

FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

**HK VENTURES LLC - PROPOSED INDUSTRIAL PARK
4285 MIDDLE COUNTRY ROAD, HAMLET OF CALVERTON,
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NY**

LEAD AGENCY

Town of Riverhead Planning Board
Town Hall
201 Howell Avenue
Riverhead, NY 11901
(631) 727-3200

APPLICANT

HK Ventures LLC
147 Steamboat Road,
Great Neck, NY 11024

January 2023

FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

HK VENTURES LLC - PROPOSED INDUSTRIAL PARK

4285 MIDDLE COUNTRY ROAD, HAMLET OF CALVERTON

TOWN OF RIVERHEAD, SUFFOLK COUNTY, NY

Prepared for and submitted to, as Lead Agency: Town of Riverhead Planning Board
Town Hall
201 Howell Avenue
Riverhead, NY 11901
(631) 727-3200

Applicant: HK Ventures, LLC.
147 Steamboat Road
Great Neck, NY 11024

Contact: Keith P. Brown, Esq.
Brown Altman & DiLeo, LLP
538 Broadhollow Road
Melville, NY 11747
(516) 222-0222
(Attorney for Applicant)

Project Location: 30.25-acre parcel
4285 Middle Country Road
Hamlet of Calverton, Town of Riverhead
Suffolk County, NY
SCTM No: 600-116-1-2

Prepared by: P.W. Grosser Consulting, Inc.
630 Johnson Ave, Suite 7, Bohemia, NY 11716
Contact: Kim Gennaro-Oancea, AICP CEP, Vice President
(631) 589-6353
(Environmental and Planning Consultant)

In coordination with the Town of Riverhead Planning Department

Date of Preparation: January 2023

Availability of Document: Copies of the Final Supplemental Environmental Impact Statement (FSEIS) are available for public review and comment at the offices of the Lead Agency at 201 Howell Avenue, Riverhead New York 11901, as well as at the Office of the Town Clerk, and the Riverhead Public Library located at 330 Court Street, Riverhead, New York 11901. The FEIS is also available for review on-line at: <https://www.townofriverheadny.gov/>. All comments on the FEIS should be submitted to the Lead Agency for consideration in the Findings Statement.

Date of Filing: February 2, 2023

Table of Contents

1.0	INTRODUCTION.....	1
1.1	Purpose of the Document	1
1.2	Project Description.....	1
1.3	Project Application History	2
1.4	Format of the FSEIS.....	2
2.0	TOWN RESOLUTION COMMENTS AND RESPONSES	3
3.0	WRITTEN CORRESPONDENCE.....	4
4.0	REFERENCES	7

LIST OF APPENDICES

Appendix A – Town of Riverhead Planning Board Resolution adopted January 19, 2023 with Written Correspondence Attached

Appendix B – Positive Declaration issued on August 6, 2020 Requiring the Preparation of a Draft Environmental Impact Statement (Resolution No. 2020-050) and Positive Declaration issued on October 20, 2022 Requiring the Preparation of a Draft Supplemental Environmental Impact Statement (Resolution No. 2022-098)

1.0 INTRODUCTION

1.1 Purpose of the Document

This document is a Final Supplemental Environmental Impact Statement (FSEIS) based upon the Resolution Setting Forth Requirements for FSEIS adopted by the Town of Riverhead Planning Board (the "Planning Board"), as lead agency, on January 19, 2023 (see Appendix A). The proposed action includes the development of the Calverton Industrial Park, a light industrial use consisting of eight (8) buildings with a total gross floor area of 412,629 square feet (SF) located at 4285 Middle Country Road (NYS Route 25) in the hamlet of Calverton, Town of Riverhead, Suffolk County, New York.

1.2 Project Description

The proposed action includes the development of a light industrial use consisting of eight (8) buildings with a total gross floor area of 412,629 SF that would be constructed in two phases. Phase 1 would include constructing four (4) buildings (226,469± SF of floor area) to be occupied by various tenants and a 1,500± SF cafeteria as an ancillary offering intended to serve employees of the various tenants. Phase 2 would include constructing the remaining four (4) buildings (186,160± SF of floor area). The proposed building sizes would range from approximately 44,100 SF to 56,672 SF. The buildings are proposed as multi-tenant occupancies with user types differing on the east and west sides. The eastern buildings are proposed to be developed with loading docks capable of handling tractor trailers, while the western buildings envision users requiring box trucks.

The proposed action includes the construction of an on-site sewage treatment plant (STP), which would be situated in the center of the proposed development along the east side between Building 4 and Building 6. The proposed STP is intended to be over-designed to accommodate a sanitary flow of 20,000± gallons per day (gpd) to allow for some flexibility with future tenants. The proposed STP is designed with a 100 percent plant expansion area, and 100 percent leaching pool expansion area. The development of the STP is subject to the approval of the Suffolk County Department of Health Services.

Access to the proposed development will be provided via one (1) full-movement driveway along Middle Country Road, with signalization of the project site driveway. It is noted that consultations have been undertaken with the New York State Department of Transportation (NYSDOT) regarding the preferred signalization and preliminary acceptance of the proposed plan. A Highway Work Permit application is currently in progress and the NYSDOT granted the approval for the construction of a traffic signal at the site driveway.

The proposed development includes a total of 326 surface parking stalls, inclusive of 16 ADA accessible parking spaces, to be situated between the two rows of buildings, with landscaped islands incorporated into the proposed design. The proposed development includes 101 loading spaces for both tractor trailers and box trucks to be located along the east and west sides of the property. Specifically, the proposed design includes loading docks sized to accommodate box trucks on the west side of the property for Buildings 1, 3, 5 and 7. The proposed loading docks on the east side of the property that would serve Buildings 2, 4, 6 and 8 would be sized for tractor trailers and would each contain retaining walls with fall protection railings. The proposed internal driveways would include wayfinding to guide truck traffic. Two (2) fire lanes with striping and pavement markings would also be provided along the western and eastern portions of the project site adjacent to the proposed side yards landscaped buffers.

To accommodate pedestrians, a continuous four (4)-foot concrete sidewalk would be situated along the frontage on Middle Country Road and along the east side of the proposed site access driveway. A six (6)-foot wide crosswalk would also be placed in front of the site access along Middle Country Road. Interior to the project site, the proposed design includes sidewalks along the sides of the proposed buildings facing the center drive aisle. Also, bike racks would be installed along the north side of each building within the central drive aisle.

1.3 Project Application History

A Draft Environmental Impact Statement (DEIS) was prepared to assess the impacts of the proposed development, which was deemed complete by the Town of Riverhead Planning Board (hereinafter "Planning Board"), as lead agency, on June 17, 2021. The Notice of Completion of DEIS was published in the New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (https://www.dec.ny.gov/enb/20210630_not1.html) on June 30, 2021 providing a public comment period to August 16, 2021. The DEIS was also circulated to all involved and interested agencies. A public hearing on the DEIS was held on August 5, 2021.

A Final Environmental Impact Statement (FEIS) was prepared in response to an adopted Resolution prepared by the Planning Board on August 19, 2021, additional comments by the Town's planning staff and Town's consultants, Walden Environmental Engineering, PLLC (Walden) and L.K. Mc Lean Associates (LKMA) and the comments received at the aforementioned public hearing on the DEIS held on August 5, 2021. No written comments were received from the public during the written comment period that expired on August 16, 2021. On May 25, 2022, the applicant submitted a FEIS, entitled "Final Environmental Impact Statement HK Ventures, LLC – Proposed Industrial Park," prepared by P.W. Grosser Consulting, Inc., dated May 2022. The FEIS was accepted by the Planning Board on August 18, 2022, its Notice of Acceptance was published in the NYSDEC Environmental Notice Bulletin on August 31, 2022 and it was made available for public review and comment.

Upon review of the FEIS, the Town of Riverhead Planning Board determined there have been several site plan applications made to the Planning Department for industrial developments in Calverton, which have the potential to impact common resources, including but not limited to, traffic congestion and the construction of multiple commercial solar energy production facilities in the hamlet of Calverton, which were not captured in the FEIS. The Planning Board, as lead agency, issued a Positive Declaration pursuant to the New York State Environmental Quality Review Act (SEQRA) for the site plan application of HK Ventures on October 20, 2022. In the case of Supplemental Environmental Impact Statements, public scoping remains optional pursuant to 6 NYCRR 617.8(a), and as such, the Planning Board did not desire to hold a public scoping session for the preparation of a Supplemental EIS. The DSEIS was deemed complete by the Planning Board, as lead agency, on December 1, 2022. The Notice of Completion of DSEIS was published in the New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (https://www.dec.ny.gov/enb/20210630_not1.html) on December 14, 2022 providing a public comment period to January 13, 2023. The Planning Board elected not to hold a public hearing on the DSEIS.

In accordance with the implementing regulations of SEQRA at §617.8(b)(8), this FSEIS incorporates the DEIS, FEIS and DSEIS by reference. This FSEIS also includes the adopted Resolution Setting Forth Requirements for FSEIS, written correspondence by the public and written correspondence by the Town's traffic consultant (LKMA) in Appendix A of this FSEIS.

1.4 Format of the FSEIS

This FSEIS responds to the adopted Resolution on January 19, 2023 and written correspondence received during the public comment period. It is noted that the Planning Board, in coordination with the Town of Riverhead Planning Department, has reviewed the written correspondence received during the public comment period and has determined that select analyses that have been requested would not be required for the reasons set forth herein. Section 2.0 of this FSEIS includes the responses to comments included in the Town Resolution. Section 3.0 of this FSEIS includes the responses to the written correspondence received by the Town during the public comment period. The written correspondence is assigned by the commentators last name and comment number. For example, Barbara Blass is assigned "Blass #1." All comment assignments are noted on the written correspondence attached to the Town Resolution in Appendix A of this FSEIS. Section 4.0 includes all references used in the preparation of the responses.

