

JUNE 18, 2013

CDA RESOLUTION LIST:

CDA

- Res. #9** Authorizes Funding Application to New York State Support Enhanced Sewer Infrastructure at EPCAL Subdivision
- Res. #10** Declares Lead Agency, Classifies and Determines Significance of Action for a Comprehensive Development Plan for EPCAL (EPCAL Reuse & Revitalization Plan) Including Amendment to Town of Riverhead Comprehensive Plan, Amendment to Zoning, and Subdivision for the Former Calverton Naval Weapons Industrial Reserve Plant “EPCAL”
- Res. #11** Authorizes the Town Clerk to Publish and Post Notice of Scoping Hearing Upon Draft Scope for Draft Supplemental Generic Environmental Impact Statement Required for a Comprehensive Development Plan for EPCAL (EPCAL Reuse & Revitalization Plan), Including Amendment to Town of Riverhead Comprehensive Plan, Amendment to Zoning, and Subdivision for the Former Calverton Naval Weapons Industrial Reserve Plant “EPCAL”
- Res. #12** Authorizes the Chairman to Execute a License Agreement with Stony Brook University

TOWN BOARD RESOLUTION LIST:

- Res. #471** 21st Century Oncology Water Service Capital Project Budget Adjustment
- Res. #472** 1044 Parkway Street Laundry Riverhead Sewer District Capital Improvement Project Budget Adoption
- Res. #473** Animal Shelter Donation Budget Adjustment
- Res. #474** Calverton Recreation Park Capital Project Budget Adjustment
- Res. #475** General Fund Budget Adjustment
- Res. #476** Northville Commerce Park Associates Water Service Capital Project Budget Adoption
- Res. #477** Phase II – Route 58 Retail Stores – Headriver LLC Water Service Capital Project Budget Adoption
- Res. #478** Saber Riverhead LLC Water Service Capital Project Budget Adoption

- Res. #479 Walmart – Old Country Road Water Service Capital Project Budget Adoption**
- Res. #480 Authorizes Execution of Home Contract Between the Town of Riverhead and Suffolk County**
- Res. #481 Authorizes Funding Application to New York State to Support I Love New York Tourism Funding**
- Res. #482 Appoints Seasonal Call-In Lifeguards to the Recreation Department**
- Res. #483 Appoints a Call-In Recreation Aide I to the Recreation Department (JaronGreenidge)**
- Res. #484 Appoints a Call-In Recreation Aide to the Recreation Department (Michael Van Bommel)**
- Res. #485 Amends Resolution #418**
- Res. #486 Approves Extension of Performance Security Posted by Stoneleigh Woods at Riverhead, LLC in Connection with the Condominium Project Entitled “Stoneleigh Woods of Riverhead, LLC” (Road and Drainage Improvements)**
- Res. #487 Appoints an Assistant Recreation Leader II to the Recreation Department (Thomas Crabb)**
- Res. #488 Appoints a Recreation Aide to the Recreation Department (Amanda Commins)**
- Res. #489 Appoints a Seasonal Water Safety Instructor to the Recreation Department (Lawrence Loesch)**
- Res. #490 Appoints Seasonal Recreation Aides to the Recreation Department**
- Res. #491 Approves Chapter 90 Application of Peconic Bay Medical Center (Family Festival – July 4, 2013 through July 7, 2013)**
- Res. #492 Approves Chapter 90 Application of Peconic Bay Medical Center (Family Festival – July 6, 2013)**
- Res. #493 Appoints a Call-In Recreation Aide I to the Recreation Department**
- Res. #494 Town of Riverhead Accepts Offer of Gift from Advanced Imaging Systems**

