



COUNTY OF ORANGE
EXECUTIVE ORDER
No. 4 of 2018

Pursuant to the powers vested in me by virtue of Section 3.02 of the Orange County Charter, I hereby make the following Executive Order with respect to: the issuance of permits or approvals by the Departments of Health and Public Works, including any division(s) or office(s) within such Departments.

WHEREAS, New York State has adopted laws which relate to considering the environmental implications and regional implications of local actions; and

WHEREAS, Such laws include Section 239-m and 239-n of the General Municipal Law and Article 8 of the Environmental Conservation Law relating to Environmental Quality Review; and

WHEREAS, Sections 239-m and 239-n create an opportunity for County input regarding some local land use related decisions; and

WHEREAS, Article 8 and Section 3-0301 of the Environmental Conservation Law are the statutory authority for the environmental regulations commonly known as SEQRA (6 NYCRR Part 617); and

WHEREAS, SEQRA requires communities, in approving projects, to consider the environmental implications of such approvals; and

WHEREAS, compliance with both SEQRA and Sections 239-m and 239-n are ways in which communities can ensure they are, particularly for projects which are likely to have inter-municipal impacts, addressing or considering concerns within the project's own municipal borders and with respect to neighboring communities; and

WHEREAS, as the County of Orange has a role with respect to 239-m and 239-n, and sometimes with respect to SEQRA, it is appropriate that the County take such steps as it can to ensure such role(s) is/are followed; and

WHEREAS, one way the County can ensure compliance with 239-m and 239-n is to ensure that if a project was supposed to be reviewed by the County Planning Department under Section 239-m and/or Section 239-n, that the County Planning Department actually receives the full statement of the proposed action (in the case of a referral made under Section 239-m) or the required referral under Section 239-n of the General Municipal Law relating to such project and that such review was conducted or permitted to be conducted; and

WHEREAS, many projects require various County approvals or permits relating to, for example, road access, sewer capacity, or demonstrated water supply; and

WHEREAS, such Departments, in issuing permits or approvals should ensure that other County recommendations under Section 239-m and/or 239-n were considered and that SEQRA was undertaken by a municipal board;

Now, therefore, I do hereby:

ORDER that prior to the issuance of any of the following permit(s) or approval(s) by the Department of Public Works or Department of Health, or any division(s) or office(s) of such Department, that the permit or approval issuing official shall cause the person or entity applying for the permit or approval to Certify, in the annexed form, or in such amended form as is approved by the County Attorney, that:

- (a) any required submission in relation to the project under section 239-m and/or 239-n of the General Municipal Law review occurred and that any mandatory County comments were addressed pursuant to law (or that 30 days has expired from the submission of the full statement to the County Planning Department and no County comments were received); and
- (b) that SEQRA (if applicable) was, to the best knowledge of the certifying individual, complied with in relation to the project:

<u>Permit Type</u>	<u>Department</u>
Realty Subdivision	Health
Individual Sewage Systems	Health
Public Water Supply Improvements	Health
New Construction of Food Service	Health
Children's Camps	Health
Sewer Mainline	Public Works
Sewer Lateral	Public Works
Permit for Work on a County Road	Public Works

and I hereby further

ORDER that the Commissioners of Health and Public Works shall review the above listed permits and make recommendations to expand or reduce the types of permits and/or approvals this Executive Order shall apply to; and I hereby further

ORDER, this Executive Order to take effect immediately and apply to any and all permits or approvals applied for and/or issued after August 1, 2018; and I hereby further

ORDER the Planning Department to send notice of these requirements to all Town, City, and Village Boards, Planning Boards, and Zoning Boards of Appeal.

Dated: June 21, 2018
Goshen, New York



Stefan "Steve" Neuhaus
Orange County Executive

COMPLIANCE CERTIFICATION PROJECT INFORMATION SHEET

Applicant's Name: _____

Applicant's Address: _____

Permit(s) or approval(s) being sought: _____

Department permit/approval is being sought from: _____

Name, title, address, phone, and email of person filling out this form:

Name: _____

Title in relationship to applicant: _____

Address: _____

Phone & Email: _____

FILL OUT CERTIFICATION ON REVERSE SIDE OF THIS DOCUMENT OR ATTACHED HERETO

NOTE TO ALL PERSONS SIGNING THE CERTIFICATIONS: You may rely on a representation by the Clerk of the municipal board or notations in the minutes of the board that a SEQRA negative declaration was issued or a findings statement issued and that any required referral under Sections 239-m or 239-n of the General Municipal Law was made and complied with pursuant to law.

If the Department of Public Works and/or Department of Health becomes aware of (or believes) such representations to be erroneous, such Department(s) reserve the right to require proof of the same satisfactory to the Commissioner of such Department prior to issuing a permit.

CERTIFICATION

Project Name and Permit(s)/Approval(s) Sought:

I hereby certify that I am authorized to make the application for the permit(s) and/or approval(s) stated on behalf of the applicant. I am familiar with the project the applicant is seeking permit(s) and/or approval(s) for in relation thereto ("the project").

I make this certification for the purpose of representing to Orange County and do hereby represent, that to the best of my knowledge, any referral required to be made by section 239-m or 239-n of the General Municipal Law in relation to this project was made and any mandatory comments made by the Orange County Planning Department were addressed pursuant to law. I hereby further certify that to the best of my knowledge the State Environmental Quality Review Act was complied with, to the extent required, in gaining any approval from a Town, City, or Village within Orange County in relation to the project.

Name (print)	Signature

Title Associated with Project	Date

ENGINEER'S CERTIFICATION

If the project sought an approval for a sewer mainline or sewer lateral, this certification shall be signed by a licensed engineer.

I am a Professional Engineer licensed in the State of New York. I have reviewed the application associated with the project. I hereby certify that I have reviewed whether Section 239-m or Section 239-n of the General Municipal Law was required to be complied with for the project and that to the best of my knowledge such compliance, if necessary, was complied with. I further certify that to the best of my knowledge, either a negative declaration or findings statement was issued in relation to this project if the same was required under the State Environmental Quality Review Act.

Name (print)	Signature

Name, address, and phone number of engineering firm	