



Resolution on water supply for the residents of Suffolk County

Commission Meeting of 6/18/03

Brookhaven Town Hall, Medford, NY

Whereas, ECL § 57-0107 sets forth certain operations and uses that do not constitute development for the purposes of ECL Article 57; and

Whereas, ECL § 57-0107 (13) (ii) specifically sets forth that “work by any utility not involving substantial engineering redesign for the purpose of inspection, maintenance or renewal on established utility rights-of-way or the likes, and any work pertaining to water supply for the residents of Suffolk county” does not constitute development;

Robert J. Gaffney
Chair

Patrick A. Heaney
Member

Robert F.
Kozakiewicz
Member

John Jay LaValle
Member

Now, therefore be it

Resolved, that the Commission does not have jurisdiction over “work by any utility not involving substantial engineering redesign for the purpose of inspection, maintenance or renewal on established utility rights-of-way or the likes, and any work pertaining to water supply for the residents of Suffolk county”, and be it further

Resolved, that this determination is specific to water supply for the residents of Suffolk county and constitutes no precedent with respect to other utility facilities.

Motion by: Mr. Shea (for Mr. Heaney of Southampton)

Second by: Mr. Hanley (for Mr. Kozakiewicz of Riverhead)

Ayes: Mr. Shea, Mr. Hanley, Mr. Proios (for Mr. Gaffney of Suffolk County), and Ms. Prusinowski (for Mr. LaValle of Brookhaven)

Nays: None

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