

RESOLUTION NO. 636 -2014, AUTHORIZING EXECUTION OF EASEMENT AGREEMENTS WITH THE NYSDOT IN CONNECTION WITH ROAD IMPROVEMENTS ON NYS RTE. 112 AT OVERTON PRESERVE (SCTM NO. 0200-524.00-01.00-047.001)

WHEREAS, in 2008, the County of Suffolk acquired certain property under the Drinking Water Protection Program known as Overton County Preserve ("Overton Preserve") located in the Town of Brookhaven off of the eastern portion of New York State Route 112 between Mill Road and Granny Road and designated on the Suffolk County Tax Map as 0200-524.00-01.00-047.001, and said property has been dedicated as parkland; and

WHEREAS, the New York State Department of Transportation ("NYSDOT") is in the process of making road improvements to New York State Route 112, including that portion that runs adjacent to the Overton Preserve; and

WHEREAS, in order to complete said road improvements, the NYSDOT has requested a temporary easement from the County totaling a 0.59-acre strip and approximately 15-feet in width, for the duration of the NYSDOT project, in order to allow the natural grading of the shoulder area for the proposed road improvements; and

WHEREAS, in exchange for said temporary easement, the NYSDOT has agreed to install a traffic signal to facilitate access to the Overton Preserve and to construct a gravel parking area totaling 0.14 acres opposite the traffic signal location for the benefit of park users, per the request of the Department of Parks, Recreation and Conservation ("Department"); and

WHEREAS, in order to install the traffic signal and construct the gravel parking area, the NYSDOT requires additional easements from the County; and

WHEREAS, this Legislature has determined that the proposed NYSDOT project will have a de minimis impact to Overton Preserve and will benefit park users; now, therefore be it

1st RESOLVED, that this Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into such easement agreements necessary to allow completion of the NYSDOT project in accordance with the plans submitted to and as approved by the Department and upon such other terms and conditions approved by the Department, and subject to the approval of the Department of Law; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: July 29, 2014

APPROVED BY:

County Executive of Suffolk County

Date: