



**FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FSGEIS)
COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF EPCAL (EPCAL REUSE &
REVITALIZATION PLAN), INCLUDING AMENDMENT TO THE TOWN OF RIVERHEAD
COMPREHENSIVE MASTER PLAN, SUBDIVISION OF THE EPCAL PROPERTY, CREATION
AND ADOPTION OF A PLANNED DEVELOPMENT (PD) ZONING DISTRICT,
AMENDMENT TO THE ZONING MAP OF THE TOWN OF RIVERHEAD TO REZONE THE
EPCAL PROPERTY TO THE PD ZONING DISTRICT, AND AMENDMENT TO THE
CALVERTON ENTERPRISE PARK URBAN RENEWAL PLAN**

**SOUTH OF NEW YORK STATE ROUTE 25 (MIDDLE COUNTRY ROAD)
EAST OF WADING RIVER MANOR ROAD
CALVERTON, TOWN OF RIVERHEAD, SUFFOLK COUNTY**

PROJECT LOCATION: 2,323.9± acres at Former Calverton Naval Weapons Industrial Reserve Plant (NWIRP), south of Middle Country Road (New York State Route 25 [NY 25]), North of Grumman Boulevard, east of Wading River Manor Road, and approximately 5,900± feet west of Edwards Avenue, Hamlet of Calverton, Town of Riverhead, Suffolk County

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**AVAILABILITY OF
DOCUMENT:**

This document, together with the Draft Supplemental Generic Environmental Impact Statement, is a Final Supplemental Generic Environmental Impact Statement (FSGEIS) prepared by the Town of Riverhead. Copies are available for public review and consideration at the offices of the Lead Agency, and on the Town of Riverhead website at www.townofriverheadny.gov

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This document is a Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the Proposed
Redevelopment of EPCAL.

This FSGEIS also incorporates, by reference, the Draft Supplemental Generic Environmental
Impact Statement (DSGEIS) for this proposed action, dated July 2014.
The DSGEIS was the subject of a Town of Riverhead Town Board Public Hearing on September 3, 2014.
The public comment period on the above-referenced DSGEIS expired on September 30, 2014.

The Written Correspondence and Public Hearing Transcript for the DSGEIS are provided in Appendices
A and B of this FSGEIS, respectively.



1.0

Introduction

This document is a Final Supplemental Generic Environmental Impact Statement (FSGEIS) prepared in response to comments received by the lead agency, the Town of Riverhead Town Board (hereinafter “Town Board”), on the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) for the proposed action, dated July 2014.

The EPCAL Property is located in the hamlet of Calverton, Town of Riverhead, Suffolk County (see Figure 1), and is bounded on the north by New York State Route (NY) 25 (also known as Middle Country Road), industrial, agricultural and undeveloped/wooded parcels to the east, Grumman Boulevard to the south and Wading River Manor Road and residential and undeveloped/ wooded properties to the west. The subject property surrounds the off-site Calverton Camelot industrial subdivision to the west, north and east, which is owned and operated by a private entity. The subject property is designated on the Suffolk County Tax Map as: District 600-Section 135-Block 1-Lots 7.1, 7.2, 7.33 and 7.4. For the purposes of this FSGEIS, the subject property consists of 2,323.9± acres.

The proposed action consists of a number of components, including the following:

- Creation and adoption of the Reuse and Revitalization Plan
- Amendment to the Town of Riverhead Comprehensive Master Plan
- Amendment to the Calverton Urban Renewal Plan
- Creation and adoption of a Planned Development Zoning District
- Amendment to the zoning map of the Town of Riverhead to rezone the subject property to the Planned Development Zoning District
- Subdivision of the EPCAL Property for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, government, energy park, recreation, utilities, residential), including the two runways, which would be available for limited redevelopment and/or historical use (aviation).



FIGURE 1 – SITE LOCATION MAP



The Town Board accepted the DSGEIS as complete and adequate for public review on August 7, 2014, and a public hearing was held on September 3, 2014. The public comment period on the DSGEIS closed on September 30, 2014.

In accordance with 6 NYCRR § 617.9(b)(8):

“A final EIS must consist of: the draft EIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their source (whether or not the comments were received in the context of a hearing); and the lead agency’s responses to all substantive comments. The draft EIS may be directly incorporated into the final EIS or may be incorporated by reference. The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it. All revisions and supplements to the draft EIS must be specifically indicated and identified as such in the final EIS.”

In response to comments received during the public comment period, the Town Board has modified portions of the proposed action. This includes revision of the proposed Planned Development District (PD District) to, in pertinent part, further clarify the limits on supportive residential and retail development, clarify the language regarding the development process, incorporate the EPCAL legislation and approvals language, and modify dimensional regulations. This FSGEIS also discusses and incorporates modifications of the proposed Subdivision Map to reconfigure the lots to, among other things, allow for the preservation of additional existing grassland, eliminate creation of grasslands on the runways, realign internal roadways, remove any portion of the runways from existing lots, exclude the existing walkway/bike trail from the individual subdivision lots and include such trail within an area to be controlled by Town. Section 2.0 of this FSGEIS presents a detailed discussion of these proposed modifications.

The remaining sections of this FSGEIS are organized as follows:

- Section 3.0 presents the conditions and criteria under which future actions will be undertaken or approved including requirements for subsequent SEQRA compliance pursuant to 6 NYCRR §617.10(c); and
- Section 4.0 sets forth each substantive written or verbal comment made on the proposed action, and provides a response to each substantive comment raised during the DSGEIS public comment period, including the public hearing of September 3, 2014.

In order to address all of the comments, each author of a written comment was assigned a code beginning with the letter “C” (e.g., C1). Then each comment from each author was assigned a number (e.g., C1-1 for comment 1 by author 1). All written correspondence with comment designations is included in Appendix A of this FSGEIS. The following lists each author, their associated comments and the assigned code.



<u>Author</u>	<u>Code</u>	<u>Comments</u>
New York State Department of Environmental Conservation	C1	C1-1 through C1-13
Central Pine Barrens Joint Planning & Policy Commission	C2	C2-1 through C2-40
New York State Department of Transportation	C3	C3-1 through C3-24
Jody Giglio, Councilwoman, Town of Riverhead Town Board	C4	C4-1 through C4-27
Phil Barbato, Acting President Riverhead Neighborhood Preservation Coalition	C5	C5-1 through C5-9
Robert S. DeLuca, President Group for the East End	C6	C6-1 through C6-18
William Toedter, President North Fork Environmental Council On Behalf of NFEC Board of Directors	C7	C7-1 through C7-19
Richard T. Luzzi, Resident	C8	C8-1 through C8-4
Steve Kuhl, Resident	C9	C9-1 through C9-3
Electronic Mail (Multiple Copies)*	C10	C10-1 through C10-3

*The names of all of those who transmitted this e-mail (or substantively similar e-mail) to the Town are included in Section 4.0, below.

In addition, all comments made at the public hearing that occurred on September 3, 2014 were assigned a code that begins with "H." Each commentator at the public hearing was assigned a number (e.g., H1). Then, each comment from each commentator was assigned a number (e.g., H1-1 for comment 1 by commentator 1). The hearing transcript with comment designations is included in Appendix B of this FSGEIS. The following identifies each commentator and their associated comments as well as the assigned code.



<u>Commentator</u>	<u>Code</u>	<u>Comments</u>
Richard Amper, Executive Director of the Long Pine Barrens Society	H1	H1-1 through H1 - 12
Robert DeLuca, President of Group for the East End	H2	H2-1 through H2-7
Phil Barbato, Vice President Riverhead Neighborhood Preservation Coalition	H3	H3-1 through H3-8
Nicholas DiPierro, Resident	H4	H4-1 through H4-4
Sara Bullock, Resident	H5	H5-1 through H5-2
Ray Maynard, Owner Skydive Long Island	H6	H6-1 through H6-5
Maryann Johnston, President Affiliated Brookhaven Civic Orgs.	H7	H7-1 through H7-4
Gordon Howard, Resident	H8	H8-1
George Hochbrueckner, Former Congressman	H9	H9-1 through H9-4
Robert Boehm, Resident	H10	H10-1 through H10-3
John Ehlers, Land Surveyor	H11	H11-1
Greg Fischer, Resident	H12	H12-1 through H12-4
Ed Purcell, Resident	H13	H13-1 through H13-3
Laurie Downs, Resident	H14	H14-1 through H14-2
Ron Harari, Resident	H15	H15-1
Ed Goodale, Riverhead Building Supply	H16	H16-1 through H16-4



Sid Bail, Wading River Civic Assn.	H17	H17-1 through H17-2
Anthony Coates, Resident	H18	H18-1 through H18-2
Greg Volgren, Resident	H19	H19-1 through H19-11
Vic Prusinowski, Resident and Consultant to United Riverhead Terminals and United Metro	H20	H20-1 through H20-4



2.0

Revisions to Proposed Planned Development District and Subdivision Map

2.1 Introduction

Based upon comments made during the public comment period, revisions to the Reuse and Revitalization Plan, the proposed PD District and the Proposed Subdivision Map have been prepared. The sections below discuss these proposed changes and their associated impacts. The revised Reuse and Revitalization Plan, the revised proposed PD District and the revised Subdivision Map are used as a basis for the responses to many of the comments in Section 3.0 of this FSGEIS.

2.2 Reuse and Revitalization Plan

The Reuse and Revitalization Plan, shown as Figure 6 in the DSGEIS, has been revised based upon comments raised during the public comment period (see Figure 2). The revised Reuse and Revitalization Plan, which functions as an urban renewal plan and serves as the amendment to the Comprehensive Plan, includes removal of the open space designation on both the eastern and western runways, slight adjustments in the potential areas of development, and the designation of the development areas shown on the plan as particular zones (e.g., Zone 1 – Limited Development).



FIGURE 2 – REUSE AND REVITALIZATION PLAN



2.3 Proposed Planned Development District

The proposed PD District has been revised, in pertinent part, based upon comments with respect to principal uses as well as the supportive residential and retail uses (see the revised text in Appendix C of this FSCEIS). While residential development and retail development remain as supportive uses, certain limitations regarding the number of residential units and the location, minimum lot size for residential uses, total square footages and individual sizes of retail, personal service and restaurant development have been incorporated into the zoning language. The proposed revised language, regarding the principal and supportive uses shown in bold and underline, is as follows:

“§ _____. Uses.

Although this Article has been established to emphasize building form more than use, the following use regulations shall apply to uses in the PD District:

A. *Principal Uses*

*All uses that promote economic development shall be permitted in the PD District, including, but not limited to: industrial; institutional; educational; governmental; recreational; conservation; manufacturing; **renewable and alternative energy resources (including generation and distribution of such energy resources, storage and demand response resources)**; commercial, **except for those commercial uses described as retail, personal service and restaurant and deemed supportive pursuant to § ____ (B)(2) below**, and the development of public facilities, utilities, and infrastructure necessary to support those uses. **Notwithstanding the above, the following industrial, manufacturing and commercial uses shall be prohibited: garbage disposal dumps, landfills, incinerators or transfer stations; gas stations and gas manufacture from coal, coke, or petroleum; petroleum and/or kerosene distillations or refining and storage facilities; sand, gravel, mineral quarrying and mining; motor vehicle, boat, and equipment dismantling, wrecking, and compacting; outdoor sale or storage of motor vehicles, boats, and equipment except by special permit of the town board and subject to the following minimum standards: outdoor storage must be incidental and supportive to the principal use and building(s), outdoor storage may not exceed one third the size of the principal building(s), outdoor storage must be located on the same lot as the building(s) for principal use, outdoor storage areas shall be visually screened and landscaped from public view, roadways, and adjacent properties; manufacture, warehousing, wholesaling, sale and storage of hazardous, dangerous, explosive material, including ammunition, acids; and any use which generates offensive noise, vibration, dust, smoke, gas or other nuisances shall be prohibited.***



B. Supportive Uses

In order to promote the EPCAL Property as a planned development community, the following uses shall be permitted as “Supportive Uses,” on a limited basis, targeted to the employees and tenants of the permitted principal uses within the EPCAL Property and not designated for primary use by the general public:

(1) *Residential.* The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled “Preferred Alternative” adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013.¹ The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to each other such that the total combined acreage of said lots is greater than ten acres. The total number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like.

(2) *Retail, Personal Service, or Restaurant.* The PD District shall only permit retail, personal service, and restaurant uses specifically designed to support permitted principal or other supportive uses within the EPCAL Property. The floor area for any supportive use, other than residential described above, shall be located within the floor area of the principal use and shall not exceed 10,000 square feet of floor area per supportive use and 20,000 square feet per principal use and/or lot. The total or maximum floor area within the EPCAL Property shall not exceed 500,000 square feet.

Other clarifications and revisions to the PD District since the DSGEIS was accepted include, but are not limited to, the following:

- Clarification in the “Legislative Intent” of the fact that redevelopment shall be pursuant to the Reuse and Revitalization Plan, which includes the Subdivision Map file pursuant to the requirements of the Town Code and the updated and amended Urban Renewal Plan, and consistent with “An Act in relation to a plan for the development of the Enterprise Park at Calverton” signed into law October 23, 2013.
- Clarification in the “Development Procedures and Process” that site plan approval is pursuant to the Town Code (§108-129(A)) and that the Town Board is vested with review and approval jurisdiction for all principal and supportive uses, including residential uses.



¹ See Appendix L of this FSGEIS Resolution #5 and the Preferred Alternative.



- A provision has been added to the “Development Procedures and Process” to permit an applicant to meet with the Town Board or Planning Department to determine zoning code compliance, general engineering suitability and aesthetic compatibility. The goal of this pre-application conference would be a site plan that is acceptable and complete for formal application.
- A provision has been added requiring a minimum lot size for residential use, specifically indicating that supportive attached residential housing units are only permitted on a lot greater than 10 acres or a combination of lots adjacent to each other such that the total combined acreage is greater than 10 acres
- A provision was added that no more than 15 percent of any individual lot shall consist of fertilizer-dependent vegetation.
- A provision was added that to the extent that Federal Aviation Administration (FAA) rules and regulations are applicable to a proposed development, building heights must conform to Regulation Title 14 Part 77 and all such FAA standards and regulations.
- A provision was added regarding minimum lot size indicating that an individual lot may not be less than four acres in size. However, the provision notes that nothing would prevent an applicant from making an application to merge adjoining lots to meet the minimum lot size requirement.
- A provision was added that all signs must comply with Chapter 108-56, Supplementary Regulations.

2.4 Subdivision Map

In addition to revisions to the proposed zoning district, based upon comments received during the public comment period, revisions to the proposed Subdivision Map, included in this FSGEIS, have been prepared (see Figure 3 and Appendix D of this FSGEIS). As explained in the DSGEIS, it is not possible to determine how or at what level the EPCAL property will ultimately be developed, as the build-out could take decades. Accordingly, the analyses conducted through this SEQRA process will establish conditions and thresholds for future development, and the Subdivision Map ultimately filed (and/or amended in the future) may differ somewhat from that included in this FSGEIS. However, if the conditions and thresholds established as part of this SEQRA process, as ultimately set forth in an adopted Findings Statement, are complied with, no further SEQRA review would be necessary. In the event the proposed Subdivision Map is modified from that contained in this FSGEIS, the Town would ensure that such modifications would be equally protective of sensitive environmental features on the EPCAL property (e.g., protected grasslands, tiger salamander habitat, pine barrens).

The major issues raised and changes to the proposed Subdivision Map are as follows:

- Creating new grassland on the runways, which has since been modified so that there is no grassland on either of the runways
- Removing any portion of the runways/taxiways from individual lots



- Ensuring that the walkway/bike trail is not located within individual lots and providing a 25-foot-wide right-of-way (ROW) (outside the individual lots) to be controlled by the Town CDA for construction and maintenance of the walkway/bike trail, as depicted on Section A-A of the Subdivision Map
- Providing a 20-foot-wide dedication along NY 25 and along Grumman Boulevard for highway purposes, as depicted on Section A-A and Section B-B of the Subdivision Map
- Providing a 25-foot-wide vegetation buffer on individual lots located along NY 25 and Grumman Boulevard, as depicted on Section A-A and Section B-B of the Subdivision Map. The existing walkway/bike trail will be relocated into this 25-foot-wide ROW to the extent necessary, at such time as there is a need to expand NY 25 and/or Grumman Boulevard.
- Providing a five-foot non-disturbance buffer along new and existing grassland within the subject property
- Relocating the Wild, Scenic and Recreational River System boundary to the east along the eastern lot lines of Lots 28, 29 and 30
- Relocating a Drainage Reserve Area (DRA) to create an additional development lot northwest of the eastern runway
- Depicting the location of all NYSDEC-identified tiger salamander ponds and including the 1,000-foot radius non-disturbance buffer. In addition, the Town Board will require fencing to be installed in that portion of properties that infringe upon (proposed Lot 28 and the southerly drainage area) or abut (proposed Lot 39) the 1,000-foot radius of eastern tiger salamander breeding ponds.
- Realigning the main access drive along NY 25 to follow the original location of Burman Boulevard
- Eliminating the construction of the NY 25 westerly and easterly access points. However, the rights-of-way for construction have been maintained for potential future use.

As noted in Section 2.3, above and indicated in the proposed PD District, the redevelopment of the EPCAL Property must be pursuant to the Reuse and Revitalization Plan, which includes a subdivision map. The PD District also notes that among other things, the Reuse and Revitalization Plan specifies representative types and general locations of land uses in the proposed PD District, and the general scale, and location of development within the PD District. Such Reuse and Revitalization Plan (and its component parts) is not static and can be revised from time to time. Therefore, the subdivision map that is ultimately adopted (or amended) must be consistent with the Reuse and Revitalization Plan, meet the legislative intent of the proposed PD District and be as protective of the sensitive environmental resources (e.g., grassland, tiger salamander habitat, pine barrens) found on the EPCAL Property, as analyzed in the GEIS.

Based upon the revisions to the proposed Subdivision Map included in this FSGEIS, the following are the modified site coverages. These figures have been refined to delineate the wetland buffer areas within each vegetation category:



Table 1 – Existing and Proposed Site Coverages (in Acres)

Type of Coverage	Presently* (in acres)	Projected Ultimate Build-Out (in acres)
Meadow or Brushland (non-agricultural)	750.4±	700.6±**
Meadow/Brushland in Wetland Buffer		66.1±
Forested/Wooded	1,401.9±	787.3±
Forested/Wooded in Wetland Buffer		447.9±
Wetland	16.4±	16.4±
Water Surface Area (McKay Lake)	9.3±	9.3±
Unvegetated (rock, earth, fill)	1.7±	24.4±***
Roads, Buildings and Other Paved Surfaces	132.7±	418.5±
Lawn/Landscaping (fertilizer-dependent)	11.5±	121.1±
Other Landscaping (non-fertilizer dependent)	0.0	246.3±
TOTAL	2,323.9±	2,323.9±

Notes: *Based upon a survey prepared by Louis K. McLean, dated October 21, 2011

**Includes 583.0± acres of grassland

***Includes 23.9± acres of STP recharge area

Based upon the table above, the natural open space to be retained/created (1,514± acres) is as follows:

- Existing woodland to remain: 787.3± acres (including 447.9 acres in wetland buffer area)
- Existing grassland to remain: 512.4± acres
- Grassland to be created: 70.6± acres
- Other meadow/brushland to remain: 117.6 acres (including 66.1 acres in wetland buffer area)
- Wetlands: 16.4±
- McKay Lake: 9.3± acres

An additional 367.4± acres of the overall site are proposed to comprise lawn/landscaping.



FIGURE 3 - REVISED SUBDIVISION MAP



As discussed in the DSGEIS, the Subdivision Map included in this FSGEIS contains a total of 50 lots. Development could occur on Lots 1 through 41 and 50 (excluding Lots 21 and 38), which comprise a total of 697.4± acres, including roadways/ROWs² (44.6± acres) and DRAs (59.6± acres). Lot 27 (111.7 acres), which is included in the 697.4±-acre total, encompasses the western runway, on which development could occur. Therefore, the total developable area of the lots, including the western runway, is 593.2± acres. The proposed use of the other lots is as follows:³

- Lot 21 – To be Retained by the Town of Riverhead for Grumman Park and future community service facilities (9.4 acres)
- Lot 38 – Northern Area to be preserved and managed in accordance with a Habitat Protection Plan (to be approved by the NYSDEC) (154.7 acres)
- Lot 42 – STP Recharge Parcel (23.9 acres)
- Lot 43 – Eastern Runway (127.4 acres)
- Lot 44 – Eastern Area to be preserved and managed in accordance with a Habitat Protection Plan (to be approved by the NYSDEC) (423.1 acres)
- Lot 45 – Town of Riverhead Parcel (16.7 acres)⁴
- Lot 46 – Community Center (9.4 acres)⁴
- Lot 47 – Western Area to be preserved and managed in accordance with a Habitat Protection Plan (to be approved by the NYSDEC) (276.3 acres)
- Lot 48 – Pine Barrens Core Area (to be preserved) (293.1 acres)
- Lot 49 – Town Park (93.0 acres)

There are two additional parcels, shown on the Subdivision Map as Navy Parcel “A” and Navy Parcel “B,” which are still owned by the U.S. Navy and comprise approximately 200 acres. These parcels are in the process of being remediated by the U.S. Navy. Upon completion of the remediation, and in accordance with the U.S. Navy’s finding of suitability to transfer (FOST), outlining the environmental suitability of a parcel for transfer to nonfederal agencies or to the public, the parcels will be transferred to the Town of Riverhead Community Development Agency (CDA). These parcels will then be preserved as open space and would be managed in accordance with the Habitat Protection Plan.



² Includes internal road rights-of-way, rights-of-way for highway purposes, and Town right-of-way for walkway/bike trail.

³ All acreages have been rounded to the nearest tenth.

⁴ Will remain Town-owned.

3.0

Conditions/Criteria Under Which Future Actions Will Be Undertaken or Approved Including Requirements for Subsequent SEQRA Compliance

With respect to generic environmental impact statements, 6 NYCRR §617.10(c) and (d) state, in pertinent part:

“(c) Generic EISs...should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance...”

(d) When a final generic EIS has been filed under this part:

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;*
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;*
- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;*
- (4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”*

As explained in the DSGEIS, the instant proposed action was not addressed in the original GEIS. Accordingly, a DSGEIS and this FSGEIS have been prepared.

Also, in 2013, as described above, the New York State Senate and Assembly passed legislation establishing the Enterprise Park at Calverton Reuse and Revitalization District (see Appendix E). This legislation creates, among other things, an expedited review process of 90 days for projects

consistent with the Reuse and Revitalization Plan, as set forth in the FSGEIS, including the conditions and criteria presented in herein. Accordingly, if a subsequent site-specific project conforms to the conditions and criteria, it would be eligible for expedited review.

Based upon the analyses contained in the DSGEIS and this FSGEIS, the following represent the proposed conditions and thresholds, which, if met, would allow full development of specific parcels within EPCAL without the need for further SEQRA compliance, and thus would be eligible for the 90-day review process:

- Construct only those uses set forth in the PD District identified as principal permitted uses and/or supportive uses.
- All development must conform to the applicable provisions of permits issued to the Town of Riverhead by the NYSDEC with respect to freshwater wetlands; the Wild, Scenic and Recreational Rivers Systems (WSRRS); and endangered or threatened species.
- Provide a 1,000-foot buffer around each wetland that is identified as a tiger salamander pond on the Subdivision Map, including those wetlands depicted on the Subdivision Map that are situated off-site, but whose buffer area would fall within the boundaries of the EPCAL Property.
- Prepare and implement an overall Stormwater Pollution Prevention Plan (SWPPP) for the subdivision infrastructure that complies with Town and NYSDEC regulations (i.e., collection and storage from an eight-inch storm).
- Sanitary discharge to the Calverton STP associated with development of all parcels within the EPCAL Property shall not collectively exceed 1,137,000 gallons per day (gpd). In the event that development/redevelopment is proposed that would cause this capacity to be exceeded, additional evaluation must be conducted and additional sewage capacity must be secured from the Calverton Sewer District to support the additional development.
- Development at the EPCAL Property cannot collectively demand more than 1,990,000 gpd (1,382 gpm) of water until additional well capacity is permitted and developed.
- The total number of supportive residential units within the EPCAL Property is limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceeds the 300 residential unit limit, as set forth in the PD District.
- Supportive retail, personal service and restaurant development shall not exceed 500,000 square feet as set forth in the PD District.

Based on the analyses conducted as part of the SEQRA process, traffic is the most significant potential adverse impact, and it requires the most mitigation. The mitigation identified is based upon the Theoretical Mixed-Use Development Program. However, as previously explained, the actual uses developed on the EPCAL Property will determine the actual traffic generation and the specific mitigation required (e.g., the traffic generated by a solar farm is negligible, but the traffic generated by a large-scale manufacturing facility could be substantial). Given the size of development, and the anticipated multi-decade build-out period, it is not possible to determine at what specific time (i.e., year) identified mitigation must be in place. Accordingly, with respect to off-site mitigation, the following discussion provides the required off-site traffic mitigation, and identifies trip generation thresholds at which certain mitigation must be in place.

As lots are developed, traffic counts must be collected and reviewed to determine actual traffic being generated to ensure that the mitigation set forth below are considered. As counting of the subdivision access points to the external road network would capture traffic not associated with the subdivided lots, the traffic counts must be performed at the individual lot access points. These counts must capture the weekday a.m. peak period of activity, as this has been determined to be the critical time period.

Furthermore, based upon the analyses conducted as part of the SEQRA process, the maximum number of trips that could be generated at this site and reasonably mitigated in the a.m. peak hour (the critical time period) is 5,000. Below the level of 5,000 trips per hour (combined entering and exiting) during the critical weekday a.m. peak hour, the impacted intersections can be mitigated with the physical changes or other mitigation measures identified below, set forth in the table entitled Table of Traffic Mitigation, below. Once the total number of trips generated at the EPCAL site reaches 5,000 trips per hour (combined entering and exiting) during the critical weekday a.m. peak hour, no further development can be approved until additional traffic evaluation is conducted and, based on actual conditions at that time, additional mitigation that is necessary and feasible to implement is identified.

It should be understood, however, that during the multi-decade redevelopment period, there is the potential that roadway conditions could change. For example, roadway improvements could be made that would affect the mitigation that may be necessary to accommodate the trips ultimately generated by the EPCAL development over time. Accordingly, if conditions change, the Town may conduct updated traffic analyses to assess actual mitigation required at the point in time various trip generation thresholds (as set forth below) are reached.

In the event mitigation measures requiring the construction of any of the off-site roadway or off-site signal improvements set forth in the Table of Traffic Mitigation become necessary, the governmental jurisdictions involved will determine how the mitigation measures will be funded and implemented.

- ▶ *Initial Construction* (Mitigation Level One) – When warranted by a significant development within the subdivision, traffic impact mitigation measures will need to be implemented. These could include measures to reduce trips generated at the site (e.g., diverting some of the peak morning and late afternoon traffic generated on the entire EPCAL site, including the lots within the Calverton Camelot subdivision, to Grumman Boulevard; by implementation of car-pooling incentives by the Town; utilization of off-site parking for employees; requiring employers to stagger opening and closing hours; working with the Metropolitan Transportation Authority (MTA) to implement passenger rail transportation; through adoption of Local Law requirements and/or individual site plan approval conditions); and, as needed, the construction of the intersection configurations for locations 2, 8 and 9 (as indicated in the Table of Traffic Mitigation, which follows below) as described under Tier 1 by the authorities with appropriate jurisdiction. In addition, at that point of development, the authorities with appropriate jurisdiction will need to consider making the improvements detailed under Tier 1 for location 4 in the Table of Traffic Mitigation.

- ▶ *Mitigation Level Two* - As occupancy of buildings in the subdivision increase trip generation of the development during the weekday a.m. peak period above 750 vehicles per hour (combined entering and exiting), based upon actual traffic counts taken, additional traffic impact mitigation measures will need to be implemented. These could include employing measures to reduce site-generated trips as set forth above, and, as needed, construction of the mitigation as detailed under Tier 1 by the authorities with appropriate jurisdiction for locations 1, 5, 7, 10, 12 and 13 in the Table of Traffic Mitigation.

- ▶ *Mitigation Level Three* - As occupancy of buildings in the subdivision increase trip generation of the development during the weekday a.m. peak period above 1,500 vehicles per hour (combined entering and exiting), based upon actual traffic counts taken, additional traffic impact mitigation measures will need to be implemented. These could include measures to reduce site-generated trips as set forth above, and, as needed, construction of the mitigation as detailed under Tier 1 by the authorities with appropriate jurisdiction for locations 3, 6 and 11 in the Table of Traffic Mitigation.

- ▶ *Mitigation Level Four* - As occupancy of buildings in the subdivision increase trip generation of the development during the weekday a.m. peak period above 2,000 vehicles per hour (combined entering and exiting), based upon actual traffic counts taken, additional traffic impact mitigation measures will need to be implemented. These could include measures to reduce site-generated trips as set forth above, and, as needed, improvement by the State of Middle Country Road to a five lane section, as detailed under Tier 1 by the authorities with appropriate jurisdiction for location 14 in the Table of Traffic Mitigation.

- *Mitigation Level Five* - As occupancy of buildings in the subdivision increase trip generation of the development during the weekday a.m. peak period above 3,000 vehicles per hour (combined entering and exiting), based upon actual traffic counts, additional traffic impact mitigation measures will need to be implemented. These could include measures to reduce site-generated trips as set forth above, and, as needed, construction of the mitigation as detailed under Tier 2 by the authorities with appropriate jurisdiction for locations 1, 3, 4, 6, 7 and 8 in the Table of Traffic Mitigation.

- *Mitigation Level Six* - As occupancy of buildings in the subdivision increase trip generation of the development during the weekday a.m. peak period above 4,000 vehicles per hour (combined entering and exiting), based upon actual traffic counts, additional traffic impact mitigation measures will need to be implemented. These could include measures to reduce site-generated trips as set forth above, and, as needed, construction of the mitigation as detailed under Tier 2 by the authorities with appropriate jurisdiction for locations 2, 5, 9, 10 and 11 in the Table of Traffic Mitigation.



Table of Traffic Mitigation

Location		Capacity Improvements			Signal Improvements		
		Existing Conditions	Tier 1	Tier 2*	Existing Conditions	Tier 1	Tier 2*
1	NY 25 & Wading River Manor Road	<p>Eastbound – One exclusive left turn lane, one through lane and shoulder being used as a right turn lane</p> <p>Westbound – One exclusive left turn lane, one through lane and shoulder being used as a right turn lane</p> <p>Northbound - One shared left turn and through lane and one exclusive right turn lane</p> <p>Southbound - One shared left turn and through lane and one exclusive right turn lane</p>	<p>Eastbound – One exclusive left turn lane, two through lanes and one exclusive right turn lane</p> <p>Westbound – One exclusive left turn lane, two through lanes and one exclusive right turn lane</p> <p>Northbound - One exclusive left turn lane, one through lane and one exclusive right turn lane</p> <p>Southbound - One exclusive left turn lane, one through lane and one exclusive right turn lane</p>	<p>Westbound – Two exclusive left turn lanes, two through lanes and one exclusive right turn lane</p> <p>Northbound - One exclusive left turn lane, one through lane and two exclusive right turn lane</p> <p>Southbound - Two exclusive left turn lanes, one through lane and one exclusive right turn lane</p>	<p>Two-phase semi-actuated signal with permitted left turns</p> <p>80 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>East-West left turns fully protected</p> <p>North-South left turns protected/permitted</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>SB right turn overlaps EBL</p> <p>NB right turn overlaps WBL</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>
2	NY 25 & Burman Boulevard (Site Access)	<p>Eastbound – One through lane and one exclusive right turn lane</p> <p>Westbound – One exclusive left turn lane and one through lane</p> <p>Northbound - One exclusive left turn lane and one exclusive right turn lane</p>	<p>Eastbound – Two through lanes and one exclusive right turn lane</p> <p>Westbound – Two exclusive left turn lanes and two through lanes</p> <p>Northbound - Two exclusive left turn lanes and two exclusive right turn lanes</p>	<p>Eastbound – Two through lanes and two exclusive right turn lane</p>	<p>Two-phase semi-actuated signal with permitted left turns</p> <p>95 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>Westbound Lefts turns fully protected</p> <p>EB right turn overlaps NBL</p> <p>NB right turn overlaps WBL</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>
3	NY 25 & NY 25A / East Site Access	<p>Eastbound – One shared left turn and through lane</p> <p>Westbound – One through lane and one channelized right turn lane</p> <p>Southbound - One exclusive left turn lane and one channelized right turn lane</p>	<p>Eastbound – One exclusive left turn lane, two through lanes and one exclusive right turn lane</p> <p>Westbound - Two exclusive left turn lanes, two through lanes and one channelized right turn lane</p> <p>Northbound - Two exclusive left turn lanes, one through and one exclusive right turn lane</p> <p>Southbound - Two exclusive left turn lanes, one through and one channelized right turn lane</p>	<p>Northbound - Two exclusive left turn lanes, one through and two exclusive right turn lanes</p>	<p>Two-phase semi-actuated signal with permitted left turns</p> <p>95 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>Westbound Lefts turns fully protected</p> <p>Northbound Lefts turns fully protected</p> <p>Other left turns protected/permitted</p> <p>WB right turn overlaps SBL</p> <p>NB right turn overlaps WBL</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>

*To a limit of 5,000 vehicle trips generated, at which additional traffic analyses must be performed.



Table of Traffic Mitigation ...Continued 2 of 4

Location		Capacity Improvements			Signal Improvements		
		Existing Conditions	Tier 1	Tier 2*	Existing Conditions	Tier 1	Tier 2*
4	NY 25 & Edwards Avenue	<p>Eastbound – Single shared left turn/ through and right turn lane</p> <p>Westbound – Single shared left turn/ through and right turn lane (shoulder being used to go around turning vehicles and to make a right turn)</p> <p>Northbound - Single shared left turn/ through and right turn lane</p> <p>Southbound - Single shared left turn/ through and right turn lane</p>	<p>Eastbound – One exclusive left turn lane, two through lanes and an exclusive right turn lane</p> <p>Westbound – One exclusive left turn lane, one through lane and a shared through/right turn lane</p> <p>Northbound - One exclusive left turn lane, one shared through /right turn lane</p> <p>Southbound - One exclusive left turn lane, one through lane and one exclusive right turn lane</p>		<p>Two-phase semi-actuated signal with permitted left turns</p> <p>90 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>All left turns protected/permitted</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>SB right turn overlaps EBL</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>
5	NY 25 & Manor Road/ Splish Splash Drive	<p>Eastbound – One exclusive left turn lane, a shared through / right turn lane</p> <p>Westbound – One exclusive left turn lane, one through, and an exclusive right turn lane</p> <p>Northbound - One shared left turn/ through lane and the approach flares to provide a right turn lane</p> <p>Southbound - Single shared left turn/ through and right turn lane</p>	<p>Eastbound – One exclusive left turn lane, one through lane and shared through/right turn lane</p> <p>Westbound – One exclusive left turn lane, one through lane and a shared through/right turn lane</p>		<p>Semi-actuated signal with protected permitted westbound left turns</p> <p>115 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>
6	NY 25 & Calverton National Cemetery/ West Site Access	<p>Eastbound – One exclusive left turn lane, and one through lane</p> <p>Westbound – One through lane and one exclusive right turn lane</p> <p>Southbound - One exclusive left turn lane and one exclusive right turn lane</p>	<p>Eastbound – One exclusive left turn lane, two through lanes and an exclusive right turn lane</p> <p>Westbound – Two exclusive left turn lanes and two through lanes and one exclusive right turn lane</p> <p>Northbound - One exclusive left turn lane, a shared left turn / though lane and one exclusive right turn lane</p>	<p>Northbound - One exclusive left turn lane, a shared left turn / though lane and two exclusive right turn lanes</p>	<p>Unsignalized T-intersection</p> <p>Southbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Multi-phase Actuated-Coordinated signal</p> <p>Westbound Lefts turns fully protected</p> <p>Eastbound left turns protected/permitted</p> <p>North-south split phasing</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 90 Seconds</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>	<p>AM/PM Cycle length: 120 seconds</p> <p>Saturday Cycle length : 100 Seconds</p> <p>NB right turn overlaps WBL</p> <p>EB right turn overlaps NBL</p> <p>Optimize phase splits to correlate to future volumes. Optimize offsets to the adjacent signals</p>

*To a limit of 5,000 vehicle trips generated, at which additional traffic analyses must be performed.



