

JULY 19, 2016

CDA RESOLUTION LIST:

CDA

- Res. #11** Adoption of Findings Statement in Connection with the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the 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

TOWN BOARD RESOLUTION LIST:

- Res. #536** Riverhead Sewer District Budget Adjustment
- Res. #537** Riverhead Water District Payment of Engineering Fees for Inspections & Payment for Services of New Lease with AT&T at 1035 Pulaski St.
- Res. #538** Adoption of Findings Statement in Connection with the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the 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
- Res. #539** Authorizes the Supervisor to Execute a Stipulation with the Riverhead Police Benevolent Association
- Res. #540** Classifies Application as a Type I Action Pursuant to SEQRA and Requests Lead Agency Status Town of Riverhead Peconic River/Route 25 Corridor Brownfield Opportunity Area Program Step II Nomination
- Res. #541** Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a Site Plan Application Known as Peconic Care Submitted by the Engel Burman Group on a Certain Parcel Identified

as Lot/Block 17 on the Approved Subdivision Map of Calverton Camelot Located on the Southwest Side of the Eastern Runway, (+/-) 3,300 Feet Southeast of Jan Way, Calverton, NY Described as SCTM #0600-135-1-7.56

- Res. #542** Authorization to Publish Advertisement for Chemicals for Town of Riverhead Sewer District
- Res. #543** Authorization to Publish Advertisement for Lubricant Items for Town of Riverhead
- Res. #544** Authorizes Supervisor to Execute Agreement with Riverhead Youth Sports, Inc. for Referee/Umpire Services for Town of Riverhead Police Athletic League Football Program for 2016 Calendar Year
- Res. #545** Authorizes the Supervisor to Execute an Agreement with Cummins Power Systems, LLC, Regarding Generator Maintenance Service for the Riverhead Water District
- Res. #546** Classifies Applications as an Unlisted Action without Coordinated Review, Assumes Lead Agency and Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a Special Permit Application Known as Preston House on a Certain Parcel Located at 428 East Main Street, Identified as SCTM No. 600-129-3-13, Riverhead, NY
- Res. #547** Appoints Special Counsel to Board of Assessors (Scott DeSimone)
- Res. #548** Sets Hourly Rate Schedule for the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP
- Res. #549** Appoints Special Counsel to Represent Zoning Board of Appeals Relative to Specific Pending Litigation
- Res. #550** Approves Extension to License Agreement with United Fence & Guard Rail Corp.
- Res. #551** Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local law to Amend Chapter 221 (Community Preservation: Open Space) of the Riverhead Town Code to Extend the Effective Date of the Community Preservation Fund Real Estate Transfer Tax, Imposed Pursuant to Article 31-D of the State Tax Law, Until December 31, 2050 and to Authorize the use of a Portion of the Town Community Preservation Fund, not to Exceed 20% for Water Quality Improvement Projects, Subject to Mandatory Referendum

- Res. #552** Authorizes the Sale of Obsolete/Surplus Town of Riverhead Highway Department Personal Property, to wit: Dresser 175C Track Loader
- Res. #553** Ratifies Adoption of Amendment to Alcohol Policy for the Town of Riverhead
- Res. #554** Authorizes the Supervisor to Execute an Agreement with VHB Engineering, Surveying and Landscape Architecture, PC
- Res. #555** Authorizes Notice of Public hearing Regarding Rate Restructure of the Riverhead Water District
- Res. #556** Pays Bills
- Res. #557** 2016 Skate Park Project at Stotzky Park Budget Adoption
- Res. #558** Rescinding 2016 EPCAL Playground Budget Adoption
- Res. #559** Amends Resolution 508 of 2016 Reappointing Part-Time Crossing Guard (Brian Mooney)

**TOWN OF RIVERHEAD
Community Development Agency**

Resolution # 11

ADOPTION OF FINDINGS STATEMENT IN CONNECTION WITH THE FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FSGEIS) FOR THE 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

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

WHEREAS, the EPCAL property consisting of approximately 2,900 acres was once part of the former Calverton Naval Weapons Industrial Reserve Plant was formerly owned by the Navy and leased by the Grumman Corporation; and

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, following receipt of the Planning Commission’s recommendation, pursuant to Resolution #830 of 1999, the Town Board, reciting in its resolution; the State Environmental Quality Review Act (SEQRA) record, the comments made at the numerous public hearings, the report of the Town Planning Department, the SEQRA

findings statement attending the Comprehensive Master Plan amendment, the report of the Town Planning Board, the report of the Suffolk County Planning Commission, the prevalent Pine Barrens overlay district, together with any other pertinent planning, zoning or environmental information available, adopted the proposed zoning code and zoning use district map amendments; and

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

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

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

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

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

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

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

WHEREAS, on December 8, 2011, VHB presented, during an open and public session of the Town Board, a plan for development and an alternate plan for development (hereinafter referred to as development plan “B”) incorporating the recommendations and findings of the market study prepared by RKG and the Town Board, by Resolution #937 of 2011, accepted and adopted the findings and

recommendations for EPCAL redevelopment prepared by RKG Associates (RKG) and also having authorized VHB to proceed with the requisite State Environmental Quality Review (SEQR) of their alternative plans for development; and

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

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

WHEREAS, the Part 1 of the Full Environmental Assessment Form, a subdivision sketch plan (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) and a preliminary Draft Scope for the Draft Supplemental Generic Environmental Impact Statement were distributed to all involved agencies indicating the Town Board's intention to declare itself as lead agency if upon expiration of the coordination period, no objections to same had been received by the Town Board; and

WHEREAS, the Town received no objection from any involved agencies to the Town Board serving as lead agency; and

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

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

WHEREAS, the Town Board caused the preparation of Parts 2 and 3 of the Full EAF for analysis of project impacts whose content indicate the potential for significant impacts on the natural and social environment when compared to the criteria set forth in 6 NYCRR §617.7(c); and

WHEREAS, the Town Board determined that the proposed action may have one or more significant adverse impacts on the environment, and adopted a Positive Declaration requiring that a Draft Supplemental Generic Environmental Impact Statement be prepared; and

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

comprehensive development plan for EPCAL, including Amendment to the Comprehensive Plan and Amendment to Zoning and Subdivision for EPCAL; and

WHEREAS, on July 16, 2013, the Town Board, acting as governing body of the Community Development Agency, conducted a public Scoping Hearing on the Draft Scope for the Draft Supplemental Generic Environmental Impact Statement supporting the proposed action to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan for property owned by the CDA within EPCAL described as approximately 2,323.9 acres of real property located south of Middle Country Road (SR25), north of Grumman Boulevard and east of Wading River Manor Road (CR25), Calverton Hamlet, being more particularly described as Suffolk County Tax Map No. 0600-135-1-7.1,7.2,7.3&7.4.; and

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

WHEREAS, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB did review all comments made at the public Scoping Hearing and all written comments received pursuant to the Notice of Scoping Hearing; and

WHEREAS, the Town Board, Town Board, as Lead Agency, and, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, by Resolution #14 adopted on October 1, 2013, did thereby adopt a Final Scope for the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) supporting the proposed action, to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan for property owned by the CDA within EPCAL described as approximately 2,323.9 acres of real property located south of Middle Country Road (SR25), north of Grumman Boulevard and east of Wading River Manor Road (CR25), Calverton Hamlet, being more particularly described as Suffolk County Tax Map No. 0600-135-1-7.1,7.2,7.3&7.4; and

WHEREAS, pursuant to NYCRR 617.9(a) and (b) after adoption of the Final Scope and consistent with the Final Scope, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB did complete a DSGEIS; and

WHEREAS, pursuant to NYCRR 617.9 (a)(2), the Town Board, as lead agency, by Resolution #11 adopted on August 7, 2014, did accept and determine that the

DSGEIS was adequate with respect to its scope and content for the purpose of commencing public review; and

WHEREAS, pursuant to NYCRR 617.9 (a)(3), the Town Board, as lead agency, by Resolution #11 adopted on August 7, 2014, did prepare a Notice of Completion of the DSGEIS for the Development of EPCAL (EPCAL Reuse & Revitalization Plan) and authorized and directed the Town Clerk to file and publish the Notice of Completion, together with the DSGEIS; and

WHEREAS, pursuant to NYCRR 617.9(a)(4), the Town Board, as lead agency, determined that it is appropriate to hold a public hearing on the DSGEIS and provide for public comment through the forum of a public hearing and submission of written comment; and

WHEREAS, pursuant to NYCRR 617.9(a)(4)(ii), the Town Board, as lead agency and in its capacity as the Town Board and as the governing body of the Town of Riverhead Community Development Agency, determined that it was appropriate to conduct a combined hearing for the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan; and

WHEREAS, the Town Board, as lead agency and as governing body of the Town of Riverhead and acting and as governing body of the Town of Riverhead Community Development Agency, by Resolution # 583 adopted on August 7, 2014, authorized and directed the Town Clerk to publish and post a Notice of Public Hearing on the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan, and provide notice for the acceptance of written comments until September 15, 2014 pursuant to NYCRR Part 617.9(a)(4); and

WHEREAS, the Town Board, as lead agency and as governing body of the Town of Riverhead and acting and as governing body of the Town of Riverhead Community Development Agency, did hold a public hearing on September 3, 2014 on the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan, and provided for the acceptance of written comments until September 15th, 2014 pursuant to NYCRR Part 617.9 (a)(4) and by Resolution # 640 adopted on September 3, 2014, did extend period for the acceptance of written comment until September 30, 2014; and

WHEREAS, VHB prepared a Final Supplemental Generic Environmental Impact Statement (FSGEIS) in accordance with §617.10 of 6 NYCRR (SEQR) which provides responses to substantive comments compiled by the Town Board of the Town of Riverhead as Lead Agency during the SEQRA public review and comment period,

including verbal comments presented at the public hearings and written comments submitted by the public and involved/interested agencies up to the close of the comment period; and

WHEREAS, the Town Board found that the FSGEIS adequately responded to comments such that it deemed appropriate to facilitate the preparation of findings and legislative decision related to the adoption of the EPCAL Reuse & Revitalization Plan, 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan and the accompanying Draft Supplemental Generic Environmental Impact Statement (DSGEIS) which will become elements of the Town of Riverhead EPCAL Reuse & Revitalization Plan, amendment to the Town of Riverhead Comprehensive Master Plan, subdivision of the EPCAL property, amendment to the zoning map and code, amendment to the Calverton Urban Renewal Plan and subdivision of the Enterprise Park at Calverton (“EPCAL”); and

WHEREAS, consistent with above, by Resolution #190, the Town Board, as Lead Agency pursuant to SEQRA, accepted as complete and file a Notice of Completion of FSGEIS for the comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan for publication in the Environmental Notice Bulletin (ENB) as prescribed by SEQRA (6 NYCRR § 617.12); and

WHEREAS, the Town Board, as Lead Agency, afforded the public and involved/interested agencies 30 days in which to consider the FSGEIS and provide any additional input, which may, as appropriate, be incorporated into the SEQRA Findings Statement; and

WHEREAS, after the requisite public consideration period, the Town Board requested that a SEQRA Findings Statement be prepared by VHB, which summarizes the facts and conclusions of the DSGEIS and FSGEIS, considers public and agency comments, weighs and balances the relevant environmental impacts with social, economic and other considerations, and provides a rationale for the Town Board's decision; and

NOW THEREFORE BE IT RESOLVED, that after review and consideration, the Town Board, as Lead Agency, and as governing body of the Town of Riverhead, and as governing body of the Community Development Agency hereby adopts the annexed SEQRA Findings Statement, prepared on its behalf by VHB and dated July 19, 2016, pursuant to SEQRA; and be it further

RESOLVED, as required by SEQRA and its implementing regulations, the Town Clerk is hereby directed to file and distribute copies of the SEQRA Findings Statement to the following involved agencies:

The Honorable Sean Walter, Town Supervisor
and Members of the Town of Riverhead Town Board
200 Howell Avenue
Riverhead, New York 11901

Stanley Carey, Chairman
Town of Riverhead Planning Board
200 Howell Avenue
Riverhead, New York 11901

Michael Reichel, Sewer District Superintendent
Riverhead Sewer District
River Avenue (off Riverside Drive)
Riverhead, New York 11901

Mark Conklin, Water District Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Chris Kempner, Director
Riverhead Community Development Agency
200 Howell Avenue
Riverhead, New York 11901

George Woodson, Superintendent
Town of Riverhead Highway Department
1177 Osborne Avenue
Riverhead, New York 11901

Board of Fire Commissioners
Wading River Fire District
1503 N. Country Road
Wading River, New York 11792

Board of Fire Commissioners
Manorville Fire District
14 Silas Carter Road
Manorville, New York 11949

The Honorable Ed Romaine, Supervisor
And Members of the Town Board
Town of Brookhaven
Town of Brookhaven Town Hall
One Independence Hill
Farmingville, New York 11738

The Honorable Steven Bellone, County Executive
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

Jennifer Casey, Chair
Suffolk County Planning Commission
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Suffolk County Department of Health Services
3500 Sunrise Highway, Suite 124
Great River, New York 11739

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works:
335 Yaphank Avenue
Yaphank, New York 11980

James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000
Oakdale, New York 11769

Commission Chair
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton, New York 11978

Empire State Development Corporation/Long Island Regional Economic Development
Council
c/o Cara Longworth, Regional Director
150 Motor Parkway
Hauppauge, New York 11788

Ruth Pierpont, Deputy Commissioner/Deputy SHPO
New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Joseph T. Brown, Regional Director
New York State Department of Transportation
State Office Building
250 Veterans Memorial Highway
Hauppauge, New York 11788

George Stafford, Director
Division of Coastal Resources
New York State Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Carrie Meek Gallagher, Regional Director
New York State Department of Environmental Conservation
SUNY @ Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409

Basil Seggos, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

RESOLVED, that the Town Clerk is hereby authorized and directed to maintain a copy of this resolution and the Findings Statement, together with a copy of the FSGEIS document and make available for public review and inspection in the Office of the Town Clerk, Monday through Friday, from 8:30 am to 4:30 pm, beginning on July 19, 2016; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to post a copy of this resolution and the Findings Statement on the Town's website www.townofriverheadny.gov; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to make available a copy of this resolution and the Findings Statement at the Riverhead Free Library, 330 Court Street, Riverhead, NY, 11901; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution, together with a copy of the Findings Statement to VHB Engineering, Surveying and Landscaping Architecture, P.C., 100 Motor Parkway, Suite 300, Hauppauge, NY 11788; Supervisor of the Town of Riverhead, Sean W. Walter; Members of the Town Board of the Town of Riverhead; Christine Kempner, Community Development Agency Director; Jefferson Murphree, Building and Planning Administrator; and Annemarie Prudenti, Deputy Town Attorney, Frank A. Isler, special counsel to the Community Development Agency, and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

STATE ENVIRONMENTAL QUALITY REVIEW ACT

**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**

**TOWN BOARD OF THE TOWN OF RIVERHEAD
SUPPLEMENTAL FINDINGS STATEMENT**

Date: July 19, 2016

This Supplemental Findings Statement is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act – SEQRA) and the implementing regulations therefor at 6 NYCRR Part 617.

