agency**

### **Evaluation of the Importance of Impacts**

#### **Information**

Part 3 is prepared if one or more impact or effect is considered to be potentially large.

The amount of writing necessary to answer Part 3 may be determined by answering the question: In **briefly** completing the instructions below, have I placed in this record sufficient information to indicate the reasonableness of my decisions?

#### **Instructions**

Complete the following for each impact or effect identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact might be mitigated or reduced to a less than large impact by project change.
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important** to the municipality (city, town or village) in which the project is located.

To answer the question of importance, consider:

- The probability of the impact or effect occurring
- The duration of the impact or effect
- Its irreversibility, including permanently lost resources of value
- Whether the impact or effect can be controlled
- The regional consequence of the impact or effect
- Its potential divergence from local needs and goals
- Whether known objectives to the project apply to this impact or effect

#### **Determination of Significance**

An action is considered to be significant if:

One (or more) impact(s) is determined to be (both) **large** and its (their) consequence, based on the review above, is **important**.

#### **Part 3 Statements**

(Continue on Attachments, as needed)

NA – This action simply involves the sale of an existing building and associated property to a private party for continued use as a skilled nursing facility. Other than the transfer of title to the property, no new construction or alteration of land is associated with the action.

**APPENDIX A**  
**SUFFOLK COUNTY HISTORIC TRUST**

**Application for Determination of Appropriateness for Alteration to  
Suffolk County Historic Trust Landmark or Site**

**1. APPLICANT:**

AGENCY: **SUFFOLK COUNTY DEPARTMENT OF PARKS**  
CONTACT PERSON:  
ADDRESS: **POST OFFICE BOX 144**  
**WEST SAYVILLE, NEW YORK 11796**  
TELEPHONE: **(516) 854-4984**

**2. PROPERTY:**

STRUCTURE NAME:  
LOCATION:  
HISTORIC TRUST STATUS:  Designated  Eligible  
PRESERVATION CATEGORY:  
USE CATEGORY:  
CURRENT USE:  
PROPOSED USE:  
Is structure listed on or eligible for the National Register of Historic Places?  Yes  No

**3. PROPOSED WORK:**

SCOPE OF WORK:  
REASON FOR WORK:  
ARCHITECT/ENGINEER:  
CONTRACTOR:  
CONSTRUCTION SCHEDULE:

**4. FUNDING:**

ESTIMATE COST OF PROJECT:  
SOURCES:

**5. PROPERTY HISTORY:**

DATE OF ORIGINAL CONSTRUCTION:  
ORIGINAL ARCHITECT BUILDER:  
HISTORY OF USE:

HISTORY OF ALTERATIONS:

**6. SUBMISSIONS:**  
Please check all applicable:

MAP	
DRAWINGS	
HP-1 FORM	
SPECIFICATIONS	
EAF/SHORT	
PHOTOGRAPHS	
SAMPLES	
OTHER	

7. RELATED INFORMATION AND COMMENT:

The Suffolk County Historic Trust is hereby requested to review the scope of work proposed for the above mentioned landmark structure, owned by the County of Suffolk, New York, to determine the appropriateness of design and/or use as regulated by the Suffolk County Charter. Design review guidelines have been made available for reference and it is understood that submission or approval of this application does not relieve responsibility for securing any and all other permits and approvals as required by law for the work proposed.

This form is to be submitted by applicant department to:

Suffolk County Division of Historic Services  
Parks Department Administration Building  
Post Office Box 144  
West Sayville, New York 11796

For additional information and instructions please call (516) 854-4970.

OFFICE USE ONLY

DETERMINATION OF APPROPRIATENESS:  Approved  Disapproved

Vote:  Aye  Nay  Date: \_\_\_\_\_ Signature \_\_\_\_\_

**617.20**  
**Appendix B**  
**VISUAL EAF ADDENDUM**

This form is to be used in conjunction with the SEQR Full EAF. Once the potential visual impacts have been identified by the following questions, proceed to Question 11 of the Full EAF.

*(To be completed by Lead Agency)*

**VISIBILITY (Check distance as appropriate in miles project is from each resource)**

1. Is the project potentially visible from:

XX	0 - 1/4	1/4 - 1/2	1/2 - 3	3 - 5	5+
A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities.					
An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities.					
A site or structure on or eligible for inclusion in the National or State Register of Historic Places.					
State Parks.					
The State Forest Preserve					
National Wildlife Refuges and state game refuges.					
National Natural Landmarks and other outstanding natural features.					
National Park System					
Rivers designated as National or State Wild, Scenic or Recreational.					
Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak.					
A governmentally established or designated interstate or inter county foot trail, or one proposed for establishment or designation.					
A site, are, lake, reservoir or highway designated or eligible for designation as scenic.					
Municipal park, or open space.					
County road.					
Local road.					

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)  Yes  No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?  
 Yes  No

**DESCRIPTION OF EXISTING VISUAL ENVIRONMENT**

4. From each item checked in question 1, check those which most generally describe the surrounding environment.

XX	Within 1/4 mile*	Within 1 mile*
Essentially undeveloped		
Forested		
Agricultural		
Suburban residential		
Industrial		
Commercial		
Urban		
River, Lake		
Cliffs, overlooks		
Designated aesthetic resource		
Flat		
Hilly		
Mountainous		
Other		

NOTE: Add attachments as needed.

5. Are there visually similar projects within:

- 1/2 mile\*       Yes  No
- 1 mile\*         Yes  No
- 2 miles\*     Yes  No
- 3 miles\*     Yes  No

\*Distance from project site are provided for assistance. Substitute other distances as appropriate.

**EXPOSURE**

6. The annual number of viewers likely to observe the proposed project is \_\_\_\_.

NOTE: When user data is unavailable or unknown, use best estimate.

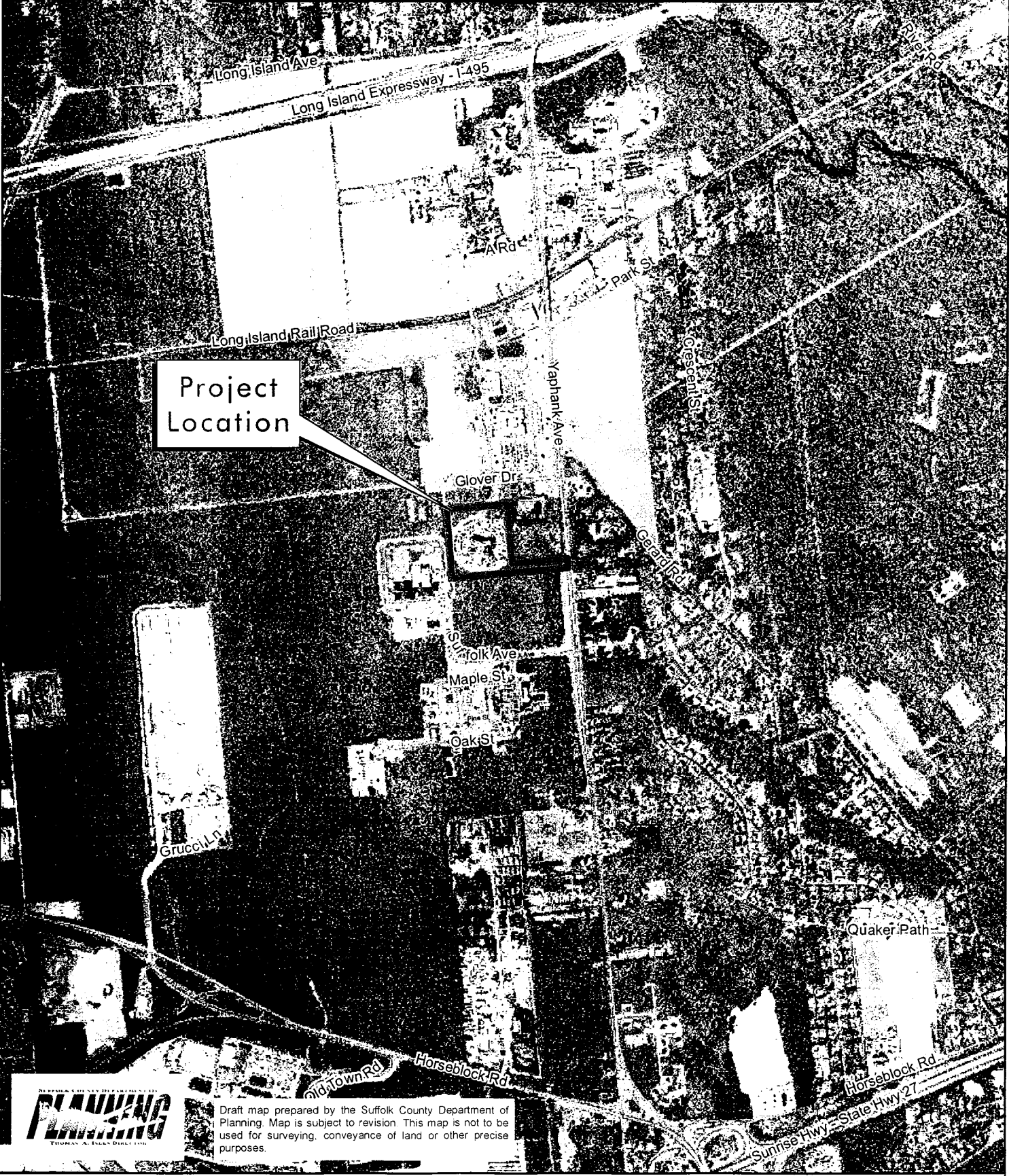
**CONTEXT**

7. The situation or activity in which the viewers are engaged while viewing the proposed action is as follows:

ACTIVITY	FREQUENCY (please list whether it is daily, weekly, weekends/holidays or seasonally)
Travel to and from work	
Involved in recreational activities	
Routine travel by residents	
At a residence	
At worksite	
Please list any others:	

# TOWN OF BROOKHAVEN

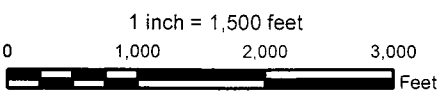
## Suffolk County, New York



Project  
Location



Draft map prepared by the Suffolk County Department of Planning. Map is subject to revision. This map is not to be used for surveying, conveyance of land or other precise purposes.

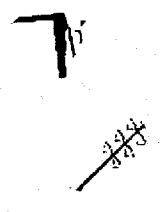


**YAPHANK COUNTY CENTER**  
*John J. Foley Skilled Nursing Facility*  
**Locator**



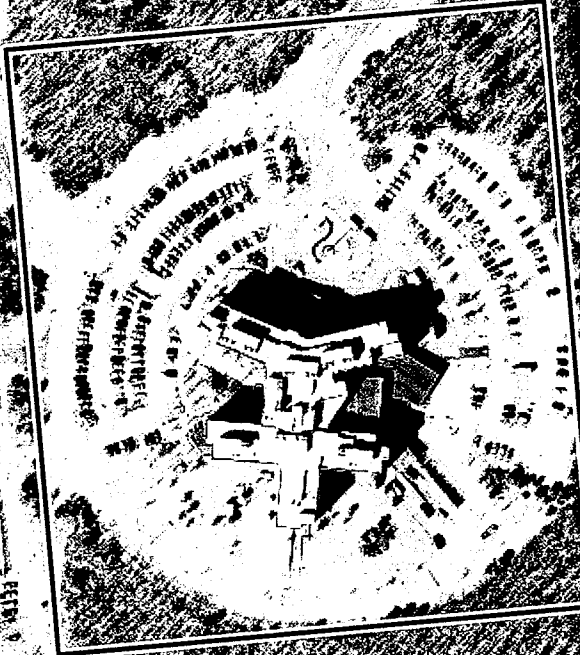
# TOWN OF BROOKHAVEN

## Suffolk County, New York



Glover Dr

Yaphank Ave

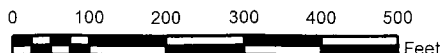


Draft map prepared by the Suffolk County Department of Planning. Map is subject to revision. This map is not to be used for surveying, conveyance of land or other precise purposes.

### Legend

- Proposed Use Plan Boundary Line
- Proposed Subdivision of Existing Parcels

1 inch = 250 feet



**YAPHANK COUNTY CENTER**  
*John J. Foley Skilled Nursing Facility*  
Aerial, 2007

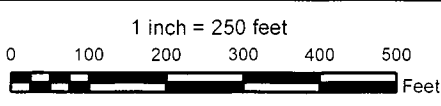
# TOWN OF BROOKHAVEN

## Suffolk County, New York



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- Legend**
- Contour Lines, 5 feet
  - Proposed Use Plan Boundary Line
  - Proposed Subdivision of Existing Parcels



**YAPHANK COUNTY CENTER**  
*John J. Foley Skilled Nursing Facility*  
**Topography, 5 Feet**

# TOWN OF BROOKHAVEN

## Suffolk County, New York

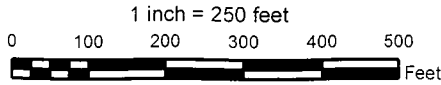


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### Legend

- Proposed Use Plan Boundary Line
- Proposed Subdivision of Existing Parcels



**YAPHANK COUNTY CENTER**  
*John J. Foley Skilled Nursing Facility*  
**Soils, SSURGO**

Intro. Res. No.

Laid on Table / / 2012

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW  
NO. -2012, A LOCAL LAW AUTHORIZING THE  
COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR  
THE SALE OF THE JOHN J. FOLEY SKILLED NURSING  
FACILITY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on August 7, 2012, a proposed local law entitled, "**A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

**RESOLVED**, that said local law be enacted in final form as follows:

**LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO  
EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J.  
FOLEY SKILLED NURSING FACILITY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE  
COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature finds and determines that John J. Foley Skilled Nursing Facility (the "Facility") is a 264-bed facility located on approximately 14 acres in Yaphank in Suffolk County (the County). In addition to operating 252 residential health care facility beds (including an Alzheimer's unit) and 12 designated AIDS beds, the nursing facility operates a 60-slot Adult Day Health Care Program (ADHCP). In 1995, the Facility began operating in a newly-constructed building. The total building size is approximately 181,749 square feet with recent (2005) expansions to the adult day health and rehabilitation program space as well as dining and recreational areas on the second floor.

