

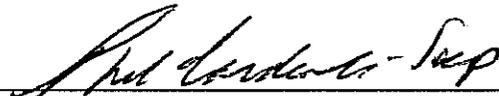
**MINUTES**  
**SPECIAL TOWN BOARD MEETING**  
**AUGUST 25, 2009**

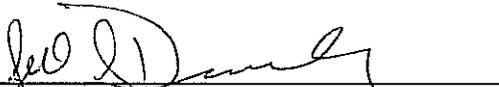
WAIVER OF NOTICE AND CONSENT  
OF SPECIAL MEETING

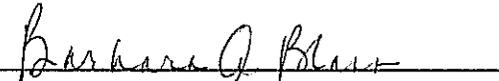
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 10:00 p.m. on the 25th day of August, 2009 and do consent to the holding of such meeting for the purpose of:

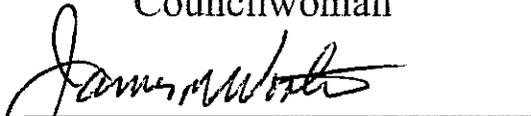
Dated: August 25, 2009  
Media Notified by  
Supervisor

TOWN BOARD MEMBERS  
of Riverhead, New York

  
Supervisor

  
Councilman

  
Councilwoman

  
Councilman

\_\_\_\_\_  
Councilman

The Special Board Meeting was called by Supervisor Cardinale at 10:20 A.M.

Present:           Supervisor Cardinale  
                      Councilwoman Blass  
                      Councilman Dunleavy  
                      Councilman Wooten

Also Present:    Town Clerk Diane M. Wilhelm  
                      Town Attorney Dawn Thomas

Supervisor Cardinale: This is a special meeting of the Town Board August 25<sup>th</sup>, Tuesday; we had hoped to consider this resolution last week but had a request to delay it in order to address certain issues. I think we only have one resolution, yes, in regard to the authorization of the final scope of issues on draft environmental impact statement of REPCAL, LLC for a proposed 300 acre hi- tech industrial park at the eastern section east of the runway at EPCAL. The process began over a year ago and scoping is often done without hearings and between the planning department and the applicant. Since this is an important project we have had a hearing, we have had numerous meetings, we have worked closely with the DEC, on this matter and with other agencies. This scoping document was pointed out as 29 pages and very complete, I hope it is and intend it to be. As I understand it from a comment at one of the meetings, it is about 3 or 4 times the size of the scoping document of the Lighthouse project. If size is anything, then we are doing good. Hopefully it is equally detailed and we got all the issues so I would like to take comment from anybody that wishes to make a comment before we consider this resolution. If anyone does, please come up.

Richard Ampler: I am Executive Director of the Long Island Pine Barrens Society, and just very briefly, because we have spoken to you before about the scoping matters. I was glad to have gotten a chance to look at the document in front of you today. I think that for the past 6 months, so much of the development of this has been done, not in a public form, as I would have preferred it, I think it would have worked better, but privately and confidential meetings and that isn't encouraging. Specifically, we are concerned out some of the items, we understand that, and you all understand perfectly well this is a hydro logically and ecologically sensitive area. The Pine Barrens Society has always supported the redevelopment of land within the fence. We have not taken up any opposition to the Repcal project and we think it can be done consistent with state environmental law. I don't think it is an either or it's the kind of thing that could be of different opinion from what we have taken from respect of the Riverhead Resorts project which I think can't be done. Given the environmental sensitivity, I have shared with you before and you are all familiar with it anyway, the document produced by the Long Island regional planning board in 1993 which listed a significant constraints that is not prohibition against development. You will recall that it was the Pine Barrens Society that convened the meetings that