Table of Traffic Mitigation ... Continued 3 of 4

Location		Capacity Improvements			Signal Improvements		
		Existing Conditions	Tier 1	Tier 2*	Existing Conditions	Tier 1	Tier 2*
7	Edwards Avenue & River Road	<p>Eastbound – One shared left turn / through lane, and the approach flares to provide a right turn lane</p> <p>Westbound – Single shared left turn/ through and right turn lane</p> <p>Northbound - One shared left turn / through lane and one channelized right turn lane</p> <p>Southbound - Single shared left turn/ through / right turn lane</p>		<p>Northbound - One exclusive left turn lane, a shared left turn / through lane and one channelized right turn lane</p>	<p>Unsignalized Intersection</p> <p>Eastbound & Westbound approaches stop controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with permitted left turns</p> <p>Northbound approach leading</p> <p>AM/PM Cycle length: 80 seconds</p> <p>Saturday Cycle length : 70 Seconds</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>	<p>North-south split phasing</p> <p>EB right turn overlaps NBL</p> <p>90 Second cycle all time periods</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>
8	Grumman Boulevard & Burman Boulevard (Site Access)	<p>Eastbound – Single shared left turn / through lane</p> <p>Westbound – Single shared through / right turn lane</p> <p>Southbound - Single shared left turn/ right turn lane</p>	<p>Eastbound – One exclusive left turn lane and one through lane</p> <p>Westbound – Single shared through / right turn lane</p> <p>Southbound - One exclusive left turn lane and one exclusive right turn lane</p>	<p>Eastbound – Two exclusive left turn lanes and one through lane</p>	<p>Unsignalized Intersection</p> <p>Southbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with permitted left turns</p> <p>70 Second cycle all time periods</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>	<p>80 Second cycle all time periods</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>
9	New Intersection Grumman Boulevard & West Site Access		<p>Eastbound – One exclusive left turn lane, one through lane</p> <p>Westbound – Single shared through / right turn lane</p> <p>Southbound - One exclusive left turn lane and one exclusive right turn lane</p>	<p>Eastbound – One exclusive left turn lane, one through lane</p> <p>Westbound – One through lane and an exclusive right turn lane</p> <p>Southbound - One exclusive left turn lane and one exclusive right turn lane</p>		<p>Unsignalized Intersection</p> <p>Southbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with permitted Southbound left turns</p> <p>80 Second cycle all time periods</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>
10	Wading River Manor Road & Grumman Boulevard	<p>Westbound – One exclusive left turn lane and one exclusive right turn lane</p> <p>Northbound - Single shared through / right turn lane</p> <p>Southbound - Single shared left turn / through lane</p>	<p>Westbound – Two exclusive left turn lanes and one free channelized right turn lane</p> <p>Northbound - One through lane and a free channelized right turn lane</p> <p>Southbound - One exclusive left turn lane and a through lane</p>		<p>Unsignalized Intersection</p> <p>Westbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with permitted Southbound left turns</p> <p>70 Second cycle all time periods</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>	<p>Optimize phase splits, vary with time period to correlate to future volumes</p>

*To a limit of 5,000 vehicle trips generated, at which additional traffic analyses must be performed.



Table of Traffic Mitigation ... Continued 4 of 4

Location		Capacity Improvements			Signal Improvements		
		Existing Conditions	Tier 1	Tier 2*	Existing Conditions	Tier 1	Tier 2*
11	Wading River Manor Road & North Street	Eastbound – One shared left turn / through lane, and the approach flares to provide a right turn lane Westbound – Single shared left turn/ through and right turn lane Northbound - Single shared left turn/ through and right turn lane Southbound - Single shared left turn/ through and right turn lane	Eastbound – Single shared left turn/ through and right turn lane	Eastbound – One exclusive left turn lane and a shared through and right turn lane	All-way Stop	Signalize Two-phase semi-actuated signal with permitted left turns 70 Second cycle all time periods Optimize phase splits, vary with time period to correlate to future volumes	EB left turn protected/permitted AM/PM Cycle length: 100 seconds Saturday Cycle length : 80 Seconds Optimize phase splits, vary with time period to correlate to future volumes
12	Wading River Manor Road & LIE North Service Road	Westbound – Stop Controlled with One shared left turn / through lane, and one right turn lane Northbound - One exclusive left turn lane and one through lane Southbound - One through lane and a channelized right turn lane	Northbound - One exclusive left turn lane and two through lanes		Unsignalized Intersection Westbound Approach Stop Controlled	Signalize Two-phase semi-actuated signal with protected/permitted Northbound left turns AM/PM Cycle length: 80 seconds Saturday Cycle length : 70 Seconds Optimize phase splits, vary with time period to correlate to future volumes	
13	Wading River Manor Road & LIE South Service Road	Unsignalized Eastbound – Stop Controlled with One shared left turn / through lane, and one right turn lane Northbound - One through lane and a channelized right turn lane Southbound - One exclusive left turn lane and one through lane	Signalized Eastbound – One exclusive left turn lane, one shared left turn / through lane, and one right turn lane		Unsignalized Intersection Eastbound Approach Stop Controlled	Signalize Two-phase semi-actuated signal with protected/permitted Southbound left turns AM/PM Cycle length: 80 seconds Saturday Cycle length : 70 Seconds Optimize phase splits, vary with time period to correlate to future volumes	
14	NY 25 East of CR 46 to East of Manor Road/Splish Splash Drive**	Eastbound – One through lane Westbound – One through lane	Eastbound – Two through lanes Westbound – Two through lanes Center striped median/left turn lane		N/A	N/A	N/A

*To a limit of 5,000 vehicle trips generated, at which additional traffic analyses must be performed.

** This is a total length of approximately seven and one-half miles and includes the approximately three and one-quarter mile section that abuts the subject property.



In the event that any of the above conditions are proposed to be exceeded by future development, additional SEQRA compliance would be necessary in accordance with 6 NYCRR §617.10(d)(2), (3) or (4), as would be appropriate, given the actual development plan proposed and the associated potential environmental impacts associated therewith.

Furthermore, with respect to future development approvals (i.e., after the Town Board adopts the PD District, applies the zoning to the EPCAL Property, and approves the subdivision, as described above), applicants will be required to obtain site plan approval from the Town Board for proposed development. In addition to the standard site plan application requirements and those specific requirements set forth in the PD District, at the time a site plan is submitted to the Town, an applicant must comply with the following.

- Prepare and submit a construction traffic management and logistics plan. This plan, at a minimum, must include the following:
 - Days/hours of proposed construction activity
 - Designated routes of heavy vehicles to and from the site
 - Parking areas for workers and heavy vehicles
 - Construction staging areas
 - Measures to ensure protection of land within the EPCAL Property that is proposed to be preserved.

- Provide on-site borings in order to determine specific soil conditions, and to ensure that appropriate construction measures are implemented.

- Submit confirmation that dust will be controlled during construction (and how same will be controlled), that there will be emission controls for construction vehicles, and that construction vehicles and equipment will be properly maintained to minimize air emissions during construction.

- Demonstrate that the proposed plan meets or exceeds the New York State Energy Conservation Construction Code, which requires the use of energy efficient products in all new and renovated construction.

- Provide greenhouse gas mitigation measures, which may include (at the discretion of the Town Board):
 - Use of highly-reflective (high albedo) roofing materials
 - Use of green roofs
 - Maximization of interior daylighting
 - Glazing of windows
 - Installation of high-efficiency heating, ventilation and air conditioning systems
 - Incorporating additional insulation for the roofs and walls
 - Incorporating motion sensors and lighting and climate control
 - Use of efficient, directed exterior lighting
 - Reducing overall energy demand through appropriate design and sizing of systems



- Supplementation with self-generated energy (e.g., on-site renewable energy sources)
- Tracking of energy performance of building and developing a strategy to maintain efficiency.

- If rooftop (or outdoor not on the rooftop) mechanical equipment is proposed, provide documentation that potential noise impacts will be appropriately mitigated, as necessary (e.g., screening, setbacks), such that the sound levels from such equipment will not exceed the Town's noise impact criteria.

- As shown on the proposed Subdivision Map, for Lots 1 through 9 and 17 through 22, each site plan must depict a 25-foot vegetated buffer within the lot in the area adjacent to the proposed walkway/bike trail located outside of the lots along NY 25, and a covenant for its maintenance and preservation, acceptable to the Town, must be submitted and filed.

- As shown on the proposed Subdivision Map, for Lots 30 and 31, each site plan must depict a 200-foot WSRRS buffer within each lot along Grumman Boulevard, 25 feet of which must be vegetated, and a covenant for its maintenance and preservation, acceptable to the Town, must be submitted and filed.

- Demonstrate that water conservation measures, which may include low-flow fixtures, low-flow toilets, and/or drip irrigation, will be implemented.

- Provide for site-specific SWPPP coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for the individual lots, and demonstrate that runoff from a two-inch storm will be collected and stored on the individual lots using drywells, on-site drainage reserve areas, or other drainage features acceptable to the Town, in accordance with Town and NYSDEC regulations. In addition, each lot owner must provide site-specific details regarding erosion and sedimentation control for each lot.

- Demonstrate conformance to the Town's regulations regarding exterior lighting.

- Demonstrate that low-maintenance vegetation is being incorporated into landscape design, based upon the requirement in the PD District that no more than 15 percent of any individual lot can consist of fertilizer-dependent vegetation.

- The northern long eared bat is listed as federally-Threatened by the United States Fish and Wildlife Service (USFWS) under section 4(d) of the federal Endangered Species Act of 1973, due to significant population declines as a result of the white-nose syndrome fungal disease.⁵ According to the most recent USFWS white-nose syndrome zone map (Appendix G), Suffolk



⁵ Federal Register Vol. 80, No. 63. Thursday, April 2, 2015.



County is included among the counties containing hibernacula (winter hibernation sites) that are infected with white-nose syndrome. The USFWS final 4(d) rule for northern long-eared bat (effective February 16, 2016)⁶, includes certain prohibitions against incidental take, which is defined as killing, wounding, harassing or otherwise disturbing a species that occurs incidental to, and is not the purpose of, an otherwise lawful activity. Pursuant to the final 4(d) rule, incidental take of northern long-eared bat within white-nose syndrome zone counties (i.e., Suffolk County) is prohibited if it occurs within a hibernacula or if it results from tree removal activities that occur within 0.25 mile of a known, occupied hibernacula. Further, incidental take of northern long-eared bat is also prohibited if it results from cutting or destroying a known, occupied maternity roost tree or other trees within a 150-foot radius from a maternity roost tree during the pup season from (June 1 through July 31). Any proposed activity that would result in prohibited incidental take of northern long-eared bat as described above would require USFWS consultation and/or permitting. Activities which would not result in prohibited incidental take of northern long-eared bat as described above can proceed without USFWS consultation or permitting.

The final 4(d) rule further indicates that information for the locations of known, occupied hibernacula and maternity roost trees can be obtained from “*state Natural Heritage Inventory databases.*” Correspondence from the New York Natural Heritage Program (NYNHP) indicates that no agency records currently exist for northern long-eared bat hibernacula or roost trees at or in the vicinity of the EPCAL site (Appendix G). Accordingly, pursuant to the final 4(d) rule, tree removal activities at the EPCAL site associated with the proposed action would not result in a prohibited incidental take of northern long-eared bat.

Nevertheless, in order to protect potential habitat of the northern long-eared bat, the proposed action would preserve approximately 787 acres of existing forested habitat, representing potential summer roosting, breeding and foraging habitat for this species. The preserved acreage would include large contiguous blocks of forested habitat to the north of the eastern runway, to the south of both runways and also within the lands comprising the CPB Core Preservation Area at the western portion of the EPCAL site. Furthermore, future lot owners would still be required to comply with the applicable federal regulations related to northern long-eared bat, as described above. Any proposed activity by a future lot owner that would result in prohibited incidental take under the final 4(d) rule as described would require consultation and potential permitting with the USFWS.

- If any petroleum products, chemicals, hazardous materials or the like are proposed to be handled or stored, approval must be submitted from the appropriate regulatory agency (e.g., Suffolk County Department of Health Services [SCDHS], NYSDEC).



⁶ Federal Register Vol. 81, No. 9. Thursday, January 14, 2016.



- Provide letters of sewer and water availability to the SCDHS during the application process and prior to approval by the SCDHS.
- Secure a service availability letter from National Grid with respect to the specific natural gas load requirements.
- Secure a service availability letter from PSEG Long Island with respect to the specific electric load requirements.
- Any site plan approval issued for individual lot development must require that if any cultural resources are encountered during demolition and/or construction as part of individual lot development, the developer must notify the Town of Riverhead CDA. The Town of Riverhead CDA must then notify OPRHP, in accordance with the MOA, and mitigation, as identified by OPRHP and the Town based on the specific circumstance, will be employed.



4.0

Responses to Comments

The responses to substantive comments are contained below. This section commences with those comments made in the correspondence received during the public comment period and follows with comments made at the public hearing of September 3, 2014.



New York State Department of Environmental Conservation (C1)

Comment No. C1-1

While we expect to be able to respond to the Town Board within the prescribed 60-day time frame established by the law in most instances, please note that there may be some situations in which we will not be able to meet the time frame. These situations involve permitting programs which have been delegated by the federal government to the state for administration, such as the Title V portion of our Air Pollution Control program, some State Pollution Discharge Elimination System (water pollution control) permits, and Hazardous Waste Management Facility permitting.

The fact that we must often require detailed technical submissions (of the sort project sponsors are often reluctant to make without an indication of the approvability of the project) to make even preliminary determinations on many of these applications causes concerns that the 60-day time frame may be a challenge in these situations.

Response No. C1-1

The comment is noted. It is understood that there may be certain specific permitting issues (e.g., a major manufacturing facility with significant air emissions, a major manufacturer that handles significant quantities of hazardous materials) that could require a longer review period.

Comment No. C1-2

A second issue associated with the procedure established by the legislation for coordinated determinations of conformance with the GEIS and reuse / revitalization plan by the Town and state agencies is the possibility that, for certain development proposals, the involved agencies may arrive at differing conclusions regarding the conformance of the proposal with the provisions of the GEIS and reuse / revitalization plan. The legislation does not seem to address this possibility and how it should be addressed by the agencies.

Response No. C1-2

The comment is noted. However, the legislation, which was adopted on October 23, 2013, is not part of this proposed action. Notwithstanding the foregoing, the language of the statute makes clear that the determination of consistency with the SGEIS and Reuse and Revitalization Plan will be conducted on a case-by-case basis. The language of the statute indicates that all relevant state and local agencies shall be provided with a copy of an application for a proposed action within ten days of determination that an application is complete for the express purpose of the state and/or local agencies determination of conformance with the EPCAL Reuse and Revitalization Plan. The statute reads: "Any proposed action that is not in conformance shall be subject to all existing applicable state and local requirements for such action, including but not limited to subdivisions of land, conceptual development plans, zoning uses, dimensions, lot area, lot coverage, necessary infrastructure improvements, including sewer and water, and such other development or improvements requirements as are required by law."



Comment No. C1-3

It is important to note that the process required to officially change the location of the river corridor boundary is separate, and different from the procedure necessary to obtain a permit under the regulations.

The boundary amendment procedure requires the preparation and publication of a public notice and the holding of a public hearing on the proposed boundary change. The Town of Riverhead initiated the river corridor boundary amendment procedure for the EPCAL property at least once during the last 10 to 15 years. A review of what was compiled and submitted in the past for the EPCAL boundary change would be a good starting point for the 2014 effort.

Response No. C1-3

The Town of Riverhead understands and agrees that a modification of the WSRRS (or WSR) corridor boundary is a separate process from securing a WSRRS permit. The Town of Riverhead has discussed this with the staff of the NYSDEC, and the Town is in the process of reviewing and updating the amendment materials previously submitted. Once those materials are updated, the Town will contact the NYSDEC and proceed with the corridor boundary amendment process.

Comment No. C1-4

The text of Note 1 at the bottom of this table [Table 2 of the DSGEIS] is not accurate. It should be changed to read as follows:

“Per the 2013 New York State legislation for the EPCAL Property and per the regulations within the PD District, NYSDEC will issue the Wild, Scenic & Recreational Rivers System (WSR) and ECL Article 11 – Incidental Take permit necessary for the subdivision of the property. Subsequent DEC WSR permits will not be required for the development of those individual lots created by the subdivision which will be outside of the Peconic River Corridor. Portions of certain created lots (#s 28,29,30,31,48) will remain within DEC WSR jurisdiction, even after the proposed river corridor boundary change, and thus potentially subject to the WSR permitting requirements of DEC. Individual Article 11 – Incidental Take permits will not be required for the lots created by the subdivision provided the specific development proposals for the individual lots are determined by the Town of Riverhead and DEC to be consistent with the provisions of the Article 11 – Incidental Take permit issued for the subdivision, the approved Comprehensive Habitat Protection Plan and standards/findings set forth at the conclusion of the GEIS process.”

Response No. C1-4

The comment is noted. As explained in Section 2.0 of this FSGEIS, the proposed number of lots has been reduced and slightly reconfigured; however, the lot numbers cited in the note have not changed. The corrected note is as follows:

“Per the 2013 New York State legislation for the EPCAL Property and per the regulations within the PD District, NYSDEC will issue the Wild, Scenic & Recreational Rivers System (WSR) and ECL Article 11 – Incidental Take permit necessary for the subdivision of the property. Subsequent DEC



WSR permits will not be required for the development of those individual lots created by the subdivision which will be outside of the Peconic River Corridor. The proposed Subdivision Map included in this FSGEIS, indicates amendments to the WSR boundary line to have such line run a south to north course coterminous with the lot lines for Lots 28, 29 and 30, and the WSR boundary along Grumman Boulevard will contain a 200-foot buffer as requested by NYSDEC. Therefore, additional approvals and individual Article 11 – Incidental Take permits will not be required for the lots created by the subdivision provided the specific development proposals for the individual lots are determined by the Town of Riverhead and DEC to be consistent with the provisions of the Article 11 – Incidental Take permit issued for the subdivision, the approved Comprehensive Habitat Protection Plan and standards/findings set forth at the conclusion of the GEIS process.”

Comment No. C1-5

This section of the DSGEIS should describe the current status of Calverton Sewer District’s work to design the plant modifications and schedule their implementation and completion. A schedule of design, regulatory approval and construction tasks should be provided which includes specific date estimates for the completion of the various milestones associated with these critical upgrades. The plant discharge must be relocated and at least the early phase treatment process improvements on line before development constructed on any of the lots created by this subdivision start to contribute flows.

Response No. C1-5

The Town of Riverhead, and in particular the EPCAL Property, is situated at the western end of the Peconic Estuary System, which includes Flanders Bay and the mouth of the Peconic River. The Peconic Estuary is one of 28 estuaries in the National Estuary Program (NEP) administered by the U.S. Environmental Protection Agency (USEPA) and was accepted into the program as an “Estuary of National Significance” in 1992. The Peconic Estuary Program (PEP) is part of the NEP and is sponsored by the EPA, the NYSDEC, and the SCDHS.

The Peconic Estuary Program (PEP) classified these waters as a "mitigation priority" because nitrogen levels need to be reduced to optimize dissolved oxygen conditions. PEP reported substantial violations of the proposed total nitrogen guideline for mean summer conditions, and frequent and occasionally "serious" (i.e., below 3.5 and 2.0 mg/l) violations of current dissolved oxygen standards (Suffolk County/PEP, May 2001). In addition to the above, “brown tide” and “nutrient pollution” was identified as serious issues in the estuary system resulting in ongoing threats to habitat areas and living resources.

In 2001, a group of citizens, technical experts, Federal, State, and local officials — known as the PEP Management Conference — completed the Comprehensive Conservation and Management Plan (CCMP) designed to protect and preserve the Peconic Estuary system. The CCMP included a recommendation that all of the wastewater treatment facility outfalls, Brookhaven, Riverhead and Calverton “EPCAL” wastewater treatment facilities, be relocated to groundwater recharge. The CCMP was endorsed by Governor Pataki in July 2001.

As will be described more fully below and consistent with the Town’s “No Net Nitrogen” increase policy designed to prevent any increase of the existing sewage treatment plant discharge to the Peconic River and in compliance with the recommendations of the CCMP, the Town is in the process of preparing a Map & Plan



(a.k.a. Facility Plan) for the Calverton Sewer District at EPCAL to determine short- and long-term measures to upgrade the existing sewage treatment plant (STP) to eliminate the current discharge to the Peconic Estuary and address the needs of the existing district and its expansion to handle additional sanitary flow generated by development of the proposed subdivision.

The Facility Plan includes an upgrade to the existing Calverton STP from secondary to tertiary treatment with existing wastewater treatment tanks used for equalization and the installation of membrane biological reactors (MBRs) required for treatment of 200,000 gallons per day (gpd) and relocation of the effluent discharge north of the groundwater divide, all designed in compliance with Class GA groundwater discharge standards pursuant to Title 6, Chapter X, Parts 700 -705 of the New York State Codes, Rules and Regulations.

The relocation of the existing outfall is an integral part of the upgrade project and will take place at the earliest phase of the project. The relocation of the outfall was integrated into the project to comply with guidelines and standards of the Comprehensive Land Use Plan (CLUP) for the Central Pine Barrens area, conform to the USEPA 2007 TMDL regulations, CCMP recommendations, and as stated above, adhere to the Town of Riverhead's "No Net Nitrogen" policy, all of which are intended to prevent any increase of existing wastewater treatment plant effluent discharge to the Peconic Estuary watershed.

The technology selected for the advanced process is the MBR activated sludge process. The MBR was selected as the cost effective plan primarily due to its modular expansion capabilities and small footprint requirements relative to design flow. Additional benefits of installing an MBR are its proven performance of consistently achieving nitrogen removal to achieve discharge standards as required by USEPA, New York State, and Suffolk County. The upgrade of the plant complies with the "Ten State Standards" which are the governing standards for design of wastewater treatment facilities and incorporates requirements for mechanical redundancy, process operational flexibility, and emergency power. The Facility Plan will be reviewed by NYSDEC for compliance with the Ten State Standards.

The upgrade of the existing STP re-purposes the existing process tanks by converting them to the MBR process. This retrofit considers a phased modular approach to support development as it occurs within the EPCAL property over time, while limiting capital cost to the greatest extent possible. As flow increases, new modules are added.

The first phase includes the installation of a 100,000 gpd MBR process, which occupies approximately 40 percent of the existing tankage. This process requires one of the existing aeration tanks to be converted into two redundant MBR modules and a small section of one of the existing settling tanks to be partitioned off for an effluent pumping station. The pumping station conveys treated effluent to the recharge site, located north of the groundwater divide. The existing sludge holding tank volume was found to be adequate. The second phase doubles the flow capacity to 200,000 gpd and requires the installation of a third MBR module and conversion of the remaining settling tank to an equalization tank. No changes to the sludge holding capacity are necessary since this second phase would include sludge thickening via the third MBR module. The third phase would include installation of a fourth MBR module in the remaining available space in the second aeration tank. This phase would increase the total flow capacity to 300,000 gpd, which equals the current projected 2025 build-out flow. This phase would also require modifications to the existing influent pump station and installation of additional equalization and/or sludge holding tanks outside the footprint of the existing process tanks.



Also, see Response to Comment No. C6-8.

Comment No. C1-6

The Riverhead Water District must apply for Water Supply permits from DEC for the development of any new water supply wells.

Response No. C1-6

The comment is noted. At the time the water supply wells are required (as explained in Section 3.7.2 of the DSGEIS), the Riverhead Water District will apply to the NYSDEC for Water Supply permits.

Comment No. C1-7

The reports produced by the Natural Heritage Program in response to inquiries are compiled from existing records in the program database, many of which are historic and geographically spotty, requiring the investigator to explore other sources of information and on-site investigation to develop a reliable determination of the presence or absence of listed species on a site. Section 3.11 of the DSGEIS and the CHPP reference previous investigations of EPCAL wildlife which were conducted in conjunction with the 1997 DEIS/FEIS, the 2001 Supplemental FEIS and the 2005 SFEIS, as well as original, 2009-2011 grassland bird species surveys conducted by Amy S. Greene Consultants, which appears as a separated document in appendix Q, descriptions of how the wildlife studies were conducted for the 1997, 2001 and 2005 EISs are not provided in either the text of Section 3.11 of the current DSGEIS or in the CHPP. Summaries of the findings of these previous investigations are also not provided. At a minimum, the CHPP should be updated to include descriptions of the study methodologies and results for each previous study referenced. This information, along with a summary of the Amy S. Greene Consultants report, should be included in the CHPP document as a chapter describing previous study efforts at the EPCAL site.

Response No. C1-7

Following a lengthy consultation process, the NYSDEC provided the following location information in January 2015 regarding the rare/protected species records provided by the NYNHP. Locations for eight additional on- and off-site New York State Endangered eastern tiger salamander (*Ambystoma tigrinum*) breeding ponds were provided by the NYSDEC, and the subdivision plan has been updated accordingly to show the breeding ponds and/or the surrounding 535-foot and 1,000-foot buffer areas. The Subdivision Map was revised to include these ponds and their associated buffer areas (see Appendix D).

Location information for the New York State Endangered banded sunfish (*Enneacanthus obesus*) was also provided by the NYSDEC. The location information indicates that this fish species has been documented at Swan Lake, located to the 0.25±mile to the south of the subject property, and within Brown's Bog (a portion of the Peconic River drainage), located approximately 0.5 mile to the southeast of the subject property. The banded sunfish records are dated from August 8, 2008 and July 12, 2008, respectively.

With respect to the previous investigations of the subject property referenced by the NYSDEC, the Comprehensive Habitat Protection Plan (CHPP) has been updated to include summaries of the numerous investigations of the ecological communities, vegetation and wildlife at the EPCAL site (see Appendix G of



this FSGEIS). These studies include the 1997 FEIS, 2001 Supplemental FEIS, 2005 Supplemental FEIS, the Coalition for Open Space EPCAL Herpetofauna and Avifauna Inventory Summary (2008), the Amy S. Greene Environmental Consultants, Inc. study (2008), the Nature Conservancy EPCAL Grassland Birds Summary (2009), a mammal and reptile survey conducted by Dru Associates (2008-2009) and the various New York Natural Heritage Program (NYNHP) rare/protected species and community records for the subject property and vicinity. The aforementioned documents were previously summarized in the DSGEIS. This updated CHPP (see Appendix G) will be included in the Town's application for the Incidental Take Permit pursuant to 6 NYCRR Part 182, which will be submitted at the time of subdivision approval.

Comment No. C1-8

It is not clear from this section of the DSGEIS or the CHPP whether an investigation was undertaken to determine the presence of listed species of invertebrates other than the coastal barrens buck moth. The frosted elfin, *Callophrys irus*, is a butterfly species listed as threatened in New York State which is known to inhabit pitch pine / oak forest habitats. The documents should be updated to address the possible presence of this species on the EPCAL site.

Response No. C1-8

As detailed in the NYNHP correspondence summarized in the DSGEIS (copy included in Appendix G of this FSGEIS), no agency records exist for the New York State Threatened butterfly species frosted elfin (*Callophrys irus*) occurring at or in the vicinity of the subject property, and no other records for frosted elfin occurring at the EPCAL site were found during the records review conducted during preparation of the DSGEIS and the CHPP. Nevertheless, the CHPP has been updated to include a discussion of this NYS-Threatened species, as requested by the NYSDEC.

According to the NYNHP Frosted Elfin Conservation Guide⁷ (see copy included in Appendix G of this FSGEIS), the frosted elfin is associated with the Pitch Pine Oak Forest and Pitch Pine-Oak-Heath Woodland ecological communities, both of which occur at the subject property. Accordingly, as detailed in the updated CHPP (contained in Appendix G of this FSGEIS), large contiguous blocks of Pitch Pine-Oak Forest would be preserved at the subject property to the north of the eastern runway, to the south of both runways and particularly within the lands comprising the Central Pine Barrens (CPB) Core Preservation Area at the western portion of the subject property. It is also anticipated that additional Pitch Pine-Oak Forest habitat will occupy the subject property over time, as preserved areas supporting Tree Plantation and Successional Shrubland communities located to the north of the eastern runway develop into forested communities through the process of ecological succession, as described below. As further detailed in the updated CHPP, all existing on-site areas of Pitch Pine-Oak-Heath Woodland in this area would be preserved as open space as part of the proposed action. Based upon the foregoing, though not documented at the subject property, extensive potential habitat area for frosted elfin would be preserved as open space due to implementation of the proposed action. Accordingly, no significant adverse impacts to this invertebrate species are anticipated as a result of the proposed action.



⁷ New York Natural Heritage Program. Frosted Elfin Conservation Guide. 2014. Available online at: <http://www.acris.nynhp.org/report.php?id=7860>. Accessed October 16, 2014.



Comment No. C1-9

The DSGEIS, CHPP and subdivision map should be updated to include a more complete discussion of the numerous tiger salamander breeding ponds and associated habitat on and adjacent to the EPCAL property.

The CHPP currently discusses only two of the eight sites in the project area. The subdivision map depicts six of the eight ponds, but does not show the required, no-disturbance buffer zones (535 feet & 1000 feet) agreed upon for all documented breeding ponds. Lots 28 and 45, as well as the lot currently retained by the Navy, may be affected by these buffer zone requirements.

In addition, the CHPP should acknowledge and include a discussion of two ponds on land adjacent to the EPCAL property which were newly documented in 2013 as supporting tiger salamander larvae. These ponds are located on the following tax parcels: SCTM 0600-135-01-7.56 and SCTM 0600-136-01-1.

Response No. C1-9

The locations for eight additional on- and off-site New York State Endangered eastern tiger salamander (*Ambystoma tigrinum*) breeding ponds were provided by the NYSDEC in January 2015, and the Subdivision Map has been updated accordingly to show the breeding ponds and/or the surrounding 535-foot and 1,000-foot buffer areas. In total, based upon the information provided by the NYSDEC, the locations and associated buffers for ten known eastern tiger salamander breeding ponds (four located on-site and six located off-site) are currently shown on the *Subdivision Map for Enterprise Park at Calverton* (see Appendix D of this FSGEIS). The CHPP has been updated accordingly to include a discussion of the ten eastern tiger salamander breeding ponds identified by the NYSDEC. As summarized in the CHPP, no development would occur within 1,000 feet of the 10 ponds and those portions of their respective 1,000 buffer areas that occur on-site, which would be preserved as a habitat refuge.

The CHPP detailing this discussion will be submitted as part of the NYSDEC Incidental Take Permit (6 NYCRR Part 182) application that will be made by the Town for the development of the EPCAL Property, at the time of subdivision approval.

Comment No. C1-10

During the period in which the DSGEIS and CHPP were being prepared, DEC learned that a species of bat which may inhabit the EPCAL site has been proposed for listing as an endangered species by the federal government under the Endangered Species Act. As the northern long-eared bat, *Myotis septentrionalis*, may be found on the EPCAL property, we recommend that the Town consult with the US Fish & Wildlife Service to obtain more information about the potential listing of this species and the implications of such a listing on the development of EPCAL. After discussions with USFWS, it may be prudent to undertake an investigation to determine whether the species is present on the site. The results of any site investigation as well as an assessment the species' use of the site be included in the updated CHPP.



Response No. C1-10

As requested in the comment the most recent USFWS information for the federal listing of the northern long-eared bat (*Myotis septentrionalis*) is summarized as follows.

The northern long eared bat is listed as federally-Threatened by the United States Fish and Wildlife Service (USFWS) under section 4(d) of the federal Endangered Species Act of 1973, due to significant population declines as a result of the white-nose syndrome fungal disease.⁸ According to the most recent USFWS white-nose syndrome zone map (Appendix G), Suffolk County is included among the counties containing hibernacula (winter hibernation sites) that are infected with white-nose syndrome. The USFWS final 4(d) rule for northern long-eared bat (effective February 16, 2016),⁹ includes certain prohibitions against incidental take, which is defined as killing, wounding, harassing or otherwise disturbing a species that occurs incidental to, and is not the purpose of, an otherwise lawful activity. Pursuant to the final 4(d) rule, incidental take of northern long-eared bat within white-nose syndrome zone counties (i.e., Suffolk County) is prohibited if it occurs within a hibernacula or if it results from tree removal activities that occur within 0.25 mile of a known, occupied hibernacula. Further, incidental take of northern long-eared bat is also prohibited if it results from cutting or destroying a known, occupied maternity roost tree or other trees within a 150 foot radius from a maternity roost tree during the pup season from (June 1 through July 31). Any proposed activity that would result in prohibited incidental take of northern long-eared bat as described above would require USFWS consultation and/or permitting. Activities which would not result in prohibited incidental take of northern long-eared bat as described above can proceed without USFWS consultation or permitting.

The final 4(d) rule further indicates that information for the locations of known, occupied hibernacula and maternity roost trees can be obtained from "*state Natural Heritage Inventory databases.*"

With respect to the subject property in particular, correspondence from the New York Natural Heritage Program (NYNHP) indicates that no agency records currently exist for northern long-eared bat hibernacula or roost trees at or in the vicinity of the EPCAL site (Appendix G). Accordingly, pursuant to the final 4(d) rule, tree removal activities at the EPCAL site associated with the proposed action would not result in a prohibited incidental take of northern long-eared bat. Nevertheless, the proposed action would preserve approximately 787 acres of existing forested habitat, representing potential summer roosting, breeding and foraging habitat for this species. The preserved acreage would include large contiguous blocks of forested habitat to the north of the eastern runway, to the south of both runways and also within the lands comprising the CPB Core Preservation Area at the western portion of the EPCAL site. Furthermore, future lot owners would still be required to comply with the applicable federal regulations related to northern long-eared bat, as described above. Any proposed activity by a future lot owner that would result in prohibited incidental take under the final 4(d) rule as described would require consultation and potential permitting with the USFWS.



⁸ Federal Register Vol. 80, No. 63. Thursday, April 2, 2015.

⁹ Federal Register Vol. 81, No. 9. Thursday, January 14, 2016.



Comment No. C1-11

The CHPP should describe the habitat requirements of the listed species described in the plan, particularly the grassland bird species. For example, upland sandpipers are rarely found in grassland patches smaller than 125 acres in area. Several of the grassland bird species have very specific requirements for features such as minimum grassland area, minimum or maximum length of grass, density of other groundcover species growing with the grasses, etc. The CHPP should describe these specific requirements for the EPCAL species of listed grassland birds so it can be determined whether the plan provisions will meet the needs of each species. Spatial distribution and abundance data for these species should also be provided.

Response No. C1-11

As part of the proposed action, the total proposed grassland acreage of 583.0 acres would be actively maintained as habitat for grassland bird species in accordance with Best Management Practices (BMPs) developed by New York Audubon¹⁰ and the NYSDEC¹¹ for grassland bird habitat. The CHPP has been updated to include these items, as well as individual species requirements (e.g., habitat sizes, mowing frequencies, litter depth, etc.) for the grassland bird species that have been documented at the subject property during previous avian surveys at the EPCAL site (see Appendix G of this FSGEIS).

Comment No. C1-12

The CHPP should be updated and expanded to include specific information about the details of the initial implementation, maintenance and funding of the measures outlined in the plan. In short, it should describe the who, what, how, where, when, why and the funding sources for the following:

- The creation of the new grassland areas (methods, grass species selection, planting/ seeding specifications).

- The maintenance of the existing and the newly created grassland areas (responsible entity, schedule for regular mowing and other required maintenance activities, mechanism by which grassland areas will be maintained in perpetuity).

- A monitoring plan component to ensure that the habitat protection and mitigation goals of the CHPP are being met (periodic field surveillance of grassland habitat with observation and measurement of vegetation health and other physical parameters for comparison with approved plan specifications. Observation of grassland bird species present to determine plan efficacy at providing quality habitat for target bird species and to determine whether modifications to such plan parameters as mowing frequency or height are desirable).



¹⁰ Morgan, M. and Burger, M. 2008. *A Plan for Conserving Grassland Birds in New York: Final Report to the New York State Department of Environmental Conservation under Contract No. C005137*. Audubon New York.

¹¹ New York State Department of Environmental Conservation. 2014. *Best Management Practices for Grassland Birds*. Available online at: <http://www.dec.ny.gov/pubs/86582.html> Accessed July 31, 2015.



A maintenance plan component (mowing heights at various locations w/ associated schedule, contingency plan for invasive plant species or unexpectedly rapid successional growth, etc.).

Response No. C1-12

The CHPP has been updated to include the requested information regarding creation, maintenance and monitoring of existing and newly created grasslands at the EPCAL site (see Appendix G).

The Town of Riverhead CDA, or a special district that may be formed by the Town, will be responsible for the implementation of the CHPP. The Town will be soliciting offers from local environmental groups looking to manage the property after the subdivision has been completed. With respect to a funding, the CHPP activities will be funded by the full faith and credit of the Town of Riverhead. If any of the preserved grassland areas are transferred, a security bond will be required to ensure that the required mowing and monitoring will be funded.

The legal mechanism by which the grasslands will remain in perpetuity will be a covenant attached to the grassland areas under supervision of the CHPP. This will ensure that even if the subdivision is sold to a non-profit organization or private developer, grassland maintenance will continue to occur.

With regard to lots that abut the preserved grasslands, prior to development of the lot, the Town Board will require a five foot non-disturbance area that will remain in its natural state through covenants and restrictions as part of the site plan process. In addition, the Town Board will require a fence to be installed in that portion of the properties that infringe upon (proposed Lot 28 and the southerly drainage area) or abut (proposed Lot 39) the 1,000 foot radius of tiger salamander breeding ponds. This will be handled with covenants and restrictions as part of the site plan process.

The CHPP indicates that as part of the management and maintenance of the grasslands, the party responsible for implementing the CHPP will endeavor to reduce illegal activities at and provide security of the runways (e.g., providing barriers). In addition, the CHPP indicates that as part of the management and maintenance of the grasslands, some native grasslands that have begun to succeed (such as the area southwest of the end of the western runway), will require the removal of trees to restore such areas to the grassland condition.

At the time of subdivision approval, the Incidental Take Permit pursuant to 6 NYCRR Part 182 will be applied for by the Town and the updated CHPP (see Appendix G), which was prepared in consultation with NYSDEC Region 1 staff, will be included therewith.

Comment No. C1-13

The CHPP should also be updated to identify and assess additional practical measures to prevent impacts on, or mitigate impacts to the species identified in the plan. Measures such as the establishment of maintained, vegetated buffer zones along the edges of lots which will be adjacent to the preserved grasslands and fencing to delineate the boundaries of and protect the edges of the sensitive zones of undisturbed vegetation around the tiger salamander breeding ponds.



