



YVETTE M. AGUIAR
Town Supervisor

TOWN OF RIVERHEAD
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January 19, 2021

CERTIFIED MAIL
RETURN RECEIPT REQUESTED & EMAIL

Honorable Patrick G. Halpin, Chairman
Members of the Suffolk County Water Authority
4060 Sunrise Highway – Suite 1000
Oakdale, New York 11769

Dear Mr. Halpin and Members of the Suffolk County Water Authority:

The Town of Riverhead Community Development Agency has a legal and binding contract to sell approximately 1,600 acres of the former Grumman facility in Calverton, to Calverton Aviation & Technology LLC, a qualified and eligible real estate developer, to provide needed high quality jobs and prosperity to Riverhead and Suffolk County. This sale has been improperly halted by the New York Department of Environmental Conservation (DEC) because of a letter written by Mr. Hopkins of the Suffolk County Water Authority to the DEC in October of 2009.

The only jurisdiction the DEC has in this matter is limited to granting a subdivision permit under the Wild and Scenic Recreational Rivers Act. Only a very small portion of the overall property being subdivided is within the statutory boundaries of the Act and no development will be permitted within that boundary under the proposed subdivision. Despite these facts, the 2009 Suffolk County Water Authority letter is now being improperly interpreted by the DEC to prohibit the grant of the subdivision, and thus this critical sale, unless it is rescinded by your Agency.

Therefore, we, the undersigned, constituting the duly elected Town Board of the Town of Riverhead, do hereby formally request the Suffolk County Water Authority rescind the letter of October 7, 2009 to the DEC.

As you are aware, the Riverhead Water District was determined to be, and has been, the supplier of potable water and firematic protection to the former Grumman War Production Facility since the transfer of the Property from the United States Navy to the Riverhead Community Development Agency in 1998 for economic redevelopment as the Enterprise Park at Calverton, known as EPCAL.

Riverhead water mains serve the EPCAL site through the adjacent NY State Highway Route 25 and Grumman Boulevard and all internal roads within the Burman Calverton Camelot subdivision. These mains were constructed with funding from the United States Economic Development Administration and Town of Riverhead municipal bonds. As a result, the District currently has water mains abutting each new lot in the subdivision and serves the entire developed Grumman parcel excess with tens of thousands of feet of existing District water mains. No new mains are required to be constructed by the Suffolk County Health Department for this subdivision approval. All mains needed to develop the lots are required by Contract to be installed at the developer's sole cost. In fact, the Suffolk County Department of Health SEQRA review of this subdivision accepted the Riverhead Water District as the appropriate supplier of water to the subdivision.

In addition to disrupting the lawful sale of the property at EPCAL, the 2009 letter is causing an inverse condemnation of all of the existing facilities of the Riverhead Water District which serve the Burman Calverton Camelot Subdivision. Public Authorities Law section 1078 specifically prohibits the Water Authority from condemning property the legal title to which is vested in a municipality without the consent of the municipality.

The Riverhead Town Board does not, and will not, consent to the condemnation of the property of the Riverhead Water District by the Water Authority. Nor does the Town Board consent to the development of any facilities by the Water Authority within the Town of Riverhead. The Riverhead Town Board has actively extended the mains of the District to meet the needs of the residents of Riverhead. The preservation of local Town control of local infrastructure has been supported by all Riverhead Town Boards and our residents since 1916 when the Riverhead Water District was created.

Time is of the essence for DEC to approve the subdivision and achieve the redevelopment of the Grumman Plant immediately. Please rescind the October 2009 letter in writing no later than ten days from the date of this letter.

Thank you for your consideration in this regard.

Sincerely,


Yvette M. Aguiar, PhD
Riverhead Town Supervisor


Timothy Hubbard
Councilman


Catherine Kent
Councilwoman


Frank Beyrodt
Councilman


Kenneth Rothwell
Councilman

cc: Honorable Natalie Wright, Commissioner

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Honorable Rebecca Sinclair, Deputy Commissioner
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Honorable Sarah Lansdale, Director
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