

RESOLUTION NO. 514 -2012, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED MEDIAN IMPROVEMENTS TO CR 46 - WILLIAM FLOYD PARKWAY (CP 5116), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Median Improvements to CR 46 – William Floyd Parkway (CP 5116), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves safety improvements and flood mitigation to CR 46 – William Floyd Parkway including installation of stormwater storage chambers, regrading of the center median and installation of landscaping; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Public Works and a presentation was made by a representative from VHB Engineering and subsequently sent out to all concerned parties; and

WHEREAS, at its May 16, 2012 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 450 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated May 16, 2012 of said recommendations; and

WHEREAS, Section 450-5(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 Median Improvements to CR 46 – William Floyd Parkway (CP 5116), Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 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 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 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 Suffolk County Code;

- 3) The proposed action will improve stormwater storage and transport capacity along the CR 46 median;
- 4) The proposed action will trim and grade the existing steep slopes within the swale to improve safety conditions;
- 5) All areas disturbed by the construction will be graded, finished and landscaped with drought and inundation tolerant species in order to mitigate visual impacts;
- 6) All appropriate measures shall be taken to avoid spillage of asphalt concrete mix into storm grates;
- 7) Upon project completion the area within the County Right-of-Way shall be cleaned thoroughly and free of all debris; and
- 8) All work will be in compliance with all applicable New York State Department of Environmental Conservation permits;

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 450-5(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: JUN 19 2012

APPROVED BY:



County Executive of Suffolk County

Date: 6-28-2012

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 19, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res.

1609

Res. No.

514

June 19, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE	↓					
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Thomas MURATORE						
5	Kara HAHN						
6	Sarah S. ANKER						
7	Rob CALARCO						
9	Ricardo MONTANO						
10	Thomas CILMI						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
15	DuWayne GREGORY						
16	Steven H. STERN						
17	Lou D'AMARO		✓				
18	William SPENCER					✓	
14	Wayne R. HORSLEY, D.P.O.		✓				
8	William J. LINDSAY, P.O.				✓		
Totals		16	2				

MOTION
<input checked="" type="checkbox"/> Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule _____
___ Override Veto
___ Close
___ Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature