

TOWN OF RIVERHEAD

Resolution # 582

**RESOLUTION TO ACCEPT, FILE AND PUBLISH NOTICE OF COMPLETION OF DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT AND DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR A COMPREHENSIVE DEVELOPMENT PLAN FOR EPCAL (EPCAL REUSE & REVITALIZATION PLAN), AMENDMENT TO THE TOWN OF RIVERHEAD COMPREHENSIVE MASTER PLAN, AMENDMENT TO THE ZONING CODE AND MAP, AND SUBDIVISION OF THE ENTERPRISE PARK AT CALVERTON ("EPCAL") PROPERTY**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, as described more fully below, the Town of Riverhead, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York duly organized and existing pursuant to the laws of the State of New York, and the Town of Riverhead Community Development Agency, a New York Public Benefit Corporation dedicated to promoting, sponsoring and overseeing economic development within the Town, have spent considerable time and effort to develop a revised land use plan, associated zoning, updated market assessment, and subdivision plan for the former Calverton Naval Weapons Industrial Reserve Plant (hereinafter "EPCAL"); and

**WHEREAS**, the EPCAL property consisting of approximately 2900 acres was once part of the former Calverton Naval Weapons Industrial Reserve Plant was formerly owned by the Navy and leased by the Grumman Corporation; and

**WHEREAS**, in 1998, after Grumman chose not to renew its lease for the site, the Navy, pursuant to Public Law 103-c337, conveyed the entire twenty-nine hundred (2,900) acre site to the Town of Riverhead Community Development Agency for no consideration, conditioned upon the Town's reuse of the property for economic development; and

**WHEREAS**, in anticipation of the transfer of the ownership of the land from the Navy to the Town of Riverhead conditioned upon the economic redevelopment of the property, the Town of Riverhead and Community Development Agency, commissioned the firm of Hamilton, Rabinowitz & Alschuler to complete a comprehensive reuse planning study of the site (The "H, R & A Study"); and

**WHEREAS**, the alternative land use scenarios analyzed included three redevelopment plans which were intended to promote the economic development of the site, namely; 1) industrial development of the entire site, 2) age restricted (senior) development, and 3) a hybrid of industrial land use and regional recreational development; and

**WHEREAS**, the H, R & A Study recommendations were a "significant departure" from those outlined in the Town's 1973 Comprehensive Master Plan, pursuant to Town Law 272-a, and consequently the Town was required to amend its Master Plan; and

**WHEREAS**, as a result of the need to amend the Master Plan, the Town determined that the amendment to the Comprehensive Master Plan was a Type I action pursuant to NYCRR 617.4 and it was determined that a Generic Environmental Impact Statement assessing the environmental impacts to the natural and social environments by the proposed development as outlined in the H, R & A Study would be required; and

**WHEREAS**, the United States Navy completed this study prior to conveyance to the Community Development Agency; and

**WHEREAS**, the Town, pursuant to the requirements of Town Law 265, referred the proposed amendment to the Town's Comprehensive Master Plan to the Suffolk County Planning Commission as required by General Municipal Law §239-m and the Suffolk County Planning Commission issued a determination recommending approval of the amendment; and

**WHEREAS**, after completion of the Environmental Impact Statement and the Suffolk County Planning Commission approval, by Resolution 849 of 1998, the Town of Riverhead adopted land use alternative three (the hybrid of industrial and regional recreational uses) as contained in the H, R & A Study as an amendment to the Comprehensive Master Plan of the Town of Riverhead; and

**WHEREAS**, in order to implement the recommendations of the H, R & A Study, the Town of Riverhead proposed the adoption of two new zoning use districts for the EPCAL site, to wit: Planned Industrial Park (PIP) Zoning Use District (encompassing the bulk of the former Grumman facilities sometimes referred to as the "Industrial Core") and the balance of the property was rezoned to Planned Recreational Park (PRP) Zoning Use District; and

**WHEREAS**, the Town held the requisite public hearings on the inclusion of the PIP and PRP Zoning Use Districts in the Riverhead Town Code on December 15, 1998 and June 15, 1999, respectively and thereafter, both the PIP and PRP Zoning Use Districts were referred to the Riverhead Planning Board for its report and recommendations; and

**WHEREAS**, the Planning Board recommended approval of the proposed zoning use districts and map amendments and pursuant to General Municipal Law §239-m, the proposed zoning districts and zoning map amendments were forwarded to the Suffolk County Planning Commission for its report and recommendation as required by General Municipal Law §239-m; and