created the boundaries between the core preservation area and the combatable growth area. We have felt and continue to feel that much of the area within the fence line, can and should be redeveloped. We thought that then and when we drew those boundaries and we think that now. We have been asked as an organization, to seek, a redefinition of the core preservation area to exclude major areas inside the fence and have declined to do that to the consternation of some of our colleagues. But we are concerned about several things, we are concerned about the Calverton pond system, I don't see in the scoping project, adequate concern about what water use might do to that very very fragile globally rear Calverton coastal plain ponds system. I think that there is very serious concern that we do indeed natural resources analysis that deals with the state endangered species. This area represents the greatest area diversity of plant and animal species anywhere of the state of New York, it lies in a special ground water protection area, we'll look to this document to see that it does that. What I think that it does not do is, it should be much of a matter of concern to you as it is to the environmental and civic community is the dealing with state wide issues involving carbon foot print and green house gas emissions. This is going to be a concern everywhere in the state that no one's picking on Epcal, it is state law and we want to make sure that that gets done right. The number one problem is the analysis that of cumulative impact. It is the essential to the success of this development that this project not be segmented. Environmental law would make no sense if one could merely look at one project here and one project there and not look at the cumulative impacts of all of those projects. Based on the language contained within the section that deals with cumulative impacts, I am terribly concerned a) that the cumulative projects will not be addressed adequately and it does not appear that though this scoping document requires it. That is a very serious concern because of, no one project by itself all though Riverhead Resorts might be just that project, but no one project may be sufficient to our undermined that natural drinking water resources of that property but clearly everything that is planned, contemplated, etc, will, but apart from that, this is a very important project for economic development for the Town of Riverhead, not our focus, but clearly something that you need to take into consideration and you do not want to conduct a scoping process and conclude the process with anything that would segment the review of this project or which would fail to consider the cumulative impact of all and not just what is existing now, and not just what you may receive between now and when the EIS supplemental environmental impact statement is done. But anything that is reasonably contemplated needs to be considered and I think that it can be a fatal flaw in the process and if there is a way to ameliorate that I recommend it both for the sake of economic development and the important ecological considerations. That's really all we have today.

Supervisor Cardinale: Thank you, we appreciate the comments, we may be able to put your mind at some greater ease, and as you know this is a supplemental environmental impact statement. That the study of the site began in 1994 and we all know that things have changed since then and more study is needed but it is part of a process which I won't bore everybody with reciting because it is too long, since 1994. The other thing is the draft Environmental impact statement which would result from the scoping document will be itself a road map as to what needs to be further study because of the impacts from this development are going to impact the surrounding areas then obviously further study will be demanded. The issues that you bring up were including the issue of segmentation was extensively discussed with the DEC and others and as you know, segmentation is to be avoided and everyone wants to do that and it is only improper if it is designed to avoid an environmental impact statement or the study of other or studies of other significant projects. We intend to make sure that we don't segment. The comments of the DEC, which I know you will have, I know you have foiled that correspondence, addresses these issues and they responded to very fully, by the Town, most recently in a letter that has not yet been mailed to them, which will be mailed today and that will explain to the public and to you, Dick, that the carbon foot print issue, we actually plead will very well address that and are in agreement

with the DEC on how to handle that, they are in fact creating guidelines to accomplish that fact. We've agreed to follow those guidelines. As to the issue of a comprehensive protection plan which was addressed at length during the year between the receipt of this scope and the acceptance of it. What we are really seeing is that if it is necessary it will be done but we won't know if it is necessary until we look at this draft and see where this draft takes us. Finally, as to the future of development at or near the sight, the three points that they made at the end was you have to have protection plans comprehensive of future development at or near the sight and the carbon foot print issues as to the future pattern development near or at the sight. We understand that this has to be looked at comprehensively. The problem at this moment is frankly, the Riverhead Resorts does not have sight plans submitted and we are awaiting that, but we have not seen it yet. I wanted to comment, as I did, I would like to have this scope considered as it took some hard work from Planning and Legal and I thank you for it, so why don't we call it, so that we can all get back to work.

Resolution 820

Barbara Blass: Authorization of the final scope of issues on draft environmental impact statement of REPCAL, LLC. So moved.

John Dunleavy: and seconded

Supervisor Cardinale: Moved and Seconded. Vote please

The Vote: Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The Resolution is adopted

Supervisor Cardinale: Since that is the only business before us, we are adjourned and I thank everybody.

Adjourned at 10:33am

A handwritten signature in cursive script, appearing to read "Rose M. Hill".