

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 669 -2012, ENLARGING THE AREA OF
LAND PREVIOUSLY DECLARED SURPLUS PURSUANT TO
RESOLUTION NO. 298-2011**

WHEREAS, in Resolution No. 298-2011, (IR. No. 2236-2010) this Legislature declared certain property owned by the County located at the Yaphank County Center, to be surplus to the needs of the County and authorized the Director of the Division of Real Property Acquisition and Management (the "Director") to determine the manner in which to maximize the monetary return to County of the sale or lease of such property; and

WHEREAS, the Director has determined that in order to most expeditiously sell or lease some of such property, the lot lines of part of the property to be sold or leased should correspond to the underlying existing tax map lines rather than just to the areas designated as Area B, Area C, and Area D on the proposed map of Legacy Village; and

WHEREAS, the property descriptions of the property heretofore declared surplus corresponded to said Area B, Area C and Area D, and did not correspond to the tax map lines; and

WHEREAS, the County now desires to declare as surplus (i) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 006.002 (119.8A ±); (ii) the portion of the right of way shown on the underlying existing tax map known as Old Town Road on such map which lies next to the aforesaid lot, and between said lot and lot 0200, 815.00, 01.00, 004.004 (7.9A±); (iii) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 004.004 (57.6A±); (iv) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 006.003;(45.5A ±) (v) all of the acreage that comprises the entirety of the parcel bearing tax map number of 0200, 742.00, 01.00, 003.004 (11.6A±); (vi) part of 0200, 742.00, 01.00, 003.003 (28.8A±); and (vii) part of 0200, 742.00, 01.00, 003.001 (12.7A±) for a total 283.9± acres as set forth in the map attached hereto as Exhibit "A", as amended July 17, 2012 and incorporated by reference into this Resolution; and

WHEREAS, this Legislature as lead agency has previously made a SEQRA determination, under Resolution No. 298-2011 (IR No. 2236-2010), that this is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(4) and Chapter 279 of the Suffolk County Code (now renumbered Chapter 450) which actions will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action, as demonstrated in the Environmental Assessment Form, will not exceed any of the criteria in Title 6 NYCRR, Part 617.7 setting forth thresholds for determining significant effect on the environment;
2. The proposed action involves the surplus and sale and/or lease of the property with no specific proposed development associated with it;
3. Any further development of the subject property will be subject to further SEQRA review;

now, therefore be it

1st **RESOLVED**, that the third Resolved clause of Resolution No. 298-2011 is amended to read as follows:

3rd **RESOLVED**, that [approximately 247 acres of County-owned real property in Yaphank, more fully described in the attached Exhibit "A",] the County now desires to declare as surplus (i) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 006.002 (119.8A ±); (ii) the portion of the right of way shown on the underlying existing tax map known as Old Town Road on such map which lies next to the aforesaid lot, and between said lot and lot 0200, 815.00, 01.00, 004.004 (7.9A±); (iii) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 004.004 (57.6A±); (iv) all of the acreage that comprises the entirety of the parcel bearing tax map number 0200, 815.00, 01.00, 006.003;(45.5A ±) (v) all of the acreage that comprises the entirety of the parcel bearing tax map number of 0200, 742.00, 01.00, 003.004 (11.6A±); (vi) part of 0200, 742.00, 01.00, 003.003 (28.8A±); and (vii) part of 0200, 742.00, 01.00, 003.001 (12.7A±) for a total 283.9± acres as set forth in the map attached hereto as Exhibit "A", as amended July 17, 2012 and incorporated by reference into this Resolution, are hereby declared surplus to the County's needs;

and be it further

2nd **RESOLVED**, that this Legislature hereby determines that the enactment of this resolution herein constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR Part 617.4(b)(4) and Chapter 450 of the Suffolk County Code, which will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action, as demonstrated in the Environmental Assessment Form will not exceed any of the criteria in Title 6 NYCRR Part 617.7 setting forth thresholds for determining significant effect on the environment;
2. The proposed action involves the surplus and sale of property and does not authorize, fund or approve any development or change in the type or intensity of the use on the property;
3. Unless preempted by federal law, any future development or change in the use of the subject property will be subject to local land use controls and further review under the State Environmental Quality Review Act before it is undertaken, funded or approved by any agency.

[] Brackets denote deletion of existing language.

____ Underlining denotes addition of new language.

DATED: August 7, 2012

APPROVED BY:

A handwritten signature in black ink, appearing to read 'S. Sullivan', written over a horizontal line.

County Executive of Suffolk County

Date: 8-14-2012

Attachments:

Exhibit A - Aerial Map dated July 17, 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 August 7, 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.

1694

Res. No.

669

August 7, 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		15	-	1		R -

MOTION

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 FAILED ___

No Motion ___ No Second ___

RESOLUTION DECLARED

ADOPTED

___ NOT ADOPTED

Roll Call Voice Vote ___

Tim Laube

Tim Laube, Clerk of the Legislature