



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

June 8, 2015

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, NY 14202

**RE: Erie County Sewer District No. 4  
Revocable Permit  
Owner of SBL No. 103.16-11-2-11**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning pertaining to a revocable permit.

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 black ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/MAS:cs  
Enclosure

cc: J. Fiegl – Environment and Planning

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District No. 4  
Revocable Permit  
Owner of SBL No. 103.16-2-11  
**Date:** June 8, 2015

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### **SUMMARY**

Approval of a Revocable Permit with the owner of SBL No. 103.16-2-11 to use and maintain part of a County owned parcel known as SBL No. 103.16-2-48.2 in Depew, New York.

### **FISCAL IMPLICATIONS**

This is no cost associated with this agreement.

### **REASONS FOR RECOMMENDATION**

The Revocable Permit will allow the owner of SBL No. 103.16-2-11 to use and maintain part of adjacent County owned parcel. There is no cost associated with this action and subject area will not be utilized by the County.

### **BACKGROUND INFORMATION**

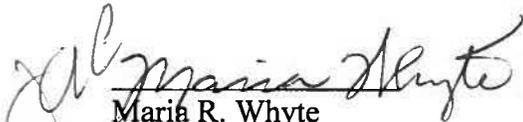
SBL No. 103.16-2-48.2 was acquired by the County in the early 1980's to install a Sanitary Sewer Trunk. Since then the location of the trunk was changed. The trunk is installed along "A" street in the Village of Depew. The property owner at 94 Chateau Ct. has requested use of the County's property directly behind parcel SBL No. 103.16-2-48.2. The revocable permit is the best means to terminate this arrangement should the County need the area in the future.

### **CONSEQUENCES OF NEGATIVE ACTION**

If the Revocable Permit is not executed, the County will have to continue maintaining the parcel known as SBL 103.16-2-48.2.

### **STEPS TO FOLLOW APPROVAL**

The County of Erie will execute the Revocable Permit with the owner of SBL No. 103.16-2-11.

  
Maria R. Whyte  
Commissioner

Encl.

CC: J. Fiegl/0.11.0 Leg Ltr.

*V:\Sewerage Management\Administration\Documents\Courtney\Resolution\Salah\Revocable Permit 94 Chateau.docx*

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 4  
Revocable Permit between Erie County and the  
Owner of SBL No. 103.16-2-11

WHEREAS, Brandon Kowal (hereinafter "Kowal"), is the current owner of 94 Chateau Court, Depew, New York 14043, also known as SBL 103.16-2-11; and

WHEREAS, the County of Erie (hereinafter "County"), currently owns the entire parcel located behind 94 Chateau Court, Depew, New York 14043 (SBL No. 103.16-2-48.2); and

WHEREAS, Kowal desires to use and maintain the County's premise (SBL No. 103.16-2-48.2, filed in the Erie County Clerk's Office under Liber 9136 Page 217) that is behind 94 Chateau Court.

NOW, THEREFORE BE IT

RESOLVED, that a Revocable Permit for use of a twenty feet by sixty feet area known as Parcel SBL No. 103.16-2-48.2 be granted to Brandon Kowal; and be it further

RESOLVED, that the County Executive be authorized to sign said Revocable Permit subject to approval by the County Attorney; and be it further

RESOLVED, that (1) certified copy each of this resolution to the County Executive and Gregory Kammer, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

**COUNTY OF ERIE**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**DIVISION OF SEWERAGE MANAGEMNT**  
**\*\* MEMORANDUM \*\***

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**TO:** Maria Whyte, Deputy County Executive   
**FROM:** Matt Salah, Senior Coord. Sewer Construction Projects  
**DATE:** June 1, 2015  
**RE:** Erie County Sewer District No. 4  
Revocable Permit  
Owner of SBL No. 103.16-2-11

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Please find enclosed for your review and signature is a Legislative Communication for a revocable permit between the County of Erie and Brandon Kowal of 94 Chateau Court, Depew, New York 14043.

Should you have any questions or should the communication be ready for pick-up please call ext. 8383.