This Legislature further finds and determines that in light of the extraordinary fiscal crisis facing the County, it was prudent to examine operations at the Facility in order to determine the feasibility of continuing its operation as a County facility. As a result of this review, the Legislature has determined that, provided that continued excellence in resident care can be achieved under a new operator, due to business impediments unique to municipalities (rising municipal labor and employee benefit costs and unreliability of continued intergovernmental transfer (IGT) payments), operating a municipal skilled nursing home would no longer be in the best interest of the County.

This Legislature further finds that over the past several years three attempts have been made to change the operations and/or ownership of the Facility through a public bidding/proposal process, but that none of these attempts resulted in proposals that sufficiently met the Legislature's desired goals of ensuring the continuing high level of

care of Facility residents or securing ongoing employment for Suffolk County employees working at the Facility.

This Legislature finds that, as a result, the public bidding/proposal process does not serve the County's best interests in regard to the sale of the Facility and that a direct negotiated sale of the Facility better ensures that the County's interests are met and protected.

This Legislature finds that the County conducted meetings with several parties that had expressed interest in purchasing the Facility and that, in reaching a decision regarding which party to negotiate with, the County considered factors such as the quality of care currently provided in existing facilities, history of management-employee relations, the offering price, the audited financial statements of the prospective buyer, whether the prospective buyer would agree to maintain care for all existing residents at the Facility, and whether the prospective buyer would consider hiring all existing Facility staff.

The Legislature finds that after conducting a thorough due diligence and considering all of the factors heretofore mentioned, the County chose Sam Sherman and Israel Sherman, who will be acting as principals through their companies SSS Operating, LLC and SSS Realty, LLC, as the buyers of the Facility and that the County has negotiated an Asset Purchase Agreement and Land Sale Contract for the sale of the Facility for the purchase price of \$23,000,000.

This Legislature also finds that the Land Sale Contract and Asset Purchase Agreement (hereinafter referred to as "the Plan") has been subject to the Suffolk County Administrative Code Section A9-6 review process, including four separate public hearings at which comments were solicited.

Therefore, the purpose of this law is to approve the Plan, an agreement for the sale and purchase of the Facility by the County to SSS Operating, LLC and SSS Realty, LLC, and further, in light of, among other things, the direct negotiated sale of County property, to supersede all of the provisions of New York County Law Section 215 and any local laws to the contrary of the provisions set forth herein.

**Section 1. Supersede New York County Law Section 215**

Pursuant to the provisions of Section 2 (b) of the New York County Law, Section 215 of the New York County Law shall not apply, in any manner, to the substantive and/or procedural provisions of this resolution or the local law contemplated therein.

**Section 2. Approval of Negotiated Sale as Within the Best Interest of the County**

The County hereby approves the negotiated award to Sam and Israel Sherman for the sale of the Facility and all assets, property, real or personal, and rights used or usable in the operation of the Facility, of every type and description, tangible or intangible, wherever located.

**Section 3. Declaration of Surplus Land.**

The 14.06 acres of land, which acreage shall be subject to final survey, is surplus to County needs. The Facility and all associated assets and inventory used to carry out its functions as a skilled nursing facility, as more specifically set forth in the proposed Asset Purchase Agreement and Land Sale Contract, is likewise declared surplus to County needs.

**Section 4. Sale of Surplus Land.**

The sale by the County to SSS Realty, LLC of the County's right, title and interest in and to 14.06 acres of land, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the payment of the purchase price as set forth in the proposed Land Sale Contract, and (ii) upon such other terms and conditions as are set forth in the proposed Land Sale Contract.

**Section 5. Approval of Land Sale Contract.**

The general form and substance of the Land Sale Contract, presented to the members of the Legislature at this meeting as Exhibit 1, is hereby approved.

**Section 6. Execution and Delivery of Land Sale Contract.**

The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Land Sale Contract substantially in the form and substance presented to the members of the Legislature at this meeting, is hereby authorized and directed.

**Section 7. Sale of the Facility.**

The sale by the County to SSS Operating, LLC of all assets, property, real or personal, and rights used or usable in the operation of the Facility, of every type and description, tangible or intangible, wherever located, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the payment of the purchase price as set forth in the proposed Asset Purchase Agreement, and (ii) upon such other terms and conditions as are set forth in the proposed Asset Purchase Agreement.

**Section 8. Approval of Asset Purchase Agreement.**

The general form and substance of the Asset Purchase Agreement, presented to the members of the Legislature at this meeting as Exhibit 2, is hereby approved.

**Section 9. Execution and Delivery of Asset Purchase Agreement.**

The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Asset Purchase Agreement substantially in the form and substance presented to the members of the Legislature at this meeting, is hereby authorized and directed.

**Section 10. Further Actions.**

The County Executive and/or his designee(s) are further authorized to execute and deliver, on behalf of the County, such agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Land Sale Contract, the Asset Purchase Agreement and this local law, and which are deemed necessary or desirable to effectuate the transactions contemplated by the Land Sale Contract, the Asset Purchase Agreement and this local law, and to perform all acts and do all things required or contemplated to be performed or done by the Land Sale Contract, the Asset Purchase Agreement or by this local law or by any agreement, instrument or authorization approved, contemplated, necessary or authorized hereby.

#### **Section 11. Suffolk County Administrative Code A9-6 Compliance**

The County has complied with the procedures set forth in Section A9-6 of the Administrative Code. A report to the Suffolk County Legislature pursuant to Suffolk County Administrative Code Section A9-6 is attached as Exhibit 3. In addition, attached as Exhibit 4 is a letter from the New York State Department of Health supporting Sam Sherman and Israel Sherman and/or the companies of which they are principals as purchasers of the Facility.

#### **Section 12. Applicability.**

This law shall apply to all actions and transactions occurring on or after the effective date of this law. Adoption of this law shall be conclusive evidence of full compliance with Suffolk County Administrative Code § A9-6, and shall apply to all actions and transactions occurring on or after the effective date of this law.

#### **Section 13. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### **Section 14. SEQRA Determination.**

This Legislature has independently considered the Environmental Assessment Form ("EAF"), the Council on Environmental Quality ("CEQ") recommendation, and any relevant testimony concerning the same; and

This Legislature, being the lead agency under State Environmental Quality Review Act ("SEQRA") and Chapter 450 of the Suffolk County Code, hereby determines that this local law constitutes an unlisted action, pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (SEQRA) of the Environmental Conservation Law; and

This Legislature hereby determines that implementation of this action will not have a significant adverse impact on the environment for the following reasons, as demonstrated in the EAF:

1. The action involves the simple transfer of the ownership of an existing operating facility and associated property with no change to the environment or facility operations;
2. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth threshold for determining significant impact on the environment;
3. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
4. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and

This Legislature hereby directs, in accordance with Section 450-5(c)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

**Section 15. Effective Date.**

This Local Law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against such Local Law in conformity with the provisions of §24 (1) (a) of the MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:



# COUNTY OF SUFFOLK



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

**Joanne Minieri**  
Deputy County Executive and Commissioner

**Division of Planning  
and Environment**

August 1, 2012

Ms. Gloria Russo, Chairperson  
Council on Environmental Quality  
H. Lee Dennison Building - 4<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

Dear Ms. Russo:

Attached for your review and consideration is an Introductory Resolution authorizing the acquisition of land for open space preservation purposes known as the Alvarado property, located in the Beaverdam Creek County Wetlands area (BR43), in the Town of Brookhaven. Please review the proposal and forward the Council's SEQRA recommendation to the County Executive and Legislature. Attached is a short EAF for your consideration.

Sincerely,

Sarah Lansdale, A.I.C.P.,  
Director, Division of  
Planning and Environment

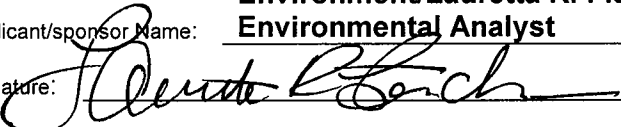
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cc: Laretta R. Fischer, Principal Environmental Analyst  
Michael Mulé, Environmental Projects Coordinator  
Kathryn Magee, Environmental Planner

Project ID:

**SUFFOLK COUNTY**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only  
6 NYCRR Part 617.20  
STATE ENVIRONMENTAL QUALITY REVIEW

**Part I-PROJECT INFORMATION** (to be completed by Applicant or Project Sponsor)

<b>1. APPLICANT /SPONSOR</b> <b>Suffolk County Department of Economic Development and Planning, Div. of Planning and Environment</b>	<b>2. PROJECT NAME</b> <b>Proposed acquisition of property by Suffolk County for Open Space Preservation Purposes Known as the Alvarado Property - Beaverdam Creek County Wetlands Addition</b>
<b>3. PROJECT LOCATION</b> Municipality <b>Hamlet of Brookhaven, Town of Brookhaven</b> County <b>Suffolk</b>	
<b>4. PRECISE LOCATION</b> (Street address and road intersections, prominent landmarks, etc., or provide map) <b>South of Sunrise Highway (S.R. 27), north of Montauk Highway (C.R. 80), between Cedar Street and Hawthorne Street. SCTM# 0200-932.00-01.00-034.000</b>	
<b>5. IS PROPOSED ACTION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification /alteration	
<b>6. DESCRIBE PROJECT BRIEFLY:</b> <b>Acquisition of land under the New Suffolk County Drinking Water Protection Program, (effective December 1, 2007) C12-2(A)(1)(b) - lands within the watershed of a coastal stream, as determined by a reasonable planning or hydrological study</b>	
<b>7. AMOUNT OF LAND AFFECTED:</b> Initially <b>0.46 +/-</b> acres Ultimately <b>0.46 +/-</b> acres	
<b>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
<b>9. WHAT IS PRESENT LAND US IN VICINITY OF PROJECT?</b> <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
<b>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
<b>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
<b>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
<b>Suffolk County Div. of Planning and Environment/Lauretta R. Fischer, Principal Environmental Analyst</b>	
Applicant/sponsor Name: _____	Date: <b>August 1, 2012</b>
Signature: 	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**Continue to Part II**

**PART II - ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
 yes  No Comment:

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential or erosion, drainage or flooding problems?  
 Explain briefly: **No**

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?  
 Explain briefly: **No**

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species?  
 Explain briefly: **No- Property is to be designated County Parkland and remain in its natural state for passive use and habitat management purposes.**

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?  
 Explain briefly: **No**

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action?  
 Explain briefly: **No**

C6. Long term, short term, cumulative, or other effects not identified in C1-C5?  
 Explain briefly: **No**

C7. Other impacts (including changes in use of either quantity or type of energy)?  
 Explain briefly: **No**

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?  
 yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

**Suffolk County Legislature**

\_\_\_\_\_  
 Name of Lead Agency

\_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Title of Responsible Officer

\_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
 Signature of Preparer (If different from responsible officer)

**August 1, 2012**

\_\_\_\_\_  
 Date

**RESOLUTION NO. - 2012 AUTHORIZING  
THE ACQUISITION OF LAND UNDER THE NEW  
SUFFOLK COUNTY DRINKING WATER  
PROTECTION PROGRAM (EFFECTIVE  
DECEMBER 1, 2007) - OPEN SPACE  
COMPONENT - FOR THE ALVARDO  
PROPERTY - BEAVERDAM CREEK (TOWN OF  
BROOKHAVEN - SCTM#0200-932.00-01.00-  
034.000)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 1002-2007, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of \_\_\_\_\_, at \_\_\_\_\_ per square foot, for 20,000± square feet, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b>PARCEL:</b>	<b>SUFFOLK COUNTY</b>	<b>ACRES:</b>	<b>REPUTED OWNER</b>
No. 1	<b>TAX MAP NUMBER:</b>	20,000± s.f.	<b>AND ADDRESS:</b>
	District 0200		Juan Alvarado
	Section 932.00		7945 NW 266 <sup>th</sup> Street
	Block 01.00		High Springs, FL 32643
	Lot 034.000		

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of \_\_\_\_\_, subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the Adopted 2012 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	

\*subject to a final survey

**4<sup>th</sup> RESOLVED**, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	

\*subject to a final survey

**5<sup>th</sup> RESOLVED**, that the \_\_\_\_\_ from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8714.210	New Drinking Water Water Protection Program	

\*subject to a final survey  
;and, be it further

**6<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and, be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \_\_\_\_\_ subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, for this acquisition; and, be it further

**8<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**9<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

**10<sup>TH</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

b.) lands within the watershed of a coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

**11<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**12<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**13<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for

residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

**14<sup>th</sup> RESOLVED,** that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

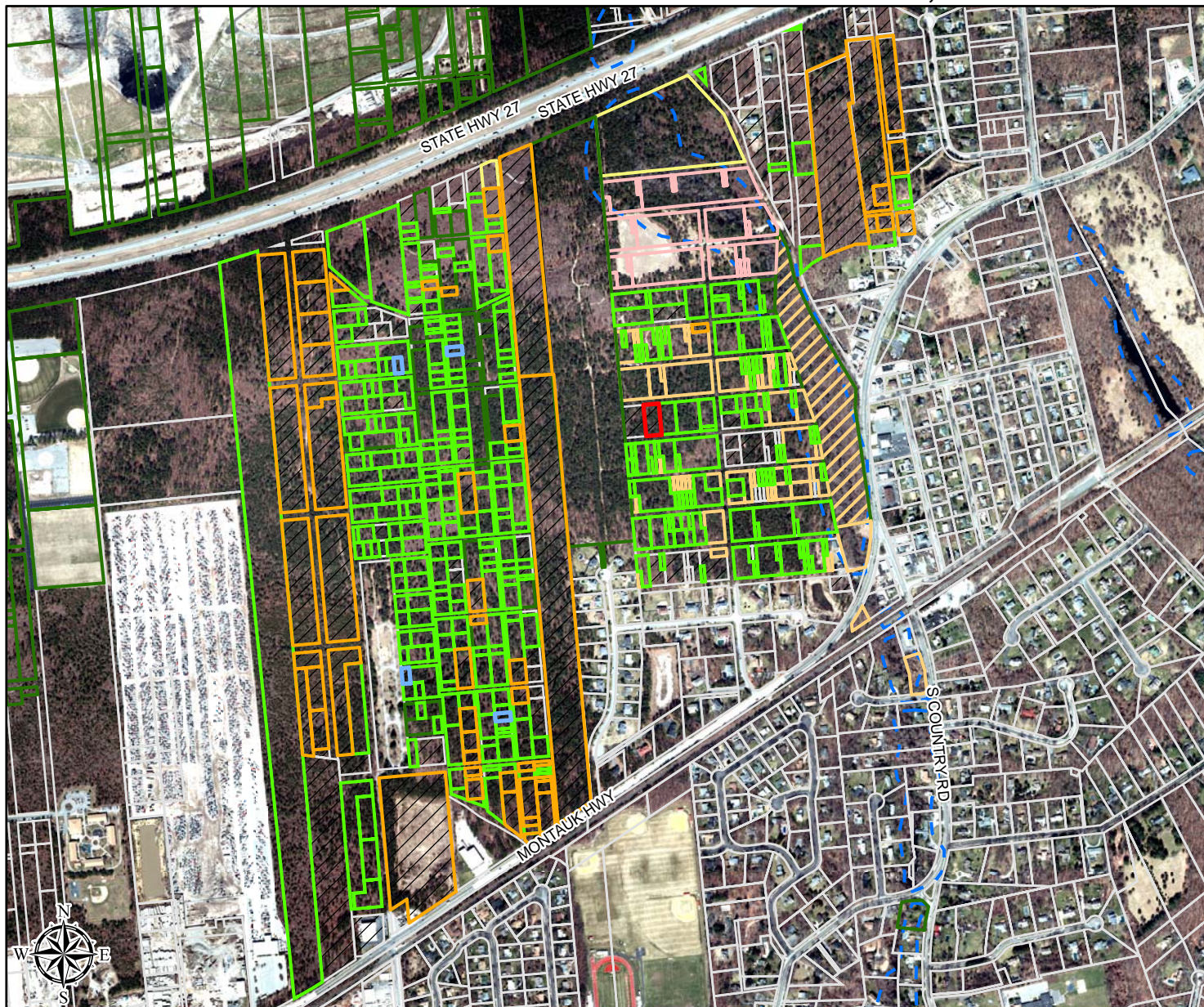
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