Name of Action: Comprehensive Plan for the Development (Reuse & Revitalization Plan), Including Amendment to the Town of Riverhead Comprehensive Plan, Amendment to Zoning Code and Map, Amendment to the Calverton Urban Renewal Plan and Subdivision of EPCAL Property at Calverton

Location: South side of New York (NY) 25 , north of Grumman Boulevard, east of Wading River Manor Road, Hamlet of Calverton, Town of Riverhead

Lead Agency: Town Board of the Town of Riverhead

Address: Town of Riverhead
Town Hall
200 Howell Avenue
Riverhead, New York 11901

Contact: Jill Lewis, Deputy Town Supervisor

Telephone No.: 631-727-3200 Ext. 655

SEQR Status: Type I

**Supplemental Findings Statement
Town Board of the Town of Riverhead
Proposed Subdivision of EPCAL Property**

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The Town Board of the Town of Riverhead (Town Board), as lead agency, subsequent to review of the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) and the Final Supplemental Generic Environmental Impact Statement (FSGEIS) as well as the 1997 FEIS prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and developed as a GEIS under SEQRA and Findings Statement prepared by the United States (U.S.) Navy, hereby certifies that:

- † it has considered the relevant environmental impacts, facts and conclusions disclosed in the DSGEIS and FSGEIS;
- † it has weighed and balanced relevant environmental impacts with social, economic and other considerations;
- † the requirements of 6 NYCRR Part 617 have been met;
- † consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- † adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigative measures that were identified as practicable during the environmental review process and as set forth herein.

Description of Action

The proposed action consists of a number of components related to the ultimate redevelopment of the subject property (known as the “EPCAL Property,”) as follows:

- † Creation and adoption of the Reuse and Revitalization Plan for the EPCAL Property
- † Amendment to the Town of Riverhead Comprehensive Master Plan
- † Amendment to the Calverton Urban Renewal Plan
- † 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
- † 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).

Reuse and Revitalization Plan

As the subject property is anticipated to be redeveloped over a multi-decade horizon, it is not possible to determine the precise uses or the precise square footage of each use that may be redeveloped on the EPCAL Property. Accordingly, a Reuse and Revitalization Plan, which functions as an amendment to the urban renewal plan and serves as the amendment to the Comprehensive Plan, was developed for the EPCAL

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Property, and was, in pertinent part, based upon information provided in a market analysis that was performed by RKG Associates, Inc. for the Town Board of the Town of Riverhead.

The Reuse and Revitalization Plan sets forth various development areas as listed below:

- † Limited Development: This area is shown as limited business park. It is located along NY 25.
- † Mixed Use - Business/Light Industrial/Distribution: The larger of these two areas is located along NY 25 and the smaller area is located south of the open space parcel located in the eastern portion of the site.
- † Light Industrial: This area is shown as light industrial/distribution and energy park. It is located in the south-central portion of the site along Grumman Boulevard.
- † Mixed Use - Business Park/Recreation/Sports: This area has access from NY 25, but the majority of the land is located southwest of the Limited Development area.

The Reuse and Revitalization Plan serves as the comprehensive development plan for the subject property and provides the basis for the subdivision plan.

In order to ultimately implement the proposed action, the Town Board will be required to adopt the Reuse and Redevelopment Plan, which will serve as the amendment to the Town of Riverhead Comprehensive Master Plan, and will be the basis for the amendment of the Calverton Urban Renewal Plan.

Amendment to Urban Renewal Plan

Following Articles 15 and 15A of New York State General Municipal Law, Section V. Implementation, E. Plan Amendments, the 1998 *Urban Renewal Plan* permits amendments to the *Urban Renewal Plan* and provides a procedure for such amendments. The amendments to the *Urban Renewal Plan* would follow the prescribed procedure. The proposed amendments to the *Urban Renewal Plan* would reflect the current site conditions, current land use and development trends, any policy changes that have occurred since the original 1998 *Urban Renewal Plan*, and the current thinking with regard to appropriate uses at the EPCAL Property. The four goals of the *Urban Renewal Plan* would remain the same. Notably,

- † The attraction of private investment in the site
- † The maximization of the real property tax ratable base
- † The maximization of skilled, high paying employment opportunities
- † The protection of the natural environment and the sustaining of the regional quality of life.

The amendments to the *Urban Renewal Plan* would also be consistent with the original conclusions that redevelopment efforts should focus on utilizing existing infrastructure, respecting the natural environment, and encouraging redevelopment that reflects the existing character of the region. It would also continue to note that a number of measures would need to be implemented in order to achieve the planned redevelopment of the subject property, including:

- † Adoption of a Planned Development (PD) Zoning District to permit a multi-use development
- † Extension of the Riverhead Water District to the subject property
- † Upgrades to the existing on-site sewage treatment plant and establishment of a municipal sewer district
- † Improvements to existing roadways and intersections in the vicinity of the subject property.

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Creation, Adoption and Application of Planned Development (PD) Zoning District

A new PD zoning district has been drafted that will guide development within the subject property. The PD District has been designed as a hybrid form-based zoning code, which will allow the Town flexibility over the multi-decade redevelopment horizon. The PD District establishes objectives, policies, and standards to promote orderly development and redevelopment within the PD District area for purposes of recapturing potential investment, growth, and employment opportunities for the region through a wide variety and mix of uses, (e.g., business [commercial and retail], industrial, government, energy park, recreation, utilities, residential), including use of the two runways, which would be available for limited redevelopment and/or historical use (aviation). The eastern runway has been, and continues to be, an active runway and would be available for such use in the future. The western runway would also be available for its historic aviation use and/or renewable energy uses. The overall intent of the PD District is to promote the expeditious and orderly conversion and redevelopment of EPCAL by allowing for flexibility in providing a mix of uses in order to prevent further blight, economic dislocation, and additional unemployment, and to aid in strengthening the economies of the Town of Riverhead, the region and the State of New York.

Development within EPCAL would be governed by various documents, including the amended Town of Riverhead Comprehensive Master Plan, the Town of Riverhead Zoning Code and the amended Calverton Urban Renewal Plan, as well as the Reuse and Revitalization Plan and a Subdivision Map. This Reuse and Revitalization Plan (Figure 2 of the FSGEIS) and the proposed Subdivision Map (contained in Appendix D of the FSGEIS), together specify, among other things, representative types and general locations of land uses in the proposed PD District, and the general scale, and intensity of development within the PD District. With respect to approvals, the Town Board would determine whether proposed development within EPCAL complies with the Reuse and Revitalization Plan and with the requirements of the PD District.

The PD District, upon adoption by the Town Board, would be applied to the individual tax parcels located within the subject property. These parcels include Suffolk County Tax Map Nos.: District 600-Section 135-Block 1 – Lots 7.1, 7.2, 7.33 and 7.4.

Proposed Subdivision Map and Theoretical Mixed-Use Development Program

In order to ensure a comprehensive evaluation of the entire action (including the impacts of redevelopment in accordance with the proposed subdivision) in accordance with the SEQRA and its implementing regulations at 6 NYCRR Part 617, a proposed Subdivision Map and Theoretical Mixed-Use Development Program were prepared and comprehensively analyzed in the DSGEIS and FSGEIS. The proposed Subdivision Map and Theoretical Mixed-Use Development Program are based upon over a year of coordination with NYSDEC to ensure that development would occur in a manner that is respectful of the environment, while still allowing for significant economic development. During this period, the Town also consulted with the NYSDOT and various environmental groups and other involved agencies and interested parties.

As explained in the DSGEIS and FSGEIS, 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 the SEQRA process establish conditions and thresholds for

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future development, set forth later in this Findings Statement, and the Subdivision Map ultimately filed (and/or amended in the future) may differ somewhat from that included in the FSGEIS and described herein. However, if the conditions and thresholds established herein are complied with, no further SEQRA review would be necessary. In the event the proposed Subdivision Map is modified from that contained in the 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 proposed Subdivision Map (see Appendix D of the 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/ROWs¹ (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:²

- † 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)³
- † Lot 46 – Community Center (9.4 acres)³
- † 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 proposed Subdivision Map as Navy Parcel “A” and Navy Parcel “B” (see Appendix D of the FSGEIS) 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.

Based upon the market assessment prepared by RKG Associates, there are a variety of different uses that could be feasible on the EPCAL Property over the multi-decade redevelopment horizon.

¹ Includes internal road rights-of-way, rights-of-way for highway purposes, and Town right-of-way for walkway/bike trail.

² All acreages have been rounded to the nearest tenth.

³ Will remain town-owned.

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For purposes of the analyses conducted in the DSGEIS and FSGEIS, a theoretical mixed-use development occurring over two time horizons was evaluated: 1) a near-term build-out in 2025; and 2) the full build-out in 2035, as more fully set forth below.

Projected Development in 2025

The following interim mixed-use theoretical development program with a horizon year of 2025 was analyzed as part of the instant SEQRA process:

- † 289,606 SF of industrial/research and development (R&D)/flex space
- † 1,330,305 SF of office/medical office/flex or institutional space
- † 358,785 SF of commercial/retail space
- † 150 Residential Units (supportive of commercial/industrial development at the EPCAL Property).

Potential Maximum Development Full Build-Out

In order to ensure comprehensive environmental review in accordance with the SEQRA and its implementing regulations at 6 NYCRR Part 617, a theoretical mixed-use, full build-out development program was identified, which reflects the potential ultimate development of the subject property in accordance with the Reuse and Redevelopment Plan, the PD District and the Subdivision Plan. The Theoretical Mixed-Use Development Program consisted of the following components:

- † 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 (this was the analysis level in the DSGEIS; a maximum permitted retail space of 500,000 SF was analyzed in the FSGEIS)
- † 300 Residential Units (supportive of commercial/industrial development at the EPCAL Property).

As explained in the DSGEIS and FSGEIS, it was determined that the mix of uses set forth in the Theoretical Mixed-Use Development Program would result in significant adverse traffic impacts that likely could not be fully mitigated. However, as was also explained in the DSGEIS and FSGEIS, it is impossible to 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 more fully described later in this Findings Statement.

With respect to open space on the EPCAL Property, the open space to be retained/created 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.

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An additional 367.4± acres of the overall site are proposed to comprise lawn/landscaping (e.g., however, in no case shall fertilizer-dependent lawn/landscaping exceed 15 percent of any individual lot).

While there are no regulations requiring an additional buffer area, the Town of Riverhead has voluntarily granted an additional five-foot buffer around the existing and created grasslands. Therefore, the Town is preserving additional acreage to what is described above.

As the EPCAL Property includes regulated wetlands, land within the Wild, Scenic and Recreational River System for the Peconic River, and habitat for endangered species, the proposed subdivision provides for maintenance of buffers of a minimum of 1,000 feet around designated wetlands (to accommodate tiger salamander habitat), and also provides for approximately 583.0 acres of maintained grassland (512.4 acres of existing grassland, and 70.6 acres of grassland to be created), as habitat for the short-eared owl, northern harrier and upland sandpiper. The proposed subdivision provides for preservation/creation of 65 percent of the site as natural area/open space, including wetlands and water bodies.

In addition, a continuous walkway/bike trail is proposed to be maintained generally around the perimeter of the site, within a 25-foot buffer area outside of the individual lots, to consist of portions of existing paved and unpaved trails. As necessary, the existing walkway/bike trail will be connected by newly-constructed trails, such that a continuous walkway/bike trail is provided. This walkway/bike trail will be under the jurisdiction of the Town CDA.

EPCAL State Legislation

In 2013, the New York State Senate and Assembly passed a bill entitled “An Act in relation to a plan for the development of the Enterprise Park at Calverton,” establishing the Enterprise Park at Calverton (EPCAL) Reuse and Revitalization District. The bill was ultimately signed into law by Governor Andrew Cuomo on October 23, 2013. The purpose of the legislation was to, among other things, provide for the expeditious and orderly conversion and redevelopment of the remaining portions of the overall Calverton Naval Weapons Industrial Reserve Plant property (hereinafter the “Calverton NWIRP property” or “NWIRP/Grumman property”) in order to prevent further blight, economic dislocation, unemployment and aid in strengthening the local, regional, and state economy. In anticipation of the redevelopment of the EPCAL Property, and in acknowledgement of some of the subject property’s environmental conditions, the Town of Riverhead coordinated closely for over a year with the NYSDEC to establish a framework for redevelopment that is protective of the environmental resources of the site, while allowing for significant economic development.

The legislation indicates that:

“In conjunction with the preparation of the urban renewal plan, the town shall also prepare or cause to be prepared a generic environmental impact statement pursuant to article 8 of the environmental conservation law. Impacts of individual actions proposed to be carried out in conformance with the adopted plan and the thresholds or conditions identified in the GEIS may require no or limited SEQR review if such GEIS and its findings set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental environmental impact statements to reflect specific significant impacts, such as site specific

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impacts, that were not adequately addressed or analyzed in the GEIS...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."

