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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 30, 2014

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**RE: Revocable Permit
Erie County Sewer District No. 2
Wendt Beach Park Property**

Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to a Revocable Permit between the County of Erie and Erie County Sewer District No. 2.

Should your Honorable Body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Mark C. Poloncarz", is written over a faint background.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:MAS:bp

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Revocable Permit
Erie County Sewer District No. 2
Wendt Beach Park Property
Date: October 30, 2014

SUMMARY

Erie County Legislative approval for a revocable permit between the County of Erie and Erie County Sewer District No. 2 for existing/proposed sanitary sewer infrastructure on the Wendt Beach Park Property is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. There are not any costs associated with the revocable permit.

REASONS FOR RECOMMENDATION

Erie County Sewer District No. 2 will construct a sanitary sewer pipe to service fourteen existing homes in the Sewer District that are currently being served by septic systems. The revocable permit will also include an area surrounding an existing sanitary sewer on the Wendt Beach Park Property.

BACKGROUND INFORMATION

The Division of Sewerage Management is in the process of finalizing plans to service existing homes located at 7815-7939 Lake Shore Road. The design consists of a low pressure system that utilizes a 2-inch diameter forcemain as a discharge line. Part of this 2-inch diameter forcemain will be installed along the southwest corner of Wendt Beach Park and the north right of way line of Shell Road. The 2-inch diameter forcemain will discharge to an existing sanitary sewer in the Wendt Beach Park Property.

The Erie County Lands Advisory Review Committee (ARC) has approved this request in their meeting of October 8, 2014.

CONSEQUENCES OF NEGATIVE ACTION

Erie County Sewer District No. 2 will not be able to construct the project and the existing homes will continue to discharge into the existing septic systems, some of which are failing.

STEPS FOLLOWING APPROVAL

The revocable permit between the County of Erie and the Erie County Sewer District No. 2 will be executed.

df



Maria R. Whyte
Commissioner

MAS

MAS:bp
Encl.

cc: J. Fiegl / 0.11.0 Leg Ltr (w/encl)

**RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT & PLANNING**

**RE: Revocable Permit
Erie County Sewer District No. 2
Wendt Beach Park Property**

WHEREAS, Erie County Sewer District No. 2 desires to construct a sanitary sewer system to serve existing homes along Old Lake Shore Road; and

WHEREAS, the existing homes are discharging wastewater to existing septic systems in the Sewer District; and

WHEREAS, the flow for these existing homes will discharge to an existing sanitary sewer on the Wendt Beach Park Property; and

WHEREAS, the Advisory Review Committee has approved a twenty five foot (25 foot) wide one thousand two-hundred and twenty foot (1,220 foot) long easement in the form of a revocable permit along the southwest corner of Wendt Beach Park for existing/proposed sanitary sewer infrastructure in this area.

NOW THEREFORE BE IT,

RESOLVED, that a revocable permit between the County of Erie and Erie County Sewer District No. 2 on the Wendt Beach Park Property for the purpose of construction and/or maintenance of sanitary sewer infrastructure is approved; and be it further

RESOLVED, that the County Executive is authorized to sign the revocable permit subject to the County Attorney's approval; and be it further

RESOLVED, that one (1) certified copy of this resolution be sent to the County Executive, the County Comptroller, the Commissioner of the Parks Department, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution be sent to Joseph L. Fiegl, P.E. and Thomas Dearing in the Department of Environment and Planning.