- Res. #495** Authorizes the Supervisor to Execute an Agreement with Suffolk County for Traffic Control Devices at Shopping Center of Saber-Riverhead, LLC
- Res. #496** Amends Resolution #99 of 2013 (Authorizes Sewer District Employee to Attend Course)
- Res. #497** Amends Resolution #98 of 2013 (Authorizes Sewer District Employee to Attend Course)
- Res. #498** Authorizes the Supervisor to Execute an Agreement with Sybatech, Inc. (CodePal)
- Res. #499** Authorizes Settlement with MHC Thurms LLC and Hometown Thurms Estate, LLC
- Res. #500** Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP) to Act as Special Counsel and Authorizes the Supervisor to Execute a Retainer Agreement
- Res. #501** Authorizes the Supervisor to Execute an Agreement with Suffolk County for Port Security Grant Program (PSGP)
- Res. #502** Approves the Application for Fireworks Permit of Riverhead Business Improvement District Management Association (July 4, 2013)
- Res. #503** Ratifies the Approval of the Chapter 90 Application of Abate of NY Long Island Chapter (Veterans Appreciation Run – Sunday, June 9, 2013)
- Res. #504** Approves the Chapter 90 Application of Cornell Cooperative Extension of Nassau County (Charity Polo Event for Hurricane Sandy Relief – June 22, 2013)
- Res. #505** Approves the Chapter 90 Application of Old Steeple Community Church (Annual Antique Fair – August 24, 2013)
- Res. #506** Approves the Chapter 90 Application of Old Steeple Community Church (Annual Antique Fair – August 16th through August 18th, 2013)
- Res. #507** Approves the Application for Fireworks Permit of Riverhead Raceway (July 6, 2013)
- Res. #508** Approves the Application for Fireworks Permit of Riverhead Raceway (August 24, 2013)

- Res. #509** Authorizes the Release of Security of ARA Plumbing Corp. Drainlayer for Riverhead Sewer District
- Res. #510** Authorizes the Supervisor to Execute a Municipal Cooperation Agreement Renewal No. 4 with the Riverhead Central School District Regarding Unleaded Fuel Services
- Res. #511** Approves Roadwork Construction Corp. as Drainlayer for Riverhead Sewer District
- Res. #512** Extends Bid Contract for Quick Lube Maintenance for the Riverhead Water District
- Res. #513** Authorizes the Supervisor to Execute Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852
- Res. #514** Appoints a Summer Recreation Aide I to the Recreation Department (Max Goldfarb)
- Res. #515** Pays Bills
- Res. #516** Authorizes a Change Order for Type III Ambulance for the Riverhead Ambulance District

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 9

**AUTHORIZES FUNDING APPLICATION TO NEW YORK STATE TO SUPPORT
ENHANCED SEWER INFRASTRUCTURE AT EPCAL SUBDIVISION**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Governor Cuomo has directed the following State agencies to make New York State funding resources available through the Consolidated Funding Application (“CFA”) process: Empire State Development; NYS Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Parks, Recreation and Historic Preservation; Department of State; and Department of Transportation; and

WHEREAS, the Long Island Economic Development Regional Council has been charged with developing criteria for “Transformative Project Proposals” for the Long Island Region that will focus on the near-term creation and retention of jobs, in particular those that leverage public and private investment dollars and provide a return on public investment; and

WHEREAS, each Region will compete for economic aid through competitive awards to projects that support identified key regional issues and opportunities, support a regional economic vision, and address key issues and outline major elements of the strategic plans; and

WHEREAS, the Town of Riverhead Community Development Agency (CDA) along with additional public and private partners seeks to submit a funding application to develop enhanced sewer infrastructure at EPCAL to service businesses in the Town of Riverhead and Eastern Long Island; and

WHEREAS, the proposed sewer infrastructure project will implement Long Island Economic Development Regional Council goals identified in the strategic plan to develop EPCAL in an effort to create jobs, enhance tax base, and incentivize private investment in the region through smart growth development; and

WHEREAS, the proposed sewer infrastructure project will implement Town of Riverhead CDA goals to redevelop the Enterprise Park at Calverton in an effort to create jobs and generate tax base by supporting targeted sustainable regional growth; and

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead CDA Board authorizes the submission of a “Transformative Project” funding proposal to New York State on or before June 28, 2013, and a general CFA fund proposal to New York State on or before August 12, 2013, for funding to support development of enhanced sewer infrastructure at the Enterprise Park at Calverton; and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to the Community Development Agency; and

BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Community Development Agency

Resolution # 10

DECLARES LEAD AGENCY, CLASSIFIES AND DETERMINES SIGNIFICANCE OF ACTION FOR A COMPREHENSIVE DEVELOPMENT PLAN FOR EPCAL (EPCAL REUSE & REVITALIZATION PLAN) INCLUDING AMENDMENT TO TOWN OF RIVERHEAD COMPREHENSIVE PLAN, AMENDMENT TO ZONING, AND SUBDIVISION FOR THE FORMER CALVERTON NAVAL WEAPONS INDUSTRIAL RESERVE PLANT "EPCAL"

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town of Riverhead Community Development Agency ("CDA") acting with and for the benefit of the Town, by Community Development Agency Resolution #4 adopted on February 1, 2011, authorized and retained the services of VHB Engineering, Surveying and Landscape Architecture, P.C. ("VHB") to assist the Town and CDA to update the 1996 Reuse Plan and provide services related thereto including, but not limited to, development of revised land use plan, associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process for land known as EPCAL, approximately 2,323.9 acres of land owned by the Community Development Agency which is located on the south side of New York State Route 25, north of Grumman Boulevard and east of Wading River Manor Road, Hamlet of Calverton, Town of Riverhead, Suffolk County; and

WHEREAS, the Town Board, acting as governing body of the Town of Riverhead Community Development Agency, by Community Development Agency Resolution #5 adopted on May 7, 2013, authorized acceptance for SEQR purposes the Full Environmental Assessment Form (EAF) Part 1 for the proposed action, to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan; and

WHEREAS, the Town Board, pursuant to 6 NYCRR 617.6 (a)(1)(iv), made a preliminary classification of the proposed action as a Type I action, required the

preparation of Part 1 of the Full Environmental Assessment Form (EAF) and undertook coordinated review in accordance with 6 NYCRR Part 617.6(b)(3); and

WHEREAS, the Part 1 of the Full Environmental Assessment Form, a subdivision sketch plan (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) and a preliminary Draft Scope for the Draft Supplemental Generic Environmental Impact Statement were thereupon distributed to all involved agencies indicating the Town Board's intention to declare itself as lead agency if upon expiration of the coordination period, no objections to same had been received by the Town Board; and

WHEREAS, the Town received no objection from any involved agencies to the Town Board serving as lead agency; and

WHEREAS, the Town Board has caused the preparation of Parts 2 and 3 of the Full EAF for analysis of project impacts whose content indicate the potential for one or more significant impacts on the natural and social environment when compared to the criteria set forth in 6 NYCRR §617.7(c).

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, upon completion of coordinated review pursuant to 6 NYCRR §617.6 hereby declares itself to be the Lead Agency for the proposed action; and be it further

RESOLVED, that the Riverhead Town Board classifies the proposed action as a Type I action pursuant to 6 NYCRR § 617.4; and be it further

RESOLVED, the Town Board finds the proposed action has the potential to result in significant adverse impacts to the environment, and hereby adopts the annexed Positive Declaration requiring that a Draft Supplemental Generic Environmental Impact Statement be prepared; and be it further

RESOLVED, that the Town Board will conduct formal public scoping; and be it further

RESOLVED, that the Planning Department is directed to file and publish the requisite notice of positive declaration and intent to proceed with formal public scoping in the Environmental Notice Bulletin in such manner as prescribed by the Department of Environmental Conservation pursuant to 6 NYCRR § 617.12, and file a copy with the Town Clerk of the Town of Riverhead, and make available for public view and inspection a copy of the Notice of Positive Declaration, Determination of Significance, together with a copy of the Draft Scope of Issues for anticipated Draft Supplemental Generic Environmental Impact Statement on the Town's website www.townofriverheadny.gov within five days from date herein; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution together with the Notice of Positive Declaration and the Determination

of Significance – Positive Declaration to Supervisor for Town of Riverhead, Town Planning Department, Town Attorney, Town Community Development Agency, VHB Engineering, Surveying and Landscape Architecture, PC, 2150 Joshua’s Path, Suite 300, Hauppauge, NY 11788, and to also forward copies to all involved and interested agencies as follows: Richard O’Dea, Chairman, Riverhead Planning Board, 200 Howell Avenue, Riverhead, NY 11901; Michael Reichel, Superintendent, Riverhead Sewer District, River Avenue, Riverhead, NY 11901; Gary Pendzick, Superintendent, Riverhead Water District, 1035 Pulaski Street, Riverhead, NY 11901; Chris Kempner, Director, Riverhead Community Development Agency, 200 Howell Avenue, Riverhead, NY 11901; Board of Fire Commissioners, Wading River Fire District, 1503 N. Country Road, Wading River, NY 11792; Board of Fire Commissioners, Manorville Fire District, 14 Silas Carter Road, Manorville, NY 11949; James L. Tomarken, MD, MPH, MBA, MSW, Commissioner, S.C. Department of Health Services, 3500 Sunrise Highway, Suite 124, Great River, NY 11739; Gilbert Anderson, P.E., Commissioner, S.C. Department of Public Works, 335 Yaphank Avenue, Yaphank, NY 11980; James F. Gaughran, Chairman, S.C. Water Authority, 4060 Sunrise Highway, Suite 1000, Oakdale, NY 11769; Peter A. Scully, Chair, Central Pine Barrens Joint Planning and Policy Commission, 624 Old Riverhead Road, Westhampton, NY 11978; Empire State Development Corporation/Long Island Regional Economic Development Council, c/o Andrea Lohneiss, Regional Director, 150 Motor Parkway, Hauppauge, NY 11788; Ruth Pierpont, Deputy Commissioner/Deputy SHPO, NYS Division for Historic Preservation, NYS Office of Parks, Recreation & Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189; Subimal Chakraborti, Regional Director, NYS Department of Transportation, State Office Building 250 Veterans Memorial Highway, Hauppauge, NY 11788; Peter A. Scully, Regional Director, NYS Department of Environmental Conservation, SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409; George Stafford, Director, Division of Coastal Resources, NYS Department of State, 99 Washington Avenue, Suite 1010, Albany, NY 12231-0001; Suffolk County Planning Commission, H. Lee Dennison Building, 4th Floor, 100 Veterans Memorial Hwy., P.O. Box 6100, Hauppauge, NY 11788-0099; The Honorable Ed Romaine, Supervisor, Town of Brookhaven, One Independence Hill, Farmingville, NY 11738; and be it further