Response No. C1-13

As detailed in the response to Comment C1-12, prior to development of lots that abut preserved grasslands, the Town Board will require a five foot non-disturbance area that will remain in its natural state through covenants and restrictions as part of the site plan review process. In addition, the Town Board will require fencing to be installed in that portion of properties that infringe upon (proposed Lot 28 and the southerly drainage area) or abut (proposed Lot 39) the 1,000-foot radius of eastern tiger salamander breeding ponds. The fencing will be protected and maintained through covenants and restrictions as part of the site plan process. The proposed Subdivision Map and CHPP have been updated to include these provisions.



Central Pine Barrens Joint Planning & Policy Commission (C2)

Comment No. C2-1

It is recommended that this section clarify in which of the four types of development areas (e.g., “Mixed Use-Business/Light Industrial/Distribution,” “Light Industrial”) residential development would be permitted.

Response No. C2-1

Supportive residential uses are only permitted within Zones 1, 3 and 4, as shown on the “Preferred Alternative” map (see explanation below) In reviewing applications in the PD District, the Town Board would determine if the proposed development complies with the “Reuse and Revitalization Plan for EPCAL” and with the descriptions, building forms, and development parameters, as depicted on the “Reuse and Revitalization Plan for EPCAL” and stated in the text of the proposed PD District. As such, the location of residential development would require a determination that such proposed residential use is actually supportive of a principal permitted use and that it conforms to the “Conditions/Criteria Under Which Future Actions Will Be Undertaken or Approved Including Requirements for Subsequent SEQRA Compliance” and the requirements of the PD District. Site plan approval would also have to be granted by the Town Board.

Also, as explained in Section 2.0, based upon comments received on the DSGEIS, the Town Board has included a further restriction on the potential development of supportive residential uses (in bold), as follows:

A. *“Supportive Uses*

In order to promote the EPCAL Property as a planned development community, the following uses shall be permitted as “Supportive Uses,” on a limited basis, targeted to the employees and tenants of the permitted principal uses within the EPCAL Property and not designated for primary use by the general public:

- (1) Residential. The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled “Preferred Alternative” adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013. The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to each other such that the total combined acreage of said lots is greater than ten acres. The total number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like.**



Comment No. C2-2

Please indicate whether or not any excess stormwater generated by the proposed project, beyond the planned capacity of the new stormwater system, is intended to be discharged into the existing on-site stormwater drainage system that discharges into McKay Lake.

Response No. C2-2

As discussed in Section 3.10.2 of the DSGEIS, stormwater runoff would be contained on the site through the use of drainage reserve areas and drywells. It is expected that the design would store the runoff from the subdivision infrastructure from an eight-inch storm for the areas from which stormwater is collected. The individual lots will be required to collect and store all runoff created by those lots on site using drywells, on-site drainage reserve areas, etc., in accordance with current Town site plan regulations (two-inch storm). Excess stormwater will not be discharged into the existing on-site stormwater drainage system that discharges into McKay Lake.

Comment No. C2-3

In Table 2 (“Required Permits and Approvals”) on page 50 should the Town of Brookhaven be listed due to the fact that some future traffic mitigation measures are proposed for the portion of Wading River Road located in that Town? (The segment of the road south of the Peconic River and north of the Long Island Expressway, especially near the intersection with North Street).

Response No. C2-3

The Town of Brookhaven Highway Department has been added as an agency from which permits and approvals may be required. However, it should be noted that the Town of Brookhaven Town Board has been involved in the environmental review process since agency and public participation commenced. The Town of Brookhaven received a copy of the Positive Declaration, the Final Scope and the DSGEIS.

Comment No. C2-4

North Pond, located southwest of the western runway, and the two ponds in Calverton Camelot south of Jan Way, east of Burman Boulevard and southwest of the eastern runway, are documented tiger salamander breeding ponds. Accordingly, the subdivision map should be amended to depict the 535-foot and 1,000-foot buffers around these ponds as well, as was done with the other documented tiger salamander breeding ponds shown on the map, especially since proposed activities, including mitigation measures (e.g., creation of new grassland areas) may occur within portions of these buffer areas.

Response No. C2-4

As requested, all of the tiger salamander ponds and their associated buffer areas have been depicted on the revised Subdivision Map, based upon information provided by the NYSDEC (see Appendix D of this FSGEIS).



Comment No. C2-5

The DSGEIS only reviews the project in accordance with CLUP Standards. It is recommended that the DSGEIS also provide a review of conformance with the CLUP Guidelines in consideration of the fact that if the CLUP were applicable, the Guidelines would also likely apply based on one or more of the DRS [Development of Regional Significance] thresholds.

Response No. C2-5

As explained in Section 3.11 of the DSGEIS, pursuant to Chapter 9 (Section 9.2) of the CLUP, Volume 1: Policies, Programs and Standards, the redevelopment of the EPCAL Property was considered to be an economic development activity and, therefore, “considered a public improvement pursuant to Section 57-0107(13)(i) of the Pine Barrens Protection Act and therefore does not constitute ‘development’ within the meaning of all sections of the Pine Barrens Protection Act.” Based upon this, although it is the Town’s position that the standards for development set forth in the CLUP do not apply to the subject property, the Town has designed the subdivision to comply with the standards (as set forth at Volume 1, Chapter 5, Section 5.3 of the CLUP) and performed an analysis of the project’s consistency with the CLUP standards.

With respect to the guidelines, while the Town of Riverhead’s position is that neither the CGA standards nor guidelines apply, as demonstrated below, the development of the EPCAL Property conforms to said guidelines, as demonstrated by the analysis below.

5.3.3.1.3 Nitrate-nitrogen goal

A more protective goal of two and one half (2.5) ppm may be achieved for new projects through an average residential density of one (1) unit per two (2) acres (or its commercial or industrial equivalent), through clustering, or through other mechanisms to protect surface water quality for projects in the vicinity of ponds and wetlands.

All proposed development on the EPCAL Property would be required to be connected to the Calverton sewage treatment plant (STP), which is in the process of being expanded and upgraded to a tertiary plant, whose discharge will be relocated to north of the groundwater divide (see Response C1-5). This will provide an improvement to the conditions of groundwater resources under the site and in the area. The proposed Subdivision Map, included in this FSGEIS, has been designed to cluster development in areas that have either previously been developed or are adjacent to such areas. It is expected that the overall goal of 2.5 ppm for nitrogen loading would be achieved when considering the amount of development projected over the entire 2,323.9-acre subject property, and the required connection to the Calverton STP.

Surface water quality would be protected as there would be no direct discharges to any wetlands, water bodies or to the Peconic River, and the discharge of effluent from the STP would be relocated north of the groundwater divide that runs through the property, away from the Peconic River, during the first phase of the STP upgrade. In addition, there will be no disturbance to any wetland or wetland buffer area located either wholly or partially on the EPCAL Property due to implementation of the proposed action. Moreover, as described in more detail below (see 5.3.3.4.4), 1,000-foot non-disturbance buffers will be provided around each on-site water body that is identified as a tiger salamander pond on the Subdivision Map.



5.3.3.3.2 Private well protection

The Suffolk County Department of Health Services' guidelines for private wells should be used for wellhead protection.

No private wells are proposed on the subject property.

5.3.3.4.4 Additional nondisturbance buffers

Stricter nondisturbance buffer areas may be established for wetlands as appropriate.

Pursuant to the NYSDEC *Guidance for Land Cover Set Asides for Conservation of the Eastern Tiger Salamander and Suggested Methods to Avoid, Minimize and Mitigate Impacts*, it is recommended that 100 percent of existing upland forest habitat within 535 feet of breeding ponds and a minimum of 50 percent of adjacent upland habit within 1,000 feet of breeding ponds be preserved. As detailed in the DSGEIS and the CHPP, the proposed subdivision infrastructure and the lots proposed for future development as part of the proposed action are all situated a minimum of 1,000 feet from the tiger salamander breeding ponds identified by the NYSDEC. No disturbance would occur with 1,000 feet of any identified tiger salamander pond.

5.3.3.5.2 Natural recharge and drainage

Natural recharge areas and/or drainage system designs that cause minimal disturbance of native vegetation should be employed, where practical, in lieu of recharge basins or ponds that would require removal of significant areas of native vegetation.

The proposed stormwater management system for the subdivision infrastructure includes the use of DRAs and leaching pools, not recharge basins or artificial ponds. Where possible, the DRAs would be replanted with grassland vegetation.

5.3.3.5.3 Ponds

Ponds should only be created if they are to accommodate stormwater runoff, not solely for aesthetic purposes.

At this time, the creation of artificial ponds is not contemplated.

5.3.3.5.4 Natural topography in lieu of recharge basins

The use of natural swales and depressions should be permitted and encouraged instead of excavated recharge basins, whenever feasible.

No recharge basins are proposed.

5.3.3.5.5 Soil erosion and stormwater runoff control during construction

During construction, the standards and guidelines promulgated by the New York State Department of Environmental Conservation pursuant to state law, which are designed to prevent soil erosion and control stormwater runoff, should be adhered to.

The proposed design and development of the subdivision infrastructure and any future development of the lots would comply with relevant standards and guidelines promulgated by the NYSDEC with respect to the prevention of soil erosion and the control of stormwater runoff.



5.3.3.8.1 Clearing envelopes

Clearing envelopes should be placed upon lots within a subdivision so as to maximize the placement of those envelopes on slopes less than ten percent (10%).

The grading plan has been designed such that clearing envelopes can be placed where slopes are less than 10 percent.

5.3.3.8.2 Stabilization and erosion control

Construction of homes, roadways and private driveways on slopes greater than ten percent (10%) may be approved if technical review shows that sufficient care has been taken in the design of stabilization measures, erosion control practices and structures so as to mitigate negative environmental impacts.

While minimal construction is proposed to occur on slopes greater than 10 percent, erosion control practices in conformance with New York State requirements would be implemented throughout the entire EPCAL subdivision.

5.3.3.8.3 Slope analyses

Project review is facilitated if submissions contain a slope analysis showing slopes in the ranges 0-10%, 11-15% and 15% and greater. In areas with steep slopes, slope analysis maps should be required. This can be satisfied with cross hatching or shading on the site plan for the appropriate areas.

Approximately 90 percent of the slopes on the EPCAL Property are proposed to be between 0 and 10 percent. As explained earlier in this analysis, the grading plan has been designed such that clearing envelopes can be placed where slopes are less than 10 percent.

5.3.3.8.4 Erosion and sediment control plans

Erosion and sediment control plans should be required in areas of fifteen percent (15%) or greater slopes.

A preliminary erosion and sediment control plan has been prepared for the proposed subdivision and a SWPPP will be prepared prior to construction, in accordance with the NYSDEC and the Town of Riverhead's Stormwater Management and Erosion and Sediment Control Ordinance. Moreover, as noted in Section 3.0 of this FSGEIS, one of the conditions for future development on the EPCAL Property is that, as will be indicated on the overall Subdivision Map, each lot owner must provide for site-specific SWPPP coverage under the SPDES General Permit for the individual lots, and demonstrate that runoff from a two-inch storm will be collected and stored on-site using drywells, on-site drainage reserve areas, or other drainage features acceptable to the Town, in accordance with Town and NYSDEC regulations. In addition, each lot owner must provide site-specific details regarding erosion and sedimentation control for each lot.



5.3.3.8.5 Placement of roadways

Roads and driveways should be designed to minimize the traversing of slopes greater than ten percent (10%) and to minimize cuts and fills.

While some proposed roadways will traverse slopes greater than 10 percent, the amount would be minimal over the entire site. Furthermore, the cut and fill of the subdivision infrastructure (including roads and stormwater facilities) is expected to be balanced.

5.3.3.8.6 Retaining walls and control structures

Details of retaining walls and erosion control structures should be provided for roads and driveways which traverse slopes greater than ten percent (10%).

Based upon the grading plan, no retaining walls would be required for the subdivision infrastructure. Furthermore, as required by NYSDEC and the Town of Riverhead, erosion control structures are shown and details provided on the Erosion and Sediment Control Plan, which will be submitted to the Town Planning Board for review and approval.

5.3.3.9.2 Clustering

Municipalities are strongly urged to maximize the use of the clustering technique where its usage would enhance adjacent open space or provide contiguous open space connections with adjacent open space parcels.

As demonstrated in the DSGEIS, the potential future development has been clustered on the EPCAL Property in order to preserve significant, contiguous areas of open space (including grasslands and pine barrens vegetation). These on-site areas are also contiguous to off-site open spaces and natural features.

5.3.3.9.3 Protection of dedicated open space

Proposed open space should be protected with covenants, conservation easements or dedications that specify proper restrictions on its use and contingencies for its future management.

As noted throughout this FSGEIS, it is the intention of the Town of Riverhead to convey the designated open spaces on the EPCAL Property to a not-for-profit or governmental agency to manage and maintain in accordance with the CHPP. Should this not occur, either the Town CDA, or a special district to be formed by the Town, would manage and maintain such open spaces or, if the Town sells the entire Subdivision Map to a private developer, such private developer would have the responsibility to manage and maintain such open spaces in accordance with the CHPP. The Town will use an appropriate legal mechanism (either covenants and restrictions or conservation easements) to protect buffers, natural areas and open space areas to be preserved. The specific mechanism has not yet been determined. However, whatever mechanism is used, it will ensure protection of such areas in perpetuity.

5.3.3.10.1 Best management practices

Any existing, expanded, or new activity involving agriculture or horticulture in the Compatible Growth Area should comply with best management practices, as defined herein, and relevant requirements including local law. Best management practices are, for purposes of this Plan, the same practices stated in the most recent version of Controlling Agricultural Nonpoint Source Water Pollution in New York State (Bureau of Technical



Services and Research, Division of Water, New York State Department of Environmental Conservation, 1991 and as later amended).

Although agricultural and horticultural activities are not contemplated at this time, if they were to occur, the best management practices would be followed.

5.3.3.11.1 Cultural resource consideration

Development proposals should account for, review, and provide protection measures for:

- 1. Established recreational and educational trails and trail corridors, including but not limited to those trail corridors inventoried elsewhere in this Plan.*
- 2. Active recreation sites, including existing sites and those proposed as part of a development.*
- 3. Scenic corridors, roads, vistas and viewpoints located in Critical Resource Areas, and along the Long Island Expressway, Sunrise Highway, County Road 111 and William Floyd Parkway.*
- 4. Sites of historical or cultural significance, including historic districts, sites on the State or National Registers of Historic Places, and historic structures listed on the State or National Registers of Historic Places, or recognized by local municipal law or statute.*
- 5. Sensitive archaeological areas as identified by the New York State Historic Preservation Office or the New York State Museum.*

The existing walkway/bike trail located generally around the perimeter of the EPCAL Property would be controlled by the Town CDA and enhanced, as necessary. It will not only provide recreation and open space opportunities on the site, it will assist in preserving and enhancing the visual character of the site. The trail will be located in a portion of the property that would be controlled by the Town of Riverhead CDA.

As documented in Section 3.8 of the DSGEIS, the Town of Riverhead CDA and the OPRHP have a Memorandum of Agreement with respect to cultural resources. The MOA, as described in detail in Section 3.8.1 of the DSGEIS, was enacted for the protection of all National Register-eligible properties. Pursuant to the MOA, the conveyance document from the U.S. Navy was to contain covenants to ensure the protection of such properties. This satisfied the requirements of 36 CFR 800.9[b] and mitigated the adverse effects on the transfer on the eligible historic properties.

Sections 3.8.2 and 3.8.3 of the DSGEIS indicated that no potential significant adverse impacts to cultural resources on the subject property were identified, therefore, no mitigation, beyond adherence to the MOA and any remaining applicable restrictive covenants that were previously agreed upon by the Town CDA, are proposed. If any cultural resources are encountered during demolition and/or construction, OPRHP will be notified in accordance with the MOA, and mitigation, as identified by OPRHP and the Town based on the specific circumstance, will be employed.

Moreover, the Town of Riverhead received correspondence from OPRHP, dated December 19, 2014 that indicates the agency has “no concerns regarding your project’s potential impacts to



archaeological resources, and it is our opinion that an archaeological survey is not necessary for your project” (see Appendix F).

5.3.3.11.2 Inclusion of cultural resources in applications

Development proposals should note established recreation and educational trails and trail corridors; active recreation sites; scenic corridors, roads, vistas and viewpoints located in Critical Resource Areas and undisturbed portions of the roadsides of the Long Island Expressway, Sunrise Highway, County Road 111 and William Floyd Parkway; sites on the State or National Register of Historic Places, and historic structures and landmarks recognized by municipal law or statute, or listed on the State or National Registers of Historic Places; and sensitive archaeological areas as identified by the New York State Historic Preservation Office or the New York State Museum within a five hundred (500) foot radius of the outside perimeter of the project site, including any project parcels which are physically separate from the bulk of the proposed development area. A development proposal may be disapproved or altered if the local municipality determines that the development proposal, in its current form, may have a significant negative impact on any of the above resources.

The existing trail on the subject property is shown on the proposed Subdivision Map, included herein. Furthermore, this continuous walkway/bike trail will be maintained around the perimeter of the site and would consist of currently paved and unpaved areas. This trail is proposed to be paved and would be supplemented, as necessary. As indicated in Section 2.0 and Appendix D of this FSGEIS, the trail would not be located on individual lots, but would be under the jurisdiction of the Town, within the perimeter buffer. The DSGEIS indicates that the proposed action would not have a significant adverse impact on the resources mentioned in the guideline.

5.3.3.11.3 Protection of scenic and recreational resources

Protection measures for scenic and recreational resources should include, but not be limited to, retention of visually shielding natural buffers, replacement of degraded or removed natural visual buffers using native species, use of signs which are in keeping in both style and scale with the community character, and similar measures.

The Subdivision Map indicates that there would be a dedication of 20 feet along NY 25 to the NYSDOT followed by a 25-foot-wide buffer for the walkway/bike trail plus a 25-foot non-disturbance buffer within all lots abutting NY 25, and a 200-foot buffer along Grumman Road/River Road, proposed as part of the WSRRS application. Thus, the proposed future development of the EPCAL Property would provide for appropriate buffers and would protect the scenic and community character along these roadways.

5.3.3.11.4 Roadside design and management

Undisturbed portions of the roadside should be maintained in a manner that protects the scenic features of these areas. Clearing (including that for aisles, driveways, access and parking) is not precluded within these roadside areas, provided that appropriate buffers are maintained, and that manmade structures meet standards consistent with the character of the area.

As noted in Section 3.13.2 of the DSGEIS, with the exception of approximately 7,800 linear feet along NY 25 and approximately 2,300 linear feet along Grumman Boulevard (which contains an access driveway, Lots 30 and 31, and represents less than 15 percent of the property’s frontage along this roadway), much of the visible area of the site will remain unchanged/undisturbed since large



stretches of woodlands are proposed to be maintained, based upon extensive discussions with the NYSDEC. In addition, no disturbance would occur along Wading River Manor Road. Thus, along with the proposed buffers, noted above, the disturbance along the roadways would be minimized to the maximum extent practicable, and much of the scenic character preserved.

Comment No. C2-6

The DSGEIS does not identify the locations of the two new well sites, nor discuss the details on cost or funding of the two new wells. Furthermore, it is not clear how the Town and/or developers will monitor the amount of water estimated for use on the project site so that it remains within the limits that can be supplied by the drinking water purveyor, until such time as the two new wells are constructed and operating. It is recommended that this be clarified.

Response No. C2-6

The location of future wells is not known at this time; therefore, details of potential cost, funding and impacts cannot be determined. Furthermore, a total water use for the site has been established in the EPCAL Subdivision, as stated in Section 3.0 of this FSGEIS. Specifically, “[d]evelopment at the EPCAL Property cannot collectively demand more than 1,990,000 gpd (1,382 gpm) of water until additional well capacity is developed with the water purveyor.” As indicated in Section 3.7.2 of the DSGEIS, the Water District routinely evaluates the demand of the District and the proposed developments that will increase the demand to ensure that sufficient capacity is available before the demand is in place. The Riverhead Water District would monitor the use of water within the EPCAL Property through water metering and, as such, would be able to determine the timing of the new well construction.

Comment No. C2-7

The DSGEIS should identify the proposed legal mechanisms to be utilized (e.g., covenants and restrictions, and conservation easements) to protect buffers and other natural areas, including the open space areas to be preserved. The intended ownership and management of the open space areas should also be discussed.

Response No. C2-7

The Town will use an appropriate legal mechanism (either covenants and restrictions or conservation easements) to protect buffers, natural areas and open space areas to be preserved. The specific mechanism has not yet been determined. However, whatever mechanism is used, it will ensure protection of such areas in perpetuity.

With respect to ownership and management of open space areas, it is the intention of the Town of Riverhead to convey the designated open spaces on the EPCAL Property to a not-for-profit or governmental agency to manage and maintain in accordance with the CHPP. Should this not occur, either the Town CDA, or a special district to be formed by the Town, would manage and maintain such open spaces or, if the Town sells the entire Subdivision Map to a private developer, such private developer would have the responsibility to manage and maintain such open spaces in accordance with the CHPP.



Comment No. C2-8

The SDGEIS indicates that the proposed project bases its stormwater planning on an eight (8) inch rainfall. Accordingly, this discrepancy [regarding stormwater runoff capture of two inches v. eight inches] should be clarified.

Response No. C2-8

Sections 3.7, 3.10 and 6.0 of the DSGEIS indicate that the stormwater runoff capture would be two inches from individual lots and eight inches for the overall subdivision infrastructure. As noted in Section 3.10.2 of the DSGEIS, the stormwater design for the subdivision infrastructure would store the runoff from an eight-inch storm. The individual lots will be required to collect and store all runoff created by those lots on site using drywells and on-site DRAs, in accordance with the prevailing Town site plan regulations, which, at this time, is two inches.

Comment No. C2-9

If it is intended that a two-inch rainfall be utilized for stormwater planning purposes, in light of recent storm events that resulted in significant rainfall amounts and flooding in the region and to reduce the potential for overflow of excess stormwater runoff to the Peconic River system and other nearby wetlands, it is recommended that consideration be given to planning for a rainfall of greater than two inches. To this end, please also indicate whether or nor any excess stormwater generated by the proposed project, beyond the planned capacity of the new stormwater system, is intended to be discharged into the existing on-site stormwater drainage system that discharges into McKay Lake.

Response No. C2-9

As noted in Response C2-8, as stated in the DSGEIS, stormwater capture and recharge design would be for an eight-inch storm for the subdivision infrastructure and for a two-inch storm for the individual lots. No stormwater is proposed to be discharged to McKay Lake.

Comment No. C2-10

It should also be noted that the DSGEIS does not identify the amount of area presently cleared at EPCAL. Accordingly, this information should be provided.

Response No. C2-10

The amount of area that is presently cleared at EPCAL is approximately 855 acres (37± percent of the property).



Comment No. C2-11

Although the proposed project may conform to this standard, it is suggested that the proposed development seek to further minimize or significantly reduce the amount of fertilizer-dependent vegetation to the greatest extent practicable in landscaped area through the use of native or non-fertilizer dependent species. In addition, although the DSGEIS indicates that "...only non-fertilizer-dependent grasses would be planted" in the newly-created grassland habitat area, please confirm whether or not these will be native grasses.

Response No. C2-11

As explained in Section 3.1.2 of the DSGEIS and in Response No. C2-5, the Town has designed the proposed subdivision to conform to the standards for development in the Central Pine Barrens CGA (including the limitation on fertilizer-dependent vegetation), even though it is the Town's position that such standards do not apply. As indicated in the revised PD District (see Appendix C of this FSGEIS), the amount of fertilizer-dependent vegetation is limited to 15 percent for any individual lot. Notwithstanding this, and to the extent same may be practicable based on the site plan applications received for individual lots, the Town Board may require further restrictions on the amount of fertilizer-dependent vegetation that is permitted.

With respect to grassland areas to be created, only native grasses will be used.

Comment No. C2-12

On page 107 of the SDGEIS discusses the proposed project's conformance to CLUP *Standard 5.3.3.6.4 Native Plantings*. It is recommended that each site plan reviewed by the Town be required to conform to the standard. It is suggested that existing natural vegetation within developed/subdivided lots be retained to the greatest extent practicable to minimize the need for fertilizer, reduce the introduction of non-native species in landscaping and to minimize costs for energy, labor, and maintenance such as irrigation.

Response No. C2-12

A provision has been added to the proposed PD District that no more than 15 percent of any individual lot shall consist of fertilizer-dependent vegetation.

Comment No. C2-13

The proposal should identify the entity which will manage the open space and the legal mechanism proposed to protect the 1,500 acres of open space that are proposed to be set aside on the project site.

Response No. C2-13

As explained in Response No. C2-7, the Town will use an appropriate legal mechanism (either covenants and restrictions or conservation easements) to protect buffers, natural areas and open space areas to be preserved. The specific mechanism has not yet been determined. However, whatever mechanism is used, it will ensure protection of such areas in perpetuity.



With respect to ownership and management of open space areas, it is the intention of the Town of Riverhead to convey the designated open spaces on the EPCAL Property to a not-for-profit, governmental agency, or special district formed by the Town, to manage and maintain in conformance with the CHPP. Should this not occur, either such open spaces would be the responsibility of the Town to manage and maintain such open spaces or, if the Town sells the entire Subdivision Map to a private developer, such private developer would have the developer's responsibility to manage and maintain such open spaces in conformance with the CHPP.

Comment No. C2-14

Please clarify how the Town can include these Navy properties in the open space calculations without ownership having been transferred at this time.

Response No. C2-14

As indicated in Section 2.4 of this FSGEIS, Navy Parcel "A" and Navy Parcel "B" (shown on the Subdivision Map in Appendix D and referenced in Appendix H of this FSGEIS), which are still owned by the U.S. Navy, comprise approximately 200 acres. These parcels are in the process of being remediated by the U.S. Navy. Upon completion of the remediation, and in accordance with the U.S. Navy's FOST, outlining the environmental suitability of a parcel for transfer to nonfederal agencies or to the public, the parcels will be transferred to the Town of Riverhead CDA. These parcels will then be preserved as open space and would be managed in accordance with the Comprehensive Habitat Protection Plan (CHPP).

Comment No. C2-15

The DSGEIS should discuss the development of a management plan for the open space and its schedule for implementation.

Response No. C2-15

A modified CHPP has been prepared for the management of open space and is included in Appendix G of this FSGEIS (see Response C1-12).

Comment No. C2-16

The DSGEIS should discuss the ownership of the open space and the development and implementation of a management plan for the proposed open space as an additional mitigation measure.

Response No. C2-16

See Response Nos. C1-12, C2-7, and C2-15.



Comment No. C2-17

In the mitigation discussion on page 158, it should also be noted that a portion of proposed Lot 21, a 10-acre lot which currently contains the one-acre Grumman Memorial Park and which is mentioned on page 153, is available for potential future use as a fire department and/or ambulance substation location.

Response No. C2-17

The comment is noted. A portion of this lot, which is labeled as Lot 21 on the proposed Subdivision Map (see Appendix D), would be available for potential future use as a fire department and/or ambulance substation.

Comment No. C2-18

If the Central Pine Barrens Comprehensive Land Use Plan (CLUP) were applicable to the proposed project, it appears that based on the traffic impacts information provided in the DSGEIS the project would exceed the threshold of a Development of Regional Significance based on Level of Service. CLUP Chapter 4: Review Procedures, Section 4.5.5.1 Definition of a Development of Regional Significance defines a DRS as, *"A development project resulting in a traffic impact which would reduce service by two (2) levels below existing conditions or to a level of service of D or below."*

Response No. C2-18

The comment is noted.

Comment No. C2-19

As the interim access points will traverse areas intended for the required 50-foot buffer and paved pedestrian and bicycle pathway, that mechanism will be employed to require the owners of the individual lots to abandon and close these interim access points and restore the 50-foot buffer and pathway?

Response No. C2-19

Temporary access points are no longer proposed. All access will be provided to the subdivision lots from the internal roadway system.

Comment No. C2-20

In Table 40 on pages 203 to 207 and in Table 48 on pages 222 to 225, the DSGEIS describes traffic mitigation measures required for various intersections as result of the proposed project. These include segments of roadways (e.g., along Grumman Boulevard, Wading River Manor Road and Edwards Avenue) which may be near wetlands or protected public lands owned by entities other than the Town of Riverhead. What impacts, if any, are expected to these resources and if impacts are anticipated, what specific mitigation measures will be employed to reduce these impacts?



Response No. C2-20

At this stage of the environmental review and SEQRA process it is not feasible to design each traffic mitigation that may be required. Moreover, as explained in Section 2.5.3 of the DSGEIS, the level of potential development that could occur on the EPCAL property analyzed in that document is the maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development. Accordingly, as and if specific mitigation measures are required, identified and designed near wetlands or protected public lands may be affected, such potential impacts would be analyzed and any required permits and approvals would have to be secured from the appropriate regulatory authorities.

Comment No. C2-21

In Table 40 on page 207 and in Table 48 on page 225, the DSGEIS describes traffic mitigation measures required at intersection 11 (Wading River Manor Road and North Street), 12 (Wading River Manor Road & LIE North Service Road) and 13 (Wading River Manor Road & LIE South Service Road) as a result of the proposed project. As these intersections are located in the Town of Brookhaven and portions of each intersection involve Town roads, has the Town of Brookhaven indicated its agreement with these measures?

Response No. C2-21

The Town of Brookhaven has been involved in the environmental review process from its inception. The Supervisor and Town Board of the Town of Brookhaven received a copy of the DSGEIS, but did not comment thereon.

As mitigation measures involving roadways within the Town of Brookhaven were developed during the preparation of the DSGEIS, the Town of Brookhaven Highway Department has been added as an agency from which permits and approvals are required. Moreover, as explained in Section 2.5.3 of the DSGEIS, the level of potential development that could occur on the EPCAL property analyzed in that document is the maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development and the thresholds which trigger the requirement for these improvements at these locations may not be reached. However, in the event mitigation measures requiring the construction of any of the off-site roadway or off-site signal improvements set forth in the Table of Traffic Mitigation become necessary, the governmental jurisdictions involved will determine how the mitigation measures will be funded and implemented.

Comment No. C2-22

On page 220, in the second paragraph of the "Non-Intersection Improvements 2025" section, the DSGEIS states that Middle Country Road (State Route 25) will need to be widened between County Road 46 (William Floyd Parkway) and Wading River Manor Road, a distance of approximately 7.5 miles. It should be noted that in particular, Suffolk County parkland (Robert Cushman Murphy Park), which includes ecologically-significant vegetational communities, freshwater wetlands, a segment of the headwaters to the Peconic River and habitats for rare, endangered, threatened and special concern species is located in the segment of Middle Country Road between CR 46 and Wading River Manor Road. What are the impacts of this road widening on



these resources and how and when will potential impacts to these specific resources be analyzed and addressed? This should also be addressed in the Mitigation section.

Response No. C2-22

See the Response to Comment No. C2-20, which indicates that at this stage of the SEQRA process it is not feasible to design each traffic mitigation that may be required. Moreover, as explained in Section 2.5.3 of the DSGEIS, the level of potential development that could occur on the EPCAL property analyzed in that document is the maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development. Accordingly, as and if specific mitigation measures are required, identified and designed near wetlands and/or protected public lands may be affected, such potential impacts would be analyzed and any required permits and approvals would have to be secured from the appropriate regulatory authorities.

Comment No. C2-23

Potential impacts of these and other road construction projects to accommodate the build out at EPCAL should be reviewed for conformance to the CLUP and the Act that any development projects should identify and mitigate potential adverse environmental impacts on the Central Pine Barrens.

Response No. C2-23

As noted in Response to Comment No. C2-20, at this stage of the environmental review and SEQRA process it is not feasible to design each traffic mitigation that may be required. Moreover, as explained in Section 2.5.3 of the DSGEIS, the level of potential development that could occur on the EPCAL property analyzed in that document is the maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development. Accordingly, if and when roadway improvements are ultimately required and designed in areas under the jurisdiction of the Central Pine Barrens Joint Planning and Policy Commission (Commission), approval from the Commission would be sought.

Comment No. C2-24

Accordingly, please discuss who will monitor traffic volumes and traffic-related activity, track traffic volumes and activities against designated mitigation thresholds and determine when it is necessary to commence and complete mitigation activity? Furthermore, which agencies will be responsible for designing and engineering the proposed traffic mitigation measures? For example, will the Town of Riverhead track traffic volumes and Levels of Service over time and trigger implementation of appropriate mitigation measures at the appropriate milestone and/or withhold individual site plan approvals until designated mitigation measures are in place? Will Town of Riverhead execute Memorandums of Understanding with the involved transportation agencies to ensure these agencies agree with and will support and undertake the mitigation? Or, will this be the responsibility of each agency (NYSDOT, SCDPW, Town of Riverhead) which controls a roadway in need of mitigation?



Response No. C2-24

The Town of Riverhead will be responsible for monitoring traffic volumes and related activities, track such volumes against the identified mitigation thresholds and determine when it is necessary for identified mitigation to be designed and implemented. The Town of Riverhead will coordinate with the specific agencies with jurisdiction over the specific roadways that require mitigation at the time when such mitigation is deemed to be required pursuant to the analyses contained in the DSGEIS and FSGEIS.

Comment No. C2-25

A discussion should also be provided in regard to how all of the identified traffic mitigation measures will be funded. Will each transportation agency having jurisdiction over a particular affected roadway be expected to fund mitigation measures or will a separate dedicated fund be established?

Response No. C2-25

As explained above, it is not possible to determine if or when specific traffic mitigation measures will be required, as same will be depending upon the level and timing of development at EPCAL and if and when traffic improvements in the area are made (i.e., unrelated to the development of EPCAL). Accordingly, it is premature and not feasible to identify how specific mitigation measures would be funded.

For traffic mitigation measures that are determined to be the responsibility of the Town of Riverhead, the Town would investigate the use of tax increment financing (TIF),¹² Payment-in-Lieu-of Taxes (PILOT) Increment Financing (PIF)¹³ (see Responses C5-1 and H1-6), grants, or assessments to individual developers to fund the required on-site improvements. In the event mitigation measures requiring the construction of any of the off-site roadway or off-site signal improvements set forth in the Table of Traffic Mitigation become necessary, the governmental jurisdictions involved will determine how the mitigation measures will be funded and implemented.

Comment No. C2-26

Who will monitor this [sewage] flow and what mechanisms will be employed to ensure these upgrades occur when necessary?

Response No. C2-26

The Calverton Sewer District submits a Discharge Monitoring Report (DMR) to NYSDEC every month pursuant to the requirements stipulated in the State Pollutant Discharge Elimination System (SPDES) Permit. The DMR reports compliance with all effluent parameters, including flow. Current regulations require that



¹² "Tax Increment Financing is ...a way of pledging some of the increased taxes that result when property is redeveloped to pay the costs of associated public investment." From Casella, FAICP, Sam. Tax Increment Financing: A Tool for Rebuilding New York. January 16, 2002.

¹³ A PIF structure allows for the reallocation of monies that "are otherwise payable to a taxing jurisdiction into a fund that is used either to offset...project costs or to repay project financing" From Church, Diane, The use of PILOT increment financing (PIF) to offset project costs in the New York Real Estate Journal, January 27, 2009.



measures be immediately taken to expand the treatment capacity at the point where the actual flow is 95 percent of the SPDES permitted flow.

Moreover, similar to the traffic mitigation (as explained in Section 3.0), the Town Board will monitor the sewage flow and will ensure that the upgrades occur, as necessary, commensurate with the level of development at EPCAL.

Comment No. C2-27

Accordingly, it is recommended that the project aim to achieve a stricter limit on total nitrogen, including that generated by the STP, closer to the 2.5 mg/l suggested in CLUP guidelines 5.3.3.1.3 Nitrate-nitrogen goal.

Response No. C2-27

The comment is noted. The Town of Riverhead will ensure that the proposed action complies with prevailing regulations. The USEPA, via the Total Maximum Daily Load (TMDL) requirements issued in 2007 required the outfall relocation from McKay Lake (Peconic Estuary) to a location north of the groundwater divide, thereby eliminating the discharge of nitrogen to the estuary. The Facility Plan addresses the relocation of the outfall to achieve, at a minimum, the current standards for groundwater discharge.

Also, see the Response to Comment No. C2-5 regarding the CLUP guidelines for nitrate-nitrogen loading.

Comment No. C2-28

On page 298 the DSGEIS states it will be determined whether additional pump stations will be required to serve the EPCAL subdivision, and if so, H2M will be retained by the Town to design them. However, no details on the cost or location of the pump station are provided.

Response No. C2-28

The Town's consultant, H2M, is currently drafting a map and plan for the first stage of the STP upgrade, including moving the discharge area north of the groundwater divide. Further, H2M (or other qualified consultant selected by the Town Board) would be responsible for advising the Town Board as to whether additional pump stations would be required to serve the EPCAL subdivision, based upon the specific future development proposals, and would prepare specific designs, as needed and authorized by the Town Board. As such determination has not been made, it is not possible to provide details regarding the design, cost or location of such pump stations, if required.

Comment No. C2-29

Accordingly, please identify the locations of future water supply well site, on or off site. Consideration should be given to planning for their construction at this time and establishing funding sources, such as future developers of individual lots at EPCAL.



Response No. C2-29

As indicated in Section 3.7.2 of the DSGEIS, the location of the wells has not yet been determined, nor has a study been conducted as to the specific needs of the Riverhead Water District, although an estimate was made regarding the 2025 requirement of a 2.0 million gallon per day (mgd) well, assuming the theoretical mixed-use development of EPCAL at that time. As such, the specific pumpage effects of the new wells to serve both the EPCAL Property and other developments Districtwide cannot be determined at this time, and would be subject to a separate review and permitting process when a plan for such additional well is prepared.

See Response H1-6 for a discussion of funding for infrastructure improvements.