**WHEREAS**, on September 1, 1999, the Suffolk County Planning Commission also recommended approval of the amendments; and

**WHEREAS**, following receipt of the Planning Commission's recommendation, pursuant to Resolution #830 of 1999, the Town Board, reciting in its resolution; the SEQRA record, the comments made at the numerous public hearings, the report of the Town Planning Department, the SEQRA findings statement attending the Comprehensive Master Plan amendment, the report of the Town Planning Board, the

report of the Suffolk County Planning Commission, the prevalent Pine Barrens overlay district, together with any other pertinent planning, zoning or environmental information available, adopted the proposed zoning code and zoning use district map amendments; and

**WHEREAS**, since the transfer of title to the Town of Riverhead Community Development Agency in 1998, the Calverton site "EPCAL" has seen limited redevelopment, to wit: the Town sold the site's existing industrial buildings, which contain approximately one million square feet, on 490 acres of land in the PIP zoning district, to a private developer in 2001 and two additional parcels were also sold, one for the development of a water park and the other to Stony Brook University for use of the site as an incubator, with no other sales in the past decade or more; and

**WHEREAS**, due to the evolution of market, economic, and site conditions since the adoption and implementation of the original comprehensive reuse plan, the Town and Community Development Agency, embarked on a plan to update, develop and implement a reuse plan to bring to fruition economic development to the Town of Riverhead; and

**WHEREAS**, the Community Development Agency, by Resolution #4 adopted on February 1, 2011, acting with and for benefit of the Town, retained the services of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) to assist the Town and Community Development Agency and provide services related to an updated Comprehensive Reuse Plan, including but not limited to, development of a revised land use plan, associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process; and

**WHEREAS**, related to and made part of the services provided by VHB, VHB prepared the requests for proposals related to the update of the 1996 Reuse Plan (also described as market study); and

**WHEREAS**, the Town Board of the Town of Riverhead authorized the issuance of a Request for Proposals for an Updated Market Study for Reuse and Revitalization of the Former Naval Weapons Industrial Reserve Plant ("NWIRP/EPCAL") by Resolution #246 adopted on April 5, 2011; and

**WHEREAS**, Town Board awarded RKG Associates, Inc. the contract to prepare, complete and present an updated comprehensive market study for reuse of the former Naval Weapons Industrial Reserve Plant ("NWIRP/EPCAL"); and

**WHEREAS**, on December 8, 2011, RKG presented, during an open and public session of the Town Board, an updated market study which identified the economic and real estate conditions influencing development on the subject site and recommended uses most compatible and viable with site conditions and market demand; uses with potential growth and sustainability; and uses that could compete within the regional market; and

**WHEREAS**, on December 8, 2011, VHB presented, during an open and public session of the Town Board, a plan for development and an alternate plan for development (hereinafter referred to as development plan "B") incorporating the recommendations and findings of the market study prepared by RKG and the Town Board, by Resolution #937 of 12/20/11, accepted and adopted the findings and recommendations for EPCAL redevelopment prepared by RKG Associates (RKG) and

also having authorized VHB Engineering, Surveying and Landscaping Architecture, P.C. (VHB) to proceed towards the requisite State Environmental Quality Review (SEQR) of their alternative plans for development; and

**WHEREAS**, since December of 2011 to the present, the Town, Community Development Agency, and VHB have met with numerous regional, state, and local agencies and interest groups regarding the proposed development plan and, as a result of and in an effort to address all comments and concerns, the Town, with the assistance of VHB, has redesigned and reconfigured the plan for development described and referred to as Alternative Subdivision Sketch C; and

**WHEREAS**, by Resolution # 5, adopted on May 7, 2013, the Town Board, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, accepted for SEQR purposes the Full Environmental Assessment Form (EAF) Part I, the Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013 and the draft scope of issues necessary for the anticipated Supplemental Generic Environmental Impact Statement (SGEIS) prepared by VHB for that portion of land within EPCAL owned by the Community Development Agency; 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 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 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).

**WHEREAS**, the Town Board, upon completion of coordinated review pursuant to 6 NYCRR §617.6 and adoption of Community Development Agency Resolution #10 adopted on June 18, 2013, declared itself to be the Lead Agency for the proposed action; and

**WHEREAS**, the Riverhead Town Board classified the proposed action as a Type I action pursuant to 6 NYCRR § 617.4; and

**WHEREAS**, the Town Board determined that the proposed action has the potential to result in significant adverse impacts to the environment, and adopted a Positive Declaration requiring that a Draft Supplemental Generic Environmental Impact Statement be prepared; and

**WHEREAS**, by Resolution #11 adopted on June 18, 2013, the Town Board authorized the Town Clerk to publish and post Notice of Scoping Hearing upon the Draft Scope for Draft Supplemental Generic Impact Statement required for a comprehensive

development plan for EPCAL, including Amendment to Zoning and Subdivision for EPCAL; and

**WHEREAS**, on July 17, 2013, the Town Board, as Lead Agency, and, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, conducted a public Scoping Hearing 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.; and

**WHEREAS**, for a period of one week after the close of the public hearing on the Draft Scope, the Town Board did accept written comments on the Draft Scope for the Draft Supplemental Generic Environmental Impact Statement; and

**WHEREAS**, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) did review all comments made at the public Scoping Hearing and all written comments received pursuant to the Notice of Scoping Hearing; and

**WHEREAS**, the Town Board, as Lead Agency, and, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, by Resolution #14 adopted on October 1, 2013, did hereby adopt a Final 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 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.; and

**WHEREAS**, pursuant to NYCRR 617.9(a) and (b) after adoption of the Final Scope and consistent with the Final Scope, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) did prepare a Draft Supplemental Generic Environmental Impact Statement; and

**WHEREAS**, pursuant to NYCRR 617.9 (a)(2), the Town Board and members of the Planning Staff for the Town of Riverhead have reviewed the Draft Supplemental Generic Environmental Impact Statement, and found it to be complete and adequate with respect to its scope and content for the purposes of commencing public review; and

**WHEREAS**, pursuant to NYCRR 617.9 (a)(3), the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB), did prepare a Notice of Completion of the Draft Supplemental Generic Environmental Impact Statement.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board, as Lead Agency, and, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, does hereby accept and adopt the Notice of Completion for the Draft Generic Supplemental Environmental Impact Statement and Draft Supplemental Generic Environmental Impact Statement; and be it further

**RESOLVED**, pursuant to NYCRR 617.9 (a)(3), the Town Board authorizes and directs the Town Clerk to file and publish the Notice of Completion on the Draft Supplemental Generic Environmental Impact Statement as required pursuant to 6 NYCRR 617.12 (a) and (b) in August 14, 2014 edition of the official newspaper of the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk is authorized and directed to post the attached Notice of Completion on the Draft Supplemental Generic Impact Statement on the Town sign board located adjacent to the Town Auditorium, 200 Howell Avenue, Riverhead, NY 11901; and be it further

**RESOLVED**, that the Town Clerk is authorized and directed to forward a copy of this resolution, Notice of Completion on the Draft Supplemental Generic Impact Statement, and Draft Supplemental Generic Environmental Impact Statement to all involved and interested agencies listed in the EAF (see SEQRA Determination of Significance and Positive Declaration); and be it further

**RESOLVED**, that the Town Clerk is authorized and hereby directed to maintain a copy of this resolution, Notice of Completion on the Draft Supplemental Generic Impact Statement, and Draft Supplemental Generic Environmental Impact Statement and make available for public review and inspection in the Office of the Town Clerk, Monday through Friday, from 8:30 am to 4:30 pm beginning on August 7, 2014; and be it further

**RESOLVED**, that the Town Clerk is authorized and hereby directed to post a copy of this resolution, Notice of Completion on the Draft Supplemental Generic Impact Statement, and Draft Supplemental Generic Environmental Impact Statement on the Town's website [www.townofriverheadny.gov](http://www.townofriverheadny.gov); and be it further

**RESOLVED**, that the Planning Department is directed to file and publish the requisite Notice of Completion and Draft Supplemental Generic Environmental Impact Statement in the Environmental Notice Bulletin in such manner as prescribed by the Department of Environmental Conservation pursuant to NYCRR 617.12; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution, together with a copy of the Notice of Completion and Draft Supplemental Generic Environmental Impact Statement to Department of Environmental Conservation, Division of Environmental Permits, 625 Broadway, Albany, NY 12233-1750; VHB Engineering, Surveying and Landscaping Architecture, P.C., 2150 Joshua's Path, Suite 300, Hauppauge, NY 11788; Supervisor of the Town of Riverhead, Sean W. Walter; Members of the Town Board of the Town of Riverhead; Christine Kempner, Community Development Agency Director; Rick Hanley, Planning Director; Jefferson Murphree, Building and Planning Administrator; and Annemarie Prudenti, Deputy Town Attorney, 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