History of the Project Site and SEQRA History

In 1952, the U.S. Navy acquired approximately 4,500 acres within the Town of Riverhead for construction of airfield runways and associated facilities known as the NWIRP. According to the Draft Environmental Impact Statement, dated February 1997 (hereinafter "1997 DEIS"), prepared by the U.S. Navy for the disposal of the U.S. Navy property, the original site of the Calverton NWIRP, located approximately seven miles west of the Riverhead downtown, consisted of approximately 4,500 acres. At the time, the property was used mainly for farming and contained some residential development. It was chosen for its large size and its proximity to Bethpage, in Nassau County, where Grumman was already performing sub-assembly of airplanes.

The 4,500 acres were leased to Grumman for airfield operations, including final airplane assembly and testing, while the balance of the acreage that was subsequently acquired was designated as aviation buffer zone (most of which is located in the Long Island Central Pine Barrens [CPB]). Additional parcels were acquired over the years from individual property owners, which increased the U.S. Navy's holdings to over 6,000 acres. In 1976, approximately 900 acres of the northwest buffer zone (north of NY 25) was transferred to the Veterans Administration for construction of the Calverton National Cemetery. This reduced the Calverton NWIRP property to approximately 5,900 acres.

Grumman leased the Calverton NWIRP property for more than 40 years. While in 1987, Grumman had a total of approximately 23,000 employees on Long Island (including those at Bethpage), by 1994 that number declined to approximately 9,500, with approximately 1,500 employed at Calverton. At that time, Grumman was still the largest employer in Riverhead, and annual tax revenues were approximately \$1.5 million. By the middle of 1992, only one aircraft remained in production and the Calverton NWIRP officially closed in February 1996.

In 1994, subsequent to Grumman's announcement of its intention to vacate the property, the U.S. Congress authorized the Secretary of the U.S. Navy to convey approximately 2,900 acres "inside the fence" to the Town CDA for the purpose of economic development. Based upon this decision, the U.S. Navy prepared the 1997 DEIS (noted above), as well as a Final Environmental Impact Statement, dated December 1997 (hereinafter "1997 FEIS" or collectively the "1997 EIS"), pursuant to the National Environmental Policy Act (NEPA) (and as a Generic Environmental Impact Statement [GEIS] for the purposes of SEQRA), that dealt with the disposition and potential future use of the former Calverton NWIRP property, which includes the 2,323.9-acre EPCAL Property (the subject of the instant SEQRA process).

As part of the U.S. Navy's aforesaid 1997 environmental review process, a Findings Statement was prepared and filed in 1998 in accordance with 6 NYCRR Part 617.10(i). The 1998 Findings Statement and supporting documents indicated that "the Riverhead Town Board hereby finds that the proposed amendment to the Comprehensive Master Plan of the Town of Riverhead is supported by this Findings

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Statement and minimizes potential environmental impacts and will provide the necessary balance between protection of the environment and the need to accommodate social and economic considerations.” The U.S. Navy’s GEIS and Findings Statement set forth specific conditions under which future actions would be undertaken or approved, as required by 6 NYCRR Part 617.

After the environmental review process, the majority of the 2,900 acres was transferred to the Town CDA. Subsequent to the U.S. Navy’s environmental review process, approximately 492 acres of the property were conveyed to a private developer for the development of the Calverton Camelot industrial subdivision. In May 1998, the Town CDA contracted with a property management firm to assume the responsibility for operations and maintenance upon the property conveyance. The Town CDA Board then authorized the creation of the Riverhead Development Corporation, a local development corporation, to market the site for redevelopment. Subsequent to this, in September 1998, the CDA prepared an urban renewal plan for the property. Since 1998, additional environmental reviews have been performed for proposed developments on various portions of the original Calverton NWIRP property, most of which have not proceeded.

The Town of Riverhead Town Board, in 2013, determined that it was necessary to re-evaluate the ultimate use of the EPCAL Property and embarked on the current proposed action. As a significant amount of time has passed since the Findings Statement was adopted and the project and area conditions have changed since the time that the GEIS was filed, the Town of Riverhead re-commenced the SEQRA process beginning with the preparation of Parts 1, 2 and 3 of the New York State Full Environmental Assessment Form (EAF). The Part 1 – EAF is dated June 12, 2013. Based upon the EAF, the Town issued a Positive Declaration on June 18, 2013 and indicated that it would be conducting formal scoping to identify impact issues that required evaluation in the DSGEIS. The Town prepared a Draft Scope and circulated to the involved agencies and interested parties. A scoping meeting was held on July 16, 2013 and comments on the Draft Scope were received until July 23, 2013.

The Town issued a Final Scope on October 1, 2013. The impact issues outlined in a Final Scope are as follows: Land Use and Zoning; Socioeconomics; Community Facilities and Services; Transportation; Air Quality; Noise; Infrastructure; Cultural Resources; Geology, Soils and Topography; Water Quality and Hydrology; Terrestrial and Aquatic Environment; Petroleum and Hazardous Materials; and Visual Resources. The DSGEIS also evaluated cumulative impacts with other area projects.

The DSGEIS supplemented the original 1997 DEIS and was prepared in accordance with SEQRA and its implementing regulations at 6 NYCRR Part 617 and was based upon the Positive Declaration that was adopted and the Final Scope, which was promulgated by the Town Board. The DSGEIS was accepted as complete and adequate for public review on July 31, 2014. A public hearing on the DSGEIS and the proposed PD District was held on September 3, 2014. Comments were received on the DSGEIS until September 30, 2014.

The Town Board caused to be prepared an FSGEIS, which is based upon the DSGEIS, incorporates it by reference and supplements the 1997 FEIS. The FSGEIS addressed all substantive comments on the DSGEIS, and discussed the proposed changes to the PD District and proposed Subdivision Map, which have been developed to respond, in part, to such substantive comments. The FSGEIS was accepted for filing by the Town Board on March 15, 2016 and circulated to the involved agencies and interested parties. While a minimum 10 day consideration period of the FSGEIS after filing and prior to adoption of a written Findings

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Statement is required by SEQRA, the Town Board extended this consideration period and the opportunity to provide comments on the FSGEIS to 30 days after the acceptance of the FSGEIS (April 15, 2016). In response to the opportunity to provide comments, the Town Board received one piece of correspondence, as follows:

- Correspondence dated April 13, 2016 from George W. Hammarth, Deputy Regional Permit Administrator, New York State Department of Environmental Conservation

This correspondence addresses several items, including: the Wild, Scenic and Recreational River System permit; the Calverton Sewer District; the northern Long-eared bat; the frosted elfin butterfly; Audubon best management practices; tiger salamander breeding ponds; the Comprehensive Habitat Protection Plan (CHPP); the five-foot-wide non-disturbance buffer; the use of the runways; and the planting and maintenance of drainage reserve areas.

Where appropriate, this Findings Statement incorporates and addresses the concerns raised in the above-referenced comment letter.

Based upon this review, the Town Board has determined that no new substantive issues were raised during public review of the FSGEIS that were not adequately addressed in the DSGEIS or FSGEIS or which otherwise would preclude the Town Board from proceeding directly with the preparation and filing of a SEQRA Findings Statement for the proposed action.

Conditions and Criteria Under Which Future Actions Will Be Undertaken or Approved, Including Requirements for Any 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.”*

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As explained in the DSGEIS, the instant proposed action was not addressed in the original GEIS. Accordingly, a DSGEIS and 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 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 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 proposed Subdivision Map (see Appendix D of the FSGEIS), 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 exceed the 300 residential unit limit, as set forth in the PD District.

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- † Supportive retail, personal service and restaurant development shall not exceed 500,000 square feet as set forth in the PD District and shall not exceed 10,000 square feet of floor area per supportive use and 20,000 per principal use or lot.

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 is implemented, as needed, based on actual conditions at the time of development. 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 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.

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- † *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

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(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.

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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	<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 - Single shared left turn/ through and right turn lane</p> <p>Southbound - Single shared left turn/ through and right turn lane</p>	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	<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>EB left turn protected/permitted</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 80 Seconds</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>
12	Wading River Manor Road & LIE North Service Road	<p>Westbound - Stop Controlled with One shared left turn / through lane, and one right turn lane</p> <p>Northbound - One exclusive left turn lane and one through lane</p> <p>Southbound - One through lane and a channelized right turn lane</p>	Northbound - One exclusive left turn lane and two through lanes		<p>Unsignalized Intersection</p> <p>Westbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with protected/permitted Northbound left turns</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>	
13	Wading River Manor Road & LIE South Service Road	<p>Unsignalized</p> <p>Eastbound - Stop Controlled with One shared left turn / through lane, and one right turn lane</p> <p>Northbound - One through lane and a channelized right turn lane</p> <p>Southbound - One exclusive left turn lane and one through lane</p>	Signalized <p>Eastbound - One exclusive left turn lane, one shared left turn / through lane, and one right turn lane</p>		<p>Unsignalized Intersection</p> <p>Eastbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with protected/permitted Southbound left turns</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>	
14	NY 25 East of CR 46 to East of Manor Road/Splish Splash Drive**	<p>Eastbound - One through lane</p> <p>Westbound - One through lane</p>	<p>Eastbound - Two through lanes</p> <p>Westbound - Two through lanes</p> <p>Center striped median/left turn lane</p>		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 a 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:
 - Ø Days/hours of proposed construction activity
 - Ø Designated routes of heavy vehicles to and from the site
 - Ø Parking areas for workers and heavy vehicles
 - Ø Construction staging areas
 - Ø 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):
 - Ø Use of highly-reflective (high albedo) roofing materials
 - Ø Use of green roofs
 - Ø Maximization of interior daylighting
 - Ø Glazing of windows
 - Ø Installation of high-efficiency heating, ventilation and air conditioning systems
 - Ø Incorporating additional insulation for the roofs and walls
 - Ø Incorporating motion sensors and lighting and climate control
 - Ø Use of efficient, directed exterior lighting
 - Ø Reducing overall energy demand through appropriate design and sizing of systems
 - Ø Supplementation with self-generated energy (e.g., on-site renewable energy sources)

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- Ø 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 in Appendix D of the FSGEIS, 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 in Appendix D of the FSGEIS, 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.⁴ According to the most recent USFWS white-nose syndrome zone map, 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),⁵ includes certain prohibitions against incidental take, which is defined as killing, wounding,

⁴ Federal Register Vol. 80, No. 63. Thursday, April 2, 2015.

⁵ Federal Register Vol. 81, No. 9. Thursday, January 14, 2016.

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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. 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 south of both runways and also within the lands comprising the CPB Core Preservation Area at the western portion of the EPCAL site.

- † 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).
- † 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 Memorandum of Agreement (MOA), and

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mitigation, as identified by OPRHP and the Town based on the specific circumstance, will be employed.

Facts, Conclusions and Mitigation Measures Contained within the GEIS Relied Upon to Support the Lead Agency Decision

In accordance with 6 NYCRR §617.11, the Town Board has considered the DSGEIS and FSGEIS for the proposed action, as well as the 1997 DEIS, 1997 FEIS, and original Findings Statement, and certifies that it has met the requirements of 6 NYCRR Part 617. The commentary received from involved agencies and interested parties was used in the analysis of significant impacts to the environment, and this Supplemental Findings Statement contains the facts and conclusions in the DSGEIS and FSGEIS relied upon by the lead agency to support its decision and indicates those factors that formed the basis of the decision.

Further, upon due consideration and among the reasonable alternatives available, the Town Board, as lead agency, has determined that based upon the potential significant environmental impacts identified in the SGEIS, the following includes the mitigation measures to be incorporated into the decision to ensure that such impacts will be avoided or minimized to the maximum extent practicable, to wit:

Land Use and Zoning

1. The EPCAL Property constitutes a portion of the former Calverton NWIRP property, which has been underutilized since its transfer from the U.S. Navy to the Town of Riverhead in 1998 for economic development purposes. The subject property is classified within four Town zoning districts: Calverton Office, Light Industrial, Planned Industrial Park and Planned Recreational Park. However, use and development of the property has been limited, and the economic development goals have not been achieved.

The goal of redevelopment of the EPCAL Property has been sought by the Town of Riverhead since the adoption of the *Comprehensive Reuse Strategy for the NWIRP at Calverton, Riverhead, Long Island*, in March 1996. The objectives outlined in that document were to attract private investment, increase the tax base, maximize job creation and enhance the regional quality of life. However, as stated above, redevelopment and economic development has not been fully achieved at EPCAL, partially due to the limited uses and restrictions prescribed by existing zoning and a lack of connection between such permitted uses and actual market conditions.

From a zoning perspective, the PD District being contemplated by the Town Board as part of this proposed action would allow the Town to respond to market changes and would permit a variety of uses while maintaining the overall economic development objectives of the redevelopment of the subject property and protecting sensitive environmental resources. Accordingly, the proposed PD District would help the Town to achieve the goals contemplated at the time the property was transferred by the U.S. Navy and the adoption of the aforesaid *Comprehensive Reuse Strategy*.

2. The 2,900±-acre, “inside-the-fence” area of the NWIRP/Grumman property, was deemed an urban renewal area and the *Calverton Enterprise Park Urban Renewal Plan*, which was adopted in 1998, concluded that, based on the existing conditions of the site and land use and development trends,

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redevelopment efforts should focus on utilizing existing infrastructure, respecting the natural environment, and encouraging redevelopment that reflects the existing character of the region. The 1998 *Urban Renewal Plan* calls for the adoption of a planned development district to permit multiple uses, extension of the Riverhead Water District, upgrades to the STP and improvements to existing area roadways. Following Articles 15 and 15A of New York State General Municipal Law, the 1998 *Urban Renewal Plan* permits amendments to that *Urban Renewal Plan*. As part of the proposed action, amendments are proposed to the *Urban Renewal Plan* that would reflect the current site conditions, current land use and development trends, any policy changes that have occurred since the adoption of the 1998 *Urban Renewal Plan*, and appropriate uses that are reflective of market conditions. Accordingly, adoption of the proposed amendments to the *Urban Renewal Plan* would facilitate the achievement of the economic development and environmental protection goals of the Town at EPCAL.