Comment No. C2-30

As the DSGEIS notes the importance of reducing the discharges of both sewage effluent and stormwater runoff into McKay Lake, can additional mitigation be considered to provide for further treatment of the stormwater runoff generated at present which will continue to discharge into McKay Lake and thence into the Peconic River? (This also pertains to the discussion of Wetlands and Other Water Bodies on page 368 and Section 3.10.3, Proposed Mitigation).

Response No. C2-30

The Town has designed the stormwater management system to comply with all prevailing regulations, which are in place to protect public health, safety and the environment. No stormwater runoff associated with the proposed action would be discharged to McKay Lake or any other wetland or water body. The treatment of existing runoff from other portions of the site, which are not part of the proposed action, is not addressed herein.

Comment No. C2-31

The need to import soil to the site for creation of new grassland areas and the potential for imported soil carrying seeds of invasive species, pests such as golden nematode and contaminants should also be discussed.

This section should also discuss mitigation measures designed to reduce potential impacts caused by importation of soil to the site for creation of new grassland areas, including the potential for imported soils carrying seeds of invasive species, pests such as golden nematode and contaminants. What measures will be employed to screen soils brought to the site?

Response No. C2-31

No new grasslands are proposed to be created on the runways; therefore, no soils would be imported to the site for this purpose. See Section 2.0 of this FSGEIS for a description of the revised Subdivision Map. In addition, at this time, it is not anticipated that soil to be used for fill material will need to be imported to the site. It is the intent of the proposed design to borrow material from areas of the project site as necessary, i.e., DRAs, to use as fill, where needed. The only potential importation of soil materials expected at this time



involves topsoil. As explained in Response C1-12, the measures to be employed to reduce potential impacts from the importation of soils, if any, will be determined in consultation with the NYSDEC.

Comment No. C2-32

If any future public supply wells are proposed to be installed in the Upper Glacial aquifer, what are the potential impacts on tiger salamander breeding ponds and what mitigation measures would be employed (which should also be discussed in Section 3.10.3, Proposed Mitigation).

Response No. C2-32

See Responses to Comment Nos. C2-20 and C2-29. Moreover, at this point, it is not known if future public supply wells would be proposed in the Upper Glacial aquifer. Accordingly, the consideration of such speculative future condition is not relevant to this SGEIS process.

Comment No. C2-33

Please clarify whether or not both the western and eastern runways and taxiways, with the exception of those portions to be redeveloped, will be converted to new grassland.

Response No. C2-33

As explained in Section 2.0 of this FS GEIS, neither runway is proposed to contain new grassland. The subdivision lots would be reconfigured to retain additional existing grassland. Overall, 512.4 acres of existing grassland are proposed to be retained, and an additional 70.6 acres of grassland will be created for total of 583.0 acres of grassland, based upon the proposed Subdivision Map, dated July 20, 2015 and the Habitat Protection Plan, dated July 20, 2015 (see Appendix D and Appendix G, respectively).

Comment No. C2-34

In order to ensure that the grassland continues to exist into the future, please indicate what entity would conduct this maintenance, what methods would be used for maintenance (e.g., mowing, prescribed, fire, disking), how invasive species will be controlled, how frequently and at what times of year would maintenance be conducted, how will it be monitored, how will it be ensured that maintenance is conducted as required and will a management plan be developed?

The comment made just previously in regard to *Rare Species/Habitat Potential* (pp. 405-408) and maintenance of the grassland areas should also be addressed here as well.

Response No. C2-34

See Responses to Comment Nos. C1-12 and C2-13, among others, with respect to the potential open space ownership and management and Response to Comment C1-11 and C1-13 with respect to the modified CHPP.



Comment No. C2-35

As portions of the properties still controlled by the US Navy are proposed to be included in and counted as part of the overall open space system, please discuss whether or not there is potential for future remediation work to be conducted in these areas to cause further disturbance, especially removal of existing natural vegetation; how this will affect the calculations of total undisturbed natural vegetation to be preserved and what measures will be undertaken to ensure restoration and revegetation with native species after remediation is completed. It is recommended that this also be addressed in Section 3.12.3, Mitigation, on pages 424 and 425.

Response No. C2-35

See Response C2-14, which indicates that the Town of Riverhead has title to the Navy property (see Appendix H of this FS GEIS). Accordingly, no change in the calculations is warranted. The areas that are still controlled by the US Navy are currently undergoing remediation, as reported in the *2012 Basewide Investigation Data Summary Report: Naval Weapons Industrial Reserve Plan (NWIRP), Calverton, NY*, dated February 6, 2015 (see Appendix I). Additional monitoring and potential remediation are contemplated, but have not yet been specifically identified by the US Navy. Therefore, it is not possible for the Town to know if additional natural vegetation would be disturbed. Whether or not the US Navy performs additional remediation, the area is proposed to remain as open space. Previous remediation efforts by the US Navy on the NWIRP property have resulted in the restoration of the area to grade and its revegetation (see Section 3.12.1 of the DS GEIS). The Town will continue to consult with the US Navy regarding future remedial actions and the restoration of vegetation, if applicable.

Comment No. C2-36

In the discussion of the 50-foot buffer to be established along the south side of Middle Country Road (State Route 25) the discussion should also state that the portions of the buffer area which are currently devoid of natural vegetation will be revegetated with native woody plant species, including shrubs and trees, as opposed to non-screening herbaceous species. Furthermore, please discuss whether or not more detailed planting specifications will be developed and required for these areas.

Response No. C2-36

The walkway/bike trail will be contained within the 25-foot-wide buffer area and will be under the jurisdiction of the Town of Riverhead CDA. This buffer area will be located south of the 20-foot-wide area dedicated to the NYSDOT. There will be an additional 25-foot-wide vegetated buffer that will be maintained on each individual lot by the lot owners. Planting specifications for the buffer area have not yet been developed; however, it is expected that such buffer will include screening vegetation. Furthermore, as indicated in the proposed PD District, no more than 15 percent of any individual lot may consist of fertilizer-dependent vegetation (see Appendix C of this FS GEIS).



Comment No. C2-37

In the discussion on pages 470 to 471 of temporary access to Route 25 for lots which front of Route 25, because these temporary access ways will traverse areas intended for the required 50-foot buffer and paved pedestrian and bicycle pathway, please describe and discuss the mechanisms which will be employed to require the owners of the individual lots to abandon and close these interim access points and restore the 50-foot buffer and pathway as well as revegetate the 50-foot buffer.

Response No. C2-37

Temporary access points are no longer proposed. The walkway/bike trail will be contained within the 25-foot-wide buffer area and will be under the jurisdiction of the Town of Riverhead. This buffer area will be located south of the 20-foot-wide area dedicated to the NYSDOT. There will be an additional 25-foot-wide vegetated buffer that will be maintained on each individual lot by the lot owners.

Comment No. C2-38

On page 471 the DSGEIS states that future site-specific project will be required to “*Demonstrate that low-maintenance vegetation is being incorporated into landscape design.*” This should be strengthened further by also requiring future projects to limit fertilizer-dependent vegetation to no more than 15% of the project site and to mandate use of native plant species to the maximum extent practicable.

Response No. C2-38

The proposed PD District has been revised to limit the amount of fertilizer-dependent vegetation on individual lots to 15 percent (see Appendix C). The use of native plant species would be reviewed during the site plan approval process.

Comment No. C2-39

Section 617.9 (b) (5) (v) of the SEQRA regulations pertaining to “Preparation and content of environmental impact statements” states that in regard to the analysis and discussion of alternatives the “...*The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed.*” Unfortunately, however, the alternatives discussion does not appear to meet this SEQRA criterion as it is essentially qualitative and in many cases subjective without providing sufficient supporting quantitative information.

The DSGEIS contains a significant and voluminous analysis of traffic impacts as a result of the proposed project along with other noteworthy data such as projected sewage flow volumes and anticipated water usage. Yet, none of these important data has been used in the Alternatives analysis nor comparable calculations conducted for any of the alternatives as to the relative impacts each may potentially generate.

In so doing, it is recommended that the revised Alternatives analysis include a chart which compares the impacts for each alternative in tabular form.



Response No. C2-39

The document prepared for the future development of the EPCAL Property is a Generic Environmental Impact Statement, as explained in Section 6.0 of the DSGEIS and reiterated in Section 3.0 of this FSGEIS. As explained in Section 2.5 of the DSGEIS, in order to ensure conservative and comprehensive SEQRA review, the DSGEIS identified a maximum potential development scenario (i.e., the Theoretical Mixed Use Development Program) and evaluated this maximum level of development. As explained in Section 2.5.3 of the DSGEIS, it is not possible to identify a specific project that would developed on the 593.2 developable acres (excluding roads, ROWs and DRAs) of the EPCAL Property. In fact, the DSGEIS explains, in Section 2.5 thereof, that the development of the EPCAL Property would take place over at least 20 years and no one can predict the specific individual uses that would ultimately be developed. Furthermore, Section 2.5.3 of the DSGEIS notes that it is unlikely that the level of development identified and evaluated as the maximum potential development scenario would ever be reached.

Moreover, the alternatives analysis evaluated various scenarios for the future development of the EPCAL Property, including a mixed-use and polo alternative, an alternative subdivision design, a design that reverses the area to be developed and those areas to be preserved, and an alternative grassland creation layout. Like the proposed action, because this is a GEIS, it is not appropriate to identify a specific project.

Since the time of the DSGEIS preparation, the Town has continued to work with the NYSDEC and the NYSDOT regarding areas of the EPCAL Property that warrant protection/preservation. Review of the Mixed-Use and Polo, Figure 43 of the DSGEIS and Figure 4, herein, indicates that:

- The vehicular access points along NY 25, as shown on this plan, do not comport with the access discussed and tentatively agreed upon by the NYSDOT
- This alternative does not keep the entirety of both runways, which is a priority of the Town
- It is not protective of the grasslands identified by the NYSDEC, particularly along the edge of the western runway.

Accordingly, the aforesaid alternative is no longer considered feasible for the Town.

With respect to the Coalition for Open Space at EPCAL Alternative Subdivision Design (hereinafter "Alternative Subdivision Design") (Figure 44 in the DSGEIS and Figure 5 herein), based upon the "Development Areas" in this alternative (approximately 572 acres) versus the developable area in the revised proposed Subdivision Map (approximately 593.2 acres), the magnitude of the quantifiable potential environmental impacts, such as traffic, water use, sewage generation, solid waste, etc. would be essentially the same, as explained below. The 572± acres of "Development Areas" on the Alternative Subdivision Design map that are located within the boundaries of the current subject property were derived based upon the total acreage available for development (1,160 acres) in the Compatible Growth Area (see Figure 5) and a review of the current boundaries of the property.

In order to provide an accurate comparison to the subject property, the following acreage of "Development Areas" must be subtracted since it has already been developed and/or is not part of the subject property or it is excluded because it is municipally-owned and developed:



- 50± acres comprising the Stony Brook University Business Incubator at Calverton, which is developed and not part of subject property
- 42± acres comprising Island Water Park, which is not part of subject property
- 4± acres owned by the Riverhead Water District, which is developed and not part of subject property
- 92± acres comprising the Town Park, which is developed
- 400± acres of the Calverton Camelot (Burman) Subdivision that is shown as developable, and which is already developed and not part of subject property.

These segments of the former overall NWIRP property total 588± acres. Therefore, 1,160± acres minus the 588± acres that are not part of the subject property, as outline above, is 572± acres of developable land shown on the Alternative Subdivision Design map that is located within the boundaries of the property, which is the subject of the proposed action. This is essentially similar to the developable acreage of the proposed action (593.2±), thus the quantifiable impacts, as identified in the DSGEIS also would be effectively the same. However, based upon ongoing discussions with the NYS DOT and consultation with the NYS DEC regarding preservation, this alternative does not meet requirements of either agency, or the needs of the Town. The eastern and western runways are shown as being completely preserved as open space in this alternative. This is counter to the Town's desire to potentially allow solar energy production and/or historic use of the runways. In addition, part of the most accessible area along NY 25, which is shown as containing development lots in the proposed action and contains the current location of Burman Boulevard (which traverses entire site from north to south, and which is proposed be used as the main access point for the EPCAL subdivision) is precluded in this alternative, as the area is shown as proposed open space in the Alternative Subdivision Design.

Furthermore, in the Alternative Subdivision Design, portions of the EPCAL Property shown as "Development Areas" (such as the 64± acres located the west of the Calverton Camelot subdivision as well as the area to the east of the eastern runway are landlocked, and roadways would have to be cut through segments of the property shown as "proposed open space." One of the principal differences in developable area occurs in the eastern portion of the site where the proposed action preserves a large area of pine barrens vegetation and the Alternative Subdivision Design map shows development in this entire area. Another difference in developable area occurs in the southern portion of the site along Grumman Boulevard, west of Burman Boulevard. Whereas only limited development is shown to the west of the Calverton Camelot subdivision in the Alternative Subdivision Design, more potential development lots are shown in the proposed action along Grumman Boulevard.

Thus, as demonstrated herein, due to the similarity in the size of the developable area, the quantifiable impacts associated with Alternative Subdivision Design would be essentially the same as those examined for the proposed action. The proposed action balances the retention of grassland and pine barrens vegetation, with the need for developable areas that are easily accessible and viable. Furthermore, based upon the analysis, the Alternative Subdivision Design does not meet the specific requirements of the Town, the NYS DEC or the NYS DOT.



FIGURE 4 – MIXED-USE AND POLO ALTERNATIVE



Figure 5 – The Coalition for Open Space at EPCAL Alternative Subdivision Design



New York State Department of Transportation (C3)

Comment No. C3-1

The unsignalized intersections of NY 25 and Fresh Pond Avenue should be analyzed and included in the Traffic Impact Study. A traffic signal may be warranted at this location due the increase in traffic volumes.

Response No. C3-1

The scope of the traffic impact study was determined based on a positive declaration and formal scoping process, which included:

- Issuance of a Positive Declaration on June 18, 2013
- Distribution of a Draft Scope to all involved agencies (including the NYSDOT) and interested parties on June 12, 2013 advising that comments would be accepted both at a public scoping meeting and in writing (see Appendix I of this FSGEIS)
- A public scoping meeting held on July 16, 2013
- Acceptance of written comments on the Draft Scope until July 23, 2013
- Issuance of a Final Scope on October 1, 2013, which was distributed to all involved agencies and interested parties that requested a copy.

The notice regarding the positive declaration, as required, was published in the Environmental Notice Bulletin on June 26, 2013. The notice regarding the positive declaration, as required, was published in the Environmental Notice Bulletin on June 26, 2013. Furthermore, notice of the scoping meeting was published in the Riverhead News-Review.

The Final Scope included an evaluation of a total of eleven existing intersections and three additional proposed access driveways. Of these, seven of the studied intersections are located on NY 25. These include:

- NY 25 at Wading River Road
- NY 25 at the Proposed Site Westerly Access Driveway
- NY 25 at Berman Boulevard
- NY 25 at the Proposed Site Easterly Access Driveway
- NY 25 at NY 25A
- NY 25 at Edwards Avenue
- NY 25 at Manor Road / Splish Splash Drive.

These seven locations were chosen due to the likelihood of project site traffic to have a potential impact on traffic conditions. The intersection of NY 25 and Fresh Pond Avenue was not included in the list of intersections in the Final Scope as it was determined that significant adverse impacts to that particular unsignalized intersection were not likely.



Comment No. C3-2

Roundabouts should be considered, especially at non-signalized intersections where traffic signals are proposed as a part of mitigation.

Response No. C3-2

The comment is noted. As the EPCAL project is still in the SEQRA process, specific intersection designs have not yet been completed. At the time such designs are commissioned, roundabouts will be considered.

Comment No. C3-3

We are not in favor of any direct access, permanent or temporary, to NY 25 from individual parcels. All internal infrastructure should be in place so the number of intersections along NY 25 can be kept to a minimum

Response No. C3-3

It is no longer the intention of the Town to seek any temporary access points from the proposed lots within the EPCAL subdivision to NY 25.

Comment No. C3-4

The Town of Riverhead should provide NYSDOT with an appropriate property dedication along the EPCAL, property's NY 25 frontage prior to the subdivision so that the proposed mitigations identified by the mitigation table can be implemented by either the Town of Riverhead or the developers. Ensure that there is adequate shoulder along the entire frontage of NY 25 meeting the criteria for eastbound and westbound bicycle lanes. Provide for bicycle through lanes at all intersections. NY 25 is flat and straight encouraging high vehicle speeds. There is no westbound shoulder at the entrance to Calverton National Cemetery. There appears to have been at least one bicycle fatality at this location.

Response No. C3-4

The revised subdivision map includes a 20-foot dedication to NYSDOT along the entire site frontage on NY 25 for future highway improvements. This dedication is sufficient to allow for the construction of all mitigation identified in the DSGEIS, including bicycle lanes. As the EPCAL project is still undergoing environmental review, no detailed designs have been performed. At the time such designs are commissioned by the Town, the appropriate treatments for bicycles will be incorporated into the design.



Comment No. C3-5

Consideration should be given to have the developers for this site fund the Town or Riverhead's property condemnations along the NY 25 corridor for any new developments that occur between now and the implementation of this subdivision identified traffic mitigation proposals.

Response No. C3-5

The comment is noted. See Response No. C2-25.

Comment No. C3-6

The Town of Riverhead should begin the condemnation process now for the right-of-way needed to make infrastructure improvements so that the public property is available for the Town or the developers to construct the identified infrastructure improvements. Property condemnation costs should be considered to be assessed and recouped from the potential developers through the Town application/permitting process.

Response No. C3-6

The comment is noted.

Comment No. C3-7

The amount of impervious surface will likely increase and curbs may be required along NY 25. Drainage improvements along NY 25 will likely be required. Consider the need for a closed drainage system to address low points along Rte. 25. Dedication of parcels of NYS DOT for recharge basin and/or drainage easements may be appropriate to address runoff and current or altered drainage patterns.

Response No. C3-7

The comment is noted. As the EPCAL project is still in the SEQRA process, specific intersection and roadway designs have not yet been completed. At this point, the identification of a specific type of drainage system is premature.

Comment No. C3-8

Consider providing bicycle through lanes at intersections that will be improved associated with this project. The area is flat, shoulders are generally wide and existing traffic volumes are relatively low. This attracts bicyclists in general and will make bicycles commuting to the site attractive.

Response No. C3-8

The comment is noted. As previously explained, the proposed EPCAL subdivision is still undergoing environmental review. Accordingly, detailed design has not yet been performed.



Comment No. C3-9

NY 25 east of the intersection of NY 25A is designated as a bicycle route. There are no other east/east routes beside Rte 25 between Rte 25 and Moriches Middle Island Rd. west of Wading River Manor Rd. This makes NY 25 the most direct route for bicyclists from west of CR-46 (William Floyd Parkway). Grumman Blvd/ River Rd. also provides important bicycle connections. Taking into account population density these are very popular areas for bicyclists and improved facilities should be considered along with improvements for motorists.

Response No. C3-9

The comment is noted. At the time of detailed design, improved bicycle facilities will be considered along with the improvements for motorized vehicles.

Comment No. C3-10

Some shoulders such as eastbound NY 25 at Edwards Ave. will be converted to right turn lanes. A shoulder or bicycle through lane should be provided at all intersections rather than improving mobility for one mode of transportation and reducing it for another.

Response No. C3-10

The comment is noted. This issue will be addressed at the time of detailed design within the NYSDOT permit process.

Comment No. C3-11

Bicycle parking facilities should be considered at all subdivided parcels to encourage bicycling. The existing multi use path on the site indicated there is currently demand. Please advise how employees or customers wishing to bicycle to or working at the site will be accommodated.

Response No. C3-11

There is a proposed 25-foot-wide right-of-way that is to be retained by the Town and which would include the walkway/bike trail. This right-of-way would be located between the 20-foot-wide NYSDOT dedication and the individual lots.

Once the subdivision map is filed, developers of lots will be required to secure site plan approval. As the Town reviews the individual site plan, and as feasible, the Town will encourage bicycle parking facilities at the individual developments.

Comment No. C3-12

Considerations should be given to provide linkages from NY 25 at the east and west limits of the existing and proposed "Walkway Bike Trail" around the perimeter of the site.



Response No. C3-12

The comment is noted, and such linkage will be considered as improvements are designed.

Comment No. C3-13

Sidewalks along NY 25 or connections to an internal multiuse path should be considered.

Response No. C3-13

The proposed dedications along the site frontage on NY 25 include a 20 foot dedication for the construction of sidewalks along NY 25. As an alternative, connections to the proposed internal trail segment (described in Response C3-11 and shown on the Subdivision Map in Appendix D) that also runs along NY 25 within the site will be provided.

Comment No. C3-14

Pedestrian facilities should be considered at intersections. Some intersections do not have complete pedestrian crossings. With greater volumes of traffic complete pedestrian facilities should be provided.

Response No. C3-14

The comment is noted. This issue will be addressed at the time of detailed design.

Comment No. C3-15

We recommend that the Town of Riverhead consider dedicating additional right-of-way near the curb cuts to allow for improved transit stops outside the travel lanes as demand may increase and bus routes may be altered.

Response No. C3-15

The comment is noted. This issue will be addressed at the time of detailed design.

Comment No. C3-16

When considering property donations consideration should be give so that sufficient property is available to provide a snow storage strip between the curb and sidewalk.

We recommend a thirteen (13) foot dedication along NY 25 to accommodate snow storage, sidewalk and utilities in addition to the property dedication necessary to accommodate additional lanes and shoulders



Response No. C3-16

The comment is noted. This issue will be addressed at the time of detailed design. The proposed dedications along the site frontage indicated on the revised subdivision map include width for snow storage sidewalk and utilities.

Comment No. C3-17

There are limited or no overhead utilities along portions of NY 25 in this area and possibly on the site. Consideration should be given to requiring all new utilities to be installed underground to maintain clear zone, for storm hardening and aesthetics. Another alternative would be to require overhead utilities in dedicated utility easements within the site. Extensions of overhead utilities along this section of NY 25 is not a preferable alternative and should be discouraged.

Response No. C3-17

The internal roadways within the subdivision are intended to be dedicated to the Town of Riverhead, as such it would be expected that the necessary utilities would be installed within what will be a public ROW. There would be no need for easements unless there is a need to route utilities through lots or otherwise outside of the planned roadways. As for the location of potential future utilities within the NY 25 ROW, the treatment of these utilities and the decision on whether to install these above or below ground will involve the utility companies and include considerations such as cost and maintenance, etc.

Comment No. C3-18

Consideration should be given to provide pedestrian connections between NY 25 and the perimeter roads and buildings on the sites. Public sidewalks should be provided along internal roads.

Response No. C3-18

The comment is noted. As part of the development of the subdivision the Town may require individual developers to provide this improvement as the adjacent lots are developed, as indicated in the "Pedestrian Circulation" section of the proposed PD District (see Appendix C of this FS GEIS).

Comment No. C3-19

Proposed sidewalk shall be a minimum of 47" wide, 60" preferred. New sidewalk shall follow our specification for sidewalk, Item 60801050010, Concrete Sidewalks – Unreinforced (Grading Included).

Response No. C3-19

The comment is noted.



Comment No. C3-20

Design requirements for sidewalk and pedestrian paths as defined by Chapt. 18 of the NYSDOT Highway Design Manual differ. A pedestrian path is separated from the roadway by at least five (5) feet of vegetated snow storage strip and curb is not required. Sidewalk may be installed closer to the edge of the roadway and curb should be provided to enhance definition and very limited separation between vehicular and pedestrian facilities. If space permits the applicant may wish to build a path on the east side of the driveway and sidewalk with new curb on the west side. This would match context of the area.

Response No. C3-20

The comment is noted.

Comment No. C3-21

The site will contain natural areas and adjoin natural areas. Plant materials along NY 25 should utilize native plant material that is appropriate for the growing conditions. Street trees should be suited for the soils on site. Consider Red, White and Scarlet Oaks, Shadblow and Pitch Pine. Other native species not found growing in the area were planted at the all fields and these trees (Red Maple) do not appear to be thriving and are severely stressed.

Consider native grasses such as found on and around the site rather than shrubs. These are easier to maintain, will permit views of the site and match the native grasslands that will be maintained on site. Use local ecotypes of the grasses.

Response No. C3-21

The comment is noted. The issue of landscaping within the NYSDOT right-of-way will be addressed at the time of detailed design. Plans prepared for the improvements will include details of proposed landscaping.

Comment No. C3-22

Cross access agreements should be tied into the parcels to encourage internal circulation and minimize turning movements.

Response No. C3-22

The feasibility of cross access between parcels will be dependent upon the uses that are ultimately developed on the individual lots. In addition, the proposed subdivision includes a complete internal street system which allows for access to each lot without need to access the state highway. The Town will consider this issue as individual site plans are presented.

Comment No. C3-23

Construction entrances fronting on NY State highways should follow our Standard Sheet 209-5.



Response No. C3-23

The comment is noted.

Comment No. C3-24

We recommend that permanent survey markers should be installed at the property limits along NY 25 and at any intermediary turning points along the State highway frontage in accordance with NYSDOT standard sheet M625-1R1. These details should be included in plan preparations.

Response No. C3-24

The comment is noted.



Jody Giglio, Councilwoman, Town of Riverhead Town Board (C4)

Comment No. C4-1

Access should be limited to the proposed roadway for lots fronting on Route 25 so it will not inhibit use of recreation trail.

Response No. C4-1

Only one permanent access point on NY 25 (the existing Burman Boulevard, which is controlled by a traffic signal) is proposed for use at this time. As depicted on the Subdivision Map, two additional rights-of-way are proposed in the western section (between Lots 1 and 2) and the eastern section (between Lots 21 and 22) of the property along NY 25, which could be constructed in the future, if traffic conditions warrant.

Temporary access points directly to NY 25 from the subdivision lots are no longer contemplated.

Comment No. C4-2

Who will be charged with obtaining the permits for the subdivision as outlined by VHB? I would request that WSRR permits be obtained for the recreational trail outside the fence on Grumman Boulevard from Burman Boulevard West to end of WSRR line and into the core of the Pine Barrens to Wading River Road connecting to the existing trail.

Response No. C4-2

As indicated in Table 2 of the DSGEIS and in Response to Comment No. C1-3, it is the responsibility of the Town of Riverhead to obtain a permit from the NYSDEC with respect to the WSRRS.

Comment No. C4-3

The proposed 50-foot buffer on State Route 25 should be between the trail and businesses.

Response No. C4-3

As suggested in the comment and as shown on the revised Subdivision Map, the trail would be located outside of the individual lots, within the 25-foot-wide right-of-way under the jurisdiction of the Town CDA (see Appendix D).

Comment No. C4-4

The 200-foot buffer on Grumman Boulevard should be between the trail and businesses.



Response No. C4-4

The 200-foot-wide buffer is proposed to be located within Lots 30 and 31 as shown on the proposed revised Subdivision Map. The walkway/bike trail is proposed to be located within the right-of-way, outside of the 200-foot-wide buffer (see the Subdivision Map in Appendix D of this FSGEIS).

Comment No. C4-5

Lots 1-22 should provide the Town ownership of the trail and should be cut out of the lots.

Response No. C4-5

As requested in the comment and shown on the revised Subdivision Map, the walkway/bike trail located along NY 25 is proposed to be situated outside (to the north of) the proposed lots located along NY 25, just south of the 20-foot-wide dedication for highway purposes (see the description in Section 2.0 and Appendix D). Thus, ownership of the trail would be by the Town of Riverhead CDA.

Comment No. C4-6

Covenant should be required for 50-foot buffer on State Route 25 and 200-foot buffer on Grumman Boulevard.

Response No. C4-6

Upon completion of the SEQRA process and similar to how other open space on the site will be protected (see Responses to Comment Nos. C2-7 and C2-13), the Town Board will determine the appropriate legal protection for specific buffer areas, woodland and grassland to be preserved, grassland to be created, etc. Such legal protection could include covenants and restrictions, conservation easements or other legal mechanisms acceptable to the Town Board.

Comment No. C4-7

I object to the removal of any portion of the Eastern 10,000' runway and taxiway.

Response No. C4-7

As requested by the commentator, previously-proposed runway modifications have been changed. No new grassland would be created on either the eastern or western runway, and the taxiways are proposed to remain intact.

Comment No. C4-8

There is the access to the runway and do the property owners within the park have access to it through a licensing agreement?



Response No. C4-8

Upon the completion of the SEQRA process, the Town Board will determine what tenant access will be provided to runways and what legal mechanisms will be used.

Comment No. C4-9

All lots within the subdivision should have an easement or right of way to access the runway.

Response No. C4-9

Upon the completion of the SEQRA process, the Town Board will determine what tenant access will be provided to runways and what legal mechanisms will be used.

Comment No. C4-10

Lots 24 and 25 show the northerly portion of the runway on the lot. Is that runway to be removed or maintained? If it is to be removed, that would be a tremendous expense at the cost of the property owners or the Town? If it is to remain, who will be responsible to maintain it?

Response No. C4-10

Neither runway is proposed to be removed. The runways would be established as separate lots that could potentially be developed or used for aviation purposes in the future (see Section 2.0 and Appendix D of this FSGEIS). The responsibility for maintenance of the runways would be determined by the Town Board upon completion of the SEQRA process.

Comment No. C4-11

Sheet 5.0 of the Subdivision map shows the southern portion of the runway and taxiway as being replaced with grassland. I object to this runway being diminished in size.

Response No. C4-11

As discussed in Section 2.0, shown on the revised Subdivision Map and explained in several of the responses herein, neither runway is proposed to be disturbed or replaced with grassland.

Comment No. C4-12

I object to the creation of a grassland on this runway, it could be used for model airplanes and other uses as stated in the RKG Market Study dated December 8, 2011.



Response No. C4-12

As previously indicated and as suggested by the commentator, the Subdivision Map has been revised such that there would be no new grassland created on the runways at the EPCAL Property.

Comment No. C4-13

Lots 10, 15 and 16 show a portion of the runway included in the lot area. Who will be responsible for the removal of that runway or the proposed grassland?

Response No. C4-13

Neither runway is proposed to be removed or planted with grassland. As indicated in Response to Comment No. C4-10, the runways would be established as separate lots that could potentially be used in the future (see Section 2.0 and Appendix D of this FSGEIS). No portion of any other lot is included within either runway. The use of the eastern runway would be restricted to aviation, while the western runway could be used for purposes such as renewable energy.

Comment No. C4-14

Who is responsible for the permitting and installation of traffic lights? The DSGEIS states there will be three access points with a light at each one.

Response No. C4-14

Traffic signals on state highways (NY 25 and the Service Roads of the Long Island Expressway) are permitted by the NYSDOT. Traffic signals at intersections that do not involve a state roadway are permitted by the Towns (Riverhead and Brookhaven).

With respect to funding of traffic lights and other infrastructure, see Response No. C2-25.

Comment No. C4-15

Catch basins in the roadways will require maintenance. I suggest a waiver from our highway road specifications to allow for swales with gravel and underground piping to drainage retention areas.

Response No. C4-15

Installing a gravel swale system will not eliminate the requirement for maintenance. In order for surface runoff to reach a swale located off the roadway, the concrete curbing will need to be eliminated. As a result, all of the sediment from the road will wash into the swale and fill in the voids with in the gravel where water would infiltrate. As a result the swales will need to be cleaned on a regular basis to ensure that the system functions properly. Installing a standard curb and catch basin system will provide a channel and open inlet for runoff to flow, which will limit erosion and increase speed with which the runoff enters the drainage system. This will serve to reduce ponding and flooding during heavier rain events.



Comment No. C4-16

I object to any housing or retail.

Response No. C4-16

As explained in Section 2.0 of this FSGEIS, the residential and retail development that is proposed in the Town Board's draft PD District would be only supportive in nature. The proposed PD District defines a supportive use as one which exists within the EPCAL Property and supports the employees and tenants of the principal use(s). Based upon comments received, the proposed PD District has been revised to indicate that such uses would be permitted on a limited basis and would be targeted to employees and tenants of the principal permitted uses and not designated for primary use by the general public. The only supportive uses permitted within EPCAL are attached housing units and retail, personal service or restaurant uses specifically designed to support the uses within EPCAL. Also based upon comments received during the public comment period on the DSGEIS, modifications were made to the PD District, which place specific limitations on residential and retail/personal service/restaurant development, as explained in Section 2.0 of this FSGEIS. Specifically, the language in the PD District is proposed to be modified as follows (revisions are shown in **bold** and underline):

"B. Supportive Uses

In order to promote the EPCAL Property as a planned development community, the following uses shall be permitted as "Supportive Uses," on a limited basis, targeted to the employees and tenants of the permitted principal uses within the EPCAL Property and not designated for primary use by the general public:

- (1) *Residential. The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled "Preferred Alternative" adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013. The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to each other such that the total combined acreage of said lots is greater than ten acres. The total number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like.*
- (2) *Retail, Personal Service, or Restaurant. The PD District shall only permit retail, personal service, and restaurant uses specifically designed to support permitted principal or other supportive uses within the EPCAL Property. The floor area for any supportive use, other than residential described above, shall be located within the floor area of the principal use and shall not exceed 10,000 square feet of floor area per supportive use and 20,000 square feet per principal use and/or*



lot. The total or maximum floor area within the EPCAL Property shall not exceed 500,000 square feet.

Comment No. C4-17

The study refers to 300 units comparatively to 10,000,000 square feet of build out. I think we should look at the current housing market, saturation and vacancies in Riverhead and the adjoining townships including undeveloped residentially zoned properties in Riverhead. The town recently changed zoning from retail to multi-family in the Wading River Study, there is no reference to that in the Market Study.

Response No. C4-17

The theoretical maximum development potential that was analyzed in the DSGEIS was determined based on the Market Study commissioned by the Town Board. The purpose of the theoretical maximum development analysis was to identify and analyze the environmental impacts that would result therefrom and identify mitigation measures that would be necessary to minimize potential significant adverse environmental impacts. Among other things, the SGEIS process allows the Town Board to use these analyses to establish conditions and thresholds wherein certain actions can take place without further SEQRA review and to identify required mitigation measures for various levels of development. Accordingly, the Town has not put forth a proposed development, but has identified a maximum theoretical development to ensure comprehensive environmental review.

The build-out period is expected to be at least 20 years, as indicated and analyzed in the DSGEIS. However, as explained in Section 2.5 of the DSGEIS and in Responses to Comment Nos. C5-2, H1-2 and H15-4, it must be understood that no one can predict, over a multi-year development period, what specific uses would be developed and at what levels. For example, if a significant portion of the site is developed for warehouse uses, minimal traffic would result. Moreover, if a significant area was used as a solar field, virtually no traffic would result from that area. Accordingly, the maximum development limit will be a function of the actual trip generation associated with the uses developed. As explained in Section 3.4.2 of the DSGEIS and Section 3.0, above, the maximum number of trips that can be generated and reasonably mitigated at this site in the a.m. peak hour (the critical time period) is 5,000. Thus, this would be the limiting factor for development.

In addition, as discussed above, and stated in the PD District, the permitted residential and retail development would be limited and targeted to the tenants and employees of the EPCAL development. While the general public cannot be excluded from using potential retail establishments, such uses are “not designated for primary use by the general public,” as indicated in the proposed PD District (see Appendix C). These uses are proposed to support future development that occurs within the EPCAL Property. With respect to residential development, as with retail, the limited number of residential units could only be constructed to **support** the principal use(s) within the EPCAL Property. Specifically, as stated in the proposed PD District:

“The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled “Preferred Alternative” adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013. The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to



each other such that the total combined acreage of said lots is greater than ten acres. The total number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like."

With respect to the comments regarding the Market Study, as well as the Absorption Analysis, same were commissioned by the Town Board, and they were completed prior to the completion of the DSGEIS. The Absorption Analysis for the EPCAL Property projected that the EPCAL Property might capture 20 percent to 30 percent of the forecasted 1,500 new housing units in the Town of Riverhead over the next ten years, or 30 to 50 units per year. According to the analysis, "it is assumed this level of absorption would continue beyond the next 10 years, resulting in an estimated 450 to 750 units that could potentially locate at EPCAL between now and 2025." These figures are significantly higher than the 300 noted in the proposed PD District. While the housing units examined in the Absorption Analysis were assumed to be townhouses and clustered, they were not assumed to be "supportive" units, but rather stand-alone units, independent of any other potential use at the site. The Town, in its preparation of the proposed PD District and its analysis during the SEQRA process, determined that only a limited number of supportive housing units would be permitted within the EPCAL Property.

With regard to the part of the comment regarding the Wading River Study, such study was conducted after the Market Study was prepared, and thus the Market Study could not reference it.

Comment No. C4-18

Serious consideration should be given to permit access to the rail for all the parcels within the subdivision.

Response No. C4-18

As shown on the revised Subdivision Map (see Appendix D of this FSGEIS), Lots 28 through 32, at the southwestern portion of the property would have access to the rail spur through a 50-foot rail right-of-way to be extended to the boundary of Lot 29.

Comment No. C4-19

It was discussed that the Fire District line would change and lots 1-22 would be served by a single Fire District. The Fire District boundary remains unchanged.

Response No. C4-19

The Town of Riverhead has consulted both the Wading River and Manorville Fire Districts with respect to a potential modification of the Fire District boundary that traverses Lots 1 through 9 and 17 - 22 located along NY 25. At this time, neither district is amenable to a modification of the district boundary. Therefore, both Fire Districts would serve these lots. The proportionate tax assessment due to each of these districts would be determined by the Town of Riverhead Tax Assessor.