# BEAVERDAM CREEK COUNTY WETLANDS - ALVARDO PROPERTY

SCRPTM #: 0200 93200 0100 034000

New Suffolk County Drinking Water Protection Program, (effective December 1, 2007) C12-2(A)(1)(b) -  
Lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study  
0.45 ± acres total - Hamlet of Brookhaven, Town of Brookhaven



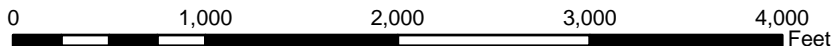
- Alvardo Property, 0.45 acres
- Town TDR in Progress (25,200 sqft)
- County Acquisition in Progress
- Suffolk County
- Town of Brookhaven
- Brookhaven Fire Dept.
- Post Morrow Foundation
- State of New York
- Town & Post Morrow Foundation
- SCRPT Tax Map Base
- Planning Steps Reso # 1002-2007
- NYS Freshwater Wetlands

### Locator



COPYRIGHT 2012, COUNTY OF SUFFOLK, N.Y.  
Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP in that 1) the data displayed is an interagency or intra agency work\* produced for the purpose of identifying and correcting data. It is not a final agency determination. It is not statistical or factual compilation of data. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.

© 2010 Aerial Photography New York State Office for Technology.



1 inch = 1,000 feet



# COUNTY OF SUFFOLK



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

**Joanne Minieri**  
Deputy County Executive and Commissioner

**Division of Planning  
and Environment**

August 1, 2012

Ms. Gloria Russo, Chairperson  
Council on Environmental Quality  
H. Lee Dennison Building - 4<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

Dear Ms. Russo:

Attached for your review and consideration is an Introductory Resolution authorizing the acquisition of land for hamlet park purposes known as the EMB Enterprises, LLC property in the Town of Riverhead. Please review the proposal and forward the Council's SEQRA recommendation to the County Executive and Legislature. Attached is a long EAF for your consideration.

Sincerely,

Sarah Lansdale, A.I.C.P.  
Director, Division of Planning  
and Environment

SL:lrf:km

cc: Laretta R. Fischer, Principal Environmental Analyst  
Michael Mulé, Environmental Projects Coordinator  
Kathryn Magee, Environmental Planner

**SUFFOLK COUNTY ENVIRONMENTAL ASSESSMENT**  
**FORM (EAF)**

Instructions: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire Data Sheet. Include as much information as possible such as feasibility studies, design reports, etc. Attach additional sheets if necessary. Mark irrelevant questions N.A., not applicable.

A. General Information:

1. Name of Project:

The proposed acquisition of 4.19± acres of land known as EMB Enterprises, LLC property by Suffolk County for hamlet park use. A conceptual plan and site layout have been prepared for the hamlet park known as the 911 Memorial Park at Reeves Park.

2. Location of Project: (specify Town, Village or Hamlet and include project location map on next page.)

Hamlet of Baiting Hollow, Town of Riverhead  
SCTM# 0600-017.00-01.00-005.022

Street Address:

No Street Address – North side of Sound Avenue, east side of Park Road aka Thomas Kelly Memorial Drive, and west of Sebastian Drive.

Name of property or waterway:

EMB Enterprises, LLC

3. Maps of Property and Project: Attach relevant available maps, including a location map (note: use road map, Hagstrom Atlas, U.S.G.S. topo map, tax map or equivalent) and preliminary site plans showing orientation, scale, buildings, roads, landmarks, drainage systems, areas to be altered by project, etc.

4. Type of Project: (check one) New  Expansion

5. Capital Program: (specify) Item # \_\_\_\_\_ and Date Adopted \_\_\_\_\_ Amount \$

New Suffolk County Drinking Water Protection Program- Hamlet park component, Section C12-2(A)(1)(i).

6. General Description of Project, including its Purpose (attach relevant design reports, plans etc.):

The proposed acquisition of the subject property by the County of Suffolk for hamlet park purposes. The overall concept of the acquisition is to create a hamlet park and memorial known as the 911 Memorial Park at Reeves Park with walking trails for all Suffolk County residents to utilize. See Addendum A for the site concept plan narrative prepared by the Town.

7. Project Status: (check if begun)

		Start	Completion
	PROPOSAL	N/A	N/A
	STUDY	N/A	N/A
	PRELIMINARY PLANNING	December 2011	June 2012
	FINAL PLANS: SPECS	N/A	N/A
	SITE ACQUISITION	October 2010	Sept./Oct. 2012
	CONSTRUCTION	N/A	N/A
	OTHER	N/A	N/A

8. Departments Involved:

NAME AND ADDRESS OF DEPT. PERFORMING DESIGN & CONSTRUCTION	NAME AND ADDRESS OF INITIATING DEPT. (If different)
Name: N/A	Suffolk County Department of Economic Development and Planning, Division of Planning and Environment
Street/P.O.:	PO BOX 6100
City, State:	Hauppauge, New York
Zip:	11788-0099
Contact Person:	Lauretta R. Fischer, Principal Environmental Analyst
Business Phone	631-853-6044

B. Project Description

1. Scale of Project:

a. Total contiguous acres now owned at site:	0
b. Acreage to be acquired:	Approx. 4.19 ± acres
c. Developed acreage now: Developed acreage at completion of project: Developed acreage ultimately:	0 0.13 ± acres 0.13 ± acres
d. Acreage of vegetation or cover to be removed:	0.13 ± acres
e. Acreage to remain undeveloped:	4.06 ± acres
f. Building gross floor area now: Building gross floor area proposed:	0 0

g. Height of tallest structure on site now:	N/A
Height of tallest structure proposed on site:	N/A
h. Proposed Building use (if any):	N/A
i. Off-street parking spaces now: Off-street parking spaces proposed: 150ft <sup>2</sup> per 1 parking space (from S.C. Dept. of Parks)	0 5 = 750± ft <sup>2</sup> = <b>0.02 ± acres</b> (incl. 1 handicapped space)
j. Max. vehicle trips/hr. when operational: Max trips assumes full capacity of total number parking spaces available at the site.	5 trips/peak hour (Assumes all parking spaces full.)
k. Roads on site now:	0
l. New road construction or reconstruction	960 ±ft length x est. 5 ft. width= 4,800± ft <sup>2</sup> = <b>0.11 ± acres</b> (incl. 810 ft. permeable stone walking path and 150 ft. asphalt walking path)
m. Will project result in an increase in energy use? If yes, indicate type(s):	No.
n. Will project require storage of liquid fuels and chemicals? If yes, describe substances and amounts to be stored:	No.

2. Project Schedule:

a. Is project single or multi-phase?	Single
b. If multi-phase, how many phases?	N/A
c. Total construction time (months)	N/A

3. Wastes and Pollutants Generated During Project Construction and Operation: N/A

	Components	Quantity	Mode of Disposal
a. Sanitary Sewage	None	0	N/A
b. Liquid industrial waste	None	0	N/A
c. Toxic chemicals	None	0	N/A
d. Pesticides or herbicides	None	0	N/A

	Components	Quantity	Mode of Disposal
e. Solid wastes	Assorted trash and debris to be picked up and removed prior to closing.	Unknown	To appropriate disposal facility
f. Clearing or demolition debris	Former barn slab foundation and former pump house slab foundation to be removed prior to closing.	Unknown	To appropriate disposal facility
g. Spoil disposal or sedimentation	None	0	N/A
h. Atmospheric emissions	None	0	N/A
i. Surface water runoff	None	0	N/A
j. Noise exceeding ambient	None	0	N/A
k. Odors exceeding 1hr/day	None	0	N/A
l. Other (specify)	None	0	N/A

4. Does Project Involve Any:

Grading Cut/Fill; List amounts.	No
Dredging; List max. depth, length & width.	No
Spoil Area; List amount.	No
Bulkheading; List length.	No
Dewatering; List g.p.m. & period of time.	No

5. Indicate Sources of Utilities:

Water	N/A. Former irrigation well to be abandoned and associated pumped removed before closing in accordance with applicable regulations.
Electricity	None
Gas	None
Other (please specify)	

6. Total Water Usage: 0

Gallons per Day

If water supply is from wells, indicate pumping capacity in gallons per minute N/A.

C. Project Area Description/Existing Conditions:

1. Acreage of Physical Characteristics of Project Area:	Presently	After Completion
Meadow, field, scrub growth	0 acres	0 acres
Wooded	4.06± acres	3.94± acres
Agricultural	0	0
Freshwater wetland	0	0
Tidal wetlands	0	0
Surface waters	0	0
Cleared, graded or filled land (Some of the paved walkway will be constructed on the existing cleared area, so the final cleared acreage total reflects that.)	5662.8 ± ft <sup>2</sup> = <b>0.13± acres</b> (Incl. mowed area in SW corner of site)	810±ft. length x est. 5ft. width (stone path) = 4050±ft <sup>2</sup> +600±ft <sup>2</sup> (stone parking area) +5562.8±ft <sup>2</sup> (mowed area)= =0.23±acres
Paved areas (roads, parking, etc.) (handicapped parking space and approx. 150 ft. walking path from parking area to 9/11 Memorial area will be asphalt)	0	150±ft. length x est. 5ft. width = 750±ft <sup>2</sup> +150±ft <sup>2</sup> (parking.) =0.02 ± acres
Buildings (List number and sq. ft.)	0	0
Other (please specify)	-	-
<b>TOTAL</b>	<b>4.19± acres</b>	<b>4.19± acres</b>

2. Streams within or contiguous to project area: *(Please list name of stream and/or name of river to which it is tributary, including intermittent streams)*

None.

3. Lakes, Ponds, Wetland areas within or contiguous to project area: *(Please list name(s) and size(s) in acres)*

None.

4. a. Are there natural drainage channels on the project site? \_\_\_yes **X** no

b. How far is project area from freshwater wetlands, tidal wetlands or surface waters?

N/A

5. Is the Project area within the 100 yr. Flood plain? \_\_\_\_yes  no

6. Depth to the water table: at surface \_\_\_\_0-3 ft \_\_\_\_3-8 ft \_\_\_\_8-16 ft \_\_\_\_>16 ft

7. Predominant soil type (s) on project site as identified in the Soil Survey Geographic (SSURGO) Database for Suffolk County, New York. 2010 survey area data, Natural Resources Conservation Service, United States Department of Agriculture: *(Include soils map of site.)*

Haven loam (HaA) and Riverhead Sandy Loam (RdA).

8. General character of the land: Generally uniform slope  (southern portion) Generally uneven and rolling or irregular  (northern portion) . *(Include topographic map of site.)*

9. Approximate percentage of proposed project site with slopes:  
0-10% 74% 10-15% 14% or greater 12% .

10. Any unique or unusual land forms on the project site? (i.e. cliffs, dunes, kettle holes, eskers, other geological formations):

N/A.

11. Describe the predominant vegetation types on the site:

Dense deciduous forest vegetation. It is not mature forest, as aeriels from 1957 through 1976 indicate the property was used for agriculture purposes, and then subsequently revegetated.

12. Describe the predominant wildlife on the site:

All types typical in Suffolk County (deer, song birds, squirrels, turkeys, etc.)

13. Does project site contain any species of plant or animal life that is identified as threatened or endangered? \_\_\_\_yes  no; if yes, give source and identify each species;

14. Is project contiguous to, or does it contain a building or site of historic, pre-historic or paleontological importance? \_\_\_\_yes  no. Explain.

15. List the specific activities now occurring at project location (ie. hunting, fishing, hiking etc.)

None. The property is vacant.

16. Is the project site presently used by the community or neighborhood as an open space or recreation area? \_\_\_\_yes  no.

17. Does the present site offer or include scenic views or vistas known to be important to the community?  yes \_\_\_\_no.

18. Zoning:

a. Current specific zoning or use classification of site?	Split zoned = residentially zoned: RB80 and RA40
b. Is proposed use consistent with present zoning or use?	Yes
c. If no, indicate desired zoning or use.	

19. What is the dominant land use and zoning classification within a 1/4 mile radius of the project (e.g. single family residential, R-2) and the scale of development (e.g. 2 story)? *(Include existing land use map)*

Dominant land uses are agricultural, single family residential, undeveloped wooded land, and commercial. Zoning classification: Agricultural Protection Zone (APZ), Residence B-80,000sqft, Residence A-40,000sqft, and Residence A-80,000sqft.

20. Is the site served by existing public utilities?  yes  no.

a) If yes, does sufficient capacity exist to allow connection?  yes  no.

b) If yes, will improvements be necessary to allow connection?  yes  no

21. Is the site located in an agricultural district certified pursuant to Agriculture and Market Law, article 25-AA, Section 303 and 304?  yes  no.

22. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?  yes  no.

23. Has the site ever been used for disposal of solid or hazardous wastes?  yes  no.

D. Impact Summary and Mitigation

1. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site?

Approximately 0.125+/- acres of vegetation will be removed from the site for an approximately 810 ft. x 5 ft. permeable stone walkway and four (4) permeable stone parking spaces and one (1) handicap-accessible asphalt parking space and 130 ft. by 5 ft. of the 150 ft. handicap-accessible asphalt walkway (20ft. of the asphalt walkway will be placed in an area where vegetation has already been removed).

2. Will any mature forest or other locally important vegetation be removed by this project?

yes  no. Explain.

3. Are there plans for erosion control and stabilization?  yes  no. Explain and attach plans.

N/A



4. Are there any plans for revegetation to replace that removed during construction? \_\_ yes X no.  
Explain and attach plans.

Existing cleared/disturbed areas will be left in a natural state and allowed to naturally re-vegetate.

5. Will project physically alter any surface water bodies? \_\_ yes X no. Explain.

N/A

6. Will project require relocation of any projects, facilities or homes? \_\_yes X no. Explain.

N/A

7. Number of jobs generated:

During construction?	N/A
After project is completed?	N/A

8. Number of jobs eliminated by this project N/A.

E. Alternatives - Briefly list alternatives to the proposal considered

Residential Development

F. Approval and Compliance

1. Will project involve funding or financing by any:

a. Federal agency (specify) \_\_\_\_\_; amount\_\_\_\_\_.

b. State agency (specify)\_\_\_\_\_; amount\_\_\_\_\_.

c. Local agency Town of Riverhead (for development and maintenance of the site); amount \$ amount redacted.

2. Does project require permit or approval from:

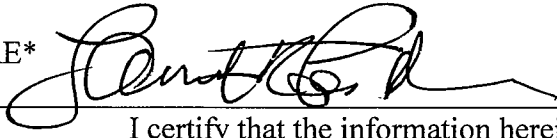
	YES	NO	TYPE
a. Army Corps of Engineers		<input checked="" type="checkbox"/>	
b. U.S. Environmental Protection		<input checked="" type="checkbox"/>	
c. Other Federal agency (specify)		<input checked="" type="checkbox"/>	
d. N.Y.S. Environmental Conservation Department	<input checked="" type="checkbox"/>		Abandonment of former irrigation well
e. Other State agency (specify)		<input checked="" type="checkbox"/>	
f. County Health Department	<input checked="" type="checkbox"/>		Abandonment of former irrigation well
g. County Planning Department		<input checked="" type="checkbox"/>	
h. County Public Works Department		<input checked="" type="checkbox"/>	
i. Town or Village Board		<input checked="" type="checkbox"/>	
j. Town or Village Planning Board		<input checked="" type="checkbox"/>	
k. Town or Village Zoning Board		<input checked="" type="checkbox"/>	
l. Town or Village Building Department		<input checked="" type="checkbox"/>	
m. Town or Village Highway Department		<input checked="" type="checkbox"/>	
n. Town or Village Environmental Agency		<input checked="" type="checkbox"/>	
o. Local Fire Marshal		<input checked="" type="checkbox"/>	
p. Other local agency (specify i.e. CAC) CEO	<input checked="" type="checkbox"/>		Recommendation

3. Conformance to existing comprehensive or project master plans. N/A

	yes	no	Description
a. State	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Bi County	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. County	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Active recreation acquisition – for hamlet park purposes</u>
d. Town	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Active recreation acquisition – for hamlet park purposes</u>
e. Village	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

PREPARER Laretta R. Fischer Date August 1, 2012

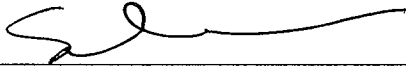
TITLE Principal Environmental Analyst

SIGNATURE\*   
\_\_\_\_\_

I certify that the information herein is accurate.

PROJECT DIRECTOR Sarah Lansdale Date August 1, 2012

TITLE Director, Suffolk County Division of Planning and Environment

SIGNATURE\*   
\_\_\_\_\_

I certify that the information herein is accurate

\*Signature of both preparer and project director required

## Part 2 - RESPONSIBILITY OF LEAD AGENCY

### Project Impacts and Their Magnitude

#### General Information (Read Carefully)

- X In completing the form the reviewer should be guided by the question: Have my decisions and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- X Identifying that an effect will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. By identifying an impact in column 2 simply asks that it be looked at further.
- X The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact rating.
- X Each project, on each site, in each locality, will vary. Therefore, the examples have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- X The number of examples per question does not indicate the importance of each question.

#### Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If threshold impact equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact or effect can be mitigated by a change in the project to a less that large magnitude, check the yes box in column 3. A No response indicates that such a reduction is not possible.

#### IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?  Yes  No

<b>IMPACT ON LAND</b> Examples that would apply to Column 1	<b>1</b> Small to Moderate Impact	<b>2</b> Potential Large Impact	<b>3</b> Can Impact Be Mitigated By Project Change (Enter Yes or No)
Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.			
Construction of land where the depth to the water table is less than 3 feet.			
Construction of paved parking area for 1,000 or more vehicles.			
Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.			
Construction that will continue for more than one year or involve more than one phase or stage.			
Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.			

<b>IMPACT ON LAND</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Construction of any new sanitary landfill.			
Construction in a designated floodway.			
Other Impacts (Please describe) Demolition of existing structures and abandonment of existing irrigation well; development of a small (5 car) parking area and walkways with a 9/11 Memorial Area with seating; and natural re-vegetation of cleared areas will provide a positive impact to the environment.	<b>X Beneficial</b>		

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)  
yes  no.

List Specific land forms:			
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**IMPACT ON WATER**

3. Will proposed action affect any water body designated as protected? (under Articles 15,24,25 of the Environmental Conservation Law, ECL) \_\_\_ yes  no.

<b>IMPACT ON WATER (Examples that would apply to column 2)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Developable area of site contains a protected water body.			
Dredging more than 100 cubic yards of material from channel of a protected stream.			
Extension of utility distribution facilities through a protected water body.			
Construction in a designated freshwater or tidal wetland.			
Please List Other Impacts:			

4. Will proposed action affect any non-protected existing or new body of water? \_\_\_ yes  no

A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.			
Construction of a body of water that exceeds 10 acres of surface area.			
Please List Other Impacts:			

5. Will proposed action affect surface or groundwater quality? \_\_\_ yes  no

Proposed Action will require a discharge permit.			
Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.			
Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.			

<p align="center"><b>IMPACT ON WATER (cont.)</b> (Examples that would apply to column 2)</p>	<p align="center"><b>1</b> <b>Small to Moderate Impact</b></p>	<p align="center"><b>2</b> <b>Potential Large Impact</b></p>	<p align="center"><b>3</b> <b>Can Impact Be Mitigated By Project Change</b> (Enter Yes or No)</p>
Construction or operation causing any contamination of a public water supply system.			
Proposed Action will adversely affect groundwater.			
Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.			
Proposed Action requiring a facility that would use water in excess of 20,000 gallons per day.			
Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.			
Proposed Action will require the storage of petroleum products greater than 1,100 gallons.			
Proposed Action will allow residential uses in areas without water and/or sewer services.			
Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.			
Please list other impacts:			

6. Will proposed action alter drainage flow, patterns or surface water runoff?  yes  no.

Proposed Action would impede flood water flows.			
Proposed Action is likely to cause substantial erosion.			
Proposed Action is incompatible with existing drain patterns.			
Proposed Action will allow development in a designated floodway.			
Please list other impacts:			

**IMPACT ON AIR**

7. Will proposed action affect air quality?  yes  no.

<p align="center"><b>IMPACT ON AIR</b> (Examples that would apply to column 2)</p>	<p align="center"><b>1</b> <b>Small to Moderate Impact</b></p>	<p align="center"><b>2</b> <b>Potential Large Impact</b></p>	<p align="center"><b>3</b> <b>Can Impact Be Mitigated By Project Change</b> (Enter Yes or No)</p>
Proposed Action will induce 1,000 or more vehicle trips in given hour.			
Proposed Action will result in the incineration of more than 1 ton of refuse per hour.			

IMPACT ON AIR (cont.)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change (Enter Yes or No)
Proposed Action emission rate of all contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.			
Proposed Action will allow an increase in the amount of land committed to industrial use.			
Proposed Action will allow an increase in the density of industrial development in existing industrial areas.			
Please List Other Impacts:			

**IMPACT ON PLANTS AND ANIMALS**

8. Will Proposed Action affect any threatened or endangered species? \_\_\_ yes X no.

IMPACT ON PLANTS AND ANIMALS (Examples that would apply to Column 2)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change (Enter Yes or No)
Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.			
Removal of any portion of a critical or significant wildlife habitat.			
Application of pesticide or herbicide over more than twice a year other than for agricultural purposes.			
Please list other impacts:			

9. Will Proposed Action substantially affect non-threatened or endangered species? \_\_\_ Yes X No

Proposed Action would substantially interfere with any resident or migratory fish or wildlife species.			
Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.			

**IMPACT ON AGRICULTURAL LAND RESOURCES**

10. Will the Proposed Action affect agricultural land resources? \_\_\_ Yes X No

IMPACT ON AGRICULTURAL LAND RESOURCES (Examples that would apply to Column 2)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change (Enter Yes or No)
The Proposed Action would sever, cross through, or limit access to a field of agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.			

<b>IMPACT ON AGRICULTURAL LAND RESOURCES (cont.)</b>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Construction activity would excavate or compact the soil profile of agricultural land.			
The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than one acre of agricultural land.			
The Proposed Action would disrupt agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); prevent agricultural land management measures from being installed; or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff)			
Prime or unique farmland as defined by USDA-SCS 7 CFR Part 657 and governed by the Farmland Protection Policy Act of 1981 is involved.			
Please list other impacts:			

**IMPACT ON AESTHETIC RESOURCES OR COMMUNITY CHARACTER**

11. Will proposed action affect aesthetic resources, or the character of the neighborhood or community?  Yes  No

<b>IMPACT ON AESTHETIC RESOURCES OR COMMUNITY CHARACTER</b> <b>(Examples that would apply to column 2)</b> <i>(If Necessary Use the Visual EAF Addendum in Section 617.23)</i>	<b>1 Small to Moderate Impact</b>	<b>2 Potential Large Impact</b>	<b>3 Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Introduction of proposed land uses, projects or project components obviously different or in sharp contrast to current surrounding land use patterns or existing man-made additions to the landscape.			
Introduction of proposed land uses, projects or project components as described in the above example that will be visible to users of aesthetic resources. This will eliminate or significantly reduce the public enjoyment or appreciation of the appearance or aesthetic qualities of a resource or community character.			
Introduction of project components that will result in the elimination or significant screening of scenic views known to be important to the area.			
Please list other impacts: <b>Preservation of land for hamlet park purposes and providing open space for public gathering/recreational uses.</b>	<b>X Beneficial</b>		



**IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? Yes \_\_\_ No **X**

<b>IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> (Enter Yes or No)
Proposed Action occurring wholly or partially within or contiguous to any facility or site listed or eligible for listing on the State or National Register of historic places.			
Any impact to an archeological site or fossil bed located within the project site.			
Proposed Action will occur in an area designated as sensitive for archeological sites on the NSY Site Inventory.			
Please list other impacts:			

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

**X** Yes \_\_\_ No

<b>IMPACT ON OPEN SPACE AND RECREATION</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> (Enter Yes or No)
The permanent foreclosure of a future recreational opportunity.			
A major reduction of an open space important to the community.			
Please list other impacts: <b>Preservation of land for hamlet park purposes and providing open space for public gathering/recreational uses.</b>	<b>X</b> <b>Beneficial</b>		

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? \_\_\_ Yes **X** No

List the environmental characteristics that caused the designation of the CEA.

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<b>IMPACT ON CRITICAL ENVIRONMENTAL AREAS</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> <b>(Enter Yes or No)</b>
Proposed Action to locate within the CEA?			
Proposed Action will result in a reduction in the quantity of the resource?			
Proposed Action will result in a reduction in the quality of the resource?			
Proposed Action will impact the use, function or enjoyment of the resource?			
Please list other impacts.			

**IMPACT ON TRANSPORTATION**

15. Will there be an effect to existing transportation systems? Yes  No

<b>IMPACT ON TRANSPORTATION</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> <b>(Enter Yes or No)</b>
Alteration of present patterns of movement of people and/or goods.			
Proposed Action will result in severe traffic problems			
Please list other impacts:			

**IMPACT ON ENERGY**

16. Will proposed action affect the communities sources of fuel or energy supply? Yes  No

<b>IMPACT ON ENERGY</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> <b>(Enter Yes or No)</b>
Proposed Action will cause a greater than 5% increase in any form of energy in municipality.			
Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences.			
Please list other impacts:			

**IMPACT ON NOISE**

17. Will there be objectionable odors, noise, glare, vibration or electrical disturbance as a result of the Proposed Action?  
 Yes  No

<b>IMPACT ON NOISE</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Blasting within 1,500 feet of a hospital, school or other sensitive facility.			
Odors will occur routinely (more than one hour per day).			
Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.			
Proposed Action will remove natural barriers that would act as a noise screen.			
Please list other impacts:			

**IMPACT ON PUBLIC HEALTH AND (HAZARDS) SAFETY**

18. Will Proposed Action affect public health and safety? Yes  No

<b>IMPACT ON PUBLIC HEALTH AND (HAZARDS) SAFETY</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change (Enter Yes or No)</b>
Proposed Action will cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there will be a chronic low level discharge or emission.			
Proposed Action will result in the burial of "hazardous wastes" (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc., including wastes that are solid, semi-solid, liquid or contain gases).			
Storage facilities for one million or more gallons of liquified natural gas or other liquids.			
Please list other impacts:			

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

19. Will Proposed Action affect the character of the existing Community?  Yes  No

<b>IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD</b> (Examples that would apply to column 2)	<b>1</b> <b>Small to Moderate Impact</b>	<b>2</b> <b>Potential Large Impact</b>	<b>3</b> <b>Can Impact Be Mitigated By Project Change</b> (Enter Yes or No)
The population of the city, town or village in which the project is likely to grow by more than 5% of resident human population.			
The municipal budgets for capital expenditures or operating services will increase by more than 5% per year as a result of this project.			
Will involve any permanent facility of a non-agricultural use on more than one acre in an agricultural district or remove more than 10 acres of (prime) agricultural lands from cultivation.			
Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.			
Development will induce an influx of a particular age group with special needs.			
Proposed Action will set an important precedent for future projects.			
Proposed Action will relocate 15 or more employees in one or more businesses.			
Please List other impacts: <b>Preservation of land for hamlet park purposes and providing open space for public gathering/recreational uses.</b>	<b>X</b> <b>Beneficial</b>		

**PUBLIC INPUT**

20. Is there public controversy related to Potential Adverse Environmental Impacts?  Yes  No

Either government or citizens of adjacent communities have expressed opposition or rejected the project or have not been contacted.			
Objections to the project from within the community.			
Please list other impacts:			

**If Any Action in Part 2 Is Identified as a Potential Large Impact  
or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3**

Determination of Significance

Portions of EAF completed for this project:       x   Part 1     x   Part 2       Part 3

Upon review of the information recorded on this EAF (Parts 1, 2 and 3) and considering both the magnitude and importance of each impact, it is reasonably determined that:

- A.     The project will result in no major impacts and, therefore, is one which may not cause significant damage to the environment.     **Prepare a negative declaration:**
- B.     **For unlisted actions only.** Although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Part # have been included as part of the proposed project.     **Prepare a CONDITIONAL negative declaration:**
- C.     The project will result in one or more major adverse impacts that cannot be reduced and may cause significant damage to the environment.     **Prepare a positive declaration , proceed with EIS:**

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

Date                      August 1, 2012  

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

Date                      August 1, 2012  

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

Suffolk County Legislature  
Name of Lead Agency

## **Part 3 - Responsibility of Lead Agency**

### **Evaluation of the Importance of Impacts**

#### Information

Part 3 is prepared if one or more impact or effect is considered to be potentially large.