2.0 TOWN RESOLUTION COMMENTS AND RESPONSES

Comment No. 1: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: Written comments from Barbara Blass, dated January 8, 2023 (attached herewith).

Response to Comment No. 1: The written comments from Barbara Blass, dated January 8, 2023, are referenced and addressed in Section 3.0 of this FSEIS and are also included in Appendix A of this FSEIS. See also the Response to Comment Nos. 7 through 10 in Section 3.0 of this FSEIS.

Comment No. 2: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: Written comments from Toqui S. Terchun, Greater Calverton Civic Association, President, dated January 13, 2023 (attached herewith).

Response to Comment No. 2: The written comments from Toqui S. Terchun, Greater Calverton Civic Association, President, dated January 13, 2023, are referenced and addressed in Section 3.0 of this FSEIS and are also included in Appendix A of this FSEIS. See also the Response to Comment Nos. 12 through 15 in Section 3.0 of this FSEIS.

Comment No. 3: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: Written response from L.K. McLean, dated January 11, 2023 (attached herewith).

Response to Comment No. 3: The written response from LKMA, dated January 11, 2023, is included in Appendix A of this FSEIS. See also the Response to Comment Nos. 10 and 12 in Section 3.0 of this FSEIS.

Comment No. 4: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: By reference, the New York State Department of Transportation's Transportation Project Report - Final Design Report, dated July 2022, PIN 0810.01 (available at https://www.dot.ny.gov/portal/page/portal/content/delivery/region10/projects/081001-Home/081001-Repository/PIN_081001_Final%20Design%20Report.pdf).

Response to Comment No. 4: The NYSDOT Transportation Project Report - Final Design Report, dated July 2022, PIN 0810.01 *Safety Enhancements Various Locations Towns of Riverhead, East Hampton, and Southold Suffolk County*, can be found at the following link: https://www.dot.ny.gov/portal/page/portal/content/delivery/region10/projects/081001-Home/081001-Repository/PIN_081001_Final%20Design%20Report.pdf.

Comment No. 5: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: Referencing the Riverhead Logistics Center project description on Page 5 must include mention of the proposed 143 truck loading bays for that project.

Response to Comment No. 5: The comment is noted and it is confirmed that the Riverhead Logistics Center is proposing 143 truck loading bays in addition to the proposed 305 parking stalls. It is also noted, while the DSEIS did not reference the 143 truck loading bays in the project description for Riverhead Logistics Center, the trip generation rates were projected based on the 641,000 SF of warehouse space and given the proposed land use, the distribution of trips were then classified by passenger vehicles and trucks. As such, the analysis conducted as part of DSEIS and the findings therewith remain consistent.

Comment No. 6: The Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS: Referencing the proposed rooftop solar array Page 9, the Town of Riverhead does not have a community solar program, so mention of a community solar program must be omitted.

Response to Comment No. 6: The comment is noted. The DSEIS was referring to Long Island's community solar program. As more fully described in the DEIS and as indicated in the summary prepared by Summit Ridge Energy included in Appendix O of the DEIS, electricity from the solar array would be sold via Long Island's community solar program which "refers to local solar facilities where the public (Riverhead constituents)

and/or the municipality becoming subscribers receiving credits resulting in a monetary discount on their electricity bills. Hence there is a Direct Community Benefit. The energy is still delivered through their regular electric provider as the power produced from the community solar array is fed directly back to the electric grid. As a result, the grid is supplied with clean, renewable energy, while subscribers get credits on their electric bills."

3.0 WRITTEN CORRESPONDENCE

Comment No. 7: Page 5 - The description of the proposed parking for the Riverhead Logistics Center omitted the 143 12x55' parking stalls for tractor trailer trucks bringing the total number of parking stalls including ADA accessible stalls to 456 not 313. (Blass #1)

Response to Comment No. 7: The comment is noted. It is also noted, while the DSEIS did not reference the 143 truck loading bays in the project description for Riverhead Logistics Center, the trip generation rates were projected based on the 641,000 SF of warehouse space and given the proposed land use, the distribution of trips were then classified by passenger vehicles and trucks. As such, the analysis conducted as part of DSEIS and the findings therewith remain consistent. See also the Response to Comment Nos. 5 and 13.

Comment No. 8: Page 9 - The document states HK Ventures, the proposed action, "does include a 3.245 MW rooftop solar array capable of producing 2.4 MW of energy. Electricity from the solar array would be fed into the community solar program. Hence, there is a direct community benefit." Riverhead does not have a community solar program. The reference to the direct community benefit should be deleted. (Blass #2)

Response to Comment No. 8: The comment is noted. The DSEIS was referring to Long Island's community solar program which was more fully described in the DEIS. As indicated in the DEIS, and according to the project summary prepared by Summit Ridge Energy, electricity from the solar array would be sold via Long Island's community solar program and there is direct community benefit as the public (Riverhead constituents) and/or the municipality becoming subscribers would receive credits resulting in a monetary discount on their electricity bills. See also the Response to Comment No. 6.

Comment No. 9: Section 4.0 Other Cumulative Impacts - This DSEIS section was intended to study impacts, other than traffic, associated with commercial solar energy facilities in Calverton, specifically Calverton Solar Energy Center, (Nextera) and Riverhead Solar 2. These 2 developments encompass approximately 660 acres of lands that are now, or were in the past, used for agricultural production. This concern prompted the Town to adopt a moratorium on further utility sized ground based solar installations until the Comprehensive Plan Update made recommendations to balance potential competing industrial interests. HK Ventures would place permanent structures and remove Prime Agricultural Soils from the location. Section 4.0 omitted any discussion of the potential adverse impact on agriculture and other natural resources from the named industrial applications otherwise included in the document. (Blass #3)

Response to Comment No. 9: As indicated in the Positive Declaration issued on October 20, 2022 which also set the scope for the DSEIS (hereinafter referred to as the "2022 DSEIS Positive Declaration") (see Appendix B of this FSEIS), the DSEIS was limited to the cumulative traffic impacts of the proposed development with the three (3) industrial other planned developments (OPD's) as well as the cumulative impacts from commercial solar energy production.

With regard to the cumulative impacts of removing prime agricultural soils, as indicated in the DEIS, the subject property is comprised of approximately 41.4 percent of Riverhead sandy loam, 0 to 3 percent slopes (RdA) and Riverhead sandy loam, 3 to 8 percent slopes (RdB) soils, which are prime agricultural soils. However, these soils are contiguous in the southern portion of the property (central-southwest) and are not throughout the subject property. Additionally, the Town of Riverhead Comprehensive Plan dated November 2003 (hereinafter "Town Comprehensive Plan") identified the subject property for Industrial/Recreational Use in which the proposed action is consistent with. The proposed action is also consistent with the prevailing zoning for the subject property (i.e., Industrial C zoning district). As further indicated in the DEIS, the Town of Riverhead has

an Agricultural Protection Zone (APZ) district, which is intended to promote and sustain agricultural activity and farming, through cluster development, while protecting prime soils. As the subject property is zoned within the Industrial C zoning district, it is not identified within this protection zone. It is also noted that the two (2) commercial solar OPD's were similarly identified for Industrial/Recreational Use in the Town Comprehensive Plan, are also zoned within the Industrial C zoning district and are not identified within the APZ. Based on the foregoing, although existing prime agricultural soils would be developed upon, this would not constitute a significant adverse loss of prime agricultural soils, as many protected farmland and agricultural land uses exist in the general vicinity of the subject property, the hamlet of Calverton, the Town of Riverhead and Suffolk County as a whole. Additionally, the Town of Riverhead contemplated the cumulative loss of prime agricultural soils in the Town Comprehensive Plan and the current zoning map which did not identify the subject property nor the two (2) commercial solar OPD's properties for agricultural protection.

With regard to the potential adverse impacts on agriculture and other natural resources from the named industrial applications, the cumulative impacts to agriculture and other natural resources from the proposed development with the three (3) industrial OPD's are not considered significant.

Comment No. 10: The most significant concern, however, is the use of incorrect Institute of Transportation Engineers (ITE) land use codes in assessing cumulative traffic impacts. This error directly skews the calculations and undermines the conclusions in this document. Large cubed distribution warehouses were the subject of an industry study for purposes of updating the ITE Manual in 2016. The study refined the warehouse definition and added no less than 5 separate categories for High Cube Warehouses each with different trip generation numbers and associated vehicle types. The DSEIS uses ITE code (150) to determine trip generation numbers for the 35,500 sq ft portion of the U-HAUL development which proposes on-demand storage of containers. Utilizing the same ITE code to estimate trip generation numbers for Riverhead Logistics Center, a high cubed logistics distribution center, defies logic. Compare the traffic generation rate of .19/1000 sq for a standard warehouse (ITE code 150) to a rate of 1.37/1000 sq ft for a high cubed distribution warehouse (ITE code 155). As a result, the projected number of vehicle trips generated is grossly underestimated which may also have implications on the level of service (LOS) conclusions at the designated intersections. (Blass #4)

Response to Comment No. 10: The Town's traffic consultant, LKMA, has reviewed the above written comment and has provided a written response which is included as an attachment to the Town Resolution in Appendix A of the FSEIS. As indicated in the letter, "all of the trip generation calculations, as well as the distribution of trips from the three proposed projects (JPD Calverton, U-Haul Calverton, and the Riverhead Logistics Center, aka North Point) to the roadway network, appeared reasonable." Additionally, LKMA noted that "due to its [Riverhead Logistics Center] proximity to the LI Expressway, the overwhelming majority of trips to and from the facility will utilize the LI Expressway. A much smaller percentage of its generated traffic can be expected to utilize NY Route 25/Middle Country Road and pass by the HK Ventures site; that information will be provided when a Traffic Impact Study for Riverhead Logistics is submitted to the Town for review."