RESOLVED, that all Town Hall departments may review and obtain a copy of this resolution from the electronic storage device and a certified copy from the Town Clerk if needed.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
DETERMINATION OF SIGNIFICANCE
POSITIVE DECLARATION
NOTICE OF INTENT TO PREPARE A
DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
PROPOSED COMPREHENSIVE DEVELOPMENT PLAN (REUSE &
REVITALIZATION PLAN), INCLUDING AMENDMENT OF TOWN OF RIVERHEAD
COMPREHENSIVE PLAN, AMENDMENT TO ZONING CODE, AND SUBDIVISION
OF EPCAL PROPERTY AT CALVERTON
HAMLET OF CALVERTON, TOWN OF RIVERHEAD, NEW YORK**

Date: June 18, 2013

This notice is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act [SEQRA]) and the implementing regulations therefor at 6 NYCRR Part 617.

The Town Board of the Town of Riverhead, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Supplemental Generic Environmental Impact Statement (DGSEIS) will be prepared.

Name of Action: Proposed Comprehensive Development Plan, including amendment to Town of Riverhead Comprehensive Plan, Amendment to Zoning Code and Subdivision of EPCAL Property

Project Location: South side of New York State Route 25 (Middle Country Road), north of Grumman Boulevard, east of Wading River Manor Road, Hamlet of Calverton, Town of Riverhead

SEQR Status: Type I

Description of Action: The proposed action consists of the adoption of a comprehensive development plan (Reuse & Revitalization Plan), creation of a planned development zoning district; amendment of the Town of Riverhead Comprehensive Plan, the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9-acre EPCAL property to that planned development zoning district; and the subdivision of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space.

As the 2,323.9-acre EPCAL property is anticipated to be redeveloped over a multi-decade horizon, it is not possible to determine the precise uses or the precise square footage of each use that may be redeveloped. Moreover, as indicated in the *Real Estate Market Assessment Calverton Enterprise Park (EPCAL) Riverhead, New York*, prepared by RKG Associates, Inc. in association with Jeffrey Donohoe Associates LLC, dated December 8, 2011 (the "Market

Study”), there are a variety of different uses that would be feasible over the multi-decade redevelopment horizon, including, but not necessarily limited to:

- Multi-Modal Freight Village
- Agri-Business/Food Processing
- High-Tech Business/Green Technology/Research Park
- Mixed Use Planned Development

Thus, in order to ensure a comprehensive evaluation of the entire action (including the impacts of redevelopment) in accordance with SEQRA and its implementing regulations at 6 NYCRR Part 617, a conceptual development plan and subdivision plan have been prepared, and the DSGEIS will calculate a theoretical development program so that the environmental impacts associated with that theoretical development program can be fully evaluated in the DSGEIS.

As the EPCAL property includes regulated wetlands, land within the Wild, Scenic and Recreational Rivers System (WSRRS) for the Peconic River, and habitat for endangered species, the subdivision provides for maintenance of buffers of a minimum of 1,000 feet around designated wetlands (to accommodate documented and potential tiger salamander habitat), and also provides for approximately 596.4 acres of maintained grassland (458.1± acres of existing grassland to be maintained, and 138.3± acres of grassland to be created) to accommodate habitat for the short-eared owl. In addition, the subdivision provides for the preservation of 59.5± percent of natural area. This information will be fully documented in the DSGEIS.