The amount of writing necessary to answer Part 3 may be determined by answering the question: In **briefly** completing the instructions below, have I placed in this record sufficient information to indicate the reasonableness of my decisions?

#### Instructions

Complete the following for each impact or effect identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact might be mitigated or reduced to a less than large impact by project change.
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important** to the municipality (city, town or village) in which the project is located.

To answer the question of importance, consider:

- The probability of the impact or effect occurring
- The duration of the impact or effect
- Its irreversibility, including permanently lost resources of value
- Whether the impact or effect can be controlled
- The regional consequence of the impact or effect
- Its potential divergence from local needs and goals
- Whether known objectives to the project apply to this impact or effect

#### Determination of Significance

An action is considered to be significant if:

One (or more) impact(s) is determined to **be** (both) **large** and its (their) consequence, based on the review above, is **important**.

#### Part 3 Statements

(Continue on Attachments, as needed)

N/A – N/A, since the program simply calls for the acquisition of property for open space purposes.

Site Concept for the 9/11 Memorial Hamlet Park at Reeves Park

The Town of Riverhead, by Resolution # 233 adopted on March 20, 2012, supported the County of Suffolk's purchase and preservation of a 4.189 acre parcel, described as SCTM# 0600-17-1-5.22 (hereinafter "subject property"), located along the New York State designated scenic and historic Sound Avenue corridor and committed community preservation funds to improvement of the subject property for a hamlet park.

In 1975, the State of New York designated Sound Avenue which traverses through the Town of Riverhead as a historic corridor due to the pristine landscapes along this roadway. The subject parcel is situated on the corner of Sound Avenue and Park Road and serves as a gateway to the residential neighborhood, commonly referred to as Reeves Park, located to the north of the subject parcel. Presently, the subject property is unimproved with the exception of a small planting site and flagpole to honor residents who suffered as a result of tragic events of September 11, 2001. The Town seeks to create a hamlet park to provide all County and Town residents with some passive recreation and, more importantly, a site to pay homage to the victims and families who suffered a loss due to the tragic events of September 11, 2001. The Town's goal is to preserve and highlight the natural unique features, vegetation, trees and wildlife, of the site in the creation of a walking trail which winds around a portion of the property and relocate the 9/11 memorial to provide improved access for all residents, including handicap access in close proximity to the memorial site. (A copy of the proposed hamlet park is annexed hereto).

The Town estimates that the proposed off-street parking, walking path, benches, memorial, together with maintenance of the improvements, annual plantings and limited mowing for a period of five years, will cost approximately \$50,000.00.

The residents of Reeves Park have expressed strong support for the County's preservation of the subject parcel and the Town's improvement for a hamlet park and memorial site. Soundpark Heights, Inc., a not for profit corporation, responsible for the preservation and maintenance of the land and beaches of Reeves Park, has pledged support for this endeavor and represented that it will organize residents to help maintain this proposed hamlet park. The Town, with the assistance of Soundpark Heights, Inc, will be responsible for improvements and maintenance of this park in perpetuity for the benefit of County and Town residents.

Concept Narrative Prepared by:  
Annemarie Prudenti  
Deputy Town Attorney  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

Concept Drawing for 9/11 Memorial Hamlet Park at Reeves Park



Circular trail approximately 810 feet in length. Trail is offset from Sound Avenue by approximately 100 feet and from Park Road by approximately 90 feet as a buffer.

Concept Drawing Prepared by:  
Robert Hubbs  
Geographic Information Systems Supervisor  
Town of Riverhead  
1295 Pulaski St. (Town Hall West)  
Riverhead, NY 11901



**RESOLUTION NO. -2012 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION / HAMLET PARK / HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE EMB ENTERPRISES, LLC PROPERTY - (TOWN OF RIVERHEAD - SCTM#0600-017.00-01.00-005.022)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 915-2010, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park/ Historic and/or Cultural Park component, for a total purchase price of

), at  
Dollars (\$305,000.00) per acre, for 4.189± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b> No. 1	<b>SUFFOLK COUNTY</b>		<b><u>ACRES:</u></b> 4.189+	<b>REPUTED OWNER</b>
	<b><u>TAX MAP NUMBER:</u></b>			<b><u>AND ADDRESS:</u></b>
	District	0600		EMB Enterprises, LLC
	Section	017.00		5720 Route 25
	Block	01.00		Wading River, NY 11792
Lot	005.022			

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of \_\_\_\_\_, subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the Adopted 2012 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

**EXPENDITURES:**

<b>Agency</b>	<b>Fund</b>	<b>Organization</b>	<b>Object</b>	<b>Description</b>	<b>Amount</b>
IFT	477	E525	9600	Transfer to Capital Budget	

\*subject to a final survey  
; and, be it further

**4th RESOLVED**, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<b>Agency</b>	<b>Fund</b>	<b>Revenue Source</b>	<b>Organization</b>	<b>Description</b>	<b>Amount</b>
IFT	525	R477	E525	Transfer from Fund 477	

\*subject to a final survey  
; and, be it further

**5<sup>th</sup> RESOLVED**, that the \_\_\_\_\_ from the Fund 477, New Drinking Water Protection Program, Active Recreation component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, fund balance be and hereby is appropriated as follows:

<b>Project No.</b>	<b>Project Title</b>	<b>Amount</b>
525-CAP-8714.210	New Drinking Water Protection Protection Program-Active Recreation	

\*subject to a final survey  
;and, be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and, be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \_\_\_\_\_ subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Active Recreation/Hamlet Park/Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, for this acquisition; and, be it further

**8<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**9<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

b). Hamlet green, hamlet park, pocket park; and, be it further

**10<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for hamlet park use; and, be it further

**11<sup>th</sup> RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town of the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who charged with the management and operation of said property; and, be it further

**12<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**13<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is hamlet park; and
- 3.) if not acquired, the property will most likely be developed for

residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

**14<sup>th</sup> RESOLVED,** that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

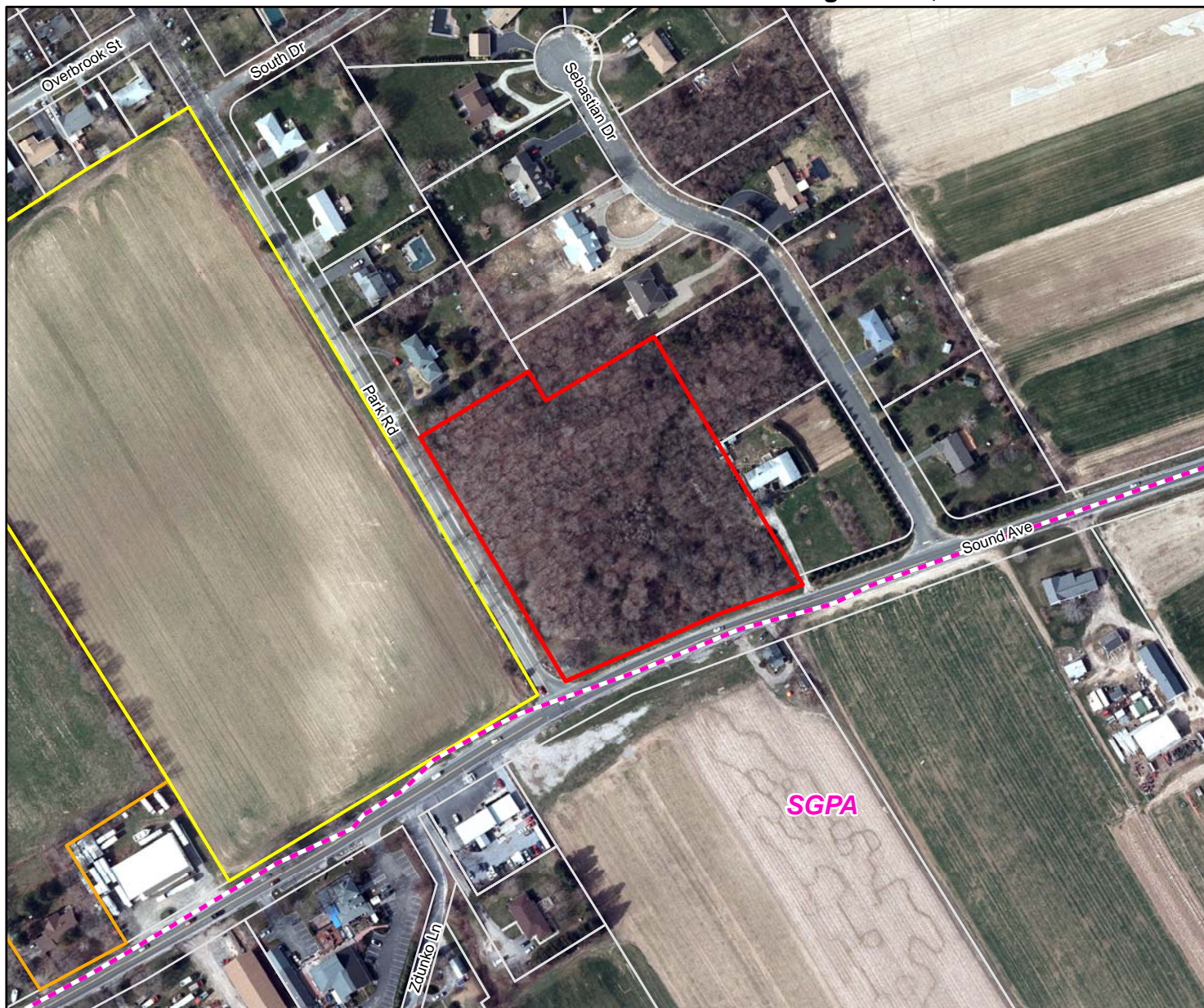
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

**EMB ENTERPRISES, LLC PROPERTY  
SCRPTM# 0600 01700 0100 005022**

**New Suffolk County Drinking Water Protection Program (effective December 1, 2007), C12-2(A)(1)(i) -  
Hamlet park**

**4.189 ± acres - Hamlet of Baiting Hollow, Town of Riverhead**



- Proposed Acquisition
- Acquisition in Progress
- Master List I
- SCRPTax Map Base

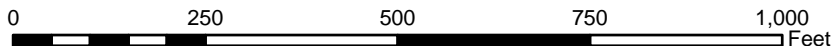


Locator



COPYRIGHT 2012, COUNTY OF SUFFOLK, N.Y.  
Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP in that 1) the data displayed is an interagency or intra agency work\* produced for the purpose of identifying and correcting data. It is not a final agency determination. It is not statistical or factual compilation of data. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.

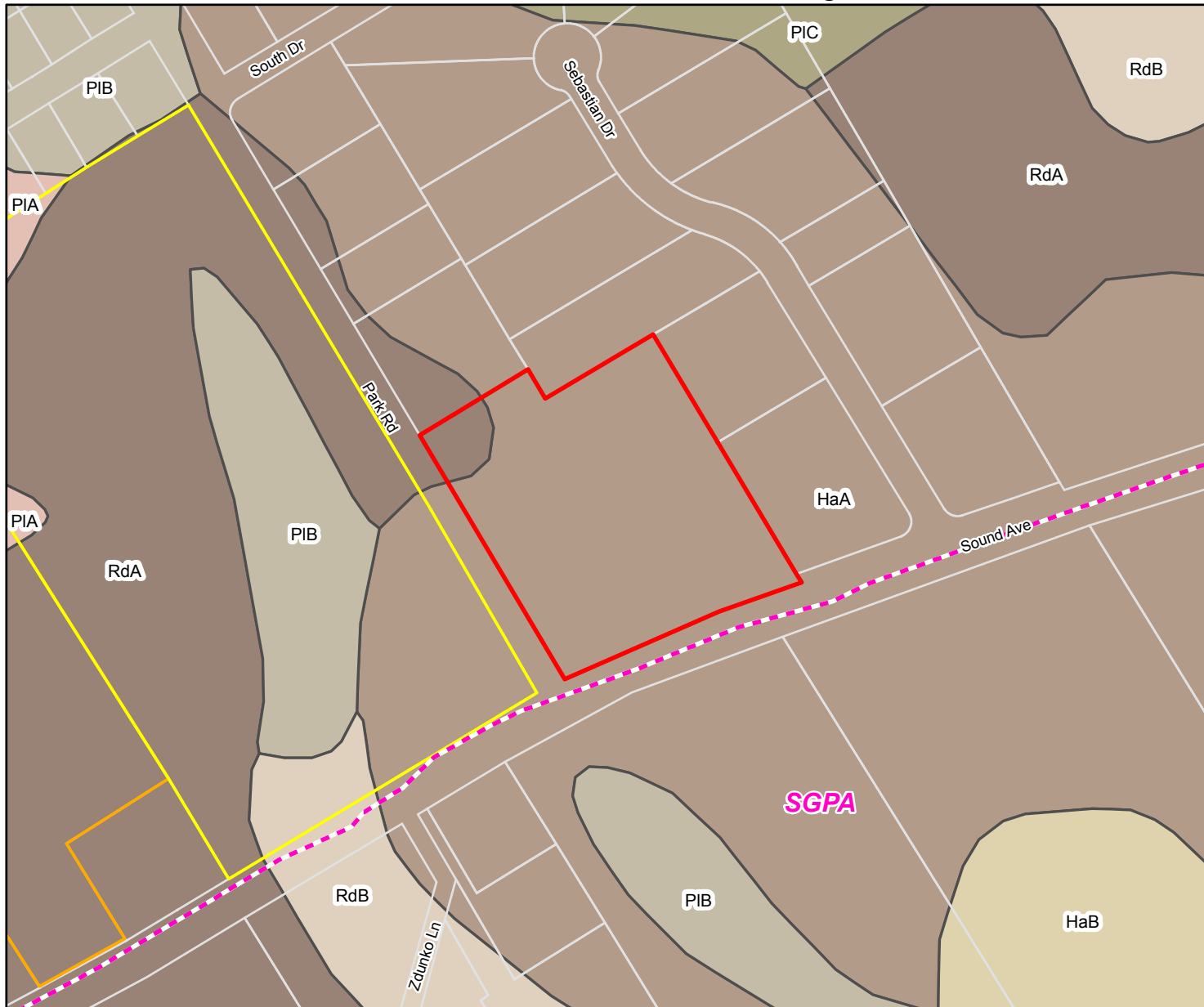
© 2010 Aerial Photography New York State Office for Technology.