Comment No. 11: ...traffic congestion and air quality are intricately connected. A cumulative traffic impact analysis should provide information not only on the number of vehicles and LOS at intersections but a quantification of projected increase in emissions including carbon monoxide, as a direct impact of traffic congestion. (Blass #5)

Response to Comment No. 11: The Positive Declaration issued on August 6, 2020 (hereinafter referred to as the "2020 DEIS Positive Declaration") (see Appendix B of this FSEIS), did not identify air quality as a significant potential adverse impact from the proposed development. Additionally, the 2022 DSEIS Positive Declaration did not identify cumulative air quality impacts as a potential significant adverse impact. As such, in accordance with the 2022 DSEIS Positive Declaration, the cumulative analysis of air quality with the identified OPD's is not required as it is not considered significant.

Comment No. 12: ITE code 150 is used to determine trip generation number for U-Haul (35,500 square feet) and for Riverhead Logistics Center (641,000 square foot high cubed logistics distribution center. There is no way the same code can be used to for both of these facilities. Given their differences in size and function, the data referenced is highly inaccurate and grossly underestimated. (Terchun #1)

Response to Comment No. 12: The Town's traffic consultant, LKMA, has reviewed a similar public comment with regard to the same ITE land use code used for U-Haul and Riverhead Logistics Center and has provided a written response which is included as an attachment to the Town Resolution in Appendix A of the FSEIS. LKMA's written response found that the trip generation calculations and the distribution of trips from the three (3) OPD's to the roadway network is reasonable. See also the Response to Comment No. 10.

Comment No. 13: The description of the proposed parking for Riverhead Logistic center needs to be corrected, as the total number of parking stalls for that site is 456 not the 313 mentioned in the DSEIS. (Terchun #2)

Response to Comment No. 13: The comment is noted. It is also noted, while the DSEIS did not reference the 143 truck loading bays in the project description for Riverhead Logistics Center, the trip generation rates were projected based on the 641,000 SF of warehouse space and given the proposed land use, the distribution of trips were then classified by passenger vehicles and trucks. As such, the analysis conducted as part of DSEIS and the findings therewith remain consistent. See also the Response to Comment Nos. 5 and 7.

Comment No. 14: The DSEIS cites that 60% of passenger vehicle traffic to and from neighboring applicants is destined to/from the LIE by way of Middle Country Road. What this data fails to capture is the impact this will have on the Riverhead Charter School which is located at 3685 Middle Country Road in Calverton. The specific impact on this school should be called out as increased traffic creates a public safety issue that the DSEIS has failed to address. When school gets out in the afternoon, several cars line up from the school's entrance, down Middle Country Road, all the way to the Edward's Ave intersection. These cars are bulled alongside Middle Country Road. How will the increased tractor trailer and passenger vehicle traffic impact the area, especially during school hours? In fact, all bus routes for both the Riverhead Charter school and the Riverhead Central School District should be highlighted along with the impact increased traffic will have – both from a traffic quantity standpoint, and from a public safety standpoint. (Terchun #3)

Response to Comment No. 14: The 2020 DEIS Positive Declaration did not identify impacts to public safety as a significant potential adverse impact from the proposed development. Additionally, the 2022 DSEIS Positive Declaration did not identify cumulative public safety impacts as a potential significant adverse impact. The cumulative analysis of public safety with the identified OPD's is not required as it is not considered significant.

Comment No. 15: The DSEIS fails to provide information on increase in emissions due to increase in traffic, increased threat to public safety due to increase in traffic, and the potential requirements of our local police force to respond to these public safety issues. The DSEIS "other cumulative impacts" section also fails to address impacts on agricultural and natural resources from the industrial development highlighted. (Terchun #4)

Response to Comment No. 15: The 2020 DEIS Positive Declaration did not identify air quality as a significant potential adverse impact from the proposed development. Additionally, the 2022 DSEIS Positive Declaration did not identify cumulative air quality impacts as a potential significant adverse impact. As such, in accordance with the 2022 Positive Declaration, the cumulative analysis of air quality with the identified OPD's is not required as it is not significant. See Response to Comment No. 11.

4.0 REFERENCES

New York State Department of Environmental Conservation. *The SEQR Handbook Fourth Edition, 2020.* Retrieved from: https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf.

New York State Department of Transportation. *Transportation Project Report – Final Design Report*, July 2022, PIN 0810.01 Safety Enhancements Various Locations Towns of Riverhead, East Hampton, and Southold Suffolk County. Retrieved from: https://www.dot.ny.gov/portal/page/portal/content/delivery/region10/projects/081001-Home/081001-Repository/PIN_081001_Final%20Design%20Report.pdf.

Appendix A

**Town of Riverhead Planning Board Resolution
adopted January 19, 2023 with Written
Correspondence Attached**



TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Joann Waski, Chairperson
Ed Densieski, Vice-Chair/Secretary

Joseph Baier, Member

Richard O' Dea, Member
George Nunnaro, Member

January 19, 2023

Keith Brown, Esq.
538 Broadhollow Rd., Suite 301W
Melville, NY 11747

Resolution No. 2023-008

Resolution Setting Forth Requirements for Final Supplemental Environmental Impact Statement (FSEIS) for the Site Plan Application of HK Ventures – Calverton 4285 Middle Country Road, Calverton, NY SCTM No. 600-116-1-2

Dear Mr. Brown:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 19, 2023:

WHEREAS, the Riverhead Planning Board is in receipt of a site plan application seeking approval to develop a vacant parcel of industrially zoned land with a commercial/industrial complex consisting of a total of 412,629 sq. ft. of floor area to be divided into individual tenant spaces, along with a 1,500 sq. ft. commissary for use by the tenants of the complex, as well as parking, lighting, and landscaping improvements, new potable water connections, an on-site sewage treatment plant, new access from Middle Country Road (State Route 25), as well as other related site improvements; and

WHEREAS, the subject parcel, particularly identified as SCTM No. 600-116-1-2, is a 30.28 acre parcel of land located at 4285 Middle Country Road, Calverton, NY, located within the Industrial A zoning use district; and

WHEREAS, by Planning Board Resolution No. 2022-098, dated October 20, 2022, the Planning Board, as Lead Agency, issued a Positive Declaration pursuant to SEQRA requiring the preparation of a Draft Supplemental Environmental Impact Statement (DSEIS) to analyze cumulative impacts from projects which were not captured in the Draft Environmental Impact Statement (DEIS) or Final Environmental Impact Statement (FEIS); and

WHEREAS, on November 21, 2022, the applicant submitted a DSEIS, prepared by P.W. Grosser Consulting, Inc., dated November 2022, to the Planning Department; and

WHEREAS, by Resolution No. 2022-114, dated December 1, 2022, the Planning Board accepted the DSEIS, and authorized the Planning Department to circulate the DSEIS and post the requisite notice on the New York State Department of Environmental Conservation's Environmental News Bulletin (ENB); and

WHEREAS, the notice was posted to the ENB and published on December 14, 2022; and

WHEREAS, pursuant to SEQRA, the DSEIS was made available for public review for 30 days, with the public review period ending on January 13, 2023; and

WHEREAS, for DSEIS's, a public hearing is optional; and

WHEREAS, the Planning Board has elected to waive the requirement for a hearing on the DSEIS; and

WHEREAS, during the public review period, the Lead Agency received written comments from members of the public, as well as its consulting traffic engineers. Now, therefore be it

RESOLVED, that the Planning Board, as Lead Agency, hereby directs the applicant to incorporate the following information into their FSEIS:

1. Written comments from Barbara Blass, dated January 8, 2023 (attached herewith).
2. Written comments from Toqui S. Terchun, Greater Calverton Civic Association, President, dated January 13, 2023 (attached herewith).
3. Written response from L.K. McLean, dated January 11, 2023 (attached herewith).
4. By reference, the New York State Department of Transportation's Transportation Project Report – Final Design Report, dated July 2022, PIN 0810.01 (available at https://www.dot.ny.gov/portal/page/portal/content/delivery/region10/projects/081001-Home/081001-Repository/PIN_081001_Final%20Design%20Report.pdf).
5. Referencing the Riverhead Logistics Center project description on Page 5 must include mention of the proposed 143 truck loading bays for that project.
6. Referencing the proposed rooftop solar array Page 9, the Town of Riverhead does not have a community solar program, so mention of a community solar program must be omitted; and be it further

RESOLVED, that the Planning Department is hereby authorized to forward a copy of this resolution to P.W. Grosser Consulting, Inc., 630 Johnson Ave., Suite 7, Bohemia, NY 11716; Jaclyn Peranteau, PE, c/o Key Civil Engineering 664 Blue Point Road, Unit B, Holtsville, NY 11742; the Town Clerk, the Town Attorney; and be it further,

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

THE VOTE

A motion was made by Mr. XXX and seconded by Mr. XXX that the aforementioned resolution be approved:

THE VOTE

BAIER YES NO O'DEA YES NO

NUNNARO YES NO DENSIESKI YES NO

WASKI YES NO

THIS RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Very truly yours,

Joann Waski, Chairperson
Riverhead Planning Board

Greg Bergman, Town of Riverhead - HK Ventures DSEIS

bergman@townofriverheadny.gov

Transmission Date: January 8, 2023

Please accept these written comments on the Draft Supplemental Environmental Impact Statement (DSEIS) on HK Ventures within the designated comment period ending 01/13/3023 as noticed in the Environmental Notice Bulletin, (ENB) dated 12/14/2022.