The Town of Riverhead is also working with the New York State Legislature on legislation to designate the EPCAL property as an urban renewal area, set guidelines and time parameters for review of development actions and applications within EPCAL

Reasons Supporting This Determination:

1. The proposed subdivision and redevelopment of the EPCAL property will increase the intensity of use at the site, and will require the adoption of a new zoning district to allow the contemplated development.
2. The subject property contains designated wetlands and portions of the property are situated within the Wild, Scenic and Recreational Rivers System corridor, and the impact of the subdivision and redevelopment of the site must be assessed.
3. The EPCAL property is situated within the Long Island Central Pine Barrens and the Central Suffolk Special Groundwater Protection Area, each a designated Critical Environmental Area, and the impact of the proposed subdivision and redevelopment on same must be evaluated.

4. The EPCAL property provides habitat for endangered species (e.g., tiger salamanders and short-eared owls), and the impact of the proposed subdivision on these species must be assessed.
5. Water use and sanitary discharge will increase with the subdivision and redevelopment of the property, and the impacts to water resources and the Riverhead Water District/Suffolk County Water Authority and Sewer District and their respective facilities must be assessed.
6. The proposed subdivision and redevelopment of the EPCAL property will increase impervious surfaces and increase stormwater. This impact must be assessed.
7. The proposed subdivision and redevelopment would substantially increase traffic generated and may have air quality impacts. These issues must be assessed.
8. As the subdivision will likely be developed over several years, construction will occur over multiple years. Construction impacts must be evaluated.
9. As the visual characteristics of the property will change, based upon the development of the subdivision, aesthetic impacts must be assessed.
10. Previous historic/archaeological surveys have been conducted at the subject property. Upon conveyance of the subject property from the U.S. Navy to the Riverhead Community Development Agency, specific covenants on the subject property were established. Therefore, the impact of the proposed action, as it relates to such covenants regarding historic and archaeological resources, must be assessed.
11. The subject property was occupied by the U.S. Navy and subsequently operated by the Northrop Grumman Corporation. Operations at the site included assembling, flight testing, refitting and retrofitting naval aircraft. On-site operations generated hazardous waste from 1954 to 1996. Therefore, impacts to subsurface conditions must be examined.

Public Scoping: Formal Scoping will be conducted. A Draft Scope has been prepared and is available on the Town's website at www.townofriverheadny.gov. Copies are also available from the Town Clerk. A scoping hearing has been scheduled for July 16, 2013 at 7:30 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York. Written comments will also be accepted until July 23, 2013 at 12:00 noon.

For Further Information:

Contact Person: Jill Lewis, Deputy Town Supervisor

Address: Town of Riverhead
Town Hall
200 Howell Avenue
Riverhead, New York 11901

Telephone No.: 631-727-3200 Ext. 654

A Copy of this Notice has been Sent To:

Sean Walter, Town Supervisor
and Members of the Town of Riverhead Town Board
200 Howell Avenue
Riverhead, New York 11901
(631) 727 - 3200

Richard O’Dea, Planning Board Chairman
Riverhead Planning Board
200 Howell Avenue
Riverhead, New York 11901

Michael Reichel – Sewer District Superintendent
Riverhead Sewer District
River Avenue (off Riverside Drive)
Riverhead, New York 11901

Gary Pendzick – Water District Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Chris Kempner, Director
Riverhead Community Development Agency
200 Howell Avenue
Riverhead, NY 11901

Board of Fire Commissioners
Wading River Fire District
1503 N. Country Road
Wading River, New York 11792

Board of Fire Commissioners
Manorville Fire District
14 Silas Carter Road
Manorville, New York 11949

James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Suffolk County Department of Health Services
3500 Sunrise Highway, Suite 124
Great River, New York 11739

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works:
335 Yaphank Avenue
Yaphank, New York 11980

James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000
Oakdale, New York 11769

Peter A. Scully, Chair
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton, New York 11978

Empire State Development Corporation/Long Island Regional Economic Development Council
c/o Andrea Lohneiss, Regional Director
150 Motor Parkway
Hauppauge, New York 11788

Ruth Pierpont, Deputy Commissioner/Deputy SHPO
New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Subimal Chakraborti, Regional Director
New York State Department of Transportation
State Office Building
250 Veterans Memorial Highway
Hauppauge, New York 11788

George Stafford, Director
Division of Coastal Resources
New York State Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Peter A. Scully, Regional Director
New York State Department of Environmental Conservation
SUNY @ Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409

Joe Martens, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

Suffolk County Planning Commission
H. Lee Dennison Building – 4th Floor
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099

The Honorable Ed Romaine, Supervisor
Town of Brookhaven
One Independence Hill
Farmingville, New York 11738

This Notice has also been forwarded for publication in the Environmental Notice Bulletin.