Comment No. C4-20

Townhouse type residences are proposed without any square footage or number of bedrooms. Does that mean each lot owner within the subdivision can have housing? The plan states 300 housing yet the Market Study indicates twice as many. I fear variances can be obtained to attain additional housing and this will turn into a housing complex. The current plan expects 66 new students to the Riverhead School District.

Response No. C4-20

As explained in Responses C2-39 and C4-17, the Town Board has not proposed any specific project. See Section 2.0 of this FSGEIS regarding the supportive housing concept presented in the draft PD District. The proposed modified PD District specifically sets forth a limit on the number of such supportive residential units at 300, however, an applicant can apply for a special permit that would allow additional units, but must meet all of the requirements, including minimum lot size, and demonstrate that the residential units are “an essential and integral component of such principal use, i.e. scientific research or development facility or the like.” Development of the EPCAL Property remains focused on non-residential, mostly industrial/research and development/energy uses, which would fulfill the requirements that the federal government set forth when it transferred the land to the Town of Riverhead. Based upon the limitations set forth in the proposed PD District, the permitted principal uses would act as an economic development engine for the Town and the region, and the EPCAL Property would not turn into a housing complex.

Comment No. C4-21

Reference to Hospital Beds is for what purpose or use?

Response No. C4-21

Since a large number of employees, as well as a limited permanent population could be situated at the EPCAL Property, the number of hospital beds and their locations was included to indicate that there are health care facilities available to service this potential new concentration of people. Also, such analysis was required by the Town Board in its Final Scope.

Comment No. C4-22

Mitigation measures under this caption refers to Town Police Department yet does not mention the Town Highway Department.

Response No. C4-22

An environmental impact statement (in this case, the DSGEIS) is required to address potential significant adverse environmental impacts. Potential impacts to the Town Highway Department were not identified by the Town Board when it promulgated the Final Scope. Notwithstanding this, as noted on Table 19 in Section 3.2.2, the Town Highway Department is expected to receive approximately \$441,361.11, annually at 2025, based upon the Theoretical Mixed-Use Development Program evaluated in the DSGEIS. In addition, Table 20 in Section 3.2.2 indicates that the Town Highway Department would receive approximately \$2,202,559.47, annually at ultimate build-out of the Theoretical Mixed-Use Development Program.



Comment No. C4-23

[With respect to noise], the only impacts mentioned are traffic and does not mention industrial uses that could potentially impact residential uses (e.g., Gershow Recycling).

Response No. C4-23

As explained in Section 3.6.2 of the DSGEIS, the mix of uses set forth in the Theoretical Mixed-Use Development Program may not be the uses that are ultimately developed, since no one can predict, over a multi-year development period, what specific uses would be developed and at what levels. Therefore, it is not possible to know the level of noise produced by such future uses. However, the future uses on the site would be required to comply with the Town's Noise Ordinance (Chapter 81, *Noise Control*, of the Town Code), which has been developed to protect both residential and non-residential properties within the Town. The PD District (see Appendix C) specifically indicates that:

"Development within the PD District shall comply with Chapter 81, Noise Control, of the Town of Riverhead, which generally limits such noise levels from commercial and industrial properties to neighboring properties to 65 dBA. Given the neighboring residential uses off Timber Drive, Kay Road, among others, recreational uses, such as Grumman Memorial Park and Veterans Memorial Park, Calverton National Cemetery, and other sensitive receptors surrounding the property, in the event that such noise levels are exceeded to sensitive noise receptors outside of the EPCAL Property or residential uses within the EPCAL Property, such additional noise abatement measures, including increasing such setbacks or the provision of noise walls or the provision of berms, fences, vegetation and the like, shall be considered and a site applicant can apply for a variance from the Town Board pursuant to §81-7 of the Town Code."

Chapter 81 specifically defines industrial properties, sets limits on sound levels and characterizes unreasonable noise.

Furthermore, as noted in §81-3.B.:

"All departments charged with new projects or changes to existing projects that may result in the production of noise shall consult with the noise control officer prior to the approval of such projects to ensure that such activities comply with the provisions of this chapter."

Comment No. C4-24

What is the cost of actively maintaining 594 acres of low maintenance vegetation?

Response No. C4-24

See Responses C1-11 through C1-13. The CHPP has been modified and is included in Appendix G of this FSGEIS. As noted in Response C1-12, CHPP activities will be funded by the full faith and credit of the Town of Riverhead.



Comment No. C4-25

The Study refers to 594 acres of grassland to be created/maintained. Numbers should be broken out to reflect the total existing and to be created maintained.

Response No. C4-25

As explained in Section 2.0 of this FSGEIS, the Subdivision Map has been revised based on comments received on the DSGEIS. The following is the modified breakdown:

- Existing Grassland: 646.2 acres
- Existing Grassland to Remain: 512.4 acres
- Grassland to be Created: 70.6 acres

- Total Post-Development Grassland: 583.0 acres

Comment No. C4-26

The Study refers to loss of forested habitat yet preservation of forest habitat to counter balance. Is any forested land to be removed other than for development? The study should reflect the actual numbers.

Response No. C4-26

Forested habitat would only be removed for development, at such time a site plan has been approved by the Town. Table 7 of the DSGEIS and Table 1 of this FSGEIS indicate that there is approximately 1,401.9 acres of forested land within the EPCAL Property. Based upon implementation of the Theoretical Mixed-Use Development Program, upon ultimate build-out, approximately 787.3 acres of forested land would remain. The Theoretical Mixed-Use Development Program was evaluated as a worst-case scenario. Therefore, the actual amount of forested land to be remain may be more than the 787.3± acres, noted above, depending upon actual future development.

Comment No. C4-27

Study refers to no disturbance to Wading River Manor Road. The plan is to continue to utilize the perimeter roadway for use as a Recreational Trail. This should be corrected.

Response No. C4-27

No vehicular access points are proposed onto Wading River Manor Road from the EPCAL Property. The existing trail would be maintained in the area described in the comment.



Phil Barbato, Acting President Riverhead Neighborhood Preservation Coalition (C5)

Comment No. C5-1

We believe that the citizens of this Town deserve more than this. The plans for this vital piece of real estate must be better thought out, more definitive, written so that they can be unambiguously managed by current and future administrations, and closer to the desires of our fellow citizens for maintaining our rural character, livable neighborhoods, and modest tax burden for the average homeowner.

Response No. C5-1

The comment is noted. Prior to leaving the subject property, from 1954 through 1996, the U.S. Navy and Grumman Corporation used the EPCAL Property, as well as many other thousands of acres in the vicinity for assembling, flight testing, refitting, and retrofitting naval aircraft. As indicated in the DSGEIS, the Secretary of the U.S. Navy was authorized by Congress to convey approximately 2,900 acres of land to the Town CDA in 1998 for economic development purposes. The remaining 3,100± acres were transferred to the Veterans Administration (140± acres) for additions to the Calverton National Cemetery (which had previously received over 900 acres in 1976 for its initial construction) and to the NYSDEC (2,935± acres) for conservation purposes.

The objective of the Town, since the time of the property transfer, has been to redevelop the Calverton property in a manner that would maintain its environmental integrity, while creating a significant engine to drive the local and regional economy. This was confirmed in the 2013 New York State legislation signed by Governor Cuomo as law creating the Enterprise Park at Calverton Reuse and Revitalization. Subsequent to the U.S. Navy GEIS, approximately 500 acres of the 2,900 acres conveyed to the Town were redeveloped as Calverton Camelot, an industrial subdivision, and many of the existing hangars and buildings on those 500 acres have been redeveloped since that time. Based upon the foregoing, the property has been used for military and industrial purposes for the past 60 years, and its use has not been rural in character.

With respect to taxes, the 2,323.9-acre property does not currently generate any property taxes or sales taxes. Based upon the Theoretical Mixed-Use Development Program, the EPCAL Property could generate approximately \$8.6± million in overall taxes and \$2.5± million in Town taxes, annually by 2025 and \$42.7± million overall and \$12.5± million for the Town, annually at ultimate build-out.

With respect to the funding of the infrastructure, see Responses H1-6 and C2-25.

Accordingly based upon the property taxes generated, as well as the type of infrastructure funding that is being contemplated, development of the EPCAL Property is expected to become a significant economic benefit to the Town and its residents.

Comment No. C5-2

By evaluating, “Theoretical Mixed-Use Development Program,” the DSGEIS sets up a moving target that is impossible to hit. This is much too imprecise and it will be impossible to realistically evaluate. The Town needs to set firm zoning and rules for this site. These can be changed, if ever necessary in the future, using current methods for doing so. It will not be advantageous for the long term future of this Town if the zoning is left so indefinite.



Response No. C5-2

As explained in Section 2.0 of the DSGEIS throughout this FSGEIS, it must be understood that the Town is not proposing a specific development project. The Town has property, and it is in the process of determining the types of uses, level of development, areas of preservation, etc. that are appropriate for that property while ensuring a balance between environmental impacts and social and economic benefits. In a situation such as this where there is no specific applicant with a specific project, the Town must evaluate the impacts of the zoning that it is contemplating. In order to do so in a thorough and comprehensive manner that complies with SEQRA and its implementing regulations, the Town has prepared a DSGEIS, and such DSGEIS evaluates the maximum theoretical development. This is done so that the Town can determine what impacts would result if the property was developed to its maximum potential, in accordance with the contemplated zoning. In addition, and as important, the DSGEIS identifies the mitigation measures that would be necessary to accommodate such development.

Contrary to the comment, the proposed PD District sets forth specific zoning rules and requirements for the site (see Appendix C of this FSGEIS), including individual lots sizes, maximum impervious coverage, percentage of fertilizer-dependent vegetation, height, landscaping, emergency access, parking, etc. In addition, prior to the submission of a site plan an applicant must meet with the Town Board or Planning Department to determine code compliance, general engineering suitability and aesthetic compatibility, among other things. Also, in evaluating the specific site plans, the Town Board, in accordance with the PD District, must take into account use and design consideration such as building mass and articulation, building materials, color and texture, signage and lighting, pedestrian circulation, and noise. The Town Board can also consider, among other items, cross-access between individual properties, on-site bicycling parking, the use of native vegetation and the incorporation of greenhouse gas mitigation measures for stationary sources. The Theoretical Mixed-Use Development Program evaluated in the DSGEIS presents a worst-case scenario, as required by SEQRA. Based upon the analysis presented in the DSGEIS, Section 3.0 of this FSGEIS sets forth the conditions and thresholds under which development can occur. If a future development proposal is submitted to the Town that is inconsistent with the PD District and/or the conditions and thresholds set forth herein, additional review is required to ensure that no significant adverse environmental impacts would result.

Comment No. C5-3

Including residential and retail uses in the proposed rezoning is not in line with the long-standing goals for EPCAL. It is well-known that residential uses is a net loss to the Town's budget. Residential uses of land do not create the tax base needed to support local governmental activities to the Town. And we already have too much vacant retail space in the Town. It is to our benefit to create another retail center to compete with existing retail areas – like Route 58 competes with Downtown and impedes the latter's revitalization? Do we really want to create more?



Response No. C5-3

See Responses C4-16 and C4-17. The number of proposed residential units that are permitted is limited, and must be supportive of the principal use(s) on the site. Accordingly, this property could not be developed solely as a residential community. Furthermore, not all residential communities are tax negative. This situation is much more common with single-family developments, which are not permitted by the PD District. With respect to being a net loss to the Town's budget, the property taxes paid by the overall development (as explained in Section 3.2.2 of the DSGEIS) would more than off-set the cost of the overall services provided to the site by the Town. Particularly, with respect to educational facilities, the type and number of units permitted would limit the number of school-aged children, and based upon the analysis contained in the DSGEIS (see Sections 3.2.2 and 3.3.2 of the DSGEIS), the property taxes received by the school district in both 2025 (\$5.2± million) and by ultimate build-out (\$25.7 million), would more than off-set the cost to educate the school-aged children generated by any potential residential development.

The tax base created at the EPCAL Property would stem from the non-residential (non-retail) businesses that would occupy the site. While the development program analyzed in the DSGEIS is theoretical, it was heavily weighted toward non-residential (non-retail) development, including the over 10.5 million square feet of industrial, research and development, office, medical office and flex space, with only 805,860 square feet of retail space and 300 residential units. This was based upon the Market Study, prepared by RKG Associates, Inc., at the request of the Town Board.

Furthermore, as discussed in Responses C4-16 and C4-17, the retail uses permitted are required to be supportive of the uses on the site and not primarily for the general public. The permitted retail uses would primarily serve the tenants and employees of the EPCAL subdivision, as well as the small permanent population that could be residing within the EPCAL subdivision. The proposed PD District limits the overall amount (500,000 square feet) and total size of each individual business (10,000 square feet). Also, such uses must be located within the floor area of a principal uses. Therefore, there would be no free-standing retail, personal service or restaurant uses on the site. The intent of having retail on site is to serve the people who work and live on the property, so they do not necessarily have to travel on the local roadway during the workday to have their basic retail, lunch, etc. needs met. Due to the size and location limitation on individual businesses, no big box retail facilities would be permitted, and since such commercial uses would only be permitted within the footprint of a principal use, the retail development that is permitted in the PD District has been specifically designed by the Town Board not to compete with the businesses in downtown Riverhead or even those businesses on Route 58.

Comment No. C5-4

The DSGEIS claims that the tax base will be increased (e.g., page ix). But what are we associated costs that go with this development? The NET effect on the Town's budget and other districts serving this site must be estimated as well. Without the expenses, we are looking only at one side of the equation and missing the real impact.



Response No. C5-4

Section 3.3.2 of the DSGEIS evaluated the impacts of the proposed action on community facilities and services, and where practicable, a quantitative analysis was conducted. For example, Section 3.3.2 of the DSGEIS provided a quantitative evaluation of potential impacts to the Riverhead Central School District. Based upon the 2013-14 per pupil expenditure of approximately \$23,450, it would cost approximately \$1.6 million to educate the estimated 66 school-aged children generated at ultimate build-out. Since potential development at ultimate build-out is expected to generate approximately \$25.7 million in annual property taxes, there would be a significant net fiscal benefit to the school district.

As a further example, with respect to emergency services, as discussed in Section 3.3.2 as the EPCAL Property is located within three fire districts. The property taxes for each of the fire districts, based upon the assessed value of \$51,255,500, would be distributed proportionately, based upon the specific tax rates of each fire district – Manorville (\$6.55 per \$1,000 of assessed value); Wading River (\$6.44 per \$1,000 of assessed value); and Riverhead (\$7.42 per \$1,000 of assessed value) and the proportion of the development within such districts. The preliminary property tax analysis included in the DSGEIS indicated that the Manorville Fire District would receive approximately \$1,676,155 and Riverhead Ambulance would receive approximately \$493,664, annually. In addition, future tenants of the EPCAL Property will be generating property taxes to the Town of Riverhead General Fund, approximately 50 percent of which (almost \$1.0 million, annually at 2025 and almost \$5.0 million, annually, at full development) will go to the Riverhead Police Department, according to the Office of the Receiver of Taxes.

In addition, both library districts would receive a total of approximately \$185,800 per year, with a minimal amount of additional usage generated by the limited number of new residents.

Comment No. C5-5

For school district impacts, the DSGEIS uses a figure of 0.22 school aged children per unit and fails to include the formula used to make such estimation. This seemed ridiculously low and, in any event, leaves out the impact of the children of the other employees at the site, some of which will be moving to our town. If the “trips” represent the number of employees, the potential impact of thousands of new students has been woefully underestimated.

Response No. C5-5

Section 3.3.2 of the DSGEIS included the assumption, formula and source for the school-aged children calculation, as follows:

“Townhouse-type units (single-family attached), containing two bedrooms, were used for purposes of analysis in this DSGEIS. Since the value of the townhouses cannot be determined at this time, the “all values” factor from the Rutgers University, Center for Urban Policy Research Residential Demographic Multipliers – Estimates of the Occupants of New Housing (June 2006) (hereinafter “the Rutgers Study”) was used to determine the potential number of public school-aged children that could be generated.

Based on the aforesaid assumptions and the factors in the Rutgers Study, such residences would be expected to generate 0.22 school-aged children per unit.”



Data from the *Rutgers Study*, which is a widely- used industry standard, is included in Appendix J of this FSGEIS.

Based upon the factor of 0.22 school-aged children per unit, the total of 300 on-site units analyzed as a theoretical worst-case scenario, would generate 66 school-aged children, most of whom are expected to attend public schools within the Riverhead School District.

Also, as incorrectly asserted by the commentator, “trips” do not directly equate with the number of employees. Further, it is not possible to determine the number of employees who may move to the Town of Riverhead to work at businesses within the EPCAL subdivision. Many of the employees either currently live in the Town of Riverhead, and consequently, already send their children to Riverhead schools, or would commute to the site from other Towns, including nearby Brookhaven. In addition, not all employees would have school-aged children.

Comment No. C5-6

For traffic mitigation, the DSGEIS recommends many roads and signaling improvements over a 7.5 mile corridor. But it leaves out any recommendation for whom will pay for these improvements and the estimate of how much they will cost. Will these costs be borne by new tenants at EPCAL, or as if usually the case, will they be borne by existing taxpayers of the Town? The plan for adding traffic lanes to Route 25 on the north end requires NYS Department of Transportation to take it on as a project. However, the capital plan for road infrastructure in the LI region has been set through 2023 and does not contain improvements for this road.

Response No. C5-6

See Responses C2-25, C3-5, C4-14, C5-1, and H1-6.

Improvements to NY 25 can be performed by the NYSDOT or by other agencies, or private entities through a highway work permit process. Also, the Capital Program for roadway infrastructure improvements for Nassau and Suffolk Counties set forth in the five-year Nassau/Suffolk Transportation Improvement Program developed by the New York Metropolitan Transportation Council and the Nassau/Suffolk Transportation Coordinating Committee is not set through 2023 but is subject to periodic change and amendment.

Comment No. C5-7

For the water supply and sewage disposal infrastructure costs, who will pay and what are the estimates of those costs. Again, will these costs fall on existing taxpayers? Or, if the plan is to transfer these costs to the site’s tenants, what will incentive developers to come to EPCAL.



Response No. C5-7

See Responses C3-5, C4-14, and C5-1 regarding potential infrastructure funding mechanisms. Furthermore, specific water supply infrastructure that would serve development within the EPCAL Property (and other nearby properties, e.g., Calverton Camelot) would be designed by the Riverhead Water District. Funding would be determined by the Water District. However, it is assumed that, in part, property taxes and connection fees derived from new development at EPCAL, as well as other new development in the District (e.g., Calverton Camelot) would be used to fund certain infrastructure costs.

The existing Calverton STP is currently being upgraded. Design is ongoing and costs are being determined by the Town's sewer consultant. As with water supply infrastructure, several funding mechanisms are being explored by the Town (see Responses C3-5, C4-14 and C5-1). In addition, also as with water supply infrastructure, it is assumed that property taxes and connection fees derived from the new development would, in part, help fund sewer infrastructure improvements.

Comment No. C5-8

EPCAL is in the Pine Barrens compatible growth area and in the Peconic watershed area and as such, we believe that redevelopment should be required to be environmentally sensitive in a way that protects the surface water, our groundwater aquifer, and wildlife. During the scoping hearing we made many recommendations for mitigation environmental impacts that area not reflected in the DSGEIS. These include requiring (1) minimal land clearing to preserve as much natural vegetation as possible; (2) only organic gardening methods be uses so as not to introduce more chemicals into groundwater; (3) only indigenous and other drought-tolerant plants be used; and (4) use of pervious surfaces wherever possible. In order to mitigate the impacts on wildlife we believe the following concepts should be reflected in DSGEIS: (1) minimal/no use or harmful pesticides/fungicides, which poison wildlife as well as waters; (2) minimal fencing only where essential for safety; (3) low speed limits and speed bumps; and (4) appropriately shaped turtle friendly curbs so turtles can cross streets more safely. We urge the Town Board to revise the DSGEIS so that the resulting zoning ordinance incorporate most of or all of these measures.

Response No. C5-8

The suggestions made by the various commentators during the formal scoping process and during the public hearing on the DSGEIS and proposed zoning were considered by the Town Board. Partially based on such comments and suggestions, the Town Board has modified the Subdivision Map and included additional safeguards within the PD District (see Section 2.0 of this FSGEIS). It should also be understood that out of the total 2,323.9 acres of the EPCAL property, only 593.2± acres (25± percent), excluding roads and ROWs, will be available for development. Approximately 65 percent of the site (including, but not limited to, 583.0 acres of grasslands and 787.3 acres of pine barrens vegetation) are proposed to be preserved, while only 35 percent of the site (much of which was previously cleared for runways, taxiways and buildings – 855 acres) is proposed to be developed.

The proposed PD District indicates that any development situated within the area subject to such zoning must abide by the provisions of the Articles 6, 7 and 12 of the Suffolk County Sanitary Code, must comply with the permits issued to the Town of Riverhead from the NYSDEC with respect to freshwater wetlands, Wild, Scenic and Recreational River Systems and endangered species, and mitigate impacts on water quality



with respect to discharges to groundwater located proximate to public water supply wells, as required under Article 17 of the New York State Environmental Conservation Law. In addition, New York State lists pesticides and fungicides that are prohibited from use, and property owners would be required to refrain from using such chemicals.

Comment No. C5-9

The DGEIS proposed setting limits, or triggers (such as “trips”) to monitor the impact of future development at the site. We suggest that the Town set a review standard for all proposed development and that it be required to prove, BEFORE approval can be granted, that the proposed development will be a net positive impact on the Town’s budget. That is, the tax revenue will be compared to the resultant expense to the Town and only those projects that can show a positive result will be approved. Monitoring data such as “trips” are after-the fact, after the damage is done, and will be fairly meaningless in the future.

Response No. C5-9

As indicated in Section 3.0, since a GEIS has been prepared for potential future development of the EPCAL Property, specific future development applications must demonstrate that they meet the conditions and thresholds set forth in this FSGEIS. Should a development application not meet such conditions and thresholds, additional environmental review would be required to demonstrate that such proposed development would not have significant adverse environmental impacts.



Robert S. DeLuca, President, Group for the East End (C6)

Comment No. C6-1

The preferred EPCAL development plan ignores the specific design recommendations offered by members of the region's environmental community to minimize potential grassland impacts. As the Town is aware, an alternative subdivision design developed by the "Coalition for Open Space at EPCAL," submitted during the Scoping process, does not appear within the body or appendix of the DGEIS for comparative assessment as required by the State Environmental quality Review Act (SEQRA). Figure 44 (p.479) enclosed within the DGEIS, is not the detailed map that was submitted, but an overall environmental sensibility map, and therefore, the analysis provided on p. 478 of the DGEIS is incorrect and does not reflect what was proposed by the Coalition.

Response No. C6-1

According to Town representatives, the map that was included in Section 7.3 of the DSGEIS, *Alternative Subdivision Design*, was the map that was received by the Town from The Coalition for Open Space at Calverton.

Comment No. C6-2

Re-examine the submitted coalition for Open Space at EPCAL subdivision design and provide a comparative assessment of this proposed alternative to the preferred plan. Specifically, the preferred plan's lots 10, 11, 15, 16, 23, 24, 27, 30, 31, 33 & 35 are situated directly on top of the site's existing and most vulnerable grassland habitat.

Response No. C6-2

The Coalition for Open Space Plan, which was included in the DSGEIS as Figure 44, includes the Calverton Camelot (Burman) industrial subdivision and the Stony Brook Incubator site, as well as the remaining 2,323.9 acre property, which is the subject of this GEIS.

Specifically with regard to the subject property, as discussed in the DSGEIS, there was extensive consultations with the NYSDEC regarding the configuration of the proposed development lots and the proposed areas to be preserved. However, in order to address comments that have been raised during the environmental review process, as described in Section 2.0 of this FSGEIS, the Subdivision Map has been revised to eliminate the creation of new grassland on runways and to reconfigure lots to allow for the preservation of existing grassland, especially along the western runway. Lot 47 on the revised Subdivision Map extends farther north than on the previous plan (where Lot 35 was located), allowing additional existing grassland to remain adjacent to the western runway. While Lots 30 and 31 remain, a 200-foot-wide WSRRS buffer will be placed within those lots, just north of Grumman Boulevard. Former Lot 27 has been moved and no development is proposed to occur southwest of Burman Boulevard in that location.

Based upon the reconfiguration of the lots, overall, 583.0 acres of grassland are proposed to be preserved/created within the EPCAL Property.



Comment No. C6-3

The DGEIS should recommend the convening of a “grasslands working group” (including regional experts and environmental stakeholders) to aid in the creation of a grasslands mitigation strategy. Such working group should oversee all aspects of natural grassland management. In addition to any of the proposed “created grasslands.” The group should be responsible for regular public reporting on the status of management activities.

The DGEIS should define the costs of proper grassland management.

The DGEIS should provide the costs for the proposed creation of new grasslands.

Response No. C6-3

A draft CHPP was prepared and was included in Appendix Q of the DSGEIS. This CHPP has been updated and a copy is included in Appendix G of this FSGEIS. As indicated in Section 2.0 and throughout this FSGEIS, although there would be approximately 70.6 acres of created grasslands, no new grasslands would be created on the runways. Therefore, the Habitat Protection Plan map, in Appendix of this FSGEIS, has been revised to reflect this condition, as well as to reflect the revised Subdivision Map (see Appendix D).

As provided in Response C1-11, the CHPP includes broadly-defined BMPs developed by New York Audubon and the NYSDEC for grassland bird habitats. The CHPP has been modified to include provisions for the implementation of the plan and maintenance of existing and newly-created grasslands, pursuant to the management goals of the responsible party and to prevent/mitigate adverse impacts associated with the Incidental Take Permit. The CHPP has been amended to include a monitoring plan designed to ensure habitat protection, measure progress towards goals and determine plan efficacy.

The costs associated with administering the plan, including costs associated with the maintenance of vegetated habitats, would be variable and subject to the individual management goals for targeted species. However, as indicated in Response C1-12, CHPP activities will be funded by the full faith and credit of the Town of Riverhead.

Comment No. C6-4

The DGEIS should provide an approximate cost estimate of all of the proposed traffic mitigation measures described as necessary within the Study.

Response No. C6-4

At this stage of the environmental review and SEQRA process it is not feasible to design each traffic mitigation that may be required. Therefore, it is not possible to provide a cost estimate. Moreover, as explained in Section 2.5.3 of the DSGEIS, the level of potential development that could occur on the EPCAL property analyzed in that document is the maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development. Thus, all proposed traffic mitigation



measures described as necessary based upon the maximum theoretical level of development, may either not be needed, or could be scaled back based upon the actual level of development achieved.

Comment No. C6-5

The DGEIS should outline a clear implementation strategy encompassing how, at what cost, when and what entities will be responsible for implementing the mitigation measures.

Response No. C6-5

At this stage of the environmental review process it is not feasible to design each traffic mitigation that may be required. See Responses C2-25, C3-5, C4-14, C5-1, and H1-6.

The timing of the implementation of the mitigation measures is based on future trip generation levels as presented in the DSGEIS (see Section 3.4 thereof) and is intended to be phased with the development of the site based on a theoretical maximum potential. In addition, the traffic analysis presented in the DSGEIS (see Section 3.4 thereof) explained that such maximum potential may never be realized, as it may not be feasible to implement the maximum theoretical level of development.

Comment No. C6-6

The DGEIS should provide a strategic and financial implementation strategy for the upgrades to the sewage treatment plant.

Response No. C6-6

See Response C1-5, above, which discusses that the upgrade and expansion of the existing STP is based on relocating the existing surface water outfall from McKay Lake to a site located outside of the Peconic Estuary watershed and replacing the existing secondary treatment process with an advanced biological nitrogen removal process, and Response C6-8, below, which indicates that the Calverton Sewer District has received grant funding from New York State to construct all facilities necessary to complete the diversion of effluent. This work is scheduled to be publicly bid in 2016.

Comment No. C6-7

The DGEIS should also describe how developments utilizing onsite wastewater treatment in the interim of having completed the upgraded STP will transition to eventually utilizing the STP.

Response No. C6-7

All users are required to connect to the Calverton Sewer District for subsequent treatment by the upgraded facility. This requirement is set forth in binding legal covenants previously required by the SCDHS. Therefore, on-site wastewater treatment will not be permitted.



Comment No. C6-8

Additional specific details should be provided regarding the redirecting of wastewater outside of the Peconic Estuary watershed. How much? What impact might this have? Will they be redirected to the STP eventually? At what cost and what entity will fund this endeavor?

Response No. C6-8

See Response C1-5. The Calverton Sewer District has received grant funding from New York State to construct all facilities necessary to complete the diversion of effluent. This work is scheduled to be publicly bid in 2016. There will be no phasing of the diversion.

Comment No. C6-9

The interpretation of the NY State legislation is extremely broad. Language alluding to the fact future permits should not be required should be clarified or stricken from the DGEIS. The DGEIS should be corrected to reflect that there are no automatic state or involved agencies approvals associated with the adopting of the FGEIS for EPCAL.

Response No. C6-9

See Responses C1-1, C1-2 and C1-3, above.

Comment No. C6-10

The relevant portion of the law should be included within the appropriate sections, *"after adoption of the EPCAL reuse and revitalization plan and final GEIS, the town may make application to such agencies with jurisdiction to issue general permits for the review of any actions to implement the EPCAL resuse and revitalization plan."* The law further provides, *"Nothing in this act shall be construed to eliminate the statutory or regulatory authority of state agencies."*

Response No. C6-10

The comment is noted.

Comment No. C6-11

The Group for the East End supports eliminating retail uses from the proposed subdivision at EPCAL.

Response No. C6-11

As discussed in detail in Section 2.0 and Responses C4-16, C4-17 and C5-3, the location of retail/personal service/restaurant uses is limited to being within the floor area of a principal use. Furthermore, an individual supportive non-residential use within a principal use cannot be more than 10,000 square feet in size and a principal use can contain no more than 20,000 square feet supportive uses (see Appendix C of this FSGEIS for the modified PD District). The maximum amount of supportive non-residential uses on the EPCAL Property



cannot exceed 500,000 square feet. Therefore, the location, individual size, amount per principal use and total amount of non-residential supportive uses are restricted by the proposed PD District.

Comment No. C6-12

If the Lead Agency is not inclined to do so, the DGEIS needs to provide the following:

- Justification for the amount of proposed retail and commercial space proposed accompanied by an analysis for market study that illustrates the justification.

Response No. C6-12

See Response C6-11.

Comment No. C6-13

If the Lead Agency is not inclined to do so, the DGEIS needs to provide the following:

- Any analysis of the impacts of the proposed retail and commercial space on nearby, established retail areas such as Route 58 and the Wading River Route 25A corridor.

Response No. C6-13

The DSGEIS is a document that was prepared by consultants to the lead agency and accepted by the lead agency. The DSGEIS is not separate and apart from the lead agency.

As noted in Response C5-3, the retail uses permitted are required to be supportive of the uses on the site and not primarily for the general public. The permitted retail uses would primarily serve the tenants and employees of the EPCAL subdivision, as well as the small permanent population that could be residing within the EPCAL subdivision. The proposed PD District limits the overall amount (500,000 square feet) and total size of each individual business (10,000 square feet), total amount per principal use (20,000 square feet), and its location (within the floor area of a principal building). The intent of having such supportive non-residential uses on site is to serve the people who work and live on the property, so they do not necessarily have to travel on the local roadways to have their basic retail needs met. Due to the required location within a principal use and the size limitation on individual businesses, no big box retail facilities would be permitted. The retail development that is permitted is not meant to, nor would it compete with the businesses in downtown Riverhead or even those businesses on Route 58.

Comment No. C6-14

The Group for the East End supports eliminating residential uses at EPCAL.



Response No. C6-14

See Section 2.0 and Responses C4-16, C4-17 and C5-3. The proposed PD District limits the number of residential units, as follows:

“The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled “Preferred Alternative” adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013. The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to each other such that the total combined acreage of said lots is greater than ten acres. The total number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like.”

These residential uses are permitted only as “supportive uses” that are targeted to the employees and tenants of the principal permitted uses in the EPCAL Property and not designated for primary use by the general public.

Comment No. C6-15

If the Lead Agency is not inclined to do so, the DGEIS should provide the following:

- A detailed description of how residential uses will be utilized for the sole purpose of supportive industrial development and not constructed as single-family homes or a type of stand-alone condominium complex.
- The DGEIS should provide an explanation of how the number of units was decided.

Response No. C6-15

The DSGEIS is a document that was prepared by consultants to the lead agency and accepted by the lead agency. The DSGEIS is not separate and apart from the lead agency.

As explained in Section 2.0 of this FSGEIS, based upon comments received during the public hearing process, the PD District has been modified to include limitations (in bold), as follows:

- (1) **Residential. The PD District shall allow a limited number of attached residential housing units located on the same lot and in support of a principal permitted use within that portion of the EPCAL Property described as Zone One, Zone Three and Zone Four of the Map titled “Preferred Alternative” adopted by the Town Board, as governing body of the Community Development Agency, by Resolution #5 adopted on May 7, 2013. The attached residential housing units shall only be permitted on a lot greater than ten acres or a combination of lots located adjacent to each other such that the total combined acreage of said lots is greater than ten acres. The total**



number of residential units within the EPCAL property shall be limited to 300, however, an applicant may make application for a special permit for a principal use with residential units that exceed the 300 residential unit limit. The applicant for a special permit which includes supportive residential units in excess of the 300 housing unit limit must adhere to the requirement of a minimum of ten acre lot size and demonstrate that the residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like.

- (2) *Retail, Personal Service, or Restaurant. The PD District shall only permit retail, personal service, and restaurant uses specifically designed to support permitted principal or other supportive uses within the EPCAL Property. The floor area for any supportive use, other than residential described above, shall be located within the floor area of the principal use and shall not exceed 10,000 square feet of floor area per supportive use and 20,000 square feet per principal use and/or lot. The total or maximum floor area within the EPCAL Property shall not exceed 500,000 square feet.*

As clearly stated in the PD District (within both the DSGEIS and this FSGEIS), only “attached housing units in support of other Principal Uses within the EPCAL Property” are permitted to be developed on the site. No single-family homes are permitted within the proposed zoning district. The residential development cannot be a “stand alone” complex as it **must be supportive** of other Principal Uses within the EPCAL Property (see Appendix C of this FSGEIS).

Comment No. C6-16

The DGEIS should provide recommendations such as building materials, visual aesthetics, clearing and energy conservation.

Response No. C6-16

The PD District (see Appendix C) includes “Design Considerations” “to provide high quality and complementary design of buildings, landscaping, parking, and other site and building design characteristics. Special emphasis is placed upon methods that reduce the large-scale visual impact of buildings and encourage imaginative design for individual buildings,” with a special emphasis on gateway entrances to the EPCAL Property. The design considerations include building mass and articulation, building materials, color and texture, signage and lighting, and pedestrian circulation. Development occurring within the PD would be required to comply with the relevant requirements of the Town’s various energy programs as well as the New York State energy code.

Comment No. C6-17

The DGEIS should provide maps of the groundwater plumes present at the site. These maps were made public as recently as April 10, 2014 and provided by the Naval Facility Engineering Command to the Restoration Advisory Board. Please see attached The Group for the East End letter enumerating concerns regarding contamination that were addressed shortly after the Scoping session took place.



Response No. C6-17

A copy of the 2012 *Basewide Investigation Data Summary Report: Naval Weapons Industrial Reserve Plan (NWIRP)*, Calverton, NY, dated February 6, 2015, which includes the groundwater plume maps, is contained in Appendix I of this FSGEIS. The development permitted within the EPCAL Property would not disturb the sources of the plume nor effect its direction of travel. All properties that are currently undergoing remediation by the US Navy are located in areas that are proposed to remain as open space, as shown on the revised Subdivision Map (see Appendix D of this FSGEIS).

Comment No. C6-18

As a result of the concerns and issues outlined above and in our public testimony, we strongly recommend the preparation of a supplemental to the DGEIS that addresses the issues raised during the public hearing and public comment that would be subject to public hearing and consideration portion to the completion of any Final DGEIS for the site.

Response No. C6-18

The DSGEIS that was prepared and accepted as complete by the Town Board, as lead agency, supplements the EIS that was prepared by the U.S. Navy in 1997 for the transfer of the NWIRP to the Town of Riverhead. The current DSGEIS that is the subject of the extant environmental review, provides updated information regarding environmental conditions and responds to the comments made during the public comment period, including the public hearing of September 3, 2014. At this point in the SEQRA process, the appropriate mechanism to address comments is this FSGEIS. Based upon comments received by the Town during the public comment period the proposed PD District, as well as the proposed Subdivision Map, included herein, have been revised to address specific issues, as outlined in Section 2.0 of this FSGEIS. With respect to the need for a supplemental EIS, according to *The SEQRA Handbook*,¹⁴

"A supplemental EIS may be required if:

- *the project sponsor proposes project changes which may result in one or more significant adverse environmental impacts not addressed in the original EIS;*
- *the lead agency discovers new information, not previously available, concerning significant adverse impacts;*
- *a change in circumstances arises which may result in a significant adverse environmental impact(s); or*
- *site-specific or project-specific analysis of potential significant adverse environmental impact(s) is needed for actions following a generic EIS."* (page 143)



¹⁴ http://www.dec.ny.gov/docs/permits_ei_operations_pdf/seqrhandbook.pdf, accessed December 4, 2014.



Although the Subdivision Map has been revised, the project sponsor has not proposed any changes that would result in one or more significant adverse impacts that were not addressed in the DSGEIS, it is, in fact, meant to address public comments. Further, this is not a project specific EIS, it is a supplemental generic EIS.