The DSEIS dated November, 2022 was prepared by PW Grosser Consulting, Inc. and accepted by the Riverhead Planning Board on December 1, 2022.

The Riverhead Planning Board directed the preparation of this document to analyze certain industrial development applications in Calverton which have the, "potential to impact certain common resources, including but not limited to, traffic congestion" which were not captured in the FEIS," to wit, JPD Calverton, U-Haul Calverton, Riverhead Logistics Center, and other cumulative impacts from Calverton Solar Energy Center and Riverhead Solar 2.

The DSEIS contains several errors and omissions which must be addressed in the FSEIS.

Bliss #1 Page 5 - The description of the proposed parking for the Riverhead Logistics Center omitted the 143 12x55' parking stalls for tractor trailer trucks bringing the total number of parking stalls including ADA accessible stalls to 456 not 313.

Bliss #2 Page 9 - The document states HK Ventures, the proposed action, "does include a 3.245 MW rooftop solar array capable of producing 2.4 MW of

energy. Electricity from the solar array would be fed into the community solar program. Hence, there is a direct community benefit." Riverhead does not have a community solar program. The reference to the direct community benefit should be deleted.

Blass #3

Section 4.0 Other Cumulative Impacts - This DSEIS section was intended to study impacts, other than traffic, associated with commercial solar energy facilities in Calverton, specifically Calverton Solar Energy Center, (Nextera) and Riverhead Solar 2. These 2 developments encompass approximately 660 acres of lands that are now, or were in the past, used for agricultural production. This concern prompted the Town to adopt a moratorium on further utility sized ground based solar installations until the Comprehensive Plan Update made recommendations to balance potential competing industrial interests. HK Ventures would place permanent structures and remove Prime Agricultural Soils from the location. Section 4.0 omitted any discussion of the potential adverse impact on agriculture and other natural resources from the named industrial applications otherwise included in the document.

Blass #4

The most significant concern, however, is the use of incorrect Institute of Transportation Engineers (ITE) land use codes in assessing cumulative traffic impacts. This error directly skews the calculations and undermines the conclusions in this document.

Large cubed distribution warehouses were the subject of an industry study for purposes of updating the ITE Manual in 2016. The study refined the warehouse definition and added no less than 5 separate categories for High Cube Warehouses each with different trip generation numbers and associated vehicle types. Here is the link to that study:

<http://newpromisefarms.com/files/2018/07/HighCube-Warehouse-Oct-2016-Study-ITE.pdf>

The DSEIS uses ITE code (150) to determine trip generation numbers for the 35,500 sq ft portion of the U-HAUL development which proposes on-demand storage of containers. Utilizing the same ITE code to estimate trip generation numbers for Riverhead Logistics Center, a high cubed logistics distribution center, defies logic. Compare the traffic generation rate of .19/1000 sq for a standard warehouse (ITE code 150) to a rate of 1.37/1000 sq ft for a high cubed distribution warehouse (ITE code 155). As a result, the projected number of vehicle trips generated is grossly underestimated which may also have implications on the level of service (LOS) conclusions at the designated intersections.

Blass #5 Finally, traffic congestion and air quality are intricately connected. A cumulative traffic impact analysis should provide information not only on the number of vehicles and LOS at intersections but a quantification of projected increase in emissions including carbon monoxide, as a direct impact of traffic congestion.

The information and conclusions in this document are neither accurate nor defensible; the applicant must be directed to address the aforeslated issues in the SFEIS.

Thank you.
Barbara Blass
(631) 487-1714

CC: DOT Region 10

L.K. McLEAN ASSOCIATES, P.C.



437 South Country Road, Brookhaven NY 11719
(631) 286-8668/fax (631) 286-6314

MEMO TO: Jefferson V. Murphree, AICP, Building & Planning Administrator
Greg Bergman, Planning Aide

FROM: Raymond DiBiase, PE, PTOE, PTP, L.K. Mc Lean Associates

DATE: January 11, 2023

RE: HK Ventures, Calverton
LKMA Project 20013.001

As requested, we have reviewed the written comments on the Supplemental DEIS (prepared by P.W. Grosser Consulting, Inc.) made by Barbara Blass, which you forwarded to us on January 8, 2023. Barbara's most significant concern was the incorrect use of Institute of Transportation Engineers (ITE) Land Use Codes in assessing cumulative traffic impacts of the Riverhead Logistics Center Development. She stated that this error directly skews the calculations and undermines the conclusions in the SDEIS. She noted that large cubed distribution warehouses were the subject of an industry study for purposes of updating the ITE Trip Generation Manual in 2016. The study refined the warehouse definition and added five separate categories for High Cube Warehouses, each with different trip generation numbers and associated vehicle types. She presented a comparison of trips using ITE Land Use Codes 150 (Warehousing, used in the SDEIS) and 155 (High Cube Distribution Warehouse, designated as High Cube Fulfillment Center in the 10th Edition of the ITE Trip Generation Manual), stating that trip generation rates in the SDEIS were grossly underestimated by using Code 150 (0.19 trips/1000 square feet) instead of Code 155 (1.37, trips/1000 square feet, or seven times higher).

We had noted in our November 28, 2022 memo to you that all of the trip generation calculations, as well as the distribution of trips from the three proposed projects (JPD Calverton, U-Haul Calverton, and the Riverhead Logistics Center, aka North Point) to the roadway network, appeared reasonable.

With respect to Barbara's comments, we are well aware of the referenced industry study in 2016, as I had spoken to Lisa Fontana Tierney, Traffic Engineering Senior Director at ITE Headquarters in Washington and an Expert Panel Member on the

2016 study, about its contents in late 2020. The findings of the study had been subsequently incorporated into ITE's 10th Edition of its Trip Generation Manual, published in February 2020.

The Trip Generation Manual was revised again in September 2021, with the publication of the current 11th Edition. Attached are pages from the 11th Edition for vehicular trips generated using Land Use Codes 150 (Warehousing, used in the SDEIS) and 155 (now designated High Cube Fulfillment Center Warehouse—Non-sort). The daily vehicular generation rate for Code 155 is 6% higher than Code 150; however, the weekday AM and weekday peak hour rates are both 11% *lower* using Code 155. Therefore, our prior conclusions regarding the trip generation calculations for the Riverhead Logistics Center remain valid. In addition, it should be noted that due to its proximity to the LI Expressway, the overwhelming majority of trips to and from the facility will utilize the LI Expressway. A much smaller percentage of its generated traffic can be expected to utilize NY Route 25/Middle Country Road and pass by the HK Ventures site; that information will be provided when a Traffic Impact Study for Riverhead Logistics is submitted to the Town for review.

RD:rd

Attach:

ITE Land Use Code 150 and 155 trip generation data

Land Use: 150 Warehousing

Description

A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas. High-cube transload and short-term storage warehouse (Land Use 154), high-cube fulfillment center warehouse (Land Use 155), high-cube parcel hub warehouse (Land Use 156), and high-cube cold storage warehouse (Land Use 157) are related uses.

Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Connecticut, Minnesota, New Jersey, New York, Ohio, Oregon, Pennsylvania, and Texas.

Source Numbers

184, 331, 406, 411, 443, 579, 583, 596, 598, 611, 619, 642, 752, 869, 875, 876, 914, 940, 1050

Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 31

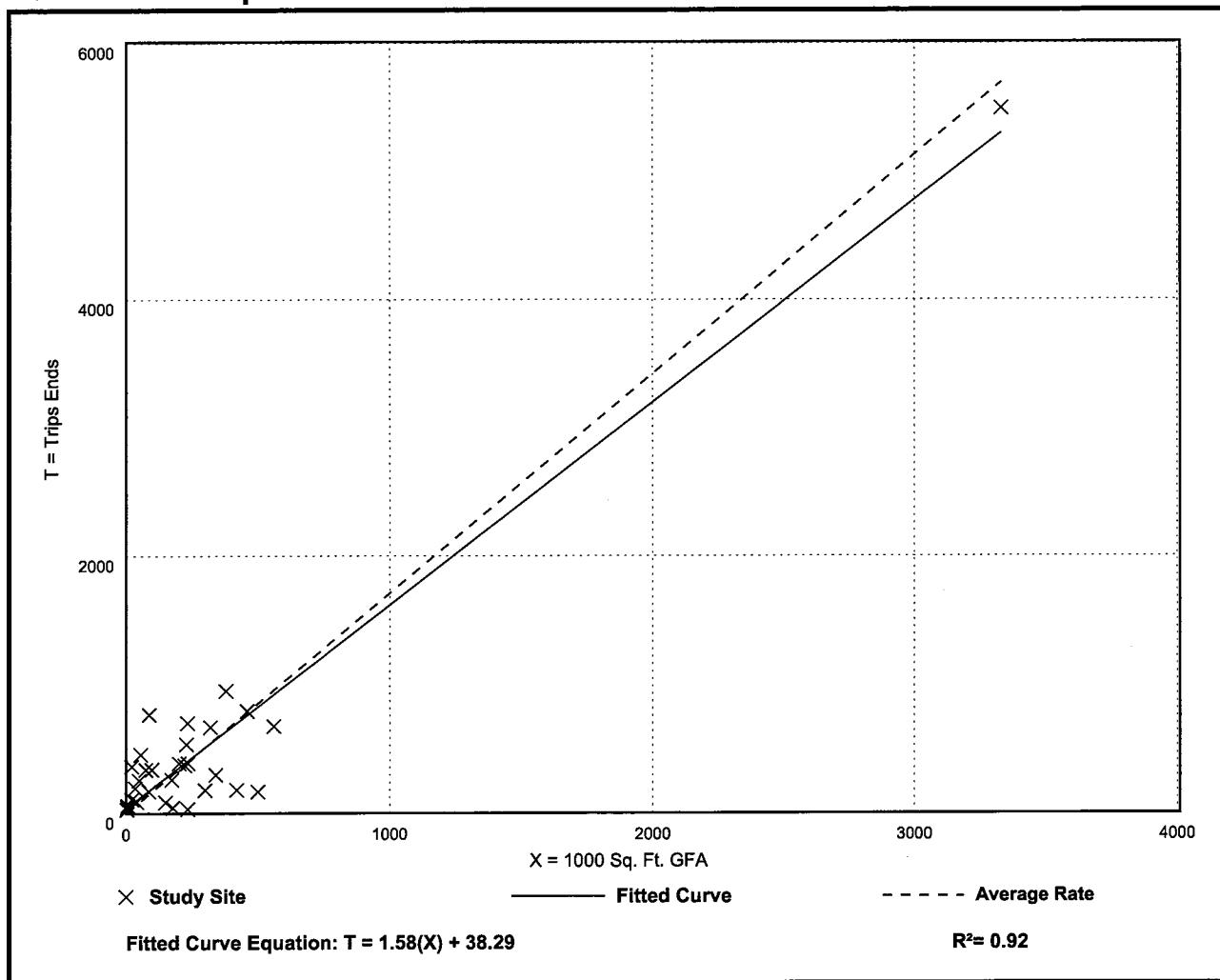
Avg. 1000 Sq. Ft. GFA: 292

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.71	0.15 - 16.93	1.48

Data Plot and Equation



Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 36

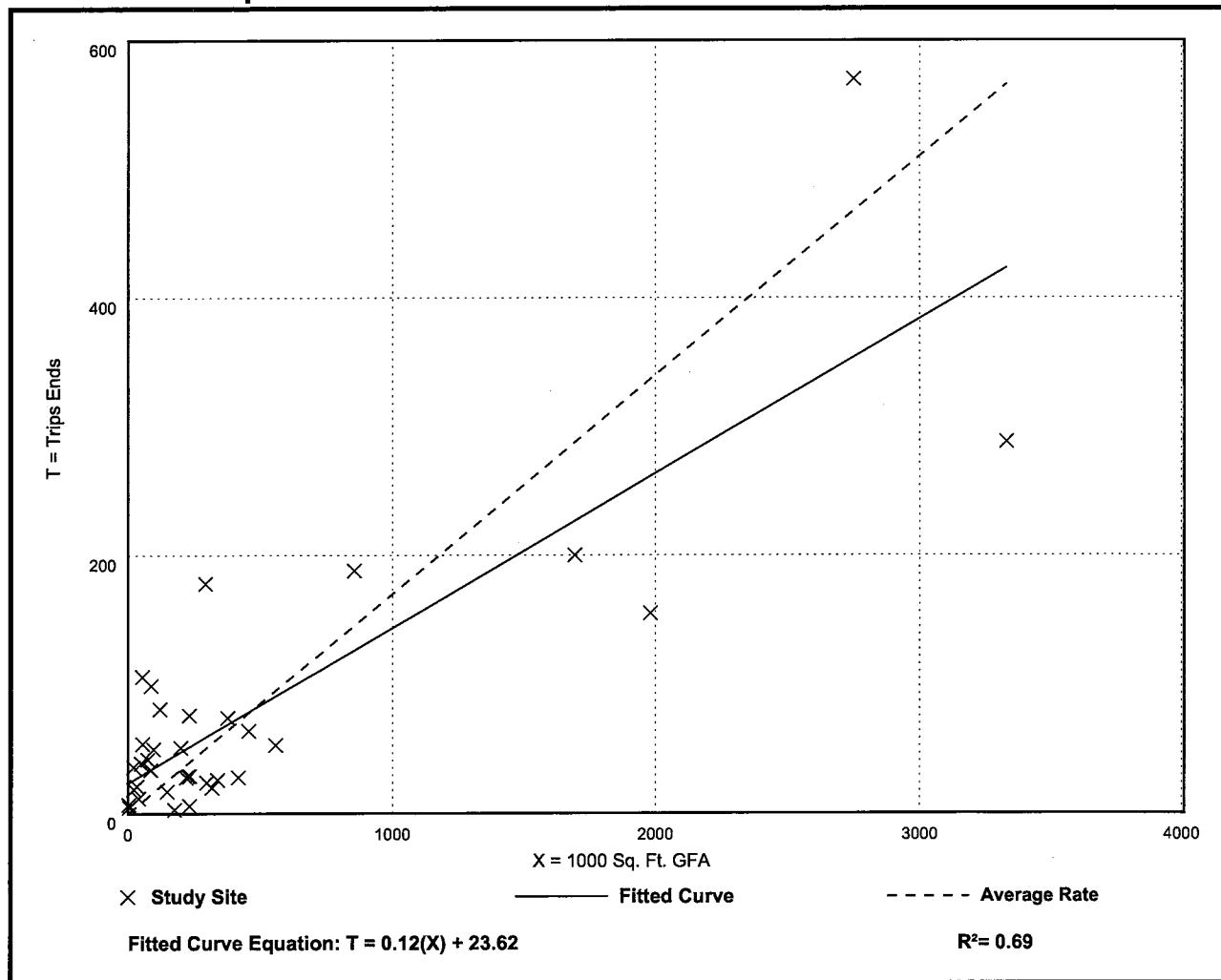
Avg. 1000 Sq. Ft. GFA: 448

Directional Distribution: 77% entering, 23% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.17	0.02 - 1.93	0.19

Data Plot and Equation



Warehousing (150)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

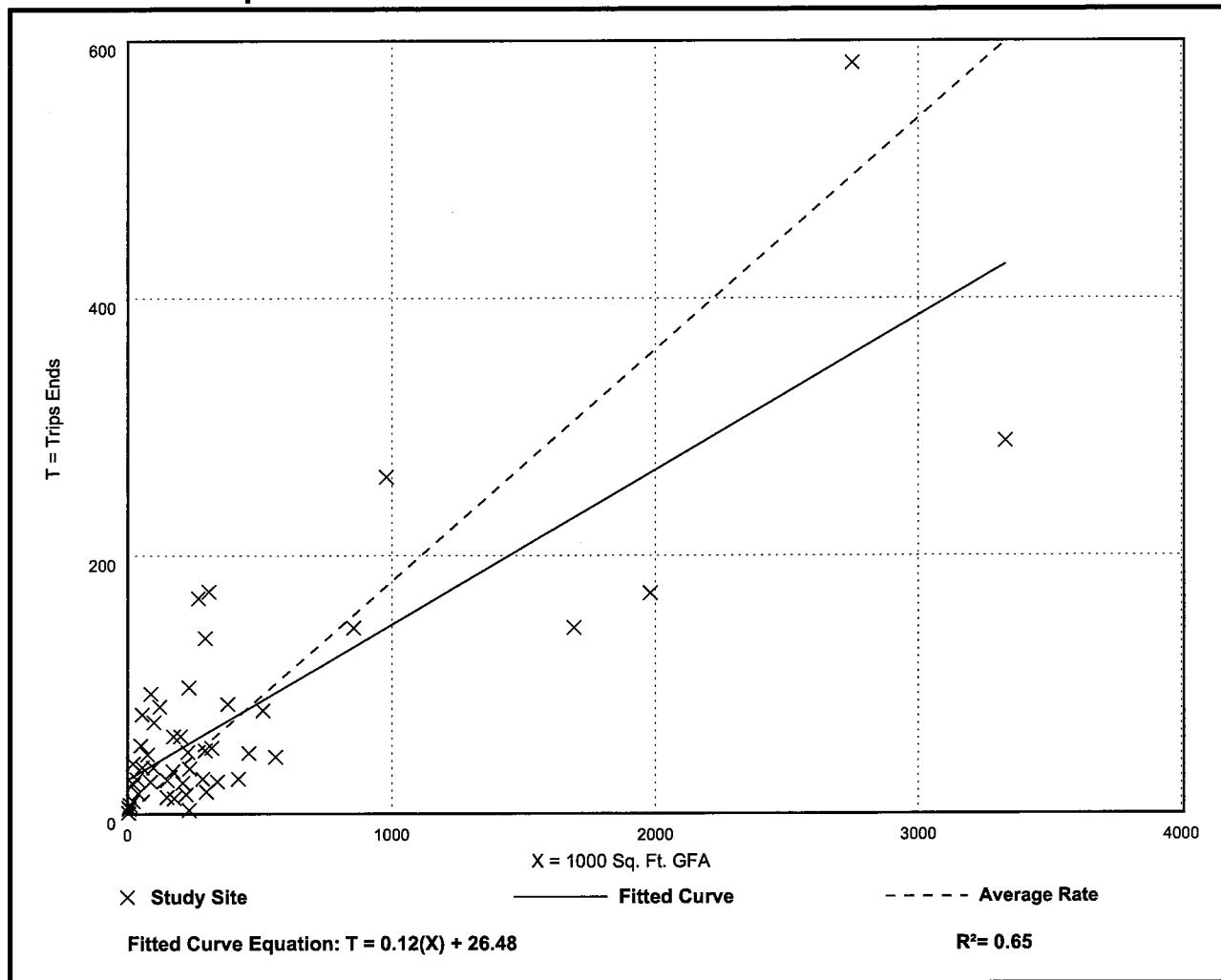
Avg. 1000 Sq. Ft. GFA: 400

Directional Distribution: 28% entering, 72% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.18	0.01 - 1.80	0.18

Data Plot and Equation



Land Use: 155

High-Cube Fulfillment Center Warehouse

Description

A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW. A high-cube warehouse can be free-standing or located in an industrial park.