3. The eastern runway has been, and continues to be, an active runway and would be available for such use in the future. The western runway would also be available for its historic aviation use and/or renewable energy uses. Certain uses, such as model airplanes, car racing and windmills/turbines would not be permitted on either runway. Any proposed change in runway uses that would not comply with the foregoing would require additional environmental review.
4. The proposed action would be consistent with the goals, objectives and other applicable elements of the *2003 Town of Riverhead Comprehensive Plan*.
5. As described above, approximately 593.2 acres of the EPCAL Property would be available for development (excluding DRAs, roads and ROWs and including the western runway) and approximately 1,514 acres would be preserved and protected. Therefore, approximately 65 percent of the property will be preserved.
6. The subject property is located within the Long Island Central Pine Barrens. Approximately 300 acres on the western property are located within the Core Preservation Area and the remainder of the property is within the Compatible Growth Area. The Core Preservation Area will remain undisturbed. Pursuant to Chapter 9 (Section 9.2) of the "Comprehensive Land Use Plan" (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...[t]his policy was approved unanimously by resolution of the Commission at its 1/11/95 meeting." Nevertheless, the Town prepared an analysis with the standards and guidelines of the CLUP, and based upon this analysis, the proposed action was found to be in compliance with such standards and guidelines.
7. A 200-foot-wide non-disturbance buffer, incorporating the Peconic WSRRS Corridor, will be placed along Grumman Boulevard, north of the existing ROW and the proposed 20-foot-wide ROW dedicated for highway purposes, in the vicinity of proposed lots 30 and 31 (as depicted on the proposed Subdivision Map included in Appendix D of the FSGEIS). The ROW and buffer along Grumman Boulevard will protect the forested vegetation in that area and visually screen and soften

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views of future development of proposed lots 30 and 31. In addition, much of the area along Grumman Boulevard will remain undisturbed, as discussed in the *Visual Resources* section, below.

8. Along NY 25, there will be a 20-foot-wide ROW dedicated for highway purposes, followed to the south by a 25-foot-wide ROW to be controlled by the Town CDA, which will include the walkway/bike trail. This ROW will be followed, to the south, by a 25-foot-wide vegetated buffer to be maintained on the individual lots that abut NY 25. These ROWs and buffers will maintain the visual character of the area and protect existing vegetation. The *Visual Resources* section, below, provides additional details regarding the buffers.
9. The walkway/bike trail will be maintained within a 25-foot-wide ROW located along NY 25 and will generally continue around the perimeter of the property. The walkway/bike trail will be located within the ROW along Grumman Boulevard. In isolated areas of the site, the segments of the walkway/bike trail that are not present will be established to provide a continuous ring. This alignment will circle the entire property for a length of approximately ten and one-half miles. The presence of this trail will provide recreational and fitness opportunities for the occupants of and visitors to the subdivision and for the public in general.

Socioeconomics

1. A Market Assessment and an Absorption Study were prepared by RKG Associates, Inc. (RKG) and Jeffrey Donohue Associates LLC for the purpose of analyzing socioeconomic (including demographic) trends, and providing an economic foundation for the development of alternative concepts for redevelopment of the EPCAL property and to analyze the potential land absorption, in terms of acreage and by use, for the development of the EPCAL site over the next fifteen years. According to RKG, there are a variety of different uses that could be feasible over the multi-decade redevelopment horizon, including, but not necessarily limited to: Multi-Modal Freight Village; Agri-Business/Food Processing; High-Tech Business/Green Technology/Research Park; Mixed Use Planned Development; Specialty Uses (e.g., aviation, entertainment, tourism), as described below.

Based upon the Market Assessment and associated review by the Town Board, the PD District has been drafted to permit high-tech business, energy production, research and development, light industrial and aviation uses, with limited supportive residential and retail uses, and a potential energy park. Permitting these land uses will result in socioeconomic benefits, and will help the Town achieve its goal of economic development on the EPCAL property.

2. Construction activities would have a positive economic effect during the construction period. The regional economic benefits include direct expenditure on construction goods and services and indirect and induced economic activity within the region. Based on a projected labor cost of \$582.5 million for full build-out under the Theoretical Mixed-use Development Program, the proposed development is projected to generate 482± full-time equivalent (FTE) construction jobs per year, or 9,635± FTE construction jobs over the anticipated build-out.
3. Permanent job generation ratios were calculated on a per-square-foot basis for the proposed mix of uses for the purposes of estimating the permanent job generation potential of the proposed full

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build-out. The full build-out under the Theoretical Mixed-Use Development Program would be expected to generate thousands of permanent jobs (between approximately 5,400 and 25,000 in various fields, depending upon the ultimate level and type of development constructed).

4. Significant long-term economic benefits would result from implementation of the proposed action. Based on 2014 tax rates, the total projected property taxes, depending upon the ultimate level and type of development that is constructed, is expected to range between \$8,500,000± and \$40,000,000+.

Based upon the foregoing, the proposed action has been developed to address the need for redevelopment of the EPCAL Property, such that it becomes a significant economic engine for growth and development within the Town of Riverhead, Suffolk County and State of New York, in accordance with the objectives of the federal government with respect to the transfer of the property to the Town of Riverhead.

Community Facilities and Services

1. The EPCAL Property is located within the jurisdiction of three fire districts. The majority of the subject property is situated within the service boundary of the Manorville Fire District. The service boundary of the Wading River Fire Department encompasses the northern portion of the subject property, running parallel to NY 25. The service area of the Town of Riverhead Fire District encompasses the southeastern portion of the subject property, primarily east of Calverton. While most of the area within proposed Lots 1 through 9 and 17 through 22 is within the Wading River Fire Department jurisdiction, the southern portion of these lots are located within the Manorville Fire District, as is most of the remainder of the development lots. At this time, both of these fire departments would share the responsibility of providing services to these lots. While the Board of Assessors has advised that it cannot determine the exact portion of property taxes that would be paid to each fire district, once development occurs within the subdivision, specific property taxes (based upon the \$51.2± million assessed value) will be apportioned appropriately. This revenue could be used to offset costs associated with increased demand for service. Furthermore, in order to ensure that there would be no significant adverse impacts to the fire departments, future development would include: state-of-the-art building construction in accordance with the latest fire and building code regulations (which would incorporate the latest techniques and technology for optimizing fire suppression and fire protection); proper hydrant and standpipe placement; installation of fire control panels; and proper internal roadway design to accommodate emergency vehicles. Based upon the foregoing, no significant adverse impacts relating to fire protection are expected.
2. Emergency medical services (EMS) are provided to the subject property by the ambulance company associated with the Riverhead Volunteer Ambulance Corps, Inc. (RVAC). In addition, the Wading River Fire Department provides EMS services. The RVAC services almost the entire EPCAL Property with the exception of approximately 197 acres in the northern portion of the property, located within 500 feet of NY 25, west of Fresh Pond Road. RVAC indicated that there is little margin to accommodate an increase in call volume. The stations have insufficient space and facilities to meet current staffing and call volume. According RVAC, any significant increase

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in call volume, especially in the western half of the Ambulance District would require the addition of a substation in that area, at least one additional ambulance and one additional first response vehicle. In order to address these concerns, the RVAC is expected to receive between approximately \$99,000 per year and \$494,000 per year at full build-out, depending upon actual level and type of development constructed. In addition, Lot 21, as shown on the proposed Subdivision Map (contained in Appendix D of the FSGEIS), which is approximately nine acres in size, would, in the future, continue to contain the existing one-acre Grumman Memorial Park. Due to the size of the overall parcel, it would also be available to community service providers (e.g., ambulance, fire, police) for establishment of satellite facilities. Therefore, no significant adverse impacts to EMS/ambulance services are projected.

3. The nearest receiving hospital to the subject property is the Peconic Bay Medical Center (PBMC), located at 1300 Roanoke Avenue in the Town of Riverhead, approximately eight miles east of the subject property. In addition, there are five other hospitals with 1,800 beds within a 25-mile radius of the subject property. While there will be a need for hospital beds to serve the permanent population, as residential development would be a relatively small portion of overall development at EPCAL, the need is not expected to be great. Based upon the foregoing, it is not anticipated that the proposed development would adversely impact health care services in the area.
4. The Town of Riverhead Police Department currently services the EPCAL Property. Based upon the analysis conducted, it is not expected that development of the EPCAL Property would result in a demand that causes significant adverse impacts to police services. It is anticipated that future tenants (e.g., industrial, office, energy park) would provide for their own internal safety and security operations. This may assist in reducing the number of calls to the Riverhead Police Department. While the EPCAL Property is currently not generating any property taxes, the site and surrounding area are currently patrolled by the Town of Riverhead Police Department. Upon redevelopment, the property will be placed back onto the tax rolls and future tenants will be generating property taxes to the Town of Riverhead General Fund, approximately 50 percent of which (between approximately \$1,000,000 and \$5,000,000 annually, depending upon the level and type of development ultimately constructed) will go to the Riverhead Police Department. This will help to address the potential increase in service demand.
5. The collection and disposal of all solid waste generated by the future development would be in conformance with Chapter 103, *Solid Waste Management*, of the Town of Riverhead Town Code. Development of the EPCAL Property in accordance with the Theoretical Mixed-Use Development Program would generate between approximately 352 tons per month and approximately 2,218 tons per month, depending upon the level and type of development ultimately constructed. The collection and disposal of solid waste would be performed by licensed, private carters. Thus, the ultimate disposal locations are at the discretion of the carter, pursuant to its disposal agreements, and thus, would not be expected to result in significant adverse impacts to the Town's waste management facilities, practices or plans. Furthermore, recycling would be encouraged and provision would be made for appropriate recycling containers. Therefore, no significant adverse impacts regarding solid waste are anticipated.

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6. The subject property is located within the Riverhead Central School District (CSD). Based on data from the New York State Education Department website, the school enrollment within the overall Riverhead CSD for the 2012-2013 school year was 5,234, and for the 2013-14 school year enrollment was estimated at 5,015 children. The Town contemplates that future residential units could potentially be constructed at the EPCAL property to support the non-residential development that would take place at EPCAL. As the project is in the environmental analysis stage and no specific development is proposed, the residential units have not been designed. However, using widely-accepted published generation factors, such residences would be expected to generate 0.22 school-aged children per unit (assuming a maximum of 300 units, this represents approximately 66 school-aged children). For the 2013-14 school year, the per pupil expenditure in the Riverhead CSD was calculated at \$23,450±. Therefore, the total cost to the Riverhead CSD, assuming the addition of 66 students, would be approximately \$1,547,700 (based upon current expenditure per pupil). Since school property tax generation would be expected to range between approximately \$5,000,000 and approximately \$25,000,000, depending upon the level and type of development ultimately constructed, there would be a substantial annual net fiscal benefit to the Riverhead CSD, as the property tax generation from the proposed non-residential development on the site would more than offset the cost of educating the additional students that may reside on the site.

Transportation

1. Traffic was a significant issue evaluated in the SGEIS. In order to ensure that potential traffic impacts were comprehensively evaluated, detailed traffic analyses were conducted in the DSGEIS and the FSGEIS, which evaluated existing traffic conditions and future traffic conditions, both with and without the proposed action (i.e., the “Build” and “No Build” conditions, respectively). The No-Build condition represented the future traffic conditions that can be expected to occur, were the proposed subdivision developed. The No-Build condition serves to provide a comparison to the Build condition, which represents expected future traffic conditions resulting from both project- and non-project-generated traffic. Background traffic volumes in the study area were projected to the anticipated interim build year of 2025 and the ultimate build-out of 2035. The normal weekday commuting hours in combination with the peak hour site traffic is the critical condition with regard to the determination of traffic impacts and the development of appropriate mitigation. The following roadways were examined: Middle Country Road (NY 25), Wading River Manor Road, Edwards Avenue, Grumman Boulevard, River Road, and Burman Boulevard. The following intersections were analyzed in the DSGEIS:

Signalized Intersections

- † Middle Country Road (NY 25) and Wading River Manor Road
- † Middle Country Road (NY 25) and Burman Boulevard
- † Middle Country Road (NY 25) and NY Route 25A
- † Middle Country Road (NY 25) and Edwards Avenue
- † Middle Country Road (NY 25) and Splish Splash Drive/Manor Road

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Unsignalized Intersections

- † Edwards Avenue and River Road
- † Grumman Boulevard and Burman Boulevard
- † Wading River Manor Road and Grumman Boulevard
- † Wading River Road/Schultz Road and North Street
- † Wading River Road and Long Island Expressway (LIE) North Service Road
- † Wading River Road and LIE South Service Road.

In addition, in order to understand the traffic patterns on Middle Country Road in the vicinity of the site, as well as traffic on Burman Boulevard, Automatic Traffic Recorders were installed at the following locations:

- † On Middle Country Road (NY 25) east of Burman Boulevard
- † On Middle Country Road (NY 25) west of Burman Boulevard
- † On Burman Boulevard south of Middle Country Road (NY 25)
- † On Burman Boulevard north of Grumman Boulevard.

2. The analyses determined that extensive traffic mitigation measures would have to be implemented to accommodate various levels of development at the EPCAL Property. The mitigation identified is based upon the Theoretical Mixed-Use Development Program evaluated in the SGEIS. However, the actual uses developed will determine the actual traffic generation and the mitigation required (i.e., the traffic generated by a solar farm is negligible, but the traffic generated by a large-scale manufacturing facility could be substantial). In order to ensure that the traffic generated by the permitted development can be adequately mitigated, as each use is approved, constructed and occupied, traffic counts must be taken at the individual lot access points (as counting of the subdivision access points to the external road network would capture traffic not associated with the subdivided lots). The counts must capture the weekday a.m. peak period of activity, as this has been determined to be the critical time period.

Based upon the analyses conducted as part of this SEQRA process, the maximum number of trips that could be generated at this site and reasonably mitigated at this site 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 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.

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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 (below) 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,

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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.

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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 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 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 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 115 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>AM/PM Cycle length: 100 seconds 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 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 Multi-phase Actuated-Coordinated signal</p> <p>Westbound Lefts turns fully protected Eastbound left turns protected/permitted</p> <p>North-south split phasing</p> <p>AM/PM Cycle length: 100 seconds 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 Saturday Cycle length : 100 Seconds</p> <p>NB right turn overlaps WBL 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 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.