With respect to “new” information, according to The SEQRA Handbook, “the information should be genuinely new, that is, the lead agency would have had no reasonable means of knowing that information sooner.” No “genuinely new” information has been presented since the acceptance of the DSGEIS on July 31, 2014 that would trigger the need for a supplemental EIS. Furthermore, regarding a change in circumstances “a ‘change in circumstances’ means any change in the physical setting of, or regulatory standards applicable to, the proposed project. By this definition, there has been no change in circumstances since the DSGEIS was accepted by the lead agency as complete and adequate for public review.

Thus, the information presented in the comment letter does not meet the requirements outlined above for preparation of a supplemental EIS.



**William Toedter, President North Fork Environmental Council (NFEC)
On Behalf of NFEC Board of Directors (C7)**

Comment No. C7-1

The DSGEIS addresses the matter of air pollution only within the context of increased traffic and vehicle emissions during construction. It does not account for a proposed electric generation plant – a “peaker” plant – either within EPCAL’s proposed energy park or on properties adjacent to EPCAL where the Town of Riverhead has not only entertained proposals for peaker plants, but called for construction of at least one such plant.

Response No. C7-1

Section 3.5.2 of the DSGEIS presents a discussion of stationary source and greenhouse gas emissions, along with an analysis of mobile source emissions related to traffic and mobile source air toxics.

Further, according to a press release from PSEG Long Island, dated December 2, 2014,

“Through a Request for Proposals (RFP) for Generation, Energy Storage and Demand Response Resources (GS&DR RFP), proposals for facilities to be used primarily during periods of peak system demand were solicited by the Long Island Power Authority (the Authority) in 2013.

After review of the Proposals by the Authority and PSEG Long Island, and in conjunction with enhanced transmission planning studies, it has been determined that the Authority will no longer move forward on any of the proposals submitted.

The Authority is sending letters to all of the proposers thanking them for participating in the RFP and notifying them that their proposals will no longer be considered.”

Comment No. C7-2

The Town’s support of a fossil-fuel driven peaker plant or plants in or around the EPCAL property is not in keeping with either the state’s forthcoming directive or the direction supported by PSEG LI and LIPA. Not only will a peaker plant add to the area’s air pollution woes, it and its effects are not accounted for in the DSGEIS and would not be wholly compatible with the proposed Light Industrial (LI) zoning. Such a plant would have significant environmental impact and therefore, should not qualify under the EPCAL 90-day fast-track approval process. The NFEC and other groups are committed to ensuring that any fossil-fuel electric generation plant located within EPCAL be subject to full environmental review as it would be if placed elsewhere.

The NFEC asks the Town to agree that no fossil-fuel electric generation plants will be permitted within EPCAL.



Response No. C7-2

See Response C7-1, above.

Comment No. C7-3

The NFEC and others have, in the past, noted the folly of the covering the runways with a mixture of sand and dirt to a depth of six inches in order to create a grasslands habitat. Experts agree that so little organic material on top of a thick layer of concrete will result in:

- The inability of grasses and plants to develop meaningful deep root systems
- The drying out of the covering layer of organic material because of the layer's shallow depth and the heat absorbed and later radiated by the concrete layer so close to the surface, and
- The washing away of the dirt/sand in heavy rainfalls, which we are seeing with greater frequency and ferocity in the region

The addition of these 59.5 acres of grasslands in this manner is impracticable, ineffective and a waste of limited resources.

Response No. C7-3

As described in Section 2.0 of this FSGEIS and shown on the plans in Appendix D, no grassland is proposed to be created on either of the runways. Based upon the revised Subdivision Map, it is expected that of the 646.2 acres of grassland currently located on the EPCAL Property, 512.4 acres would remain, and approximately 70.6 acres will be created, for a total of 583.0 acres of grassland, based upon the worst-case development scenario presented in the DSGEIS.

Comment No. C7-4

The alternative subdivision design calls for not covering the western runway to create 59.5 acres of grasslands and suggests, instead, eliminating lots 27 and 33, and reducing the size of lots 34 and 35 so the creation of grasslands on the runway would not be required. While this would be a step in the right direction, there was no argument detailed as to why these two specific lots would be eliminated. It would appear that eliminating lot 36 instead of 33 would not only provide a better more contiguous area of preserved property in the southwest corner, it would also eliminate the need to change Line Road.

Response No. C7-4

See Response C7-3. Furthermore, the Subdivision Map has been revised to reconfigure the lots to, in part, allow for the preservation of existing grassland, eliminating the need to install newly-created grassland on the runways. Specifically, Lots 33, 34 and 35 have been reconfigured into one smaller lot (Lot 33) and the majority of the area adjacent to the runways has been retained. In addition, a five-foot non-disturbance buffer will be placed adjacent to all existing or new grasslands.



Comment No. C7-5

In either case, the NFEC still advocates the use of the western runway not for traditional development uses but for the use as a solar farm. The runway provides the needed foundation for anchoring of the arrays and would mean no additional grounds would have to be lost or developed. In addition, what has been learned from the solar arrays at the Brookhaven National Labs is that the land underneath and around the arrays can have a partial aspect of “preservation”. With the addition of organic material on the runways after the installation of the solar arrays, there would be less risk of the organic layer being washed away and the shade from the panels would keep that organic layer moister longer. Therefore, some natural life would return to the area in and around the solar arrays, as witnessed at Brookhaven.

Lastly, a commitment to the solar farm on this scale would greatly offset additional power one would get from a fossil-fuel peaker plant, keeping energy costs lower and eliminating ozone-causing emissions. In addition, there would be no traffic after construction, no air or noise pollution from operations, no irrigation, no sewage and the solar installation could be constructed without building any additional roads. Given all the recent interest and approval of a solar farm on the town’s industrially and agriculturally zoned lane, this would seem to be a no brainer. In addition, proceeds from the sale of the runway could be used for construction of the roads elsewhere. Therefore, the runway should be a designated lot (or two) of the proposed subdivision for the sole purpose of a solar farm.

Response No. C7-5

As previously indicated, grassland installation on the runways is no longer proposed. The Town is exploring a number of opportunities with respect to development or sale of the property, including the runways. This includes the use of the property, or a portion thereof, for a solar farm.

Comment No. C7-6

The NFEC suggests simply moving lots 29-32 200feet north to keep them entirely out of the WSRR boundary and reduce the area of lots 29 and 30 to keep them out of the WSSR area to their east? [sic] If this were agreed to it would most likely increase the amount of natural grasslands and further strengthen the argument that the western runway do not need to be covered and converted into grasslands.

Response No. C7-6

Grassland installation on the both the western and eastern runways is no longer proposed, and the subdivision lots have been modified and internal roadways realigned, in part, to allow for the preservation of additional grassland.

Furthermore, the proposed revised Subdivision Map includes the 200-foot WSRRS buffer along Grumman Boulevard within Lots 30 and 31 (see Appendix D of this FSGEIS). The proposed WSRRS boundary has been moved to the east to be coterminous with the eastern lot lines of Lots 28, 29 and 30.



Comment No. C7-7

One of the biggest concerns is why the last-minute move to the “mixed use” recommendation, especially the 300 housing units and 8,000 [sic] SF of retail space. Supervisor Walter made it a point in 2013 that the then draft plan was one debated over and agreed to by a number of environmental groups, the NYS DEC and the Town as the best approach to a balance of development and open space preservation. The mixed use approach was not part of that plan.

Response No. C7-7

Upon examination of the permitted non-residential (non-retail) uses on the property, the Town Board determined that the inclusion of supportive residential and retail uses on the EPCAL Property would assist in reducing the number of vehicle miles traveled by tenants and employees of EPCAL. As discussed in Response C6-15, the PD District requires that the residential development cannot be a “stand alone” residential complex as it must be supportive of other Principal Uses within the EPCAL Property. In addition, as indicated in Responses C4-16, C4-17 and C5-3, the permitted retail development was included in the PD District in order to support the future businesses, and limited number of residential units on the EPCAL Property. As described in Section 2.0 of this FSGEIS, the PD District has been modified to limit: 1) the location of supportive residential uses, 2) the size of the lot wherein supportive residential uses may be located (10 acres), and 3) the number of residential units to 300, unless an applicant applies for a special permit and can demonstrate that the additional residential units are included as part of a principal use wherein residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like, such that they would not be included in such limit. The PD District now also sets forth the required location of non-residential supportive uses (within the floor area of a principal use), the total maximum square footage across the entire EPCAL Property (500,000 square feet) and a maximum size for an individual business (10,000 square feet) (see Appendix C). While the inclusion of residential and retail/personal service/restaurant uses permit development on the site to be mixed, the a limited number of residential units and 500,000 square feet of non-residential supportive space permitted are clearly subordinate to the over 10.5 million square feet of non-residential (non-retail) space that was analyzed in the DSGEIS as the worst-case scenario development program.

Comment No. C7-8

What Town needs will this housing address? Will some be low-income or affordable housing? Will some be senior housing? Given the number of homes and the ultra-conservative estimate of 66 additional school-aged children, will zoning permit a licensed day care center...either for children or seniors? The DSGEIS also states that much of the housing would likely be townhouse-styles units. In this push for mixed-use, would the ground floor be used for commercial shops and stores with residential units above them? There are so many unanswered questions the Town must address.

VHB Engineering has started to do some comparison study between the impacts of the proposed mixed use development vs. solely industrial/warehouse development. However, these comparisons did not go far enough. They must include projected cost comparisons of these options.



Response No. C7-8

See Responses C5-3 and C5-5. The PD District clearing states that only a limited number of attached housing units are permitted. These units must be supportive of the principal permitted use(s) on the EPCAL Property. Furthermore, the estimate of school-aged children is not considered to be ultra conservative. It is based upon a widely-used industry standard source for generation factors, as well as the assumptions made about the type and size of units to be potentially developed on the site. As no tenants have been secured, it is not possible to know the specifications of either the housing units or the retail development. The PD District indicates the type of non-residential use permitted to retail, personal service or restaurant. "Retail Store or Shop" and "Restaurants" are specifically defined by the Town Code. Personal service establishments, which are establishments engaged in providing services involving the care of a person or his or her personal goods or apparel, would include, but not be limited to laundry, beauty and nail salons, barber shops, shoe repair, tailor, etc.

Also, as explained in Section 2.0 of the DSGEIS and throughout this FSGEIS, it is not possible to identify the exact uses and individual square footages of specific uses that may be developed over a 20-year or more period on this 2,323.9-acre property. That is why the Town Board has prepared a SGEIS which sets forth conditions and thresholds that would help to ensure that, whatever specific uses are ultimately proposed, such development would not result in significant adverse environmental impacts.

Comment No. C7-9

The DSGEIS states that "over time," the STP will need to be upgraded to a standard of 10mg/L for nitrogen, or less. The 10mg/L level is the national drinking water standard. We know that here on the Long Island, especially on the East End, this level is 20 times the amount of nitrogen needed to support a viable marine ecosystem - about 0.52mg/L. Therefore, the Town must commit to, plan for and budget for and even higher level of denitrification in its STP if we are to address both surface water and groundwater quality issues.

Response No. C7-9

The grant funding referenced in Response C6-8 will include the installation of facilities at the Calverton Sewer District Plant to treat all effluent to current groundwater discharge standards. It will be incumbent on the District to treat effluent to groundwater standards as those are promulgated in the future.

Comment No. C7-10

The Town has a responsibility to not only reduce nitrogen going into the Peconic River/Peconic Estuary watershed, it also has a responsibility to reduce the amount of nitrogen going into the Sound watershed. Moving the outfall across the north/south divide will mean more nitrogen eventually finding its way into the Sound. A more comprehensive plan to reduce overall nitrogen in the effluent, the groundwater recharge and into all watershed areas must be developed. Moving the problem from one watershed to another is not an acceptable solution.



Response No. C7-10

The analysis requested is beyond the scope of this document. However, the quality of the effluent from the newly constructed treatment works will meet land application standards when and if funding is available to incorporate high-dose disinfection to meet Suffolk County requirements. The proposed construction of the new treatment works and groundwater discharge of plant effluent is a strong first step toward the ultimate goal of total wastewater reuse at EPCAL.

Comment No. C7-11

This is of even greater import, as the DSGEIS notes, the EPCAL property is designated as a “Special Groundwater Protection Area” – as per LIRPB, 1992. A great deal of scientific study is needed to determine how moving the effluent for recharge to the north of the north/south divide will affect all groundwater both in and around EPCAL.

The Town cannot simply move its pollution elsewhere and wash its hands of it. A more comprehensive and effective treatment method of STP sludge must be developed.

Response No. C7-11

See Response C2-27, which discusses the requirement of the relocation of the outfall to north of the groundwater divide. Furthermore, the STP is proposed to be upgraded to a tertiary treatment system, which will provide greater protection of groundwater resources.

Comment No. C7-12

What the Town should consider is an upgrade to the STP that will allow recycling and reuse of treated water. For example, treated water could be used for irrigation of the ballfields at EPCAL, much like is done in other parts of the country. This will reduce the amount of clean water being pumped from the aquifer for irrigation purposes and will also allow the turf to absorb the remaining traces of nitrogen present in the treated water.

Response No. C7-12

See Response C7-10.

Comment No. C7-13

The development of EPCAL should be the model for future economic-, energy- and environmental-friendly building practices for the whole of Long Island. We need to hear and see more of that commitment from the Town and detailed in the plans for EPCAL.



Response No. C7-13

The comment is noted. Until a specific tenant or tenants have been chosen, no more additional specific plans for development can be provided. As indicated in the proposed PD District,

“The development of any lands within the PD District shall require the submission of a Site Plan Application that conforms to the requirements of the “Reuse and Revitalization Plan for EPCAL” and is subject to Town Board site plan approval. As part of site plan approval by the Town Board, the Town may refer the application to the Planning Board for report and recommendation.”

Comment No. C7-14

The Town must take every action to reduce all types of nitrogen loading into this protection area, including but not limited to:

- Banning the use of fertilizers on both commercial and residential properties
- Banning irrigation of lawns, gardens and other spaces on both commercial and residential properties, and
- Requiring the use of at least 75% native plantings in landscaped areas on both commercial and residential properties

These requirements may seem harsh but they are prudent both with respect to protection of the area’s water quality but also with respect to the long-term protection of the grasslands.

Response No. C7-14

Based upon comments received, the Town Board has added a restriction to the proposed PD District (see Appendix C) regarding the use of fertilizer-dependent vegetation, as follows:

“No more than 15 percent of any individual lot shall consist of fertilizer-dependent vegetation.”

In addition, with respect to nitrogen loading and the protection of groundwater resources, proposed development must meet the provisions of Articles 6, 7 and 12 of the Suffolk County Sanitary Code and must connect to the Calverton Sewer District. Moreover, as noted in the proposed PD District, all development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The SCDHS’s guidelines for private wells should be used for private wellhead protection. Finally, of the 2,323.9 acres of the EPCAL Property, approximately 65 percent (1,514± acres) would be preserved in grassland, meadow/brushland, forest, wetland, wetland buffers and water bodies. Taken together, these measures will be protective of the groundwater and surface water resources of the site and surrounding area, while allowing for meaningful economic development activities to occur on the EPCAL Property.



Comment No. C7-15

But given the dangers outlined above as well as the dangers construction often poses to such neighboring habitat, it is necessary for the Town to develop not only a Grasslands Management Plan but an appropriate funding mechanism.

At one point, the Town stated its hope to have either an environmental or education group take over the management tasks. We don't need a hope. We need a plan. Every plan includes a component of cost and timing. The EPCAL grasslands deserve nothing less.

Response No. C7-15

As noted in Response C1-12, it is the intention of the Town of Riverhead to convey the designated open spaces on the EPCAL Property to a not-for-profit or governmental agency to manage and maintain. Should this not occur, either the Town CDA, or a special district to be formed by the Town, would manage and maintain such open spaces or, if the Town sells the entire Subdivision Map to a private developer, such private developer would have the responsibility to manage and maintain such open spaces, including the grasslands.

Comment No. C7-16

Nothing was said about how soil movement, grading, runoff and sewerage, among other activities, may affect the Navy's remediation efforts.

The Navy's current remediation efforts are based on the site's overall hydrology across all parcels. The flow of groundwater dictates where and how many monitoring and remediation wells are placed into operation. The Town must improve communication and coordination of all development activities within EPCAL to ensure that the Navy's remediation efforts are not compromised both in the near and long term. Such communication and coordination was lacking when the Town received grants to extend sewerage within EPCAL. A more formal process must be developed and enacted to safeguard the effectiveness of current and any future remediation efforts.

Response No. C7-16

The STP upgrade project, while required for the full build-out of the EPCAL Property, is a separate project. It should be noted that sewage disposal is proposed to be relocated north of the groundwater divide.

Furthermore, based upon the layout of the proposed EPCAL subdivision, no development (including grading, drainage and utility installation) is proposed to occur anywhere near the U.S. Navy parcels. Therefore, the proposed development of the EPCAL Property would not affect the U.S. Navy's remediation efforts.

With regard to communication and coordination, the Town has regular meetings with the U.S. Navy through the Calverton NWIRP Restoration Advisory Board, which includes numerous members of the community and local regulatory agencies. In addition, the U.S. Navy has been apprised of and included in discussion regarding the current environmental review process.



Comment No. C7-17

The entire East End saw what happened along CR 58 – large parcels of trees and grassy areas were cleared and regarded at the height of bird and mammal nesting and mating seasons. Afterward, the Town Board members expressed their anger with the clear cutting. The NFEC would like to see the Town Board members live up to their earlier statements of concern and that as part of the EPCAL development plan, put into place guidelines where all land clearing activities must be performed in the autumn and winter time periods in order to minimize disruptions of nesting mating times. At the same time, the Town must enact clear and enforceable guidelines with respect to development practices which will safeguard the community against the travesties we saw along CR-58 – illegal sand mining, unneeded clearing of acres of lands to which the developer did not hold development rights, not meeting Town and community standards on fencing, berming, planting, etc., and not executing the building plan as agreed to in writing, to name a just a few.

Response No. C7-17

The comment is noted. See Responses, C1-10, C1-11 and C1-12.

Comment No. C7-18

The Land Trust Alliance maintains an online library of many such studies, the keystone report being the “The Economic Benefits of Parks and Open Space: How Land Conservation Helps Communities Grow Smart and Protect the Bottom Line,” published by the Trust for Public Land in 1999.

Aspects of these studies and how they pertain to EPCAL, Riverhead and the East End of Long Island should be discussed both within the DSGEIS and all future EPCAL plans and planning meetings.

These types of cost benefit analyses were not covered in the DSGEIS or any other EPCAL plan to date...and they should be.

Response No. C7-18

The document referenced by the commentator (copy included in Appendix G of this FSGEIS) summarizes the benefits of parks and open space preservation through statistics and by detailing many specific examples of “smart growth” initiatives and communities throughout the United States. The proposed subdivision of the EPCAL Property would be for the ultimate redevelopment of a portion of the site with a mix of uses (e.g., business [commercial and retail], industrial, government, energy park, recreation, utilities, residential) along with the preservation/creation of 1,514± acres of natural/open space (not including landscaping) and is in accordance with the many of the tenets of this document, which are summarized as follows:

- Open space preservation helps communities grow smart, preventing the higher costs of unplanned development.
- Smarter, denser growth is the most economical way for communities to grow.
- Sprawl development not only consumes more land than high density development, it requires more tax-supported infrastructure such as roads and sewer lines. Police and fire services and schools also must be distributed over a wider area.



- Contrary to popular belief, preservation of open space actually subsidizes local government by generating far more in property taxes than they demand in services.
- Parks and open space create a high quality of life that attracts tax-paying businesses and residents to communities.
- Open space boosts local economies by attracting tourists and supporting outdoor recreation.
- Floodplain protection offers a cost-effective alternative to expensive flood-control measures.
- Open space conservation is often the cheapest way to safeguard drinking water, clean the air, and achieve other environmental goals. The preservation of drinking water supplies is almost always cheaper than cleaning it up.

Comment No. C7-19

In addition, the cumulative effect of building in AND building around EPCAL must be reviewed in their total effect on traffic, water use, wastewater and other critical issues.

Response No. C7-19

A cumulative impact analysis (including build-out of the Calverton Camelot industrial subdivision) was performed and is included in Section 4.0 of the DSGEIS.



Richard T. Luzzi, Resident (C8)

Comment No. C8-1

To make this simple The Town of Riverhead (TOR) wants to allow urban development of its land at EPCAL by selling EPCAL land to developers to build residential homes.

I have surveyed the residents of my complex Riverhaven which consists of several hundred residents and all of the resident's state that EPCAL should be for industrial use only.

Response No. C8-1

See Responses C4-16, C4-17, C5-3 and C7-7. As also discussed in Section 2.0 of this FSGEIS, the proposed PD District provides for a minimum lot size requirement for supportive residential units, and limits the location, number and type of residences to 300 attached units unless an applicant applies for a special permit and clearly demonstrates that such residential units are included as part of a principal use wherein residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like, such that they would not be include in such limit. As noted earlier, the attached residential units are clearly subordinate to the over 10.5 million square feet of non-residential (non-retail) development that was analyzed as part of the DSGEIS.

Comment No. C8-2

What I mean is that they should take what is being requested and determine if it is applicable 10, 15 or 20 years from now and how it will fit in with the quality of life that the TOR residents require.

Response No. C8-2

The comment is noted. The DSGEIS did take a long-range view of the permitted development and analyzed development to ultimate build-out, which was estimated to be approximately 20 years into the future. The development on the EPCAL Property must consider the residents of the Town, but also must also meet the economic development objects that were set forth when the U.S. Navy transferred the property to the Town of Riverhead CDA.

Comment No. C8-3

No industrial redeveloper will want to buy land for his industry with residential homes being part of it. So the using my vision test what we will have is approximately 600 acres of homes like a Levittown. I hope the residents of Riverhead are ready for the big school tax hike that will be required to support this kind of development. Not to say all the infrastructure costs like water, roads and fire department. These items do not come with a cost and if you think that the developer's will be required absorb these expenses they will be reflected in the reduced cost of the land. There is no free lunch. You can say that industry will also have the same costs but they will not be as extensive. When does industry need schools.



Response No. C8-3

Despite what the commentator asserts, the proposed residential development would not encompass 600 acres of the property. The residential development is required to be supportive of the proposed principal use(s) on the property and must be attached residences, as indicated in the proposed PD District (see Appendix C). Also, see Responses C4-16, C4-17, C5-3 and C7-7.

Comment No. C8-4

Then I hear that we need EPCAL work force housing to support the industry. Let me tell you the type of current workers will not be able to afford those houses. This labor force will be coming from the work force housing in Yaphank and the proposed development by the Ronkonkoma railroad station or the towns of Mastic and Shirley.

Response No. C8-4

Workforce housing is not required by the PD District, nor was it analyzed in the DSGEIS. The permitted housing is to be supportive of the principal use(s) on the EPCAL Property. As no specific tenants have been secured for the property, the type of labor force required and the place of residency of those people comprising the workforce have not and cannot be determined at this time. In addition, since no specific residential development has been proposed, the cost of such units, and, consequently, their affordability cannot be determined.



Steve Kuhl, Resident (C9)

Comment No. C9-1

My greatest concern involves the plan to clear the area including Lots 1-9 and 17-22 along the northern border of the EPCAL parcel where it meets NYS Rt.25. This large tract of land currently serves as the gateway, if you will, to the Town of Riverhead as approached from the west. The wise investment in and establishment of the town ballfields, dog park, and recreational parkland are an attractive welcome to visitors entering Riverhead. In combination with the well maintained, preserved buffer created by the Calverton Nation Cemetery, our town currently has a beautifully rural, visually pleasing entryway from the west. This would all be disturbed and possibly lost permanently if the lots mentioned above are allowed to be developed in the manner proposed by the VHB.

Response No. C9-1

As explained in Section 2.0 and depicted on the revised Subdivision Map (see Appendix D of this FSGEIS), the lots along NY 25 have been reconfigured. It is proposed that there would be 45 feet between the property line of individual lots and the roadway. The first 20 feet from the road would be dedicated to the NYSDOT. The next 25 feet would be buffer area under the jurisdiction of the Town and which would contain the walkway/bike trail. Moreover, there would be an additional 25 feet of vegetated buffer on each of the individual lots that are adjacent to NY 25 (see Appendix D, which shows a section through NY 25 depicting this arrangement).

Furthermore, the proposed PD District, in its design considerations states that “special emphasis is placed upon methods that reduce the large-scale visual impact of buildings and encourage imaginative design for individual buildings. Further emphasis is placed upon the design of the entrances to the EPCAL Property along New York State Route 25 (Middle Country Road), as the gateways to the Enterprise Park.”

The design considerations go on to indicate that “buildings at the gateway entrances to the EPCAL Property, where Road ‘A’ and Road ‘D’ meet New York State Route 25 (Middle Country Road) and generally along the New York State Route 25 (Middle Country Road) frontage should be distinctive in design, through the use of high quality architectural materials, enhanced landscaping and signage, and appropriate lighting.”

Therefore, the Town has clearly recognized that the proposed action may have the potential for visual impact along NY 25 and has addressed this through the proposed buffers and design conditions incorporated into the proposed PD District (see Appendix C).

Comment No. C9-2

The property lines for the lots mentioned (1-9 and 17-22) should be pushed south from the current proposal a minimum of 50 ft., and more realistically further than that. This not only preserves aesthetics in this area, but additionally provides a more scenic experience for those using the already established pedestrian/ bicycling trail, bordering these parcels.



Response No. C9-2

As described in Response C9-1, the walkway/bike trail will be contained within the 25-foot-wide buffer area and will be under the jurisdiction of the Town of Riverhead CDA. This buffer area will be located south of the 20-foot-wide area dedicated to the NYSDOT. There will be an additional 25-foot-wide vegetated buffer that will be maintained on each individual lot by the lot owners. This will help provide screening to and from the proposed development lots.

Comment No. C9-3

I can agree to that. However, encouraging commercial utilization of EPCAL can still be accomplished while preserving the rural appearance of our town by simply “building in” a natural buffer into the plan. It already exists!

Response No. C9-3

See Responses C9-1 and C9-2 and Section 2.0 of this FSGEIS.



Electronic Mail (Multiple Copies)(C10)¹⁵

Name	Name	Name	Name
Alan Stadler	Eileen Schwinn	Leslie Lowery	Sarah Hunnewell
Alexander Gray	Elizabeth Holmes	Lillian Ball	Sue Greer
Alfred Scherzer	Fred Kedenburg	Linda Kedenburg	Sue Johnston
Allen Harvey	Geraldine Maslanka	Louise Bergerson	Susan Dodson
Amy Wessell	Gordon Howard	Mark Burchill	Susan Harder
Andrea Spilka	Helen Searing	Maureen Sherry	Susan Troise
Anita Kusick	James Ewing	Melanie Cahill	T. James Matthews
Anne Lazarus	Jean Schweibish	Michael Higgiston	Thomas Moran
Barbara Lade	Jeanne Gannon	Mike Anthony	Tullia Limarzi
Barbara Seifert	Jeremiah Collins	Nancy Gray	Ursula Berl
Bonnie Hoffner	Joan Zaniskey	Norma Vavolizza	Wilhelmus Bryan
Carol Coakley	Joanne Maddalena	Peter Bronstein	Willa Walsh
Charles Clarke	John McAuliff	Peter Clarke	William Haluska
Chris Gerdes	Joseph Heidecker	Raymond Hartjen	Dara Fee
Daina Imperiale	Joy Cordery	Rebeca Kane	Diana Delucia
David Reisfield	Judith Weis	Rena Wilhelm	Ed Slutzky
Diane Hewett	Kathry Gerdes	Renata Greiner	Georgeanne Spates
Douglas H. Adams	Kurt MacDonald	Richard Kane	Jane Fasullo
Dwight Anderson	Laura M. Eppig	Rick Kedenburg	Terry Hulse
Edward Sambolin	Laurie Drillcock	Ridgie Barnett	Tom Kowalsick

Comment No. C10-1

Specifically, I urge the Town to include the complete subdivision map that was provided by the Coalition for Open Space at EPCAL and conduct a thorough and comparative assessment of this proposal and the proposed design in a supplemental to the DGEIS. This map was invited by the Town and developed by scientists and environmental experts to allow for substantial economic re-development, while protecting the most sensitive habitat on the property, yet it is not fully considered in the DGEIS.

Response No. C10-1

See Response C6-1. The map that was included in the DSGEIS was the map that was agreed upon by the Town and NYSDEC, based upon comments and input from all stakeholders.

Comment No. C10-2

I also object to the proposal that would allow the EPCAL property to include residential and retail development, which will not further the goals of long-term economic growth for the community. EPCAL was deeded to the Town of Riverhead to replace permanent, high skilled, well-paying jobs once provided by the



¹⁵ There were two sets of similar e-mails that were received by the Town, which contained essentially the same comments.



Grumman facility, and the construction of more retail and residential development is at complete odds with this goal.

Response No. C10-2

See Responses C4-16, C4-17, C5-3 and C7-7.

Also, as shown in Tables 17 and 18 of Section 3.3.2 of the DSGEIS, it expected that approximately 538 (or only 10 percent of the overall project employees would be associated with the retail development by 2025 and a total of 1,209 retail employees (or 4.7 percent) of the jobs at full build-out would be associated with the projected retail development. It should be noted that the total number and percentage would shrink to 750 (3.0 percent) at total build-out due to the limitation on the amount of retail development permitted under the modified PD District (500,000 square feet, down from the 805,860 square feet analyzed in the DSGEIS).

As discussed in Section 3.2.2 of the DSGEIS, the development analyzed would require employees in numerous fields, including, but not limited to: industrial and energy park workers, retail service (including clerks, cashiers and store managers) and other service needs associated retail and residential uses. In addition, there would be groundskeepers, janitorial and maintenance staff, sales positions, medical professionals, IT positions, office workers (e.g., office managers, bookkeepers, clerks), security personnel, business owners, CEOs and professional people (e.g., lawyers, architects, accountants, engineers) associated with office development. Thus, development at EPCAL could provide a wide array of jobs in many fields and at many levels of responsibility and compensation, as discussed herein.

A more detailed summary of the types of jobs by type of use and their respective salary ranges is provided in the paragraphs below. The data are from the New York State Department of Labor for salary statistics in the Nassau/Suffolk region.¹⁶ The information was reviewed and typical job categories and salary ranges were selected as representative of the workforce that may be employed at EPCAL, by type of use. Some of the categories may overlap.

Industrial/Research and Development/Office/Medical Office

This component encompasses industrial, research and development and office uses. These uses comprise over 10.5 million square feet (or approximately 93 percent) of the overall non-residential development analyzed in the DSGEIS. Representative job categories and their annual median salaries are included below.

- Chief Executives – varies, but generally over \$187,200
- Sales Managers – \$131,620
- Human Resources/Compensation Benefits Manager - \$108,890
- Industrial Production Managers -- \$102,720
- Computer Hardware Engineers -- \$106,790



¹⁶ <http://www.labor.ny.gov/stats/lswage2.asp>, January 22, 2013



- Computer Programmers - \$78,290
- Software Developers, Applications - \$89,630
- Industrial Engineers - \$85,100
- Industrial Engineering Technicians - \$63,400
- Biomedical Engineers -- \$90,730
- Materials Engineers -- \$94,060
- Commercial and Industrial Designers - \$58,250
- Accountants and Auditors - \$78,150
- Industrial Machinery Mechanics - \$52,040
- Medical and Health Service Managers - \$107,300
- Family and General Practitioners/Pediatricians – varies, but generally over \$187,200
- Physical Therapists - \$84,360
- Medical and Clinical Laboratory Technicians - \$68,360
- Licensed Nurses - \$51,690
- Radiologic Technologists and Technicians - \$70,050
- Office/Administrative Support - \$41,700
- Bookkeeping, Accounting and Auditing Clerks - \$41,720
- Word Processors and Typists - \$39,550
- Receptionists and Information Clerks - \$29,790
- Janitors and Cleaners, Except Maids and Housekeeping Cleaners - \$28,350

Supportive Retail Shops and Restaurants

The types of jobs within this category and their median salaries are contained below.

- Sales and Related Occupations - \$29,520
- Cashiers - \$19,530
- Retail Sales Supervisors - \$45,130
- Retail Salespersons - \$22,930
- Bookkeeping, Accounting and Auditing Clerks - \$41,720
- Security Guards - \$29,690
- Food Service Manager - \$72,660
- Host & Hostess for Restaurant, Lounge, Coffee Shop - \$22,070
- Cooks, Restaurant - \$27,900
- Waiters and Waitress - \$21,630
- Dishwashers - \$19,110
- Hairdressers, Hairstylists and Cosmetologists -- \$20,330
- Personal Care and Service Workers -- \$29,520

Overall Site Management

The types of jobs associated with overall site management and their median annual salaries are listed below.



- Landscaping and Groundskeeping Workers - \$27,530
- Building and Grounds Cleaning and Maintenance Occupations - \$29,610

Comment No. C10-3

In addition, the implementation, management and funding for the plan's grasslands management plan, traffic control mitigation, and infrastructure development are not clearly detailed and provide little assurance that such measures will actually be implemented over time.

Response No. C10-3

See Response H1-6 with respect to potential funding mechanisms.



**Richard Amper, Executive Director
Long Pine Barrens Society (H1)**

Comment No. H1-1

In the EIS, the agreed-upon map has been thrown out and replaced by one that does not meet economic or environmental standards. What we agreed about and what we were commented on, and what the press so wisely covered, was that the environmental economic communities, business people, architects had come together with this government to produce a plan that could work. It's not in that Draft Environmental Impact Statement.

Response No. H1-1

See Response No. C6-2, which notes the changes from the Subdivision Map presented in the DSGEIS to the one included in this FSGEIS. The alternative map that was included in the DSGEIS (Figure 44 and Figure 5, herein) was the map that was developed by the Coalition for Open Space at EPCAL, based upon comments and input from all stakeholders. It should be noted that the Island Water Park, the Town Park, the Stony Brook Incubator and the Calverton Camelot Subdivision were all identified as proposed for development and/or developed prior to the environmental review process for the currently proposed action. Subsequent to development of that map, additional discussions were held with NYSDEC and NYSDOT, and the Town modified the map to best address all of the stakeholders' concerns.

The differences between the Coalition for Open Space at EPCAL map and the proposed revised Subdivision Map, with respect to the EPCAL Property (the subject property of this environmental review process) are described herein. On the proposed revised Subdivision Map, development is shown along NY 25 north of the convergence of the runways. In addition, where the Coalition for Open Space map shows a development area in the eastern portion of the site, the proposed revised Subdivision Map shows this area as a forest preservation area, which is contiguous to the forested area located southeast of the eastern runway. Also, while all of the southern portion of the property is shown as either existing or future open space in the Coalition for Open Space map, the proposed revised Subdivision Map includes five lots and a drainage reserve area just west of the western runway. As described in Response C6-2, more of the area adjacent to the western runway has been preserved, although some lots still remain toward the northern portion of this runway. Furthermore, the area shown in the Coalition for Open Space Plan map as "Town of Riverhead +/- 64 Acres" is essentially landlocked, and could only potentially be accessed through the private Calverton Camelot subdivision, or through cutting a road in through an area that is marked on this map as "proposed open space." Also, this "development area" contains the buffer area for a tiger salamander pond, which would render a portion of it undevelopable.

The proposed revised Subdivision Map, as presented in the FSGEIS, provides for 593.2± acres of developable land (excluding DRAs, roads and ROWs), and including the potential use of the western runway for uses such as solar arrays, while the Coalition for Open Space at EPCAL provides for approximately 572 acres of developable area on the subject property. The DSGEIS indicated that the potential development of these lots could generate over 9,600 construction jobs, over 25,000 permanent jobs and approximately \$42.7 million in annual property taxes at full build-out, based upon the Theoretical Mixed-Use Development Program, while



preserving 1,514± acres of open space (grassland, meadows/brushland, pine barrens vegetation, wetlands, wetland buffers and other water bodies), including providing 1,000-foot radius non-disturbance buffers around all of the tiger salamander ponds identified on the Subdivision Map. Thus, the proposed action balances both the economic and environmental requirements for the development of the EPCAL Property.

Comment No. H1-2

The EIS projects more than 25,000 permitted jobs by 2035 in a town of fewer than 34,000 people. Really?

Response No. H1-2

The DSGEIS does not indicate that there would be “more than 25,000 permitted jobs.” As explained in Section 3.2.2 of the DSGEIS, the level of development analyzed in the DSGEIS was the Theoretical Mixed-Use Development Program. This included the following components at ultimate build-out:

- 6,886,836 SF of industrial/research and development (R&D)/flex space
- 2,927,232 SF of office/flex and 740,520 SF of medical office space (3,667,752 SF total)
- 805,860 SF commercial/retail space
- 300 Residential Units (supportive of commercial/industrial development at the EPCAL Property).

The maximum theoretical development potential was chosen in order to ensure a thorough and comprehensive environmental analysis of the proposed action in accordance with SEQRA and its implementing regulations. As detailed throughout the DSGEIS:

“It must be understood that no one can predict, over a multi-year development period, what specific uses would be developed and at what levels. Therefore, the trip generation could vary significantly based upon the actual uses established at the site. For example, if a significant portion of the site is developed for warehouse uses, minimal traffic would result. Moreover, if a significant area was used as a solar field, virtually no traffic would result from that area. Accordingly, the maximum development limit will be a function of the actual trip generation associated with the uses developed.”

For example, a solar field would generate fewer jobs, but would have less of an impact on the environment (e.g., less water use, less sewage generation and less traffic, as noted above).

In addition, the number of anticipated “retail” jobs would decrease due to a change the PD District that limits the amount of retail, restaurant and personal service development to 500,000 square feet, rather than the 805,860 square feet that was previously analyzed (see Response C10-2).