Warehousing (Land Use 150), high-cube transload and short-term storage warehouse (Land Use 154), high-cube parcel hub warehouse (Land Use 156), and high-cube cold storage warehouse (Land Use 157) are related land uses.

Land Use Subcategory

Each fulfillment center in the ITE database has been categorized as either a sort or non-sort facility. A sort facility is a fulfillment center that ships out smaller items, requiring extensive sorting, typically by manual means. A non-sort facility is a fulfillment center that ships large box items that are processed primarily with automation rather than through manual means. Separate sets of data plots are presented for the sort and non-sort fulfillment centers. Some limited assembly and repackaging may occur within the facility.

Additional Data

A high-cube warehouse may contain a mezzanine. In a HCW setting, a mezzanine is a free-standing, semi-permanent structure that is commonly supported by structural steel columns and that is lined with racks or shelves. The gross floor area (GFA) values for the study sites in the database for this land use do NOT include the floor area of the mezzanine. The GFA values represent only the permanent ground-floor square footage.

The amount of office/employee welfare space that is provided within a HCW can be highly variable but is typically an insignificant portion of the overall building square footage. Within the trip generation database, common values are between 3,000 and 5,000 square feet for a Cold Storage HCW and between 5,000 and 10,000 square feet for Transload, Fulfillment Center, and Parcel Hub HCW (all of which are less than one percent of total GFA for a site). Therefore, for the trip generation data plots, any office space that is part of the normal operation of the warehouse is included in the total GFA.

The High-Cube Warehouse/Distribution Center-related land uses underwent specialized consideration through a commissioned study titled "High-Cube Warehouse Vehicle Trip Generation Analysis," published in October 2016. The results of this study are posted on the ITE website at <http://library.ite.org/pub/a3e6679a-e3a8-bf38-7f29-2961becdd498>.

The sites were surveyed in the 2000s and the 2010s in California, New Jersey, and Texas.

Source Numbers

752, 941, 1001, 1002, 1011

High-Cube Fulfillment Center Warehouse - Non-Sort (155)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 10

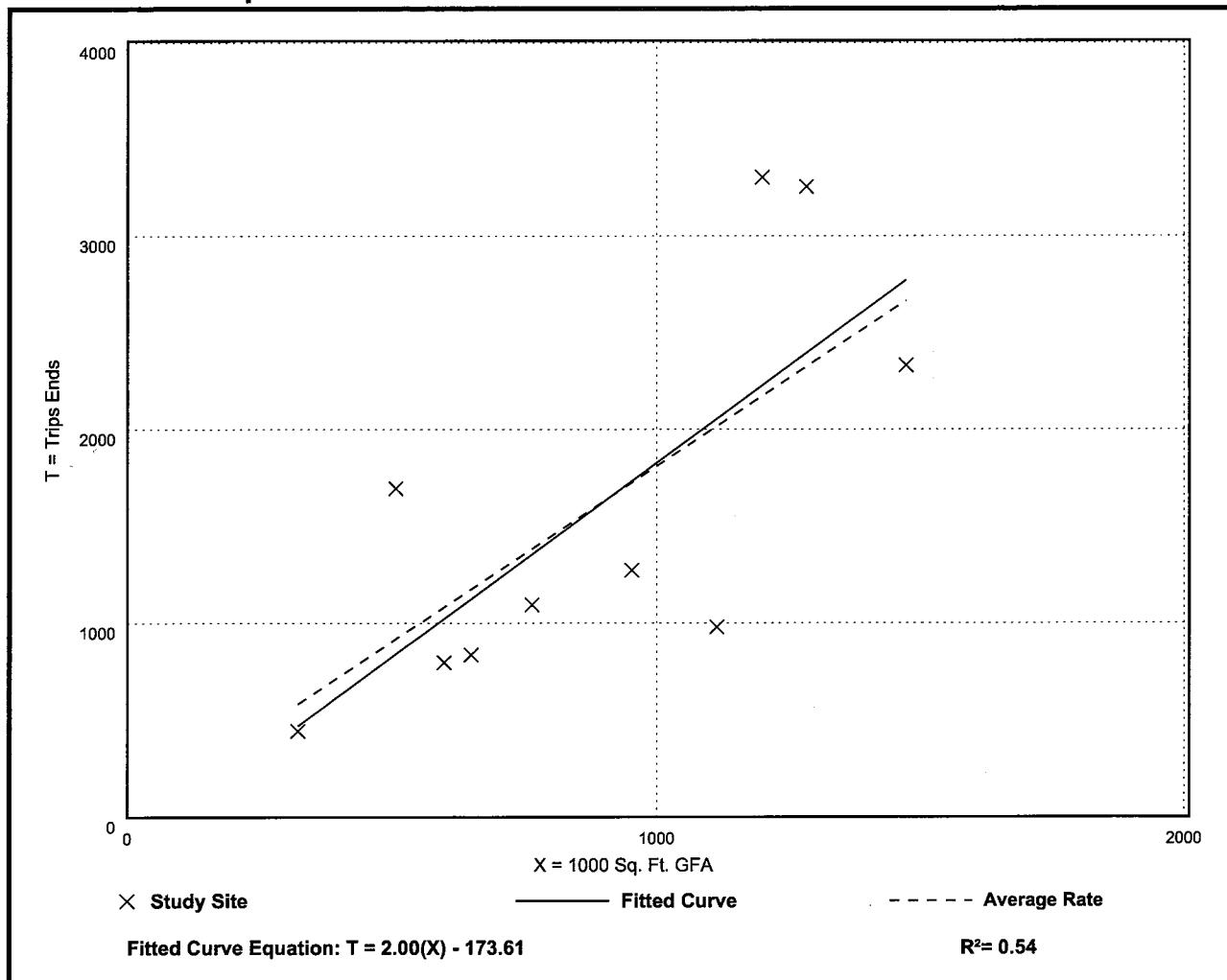
Avg. 1000 Sq. Ft. GFA: 886

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.81	0.88 - 3.34	0.76

Data Plot and Equation



High-Cube Fulfillment Center Warehouse - Non-Sort (155)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 22

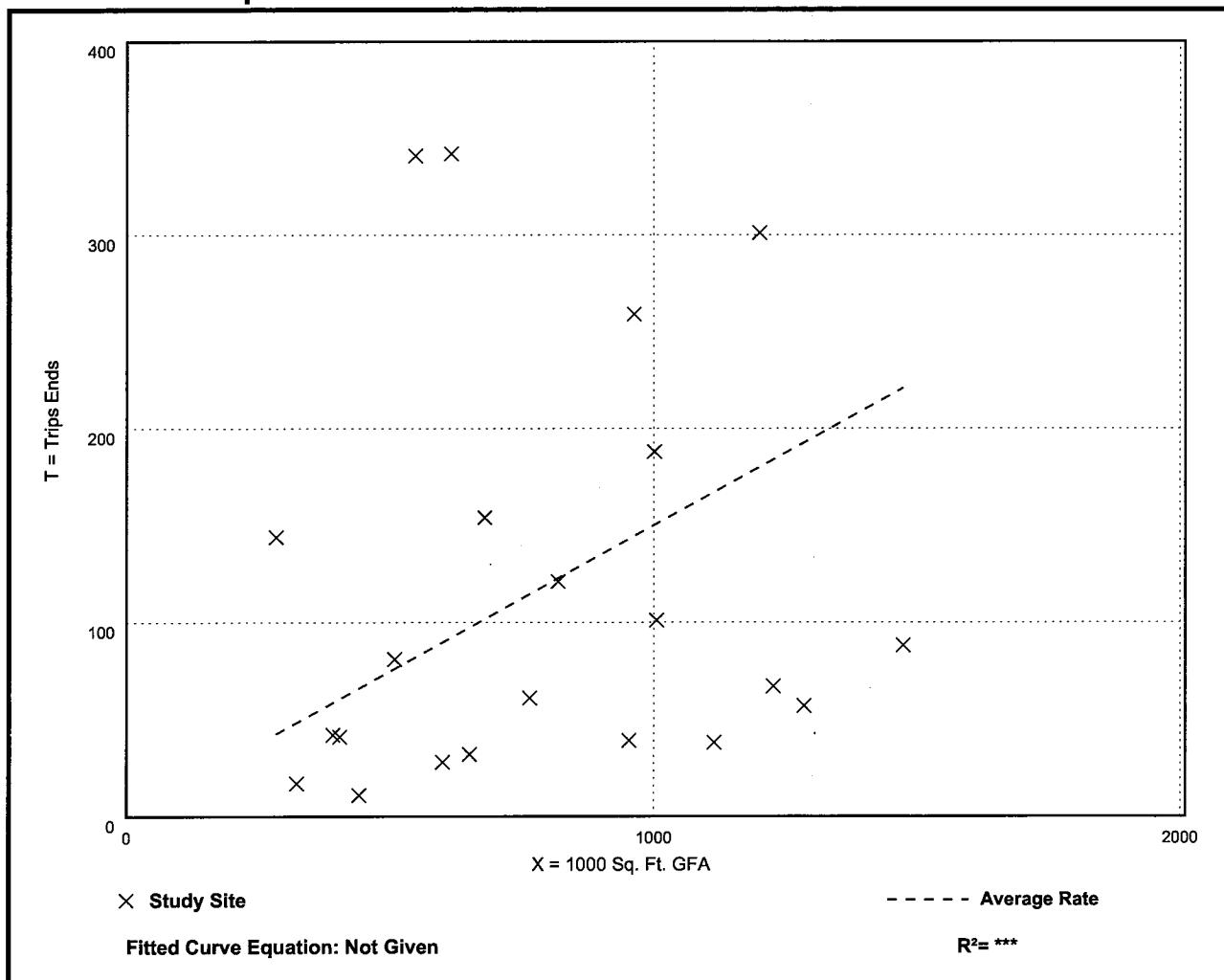
Avg. 1000 Sq. Ft. GFA: 783

Directional Distribution: 81% entering, 19% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.15	0.03 - 0.62	0.15