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

3. Under current conditions (e.g., given available rights-of-way, available land to expand rights-of-way), it would not be possible to accommodate a trip generation level of 5,000 total trips (combined entering and exiting) during the critical weekday a.m. peak hour. If the aforesaid 5,000 total trip level in the a.m. peak hour is reached, and the Town seeks to permit additional development, additional SEQRA review would have to be undertaken.
4. Access to the site from NY 25 will be provided by the existing signalized access point at Burman Boulevard. In addition, while not currently proposed to be developed, the rights-of-way for the construction of access on NY 25, both west and east of Burman Boulevard, have been provided for potential future use. Two access points would be provided on Grumman Boulevard and River Road, along the south of the site. One of these will be the existing Burman Boulevard T-intersection with River Road, which would be signalized. A second access point would be developed to the west of Burman Boulevard, forming a new T-intersection with Grumman Boulevard which would be signalized. The proposed Subdivision Map contained in Appendix D of the FSGEIS includes a system of internal roadways designed to provide connections from the external access point to the proposed lots. These proposed internal roadways, with the exception of some of the roadways leading to the access points, provide a paved width of 37 feet and a 55-foot right-of-way. In addition, the existing Burman Boulevard, which bisects the site between Middle Country Road and River Road, will remain to serve the proposed development. These internal roadways will remain under the jurisdiction and maintenance of the Town of Riverhead. STOP control should be installed on the minor legs of the internal intersections initially. As the subdivision occupancy increases, some of the internal intersections may be candidates for signalization. This situation should be monitored and traffic signals considered, if and when they become appropriate.
5. Significant infrastructure will be provided within the proposed subdivision dedicated to pedestrians and bicyclists. The entire former Calverton NWIRP is ringed by a walkway/bike trail, which exists just inside the existing fence. As part of the proposed action, this walkway/bike trail will be included in a 25-foot-wide right-of-way to be controlled by the Town of Riverhead CDA. The presence of this walkway/bike trail will provide recreational and fitness opportunities for the occupants of and visitors to the subdivision and for the public in general. While improvements have been identified for Middle Country Road, which includes widening of Middle Country Road, this widening must be performed to the requirements of the NYSDOT. It is anticipated that any widening of Middle Country Road will include a safety shoulder and will likely include a dedicated bicycle lane and sidewalks in areas with any significant roadside development.
6. When the Calverton NWIRP plant was in operation, it was served by a rail spur, which extended from the Ronkonkoma Branch, south of the site near Connecticut Avenue, north into the plant. This spur was utilized to move bulk materials and large items from points west to the plant for use in their manufacturing operations. This spur, long in a state of disrepair, was reconstructed and modernized in 2011 and returned to freight operations. It is utilized by some of the existing industrial uses that occupy the Calverton Camelot industrial subdivision, which is located adjacent to the proposed subdivision. The presence of the rail spur provides an opportunity for its use by future occupants of the EPCAL subdivision and could potentially reduce truck traffic to and from the site.
7. The proposed subdivision and proposed PD District envision a range of potential land uses from light industrial to energy park to multi-family housing, and includes uses such as office and retail.

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As such, there may be a wide range of parking needs within the subdivision. Based on the parking analyses and the projected parking demand from mixed-use development in accordance with the PD District, parking ratios have been established that will ensure that there is sufficient parking to meet the demand. Accordingly, implementation of the proposed action will not result in significant adverse impacts to parking.

8. The proposed subdivision of the EPCAL property would result in construction of improvements to the subdivision lots over a period of many years. This study identified two analysis years, 2025 and 2035, as representative forecast years for which to evaluate potential impacts. Given the extended build-out anticipated, the exact duration and nature of construction on specific lots cannot be known at this time. However, in order to mitigate potential construction-related impacts, the Town requires a construction traffic management and logistics plan be developed and filed with each site plan application. It shall be made clear through the approval process that heavy vehicles shall arrive and depart the subdivision via major roadways only and avoid secondary minor streets.
9. It is recommended that the posted speed limit on the section of NY 25 between just east of CR 46 and east of Manor Road/Splish Splash Drive be set to 45 miles per hour (see discussion in the *Noise* section, below). However, this decision is ultimately under the jurisdiction of the NYSDOT.

Air Quality

1. An air quality evaluation was performed for the proposed action, which demonstrated that the development of the proposed project would not result in adverse air quality impacts. The air quality analysis evaluated existing conditions, the local air quality impacts from the proposed action, construction activity, and air toxics.

The microscale analysis evaluated site-specific impacts from the vehicles traveling through congested intersections in the study area. This analysis demonstrates that all existing and future carbon monoxide concentrations are below the National Ambient Air Quality Standards (NAAQS). Specifically,

- † All the one-hour carbon monoxide (CO) concentrations ranged from 3.3 to 3.6 ppm and are well below the CO NAAQS of 35 ppm.
- † All the eight-hour CO concentrations ranged from 2.3 to 2.6 ppm and are below the CO NAAQS of 9 ppm.

The air quality study demonstrates that the proposed project conforms to the Clean Air Act Amendments (CAAA) and the State Implementation Plan (SIP) because:

- † No violation of the NAAQS would be expected to be created.

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- † No increase in the frequency or severity of any existing violations (none of which are related to this development) would be anticipated to occur.
- † No delay in attainment of any NAAQS would be expected to result due to the implementation of the proposed action.

Furthermore, the following measures have been incorporated into the proposed action that will minimize air quality impacts:

- † The proposed operational and physical roadway improvements will assist in reducing air quality impacts associated with mobile sources.
- † Future development will be designed to meet or exceed the New York State Energy Conservation Construction Code, which requires the use of energy efficient products in all new and renovated construction.
- † With respect to stationary sources, during the proposed project's design phase, the following greenhouse gas mitigation measures will be considered and encouraged:
 - Ø Use of highly-reflective (high albedo) roofing materials
 - Ø Use of green roofs
 - Ø Maximization of interior daylighting
 - Ø Glazing of windows
 - Ø Installation of high-efficiency heating, ventilation and air conditioning systems
 - Ø Incorporating additional insulation for the roofs and walls
 - Ø Incorporating motion sensors and lighting and climate control
 - Ø Use of efficient, directed exterior lighting
 - Ø Reducing overall energy demand through appropriate design and sizing of systems
 - Ø Supplementation with self-generated energy (e.g., on-site renewable energy sources)
 - Ø Tracking of energy performance of building and developing a strategy to maintain efficiency.

Based upon this analysis, no significant adverse air quality impacts from the operational phase of the future development are anticipated.

Construction activities associated with the proposed action could result in a temporary increase in air quality impacts. The primary source of potential emissions is from fugitive dust resulting from construction operations (e.g., earthwork, clearing, grading, creation of stockpiles). In order to minimize this potential, dust control measures will be used during construction to protect air resources. The appropriate methods of dust control would be determined by the surfaces affected (i.e., roadways or disturbed areas) and would include, as necessary, the application of water, spray adhesives, the use of stone in construction roads, and vegetative cover.

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Furthermore, during construction, there is the potential for emissions associated with construction vehicles. Therefore, emission controls for construction vehicles emissions will include, as appropriate, proper maintenance of all motor vehicles, machinery, and equipment associated with construction activities, such as, the maintenance of manufacturer's muffler equipment or other regulatory-required emissions control devices.

Accordingly, no significant adverse impacts to air quality are anticipated during the construction period.

Noise

1. Implementation of the proposed action will result in both vehicular traffic and building operation noise sources. The vehicular traffic noise sources were compared to the Federal Highway Administration (FHWA) and the NYSDOT noise impact criteria and the building's mechanical equipment and operations were compared to the Town of Riverhead's noise control criteria. The equivalent sound level, or L_{eq} , is used as the monitoring and modeled sound level descriptor. The L_{eq} averages the background sound levels with short-term transient sound levels and provides a uniform method for comparing sound levels that vary over time. Based upon noise monitoring, the L_{eq} values at all monitoring locations, during all peak periods monitored, range between 46.3 dB(A) and 54.5 dB(A). The L_{eq} sound levels are below the lowest Noise Abatement Criteria (NAC) threshold [57 dB(A)] established by the FHWA to help protect the public health and welfare from excessive vehicular traffic noise.

The L_{dn} sound level is the average of aircraft sound levels at a location over a complete 24-hour period. A ten-decibel "penalty" is added to those noise events which take place between 10:00 p.m. and 7:00 a.m. (local time). This ten-decibel adjustment represents the added intrusiveness of sounds that occur during normal sleeping hours. The flight tracks of the military jets previously operating at the site indicated that there were 242 flights per day that resulted in L_{dn} sound level contours that ranged from 65 dB through 85 dB over most of the EPCAL Property, as well as a small area of approximately ten acres south of Grumman Boulevard. Based upon the noise monitoring data, the elimination of the military jets operating at the subject property has resulted in a substantial reduction in L_{dn} sound level contours that now range from 44 dB to 53 dB.

The noise study evaluated the mobile and stationary source sound levels associated with the proposed project to determine the potential change in sound levels at receptor locations on and in the vicinity of the EPCAL Property. The future sound levels included cumulative impacts from traffic growth over time and increases in traffic from the proposed project and other significant projects in the study area. The future sound levels were calculated following procedures and guidance of the FHWA and NYSDOT. Based upon the analysis, there are a number of receptors that would be impacted by the noise associated with the future traffic on area roadways, assuming that the subject site is built out as evaluated in the DSGEIS. However, if the uses that are ultimately developed on the site are less noise intensive and/or generate less traffic, the number of receptors experiencing noise impacts would be reduced.

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Since travel speed is a major factor associated with vehicular traffic, managing the travel speed along a roadway could reduce sound levels at nearby receptor locations. Based upon this analysis, a five-mile-per-hour reduction in speed limit (to 45 miles per hour) could be employed on NY 25 to reduced noise levels, if necessary. However, the NYSDOT will make the final determination regarding the speed limit of NY 25.

Future development on the EPCAL Property will be required to be designed to minimize its sound levels to the surrounding areas. Moreover, specific development would include the necessary mitigation measures, such as:

- † For potential noise-generating equipment on the exterior of buildings, equipment meeting applicable acoustic standards would be required
- † Acoustic enclosures and exhaust silencers would be required if equipment is expected to generate excessive noise
- † Equipment to be located on the roof of a building would be situated away from residential areas or in a penthouse.

With the incorporation the measures cited above, operational noise associated with future development occurring in conformance with the proposed action would not have a significant adverse noise impact.

2. Impacts on community sound levels during construction would include noise from construction equipment operating at the subject property. The sound levels would vary widely, depending on the specific construction activities being conducted and where the construction activities were occurring. Increased noise levels would be greatest during the early stages of each construction phase, although these periods would be of relatively short duration. The noise generated would be similar to other construction projects in the Town and all phases of construction would comply with the restrictions specified in the Town's *Noise Control* ordinance (Chapter 81 of the Town Code), such as days of week and time of day. Thus, no significant adverse noise impact during the construction period is expected.

Infrastructure

1. In conjunction with the Calverton STP, the existing network of gravity sewers, pump stations, and force mains has been supplemented in recent years in conjunction with the ongoing development of Calverton Camelot to include the extension of gravity sewers generally coincident with the Calverton Camelot roadways. The NYSDEC recognizes that the STP cannot meet current standards because of the low current flows and the composition of the sewage (no food, so it cannot create and maintain biomass for treatment). Therefore, the development of the EPCAL property would alleviate this situation by increasing the flow and providing varied waste materials. The upgraded STP would require a new/revised SPDES permit. It is estimated that development at EPCAL Property would generate between approximately 252,000 gpd of sewage effluent and 1,137,000 gpd of sewage effluent, depending upon the actual level and type of development constructed. The proposed upgrade and expansion of the existing Calverton Sewer District sanitary

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collection, conveyance and treatment facilities will be phased to accommodate the amount and type of development anticipated and evaluated in the SGEIS. The Town's consultant, H2M, has prepared a map and plan for the Calverton STP upgrade, including moving the discharge area north of the groundwater divide. This map and plan was submitted to the New York State Environmental Facilities Corporation (NYSEFC) in July 2015. The Town has not yet received comments from the NYSDEFEC. In addition, a NYSEFC loan application package was also submitted to NYSEFC in March 2016 to take advantage of its low interest long-term loans and short-term borrowing. Also, the Riverhead Town Board held a Public Hearing on April 19, 2016 wherein the project was described and the project budget presented and to seek comments on the proposed measures to upgrade the plant and eliminate the Peconic Estuary outfall. The Public Hearing comment has been closed and the Town Board passed a Bond Authorization and Estoppel Notice at the June 7, 2016 Town Board meeting. Additionally, the Town is awaiting approval from NYSEFC on the Design Report. The Town has secured the following four grants totaling \$6,941,000, which cover approximately 92 percent of the total project cost of \$7,560,000. The proposed STP upgrade schedule is as follows: Design Start Date - August 1, 2016; Construction Start Date - June 1, 2017; and Construction End Date - December 31, 2019.

2. Whereas currently sewage effluent generated by the STP is discharged into McKay Lake, in the future, such sewage effluent will be piped to an area north of the groundwater divide (Lot 42 on the proposed Subdivision Map in Appendix D of the FSGEIS) and will be disposed of in an area that would not impact the Peconic River watershed to the south. Based upon the upgrade to the STP and the relocation of the outfall, the proposed action is not expected to result in significant adverse impacts related to sewage disposal.
3. With an estimated peak water use of 350,000 gpd (243 GPM), the Riverhead Water District (RWD) would have sufficient supply well pumping capacity to meet the demands associated with the interim development level analyzed in the SGEIS. 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) to accommodate District-wide growth. With an estimated peak water use of 1,990,000 gpd (1,382 GPM) at full build-out at EPCAL, 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. Water conservation measures, which may include low-flow fixtures, low-flow toilets, and/or drip irrigation, will be required for new development at the EPCAL Property. Based upon the proposed mitigation, and with the addition of one-to-two new wells (depending upon the ultimate level and type of development ultimately constructed at EPCAL, the proposed action would not have a significant adverse impact on the water supply.
4. An overall SWPPP will be prepared for the subdivision incorporating measures to control erosion and sedimentation in accordance with Chapter 110, *Stormwater Management and Erosion and Sediment Control*, of the Town Code. Each individual lot (at the time of development) will be

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required to conform to the overall SWPPP and provide site-specific details regarding erosion and sedimentation control. Implementation of the sequenced construction process and other best management practices would assist in ensuring that the proposed development would minimize the stormwater runoff impact to groundwater and surface water resources.