Furthermore,

“Below the level of 5,000 trips per hour (combined entering and exiting) during the critical weekday a.m. peak hour, the impacted intersections can be mitigated with physical changes such as widening, additional lanes and changes to lane designations, changes in signal timing parameters, such as cycle, phase-splits and signal progression. Once the total number of trips generated reaches 5,000 trips per hour (combined entering and exiting) during the critical weekday a.m. peak hour, no further development can be approved unless additional



traffic evaluation is conducted, and as necessary based on actual conditions, additional mitigation that can be implemented is identified (e.g., currently unavailable right-of-way is available to accommodate the necessary mitigation)."

Accordingly, the conditions and thresholds reflect that once the level of development reaches 5,000 trips (41.5 percent of the maximum trip generation associated with the Theoretical Mixed-Use Development program, additional traffic analysis would be required.

Thus, although the maximum theoretical development potential set forth in the DSGEIS could, by calculation, yield approximately 25,000 permanent jobs (assuming that the site reaches full build-out, as described above), the actual number of jobs that would be generated would likely be less, based upon (a) the actual type of development that occurs (high employee to square foot ratio, low employee to square foot ratio), and (b) whether, if a level of 5,000 trips actually generated is reached, the additional traffic analysis determines that any additional development could be sustained by the roadway conditions.

Comment No. H1-3

Swan Lake Golf Course, Splish Splash, Grumman Park and Calverton National Cemetery are all termed open space. Not in real life and not under State law.

Response No. H1-3

Section 2.3.2 of the DSGEIS indicates the following:

"The open spaces to be preserved on the subject property would enhance other open space and recreational uses that surround and are included adjacent to the EPCAL Property (including Swan Pond, Water Island Park, Inc., Swan Lake Golf Club, Grumman Memorial Park, Calverton National Cemetery, the various other park and open spaces in the area, and the various wooded and agricultural areas)."

These uses are characterized as either open space or recreational uses. Cemeteries are often characterized as open space. For example, as noted on Page II-29 of the Nassau County *Open Space Plan*, "cemeteries are often included as an open space resources in open space plans because they typically contain grassy, landscaped areas with passive uses which often provide a visual relief and buffer to surrounding developed areas." In another example, as noted on the City of Portland, Maine's website¹⁷ "although cemeteries today are often viewed as strictly a repository for the dead, they have traditionally also been used as a public park... The historic relationship for cemeteries and open space is quite strong."

Furthermore, the DSGEIS never mentions Splish Splash, except in the context of Splish Splash Drive, which is discussed within the *Transportation* section (Section 3.4 of the DSGEIS).

Nevertheless, the characterization of such uses in the surrounding land use summary in Section 2.3.2 as open space and/or recreation is descriptive and not legal.



¹⁷ <http://portlandmaine.gov/589/Cemeteries>



Comment No. H1-4

Sewage discharge will be north of the groundwater divide, the EIS says, but how it will be handled is not specifically provided for. Why not?

Response No. H1-4

Section 3.7.2 of the DSGEIS explains that:

"In recent years, numerous studies have been undertaken by Town consultants to determine the most cost-effective means of treating sewage from the subject property, upon redevelopment, including upgrading the existing facility and construction of a new advanced wastewater treatment facility. The facility will remain in present location the pumping beds will be relocated north of the groundwater divide. In order to meet the goal of reducing impacts to the Peconic Estuary, either scenario will require eliminating the effluent discharge to McKay Lake and directing the discharge to the northeast corner of the subject property, on the other north side of the groundwater divide from the Peconic Estuary."

As noted in Section 3.10.2,

"Additional dry force mains (for future use) have been installed in anticipation of pumping effluent from the STP to the northeast corner of the subject property (north of the groundwater divide) as part of future upgrades to the plant."

See Response C2-27 with respect to the relocation of the outfall north of the groundwater divide.

Comment No. H1-5

The Riverhead Water District will need to drill more wells. With what effect on surface and groundwater? We don't know.

Response No. H1-5

As explained in Sections 3.7.2 and 3.7.3 of the DSGEIS,

"With an estimated peak water use of 350,000 gallons per day (243 GPM), the RWD should have sufficient supply well pumping capacity to meet the demands of the proposed development. However, since the Water District must be concerned with the increase in demand of all development throughout the District, the Water District will be proposing to construct an additional water supply well with an estimated capacity of 2.0 mgd or 1,380 GPM within the near future (next several years). [Furthermore,] with an estimated peak water use of 1,990,000 gpd (1,382 GPM), the RWD does not have sufficient excess capacity at this time to meet this demand. The District would need to construct one additional supply well somewhere in the District to meet this need. The District routinely evaluates the demand of the District and the proposed developments that will increase the demand to ensure that sufficient capacity is available before the demand is in place. The District projects that the well needed for the ultimate build-out will be in addition to the well discussed under the 2025 scenario for District-wide growth."



As also indicated in Section 3.7.2 of the DSGEIS, the location of the wells has not yet been determined, nor has a study been conducted as to the specific needs of the Riverhead Water District, although an estimate was made regarding the 2025 requirement of a 2.0 million gallon per day (mgd) well, assuming the theoretical mixed-use development of EPCAL at that time. As such, the specific pumpage effects of the new wells to serve both the EPCAL Property and other developments Districtwide on water resources cannot be determined at this time, and would be subject to a separate review and permitting process when a plan for such additional well(s) is prepared.

Comment No. H1-6

The much feared traffic impacts remain unresolved. How will traffic reach the site? The EIS talks about expanding Route 25 to five lanes. When and how, and at what expense?

Response No. H1-6

The traffic impacts are fully addressed in Section 3.4 and Appendix K-2 of the DSGEIS. As explained in Sections 6.0 and 3.4.3 of the DSGEIS and also set forth in Section 3.0 of this FSGEIS, at various levels of development (based upon trip generation), various traffic mitigation measures will have to be in place.

With respect to funding of roadway mitigation, see Response C2-25.

Comment No. H1-7

The EIS admits that there will be a loss of forested habitat, but says it will be mitigated by preservation of forest to elsewhere on the property.

Response No. H1-7

Implementation of the proposed action will result in the removal of approximately 615 acres of wooded area on the subject property, approximately 787 acres will be preserved. However, the proposed Subdivision Map includes the preservation of existing forested habitat, particularly within the Pitch Pine-Oak Forest-dominated, CPB Core Preservation Area lands at the western portion of the subject property. Additional forested habitat is expected to develop over time within successional habitat areas that would be preserved as a result of the proposed action.

As stated in Section 3.11.3 (and modified as required):

The design of the subdivision (including the preservation of the most ecologically-sensitive areas of the site), and the implementation of the CHPP would minimize and mitigate, to the extent possible, impacts to terrestrial and aquatic habitat due to the implementation of the proposed action. Based upon consultations with the NYSDEC, the CHPP has been designed to mitigate the impacts of the proposed action on the existing ecological habitats identified at the subject property through the preservation, creation and management of key habitat areas for resident plant and wildlife species. The various habitat protection mitigation measures for the subject property are described in detail in



the CHPP and illustrated on the Habitat Protection for Enterprise Park at Calverton. The mitigation measures are summarized below.

- Through the preservation of existing habitat and creation of new habitat, the CHPP provides for 583.0 acres of grassland within the EPCAL Property. These grasslands would be actively maintained as habitat for grassland bird species in accordance with BMPs developed by New York Audubon¹⁸ and the NYSDEC¹⁹ for grassland bird habitat, as detailed in the CHPP.
- Large contiguous blocks of Pitch Pine-Oak Forest habitat would be preserved at the subject property to the north of the eastern runway, to the south of both runways and particularly within the lands comprising the CPB Core Preservation Area at the western portion of the site. These woodlands represent significant upland habitat area for herpetofauna, including eastern tiger salamander and the five NYS-Special Concern species that have been documented at the site.
- The scattered pockets Pitch Pine-Oak-Heath Woodland located at the southeastern portion of the site would be preserved as open space under the CHPP. The preservation of this community would also preserve the optimal on-site breeding, larval and adult habitat for the NYS-Special Concern coastal barrens buckmoth, as well as potential habitat for slender pinweed.
- Significant blocks of the remaining terrestrial community types at the subject property, including Pine/Spruce/Conifer Plantation and successional Shrubland would be preserved under the CHPP.
- A key element of the CHPP is the preservation of all onsite wetland and aquatic habitats and avoidance of development within 1,000 feet of any of these resources.
- Extension of the Peconic WSRRS boundary farther north into the EPCAL Property and the addition of approximately 48 acres to the WSRRS corridor would have a positive impact on ecological resources of the Peconic Headwaters and Peconic WSRRS corridor.
- Relocation of the sewage disposal area to north of the groundwater divide (and away from the Peconic River) would have a positive impact on the ecological resources of this habitat.



¹⁸ Morgan, M. and Burger, M. 2008. *A Plan for Conserving Grassland Birds in New York: Final Report to the New York State Department of Environmental Conservation under Contract No. C005137*. Audubon New York.

¹⁹ New York State Department of Environmental Conservation. 2014. *Best Management Practices for Grassland Birds*. Available online at: <http://www.dec.ny.gov/pubs/86582.html> Accessed March 27, 2014.



Comment No. H1-8

Instead of protecting existing grasslands, as in the 2013 recommendations of the Coalition for Open Space at EPCAL, the EIS plans to create new grasslands by bearing [sic] a portion of one of the runways, then planting grass on it.

Response No. H1-8

As a result of the public comments and further discussions with NYSDEC, as shown on the revised Subdivision Map, the revised subdivision will preserve and maintain approximately 512.4 acres of existing grassland and create another 70.6 acres of grassland (see Appendix D of this FSGEIS). However, the proposed action no longer includes the creation grassland on the runways, as the Town is considering the potential to use runway area to accommodate renewable energy facilities (e.g., solar arrays) or historic uses.

Also, unlike under the existing condition, the proposed action includes the maintenance of the grassland, which would ultimately be performed in accordance with a NYSDEC-approved CHPP (see Appendix G of this FSGEIS). Under existing conditions, the grasslands are not being maintained. If this condition persists, over time, the grassland community that provides habitat for endangered species would succeed, and would no longer be viable for these species.

Comment No. H1-9

The EIS claims no socioeconomic impact from the proposed development. Seriously? Taxes are to be waived for EPCAL newcomers. New infrastructure will cost millions, as will needed government services. Increased Town debt will likely result, along with higher taxes for existing residents.

Response No. H1-9

Contrary to the comment (and various comments made by other commentators), the DSGEIS does not state that the Town will waive taxes for EPCAL newcomers upon subdivision of the property. In fact, Section 3.2.2 of the DSGEIS provides a detailed economic analysis, which includes a projection of property taxes under the Theoretical Mixed-Use Development Program.

With respect to infrastructure costs, see Responses C2-25 and H1-6.

Comment No. H1-10

For years, all of the experts said EPCAL could only be financially successful if used for commercial and industrial purposes. Now residential and retail have been thrown into the mix. There's no jurisdiction for it.

Response No. H1-10

As explained in Section 3.1.2 of the DSGEIS and in the draft PD District contained in Appendix F of the DSGEIS, only supportive retail and residential uses would be considered. With regard to supportive residential and retail/personal service/restaurant uses, Section 9.0 of the DSGEIS states, in pertinent part:



“Although the PD District has been designed to primarily promote industrial and office uses, it does contain provisions for supportive residential and retail uses, generally for employees who may wish to live and/or shop proximate to their workplace. In its supportive nature, while addressing the potential demand for residential and retail uses generated by the proposed non-residential uses, development in accordance with the PD District, based upon the Theoretical Mixed-Use Development Program, would generate only a minimal number of residents...The purpose of such [supportive retail] uses is to allow employees (and any on-site residents) within the EPCAL Property to utilize on-site retail/service facilities.”

As a result of the public comments received on the DSGEIS and to clarify the Town Board’s intention that any retail or residential uses developed on the EPCAL property, and as also explained in Section 2.0 of this FSGEIS and included in the revised PD District (see Appendix C of this FSGEIS), the Town has established limits for the supportive uses, as described in the PD District. It should be understood that a primary motivation for permitting the development of supportive residential and retail uses on the site is to help mitigate traffic impacts. By providing supportive retail, there would be opportunities for those employed at the site to, for example, purchase lunch and do some convenience shopping without leaving the property. The supportive residential would allow a potential major employer(s), such as a scientific research or development facility, to offer housing for employees on the EPCAL property.

The supportive retail and residential uses, if ever developed, would not change the overall industrial and commercial character of the proposed development. Such uses would serve to support economically-viable commercial and industrial uses at EPCAL.

Comment No. H1-11

The biggest problem of all is that recent State legislation, which created the Enterprise Park at Calverton Reuse and Revitalization Area, proposes that this DGEIS be substituted for the project review process required under the State Environmental Quality Review Act.

Response No. H1-11

The State legislation that was passed (see Appendix E of the DSGEIS, which has been reprinted herein as Appendix E) does not substitute the DSGEIS for project review. This legislation creates, among other things, an expedited review process of 90 days for projects consistent with the Reuse and Revitalization Plan, as set forth in this DSGEIS, including the conditions, thresholds and criteria presented herein in the GEIS. Accordingly, if a subsequent site-specific project conforms to the conditions and criteria, it would be eligible for expedited review. With respect to project review, the legislation requires, in pertinent part:

“After the adoption of the EPCAL reuse and revitalization plan by the town and issuance of all local licenses or permits pursuant to section four of this act, the town board shall have jurisdiction to determine whether an application for a license or permit in the EPCAL redevelopment area is complete for purposes of review for conformity by all involved local agencies pursuant to subdivision 2 of this section. The town board shall refer an application for a permit for a proposed action in the EPCAL redevelopment area to all relevant state and local agencies within ten days of receipt of a complete application by the town board. Each such state and local agency shall determine whether the application for a permit for the proposed action is in conformance with the



plan and the thresholds or conditions identified in the GEIS and section four of this act within sixty days of the referral by the town board.

After the expiration of the sixty days and within ninety days of receipt of a complete application, the town board shall make final written findings and determinations. Such determination shall detail the findings of the state and local agencies including whether the proposed action is in conformance with the EPCAL reuse and revitalization plan. If the town board fails to make a final determination of conformance for local agency licenses or permits within the ninety day period, the development application shall be deemed approved for local agency licenses and permits, unless said time is extended by the mutual consent of the applicant and the town board, not to exceed an additional sixty days."

As explained in Section 3.0 of this FSGEIS, conditions and criteria for development are being established. If a site specific project is proposed that meets those conditions and thresholds established, no further SEQRA compliance is required.

Comment No. H1-12

It is inarguable that this Draft Generic Environmental Impact Statement must address all of these issues to include specific mitigation measures, triggers for such mitigation, realistic expectations that traffic and economic obstacles can be realistically overcome, and how the economic and environmental claims of the EIS can actually be realized.

Response No. H1-12

The DSGEIS has been prepared in accordance with 6 NYCRR §617.10. Moreover, Sections 3.1 through 3.13 of the DSGEIS set forth the mitigation measures required to minimize potential significant adverse impacts to the maximum extent practicable. Also in accordance with 6 NYCRR §617.10(c), and as explained in Section 3.0 of this FSGEIS, conditions and criteria have been established that identify specific mitigation measures and triggers for mitigation (most significantly for traffic impacts).

With regard to economic obstacles, as explained in Section 3.1.2 of the DSGEIS, the proposed PD District has been drafted so that the development of this property can appropriately respond to market conditions without the need for multiple change of zone applications. The goal of the Town continues to be to develop a comprehensive roadmap that allows for the subdivision and ultimate development of the EPCAL property with viable economic uses, while ensuring that environmentally-sensitive areas of the property are identified and protected in perpetuity (as opposed to dealing with multiple, small applications on a piecemeal basis).



Robert DeLuca, President of Group for the East End (H2)

Comment No. H2-1

As Mr. Amper pointed out, the retail and the residential component, to my knowledge, were never seen as a principal part of this project. Residential development, more residential development requires more service, more expense to support those services. And the retail component, I just want to remind the Board, when you did the Wading River Study, you found that while Wading River could accommodate about 88,000 square feet of additional retail, and that was described as considering future development of this site, there was actually 200,000 square feet of space still available there. The 800,000 square feet proposed as a possibility here seems significantly out of proportion with, one, what is currently available, two, what's currently needed, and what could ever be possible be needed here in light of the Route 58 corridor. So I'd like you to take a look at that, and please have the consultants address the basis for that.

Response No. H2-1

As explained in Sections 2.0 and 3.0 and Responses C2-1, C4-16 and C4-17, among others, the residential and retail/personal service/restaurant uses have been proposed to be permitted by zoning on a limited basis. These uses must be supportive of principal uses that would be proposed in the future; they cannot be developed on their own. The proposed PD District specifically indicates that residential and retail/personal service/restaurant uses would be:

“Supportive Uses, on a limited basis, targeted to the employees and tenants of the permitted principal uses within the EPCAL Property and not designated for primary use by the general public.”

As indicated in Section 2.0, the proposed PD District has been revised to limit the amount of residential development and to further limit the amount of retail/personal service/restaurant square footage to 500,000 square feet with no individual establishment being more than 10,000 square feet in size, no more than 20,000 square feet per principal use, and such uses must be located within the footprint of a principal use.

Having the supportive non-residential uses on the EPCAL site is expected to minimize vehicular trips on area roadways since such uses would serve to meet some of the basic needs of the future employees and residents. These uses would be located within principal buildings, relatively small in size, targeted to employees and tenants and would not constitute destination retail. These supportive uses would not compete with uses on Route 58 and are not necessarily designed to draw traffic from outside into EPCAL.

Comment No. H2-2

That alternative is mentioned in the DGEIS, but it is not provided at a level suitable for comparative assessment, which is the rule under the law. So we would like to see the map that was provided by the folks concerned about open space at EPCAL included in the DGEIS, and not just an outline of where the open space is, but where the specific lots are that we had lined up, then take that and compare it to what's been proposed, so you can have a fair and honest discussion about whether or not one alternative is better than the other, with everybody looking at the same information. But beyond that, with what's been proposed, there's roughly 11 lots. And you'll get this in writing, but basically Lots 10, 11, 15, 16, 23, 24, 27, 30, 31 and 33 are all



out of line with the proposal that was provided to you by the Coalition for Open Space at EPCAL. We're talking in total of somewhere between 130 and maybe 150 acres.

Response No. H2-2

See the Responses C6-2 and H1-1. Section 2.0 of this FSGEIS explains that, as a response to various comments received on the DSGEIS and the Subdivision Map, a revised subdivision map has been prepared. Among other things, the revised Subdivision Map (Appendix D hereto) increases the amount of existing grassland to be preserved, and reduces the amount of grassland to be created. Response C6-2 provides a comparison of the map provided by the Coalition for Open Space at EPCAL (Section 7.3 in the DSGEIS) and the revised Subdivision Map. While the map provided by the Coalition for Open Space at EPCAL would result in the preservation of approximately 1,354 acres within the subject property, the revised Subdivision Map preserves/creates approximately 1,514 acres of natural/open space area, which comprises 65 percent of the overall site. This is composed of 787.3± acres of forested/wooded land (447.9± acres of which are in the wetland buffer areas), 700.6± acres of meadow/brushland (583.0± acres of which are grassland and 66.1± acres of which are in the wetland buffer areas), 16.4± acres of wetlands, and 9.3± acres of other water bodies.

Comment No. H2-3

The DGEIS calls for a long-term Grassland Management Plan for the site, which is great, but there aren't sufficient details to make that goal operational. There's a lot of ways to do it. We certainly would advise convening a Grasslands Working Group with regional experts, environmental stakeholders. But you have to figure out long term how is that going to operate, how does it operate within the context of staging for development, infrastructure development, lot design, lot layout, who's going to manage that, how's – what's the Board's role in overseeing that, if you want that grassland management mitigation to work.

Response No. H2-3

As explained in Responses C1-4, C1-7, C1-11, C1-12 and C1-13, as part of the application for a NYSDEC Incidental Take Permit, which will occur at the time of subdivision approval, the CHPP has been modified to provide details regarding the creation of new grassland areas (methods, species selection, planting/seeding specifications); maintenance of existing and created grasslands (e.g., schedule for mowing and any other required maintenance, mowing heights, and plan for managing invasive species), and monitoring component (see Appendix G of this FSGEIS). The Town is working with the NYSDEC as part of the Incidental Take Permit application process to ensure that the CHPP is modified to the satisfaction of the NYSDEC, and to allow the ultimate issuance of the Incidental Take Permit.

With respect to the party responsible for managing the grasslands, the Town is attempting to identify an environmental organization or other entity that would be willing to manage the grasslands. If no such entity is identified, the Town, or a special district to be formed by the Town, will be responsible for managing same. In order to ensure that the grasslands are protected in perpetuity, covenants and restrictions will be placed on all grassland areas that are identified for preservation (or creation) and maintenance on the subdivision map that is ultimately approved.



Comment No. H2-4

In addition, and on a similar note, the traffic impact mitigation is also something of significant concern to us. There is language in the DGEIS that talks about specific triggers when additional roadway infrastructure would have to be constructed. Again, it's a good idea. How does that become operational? Does every person who buys a lot pay into a fund? Does the guy who's there on the 5,000th vehicle trip pay all of it? Does the Town get stuck paying for it? How does it – how is it made operational?

Response No. H2-4

See Responses C2-25 and H1-6.

Comment No. H2-5

And one of the things I would ask the Town to take a careful look at is there language, and reference, and inference throughout the document that talks about the expedited review process, and some language that even says things like, "Once this is done, you won't need to get any additional permits." We don't read the EPCAL Law that way.

I just want the document to accurately reflect what the reality is. There's not an automatic carte blanche approval here for anything, and that may not have been what's intended, but as you read through the document, you'll find in a variety of locations where that appears to be what's being said. I think if you put forward what exactly has to happen for that expedited review, that would be fine, but it has to be in this document for this document to have meaning.

Response No. H2-5

The DSGEIS does not contain text that states "[o]nce this is done, you won't need to get any additional permits." In fact, Section 2.9 of the DSGEIS indicates,

"The following table [Table 2 in Section 2.9] identifies permits and approvals required for implementation of the proposed action. The approvals noted with an asterisk () in the table below would be required for actual development that would occur in accordance with the PD District. These approvals are not needed for adoption of the Reuse and Revitalization Plan, amendment to the Comprehensive Plan, amendment to the Urban Renewal Plan, adoption of the PD District and rezoning of the subject property, which are all Town Board actions."*

Therefore, as noted above, "actual development" would require approvals from various agencies. In addition, Section 6.0 of the DSGEIS notes that there will be "future development approvals (i.e., after the Town Board adopts the PD District, applies the zoning to the EPCAL Property, and approves the subdivision). Also, applicants will be required to obtain site plan approval from the Town Board for the proposed development."

Furthermore, as stated in the PD District, "any resolution of approval or conditional approval issued by the Town Board shall be subject to §5 (2) and (3) of 'An Act in relation to a plan for the development of the



Enterprise Park at Calverton'. To the extent required, the applicant shall obtain all approvals, licenses, and/or permits required from other governmental agencies having jurisdiction over the proposed development."

As also explained in "An Act in relation to a plan for the development of the Enterprise Park at Calverton" the purpose of which is to promote the expeditious and orderly conversion and redevelopment of the Enterprise Park at Calverton in the town of Riverhead, Suffolk County. As explained in the aforesaid Act, the expedited review process is as follows:

"2. The town board shall refer an application for a permit for a proposed action in the EPCAL redevelopment area to all relevant state and local agencies within ten days of receipt of a complete application by the town board. Each such state and local agency shall determine whether the application for a permit for the proposed action is in conformance with the plan and the thresholds or conditions identified in the GEIS and section four of this act within sixty days of the referral by the town board.

3. After the expiration of the sixty days and within ninety days of receipt of a complete application, the town board shall make final written findings and determinations. Such determination shall detail the findings of the state and local agencies including whether the proposed action is in conformance with the EPCAL reuse and revitalization plan. If the town board fails to make a final determination of conformance for local agency licenses or permits within the ninety day period, the development application shall be deemed approved for local agency licenses and permits, unless said time is extended by the mutual consent of the applicant and the town board, not to exceed an additional sixty days."

In short, if future applications conform to the conditions and thresholds set forth in the Findings Statement that is ultimately adopted by the lead agency, such application would be eligible for the expedited review process.

Thus, as set forth both in the PD District and the aforesaid Act, there are requirements for approvals for specific development projects that locate at EPCAL.

Comment No. H2-6

Early on in the planning process, we provided substantive recommendations for site design that would minimize the potential for sprawl, maximize opportunities for land preservation, and follow the best current planning principles for development, design, energy efficiency, and a campus style layout.

As with the amended subdivision design, it remains our firm belief that the progressive development design could readily accommodate the economic goals sought by the Town without exacerbating the obvious environmental and aesthetic impacts of a traditional sprawling industrial park.

Response No. H2-6

The proposed Subdivision Map has been developed based upon stakeholder input as well as extensive discussions with the NYSDEC and the NYSDOT. This map allows for a significant amount of development, while preserving/creating approximately 1,514 acres of natural area/open space, not including lawn and landscaping. As explained in Section 2.0 of this FSGEIS, the Subdivision Map has been further revised to



address the various comments received during the public comment period on the DSGEIS. This has resulted in, among other things, the removal of grasslands from the runways and the relocation of the trail to within the Town of Riverhead CDA-controlled buffer area. As noted above, removal of formerly proposed grass from the western runway would allow its use for renewable energy purposes (e.g., solar panel arrays), among other uses.

Overall, of the 2,323.9-acre EPCAL property, approximately 1,514 acres (65 percent) will be maintained as some type of natural/open space, not including lawn or landscaping, which comprise another 16± percent of the EPCAL Subdivision. Thus, the revised Subdivision Map and the ultimate development thereof in accordance with the PD District will achieve the economic development objectives of the Town while preserving the environmentally-sensitive areas of the property.

Comment No. H2-7

In addition to the overarching limitations of the project's conceptual design, the GEIS doesn't provide very much information about the site requirements, building materials, visual aesthetics, clearing and energy conservation. Again, how does that all become operational when an individual walks in and buys a lot and says, "Where do I go from here?" Is it a site plan process? How is it – how does it work? I think the DGEIS can set those rules, standards, give the public a chance to look at them, and be clear about exactly what the process is going to be when those projects come in.

Response No. H2-7

As explained in Section 3.1.2 of the DSGEIS and in the PD District (see Appendix C of this FSGEIS), a site plan approval process will be established, as follows:

- A. *Recognizing the importance of comprehensive redevelopment of the lands in the EPCAL Property in accordance with the aforesaid "Reuse and Revitalization Plan," which may be updated from time to time, the provisions of this Article and "An Act in relation to a plan for the development of the Enterprise Park at Calverton" signed into law October 23, 2013:*
 - (1) *The development of any lands within the PD District shall require the submission of a Site Plan Application that conforms to the requirements of the "Reuse and Revitalization Plan" and is subject to Town Board site plan approval pursuant to Town Code of the Town of Riverhead Chapter 108 §108-129 (A). Notwithstanding anything to the contrary set forth in Chapter 108 and pursuant to Municipal Home Rule Law and consistent with General Municipal Law Articles 15 and 15A and "An Act in relation to a plan for the development of the Enterprise Park at Calverton" signed into law October 23, 2013, as permitted principal uses require site plan approval and residential use must be supportive of a permitted principal use, the Town Board shall be vested with review and approval jurisdiction for all principal and supportive uses, including residential.*
 - (2) *As part of site plan review and approval process by the Town Board, the Town shall refer the application to all relevant state and local agencies within ten days of a complete application as required pursuant to §5 (2) of "An Act in relation to a plan for the development of the Enterprise Park at Calverton" signed into law October 23, 2013. In addition, at any time after submission of an application, the Town Board may refer the application to the Planning Department or Planning Board for report and recommendation.*



- (3) Prior to the submission of a site plan application, the applicant shall may meet with the Town Board or Planning Department to determine zoning code compliance, general engineering suitability and aesthetic compatibility. The plan shall be prepared by a New York State licensed landscape architect, land surveyor, architect or engineer and shall include such drawings as shall clearly present those structural, topographical and design features that the Town would require to evaluate the proposed construction, addition, reconstruction or alteration. The goal of the pre-submission conference shall be a site plan acceptable and complete for formal application pursuant to 108-132 and review pursuant to 108-131 (c). Note, 108-131(B) shall not be applicable and as such, no preliminary site plan application and/or approval shall be required.*
- (4) Any resolution of approval or conditional approval issued by the Town Board shall be subject to §5 (2) and (3) of "An Act in relation to a plan for the development of the Enterprise Park at Calverton". To the extent required, the applicant shall obtain all approvals, licenses, and/or permits required from other governmental agencies having jurisdiction over the proposed development.*
- (5) Notwithstanding anything to the contrary above, the Town Board may adopt by resolution such other guidelines or procedures deemed necessary and appropriate to effectively and efficiently initiate, review and complete site plan process.*

Furthermore, Section 6.0 of the DSGEIS and Section 3.0 herein explains that there are conditions, thresholds and criteria that have been established as part of the SEQRA process, which set forth additional development parameters that must be met during the site plan review process. For example, a traffic management and logistics plan must be prepared, on-site soil borings must be conducted to determine specific soil conditions, the project must demonstrate compliance with or exceedance of the New York State Energy Conservation Code and must provide greenhouse gas mitigation measures, water conservation measures must be implemented, low-maintenance vegetation must be incorporated into the landscape design, demonstrate that runoff from an eight-inch storm be collected and stored, and demonstrate that the overall SWPPP will be complied with and provide site-specific details regarding erosion and sediment control for each lot, in conformance with the SWPPP and Town regulations.



**Phil Barbato, Vice President
Riverhead Neighborhood Preservation Coalition (H3)**

Comment No. H3-1

The Town needs to set firm zoning and firm rules for this site. These could be changed, if ever necessary in the future, using the current methods for doing so, not for expediting something that's not going to work. It will not be advantageous for the long-term future of this Town if the zoning is left so indefinite.

Response No. H3-1

A zoning ordinance (PD District) has been proposed to regulate development of the EPCAL Property (see the updated PD District in Appendix C of this FSGEIS). Incorporated into the PD District is a site plan review process, as explained in Response H2-7, above. Also, as noted in this response, based upon the environmental review process, there are conditions, thresholds and criteria that also must be met prior to site plan approval of any future development within the proposed PD District. Development is also subject to the New York State legislation, as described in Section 2.0 and Response H2-5 of this FSGEIS.

Comment No. H3-2

Including residential and retail uses in the proposed rezoning is just not in line with the longstanding goals for EPCAL. It is well-known that residential use is a net loss to the Town's budget. And we already have too much vacant retail space in the Town. Do we really want to create more?

Response No. H3-2

See Responses C4-16, C4-17 and C5-3 with respect to the potential future residential and retail development.

Comment No. H3-3

The DGEIS claims that the tax base will be increased, for example, on Page ix of the Executive Summary. But what are the associated costs that go with this development? The net effect on the Town's budget and the other districts serving this site have to be estimated as well. Without the expenses, we're looking at only one side of the equation and missing the real impact. We need to know what the net impact on the Town is going to be, not what the income is going to be.

Response No. H3-3

See the analysis of community facilities in Section 3.3.2 of the DSGEIS, as well as Responses C5-1 and C5-3. The objective of the Town, since the time of the property transfer, has been to redevelop the Calverton property in a manner that would maintain its environmental integrity, while creating a significant engine to drive the local and regional economy. This was confirmed in the 2013 New York State legislation signed by Governor Cuomo as law creating the Enterprise Park at Calverton Reuse and Revitalization.



Based upon the property taxes generated, as explained in Section 3.2.2 of the DSGEIS, as well as the type of infrastructure funding that is being contemplated, development of the EPCAL Property is expected to become a significant economic benefit to the Town and its residents.

Comment No. H3-4

For school district impacts, the DGEIS uses a figure of 0.22 school age children per unit. This seems, I'm sorry, ridiculously low, and, in any event, leaves out the impact of the children of the other employees at the site, some of which we think will be moving to our town. Yes? If the trips, in quotes, represent the number of employees, the potential impact of thousands of new students has been woefully underestimated.

Response No. H3-4

Trips do not represent the number of employees, as asserted by the commentator. Furthermore, not all future employees would be moving to the Town of Riverhead or into the Riverhead School District.

See Response C5-5, which explains that the derivation of the 0.22 school-aged children factor. Nevertheless, based upon the current per pupil expenditure (\$23,450.00) and the amount of property tax revenue development would generate at ultimate build-out, based upon the theoretical mixed-use development program (\$25,728,329.66), the EPCAL Property could theoretically generate significantly more children than projected without having a significant adverse fiscal impact on the Riverhead School District.

Comment No. H3-5

For traffic mitigation, the DGEIS recommends many roads and signaling improvements over a seven-and-a-half mile corridor on Route 25, but it leaves out any recommendation for whom will pay for these improvements and the estimate of how much they will cost. Will these costs be borne by the new tenants at EPCAL, thereby reducing the attractiveness of the lots, or, as the usual case, will they be borne by existing taxpayers of the H2- Town?

Response No. H3-5

See Responses C2-25, C3-5 and H1-6 for potential funding mechanisms.

Comment No. H3-6

For the water supply and the sewage disposal infrastructure costs, who will pay for them, and what are the estimates of these costs? Again, will these costs fall on existing taxpayers, as has happened in so many other places on Long Island, and our taxes are going to be raised?



Response No. H3-6

See Responses C2-25, C5-1 and H1-6 regarding potential infrastructure funding mechanisms.

Comment No. H3-7

The DGEIS proposed setting limits or triggers such as trips, in quotes, to monitor the impact of future development at the site. Now we suggest instead that the Town set a review standard for all proposed development, and that all proposals be required to prove, before approval can be granted, that the proposed development will be a net positive impact on the Town's budget.

Response No. H3-7

The review standards for proposed development on the EPCAL Property are set forth in the PD District (see Appendix C of this FSGEIS).

Comment No. H3-8

Monitoring data, such as trips, are after the fact, after the damage is done, and will be fairly meaningless in the future.

Response No. H3-8

The thresholds for mitigation, based on trip generation and set forth in the DSGEIS (see Section 3.4 therein) indicate mitigation that must be in place prior to additional levels of development occurring that would result in higher levels of trip generation. The monitoring of trip generation at the site will not be performed after the fact, but as the development occurs over time ensuring that the mitigation is put in place as the subdivision is built out, not after.



Nicholas DiPierro, Resident (H4)

Comment No. H4-1

Housing definitely does not belong at EPCAL.

Response No. H4-1

See Responses C4-16, C4-17, C5-3 and C7-7. As also discussed in Section 2.0 of this FSGEIS, the proposed PD District limits the location, number and type of residences to 300 attached units unless an applicant applies for a special permit, in which case it must be demonstrated that the additional residential units are “an essential and integral component of such principal use, i.e. scientific research or development facility or the like.” Thus, the residential uses are clearly must be supportive of the principal use, and, as noted earlier, the number of attached residential units are clearly subordinate to the over 10.5 million square feet of non-residential (non-retail) development that was analyzed as part of the DSGEIS.

Comment No. H4-2

Face reality. How many businesses want to come here to Suffolk County? Businesses are thriving well, whatever businesses do thrive well, in the western part of Suffolk County. And a lot of businesses are leaving Suffolk County because of the high cost of electricity and the high cost of taxes here, not only on Long Island, but in New York State as well.

Response No. H4-2

The benefits the development community by allowing for a streamlined approval process for applications that are consistent with the EPCAL Reuse and Revitalization Plan. This will give EPCAL and the Town of Riverhead the kind of competitive edge needed to compete in today's market since it will allow businesses more certainty due to the 90-day approval process.

Comment No. H4-3

A transportation hub and entertainment facilities, which I see now, would be the only feasible thing to have out in the Calverton site.

Response No. H4-3

The scope of the alternatives to be examined in the DSGEIS was determined based on a positive declaration and formal scoping process, which included:

- Issuance of a Positive Declaration on June 18, 2013
- Distribution of a Draft Scope to all involved agencies and interested parties on June 12, 2013 advising that comments would be accepted both at a public scoping meeting and in writing (see Appendix K of this FSGEIS)
- A public scoping meeting held on July 16, 2013



- Acceptance of written comments on the Draft Scope until July 23, 2013
- Issuance of a Final Scope on October 1, 2013, which was distributed to all involved agencies and interested parties that requested a copy.

The notice regarding the positive declaration, as required, was published in the Environmental Notice Bulletin on June 26, 2013. Furthermore, notice of the scoping meeting was published in Riverhead New-Review.

A transportation hub and entertainment facilities were not among the alternatives set forth in the Final Scope for evaluation in the DSGEIS.

Comment No. H4-4

The eastern end of Suffolk County should be known as the area where people want to come to be entertained on the North Fork and South Fork.

Response No. H4-4

The comment is noted.



Sara Bullock, Resident (H5)

Comment No. H5-1

I would like to know and actually would like to see something in writing of what is going on over there.

Response No. H5-1

A comprehensive DSGEIS, dated July 2014, was prepared and accepted as complete and adequate for public review by the Town of Riverhead on July 31, 2014. This document has been and is still available for review on the Town's website, at the Office of the Town Clerk and at the Riverhead Public Library.

Comment No. H5-2

Do your studies like you're supposed to do. Stop rushing to judgment with all these things. Plan out where it's going to be that's good for everybody in the community, and that whatever is done will reflect the authenticity of everybody here.