1 inch = 250 feet

**EMB ENTERPRISES, LLC PROPERTY  
SCRPTM# 0600 01700 0100 005022**

**New Suffolk County Drinking Water Protection Program (effective December 1, 2007), C12-2(A)(1)(i) -  
Hamlet park  
4.189 ± acres - Hamlet of Baiting Hollow, Town of Riverhead**



- Proposed Acquisition
- Acquisition in Progress  
PI. Steps Reso 1991-2010
- Master List I
- SCRP Tax Map Base



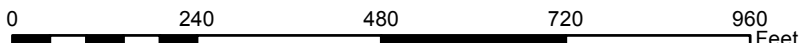
Locator



COPYRIGHT 2012, COUNTY OF SUFFOLK, N.Y.  
Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP in that 1) the data displayed is an interagency or intra agency work\* produced for the purpose of identifying and correcting data. It is not a final agency determination. It is not statistical or factual compilation of data. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.

\*excerpted from (F.O.I.L.) the provisions of the Freedom of Information Law [Public Officers Law Article 6 Section 84-90] by section 87.2.g

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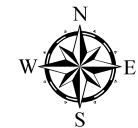
1 inch = 250 feet

**EMB ENTERPRISES, LLC PROPERTY  
SCRPTM# 0600 01700 0100 005022**

**New Suffolk County Drinking Water Protection Program (effective December 1, 2007), C12-2(A)(1)(i) -  
Hamlet park  
4.189 ± acres - Hamlet of Baiting Hollow, Town of Riverhead**



- Proposed Acquisition
- Acquisition in Progress
- PI. Steps Reso 1991-2010
- Master List I
- SCRPT Tax Map Base
- Contour Interval: 5 ft.; Index 20 ft

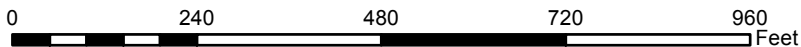


Locator



COPYRIGHT 2012, COUNTY OF SUFFOLK, N.Y.  
Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP in that 1) the data displayed is an interagency or intra agency work\* produced for the purpose of identifying and correcting data. It is not a final agency determination. It is not statistical or factual compilation of data. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.

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1 inch = 250 feet

\*excerpted from (F.O.I.L.) the provisions of the Freedom of Information Law [Public Officers Law Article 6 Section 84-90] by section 87.2.g

**CEQ RESOLUTION NO. 52-2012, AUTHORIZING ADOPTION OF JULY 18,  
2012 CEQ MINUTES**

**WHEREAS**, the Council on Environmental Quality has received and reviewed the July 18, 2012 meeting minutes; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that a quorum of the Council on Environmental Quality, having heard and accepted all comments and necessary corrections hereby adopts the meeting minutes of July 18, 2012

DATED: 8/15/2012



PROJECT #: Adoption of Minutes  
RESOLUTION #: 52-2012  
DATE: August 15, 2012

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
James Bagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard Machtay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Pichney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria G. Russo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>CAC REPRESENTATIVES</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Adoption of minutes

Motion: Mr Bagg

Second: Mr. Kaufman

Further information may be obtained by contacting:

Michael P. Mulé, Environmental Projects Coordinator  
Council on Environmental Quality  
P.O. Box 6100  
Hauppauge, New York 11788  
Tel: (631) 853-5205

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer

FROM: Gloria Russo, Chairperson *GR ed*

DATE: August 15, 2012

RE: CEQ Review of the Proposed Sale of John J. Foley Skilled Nursing Facility, Town of Brookhaven

At its August 15, 2012 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Dennis Brown, Bureau Chief with the Suffolk County Department of Law and Margaret Bermel, Director with the Suffolk County Department Health Services, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 53-2012, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the project will not have a significant adverse impact on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 53-2012 which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>.

If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
George Nolan, Attorney for the Legislature  
Sarah Lansdale, Director of Planning  
Dennis Cohen, Suffolk County Attorney

LOCATION  
H. LEE DENNISON BLDG. - 4<sup>TH</sup> FLOOR  
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099

(631) 853-5191  
fax (631) 853-4044

**CEQ RESOLUTION NO. 53-2012, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED SALE OF JOHN J. FOLEY SKILLED NURSING FACILITY, TOWN OF BROOKHAVEN**

**WHEREAS**, at its August 15, 2012 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by the Suffolk County Department of Health Services; and

**WHEREAS**, a presentation regarding the project was given at the meeting by Dennis Brown, Bureau Chief with the Suffolk County Law Department and Margaret Bermel, Director with the Suffolk County Department of Health Services; and

**WHEREAS**, the action involves transferring the operation and ownership of the John J. Foley Skilled Nursing Facility from the County to a private entity. The transfer will include the sale of the building, inventory, bed license and footprint of the facility with associated parking and road access on 14.06 ± acres of land; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed activity be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

**2<sup>nd</sup> RESOLVED**, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed project will not have significant adverse impacts on the environment for the following reasons:

1. The action involves the simple transfer of the ownership of an existing operating facility and associated property with no change to the environment or facility operations;
2. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effects on the environment;
3. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
4. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high ground water and no unmanageable slopes); and, be it further

**3<sup>rd</sup> RESOLVED**, that the CEQ makes the following recommendations with respect to the action;

1. That the existing vegetated buffer around the building and parking facilities within the parcel proposed to be transferred be retained;
2. A stipulation requiring prior written notification to the county of the intent to apply any outdoor pesticide and herbicide with the county reserving the right to object to such application;
3. If in the future, direct access to the premises from Yaphank Avenue is required, the parties shall minimize any clearing of natural vegetation; and, be it further

**4<sup>TH</sup> RESOLVED**, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 8/15/2012

PROJECT #: DHS-46-2012  
RESOLUTION #: 53-2012  
DATE: August 15, 2012

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
James Bagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard Machtay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Pichney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria G. Russo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CAC REPRESENTATIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Kaufman

Second: Ms. Growney

Further information may be obtained by contacting:

Michael P. Mulé, Environmental Projects Coordinator  
Council on Environmental Quality  
P.O. Box 6100  
Hauppauge, New York 11788  
Tel: (631) 853-5205

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer

FROM: Gloria Russo, Chairperson *GR*

DATE: August 15, 2012

RE: CEQ Review of the Recommended SEQRA Classifications of Legislative Resolutions  
Laid on the Table August 7, 2012

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At its August 15, 2012 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, the Council recommends to the Suffolk County Legislature and County Executive in CEQ Resolution No. 54-2012, a copy of which is attached, that the enclosed list of legislative resolutions laid on the table August 7, 2012, be classified pursuant to SEQRA as so indicated in the left hand margin. The majority of the proposed resolutions are Type II actions pursuant to the appropriate section of Title 6 NYCRR Part 617.5, with no further environmental review necessary. Unlisted and Type I actions require that the initiating unit of County government prepare an Environmental Assessment Form (EAF) and submit it to the CEQ for further SEQRA review and recommendations.

Enclosed for your information is a copy of CEQ Resolution No. 54-2012 setting forth the Council's recommendations along with the associated list of legislative resolutions. If the Council can be of further help in this matter, please let us know.

MPM/cd

Enc.

cc: All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
George Nolan, Attorney for the Legislature  
Sarah Lansdale, Director of Planning  
Dennis Cohen, Suffolk County Attorney

LOCATION  
H. LEE DENNISON BLDG. - 4<sup>TH</sup> FLOOR  
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MAILING ADDRESS  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099

(631) 853-5191  
fax (631) 853-4044

**CEQ RESOLUTION NO. 54-2012, RECOMMENDATION CONCERNING  
SEQRA CLASSIFICATIONS OF LEGISLATIVE RESOLUTIONS LAID ON THE  
TABLE AUGUST 7, 2012 PURSUANT TO CHAPTER 450 OF THE SUFFOLK  
COUNTY CODE**

**WHEREAS**, the legislative packet regarding resolutions laid on the table August 7, 2012 has been received in the CEQ office; and

**WHEREAS**, staff has preliminarily reviewed the proposed resolutions and recommended SEQRA classifications; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that in the judgment of the CEQ, based on the information received and presented, a quorum of the Council recommends to the Suffolk County Legislature and County Executive, pursuant to Chapter 450 of the Suffolk County Code, that the attached list of actions and projects be classified by the Legislature and County Executive pursuant to SEQRA as so indicated.

DATED: 8/15/2012

PROJECT #: PLN-50-2012  
RESOLUTION #: 54-2012  
DATE: August 15, 2012

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
James Bagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eva Growney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Hon. Kara Hahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Richard Machtay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Daniel Pichney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gloria G. Russo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CAC REPRESENTATIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Motion: Ms. Spencer  
Second: Mr. Swanson

Further information may be obtained by contacting:

Michael P. Mulé, Environmental Projects Coordinator  
Council on Environmental Quality  
P.O. Box 6100  
Hauppauge, New York 11788  
Tel: (631) 853-5205



## SEQRA Classifications & Recommendations

### L A I D O N T H E T A B L E A U G U S T 7 , 2 0 1 2

LADS REPORT PREPARED BY:

Michele Gerardi  
(Revised 8/8/2012)

- Type II Action 1700. Repealing twilight fee at County beaches. (Browning) PARKS & RECREATION  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1701. Requiring County departments to post promulgated rules and regulations on  
6 NYCRR 617.5(c) departmental websites. (Cilmi) WAYS & MEANS  
(20)(27)
- Type II Action 1702. Adopting Local Law No. -2012, A Charter Law to make transparent the County's  
6 NYCRR 617.5(c) rule making process. (Cilmi) WAYS & MEANS  
(20)(27)
- Type II Action 1703. Adopting Local Law No. -2012, A Charter Law to adopt tax policy prior to  
6 NYCRR 617.5(c) Election Day ("Taxpayer Awareness Act Part 1"). (Cilmi) BUDGET AND  
(20)(21)(27) FINANCE
- Type II Action 1704. Adopting Local Law No. -2012, A Charter Law to require open deliberations in  
6 NYCRR 617.5(c) budget amendment process ("Taxpayer Awareness Act Part 2"). (Cilmi) BUDGET  
(20)(21)(27) AND FINANCE
- Type II Action 1705. Adopting Local Law No. -2012, A Charter Law to improve transparency and  
6 NYCRR 617.5(c) participation in setting spending priorities ("Taxpayer Awareness Act Part 3").  
(20)(21)(27) (Cilmi) BUDGET AND FINANCE
- Type II Action 1706. Authorizing use of Smith Point County Park property by Mastic Beach Ambulance  
6 NYCRR 617.5(c) Company for "Help Us Save You Program". (Browning) PARKS & RECREATION  
(15)(20)(27)
- Type II Action 1707. Authorizing the use of Smith Point County Park, Cathedral Pines County Park,  
6 NYCRR 617.5(c) Southaven County Park, and Smith Point Marina by the Long Island 2 Day Walk  
(15)(20)(27) to Fight Breast Cancer, Inc., for Breast Cancer Walk in 2013. (Browning) PARKS  
& RECREATION
- Type II Action 1708. Adopting Local Law No. -2012, A Charter Law requiring legislative approval of  
6 NYCRR 617.5(c) fee changes. (Cilmi) WAYS & MEANS  
(20)(21)(27)
- Type II Action 1709. Authorizing execution of agreement by the Administrative Head of SCSD No. 2 -  
6 NYCRR 617.5(c) Tallmadge Woods with Plaza at Miller Place (BR-0976). (Co. Exec.) PUBLIC  
(11)(20)(27) WORKS AND TRANSPORTATION
- Type II Action 1710. Amending Resolution No. 642-2011 in connection with the construction of  
6 NYCRR 617.5(c) Compressed Natural Gas (CNG) fueling facilities (Capital Program Number 5603,  
(20)(27) PIN 075961). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- SEQRA 1711. Amending the Adopted 2012 Operating Budget to transfer funds from Fund 477  
Complete Water Quality Protection, amending the 2012 Capital Budget and Program, and  
appropriating funds in connection with Suffolk County Eelgrass Restoration  
Initiative (CP 7180). (Co. Exec.) ENVIRONMENT, PLANNING AND  
AGRICULTURE
- Unlisted Action 1712. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Thomas Dockery (SCTM No.  
0100-040.00-03.00-006.000). (Co. Exec.) WAYS & MEANS