5. The integrated stormwater management system (i.e., the collection system and drainage reserve areas) on the property would contain and recharge all stormwater on-site and would also serve to reduce pollutants that can be transported by stormwater runoff, from leaving the site as well. 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 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. Further, the majority of the proposed drainage reserve areas will be restored to grassland, once reshaped, to contain the appropriate volume from an eight-inch runoff. The drainage reserve areas (DRAs) proposed to be re-vegetated to grassland will become part of the drainage infrastructure (in conjunction with the roads, catch basins, etc.); however, such DRAs would be maintained by the Town or Special District, if created by the Town, to manage the grasslands under the guidance of the CHPP. Where possible, the areas encompassing the DRA's will be left in their natural state. In such cases, no drainage structures (e.g., drywells) will be installed. Where grading is required in order to provide for the required storage volume or allow for the construction of the adjacent road, the areas will be restored with slopes that approximate the surrounding areas (typically no more than 1V:6H). Disturbed areas will be restored with a seed mix consistent with the existing natural areas, which will be detailed on the Final Subdivision Plans. The Town will maintain the grasslands in a manner consistent with the CHPP, which will be noted on the Final Subdivision Plans.

As the proposed stormwater management system includes various methods of drainage (i.e., drywells, drainage reserve areas) and all stormwater would be handled on-site and in accordance with Town of Riverhead requirements), no significant adverse impacts are expected to result from the anticipated stormwater generation and runoff.

6. There is a natural gas line that serves the site and such service is provided to the area by National Grid. As the individual lots are sold for development, the individual owners must secure a service availability letter from National Grid with respect to their specific natural gas load requirements.

Electric service is currently provided to the site by PSEG Long Island. PSEG Long Island responded that it will provide service to the proposed project in accordance with their filed tariff and schedules in effect at the time the service is required. According to the letter, the service is to be provided via customer installed underground cable to pole line on the south side of NY 25A. As the individual lots are sold for development, the individual owners must secure a service availability letter from PSEG Long Island with respect to their specific electric load requirements.

Based upon the information provided by the service providers, no significant adverse impacts to natural gas or electrical service are anticipated.

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Cultural Resources

1. As part of the environmental review in 1996, the U.S. Navy performed extensive historic and archaeological surveys of the NWIRP Calverton property in coordination with the OPRHP or SHPO, and in compliance with Sections 106 and 110 of the National Historic Preservation Act (NHPA) of 1966, as amended; Executive Order 11593; and NEPA. The prehistoric periods and historic period (1609 -1952), as well as the Grumman Era at Calverton (1952-1996) were analyzed in the environmental review process.

A review of the National Register files of OPRHP showed that no architectural or cultural resources within the NWIRP Calverton Property are listed in the national or state registers. No cultural resources, determined eligible but not yet listed in the registers, are located within the NWIRP Calverton Property. In addition, the U.S. Navy received concurrence from the SHPO with findings of non-eligibility for a potential historic district.

Phase IA and Phase IB Archeological Surveys were undertaken. Based upon these surveys, the area of archaeological sensitivity was concluded to be approximately 50 acres. Future consultations between the Town CDA and SHPO were outlined in MOA filed with the Town of Riverhead.

Pursuant to the MOA, the conveyance document contained covenants to ensure the protection of such properties. This satisfied the requirements of 36 CFR 800.9[b] and mitigated the adverse effects of the transfer on the eligible historic properties. Based upon the foregoing, upon conveyance of the subject property from the U.S. Navy to the Town CDA, an agreement between the Town CDA and SHPO was executed on August 27, 1998 to establish specific covenants on the subject property related to historic and archaeological resources. Based upon the covenants, if in the future, the archaeological sensitivity map is revised such that the archaeologically sensitive areas are reduced in size due to the revision of boundaries of these areas, as authorized by the OPRHP, the provisions of the covenant will only apply to the reduced areas.

The only segment of the EPCAL Property that is still within an area that has been identified as culturally sensitive is located in the northeastern portion of the EPCAL Property. This area is located outside the developable lots, is proposed to be preserved as open space, and thus would not be adversely impacted by the proposed action.

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.” 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. Based upon the foregoing, there would be no significant adverse impacts to cultural resources.

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Geology, Soils and Topography

1. Since bedrock is estimated to be located approximately 1,200 feet beneath the EPCAL Property, there are no geologic features at the subject property, and no extensive excavation or filling of the property is anticipated, implementation of the proposed action would have no impact on the geological resources underlying the property.
2. A portion of the EPCAL Property has been previously disturbed by various earth-moving activities associated with the site's use as naval weapons production and air plane testing facility. While additional soils will be disturbed in order to implement the proposed action, the soils located in areas designated for preservation or open space, which comprise approximately 1,514 acres (65± percent of the site), would not be disturbed or altered.

As part of site-specific applications for development within the EPCAL Property, applicants would be required to conduct on-site borings to determine specific soil conditions, and to ensure that appropriate measures are implemented to mitigate issues that may arise (e.g., the potential need for topsoil to establish landscaping, the potential need for excavation of unsuitable soils and the potential importation of material to facilitate proper drainage).

3. The disturbance of soils for construction and regrading activities increases the potential for erosion and sedimentation. All development within the EPCAL Property would be required to employ proper erosion and sedimentation controls (e.g., the strategic placement of silt fencing and hay bales to prevent overland runoff and to protect on-site drywells from siltation, maintenance of construction entrances to minimize the transport of sediment on to roadways, placement of appropriate cover over soil stockpiles to protect from wind and precipitation). Also, the Town of Riverhead requires the preparation of a Stormwater Pollution Prevention Plan in accordance with Chapter 110, *Stormwater Management and Erosion and Sediment Control*, of the Town Code.
4. Since the topography is relatively flat with moderate slopes, the topographic conditions would not be expected to limit the potential development/redevelopment of the site. Furthermore, as part of the site plan approval, applications for development would be required to comply with Chapter 63, *Grading*, of the Town Code. The cut and fill of the subdivision infrastructure (including roads and stormwater facilities) is expected to be balanced. Site engineering plans for each of the individual parcels will be developed based on detailed and accurate topographic information and detailed architectural design for the buildings. There would be opportunity during the development of the various lots to design grading plans so as to ensure earthwork will be balanced as development proceeds. Further, phasing of the project over a number of years would minimize the impact of excavation, as it would spread out the number of truck trips associated with soil removal.

Based upon the foregoing, no significant adverse impacts to on-site geology, soils or topography would result during either the construction or operational phases of the future development.

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Water Quality and Hydrology

1. The northern branch of the groundwater divide bisects the subject property, such that the northern portion of the site exhibits horizontal groundwater flow toward the north. The southern portion of the site is situated between the northern and southern branches of the divide, such that shallow flow recharge travels toward the Peconic River, or downward and eastward within the Magothy aquifer. The subject property is located in Zone III, which encompasses the eastern portion of the Magothy recharge zone and is generally of high water quality. However, it is partially within an area identified with shallow groundwater contamination with organics. It is also located within the Central Suffolk Special Groundwater Protection Area (SGPA), which is considered to be a Critical Environmental Area (CEA) for the purposes of SEQRA, and is located within the Central Suffolk Pine Barrens. 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.” Nevertheless, the Town has designed the proposed EPCAL subdivision to comply with the standards and guidelines as set forth in the CLUP, and as such, the proposed action would be protective of groundwater resources.
2. In order to ensure the protection of groundwater, future site-specific development applications would comply with the relevant recommendations of the “Wastewater Management Alternatives” and the “Highest Priority Areawide Alternatives” of the 208 Study and all site-specific applications would be subject to compliance with the Town’s stormwater ordinance (Chapter 110 of the Town Code). With respect to the impact to groundwater, stormwater would be contained and recharged on the site through the use of leaching pools and drainage reserve areas, which is a proper drainage method. In addition, the development would be connected to a municipal STP, which would remove nitrogen before recharge to groundwater. Much of the area to the south of the subject property is within the Peconic Headwaters Natural Resources Management Area. Therefore, the relocation of the sewage disposal area to north of the groundwater divide (and away from the Peconic River) would also have a positive impact on groundwater and surface water resources, reduce nitrogen loading to the estuary and improve the environmental health of the area. Development must limit the amount of fertilizer-dependent vegetation on individual lots to 15 percent and native and/or low-maintenance species must be incorporated, to the maximum extent practicable in accordance with the PD District. Also, water conservation methods would be used to the maximum extent practicable to decrease overall water usage and groundwater impacts, and would comply with the requirements of the Suffolk County Sanitary Code (Article 6).
3. There is property that the U.S. Navy has committed to transferring to the Town, which still has groundwater contamination. This property consists of approximately 200 acres, and is shown on the Subdivision Map as Navy Parcel “A” and Navy Parcel “B” (see Appendix D of the FSGEIS) both of which are located outside of any numbered lot. The U.S. Navy is actively involved in the remediation of this property, and will address the impacts of existing groundwater contamination beneath these areas, prior to their transfer to the Town CDA.

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4. The subject property is not within an existing water district or service area. However, the RWD has made an application to the NYSDEC to annex the entire site into that district. Impacts and mitigation related to water use were discussed with the *Infrastructure* section, above. Moreover, an applicant for development must demonstrate that water conservation measures, which may include low-flow fixtures, low-flow toilets, and/or drip irrigation, will be implemented.
5. An individual applicant for development at the EPCAL Property must provide a letter of sewer availability upon application to the SCDHS, as part of the site plan approval process.
6. The proposed subdivision has been designed to maintain the scenic and undeveloped nature of the Peconic River headwaters and the WSRRS corridor. The Town is requesting a modification of the WSRRS boundary (as depicted on the proposed Subdivision Map in Appendix D of the FSGEIS), which will remove some of the area that is proposed to be developed on the EPCAL Property to outside of the corridor, but add other areas that are currently within the EPCAL property into the WSRRS corridor. These measures, along with the relocation of the sewage effluent disposal north of the groundwater divide and away from the Peconic River, will help to protect the Peconic River Headwaters.
7. The proposed action and the CHPP, discussed in the *Terrestrial and Aquatic Environment* section below, have been specifically developed to avoid the loss of, and to minimize development-related disturbance to, wetland and aquatic habitats, including the Peconic River Significant Coastal Fish and Wildlife Habitat. All of the wetland areas and ponds identified on the property will be preserved within open space areas, and no development would occur within 1,000 feet of any such identified pond, even if the water surface area is located off-site.

Based upon the foregoing and with implementation of the proposed mitigation measures, no significant adverse impacts to water resources would be anticipated.

Terrestrial and Aquatic Environment

1. Existing ecological conditions at the subject property are well-documented, based upon numerous past studies of the site, as well as field surveys undertaken as part of the instant SEQRA process. Various on-site terrestrial ecological communities were identified including: pitch pine-oak forest; pitch pine-oak-heath woodland; pine/spruce/conifer plantation; successional old field; successional shrubland; and paved road/path. In addition, six NYS Endangered or Threatened species were identified in the *1997 FEIS*, including; eastern tiger salamander; spotted salamander; barrens buckmoth; rose coreopsis; Nuttal's lobelia and slender pinweed. The 1997 FEIS identified 25 wetlands, wetland complexes and deepwater habitats on the subject property. The NYSDEC identified four ponds on the site and six ponds adjacent to the site as potential tiger salamander breeding ponds.

In order to protect the sensitive environmental features identified on the EPCAL Property, a CHPP has been prepared to mitigate the impacts of the proposed action on the existing ecological habitats

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identified at the subject property through the preservation, creation and management of key habitat areas for resident plant and wildlife species. This plan will be submitted to the NYSDEC as part of the Incidental Take Permit prepared by the Town, pursuant to 6 NYCRR Part 182. Activities associated with the CHPP that are ultimately approved by the NYSDEC, will be funded by the full faith and credit of the Town of Riverhead. The monitoring of the of the height of the grasslands at EPCAL and the grasslands to be created pursuant to the CHPP and the mowing of these grasslands according to the habitat requirements set forth in the CHPP, will be funded by the full faith and credit of the Town of Riverhead or the Special District, if created. As an alternative to the above, the Town is researching the ability to partner with local not-for-profit conservation and land trusts, together with or including coordination by and between such conservation and land trusts and federal, state and/or local government entities related to such management and monitoring of the grasslands. In the event that any of the preserved grassland areas described herein are transferred, a security bond will be required to ensure that the required maintenance and monitoring will be funded.

Based upon the CHPP, the following measures would be implemented:

- † 787.3± acres of woodland would be preserved (including 447.9 acres in wetland buffer area)
- † 512.4± acres of existing grassland would be preserved and 70.6± acres of grassland would be created for a total of 583.0 acres of grassland at the site
- † 117.6± acres of meadow/brushland, other than grasslands, would be preserved (including 66.1 acres in wetland buffer area)
- † 9.3± acres of water bodies, other than wetlands, would be preserved
- † 16.4± acres of on-site wetlands (i.e., identified eastern tiger salamander ponds) would be preserved. Specifically, various wetland and aquatic resources are located within or partially within the subject property boundaries, including ten National Wetland Inventory (NWI)-designated habitats and six NYSDEC-regulated wetland areas. The proposed Subdivision Map has been specifically developed to avoid the loss of wetland and aquatic habitats, and to minimize development-related disturbance to these resources. No development will occur within 1,000 feet of any such on- or off-site habitat, including the NYNHP-listed Coastal Plain Pond community. In addition, fencing will be required 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 as shown on the proposed Subdivision Map included in Appendix D of the FSCEIS) the 1,000-foot radius of eastern tiger salamander breeding ponds. Thus, the eastern tiger salamander breeding ponds and surrounding upland habitat would be preserved.

