

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 744 -2013, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 16 - YAPHANK-MUNICIPAL

WHEREAS, the Suffolk County Legislature, duly adopted Resolution No. 1023-2012, calling a public hearing held at the County Center in the meeting room of the County Legislature in Riverhead, New York, in said County, on the 4th day of December 2012, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the establishment of Suffolk County Sewer District No. 16 - Yaphank Municipal to comprise the area hereinafter described in accordance with certain maps, plans and a report filed with the Suffolk County Legislature by the Suffolk County Sewer Agency; and

WHEREAS, notice of said public hearing was duly published in the manner and within the time provided by law and said public hearing was duly held at the time and place aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, the Suffolk County Legislature has duly considered the maps, plans and report, recommendations and other data filed with it by the Suffolk County Sewer Agency;

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon the evidence presented at the aforesaid public hearing, and after due consideration of the maps and plans, report, recommendations and other data filed with it, Suffolk County Legislature, hereby finds and determines as follows:

- a. The district proposed for said Suffolk County Sewer District No. 16 - Yaphank Municipal, consisting of a sewage treatment plant and gravity sewers and other appurtenant facilities are satisfactory, sufficient, adequate and appropriate;
- b. That all the property and property owners within the proposed district are benefited thereby;
- c. That all the property and property owners benefited are included within the limits of said proposed district; and
- d. That the proposed district and the facilities are in the public interest.

Section 2. The establishment of said proposed Suffolk County Sewer District No. 16 - Yaphank-Municipal, are approved and Suffolk County Sewer District No. 16 - Yaphank-Municipal, as established, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being in the Hamlet of Yaphank, Town of Brookhaven, County of Suffolk, State of New York as shown on a Map prepared for Suffolk County and on file in the Office of the Commissioner and described as follows:

COMMENCING at a point on the southerly boundary of Suffolk Avenue at its intersection with the westerly boundary of Yaphank Avenue CR 21;

THENCE, S 84° 36' 50" W along said southerly boundary of Suffolk Avenue, a distance of 669.88 feet to the intersection of the southerly boundary of Suffolk Avenue and the easterly boundary of East Avenue;

THENCE, S 05° 22' 40" E along said easterly boundary of East Avenue, a distance of 905.62 feet to the intersection of the easterly boundary of East Avenue and the southerly boundary of Pine Street;

THENCE, westerly along said southerly boundary of Pine Street the following three (3) courses and distances:

1. S 84° 35' 18" W, a distance of 686.69 feet to a point;
2. S 83° 05' 22" W, a distance of 320.04 feet to a Point of Curvature;
3. Along the arc of a curve to the left having a radius of 703.53 feet a distance of 53.12 feet to the Point of Beginning;

THENCE from said Point of Beginning the following ten (10) courses and distances:

1. S 05° 20' 52" E, a distance of 850.37 feet to a point;
2. S 84° 27' 40" W, a distance of 546.56 feet to a point;
3. N 05° 20' 52" W, a distance of 335.21 feet to a point;
4. S 84° 39' 08" W, a distance of 425.00 feet to a point;
5. N 05° 20' 52" W, a distance of 610.00 feet to a point;
6. N 84° 39' 08" E, a distance of 425.00 feet to a point;
7. S 05° 20' 52" E, a distance of 109.00 feet to a point;
8. N 84° 39' 08" E, a distance of 400.00 feet to a Point of Curvature;
9. Along the arc of a curve to the left having a radius of 733.53 feet a distance of 102.42 feet, said curve being subtended by a chord with a bearing of N 79° 05' 19" E and a distance of 102.34 to a Point of Curvature;
10. Along the arc of a curve to the right having a radius of 703.53 feet a distance of 45.12 feet, said curve being subtended by a chord with a bearing of N 76° 55' 33" E and a distance of 45.11 to the Point Of Beginning, being 716,756 ± square feet or 16.45 ± acres MORE OR LESS.

Section 3. Upon this resolution taking effect, the Clerk of the Suffolk County Legislature shall file a notice, pursuant to Section 256 of the New York State County Law in the office of the State Department of Audit and Control in Albany, New York.

Section 4. Pursuant to County Law §§ 256 and 257, this resolution is adopted subject to permissive referendum.

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as the proposal involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management.

DATED: September 12, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 13, 2013