Response No. H5-2

See Response H5-1. The DSGEIS was prepared based upon the Final Scope promulgated by the Town of Riverhead Town Board. The Final Scope was created, in part, from the comments received from the public, as well as from involved agencies and interested parties by the Town at the public scoping hearing held on July 16, 2013 and during the scoping period which ended on July 23, 2013. In addition, the public hearing on the DSGEIS was held on September 3, 2014, wherein whomever wished to speak was given the opportunity and the public comment period on the DSGEIS was held open until September 30, 2014. Therefore, the public has had the opportunity to be involved in the environmental review process.



**Ray Maynard, Owner
Skydive Long Island (H6)**

Comment No. H6-1

Rather than incorporating the assets already available within EPCAL to create an intelligent business-oriented economic development plan for EPCAL, you are proposing housing in EPCAL, which is guaranteed to be detrimental to my business.

Response No. H6-1

See Responses C4-16, C4-17, C5-3 and C7-7. As also discussed in Section 2.0 of this FS GEIS, the proposed PD District limits the location, number and type of residences to 300 attached units unless an applicant applies for a special permit, in which case it must be demonstrated that the additional residential units are “an essential and integral component of such principal use, i.e. scientific research or development facility or the like.” As noted earlier, the attached residential units are clearly subordinate to the over 10.5 million square feet of non-residential (non-retail) development that was analyzed as part of the DS GEIS.

The potential future residential development and the businesses on the subject property and the adjacent property are subject to the Town of Riverhead’s noise and exterior lighting ordinances, as well as all other applicable Town regulations. The residents on the site would be associated with the principal users of the property and would be aware of the nature of the existing on-site and adjacent development and features, including the runways.

Comment No. H6-2

You are proposing mixed use, but aviation is not included. You’re proposing bringing in a hotel and retail businesses. I am sure that some of these future businesses and hotel guests will find it desirable and convenient to have a runway on premise.

Response No. H6-2

Hotel uses are not permitted in the PD District (see Appendix C of this FS GEIS). As discussed in Section 2.0 of this FEIS, no new grassland would be created on the runways. The runways would be maintained as separate lots and would be available for aviation use.

Comment No. H6-3

And now this Board is considering chopping off a portion of the remaining runway. And to what end? To have a retail establishment at the tail end of an active runway? What business outside of aviation would be happy with that?



Response No. H6-3

As noted in Response H6-2 above, the runways would remain and would be maintained as separate lots. Based upon the proposed PD District, structures within the District, in general, would be limited to 75 feet in height. However, as noted in the proposed zoning text, to the extent that FAA rules and regulations are applicable to a site proposed for development, building heights must conform to Federal Regulation Title 14 Part 77 (Part 77) and all such other FAA standards and regulations.

Comment No. H6-4

Your focus should be on jobs and business, not housing.

Response No. H6-4

The focus of the PD District is on non-residential, primarily industrial, research and development, office and flex space, as analyzed in the DSGEIS. As indicated in Section 3.2.2 of the DSGEIS, the potential future development, at ultimate build-out, is expected to generate over 25,000 permanent jobs. Residential development, if it was to occur, must be **supportive** of the principal uses of the property and could not be built of its own accord. The PD District limits the amount of residential development permitted on the EPCAL Property. Also, see Response C5-3.

Comment No. H6-5

This Town should develop a mixed-use, business-oriented, business-focused plan which incorporates the existing runway. Bring in hotels and light industrial. Open up some general aviation and maximize potential this airport and the existing assets provides, rather than, like previous Boards, plan for the further demise by chopping off part of the runway and creating housing.

Response No. H6-5

See Section 2.0, Appendix C and Responses H6-2, H6-3, C4-16, C4-17 and H5-3, which discuss the uses permitted within the PD District for the EPCAL Property.



Maryann Johnston, President
Affiliated Brookhaven Civic Organizations (H7)

Comment No. H7-1

But the reality is EPCAL is not suited for housing, never was. You were given that opportunity, that give, to replace the jobs that were lost when Grumman left, not to develop another Levittown. It's ridiculous.

Response No. H7-1

Levittown, New York was originally a purely residential development of over 17,000 homes on over 4,000 acres. The DSGEIS for the ECPAL Property analyzed 300 homes on over 2,300 acres. The overarching focus of the PD District for the EPCAL Property is on non-residential, primarily industrial, research and development, office and flex space, as analyzed in the DSGEIS. As indicated in Section 3.2.2 of the DSGEIS, the potential future development, at ultimate build-out, is projected to generate over 25,000 permanent jobs. Residential development, if it was to occur, must be **supportive** of the principal uses of the property and could not be built of its own accord. The PD District zoning limits the location, number and type of residential development permitted on the EPCAL Property. Also, see Response C5-3.

Comment No. H7-2

We don't need to move in the direction as a Town to develop fossil fuel plants at EPCAL, of all places, while you're trying to preserve something. You can't do it. It's really critical that you trust those traffic impacts. They affect my residents, my communities. You can't get there without going through Brookhaven.

Response No. H7-2

Fossil fuel plants are not proposed to be developed at the EPCAL Property. A comprehensive traffic impact study has been prepared and was included in Section 3.4 and Appendix K-2 of the DSGEIS. The Town of Brookhaven was considered in the development of the traffic impact study. In addition, the Town of Brookhaven has been involved in the environmental review process from its inception. The Supervisor and Town Board of the Town of Brookhaven received a copy of the DSGEIS, but did not comment thereon.

Comment No. H7-3

So what triggers are you going to set up? Where's Brookhaven in this process? I don't see a soul here from Brookhaven except ABCO. Why not? They need to be involved in this process. This was a regional asset, not a carved up Levittown.



Response No. H7-3

The Town of Brookhaven has been involved in the environmental review process from its inception. Furthermore, the Supervisor and Town Board of the Town of Brookhaven received a copy of the DSGEIS, but did not comment thereon.

Comment No. H7-4

I'm very distressed to see that this plan developed by the Coalition was tossed.

Response No. H7-4

As noted in Response C6-1, according to Town representatives, the map that was included in Section 7.3 of the DSGEIS, *Alternative Subdivision Design*, was the map that was received by the Town from The Coalition for Open Space at Calverton. This map was considered as an alternative to the proposed action as part of the SEQRA process. See Responses C2-39, C6-2 and H1-1, which describe the revised Subdivision Map and compare it to The Coalition for Open Space at EPCAL plan.

The proposed Subdivision Map (as modified from the DSGEIS – see Appendix D of this FSGEIS) accomplishes environmental protection goals (including protection of native grasslands and compliance with Central Pine Barrens standards and guidelines, which the Town does not believe apply), as well as economic development goals (as it achieves the federal government's economic development objectives when transferring the property to the Town).

Further, the open space areas shown on the revised Subdivision Map generally correspond to those that the Town, with extensive input from NYSDEC, proposed to maintain in their present condition.



Gordon Howard, Resident (H8)

Comment No. H8-1

There's a path that the – that was paved, the old security path for Grumman. It's an absolutely beautiful place, it's breathtaking, breathtakingly beautiful. And I recommend, highly recommend that everybody here go and look at the place before you people destroy it.

Response No. H8-1

The comment is noted. As indicated in Section 3.13.2 of the DSGEIS, the walkway/bike trail is proposed to be controlled by the Town CDA and enhanced, wherever necessary. As shown on the revised Subdivision Map, the trail will be under the jurisdiction of the Town of Riverhead and not located within individual lots.



George Hochbrueckner, Former Congressman (H9)

Comment No. H9-1

My concern is that, you know, when I wrote that legislation, the intent was to help the people of Riverhead to provide a tax base, to provide money to compensate for the loss of the Grumman money, and we never intended it to be a burden, but let me tell you what will be a burden. Right now, you have a 7,000-foot abandoned runway, the western runway, because the 10,000-foot runway is being used, certainly sky divers there, there'll be other uses. But the 7,000-foot runaway on the west side is intended to be covered with soil and grassed grown, which in my view is a total waste of that facility.

Response No. H9-1

The 7,000-foot western runway is no longer proposed to be covered with soil and planted with native grassland, as discussed in Section 2.0 of this FSGEIS. The western runway, which is proposed to remain, is currently designated as Lot 27 (comprising 111.7 acres) on the Subdivision Map, and would be available for development that is appropriate to a former runway, including renewable energy facilities.

Comment No. H9-2

I mean there's no drainage. How are you going to keep the grasses growing? So it makes sense to use that runway for a difference purpose.

Response No. H9-2

See Response H9-1.

Comment No. H9-3

And, of course, George Bartunek, former Town Councilman, several months ago had an article in the local News Review, saying, "Put solar on there." That makes sense. Why waste that beautiful base of the 7,000-foot runway and the taxiways associated with it? And I agree with that. And I was approached by a solar company, a prominent solar company out of Virginia, and they had put in a proposal to install 20 megawatts of solar on that runway, and to pay for the next 20 years as part of the Long Island Power Authority Request for Proposals for renewable energy. They will pay 20 years to lease that property to put those solar panels.

Response No. H9-3

See Response H9-1. The western runway could potentially be used for the installation of solar panels, as such use is permitted by the proposed PD District.



Comment No. H9-4

It was never our intention that that property should be a burden to the taxpayers of Riverhead. You were supposed to make money with it. So the best alternative right now, in my view, and that's why I'm here, is to appeal to the Board, to give site control to HelioSage, which is the company that has put in a live active proposal that is under consideration by LIPA/PSE&G right now.

There's a plan on the table, and I'm convinced that DEC will approve it. And that's why the Town Board has not been willing to provide site control, because they do not want to blow up this deal with DEC.

We can make money for the people of Riverhead, the taxpayers of Riverhead, by getting that 20 megawatts of solar in place.

Response No. H9-4

The comment is noted. See Response H9-3, above.



Robert Boehm, Resident (H10)

Comment No. H10-1

So I think that is – relocation of the grassland is totally unfeasible, judging by the environment.

Response No. H10-1

See Section 2.0 and Response C7-3, among others, which indicate that no grassland is proposed to be created on either of the runways. Based upon the revised Subdivision Map, it is expected that of the 646.2 acres of grassland currently located on the EPCAL Property, 512.4 acres would remain, and approximately 70.6 acres will be created, for a total of 583.0 acres of grassland, based upon the worst-case development scenario presented in the DSGEIS (see Section 2.0 and Appendix D).

Comment No. H10-2

I understood initially that there were going to be three entrances added to the property off of Route 25, and I thought, good, they're not going to affect the southern portion where I live, but now I understand that there is going to be one.

Response No. H10-2

There is an existing roadway, Burman Boulevard, which currently serves the existing Calverton Camelot industrial subdivision. This roadway would also serve the lots that are proposed on the north side of the EPCAL Property. In addition, one new access point is proposed on Grumman Boulevard to the west of Burman Boulevard that would serve five new lots comprising approximately 91.5 acres of land (4.0 percent of the total EPCAL Property). Based upon the traffic analysis, it is expected that a total of 23 percent of traffic that would be generated by the future development of the subdivision would use Grumman Boulevard. The largest portion of this traffic, 15 percent, will utilize Grumman Boulevard to and from Wading River Road.

Comment No. H10-3

I would hope that should this development take place that the roadwork goes in first from 25 onto the site, rather than bringing things off the existing entrance, which is on Grumman Boulevard, which will mean that I will be getting all sorts of trucks and things past my house. That will also happen on Town Line that will also happen on Wading River-Manor.

Response No. H10-3

The major traffic flows to and from the subdivision are expected to occur through the access point on NY 25. Three quarters of the trips to and from the subdivision are expected to use the access on NY 25. There is an existing roadway (Burman Boulevard) that provides access into EPCAL from Grumman Boulevard and will continue provide access to the subdivision.



John Ehlers, Land Surveyor (H11)

Comment No. H11-1

And I just want everyone to understand and appreciate the fact that you cannot sell a lot until you've put in the roads, the sewer, the water, all the infrastructure, and that all gets in. Nobody's going to buy it, you can't buy a lot. How long is that going to take? It's going to take years and years.

Response No. H11-1

Town Law requires that infrastructure improvements that are required by the Planning Board be completed before the subdivision map is filed with the County Clerk, or that adequate financial security is posted to assure completion within two years of filing, or such extension thereof as may be approved by the Planning Board.



Greg Fischer, Resident (H12)

Comment No. H12-1

And on feasibility, I'd like to incorporate [sic] that gentlemen that said that mixing residential and light industrial is usually toxic to these kinds of developments. If you look around the country, you don't find really successful industrial developments, tech centers, etcetera, with mixed use, it just doesn't pan out. So again, another reason not be put residential development in there, to use what is left for industrial, light industrial.

Response No. H12-1

As previously noted in Response C4-16, and as explained in Section 2.0 of this FSGEIS, the residential and retail development that is proposed in the Town Board's draft PD District permitted on the site would be only supportive in nature. The proposed PD District defines a supportive use as one which exists within the EPCAL Property and supports the employees and tenants of the principal use(s). Based upon comments received, the proposed PD District has been revised to indicate that such uses would be permitted on a limited basis and would be targeted to employees and tenants of the principal permitted uses and not designated for primary use by the general public. The only supportive uses permitted within EPCAL are attached housing units and retail, personal service or restaurant uses specifically designed to support the uses within EPCAL. Also based upon comments received during the public comment period on the DSGEIS, modifications were made to the PD District, which place specific limitations on residential and retail/personal service/restaurant development, as explained in Section 2.0 of this FSGEIS.

Comment No. H12-2

We've somewhat developed arbitrary checkerboard of lots, but we really don't know who wants to put what where. So that is kind of like a supply-side economic theory to say that, "If we build it, they will come," and that is really not wise. You don't know who's coming. There hasn't been significant outreach to create who's coming.

Response No. H12-2

The lots that are proposed for development were created based upon extensive discussions with all of the stakeholders and over several years of negotiations with the NYSDEC. The placement of the developable lots allows for the preservation of both grasslands and pine barrens vegetation, as well as tiger salamander habitat. It is protective of the Peconic River and the WSRRS boundaries. The proposed action extends this boundary and provides for the protection of additional land.

Specific tenants of the lots have not yet been determined. Furthermore, the lots shown on the Subdivision Map can be combined should a tenant require more land for a proposed use.



Comment No. H12-3

I don't think the proper studies have been done to say that we can't look at it that way and have a very – we are down to a small piece of property, to focus on a particular sector, a sector that might have viability for good jobs over the next 20, 30, or more, years, biotech being one of the better of those.

Response No. H12-3

A comprehensive environmental review was performed for the proposed action and the potential impact and proposed mitigation for a theoretical mixed-use development program was analyzed. The GEIS that was performed for the proposed action did not focus on a particular industry. The RKG Market Study identified the types of industries that may be feasible for development on the EPCAL Property (e.g., agribusiness/food processing, high-tech business/research, mixed-use planned development) and these were considered in the overall analysis.

Comment No. H12-4

And with apologies, I think the best way is to – is to find those anchor type ventures that will draw other similar smaller ventures in, and target and just preserve it for industrial, light industrial research, but absolutely no housing. It is toxic to this kind of development.

Response No. H12-4

The comment is noted. See Section 2.0 and Responses C4-16 and H12-1. The only housing permitted on the EPCAL Property includes only “residential units included as part of a principal use wherein residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like, shall not be included in such limit,” as indicated in the proposed PD District (see Appendix C of this FSGEIS).



Ed Purcell, Resident (H13)

Comment No. H13-1

Number one, I go along with most of the other speakers, that housing, there's just no reason for housing in there up at EPCAL.

Response No. H13-1

See Responses C4-16 and H12-1. The only housing permitted on the EPCAL Property includes only "residential units included as part of a principal use wherein residential units are an essential and integral component of such principal use, i.e. scientific research or development facility or the like, shall not be included in such limit," as indicated in the proposed PD District (see Appendix C of this FSCEIS).

Comment No. H13-2

So there's absolutely no reason to put any large retail. A deli, something that would be conducive with businesses that are there as a special use, absolutely, but not general retail. That just is a – it's a waste of money.

Response No. H13-2

See Response C4-17. As with the supportive housing, only supportive retail uses are permitted to be developed. Specifically, the permitted retail development would be limited to be within principal buildings and would be targeted to the tenants and employees of the EPCAL development. While the general public cannot be excluded from using potential retail establishments, such uses are "not designated for primary use by the general public," as indicated in the proposed PD District (see Appendix C). These uses are proposed to support future development that occurs within the EPCAL Property.

Comment No. H13-3

I had never heard of the solar, but I think that would be a good deal to try to put that solar on that runway. And if it's only a lease, then should it fall flat, well, then it could be torn down and something else could be put up. That's why the solar would probably be an excellent aide.

Response No. H13-3

The comment is noted. See Response H9-3.



Laurie Downs, Resident (H14)

Comment No. H14-1

I'm really angry at a lot of the things that are going, and one of the things, first off, housing over at EPCAL is – the original documentation that was given to the Town states no housing.

Response No. H14-1

See Response H13-1.

Comment No. H14-2

Who is going to pay for this infrastructure?

Response No. H14-2

The potential funding sources for infrastructure improvements are outlined Responses C2-25 and H1-6.



Ron Harari, Resident (H15)

Comment No. H15-1

I'm going to urge the Board and the consultant to take the time to step back, listen to the thoughts that have been so persuasively articulated here tonight and do not rush to judgment. You need to consider the infrastructure costs and what the net gain will be to this Town before you move forward with this.

Response No. H15-1

The Town of Riverhead has been analyzing the EPCAL Property since the property was transferred to the Town CDA in 1998. A comprehensive environmental review process on the currently proposed action has been ongoing since June of 2013, when Part 1 of the Environmental Assessment Form was prepared by the Town Board. See Response C3-1 for a summary of certain milestone dates in the environmental review process.

With respect to funding of infrastructure cost, see Responses C2-25 and H1-6.



Ed Goodale, Riverhead Building Supply (H16)

Comment No. H16-1

We are not in favor of the proposed mixed use in the industrial park, because of all of my professional life, I have been chased from residential communities because of my business.

Response No. H16-1

See Section 2.0, Appendix C and Responses C4-16, C4-17, H12-1 and H12-4, which indicate that a limited number of attached residential uses are permitted only if they are included as part of a principal use wherein residential uses are an essential and integral component of such principal use. All uses (principal and supportive) are subject to Town noise and exterior lighting requirements.

Comment No. H16-2

This is an industrial park, it should remain an industrial park.

Response No. H16-2

A portion of the EPCAL Property (approximately 500 acres) was previously sold to a developer, which created the Calverton Camelot industrial subdivision. This subdivision is separate and apart from the remaining 2,323.9 acres and development of this subdivision is ongoing. When the U.S. Navy conveyed the Naval Weapons Industrial Reserve Plant (NWIRP) to the Town of Riverhead, it did not specify that the site should be used for any particular use, including industrial park. The property was conveyed with the intention that it be used for the purposes of economic development for the Town of Riverhead. The proposed action analyzed in the GEIS demonstrate that the theoretical mixed-use development program would generate about 25,500 permanent jobs and \$42.7 million in property tax revenue at full build-out.

Comment No. H16-3

You need to create an annuity that will prepare this Town to have a constant flow of income for decades to come.

Response No. H16-3

The comment is noted.

Comment No. H16-4

And if you want to create more workforce housing, there are many, many things that you can do to entice people to come here, that people can afford to do workforce housing.



But, if you need workforce housing, that means you need to have jobs, and the only kind of jobs you're going to get that are going to be able to pay for someone to own a home is going to be in an industrial park, not some recreational uses and retail uses up at EPCAL.

Response No. H16-4

Workforce housing is not proposed and was not analyzed for the EPCAL Property. The PD District only permits the development of supportive attached residential housing for workers associated with principal uses occurring on the EPCAL Property. See Responses C4-16 and H12-1, as well as the Section 2.0 and the proposed PD District in Appendix C of this FSGEIS. Residences would not be integral or essential for a principal recreational use and retail uses are not permitted as principal uses.



Sid Bail, Wading River Civic Association (H17)

Comment No. H17-1

Is the Town going to make the regulations? Is there going to be some sort of authority or commission, like in Fort Deven, like, you know, which has inspired, I guess, you know, people on the Town Board. I think that's pretty important to know. And I think it's important for us to know this right from the get-go, because I think the initial uses that go in there are going to do a lot to set the tone for what is going to follow. And so, you know, I'd like to get some clarification on that.

Response No. H17-1

The Town has developed the proposed PD District, which, should it be adopted, would be similar to other planned districts within the Town (see Appendix C of this FSGEIS). The PD District contains dimensional and bulk regulations, design considerations, and a Site Plan review process, similar to other existing zoning districts within the Town. Site Plan review would be under the jurisdiction of the Town Board, as required by the legislation that was enacted in 2013 (see Responses H1-11 ad H2-25) and as indicated in the PD District (see Appendix C).

Comment No. H17-2

And just from my perspective, it seems like 25,000 [jobs] is not a realistic number. And so I'd like to get some clarification on that.

Response No. H17-2

Based upon ultimate build-out, Section 3.2.2 of the DSGEIS included a projection of permanent jobs at 2035, as follows:

<i>Use</i>	<i>Total Area (Square Feet)</i>	<i>Employees per 1,000 Square Feet</i>	<i>Total Employees</i>
<i>Industrial/R&D</i>	<i>6,886,836</i>	<i>1.80</i>	<i>12,396±</i>
<i>Office/Flex</i>	<i>3,667,752</i>	<i>3.26</i>	<i>11,957±</i>
<i>Retail</i>	<i>805,860</i>	<i>1.50</i>	<i>1,209±</i>
<i>Total</i>	<i>11,360,448</i>	<i>--</i>	<i>25,562±</i>

Source: Urban Land Institute (for employee generation factors).

No credit was taken for any potential jobs created due to the potential construction of residential units on the site.



Anthony Coates, Resident (H18)

Comment No. H18-1

As I see it, there are three ways to get paid at EPCAL. One is to collect taxes, two is the price we're going to get per acre for the land, and three is to create high quality jobs for our residents. We've already said, and the study confirms, that we're going to have people go there essentially tax-free. So one leg of the stool is gone. Anyone who chooses to pioneer at EPCAL will, in essence, pay no taxes.

Response No. H18-1

There has been no discussion regarding development at EPCAL being tax free. Section 3.2.2 of the DSGEIS presents a comprehensive tax analysis based upon the theoretical mixed-use development program presented. The tax analysis indicates that at 2025, if developed as projected in the DSGEIS, the site would generate \$8.6± in annual property tax revenue. By the ultimate build-out, assumed to be 2035, the projected development would generate \$42.7±million in annual property taxes.

Comment No. H18-2

What is this Board projecting in their business planning that acres are going to sell for at EPCAL?

Response No. H18-2

The sale price of the land has not yet been determined and is not relevant to the environmental review.



Greg Volgren, Resident (H19)

Comment No. H19-1

We hear this term “redevelopment” of the EPCAL property. I don’t see any redevelopment here, I see development. Redevelopment would have been holding on to the initial core that was sold when it was vacated, and redeveloping that, and opening that back up for business.

Response No. H19-1

The Calverton Camelot industrial subdivision that currently exists was formerly a portion of the EPCAL Property. That subdivision includes the core area of buildings and hangars that were used by the U.S. Navy and Grumman at the time of operation of the Calverton Naval Weapons Industrial Reserve Plant. These buildings and this portion of the site (approximately 500 acres) was sold off for redevelopment. The remaining acreage that was owned by the U.S. Navy, some of which is developed with runways and taxiways or which otherwise has been cleared, would be redeveloped (and preserved). Some portions of the EPCAL Property that contain pine barrens vegetation and grasslands would be developed. However, approximately 1,514 acres of the overall 2,323.9 acres (65 percent) of the EPCAL Property would be preserved as natural area/open space. These figures are based upon development in accordance with the Theoretical Mixed-Use Development Program analyzed in the DSGEIS. The levels of development examined in the DSGEIS represent a worst-case scenario, and the amount of open space to be preserved may be higher (it would not be lower), based upon actual future development.

Comment No. H19-2

The road that I live on [River Road], it was said in the DEIS, that can support a much larger volume of traffic. I don’t see it at all. As it is now, the traffic is bad. We can’t support the traffic with the roads that we have now, and I don’t see room to expand the roads to do it. River Road cannot handle much more traffic, let alone significant traffic volume upgrades. Twenty-five, if you want to create that into another Long Island Expressway, go for it, but you’re ruining what Riverhead is.

Response No. H19-2

The evaluation of the traffic impacts associated with the proposed subdivision contained in the DSGEIS (see Section 3.4) indicates that River Road can support the traffic levels anticipated with the development as proposed. It should be noted that it is anticipated that less than 10 percent of subdivision traffic is expected to use River Road east of the EPCAL site.

Comment No. H19-3

I understand you want to create jobs in Riverhead, create money, everything like that, but I don’t think flooding the market is the way to do it, and giving away land tax-free, it’s ridiculous. Instead of development 600 acres and not taking tax money from those people, why don’t we look smaller scale, do it a little bit smarter and take tax money from those people?



Response No. H19-3

When the U.S. Navy conveyed the property to the Town of Riverhead, the objective was to use the property for economic development. The development of the EPCAL Property is anticipated to occur over at least a 20-year period, as analyzed in the GEIS. In no place in the GEIS has it been stated that the land would be given away” or be “tax free.” In fact, Section 3.2 of the DSGEIS provides a comprehensive property tax analysis for the years 2025 and 2035, which indicates that the annual gross taxes generated by the EPCAL development should development occur as analyzed in the DSGEIS would be \$8.6 million at 2025 and \$42.7 million at 2035. In addition, as noted in Response H17-2, there would be tens of thousands of jobs created at 2025 and at full build-out.

Comment No. H19-4

The type of businesses that we attract with whatever gets developed, there’s different types of traffic that are associated with that. What we should try to avoid is the Monday through Friday commuter traffic. In the DEIS, that was specified as being the highest volumes of traffic associated with office spaces, medical facilities. That’s something that we should try avoid, and maybe gear the development towards other businesses that will provide less traffic, such as we’ve been - - solar is the hot topic here right now, right? They said that that creates little to no traffic. Why don’t we work a little bit more towards a project like that?

Response No. H19-4

The comment is noted. The DSGEIS provides for a maximum theoretical development of the EPCAL Property, based upon a certain mix of uses. However, as indicated in Section 2.5 of the DSGEIS, it must be understood that no one can predict, over a multi-year development period, what specific uses would be developed and at what levels. The development program analyzed in the DSGEIS would result in significant adverse traffic impacts that likely cannot be fully mitigated. However, for example, if a significant portion of the site is developed for warehouse uses, minimal traffic would result. Moreover, if a significant area was used as a solar field, virtually no traffic would result from that area. Accordingly, the maximum development limit will be a function of the actual trip generation associated with the uses developed. As explained in Section 3.4.2 of the DSGEIS, the maximum number of trips that can be generated and reasonably mitigated at this site in the a.m. peak hour (the critical time period) is 5,000. Section 3.4.3 of the DSGEIS provides the various levels of trip generation and the mitigation required to be in place for each level of trip generation.

As indicated in Response H9-2, the placement of solar panels on the subject property is permitted by the PD District.

Comment No. H19-5

About trying to get solar on the runway, I think it’s a good idea. But in working with the DEC, I think it’s also a trade-off. You’re not just going to go - - there’s been a certain amount of acreage that’s been agreed on to be developed. You can’t just go and ask for more and expect to get it. It’s going to come down to a good old-fashioned negotiation. So, therefore, look at your map of the subdivision and take a couple of parcels that equal the acreage of the runway and propose a trade-off to them. And to me, the properties on the east side



of the eastern runway make sense to be the properties traded off, because they're totally segregated from the rest of the property. And if those are ever developed, you're going to have more environmental impact, they're going to be more costly to develop, in all means, whether it's running electricity, water, sewers everything like that. It really doesn't make sense that those properties are there. Propose a trade-off for them and work on that.

Response No. H19-5

The comment is noted. The NYSDEC has and will continue to be included in the environmental review process as it is an involved agency for purposes of SEQRA.

Comment No. H19-6

We have aquariums, we have the skydiving, we have the animal farms, we have all this stuff. That's what people are coming here for. I see it in the summer, there's a lot more people in our Town. And that's great, that's what we want. This is bringing the Town money. So why don't we work towards bringing more of those people in? Why don't you do - - look to do more of that with recreation?

Response No. H19-6

As indicated in the proposed PD District, recreational uses are permitted to be developed at the EPCAL Property (see Appendix C of this FSGEIS). The Town is exploring various opportunities with respect to the development of the EPCAL Property.

Comment No. H19-7

I don't see where we need more retail. Keep the retail where the retail is. We have enough, we have plenty of retail, everything that we need.

Response No. H19-7

See Section 2.0, Appendix C and Response No. C4-16. Only retail/personal service/restaurant uses that are supportive of the principal uses on the EPCAL Property would be permitted to be developed. The proposed PD District limits the location of such uses to within the footprint of a principal use, the floor area of any single supportive retail to 10,000 square feet, the total amount of supportive uses within a principal use to 20,000 square feet and the total amount of retail/personal service/restaurant uses to 500,000 square feet across the entire EPCAL Property. The total of 500,000 square feet of retail represents only five percent of the maximum theoretical square footage of the other non-residential development analyzed in the DSGEIS.

Comment No. H19-8

I read in the DEIS that the Peconic River is the largest groundwater river in New York State, so we need to be careful about what's built there. Solar, solar recreation things, polo fields, those are going to have a minimal impact or no impact on groundwater.



I've also heard, because I live on a farm that's actually for sale, I've also heard that there's been interest in fish farms on some properties, particularly the property by my house. You know, that's another one that would probably have very little impact on groundwater.

Response No. H19-8

The objective of the Town, since the time of the property transfer, has been to redevelop the Calverton property in a manner that would maintain its environmental integrity, while creating a significant engine to drive the local and regional economy.

Various alternatives that were included in the Final Scope (see Response C3-1), were analyzed in the DSGEIS, including but not limited to mixed use and polo fields and an alternative subdivision design that is similar to the proposed action (see Section 7.0 of the DSGEIS for the analysis of alternatives).

The proposed action seeks to minimize impacts to the environment, including groundwater and surface water resources. All development would be connected to the STP and stormwater runoff would be contained and recharged on site. As part of a separate action, the Calverton STP is currently undergoing an expansion and upgrade to provide tertiary treatment. In addition, sewage disposal is being relocated to north of the groundwater divide, away from the Peconic River. Over 1,500 acres of the property is proposed to remain natural/open space, excluding landscaping and lawns. In addition, no new development is proposed within 1,000 feet of any tiger salamander pond that has been identified on or adjacent to the subject property (see Appendix D of this FSGEIS). Therefore, the proposed action is not expected to have a significant adverse impact on groundwater resources.

Comment No H19-9

Noise: Don't repeat what's happening at the recycling facility. It's on the website every day. You know, let's not do that.

Response No. H19-9

As indicated in the proposed PD District (see Appendix C), development within the PD District must comply with Chapter 81, *Noise Control*, of the Town of Riverhead Town Code, which generally limits such noise levels from commercial and industrial properties to neighboring properties to 65 dBA. Given the neighboring residential uses off Timber Drive, Kay Road, among others, recreational uses, such as Grumman Memorial Park and Veterans Memorial Park, Calverton National Cemetery, and other sensitive receptors surrounding the property, in the event that such noise levels are exceeded to sensitive noise receptors outside of the EPCAL Property or residential uses within the EPCAL Property, such additional noise abatement measures, including increasing such setbacks or the provision of noise walls or the provision of berms, fences, vegetation and the like, shall be considered and a site applicant can apply for a variance from the Town Board pursuant to §81-7 of the Town Code.



Comment No. H19-10

Let's make sure that the buffers are followed, at least what they are, or even more generous than what they are.

Response No. H19-10

The proposed buffers would be maintained as shown on the revised Subdivision Map. See Section A-A and Section B-B shown on the Subdivision Map in Appendix D.

Comment No. H19-11

I don't think Riverhead realizes what they have in the way of the attraction to the open space. People come out to the North Fork, to the vineyards, to all that stuff, and they come out.

Now you want to change that and they're going to be driving by industrial facilities on their way to a vineyard or a farm. You know, it just doesn't fit in with the local area.

Response No. H19-11

Prior to leaving the subject property, from 1954 through 1996, the U.S. Navy and Grumman Corporation used the EPCAL Property, as well as many other thousands of acres in the vicinity for assembling, flight testing, refitting, and retrofitting naval aircraft. As indicated in the DSGEIS, the Secretary of the U.S. Navy was authorized by Congress to convey approximately 2,900 acres of land to the Town Community Development Agency in 1998 for economic development purposes. The objective of the Town, since the time of the property transfer, has been to redevelop the Calverton property in a manner that would maintain its environmental integrity, while creating a significant engine to drive the local and regional economy. This was confirmed in the 2013 New York State legislation signed by Governor Cuomo as law creating the Enterprise Park at Calverton Reuse and Revitalization. Circa 1997, approximately 500 acres of the 2,900 acres conveyed to the Town were redeveloped as Calverton Camelot, an industrial subdivision, and many of the existing hangars and buildings have been redeveloped since that time.

Based upon the foregoing, the property has been used for military and industrial purposes for the past 60 years, and as such, visitors to the North Fork have been driving past such facilities for that time. While some of the open space on the property is expected to be developed, large portions of the site are not comprised of pristine open space, as described above. Development of the EPCAL Property achieves a balance of economic development (which was required by the U.S. Navy as a condition of the property transfer) and the preservation of both grasslands and pine barrens vegetation. Approximately 1,514 acres of natural/open space (excluding lawns and landscaping) will be preserved/created and the existing walkway/bike trail that traverses the property would be controlled by the Town CDA and enhanced, where required.



**Vic Prusinowski, Resident and Consultant to
United Riverhead Terminals and United Metro (H20)**

Comment No. H20-1

I'm here tonight to speak out against the inclusion of residential development on the property. I think it's totally incompatible with the type of uses there, especially if a lot of the people that have businesses on the property, and potential new businesses coming in, because there are some big buildings for sale. It would definitely be a deterrent for future expansion of that site.

Response No. H20-1

See Response C4-16. A limited amount of residential development is permitted on the EPCAL Property (see the language in Section 2.0 and Appendix C of this FSGEIS). Such residential development must be supportive of a principal use(s) on the EPCAL Property. Residential development could not occur independent of the development of a specific principal use(s) on the EPCAL Property.

It should be noted that the buildings referenced in the comment are located off-site from the currently-defined EPCAL Property (within the Calverton Camelot subdivision). No specific location for residential uses has been indicated at this time. However, there is no development permitted on the EPCAL Property that is located directly adjacent to the Burman subdivision. The closest developable lot (Lot 24), not including either of the runways, is located approximately 430 feet from the Calverton Camelot property line.

Comment No. H20-2

Also, little known and little discussed, is that, and I think I'm right on this,..., the code was changed about 10 years ago, and that that 10,000-foot runway is available to be used by any property owner or tenant on the property, as long as they get a Runway Use Agreement from the Town of Riverhead for the - - as an accessory use to their business, and that's an important step if you're going to try to bring in these dream jobs. And, certainly, if the runway is going to remain active, and right now the only tenant we have on there is Skydive Long Island, that residential development is totally incompatible.

Response No. H20-2

See Responses C4-7 through C4-13 and H20-2.

Comment No. H20-3

I'm 100% for the solar on the 7,000-foot runway.

Response No. H20-3

The comment is noted. The Town is exploring a number of opportunities for development and or sale of the property.



Comment No. H20-4

Mr. Amper, sitting next to me, he remembers a meeting we had in the Supervisor's office when I voted for the greatest environmental law that was ever passed in the State of New York, the Pine Barrens Act, and we made an agreement that the environmentalists were to kind of back off the inside of these - - of this property, not that everything would be subject to review, but it would not be an excessive, where we would handcuffed the future development of this property, because we gave up the 450 acres to the west as part of our arrangement for us to vote for the Pine Barrens Act.

Response No. H20-4

The comment is noted. Section 3.1.1 of the DSGEIS indicates that:

"Pursuant to Chapter 9 (Section 9.2) of the CLUP, Volume 1: Policies, Programs and Standards, the redevelopment of the EPCAL Property was considered to be an economic development activity and, therefore, 'considered a public improvement pursuant to Section 57-0107(13)(i) of the Pine Barrens Protection Act and therefore does not constitute 'development' within the meaning of all sections of the Pine Barrens Protection Act.' As excerpted from Chapter 9, Section 9.2 of the CLUP,

Pursuant to Public Law 103-c337, Section 2833, the Secretary of the Navy is authorized to convey to the Town of Riverhead Community Development Agency a 2,900 acre tract of real property at Calverton, more particularly described as the Calverton Naval Weapons Industrial Reserve Plant, subject to the condition that the real property is used for the economic redevelopment of the site and that the redevelopment authority be comprised of entities having an interest in the land use of the region.

The Pine Barrens Protection Act, Section 57-0107(13)(i), provides that public improvements undertaken for the public welfare do not constitute development within the meaning of the law. Based upon the above referenced Public Law, all economic development activity upon the lands of the Calverton Naval Weapons Industrial Reserve Plant conveyed by the Secretary of the Navy is considered a public improvement pursuant to Section 57-0107(13)(i) of the Pine Barrens Protection Act and therefore does not constitute 'development' within the meaning of all sections of the Pine Barrens Protection Act. Further, Public Law 103-c337 contemplates the development of a Comprehensive Master Plan and attending Generic Environmental Impact Statement to guide the location and intensity of economic development activity on the site; such plan and GEIS to be adopted prior to the conveyance of the property to the Town.

It is further noted, as stated in footnote 1 to Section 9.2, '[t]his policy was approved unanimously by resolution of the Commission at its 1/11/95 meeting.'"