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- † The preservation of all wetland and aquatic habitats and adjacent upland areas located at the site, also allows for the protection of breeding and non-breeding habitat for the five NYS Special Concern amphibian or reptile species documented at the subject property (marbled salamander, eastern spadefoot toad eastern box turtle, spotted turtle and eastern hognose snake). Additionally, the NYS Special Concern snake species eastern worm snake has been documented in the vicinity of the subject property and may also occur on-site, particularly within moist forested areas near water features. If present at the site, potential on-site habitat protection for this species would also be afforded through the preservation of wetlands and adjacent habitats.

Also, by preserving all on-site wetland/aquatic habitats, the CHPP would also preserve any potential habitat for the seven NYS-listed wetland-adapted plants for which on-site records exist (coppery St. John's-wort, comb-leaved mermaid-weed, small floating bladderwort, short-beaked beakrush, rose coreopsis, Nuttall's lobelia and Wright's panic grass).

- † 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 CPB Core Preservation Area at the western portion of the site. It is also anticipated that additional Pitch Pine-Oak Forest habitat will occupy the site 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. The large contiguous blocks of Pitch Pine-Oak Forest will also provide potential habitat for the NYS-Threatened plant slender pinweed that was identified as occurring on-site.
- † Preservation of forested habitat under the CHPP would also afford habitat protection for the NYS-Special Concern woodland bird species whip-poor-will, which was observed and noted as a probable on-site breeder in 2009.
- † Vegetated open space areas within the proposed lots would be contiguous with each other and with vegetated areas on adjacent parcels. The proposed lot layout has specifically been configured such that areas of existing Pitch Pine-Oak Forest and other natural vegetation to remain are concentrated within the rear and side yards of the proposed lots, and contiguous to existing areas of Pitch Pine-Oak Forest on adjoining off-site properties.
- † Although no records for the NYS-Threatened butterfly species frosted elfin (*Callophrys irus*) were reviewed as part of this assessment, the NYSDEC has identified this species as potentially occurring on-site. Accordingly, the large contiguous blocks of Pitch Pine-Oak Forest to be preserved under the CHPP represent significant potential habitat area for this species. Specifically, the two larval food plants that the frosted elfin relies on, blue lupine (*Lupinus perennis*) and wild indigo (*Baptisia spp.*, particularly *Baptisia tinctoria*), occur within

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dry open woods, grassland, and/or disturbed open areas. In order to ascertain whether such plant species exist on the property, a field study, which was concentrated in the three habitat types preferred by the two plant species, was conducted by a representative of the NYSDEC, Region 1 and a representative of the Town of Riverhead on July 12, 2016. This study was conducted during the height of the growing season, when aboveground morphological characteristics (e.g., stems, leaves, flowers, etc.) of the two herbaceous plants would be readily apparent and identifiable. While potentially suitable habitat exists on the site, no evidence of either of these plant species was found during the on-site investigation.

Based on the lack of larval host plant species found within the site during the field survey, there is unlikely to be suitable habitat for the threatened frosted elfin. Therefore, no impact to the frosted elfin would be anticipated upon implementation of the proposed action.

- † The Pitch Pine-Oak-Heath Woodland community occurs within scattered pockets at the southeastern portion of the site, in the area to the north of the eastern runway. This area would be preserved as open space and preservation of this community represents potential upland habitat for the five NYS-Special Concern species that have been documented at the subject property. 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 NYS-Threatened slender pinweed.
 - † The protection of portions of the former tree plantation areas on the site will provide additional upland habitat protection for the rare herpetofauna noted on-site, as well as potential habitat for slender pinweed.
 - † Successional Shrubland would be preserved within the proposed open space areas to the north and south of these lots. In the absence of additional disturbance, it is anticipated that the process of ecological succession that is already underway will continue within the Successional Shrubland habitats, resulting in the eventual conversion to wooded communities. The preservation of portions of the Successional Shrubland would afford upland habitat protection for the rare herpetofauna species noted on-site, as well as potential habitat for slender pinweed.
 - † Prior to any potential development of individual subdivision lots that abut on-site grassland habitats, a five-foot non-disturbance buffer area will be established during the site plan process. Covenants and restrictions will be required to preserve the buffer area in its natural state.
2. The subject property is located within the CPB, including over 300 acres on the western portion of the property, which are located in the Core Preservation Area. The remainder of the site is within the Compatible Growth Area of the CPB. As explained earlier in this Findings Statement, the

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Town's position is that pursuant to Chapter 9 (Section 9.2) of the CLUP, the redevelopment of the EPCAL Property was considered to be an economic development activity and, does not constitute development. Nevertheless, the subdivision has been designed to comply with the standards and guidelines of the CLUP, as indicated in the *Land Use and Zoning* section, above.

3. As previously explained, the EPCAL Property is located within the Peconic Headwaters and the Peconic WSRRS corridor. No development is proposed for those portions of the subject property located within the WSRRS corridor boundary. It is proposed that the WSRRS boundary be relocated (as shown on the Subdivision Map in Appendix D of the FSGEIS) to remove certain acreage from the corridor, which is currently located within proposed development lots, and to add certain acreage to the corridor, which is proposed to remain in open space lots. . Wetland and adjacent upland habitats associated with the Peconic Headwaters and the Peconic River WSRRS corridor would remain as undeveloped/preserved lands following implementation of the proposed action. In addition, the relocation of the sewage disposal area to north of the groundwater divide (and away from the Peconic River) would also have a positive impact on the ecological resources within the Peconic Headwaters and WSRRS corridor.
4. 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. According to the most recent USFWS white-nose syndrome zone map, 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) , 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. 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.

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Research of records, including those of New York Natural Heritage Program, as well as discussions with NYSDEC representatives reveal that there are no known northern long-eared bat (*Myotis septentrionalis*) hibernacula at the EPCAL site. The Reuse and Revitalization Plan, which includes subdivision of the EPCAL property will, at ultimate build-out, preserve approximately 787 acres of forest/woodland, which represents approximately 56 percent of the existing 1,400± acres of forest/woodland at the property. The retention of approximately 787 acres of this forested/wooded acreage, will provide an abundance of potential roosting, breeding and foraging habitat suitable 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. In addition, and in compliance with NYSDEC guidelines, to avoid a taking, the Town will restrict the clearing of trees on the lots proposed for future development to the winter hibernation period for this species (November 1 to March 31). In the event that a future landowner proposes to conduct clearing outside of the northern long-eared bat winter hibernation period or outside the parameters of the Incidental Take Permit obtained by the Town, such landowner would apply for an Incidental Take Permit pursuant to 6 NYCRR Part 182, as same may be applicable based on prevailing regulations at the time of the proposed clearing.

5. The CHPP identifies the grassland birds that have been documented at the subject property and describes the general grassland bird management practices that apply to these species, based upon best management practice (BMP) guidance documents published by the NYSDEC and Audubon New York. Moreover, the CHPP identifies specific habitat requirements (i.e., recommended habitat sizes, shrub cover, forb cover, thatch depth, vegetation height/density) for upland sandpiper and seven other grassland bird species that have been documented at the subject property. The monitoring of the of the height of the grasslands at EPCAL and the grasslands to be created pursuant to the CHPP and the mowing of these grasslands according to the habitat requirements set forth in the CHPP, will be funded by the full faith and credit of the Town of Riverhead or the Special District, created by the Town. However, as noted above, as an alternative to the above, the Town is researching the ability to partner with local not-for-profit conservation and land trusts, together with or including coordination by and between such conservation and land trusts and federal, state and/or local government entities related to such management and monitoring of the grasslands.

Based upon the foregoing, no significant adverse impacts to terrestrial, wetland and aquatic resources are anticipated as a result of the proposed action.

Petroleum and Hazardous Materials

1. There are two additional parcels, shown on the proposed Subdivision Map (Appendix D of the FSGEIS) 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 CDA. These parcels will

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then be preserved as open space and would be managed in accordance with the Habitat Protection Plan. Property transfer of contaminated areas would not occur prior to the construction, installation, and successful operation of an approved remedial design. Thus, no adverse impacts related to hazardous waste are anticipated.

2. While no other petroleum or hazardous materials impacts associated with the former use of the EPCAL Property have been identified, should such impacts occur during site development, they would be addressed in conformance with prevailing regulations and appropriate mitigation would be required.
3. As no specific users have yet been identified for the EPCAL Property, no specific needs for petroleum and hazardous materials handling, use or storage can be identified at this time. However, as site plans are reviewed, any users who propose to handle, use or store such materials would be required to comply with prevailing regulations, which are designed for protection of the environment.

Visual Resources

1. The visual impacts of the projected future development of the EPCAL Property have been studied extensively throughout the SEQRA process. In order to ensure that there would be positive impacts to the visual character of the EPCAL Property, and that the potential for significant adverse visual impacts would be minimized to the maximum extent practicable, the following specific measures have been incorporated into the proposed project design:
 - † Preservation of approximately 787 acres of woodlands and wetlands, much of which is located along the most visible portions of the site (along NY 25 at the westernmost and easternmost extents of the property, including over 3,600 linear feet and over 2,500 linear feet, respectively).
 - † Preservation of approximately 8,500 linear feet of woodland along the western extent of Grumman Boulevard, east of Wading River Manor Road (with the exception of the proposed driveway between lots 30 and 31), and approximately 8,500 linear feet, east of Burman Boulevard.
 - † No disturbance of vegetation along Wading River Manor Road, thus preserving the existing visual character of the site frontage along this roadway.
 - † Beyond the proposed 20-foot-wide dedication for highway purposes, establishment of a 25-foot-wide right-of-way to be maintained by the Town CDA for the construction and/or maintenance of a walkway/bike trail and an additional 25-foot-wide vegetated buffer within Lots 1 through 9 and 17 through 22 along NY 25 (as shown on the proposed Subdivision Map in Appendix D of the FSGEIS).

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- † Beyond the proposed 20-foot-wide dedication for highway purposes, a 200-foot-wide buffer (WSRRS boundary), including 25 feet of vegetation, north of Grumman Boulevard in the area adjacent to proposed Lots 30 and 31 (as shown on the proposed Subdivision Map in Appendix D of the FSGEIS) to visually screen and soften views of future development on these lots.
- † Preservation/creation of approximately 583 acres of grasslands, which would enhance the appearance of the site.

In addition, the extension of the WSRRS boundary north onto the EPCAL Property will provide additional protection for the Peconic River, including its scenic resources, which, in turn, will assist in preserving visual resources on the southern portion of the site.

2. The proposed action incorporates the preservation and expansion of the walkway/bike trail generally around the perimeter of the site. The walkway/bike trail will be enhanced where necessary, and would be controlled by the Town CDA, outside of individual lots. The trail would traverse much of the wooded area of the site, offering scenic views to pedestrians and bicyclists using the site for recreational purposes.
3. The proposed new zoning district (the PD District) has been created to be sensitive to site and building design. The PD District incorporates specific design measures with regard to building setback and height, use of building materials, varied rooflines, and landscaping and buffering among other items, all which will affect the visual character in a positive way.
4. The issue of exterior lighting has been evaluated during the SEQRA process. Future facilities will be multi-level and generate light emissions related to exterior and interior lighting. Streets will also incorporate lighting. The new facilities on the site would increase the amount of exterior lighting viewed from the surrounding roads and developments. However, future development that occurs within the EPCAL subdivision is subject to the Town's regulations regarding exterior lighting, which addresses overlighting, energy waste, glare, light trespass and skyglow. Adherence to the Town regulations will prevent light spillover onto adjacent properties and roadways, as well as onto on-site protected environmental areas. Based upon the foregoing, no significant adverse lighting impacts would result from the implementation of the proposed action.

Use and Conservation of Energy

1. Future lot owners/tenants must demonstrate that their 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.

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2. It is expected that the proposed action would not result in a significant adverse impact due to increased energy demands, and ultimately may be an energy producer should energy-related facilities locate on the EPCAL Property, as permitted by the proposed zoning.

In accordance with 6 NYCRR §617.11, the Town Board has considered the DSGEIS, FSGEIS, as well as the 1997 GEIS and Findings Statement prepared by the U.S. Navy for the proposed action, and certifies that it has met the requirements of 6 NYCRR Part 617. This Supplemental Findings Statement contains the facts and conclusions in the aforesaid documents, relied upon to support this decision, and sets forth the conditions and criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance.

A Copy of this Findings Statement has been sent to:

The Honorable Sean Walter, Town Supervisor
and Members of the Town of Riverhead Town Board
200 Howell Avenue
Riverhead, New York 11901

Stanley Carey, Chairman
Town of Riverhead Planning Board
200 Howell Avenue
Riverhead, New York 11901

Michael Reichel, Sewer District Superintendent
Riverhead Sewer District
River Avenue (off Riverside Drive)
Riverhead, New York 11901

Mark Conklin, Water District Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Chris Kempner, Director
Riverhead Community Development Agency
200 Howell Avenue
Riverhead, New York 11901

George Woodson, Superintendent
Town of Riverhead Highway Department
1177 Osborne Avenue
Riverhead, New York 11901

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Board of Fire Commissioners
Wading River Fire District
1503 N. Country Road
Wading River, New York 11792

Board of Fire Commissioners
Manorville Fire District
14 Silas Carter Road
Manorville, New York 11949

The Honorable Ed Romaine, Supervisor
And Members of the Town Board
Town of Brookhaven
Town of Brookhaven Town Hall
One Independence Hill
Farmingville, New York 11738

The Honorable Steven Bellone, County Executive
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

Jennifer Casey, Chair
Suffolk County Planning Commission
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Suffolk County Department of Health Services
3500 Sunrise Highway, Suite 124
Great River, New York 11739

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works:
335 Yaphank Avenue
Yaphank, New York 11980

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James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000
Oakdale, New York 11769

Commission Chair
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton, New York 11978

Empire State Development Corporation/Long Island Regional Economic Development Council
c/o Cara Longworth, Regional Director
150 Motor Parkway
Hauppauge, New York 11788

Ruth Pierpont, Deputy Commissioner/Deputy SHPO
New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Joseph T. Brown, Regional Director
New York State Department of Transportation
State Office Building
250 Veterans Memorial Highway
Hauppauge, New York 11788

George Stafford, Director
Division of Coastal Resources
New York State Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Carrie Meek Gallagher, Regional Director
New York State Department of Environmental Conservation
SUNY @ Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409

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Basil Seggos, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

Riverhead Free Library
330 Court Street
Riverhead, New York 11901

TOWN OF RIVERHEAD

Resolution # 536

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Superintendent of Sewer is requesting a budget adjustment to cover the cost of day-to-day engineering services for the remainder of 2016.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and is hereby authorized to establish the following budget adjustment and transfer of funds from the Riverhead Sewer District Electricity Account:

	<u>FROM</u>	<u>TO</u>
114.081300.546200 Electricity – Sewer	20,000.00	
114.081300.543504 Engineering – Sewer		20,000.00

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Riverhead Sewer District and Accounting Department.