SEQRA Positive Declaration
Proposed Subdivision of EPCAL Property at Calverton

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TOWN OF RIVERHEAD

Community Development Agency

Resolution # 11

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING UPON DRAFT SCOPE FOR DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT REQUIRED FOR A COMPREHENSIVE DEVELOPMENT PLAN FOR EPCAL (EPCAL REUSE & REVITALIZATION PLAN), INCLUDING AMENDMENT TO TOWN OF RIVERHEAD COMPREHENSIVE PLAN, AMENDMENT TO ZONING, AND SUBDIVISION FOR THE FORMER CALVERTON NAVAL WEAPONS INDUSTRIAL RESERVE PLANT "EPCAL"

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead Community Development Agency ("CDA") acting with and for the benefit of the Town, by Community Development Agency Resolution #4 adopted on February 1, 2011, authorized and retained the services of VHB Engineering, Surveying and Landscape Architecture, P.C. ("VHB") to assist the Town and CDA to update the 1996 Reuse Plan and provide services related thereto including, but not limited to, development of revised land use plan, associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process for land known as EPCAL, approximately 2,323.9 acres of land owned by the Community Development Agency which is located on the south side of New York State Route 25, north of Grumman Boulevard and east of Wading River Manor Road, Hamlet of Calverton, Town of Riverhead, Suffolk County; and

WHEREAS, the Town Board, acting as governing body of the Town of Riverhead Community Development Agency, by Community Development Agency Resolution #5 adopted on May 7, 2013, authorized acceptance for SEQR purposes the Full Environmental Assessment Form (EAF) Part 1 for the proposed action, to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan; and

WHEREAS, as stated above and for the purpose of ensuring a comprehensive evaluation of the entire action (including the impacts of redevelopment in accordance with the proposed subdivision) and in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617, VHB prepared a conceptual development plan, subdivision and calculated a theoretical development program pursuant to the proposed subdivision all of which would be evaluated in accordance with SEQRA and its implementing regulations; and

WHEREAS, in addition to above, VHB prepared a preliminary Draft Scope for the Draft Supplemental Generic Environmental Impact Statement (SGEIS) pursuant to NYCRR Part 617.8(b); and

WHEREAS, the Town, consistent with above and pursuant to 6 NYCRR 617.6(b)(3)(i), distributed the Full Environmental Assessment Form (EAF) Part 1, the Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013 and the preliminary Draft Scope to all involved and interested agencies indicating the Town Board's intention to declare itself as lead agency if, upon expiration of the coordination period, no objections to same had been received by the Town Board; and

WHEREAS, no objections were received to the Town Board serving as lead agency, the Town Board, by CDA Resolution #10 adopted on June 18, 2013, pursuant to 6 NYCRR 617.6(b)(3) declared itself as the Lead Agency for the proposed action more fully described above; and

WHEREAS, the Town Board, by CDA Resolution #10 adopted on June 18, 2013, classified the proposed action as a Type I action pursuant to 6 NYCRR Part 617.4(b); and

WHEREAS, the Town Board, by CDA Resolution #10 adopted on June 18, 2013, determined that the proposed action may result in one or more significant adverse environmental impacts and issued a Positive Declaration requiring preparation of a Draft Supplemental Generic Environmental Impact Statement with formal public scoping; and

WHEREAS, at the request of the Town Board, a Draft Scope has been prepared; and

WHEREAS, the Town Board, by CDA Resolution #10 adopted on June 18, 2013, directed that the Planning Department to file and publish the requisite notice of positive declaration of significance pursuant to Part 617.12 including the intent to conduct formal public scoping and to post the Draft Scope to the Town's webpage and to otherwise make it available for public review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, acting as governing body of the Town of Riverhead Community Development Agency, desires to hold a Scoping Hearing on the Draft Scope of Issues required for Draft Supplemental

Generic Environmental Impact Statement pursuant to NYCRR Part 617.8(e); and be it further

RESOLVED, that the Town Clerk is authorized and directed to publish and post the attached notice of Scoping Hearing as required pursuant to 6 NYCRR 617.12(b) in the June 27, 2013 edition of the official newspaper of the Town of Riverhead; and be it further