## SEQRA Classifications & Recommendations

- Unlisted Action 1713. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas Dockery as to a 50% interest and Virtuees J. Sanchez as to a 50% interest (SCTM No. 0100-040.00-03.00-007.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1714. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Raymond W. Abrams Jr. and Donna L. Abrams, his wife (SCTM No. 0200-953.00-02.00-022.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1715. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Donald E. Rasmussen Jr. and Debra A. Rasmussen, his wife (SCTM No. 0209-007.00-05.00-039.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1716. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Richard E. Brooks (SCTM No. 0200-239.00-02.00-006.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1717. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act David M. Kinard and Cynthia Kinard (SCTM No. 0100-146.00-02.00-021.001). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1718. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act George Rojas a/k/a Jorge Rojas (SCTM No. 0400-146.00-02.00-004.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1719. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Diane Blackmond and Anita Parks (SCTM No. 0500-267.00-01.00-001.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1720. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Santos Santiago (SCTM No. 0300-147.00-09.00-031.004). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1721. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Donny Deveau, Jr. (SCTM No. 0500-267.00-02.00-012.004). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1722. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Francis J. Lally (SCTM No. 0101-004.00-02.00-006.000). (Co. Exec.) WAYS & MEANS
- Type II Action 1723. Accepting grant funds in the amount of \$5,929.11 from the New York State  
6 NYCRR 617.5(c) Division of Homeland Security and Emergency Services to reimburse the Suffolk  
(20)(27) County Police Department Asset Forfeiture-Justice Account for previously  
expended funds at 100%. (Co. Exec.) PUBLIC SAFETY
- Unlisted Action 1724. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Parker and Jennifer Parker, his wife (SCTM No. 0404-009.00-01.00-026.001). (Co. Exec.) WAYS & MEANS

## SEQRA Classifications & Recommendations

- Unlisted Action 1725. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Matthew Oladapo and Aderemi Adeyemi (SCTM No. 0200-926.00-03.00-016.001). (Co. Exec.) WAYS & MEANS
- Type II Action 1726. To readjust, compromise, and grant refunds and charge-backs on real property  
6 NYCRR 617.5(c) correction of errors by: County Legislature (Control No. 897-2012). (Co. Exec.)  
(20)(27) BUDGET AND FINANCE
- Type II Action 1727. Authorizing certain technical corrections to Adopted Resolution No. 623-2009.  
6 NYCRR 617.5(c) (Co. Exec.) WAYS & MEANS  
(20)(27)
- Type II Action 1728. Authorizing certain technical corrections to Adopted Resolution No. 675-2010.  
6 NYCRR 617.5(c) (Co. Exec.) WAYS & MEANS  
(20)(27)
- Type II Action 1729. Authorizing certain technical corrections to Adopted Resolution No. 535-2010.  
6 NYCRR 617.5(c) (Co. Exec.) WAYS & MEANS  
(20)(27)
- SEQRA 1730. Amending Resolution Nos. 429-2009 and 251-2010 in connection with the  
Complete replacement of CR 67, Motor Parkway Bridge over the Long Island Expressway at  
Exit 55, (Phase I), Town of Islip (CP 5172, PIN 075614). (Co. Exec.) PUBLIC  
WORKS AND TRANSPORTATION
- Type II Action 1731. A resolution making certain Findings and Determinations in relation to the  
6 NYCRR 617.5(c) increase and improvement of facilities for Sewer District No. 21 – SUNY (CP  
(1)(2)(20)(27) 8121). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Unlisted Action 1732. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Georgette Grier-Key (SCTM No.  
0209-016.00-02.00-036.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1733. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Thomas R. Hogan (SCTM No.  
0200-952.00-02.00-029.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1734. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Philip G. Paranicas and Anna E.  
Paranicas, his wife (SCTM Nos. 0200-050.00-09.00-009.000 and 0200-050.00-  
09.00-010.002). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1735. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Donald J. Dort (SCTM No. 0500-  
253.00-01.00-007.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1736. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Jaime A. Grijalva (SCTM No.  
0500-367.00-03.00-080.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1737. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired  
under Section 46 of the Suffolk County Tax Act Aaron Gaffner (SCTM No. 0208-  
023.00-07.00-001.000). (Co. Exec.) WAYS & MEANS

## SEQRA Classifications & Recommendations

- Unlisted Action 1738. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Nickie T. Bocchiaro and Denise Bocchiaro, husband and wife (SCTM No. 0200-695.00-02.00-050.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1739. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Iphanie Alexandre n/k/a Iphanie Joseph (SCTM No. 0500-163.00-02.00-055.006). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1740. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Judith Wellisch as to one third interest, Thomas B. Gregorius and Stacey A. Gregorius, his wife, as to two thirds interest and subject to Life Estate of Cheryl F. Kraus (SCTM No. 0200-012.00-03.00-029.003). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1741. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Structural Technology, Inc. (SCTM No. 0200-821.00-03.00-058.000). (Co. Exec.) WAYS & MEANS
- Type II Action 1742. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 898-2012). (Co. Exec.)  
6 NYCRR 617.5(c) (20)(27) BUDGET AND FINANCE
- Unlisted Action 1743. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Marilyn Urcioli and Edmund Aiello Heirs at Law of Mary J. Aiello (SCTM No. 0900-053.00-02.00-013.001). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1744. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Myriam Osorio, as the Executor of the Estate of Antonio Ortiz Rivera and Rafaela Ortiz Rivera (SCTM No. 0200-973.70-06.00-027.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1745. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lucy Tiseo (SCTM No. 0500-222.00-02.00-044.002). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1746. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Daniel Ayrovainen and Stacie Ayrovainen (SCTM No. 0200-277.00-01.00-021.002). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1747. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Leonard Bianco (SCTM No. 0200-472.00-06.00-008.002). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1748. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act First Avenue, LLC (SCTM No. 0200-979.40-04.00-031.001). (Co. Exec.) WAYS & MEANS
- Type II Action 1749. To appoint member of County Planning Commission (Michael Kaufman). (Co. Exec.)  
6 NYCRR 617.5(c) (20)(27) ENVIRONMENT, PLANNING AND AGRICULTURE

## SEQRA Classifications & Recommendations

- Type II Action 1750. To readjust, compromise, and grant refunds and charge-backs on real property  
6 NYCRR 617.5(c) correction of errors by: County Legislature (Control No. 899-2012). (Co. Exec.)  
(20)(27) BUDGET AND FINANCE
- Type II Action 1751. Accepting and appropriating a grant award amendment from the State Education  
6 NYCRR 617.5(c) Department, the University of the State of New York, for a Liberty Partnerships  
(20)(25)(27) Program (LPP) 100% reimbursed by State funds at Suffolk County Community  
College. (Co. Exec.) \*\*ADOPTED WITH C/N 8/7/2012\*\*
- Type II Action 1752. To readjust, compromise, and grant refunds and charge-backs on real property  
6 NYCRR 617.5(c) correction of errors by: County Legislature (Control No. 900-2012). (Co. Exec.)  
(20)(27) BUDGET AND FINANCE
- Type II Action 1753. Authorizing use of Southaven County Park for the Craig Elberth Cross Country 5K  
6 NYCRR 617.5(c) Run. (Browning) PARKS & RECREATION  
(15)(20)(27)
- Type II Action 1754. Authorizing use of Smith Point County Beach property by the American Cancer  
6 NYCRR 617.5(c) Society, for the Amazedness Kite Fly. (Browning) PARKS & RECREATION  
(15)(20)(27)
- Type II Action 1755. Designating "Fall Prevention Awareness Day" in Suffolk County. (Stern)  
6 NYCRR 617.5(c) VETERANS AND SENIORS  
(20)(27)
- Type II Action 1756. Approving the criteria for the County's Pet Store Rating Program. (Spencer)  
6 NYCRR 617.5(c) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER  
(20)(27) PROTECTION
- Type II Action 1757. Establishing a Reapportionment Notification Program. (Gregory) WAYS & MEANS  
6 NYCRR 617.5(c) (20)(27)
- Type II Action 1758. Amending the 2012 Capital Budget and Program and appropriating funds in  
6 NYCRR 617.5(c) connection with a Cost Benefit Analysis of Sewer Capacity, Demand, and  
(20)(21)(27) Alternative Solutions (CP 8189). (Browning) PUBLIC WORKS AND  
TRANSPORTATION
- Type II Action 1759. Authorizing planning steps for the acquisition of Farmland Development Rights  
6 NYCRR 617.5(c) under the Suffolk County Drinking Water Protection Program, as amended by  
(20)(21)(27) Local Law No. 24-2007 - Lohwasser Nursery property – Town of Brookhaven  
(SCTM Nos. 0200-675.00-02.00-021.001 and 0200-675.00-02.00-021.002).  
(Romaine) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action 1760. Approving the appointment of Teresa Strum to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group C. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1761. Approving the appointment of Kleo J. King to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group B. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1762. Approving the appointment of Joan Madarash to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group C. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1763. Approving the appointment of Michele Santantonio to the Suffolk County  
6 NYCRR 617.5(c) Disabilities Advisory Board – Group B. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1764. Approving the appointment of Carolyn Schick to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group C. (Co. Exec.) HEALTH  
(20)(27)

## SEQRA Classifications & Recommendations

- Type II Action 1765. Approving the appointment of Michael Stoltz to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group B. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1766. Approving the appointment of Roy Probeyahn to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1767. Approving the appointment of Glenn Campbell to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1768. Approving the appointment of Beverly Cody to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1769. Approving the appointment of Diane Gaines to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1770. Approving the appointment of Garrett Hulett to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1771. Approving the appointment of Valerie Lewis to the Suffolk County Disabilities  
6 NYCRR 617.5(c) Advisory Board – Group D. (Co. Exec.) HEALTH  
(20)(27)
- Type II Action 1772. To appoint member of County Planning Commission (John J. Finn). (Co. Exec.)  
6 NYCRR 617.5(c) ENVIRONMENT, PLANNING AND AGRICULTURE  
(20)(27)
- Type II Action 1773. To readjust, compromise, and grant refunds and charge-backs on real property  
6 NYCRR 617.5(c) correction of errors by: County Legislature (Control No. 901-2012). (Co. Exec.)  
(20)(27) BUDGET AND FINANCE
- Completes 1774. Making a SEQRA determination in connection with the proposed Sewer District  
SEQRA No. 7 - Medford (Woodside) Plant Upgrade, Town of Brookhaven. (Pres. Off.)  
ENVIRONMENT, PLANNING AND AGRICULTURE
- Completes 1775. Making a SEQRA determination in connection with the proposed Sewer District  
SEQRA No. 14 - Parkland, sludge thickening, Town of Islip. (Pres. Off.) ENVIRONMENT,  
PLANNING AND AGRICULTURE
- Completes 1776. Making a SEQRA determination in connection with the proposed Sewer District  
SEQRA No. 20 - William Floyd, replacement of main pumping station, Town of  
Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action 1777. Approving payment to General Code Publishers for Administrative Code. (Pres.  
6 NYCRR 617.5(c) Off.) WAYS & MEANS  
(20)(27)
- Type II Action 1778. Accepting and appropriating a grant award amendment from the State University  
6 NYCRR 617.5(c) of New York for an Educational Opportunity Program 68% reimbursed by State  
(20)(25)(27) funds at Suffolk County Community College. (Co. Exec.) EDUCATION AND  
INFORMATION TECHNOLOGY

## SEQRA Classifications & Recommendations

- Type II Action 1779. Accepting and appropriating a grant award from the State University of New York for a Conversations in the Disciplines Program entitled "Digital Humanities and the Transformation of Scholarship" 53% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY  
6 NYCRR 617.5(c)  
(20)(25)(27)
- Type II Action 1780. Accepting and appropriating a grant amendment to the National Science Foundation Science, Technology, Engineering and Mathematics Scholarships Program (NSF Stems II) 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1781. Accepting and appropriating a subcontract from the Research Foundation of the State University of New York for a project entitled "SUNY Works - Adult Degree Completion" 100% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY  
6 NYCRR 617.5(c)  
(20)(25)(27)
- Type II Action 1782. Authorizing use of Southaven County Park, showmobile and pavilion by Contractors for Kids for their Family Fun Day and Picnic Fundraiser. (Co. Exec.) PARKS & RECREATION  
6 NYCRR 617.5(c)  
(15)(20)(27)
- Type II Action 1783. Authorizing use of Cupsogue Beach County Park by Barrier Beach Preservation Association for its 5k Race Fundraiser. (Co. Exec.) PARKS & RECREATION  
6 NYCRR 617.5(c)  
(15)(20)(27)
- Type II Action 1784. Accepting and appropriating 100% reimbursable grant funds from the New York State Office for Aging. (Co. Exec.) VETERANS AND SENIORS  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1785. Accepting and appropriating \$50,000 of an \$80,000 grant from the State of New York Governor's Traffic Safety Committee passed through the STOP-DWI Foundation for the Suffolk County STOP-DWI Program to fund DWI Enforcement related high visibility road check patrols with 78.63% support. (Co. Exec.) \*\*ADOPTED WITH C/N 8/7/2012\*\*  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1786. Accepting grant funds in connection with the transfer of Development Rights Study. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE  
6 NYCRR 617.5(c)  
(18)(20)(21)(27)
- SEQRA Complete 1787. Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 23 – Coventry Manor (CP 8149). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- SEQRA Complete 1788. Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 5 – Strathmore Huntington (CP 8115). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Type II Action 1789. Calling for a public hearing for the purpose of considering proposed increases and improvements of the facilities for Sewer District No. 7 – Medford (Woodside - CP 8119). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION  
6 NYCRR 617.5(c)  
(1)(2)(20)(21)(25)(27)
- SEQRA Complete 1790. Calling for a public hearing for the purpose of considering proposed increases and improvements of the facilities for Sewer District No. 7 – Medford (CP 8150). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION

## SEQRA Classifications & Recommendations

SEQRA Complete	1791.	Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 10 - Stony Brook (CP 8175). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
SEQRA Complete	1792.	Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 11 - Selden (CP 8117). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
Type II Action 6 NYCRR 617.5(c) (1)(2)(7)(20)(21)(25)(27)	1793.	Calling for a public hearing for the purpose of considering the proposed increase and improvement of wastewater treatment facilities for Sewer District No. 14 - Parkland (CP 8128). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
SEQRA Complete	1794.	Calling for a public hearing for the purpose of considering proposed increases, improvements and extension of facilities for Sewer District No. 18 - Hauppauge Industrial (CP 8126). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
SEQRA Complete	1795.	Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 3 – Southwest (CP 8170). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
Type II Action 6 NYCRR 617.5(c) (1)(2)(7)(20)(21)(25)(27)	1796.	Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 20 – William Floyd (CP 8148). (Co. Exec.) <u>PUBLIC WORKS AND TRANSPORTATION</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1797.	Adopting Local Law No. -2012, A Local Law to establish boating safety instruction requirements (“Suffolk’s Safer Waterways Act”). (Stern) <u>PUBLIC SAFETY</u>
Completes SEQRA	1798.	Making a SEQRA determination in connection with the Proposed Construction of Sidewalks on Various County Roads. (Pres. Off.) <u>ENVIRONMENT, PLANNING AND AGRICULTURE</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1799.	Barring a certain contract with DeGere Physical Therapy Services. (Kennedy) <u>HEALTH</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1800.	Naming a portion of Nicolls Road (CR 97) in Setauket in honor of Lieutenant Joseph P. DiBernardo. (Hahn) <u>PUBLIC WORKS AND TRANSPORTATION</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1801.	Approving the reappointment of Ronald J. Gaudreault as a member of the Suffolk County Board of Health. (Spencer) <u>HEALTH</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1802.	Eliminating impact assessment fee. (Cilmi) <u>PUBLIC WORKS AND TRANSPORTATION</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1803.	Adopting Local Law No. -2012, A Local Law to eliminate item pricing fee. (Cilmi) <u>GOVERNMENT OPERATIONS, PERSONNEL, HOUSING &amp; CONSUMER PROTECTION</u>
Type II Action 6 NYCRR 617.5(c) (20)(27)	1804.	Amending the 2012 Operating Budget to accept and appropriate 100% State grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voting access for individuals with disabilities – polling place access improvement. (Co. Exec.) <u>WAYS &amp; MEANS</u>



## SEQRA Classifications & Recommendations

- Type II Action 1805. Amending the 2012 Operating Budget to accept and appropriate 95% State Grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voter education/poll worker training. (Co. Exec.) WAYS & MEANS  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1806. Amending the 2012 Operating Budget to accept and appropriate grant funds from the New York State Board of Elections to the Suffolk County Board of Elections to Meet the Help America Vote Act Title III requirements by the "Submission of HAVA operations expenses by Boards of Elections" for reimbursement to the State Board of Elections. (Co. Exec.) WAYS & MEANS  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1807. Authorizing a charge back for the out-of-County tuition. (Co. Exec.) EDUCATION AND INFORMATION TECHNOLOGY  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1808. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 902-2012). (Co. Exec.) BUDGET AND FINANCE  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1809. Appointing Grant Hendricks as a member of the Suffolk County Industrial Development Agency (IDA). (Horsley) ECONOMIC DEVELOPMENT AND ENERGY  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1810. Authorization of alteration of rates for Sayville Ferry Service, Inc. for Cross Bay Service between Sayville, New York and the Fire Island Communities of Fire Island Pines, Cherry Grove and Water Island. (Pres. Off.) PUBLIC WORKS AND TRANSPORTATION  
6 NYCRR 617.5(c)  
(20)(27)
- Unlisted Action 1811. Adopting Local Law No. -2012, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility. (Co. Exec.) HEALTH
- Type II Action 1812. Repealing Resolution No. 213-2011 which prohibited use of John J. Foley's Name or likeness. (Co. Exec.) HEALTH  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1813. Amending the 2012 Adopted Operating Budget and the 2012 Adopted Capital Budget and accepting 100% State grant funds and appropriating a part thereof from the New York State Department of Health (NYSDOH) to the Suffolk County Department of Health Services for the HEAL NY Phase 21 Grant for the John J. Foley Skilled Nursing Facility. (Co. Exec.) HEALTH  
6 NYCRR 617.5(c)  
(20)(21)(25)(27)
- SEQRA Complete 1814. Appropriating funds in connection with Brownfields Program, former Blue Point Laundry site (CP 8223). (Calarco) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action 1815. Establishing County Policy to maximize savings through Early Retirement Incentive Program. (Kennedy) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION  
6 NYCRR 617.5(c)  
(20)(27)
- Type II Action 1816. Authorizing use of Farmingville Hills County Park property by the Farmingville Residents Association, Inc. Tails and Trails. (Calarco) PARKS & RECREATION  
6 NYCRR 617.5(c)  
(15)(20)(27)

## SEQRA Classifications & Recommendations

- Type II Action 1817. Appropriating funds for the purchase of equipment for Medical, Legal  
6 NYCRR 617.5(c) Investigations and Forensic Sciences and to approve the purchase of one (1)  
(20)(25)(27) replacement vehicle in accordance with Section (B)(6) of the Suffolk County Code  
and in accordance with the County Vehicle Standard (CP 1132). (Co. Exec.)  
HEALTH
- Type II Action 1818. Appropriating funds in connection with Replacement of Major Buildings  
6 NYCRR 617.5(c) Operations Equipment at various County Facilities (CP 1737). (Co. Exec.)  
(1)(2)(20)(21)(25)(27) PUBLIC WORKS AND TRANSPORTATION
- NYSDEC is 1819. Amending the 2012 Capital Budget and Program; accepting FEMA and SEMO Aid  
SEQRA Lead and appropriating funds in connection with beach replenishment at Meschutt  
Agency County Park (CP 7163) . (Co. Exec.) PARKS & RECREATION
- Type II Action 1820. Authorizing a lease agreement with ELRAC, LLC d/b/a Enterprise Rent-A-Car for  
6 NYCRR 617.5(c) use of property at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC  
(15)(20)(26)(27) DEVELOPMENT AND ENERGY
- Type II Action 1821. Amending the 2012 Adopted Capital Budget and Program; accepting and  
6 NYCRR 617.5(c) appropriating 100% FEMA and SEMO funds in connection with tower renovations  
(1)(2)(20)(21)(25)(27) at Francis S. Gabreski Airport (CP 5709). (Co. Exec.) ECONOMIC  
DEVELOPMENT AND ENERGY
- Type II Action 1822. Accepting and appropriating a grant in the amount of \$1,170,580 from the New  
6 NYCRR 617.5(c) York State Division of Criminal Justice Services for the Operation Impact IX Task  
(20)(25)(27) Force with 90.19% Support. (Co. Exec.) PUBLIC SAFETY
- Unlisted Action 1823. Authorizing the removal from public use status and the sale of County-owned  
Real Estate, (SCTM No. 0200-987.00-01.00-046.004). (Co. Exec.) WAYS &  
MEANS
- Type II Action 1824. Establishing a new policy requiring health insurance contributions by exempt  
6 NYCRR 617.5(c) employees. (Pres. Off.) GOVERNMENT OPERATIONS, PERSONNEL,  
(20)(27) HOUSING & CONSUMER PROTECTION
- Type II Action 1825. Authorizing the creation of a Suffolk County Decontamination (Decon) Strike  
6 NYCRR 617.5(c) Team. (Co. Exec.) PUBLIC SAFETY  
(20)(27)
- Type II Action 1826. Authorizing the creation of the Suffolk County Urban Search and Rescue (USAR)  
6 NYCRR 617.5(c) Team. (Co. Exec.) PUBLIC SAFETY  
(20)(27)
- Type II Action 1827. Authorizing the creation of a Suffolk County Incident Management Assistance  
6 NYCRR 617.5(c) Team (IMAT). (Co. Exec.) PUBLIC SAFETY  
(20)(27)
- SEQRA 1828. Amending the 2012 Capital Budget and Program and appropriating grant funds for  
Complete reconstruction of the Port Jefferson Wastewater Treatment Plant at Suffolk  
County Sewer District No. 1 - Port Jefferson (CP 8169). (Co. Exec.) PUBLIC  
WORKS AND TRANSPORTATION
- Type II Action 1829. Confirming appointment of County Commissioner of Suffolk County Department of  
6 NYCRR 617.5(c) Police. (Co. Exec.) PUBLIC SAFETY  
(20)(27)

## SEQRA Classifications & Recommendations

- Type II Action 1830. Authorizing health benefit cost sharing. (Co. Exec.) GOVERNMENT  
6 NYCRR 617.5(c) OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION  
(20)(27)
- Type II Action 1831. Confirming the appointment of Kathleen Kerr as District Court Judge for and of the  
6 NYCRR 617.5(c) Third District to fill a vacancy. (Co. Exec.) WAYS & MEANS  
(20)(27)
- Type II Action 1832. Confirming the appointment of Adam Halpern as District Court Judge for and of  
6 NYCRR 617.5(c) the Fourth District to fill a vacancy. (Co. Exec.) WAYS & MEANS  
(20)(27)
- Type II Action 1833. Authorizing the use of County premises located at 150 West Main Street,  
6 NYCRR 617.5(c) Patchogue, New York, for use by the Village of Patchogue for the temporary  
(15)(20)(27) relocation of the Carnegie Library. (Co. Exec.) \*\*ADOPTED WITH C/N 8/7/2012\*\*
- Type II Action 1834. Authorizing support for the submission of a Local Government Performance and  
6 NYCRR 617.5(c) Efficiency Grant Application for the implementation of the Grants Management  
(20)(27) System (GMS). (Co. Exec.) HEALTH
- Type II Action 1835. Making a technical correction to Resolution No. 600-2012. (Muratore) WAYS &  
6 NYCRR 617.5(c) MEANS  
(20)(27)
- Type II Action 1836. To appoint Paul Allan as a member of the Suffolk County Citizens Advisory Board  
6 NYCRR 617.5(c) for the Arts. (Browning) ECONOMIC DEVELOPMENT AND ENERGY  
(20)(27)
- Type II Action 1837. Adopting Local Law No. -2012, A Charter Law to add efficiencies for the newly  
6 NYCRR 617.5(c) created Board of Ethics. (Co. Exec.) WAYS & MEANS  
(20)(27)
- Type II Action 1838. Authorizing a request for proposals to enforce the County's Laws associated with  
6 NYCRR 617.5(c) utility poles. (Romaine) PUBLIC WORKS AND TRANSPORTATION  
(20)(27)

### PROCEDURAL MOTION

- Type II Action PM12. To set a public hearing regarding the authorization of the alteration of rates for  
6 NYCRR 617.5(c) Sayville Ferry Service, Inc. (Pres. Off.) \*\*ADOPTED ON 8/7/2012\*\*  
(20)(21)(27)
- Unlisted Action PM13. Setting public hearings for proposed sale of the John J. Foley Skilled Nursing  
Facility. (Pres. Off.) \*\*ADOPTED ON 8/7/2012\*\*

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer

FROM: Gloria Russo, Chairperson *GR*

DATE: August 15, 2012

RE: CEQ Review of the Proposed Acquisition of Land for Open Space Preservation Purposes  
Known as the Beaverdam Creek County Wetlands Addition - Alvarado Property, Town of  
Brookhaven

At its August 15, 2012 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Lauretta Fischer, Principal Environmental Analyst with the Suffolk County Department of Economic Development and Planning, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 55-2012, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the project will not have a significant adverse impact on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 55-2012 which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>.

If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
George Nolan, Attorney for the Legislature  
Sarah Lansdale, Director of Planning  
Dennis Cohen, Suffolk County Attorney

LOCATION  
H. LEE DENNISON BLDG. - 4<sup>TH</sup> FLOOR  
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099

(631) 853-5191  
fax (631) 853-4044

**CEQ RESOLUTION NO. 55-2012, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE BEAVERDAM CREEK COUNTY WETLANDS ADDITION - ALVARDO PROPERTY, TOWN OF BROOKHAVEN**

**WHEREAS**, at its August 15, 2012 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by the Suffolk County Department of Economic Development and Planning; and

**WHEREAS**, a presentation regarding the project was given at the meeting by Laretta Fischer, Principal Environmental Analyst with the Suffolk County Department of Economic Development and Planning; and

**WHEREAS**, the project involves the acquisition of 0.46 ± acres of land by Suffolk County for open space preservation purposes; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed activity be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

**2<sup>nd</sup> RESOLVED**, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed project will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposed use of the subject parcel is passive recreation;
3. if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further;

**3<sup>rd</sup> RESOLVED**, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 8/15/2012

PROJECT #: PLN-47-2012  
RESOLUTION #: 55-2012  
DATE: August 15, 2012

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
James Bagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard Machtay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Pichney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria G. Russo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>CAC REPRESENTATIVES</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Kaufman

Second: Ms. Growney

Further information may be obtained by contacting:

Michael P. Mulé, Environmental Projects Coordinator  
Council on Environmental Quality  
P.O. Box 6100  
Hauppauge, New York 11788  
Tel: (631) 853-5205

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
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GLORIA RUSSO  
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COORDINATOR

## MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer

FROM: Gloria Russo, Chairperson *GR*

DATE: August 15, 2012

RE: CEQ Review of the Proposed Acquisition of Land for Hamlet Park Purposes Known as the EMB Enterprises, LLC Property, Town of Riverhead

At its August 15, 2012 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Laretta Fischer, Principal Environmental Analyst with the Suffolk County Department of Economic Development and Planning, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 56-2012, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the project will not have a significant adverse impact on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 56-2012 which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>.

If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
George Nolan, Attorney for the Legislature  
Sarah Lansdale, Director of Planning  
Dennis Cohen, Suffolk County Attorney

LOCATION  
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MAILING ADDRESS  
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fax (631) 853-4044

**CEQ RESOLUTION NO. 56-2012, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED ACQUISITION OF LAND FOR HAMLET PARK PURPOSES KNOWN AS THE EMB ENTERPRISES, LLC PROPERTY, TOWN OF RIVERHEAD**

**WHEREAS**, at its August 15, 2012 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by the Suffolk County Department of Economic Development and Planning; and

**WHEREAS**, a presentation regarding the project was given at the meeting by Laretta Fischer, Principal Environmental Analyst with the Suffolk County Department of Economic Development and Planning; and

**WHEREAS**, the project involves the acquisition of 4.19 ± acres of land by Suffolk County for hamlet park purposes; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed activity be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

**2<sup>nd</sup> RESOLVED**, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed project will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposed use of the subject parcel is for hamlet park purposes including a 911 Memorial, walking trails and limited off-street parking, all installed with limited site clearing;
3. if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further;

**3<sup>rd</sup> RESOLVED**, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 8/15/2012



PROJECT #: PLN-48-2012  
RESOLUTION #: 56-2012  
DATE: August 15, 2012

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
James Bagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard Machtay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Pichney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria G. Russo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CAC REPRESENTATIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Kaufman

Second: Ms. Growney

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