Data Plot and Equation



High-Cube Fulfillment Center Warehouse - Non-Sort (155)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 22

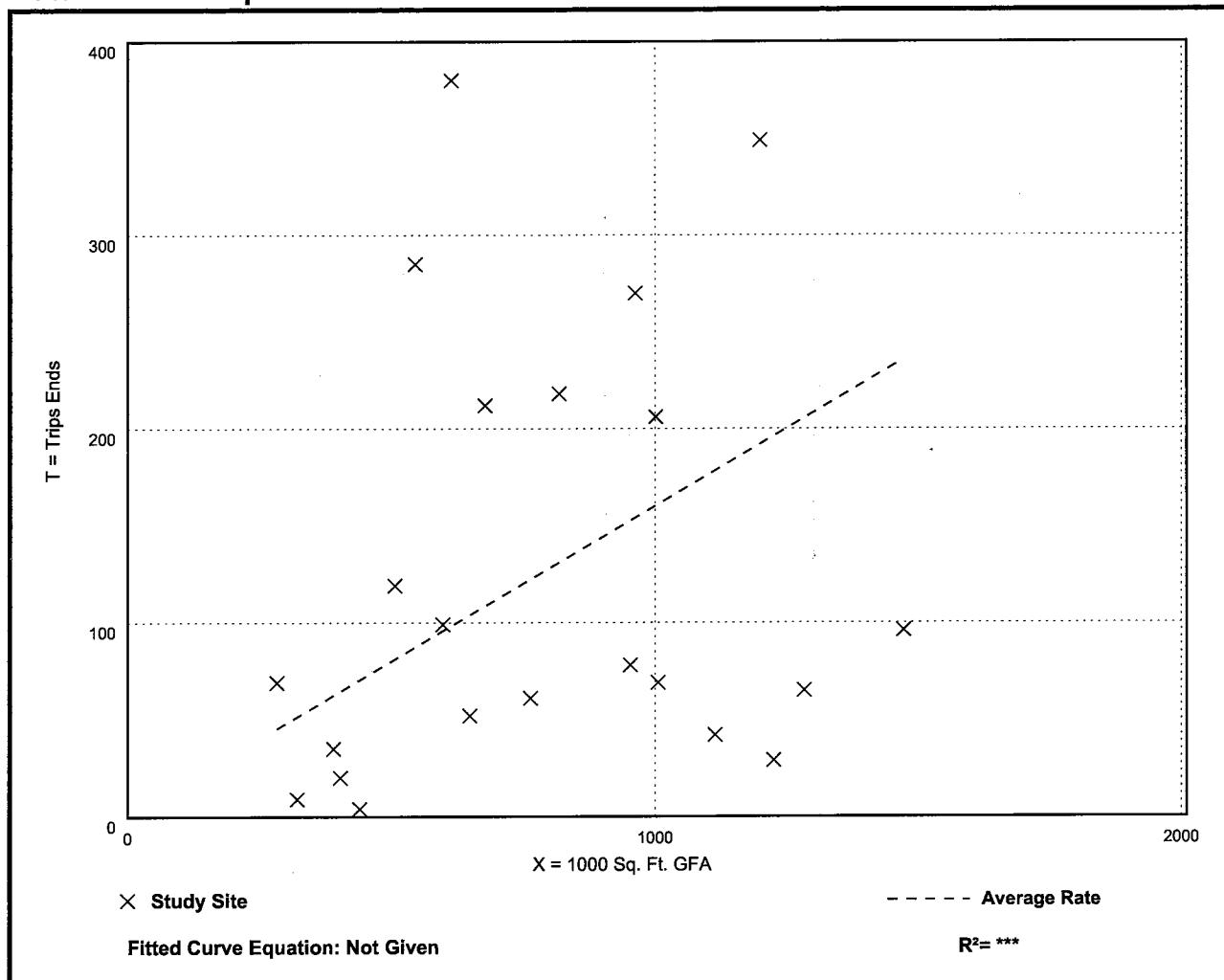
Avg. 1000 Sq. Ft. GFA: 783

Directional Distribution: 39% entering, 61% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.16	0.01 - 0.62	0.15

Data Plot and Equation



From: Calverton Civic <gcc1992@gmail.com>
Sent: Friday, January 13, 2023 3:44 PM
To: gcc1992@gmail.com
Cc: Tracy Stewart <stewart@townofriverheadny.gov>
Subject: Public Hearing Comment period ending 1/13/23, 4pm

The following outline comments on the Draft Supplemental Environmental Impact Statement on HK Ventures for the designated comment period ending 1/13/2023.

Dear Town of Riverhead Planning Board,

The core failure of this DSEIS is the traffic data referenced. ITE code 150 is used to determine trip generation number for U-Haul (35,500 square feet) and for Riverhead Logistics Center (641,000 square foot high cubed logistics distribution center). There is no way the same code can be used to for both of these facilities. Given their differences in size and function, the data referenced is highly inaccurate and grossly underestimated. In addition, the description of the proposed parking for Riverhead Logistic center needs to be corrected, as the total number of parking stalls for that site is 456 not the 313 mentioned in the DSEIS.

The DSEIS cites that 60% of passenger vehicle traffic to and from neighboring applicants is destined to/from the LIE by way of Middle Country Road. What this data fails to capture is the impact this will have on the Riverhead Charter School which is located at. 3685 Middle Country Road in Calverton. The specific impact on this school should be called out as increased traffic creates a public safety issue that the DSEIS has failed to address. When school gets out in the afternoon, several cars line up from the school's entrance, down Middle Country Road, all the way to the Edward's Ave intersection. These cars are bulled alongside Middle Country Road. How will the increased tractor trailer and passenger vehicle traffic impact the area, especially during school hours? In fact, all bus routes for both the Riverhead Charter school and the Riverhead Central School District should be highlighted along with the impact increased traffic will have - both from a traffic quantity standpoint, and from a public safety standpoint.

The DSEIS fails to provide information on increase in emissions due to increase in traffic, increased threat to public safety due to increase in traffic, and the potential requirements of our local police force to respond to these public safety issues. The DSEIS "other cumulative impacts" section also fails to address impacts on agricultural and natural resources from the industrial development highlighted.

The function of the NY State Environmental Quality Review Act is to ensure "all state and local government agencies consider environmental impacts equally with social and economic factors during

discretionary decision-making." HK Venture's DSEIS traffic data is grossly and strategically underestimated. The DSEIS fails to highlight the aforementioned points and therefore does not give government agencies enough information to accurately consider the impacts of not only this development, but also the cumulative impacts of the named developments.

Respectfully,
Toqui S. Terchun
Greater Calverton Civic Association, President

--
"Get to know your neighbor, get to know your town"
Inline image

Appendix B

**Positive Declaration issued on August 6, 2020
(Resolution No. 2020-050) and Positive
Declaration issued on October 20, 2022
(Resolution No. 2022-098)**



TOWN OF RIVERHEAD PLANNING BOARD

201 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Stanley Carey, Chairman
Ed Densieski, Vice-Chair/Secretary

Joseph Baier, Member

Richard O' Dea, Member
George Nunnaro, Member

August 6, 2020

Keith Brown, Esq.
538 Broadhollow Rd, Suite 301W
Melville, NY 11747

Resolution No. 2020-050

**Assumes Lead Agency Status for the Purposes of SEQRA Review and Issues Positive
Declaration Pursuant to SEQRA for the Site Plan Application of HK Ventures – Calverton
4285 Middle Country Road, Calverton, NY
SCTM No. 600-116-1-2**

WHEREAS, the applicant, HK Ventures, LLC, has made a site plan application to the Riverhead Planning Board proposing to develop a vacant parcel of industrially zoned land with a commercial/industrial complex consisting of a total of 423,964 sq. ft. of floor area to be divided into individual tenant spaces, along with a 1,500 sq. ft. commissary for use by the tenants of the complex, as well as parking, lighting, landscaping, stormwater management, sanitary systems, and a new curb cut to serve as access from Middle Country Road; and

WHEREAS, the subject property, particularly identified as SCTM No. 600-116-1-2, is a 30.28 acre parcel located on the south side of Middle Country Road (State Route 25), at 4285 Middle Country Road, Calverton, NY, within the Industrial C (Ind C) zoning use district; and