RESOLVED, that a hard copy of the Draft Scope of Issues for anticipated Draft Supplemental Generic Environmental Impact Statement will be available for public review and inspection on the Town's website www.townofriverheadny.gov and in the Office of the Town Clerk, Monday through Friday, from 8:30 am to 4:30 pm beginning on the 27th day of June, 2013; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution and the Draft Scope to all involved and interested agencies listed in the EAF (see SEQRA Determination of Significance and Positive Declaration); and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE, that a public Scoping Hearing will be held before the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on the 16th day of July, 2013, at 7:30 p.m. on the Draft Scope for the Draft Supplemental Generic Environmental Impact Statement supporting the proposed action, to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan for property owned by the CDA within EPCAL described as approximately 2,323.9 acres of real property located south of Middle Country Road (SR25), north of Grumman Boulevard and east of Wading River Manor Road (CR25), Calverton Hamlet, being more particularly described as Suffolk County Tax Map No. 0600-135-1-7.1,7.2,7.3&7.4.

PLEASE TAKE FURTHER NOTICE, the Town Board shall accept written comments on the Draft Scope for the Draft Supplemental Generic Environmental Impact Statement at any time prior to the hearing and for a period of one week after the close of the hearing. Please submit all written comments in a sealed envelope clearly marked **“Comments EPCAL Reuse & Revitalization Plan Draft Scope of Issues”** and all comments must be received (mailed or hand delivered) to the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901 on or before July 23rd, 2013 at 12:00 noon.

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 12

**AUTHORIZES THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT
WITH STONY BROOK UNIVERSITY**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Riverhead hereby authorizes the Chairman to execute a License Agreement in substantially the same form as attached between the Town of Riverhead Community Development Agency and Stony Brook University in connection with the utilization of a portion of Town of Riverhead-Enterprise Park at Calverton Western Runway, Grumman Boulevard/River Road, Calverton for tracking sea breezes and thunderstorm development on Long Island; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Dr. Brian Colle, Stony Brook University, Administration Building, Room , Stony Brook, New York 11794-1212; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, CDA resolution #12 was **TAKEN OFF THE FLOOR**

THE VOTE: Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes
Immediately thereafter followed by the motion to **ADOPT**

THE VOTE

Giglio Yes No Gabrielsen Yes No

Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Was Thereupon Duly Declared Adopted

**LICENSE AGREEMENT BETWEEN THE
TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
AND STONY BROOK UNIVERSITY**

This Contract is made and entered into as of this ____ day of June, 2013, by and between Riverhead Community Development Agency, a public instrumentality of the Town of Riverhead, County of Suffolk and State of New York ("CDA") and Stony Brook University, a university center of the State of New York (the "Licensee").

WHEREAS, Licensee has embarked upon a collaborative project using the Doppler on Wheels (DOW) to track sea breeze and thunderstorm development on Long Island; and

WHEREAS, due to the need to provide 360 degree view at inland locations, the Licensee has indentified the former Grumman property at Calverton now commonly known as Calverton Enterprise Park (the "Park"); and

WHEREAS, CDA owns fee title and controls approximately 2500 acres of land in Calverton, New York, commonly known as Calverton Enterprise Park (the "Park"); and

WHEREAS, the Licensee wishes to use the seven thousand (7,000) foot runway (the inactive runway) to conduct testing to track sea breeze and thunderstorm development at an inland location for a term commencing on June 18, 2013 and ending on July 3, 2013; and

WHEREAS, CDA desires to grant to Licensee and Licensee desires to obtain from CDA a license in order for Licensee to enter and use a portion of the Park designated herein as the Licensed Area, to track sea breeze and thunderstorm development on Long Island.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. Licensed Area, Use and Term: The area licensed by CDA to Licensee hereunder (the "Licensed Area") shall consist of part of the seven thousand (7,000) foot runway, as depicted by the cross-hatching on Exhibit A attached hereto and made a part hereof and shall include the improvements thereon including but not limited to any building, structure, any necessary equipment and any appurtenances thereto, such as appropriate means for ingress and egress upon the terms and conditions set forth hereunder. This License will provide Licensee and its contractors, employees, representatives, agents use and occupancy of the Licensed Area commencing on June 18, 2013 and terminating on July 3, 2013 (the "Term") for purposes of network set-up, conducting testing, tear down of network set-up and clean-up. The hours of operation for testing shall be from 7:00 a.m. to 10:00 p.m. The Licensee, its employees, representatives, agents use shall not install, affix or make any permanent structures to the Licensed Area. The use of the Licensed Area shall consist without limitation of the following; one DOW, and 3 -5 personal vehicles of support staff, employees and agents necessary to the conduct the tracking described herein (collectively, the "Permitted Use").

