

RESOLUTION NO. 61 -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF PARKING FACILITIES ON CR 80, MONTAUK HIGHWAY FROM CR 46, WILLIAM FLOYD PARKWAY TO MASTIC ROAD, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of Parking Facilities on CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project will consist of construction and rehabilitation of parking areas along CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road. There are eight (8) separate locations which will create 53 marked parking stalls. The construction work includes new full depth asphalt construction and asphalt resurfacing. The total amount of land affected is approximately 0.59± acres with construction of 0.10± acres in "new" land. The "new" land is mostly turf areas that are currently being used for parking purposes; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 20, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 20, 2010 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Construction of Parking Facilities on CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, Town of Brookhaven constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which 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 in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

- 2) 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 the Suffolk County Code;
- 3) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- 4) The project will take place on previously disturbed areas and replace parking lost during the CR 80 reconstruction; and
- 5) The Town of Brookhaven and Montauk Highway Merchant's Association support the project;

and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: March 2, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2010