

## **RESOLUTION RESTRICTING NEW AND EXPANDED SEWER CONNECTIONS**

WHEREAS, the Village of Greenport sanitary sewer system was constructed in the 1850s, and consists of 17 miles of sewer pipes and 8 pumping stations, and

WHEREAS, on December 5, 2023, the primary sewage collection system piping sustained damage that resulted in a leak requiring emergency repairs and the suspension of sewage collection service, and

WHEREAS, the same primary piping sustained damage approximately 2 years ago, and

WHEREAS, the Village of Greenport Sewage Treatment Plant (GSTP) Manager has reported that the sewer piping is of varying age and condition and many of the pumping stations require some level of repair, and

WHEREAS, any expansion of the system without addressing repair issues may render the piping to be increasingly prone to cracks and breaks, and

WHEREAS, the December 5 infrastructure failure and the previous failure of the same infrastructure evidence potential further failures of piping that serves as an artery for the majority of the sewage collected that may be exacerbated by additional or expanded connections to the GSTP, and

WHEREAS, the addition of new sewer connections or expanded usage by existing sewer connections may further weaken the structural integrity of the primary piping, and

WHEREAS, any further failures or damage poses an imminent threat to the health and safety of persons residing in the Village and the area where such damage has occurred and ecological and environmental harm to natural resources in and around the Village, and

WHEREAS, such failure will restrict the ability of the GSTP to process sewage from properties currently connected to the GSTP, and

WHEREAS, if additional wastewater is conveyed through the piping system, a pipeline failure could cause extensive environmental harm and threaten the health and safety of residents, and

WHEREAS, additional sewage flow resulting from new or expanded connections poses an imminent threat to the public's health, safety and welfare, and

WHEREAS, the Village has retained a company to review and analyze the totality of the circumstances relating to the GSTP primary collection piping damage, which analysis includes a conditions assessment report, evaluation of potentially viable solutions for repair and/or replacement, the costs of any such proposed solution, and the inherently sensitive environmental and public health concerns that may result from a further failure, and is expecting that report to be completed in short order, and

WHEREAS, in accordance with the police power delegated to the Village by New York State and the Village's standing as the stewards of the Village's health, safety and environment, the Village is obligated to take steps necessary to protect the health, safety and welfare of the Village and its residents and of the Village's resources and natural environment, and

WHEREAS, on January 4, 2024, the Board of Trustees adopted a resolution providing for a temporary 6 month restriction on new connections or expansion of previously approved sewage flow from existing connections, and

WHEREAS, the Board of Trustees has determined that the continuation of the temporary restriction on new connections or expansion of previously approved sewage flow from existing connections is necessary to preserve the public health, safety and welfare and to protect against the imminent threat to the health and safety of persons residing in the Village and its immediate surroundings, and the aforesaid recitals taken together constitute the rationale of such necessity and urgency.

NOW, THEREFORE, BE IT RESOLVED

1. The Board of Trustees finds and determines that the foregoing recitals are incorporated herein as set forth in full.
2. The Board of Trustees finds that the adoption of this resolution is an Unlisted Action under the New York State Environmental Review Act (SEQRA), that the Board has reviewed a short environmental assessment form and the text of this resolution, and finds and concludes that the Board of Trustees as lead agency with respect to environmental review of the proposed resolution:
  1. the Board has thoroughly reviewed the Short Environmental Assessment Form (Short EAF);
  2. the Board also has considered the following factors and made the following conclusions in respect to its review of the environmental impacts of the proposed action:
    - (a) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
    - (b) the proposed action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the

habitat of such a species, or other significant adverse impacts to natural resources;

(c) the proposed action would not impair the environmental characteristics of any Critical Environmental Area;

(d) the proposed action would not conflict with the community's current plans or goals as officially approved or adopted;

(e) the proposed action would not impair the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character;

(f) the proposed action would not result in a major change in the use of either the quantity or type of energy;

(g) the proposed action would create a hazard to human health;

(h) the proposed action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(i) the proposed action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(j) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(k) the proposed action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(l) the proposed action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the

community in general and the immediate neighborhood in particular;

(m) the proposed action would enhance the protection of the environment in the Village, in that it would preserve and maintain the existing character of the Village;

(n) the proposed action would not have a significant adverse effect environmental impact;

(o) no further environmental review is required with respect to the proposed action, and

(p) the Mayor, or his designee, is authorized to execute the Short EAF in a manner consistent with the foregoing findings concluding that the proposed action will not result in a significant adverse environmental impact

3. From today, and for a period of six (6) calendar months, there shall be no new connections to the Village of Greenport sanitary sewer system, including but not limited to the Village's sanitary sewer collections system, or modifications to existing connections where such modification may result in increased production of waste from a site with an existing connection to the Village's sewer facilities or changes in use that result in a potential for increased sanitary discharge, except as follows:

(a) Replacement of existing sewer connection laterals shall be permitted upon approval by the Superintendent of the GSTP or his designee in accordance with Chapter 105 of the Code of the Village of Greenport,

(b) All connections for work authorized by a previously issued and currently open permit, and

(c) New sanitary sewer connections that may be approved by the Board of Trustees upon recommendation from the Superintendent of Public Works of the Village of Greenport in accordance with Chapter 105 of the Code of the Village of Greenport.

4. Any person, entity or applicant for a property development approval whose application has been filed as of today may submit a written application to the Board of Trustees requesting relief from this connection restriction setting forth the reasons why the restriction should not apply to their proposed connection. Such application must identify the quantity of expected or anticipated wastewater and the reason why the restriction should not apply. Upon

receipt of such request, the Board will make a determination either approving or denying the request.