2. Compliance With Laws: Licensee shall at all times during the Term, comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder arising out of Licensee's Permitted Use and will secure any and all permits or licenses required for its activities and operations carried out at the Licensed Area. CDA agrees to cooperate with Licensee by providing any information at its disposal and otherwise use its best efforts to assist Licensee in pursuing its applications for all necessary approvals.

3. Compensation: No consideration shall be required for this License.

4. Responsibilities of Licensee: Subject to the terms of this Agreement, Licensee will be responsible for carrying out and shall have exclusive control of all operations associated with the within described activities. At the conclusion of the license period, Licensee will promptly commence garbage and rubbish removal and cleanup (the "Cleanup") so that the Licensed Area is delivered back to CDA in the same condition

(normal wear and tear excepted) as delivered to Licensee on the commencement date of the Term. Licensee will remove all refuse, rubble, garbage and debris created as a result of its use and activities at the Licensed Area and dispose of the same at an appropriate waste facility.

5. Authority of CDA:

CDA represents and warrants that it owns fee title to the Licensed Area and has all the requisite authority necessary to enter into this agreement.

6. Insurance and Indemnification: Licensee will be responsible for providing commercial general liability insurance in the amount of not less than \$2,000,000 with a company or companies reasonably satisfactory to CDA. Licensee shall provide certificate of the foregoing insurance, showing CDA and the Town of Riverhead as additional insureds to the extent of their interest. Licensee agrees to indemnify and hold harmless CDA, the Town of Riverhead and their respective officers, employees, agents, representatives and officials from any and all loss or liability arising out of Licensee's use of the Licensed Area as described herein including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by Licensee and its employees, agents and representatives, of the Licensed Area, excepting liability caused by the negligence of CDA or the Town of Riverhead or their respective employees, agents or representatives.

7. Miscellaneous Responsibilities of Licensee: Except with respect to any specific services, equipment and facilities to be provided by CDA under this Agreement, Licensee will be responsible for acquiring all services and materials and otherwise for carrying out all actions necessary in connection with the Permitted Use and related activities to take place, including, but not limited to, all planning, operations, concessions, garbage removal, cleanup, construction and demolition or removal of all temporary structures, development. If applicable, Licensee will obtain all necessary approvals required for the Permitted Use and for construction of any temporary structure or system to be used at the Licensed Area in connection with the Permitted Use or related activities. CDA shall use its best efforts to facilitate the Licensee's acquisition of such necessary

approvals. In addition, Licensee will take all actions necessary to restore the Property to its condition existing on the date of the commencement of the Term (normal wear and tear excepted) under this agreement, including, without limiting the generality of the foregoing, the removal of all temporary structures and systems.

8. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party. Licensee shall, however be allowed to change the name of either the Licensee entity in its sole discretion without requiring the prior consent of CDA thereto. Additionally in the event CDA conveys the Park or any part thereof during the period of time from the date hereof to the end of the Term (and/or any Option Term) any successor in interest to CDA shall be bound to the obligations and responsibilities of CDA herein and Licensee's use and occupancy rights herein shall not be disturbed by any successor in-interest to CDA.

9. Conditions To License Agreement: The rights and obligations of both CDA and Licensee hereunder are conditioned on: Licensee's receipt of the necessary approvals for its Permitted Use, if applicable. If Licensee is unsuccessful in obtaining the necessary approvals, then this Agreement shall terminate and the obligations of each party herein shall be null and void.

10. Entire Agreement. This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written or oral, exists with respect to the subject matter of this document.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

In Witness Whereof, Licensee has caused this instrument to be signed on its behalf by Dr. Brian Colle for Stony Brook University, and Town of Riverhead Community Development Agency has caused this instrument to be signed in its corporate name by

Sean M. Walter, its Chairman, hereunto duly authorized, as of the day and the year first above written.

Stony Brook University

**Town of Riverhead Community
Development Agency**

By: _____

Name: Dr. Brian Colle

Title: Project Leader

By: _____

Name: Sean M. Walter

Title: Chairman

**EXHIBIT "A" TO
LICENSE AGREEMENT BETWEEN TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY AND STONY BROOK UNIVERSITY
(DOPPLER ON WHEELS)**



RUNWAY AREA: 395,620 SQ FT



TOWN OF RIVERHEAD

200 HOWELL AVE

ENTERPRISE PARK AT EPCAL

Abandoned Runway, SCPD License Agreement

Scale: 1" = 800'