WHEREAS, the Planning Board has received and reviewed the site plan application, including a site plan, prepared and stamped by Jaclyn R. Peranteau, PE, last dated June 3, 2020, a Full Environmental Assessment Form (FEAF), prepared by Jaclyn Peranteau, PE, dated January 28, 2020; and related documentation; and

WHEREAS, by Resolution No. 2020-031, dated May 21, 2020, the Riverhead Planning Board classified the proposed action as a Type 1 Action pursuant to SEQRA and initiated a coordinated SEQRA review with involved agencies, with the Planning Board requesting Lead Agency designation; and

WHEREAS, by letter dated June 9, 2020, the Riverhead Planning Department circulated a Lead Agency request letter and request for site plan comments to involved agencies; and

WHEREAS, as the 30 day coordination period has ended, and with no objections to the Planning Board's request for Lead Agency status being received, the Planning Board is now able to assume Lead Agency status for the purposes of SEQRA review; and

WHERAS, the Planning Department has prepared Part 2 and Part 3 of the FEA, dated August 6, 2020. Now, therefore be it

RESOLVED, that the Riverhead Planning Board, 201 Howell Avenue, Riverhead, NY 11901, hereby assumes Lead Agency status for the purposes of SEQRA review; and be it further

RESOLVED, that the Planning Board as SEQRA Lead Agency declares the proposed action may have a significant potential adverse impact on the health, welfare and the environment for the reasons outlined in Part 3 of the FEA, dated August 6, 2020; and be it further

RESOLVED, the Planning Board, as Lead Agency, hereby issues a Positive Declaration, for the purposes of Environmental Conservation Law Article 8, requiring the formal process, public input, and due deliberation attendant to the preparation of an Environmental Impact Statement pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, the applicant be directed to prepare a draft Scope pursuant to SEQRA for review by the Lead Agency; and be it further

RESOLVED, the requisite SEQRA Notice of Determination/Positive Declaration be filed with the NYSDEC Environmental News Bulletin (ENB) and all relevant information be filed with the Town Clerk; and be it further

RESOLVED, upon submission of a Draft Scope by the applicant, the public will have the opportunity to comment on the Draft Scope at a publicly accessible meeting held via an electronic telecommunications method which complies with the requirements of the New York State Open Meetings law; and

RESOLVED, that those interested parties seeking additional information on this application can contact Gregory Bergman, Planning Aide, Town of Riverhead, at 631-727-3200 Ext. 264; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to HK Ventures, LLC, 150 W. 36th Street, New York, NY 10018; Key Civil Engineering, 664 Blue Point Rd, Unit B, Holtsville, NY 117421; the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; and the Town Clerk; and be it further

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

A motion was made by Mr. _____ and seconded by Mr. _____ that the aforementioned resolution be approved:

THE VOTE

BAIER	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	O'DEA	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
NUNNARO	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
CAREY	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO					

**THIS RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

Very truly yours,

Stanley Carey, Chairman
Riverhead Planning Board



TOWN OF RIVERHEAD PLANNING BOARD

201 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Joann Waski, Chairman
Ed Densieski, Vice-Chair/Secretary

Joseph Baier, Member

Richard O' Dea, Member
George Nunnaro, Member

October 20, 2022

Keith Brown, Esq.
538 Broadhollow Rd., Suite 301W
Melville, NY 11747

Resolution No. 2022-098

Issues Positive Declaration Pursuant and Calls for the Preparation of a Supplemental Environmental Impact Statement for the Site Plan Application of HK Ventures 4153 Middle Country Road, Calverton, NY SCTM Nos. 600-116-1-2

Dear Mr. Brown:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on October 20, 2022:

WHEREAS, the Riverhead Planning Board is in receipt of a site plan application seeking approval to develop a vacant parcel of industrially zoned land with a commercial/industrial complex consisting of a total of 412,629 sq. ft. of floor area to be divided into individual tenant spaces, along with a 1,500 sq. ft. commissary for use by the tenants of the complex, as well as parking, lighting, and landscaping improvements, new potable water connections, an on-site sewage treatment plant, new access from Middle Country Road (State Route 25), as well as other related site improvements; and

WHEREAS, the subject parcel, particularly identified as SCTM No. 600-116-1-2, is a 30.28 acre parcel of land located at 4285 Middle Country Road, Calverton, NY, located within the Industrial A zoning use district; and

WHEREAS, by Resolution No. 2020-031, dated May 21, 2020, the Riverhead Planning Board classified the site plan application as a Type 1 Action pursuant to 6NYCRR Part 617.4(b)(6) as the action proposed land disturbance in excess of 10 acres, and requested Lead Agency status in a coordinated review among involved agencies; and

WHEREAS, by Resolution No. 2020-050, dated August 6, 2020, the Planning Board assumed Lead Agency status and issued a Positive Declaration pursuant to SEQRA, requiring the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, by Resolution No. 2020-066, dated October 1, 2020, the Planning Board scheduled a public scoping session to receive public comments on the Draft Scope; and

WHEREAS, the Planning Board held a public scoping session at its regular meeting on November 5, 2020, via Zoom, pursuant to Governor Cuomo's Executive Order 202.1 regarding the "Open Meetings Law," which authorized public meetings to be held remotely via conference call or other such similar service provided that the public has the ability to view or listen to such proceedings; and

WHEREAS, by Resolution No. 2020-075, dated November 19, 2020, the Planning Board adopted a Final Scope pursuant to SEQRA to be used for the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, on May 10, 2021, the applicant submitted a DEIS, entitled "Draft Environmental Impact Statement HK Ventures, LLC – Proposed Industrial Park," prepared by P.W. Grosser Consulting, Inc., dated May 2021

WHEREAS, by Resolution No. 2021-064, dated Jun 17, 2021, the Planning Board deemed the DEIS adequate for public review; and

WHEREAS, by Resolution No. 2021-073, dated July 1, 2021, the Planning Board scheduled a public hearing on the DEIS; and

WHEREAS, a public hearing on the DEIS was held on August 5, 2021, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY; and

WHEREAS, by Resolution No. 2021-091, dated August 19, 2021, the Planning Board set forth the requirements for inclusion in a Final Environmental Impact Statement (FEIS); and

WHEREAS, on May 25, 2022, the applicant submitted an FEIS, entitled "Final Environmental Impact Statement HK Ventures, LLC – Proposed Industrial Park," prepared by P.W. Grosser Consulting, Inc., dated May 2022; and

WHEREAS, by Resolution No. 2022-080, dated August 18, 2022, the Planning Board accepted the FEIS, entitled "Final Environmental Impact Statement HK Ventures, LLC – Proposed Industrial Park," prepared by P.W. Grosser Consulting, Inc., dated May 2022; and

WHEREAS, the FEIS was made available for public review and comment pursuant to SEQRA; and

WHEREAS, there have been several site plan applications made to the Planning Department for industrial developments in Calverton, which have the potential to impact common resources, including but not limited to traffic congestion, and the construction of multiple commercial solar energy production facilities in the Hamlet of Calverton, which were not captured in the FEIS. Now, therefore be it

RESOLVED, that the Planning Board as SEQRA Lead Agency, being aware of multiple applications for development not evaluated in the FEIS, hereby issues a Positive Declaration pursuant to SEQRA for the site plan application of HK Ventures; and be it further

RESOLVED, that pursuant to SEQRA, public scoping remains optional pursuant to 6NYCRR 617.8(a), and as such, the Planning Board does not desire to hold a public scoping session for the preparation of a Supplemental EIS; and be it further

RESOLVED, that the Planning Board hereby sets the scope of the Supplemental DEIS to study the following impacts:

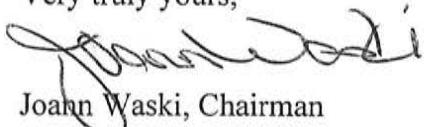
1. Trip generation from new projects, and an analysis of the impacts to the Middle Country Road (State Route 25) and Edwards Avenue intersection, with the following projects to be considered:
 - a. JPD Calverton – Site plan application proposing 74,560 sq. ft. of multi-tenant warehouse space at 4195 Middle Country Road, Calverton, NY (SCTM No. 600-116-1-7.4).
 - b. U-Haul Calverton – Site plan application proposing a 35,500 sq. ft. single story warehouse for the storage of U-Haul branded portable on demand storage containers, and a three-story self-storage warehouse with a total floor area of 116,115 sq. ft. on four parcels located on the northeast corner of the intersection of Middle Country Road (State Route 25) and Manor Lane (SCTM Nos. 600-99-2-21.3, 21.4, 21.5, 21.6).
 - c. Riverhead Logistics Center (aka North Point) – Site plan application proposing a 50 ft. tall “Class-A” warehousing/distribution center with 641,000 sq. ft. of gross floor area at 1743 Middle Road, Calverton, NY (SCTM Nos. 600-99-2-100-3-3 & 4);
2. Cumulative impacts from commercial solar energy production facilities in the Hamlet of Calverton; and be it further

RESOLVED, the requisite SEQRA Notice of Determination/Positive Declaration be filed with the NYSDEC Environmental News Bulletin (ENB) and all relevant information be filed with the Town Clerk; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department, the ENB and to the applicant or his agent; and be it further

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

Very truly yours,



Joahn Waski, Chairman
Riverhead Planning Board

A motion was made by Mr. Baier and seconded by Mr. Densieski that the aforementioned resolution be approved:

THE VOTE

BAIER X YES NO O'DEA X YES NO

NUNNARO X YES NO DENSIESKI X YES NO

WASKI X YES NO

**THIS RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED**

CC: Building Department
Town Clerk