

5/18/10

ADOPTED

**TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY**

**Resolution # 11**

**DECLARES ALTITUDE EXPRESS, LTD. A QUALIFIED AND ELIGIBLE SPONSOR  
PURSUANT TO ARTICLE 15 OF THE GENERAL MUNICIPAL LAW AND  
AUTHORIZES THE SUPERVISOR TO EXECUTE AN ADDENDUM TO THE RUNWAY  
USE AGREEMENT BETWEEN SKYDIVE LONG ISLAND AND THE TOWN OF  
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead Community Development Agency (the "Agency") is the owner of an approximately 1980 acre parcel of land, together with the buildings located thereon within the Planned Recreational Park Zoning Use District of property formerly known as the Naval Weapons Industrial Reserve Plant and commonly known as the EPCAL Property located on the south side of Middle Country Road (NYS Route 25), Calverton, New York and identified as SCTM 0600-135-01-007.33, said property being more particularly depicted upon "Schedule A" annexed hereto and made a part hereof, and hereinafter referred to as the "EPCAL Site", a portion of which is located within an Economic Development Zone duly designated as such pursuant to the New York State Economic Development Zones Act, being Article 18-B of the General Municipal Law; and

**WHEREAS**, there has been submitted to the Agency a proposal for an extension of a runway use agreement and the Agency is considering, (i) designating Altitude Express, Ltd., a corporation duly formed under the laws of the State of New York, the "qualified and eligible sponsor (the "Sponsor")", pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for a runway use agreement for the 10,000 foot runway located at the EPCAL Site as depicted upon Schedule A, and hereinafter referred to as "the Property", consistent with the uses permitted in the Planned Recreational Park Zoning Use District adopted by the governing board of the Agency on September 7, 1999; and

**WHEREAS**, on March 9, 2001 and May 1, 2001, pursuant to Town of Riverhead Community Development Agency Resolutions No.6 and No. 11, respectively, the proposed sponsor was designated qualified and eligible pursuant to the General Municipal law to enter into a runway use agreement for a period of ten years and has demonstrated that its business is consistent with the redevelopment of the EPCAL property; and

**WHEREAS**, the sponsor requires an extension of its existing agreement to enable it to expand its business and to obtain necessary financing to further its business expansion plans; and

**WHEREAS**, pursuant to Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law, a public hearing was held on April 20, 2010 at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, upon which time the public was entitled to comment upon the proposal; and

**WHEREAS**, the Riverhead Town Board, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA"), has by Resolution No. 614 of 1998 accepted a Final Generic Environmental Impact Statement for the redevelopment of the Property and has further adopted a Findings Statement contemplating the sale of the Property or a portion thereof; and

**WHEREAS**, the Agency, pursuant to SEQRA, declared itself "lead agency," by Town of Riverhead Community Development Agency Resolution No. 177 dated February 20, 2001 and determined such lease of the Property to be a Type I Action pursuant to SEQRA, determined such lease of the Property is in conformance with such Findings Statement resulting from such Final Generic Environmental Impact Statement and determined that such lease of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA for such lease of the Property; and

**WHEREAS**, the Town Board of the Town of Riverhead has reviewed the documentation and testimony provided at the aforementioned public hearing.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby determines Altitude Express, Inc. d/b/a SkyDive Long Island to be a qualified and eligible sponsor under the Urban Renewal Law; and be it further

**RESOLVED**, that the Supervisor is hereby authorized to execute an extension to the existing agreement through September 20, 2020; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Altitude Express, Ltd. d/b/a SkyDive Long Island Inc., 525 Jan Way, Calverton, NY, 11933, the Office of the Supervisor, the Office of the Community Development Agency, the Office of the Town Attorney and the Financial Administrator.

**THE VOTE**

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

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted