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 537

RIVERHEAD WATER DISTRICT
PAYMENT OF ENGINEERING FEES FOR INSPECTIONS &
PAYMENT FOR SERVICES OF NEW LEASE WITH AT&T AT 1035 PULASKI ST.

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Superintendent of the Water District requests a budget adjustment for payment of engineering fees for inspections due to site improvements by cell carriers per building & zoning permits; payment for services to Bench Strength Partners for renegotiation of cell tower lease with AT&T for Pulaski Street site.

RESOLVED, that the Supervisor be, and is hereby, authorized to establish the following budget adjustment:

		<u>FROM</u>	<u>TO</u>
112.012401.442504	Cell Tower Revenues	51,600.00	
112.083200.543000	Professional Services		9,600.00
112.083200.543500	Consultants		42,000.00

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Water Departments.

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 538

ADOPTION OF FINDINGS STATEMENT IN CONNECTION WITH THE FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FSGEIS) FOR THE 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

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, the EPCAL property consisting of approximately 2,900 acres was once part of the former Calverton Naval Weapons Industrial Reserve Plant was formerly owned by the Navy and leased by the Grumman Corporation; and

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, following receipt of the Planning Commission’s recommendation, pursuant to Resolution #830 of 1999, the Town Board, reciting in its resolution; the State Environmental Quality Review Act (SEQRA) record, the comments made at the numerous public hearings, the report of the Town Planning Department, the SEQRA

findings statement attending the Comprehensive Master Plan amendment, the report of the Town Planning Board, the report of the Suffolk County Planning Commission, the prevalent Pine Barrens overlay district, together with any other pertinent planning, zoning or environmental information available, adopted the proposed zoning code and zoning use district map amendments; and

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

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

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

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

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

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

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

WHEREAS, on December 8, 2011, VHB presented, during an open and public session of the Town Board, a plan for development and an alternate plan for development (hereinafter referred to as development plan “B”) incorporating the recommendations and findings of the market study prepared by RKG and the Town Board, by Resolution #937 of 2011, accepted and adopted the findings and

recommendations for EPCAL redevelopment prepared by RKG Associates (RKG) and also having authorized VHB to proceed with the requisite State Environmental Quality Review (SEQR) of their alternative plans for development; and

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

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

WHEREAS, the Part 1 of the Full Environmental Assessment Form, a subdivision sketch plan (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) and a preliminary Draft Scope for the Draft Supplemental Generic Environmental Impact Statement were distributed to all involved agencies indicating the Town Board's intention to declare itself as lead agency if upon expiration of the coordination period, no objections to same had been received by the Town Board; and

WHEREAS, the Town received no objection from any involved agencies to the Town Board serving as lead agency; and

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

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

WHEREAS, the Town Board caused the preparation of Parts 2 and 3 of the Full EAF for analysis of project impacts whose content indicate the potential for significant impacts on the natural and social environment when compared to the criteria set forth in 6 NYCRR §617.7(c); and

WHEREAS, the Town Board determined that the proposed action may have one or more significant adverse impacts on the environment, and adopted a Positive Declaration requiring that a Draft Supplemental Generic Environmental Impact Statement be prepared; and

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

comprehensive development plan for EPCAL, including Amendment to the Comprehensive Plan and Amendment to Zoning and Subdivision for EPCAL; and

WHEREAS, on July 16, 2013, the Town Board, acting as governing body of the Community Development Agency, conducted a public Scoping Hearing on the Draft Scope for the Draft Supplemental Generic Environmental Impact Statement supporting the proposed action to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision (referred to as Alternative Subdivision Sketch C for Enterprise Park at Calverton dated April 26, 2013) of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan for property owned by the CDA within EPCAL described as approximately 2,323.9 acres of real property located south of Middle Country Road (SR25), north of Grumman Boulevard and east of Wading River Manor Road (CR25), Calverton Hamlet, being more particularly described as Suffolk County Tax Map No. 0600-135-1-7.1,7.2,7.3&7.4.; and

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

WHEREAS, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB did review all comments made at the public Scoping Hearing and all written comments received pursuant to the Notice of Scoping Hearing; and

WHEREAS, the Town Board, Town Board, as Lead Agency, and, as governing body of the Town of Riverhead and as governing body of the Community Development Agency, by Resolution #14 adopted on October 1, 2013, did thereby adopt a Final Scope for the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) supporting the proposed action, to wit: the creation of a conceptual development plan (Reuse & Revitalization Plan) including subdivision of the EPCAL property into 50 lots for ultimate redevelopment with a mix of uses (e.g., business [commercial and retail], industrial, residential, recreation, utilities) and the retention of substantial open space; the amendment to the Town of Riverhead Comprehensive Plan; the amendment of the zoning code and zoning map of the Town of Riverhead to rezone the 2,323.9 acre EPCAL property consistent with the Reuse & Revitalization Plan for property owned by the CDA within EPCAL described as approximately 2,323.9 acres of real property located south of Middle Country Road (SR25), north of Grumman Boulevard and east of Wading River Manor Road (CR25), Calverton Hamlet, being more particularly described as Suffolk County Tax Map No. 0600-135-1-7.1,7.2,7.3&7.4; and

WHEREAS, pursuant to NYCRR 617.9(a) and (b) after adoption of the Final Scope and consistent with the Final Scope, the Town Board and members of the Planning Staff for the Town of Riverhead, with the assistance and participation of VHB did complete a DSGEIS; and

WHEREAS, pursuant to NYCRR 617.9 (a)(2), the Town Board, as lead agency, by Resolution #11 adopted on August 7, 2014, did accept and determine that the

DSGEIS was adequate with respect to its scope and content for the purpose of commencing public review; and

WHEREAS, pursuant to NYCRR 617.9 (a)(3), the Town Board, as lead agency, by Resolution #11 adopted on August 7, 2014, did prepare a Notice of Completion of the DSGEIS for the Development of EPCAL (EPCAL Reuse & Revitalization Plan) and authorized and directed the Town Clerk to file and publish the Notice of Completion, together with the DSGEIS; and

WHEREAS, pursuant to NYCRR 617.9(a)(4), the Town Board, as lead agency, determined that it is appropriate to hold a public hearing on the DSGEIS and provide for public comment through the forum of a public hearing and submission of written comment; and

WHEREAS, pursuant to NYCRR 617.9(a)(4)(ii), the Town Board, as lead agency and in its capacity as the Town Board and as the governing body of the Town of Riverhead Community Development Agency, determined that it was appropriate to conduct a combined hearing for the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan; and

WHEREAS, the Town Board, as lead agency and as governing body of the Town of Riverhead and acting and as governing body of the Town of Riverhead Community Development Agency, by Resolution # 583 adopted on August 7, 2014, authorized and directed the Town Clerk to publish and post a Notice of Public Hearing on the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan, and provide notice for the acceptance of written comments until September 15, 2014 pursuant to NYCRR Part 617.9(a)(4); and

WHEREAS, the Town Board, as lead agency and as governing body of the Town of Riverhead and acting and as governing body of the Town of Riverhead Community Development Agency, did hold a public hearing on September 3, 2014 on the DSGEIS, comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan, and provided for the acceptance of written comments until September 15th, 2014 pursuant to NYCRR Part 617.9 (a)(4) and by Resolution # 640 adopted on September 3, 2014, did extend period for the acceptance of written comment until September 30, 2014; and

WHEREAS, VHB prepared a Final Supplemental Generic Environmental Impact Statement (FSGEIS) in accordance with §617.10 of 6 NYCRR (SEQR) which provides responses to substantive comments compiled by the Town Board of the Town of Riverhead as Lead Agency during the SEQRA public review and comment period,

including verbal comments presented at the public hearings and written comments submitted by the public and involved/interested agencies up to the close of the comment period; and

WHEREAS, the Town Board found that the FSGEIS adequately responded to comments such that it deemed appropriate to facilitate the preparation of findings and legislative decision related to the adoption of the EPCAL Reuse & Revitalization Plan, 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan and the accompanying Draft Supplemental Generic Environmental Impact Statement (DSGEIS) which will become elements of the Town of Riverhead EPCAL Reuse & Revitalization Plan, amendment to the Town of Riverhead Comprehensive Master Plan, subdivision of the EPCAL property, amendment to the zoning map and code, amendment to the Calverton Urban Renewal Plan and subdivision of the Enterprise Park at Calverton (“EPCAL”); and

WHEREAS, consistent with above, by Resolution #190, the Town Board, as Lead Agency pursuant to SEQRA, accepted as complete and file a Notice of Completion of FSGEIS for the comprehensive development plan for EPCAL (EPCAL Reuse and Revitalization Plan), 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 subject property to the PD Zoning District, and amendment to the Calverton Urban Renewal Plan for publication in the Environmental Notice Bulletin (ENB) as prescribed by SEQRA (6 NYCRR § 617.12); and

WHEREAS, the Town Board, as Lead Agency, afforded the public and involved/interested agencies 30 days in which to consider the FSGEIS and provide any additional input, which may, as appropriate, be incorporated into the SEQRA Findings Statement; and

WHEREAS, after the requisite public consideration period, the Town Board requested that a SEQRA Findings Statement be prepared by VHB, which summarizes the facts and conclusions of the DSGEIS and FSGEIS, considers public and agency comments, weighs and balances the relevant environmental impacts with social, economic and other considerations, and provides a rationale for the Town Board's decision; and

NOW THEREFORE BE IT RESOLVED, that after review and consideration, the Town Board, as Lead Agency, and as governing body of the Town of Riverhead, and as governing body of the Community Development Agency hereby adopts the annexed SEQRA Findings Statement, prepared on its behalf by VHB and dated July 19, 2016, pursuant to SEQRA; and be it further

RESOLVED, as required by SEQRA and its implementing regulations, the Town Clerk is hereby directed to file and distribute copies of the SEQRA Findings Statement to the following involved agencies:

The Honorable Sean Walter, Town Supervisor
and Members of the Town of Riverhead Town Board
200 Howell Avenue
Riverhead, New York 11901

Stanley Carey, Chairman
Town of Riverhead Planning Board
200 Howell Avenue
Riverhead, New York 11901

Michael Reichel, Sewer District Superintendent
Riverhead Sewer District
River Avenue (off Riverside Drive)
Riverhead, New York 11901

Mark Conklin, Water District Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Chris Kempner, Director
Riverhead Community Development Agency
200 Howell Avenue
Riverhead, New York 11901

George Woodson, Superintendent
Town of Riverhead Highway Department
1177 Osborne Avenue
Riverhead, New York 11901

Board of Fire Commissioners
Wading River Fire District
1503 N. Country Road
Wading River, New York 11792

Board of Fire Commissioners
Manorville Fire District
14 Silas Carter Road
Manorville, New York 11949

The Honorable Ed Romaine, Supervisor
And Members of the Town Board
Town of Brookhaven
Town of Brookhaven Town Hall
One Independence Hill
Farmingville, New York 11738

The Honorable Steven Bellone, County Executive
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

Jennifer Casey, Chair
Suffolk County Planning Commission
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Suffolk County Department of Health Services
3500 Sunrise Highway, Suite 124
Great River, New York 11739

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works:
335 Yaphank Avenue
Yaphank, New York 11980

James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000
Oakdale, New York 11769

Commission Chair
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton, New York 11978

Empire State Development Corporation/Long Island Regional Economic Development
Council
c/o Cara Longworth, Regional Director
150 Motor Parkway
Hauppauge, New York 11788

Ruth Pierpont, Deputy Commissioner/Deputy SHPO
New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Joseph T. Brown, Regional Director
New York State Department of Transportation
State Office Building
250 Veterans Memorial Highway
Hauppauge, New York 11788

George Stafford, Director
Division of Coastal Resources
New York State Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Carrie Meek Gallagher, Regional Director
New York State Department of Environmental Conservation
SUNY @ Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409

Basil Seggos, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

RESOLVED, that the Town Clerk is hereby authorized and directed to maintain a copy of this resolution and the Findings Statement, together with a copy of the FSGEIS document and make available for public review and inspection in the Office of the Town Clerk, Monday through Friday, from 8:30 am to 4:30 pm, beginning on July 19, 2016; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to post a copy of this resolution and the Findings Statement on the Town's website www.townofriverheadny.gov; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to make available a copy of this resolution and the Findings Statement at the Riverhead Free Library, 330 Court Street, Riverhead, NY, 11901; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution, together with a copy of the Findings Statement to VHB Engineering, Surveying and Landscaping Architecture, P.C., 100 Motor Parkway, Suite 300, Hauppauge, NY 11788; Supervisor of the Town of Riverhead, Sean W. Walter; Members of the Town Board of the Town of Riverhead; Christine Kempner, Community Development Agency Director; Jefferson Murphree, Building and Planning Administrator; and Annemarie Prudenti, Deputy Town Attorney, Frank A. Isler, special counsel to the Community Development Agency, and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

STATE ENVIRONMENTAL QUALITY REVIEW ACT

**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**

**TOWN BOARD OF THE TOWN OF RIVERHEAD
SUPPLEMENTAL FINDINGS STATEMENT**

Date: July 19, 2016

This Supplemental Findings Statement is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act – SEQRA) and the implementing regulations therefor at 6 NYCRR Part 617.

Name of Action: Comprehensive Plan for the Development (Reuse & Revitalization Plan), Including Amendment to the Town of Riverhead Comprehensive Plan, Amendment to Zoning Code and Map, Amendment to the Calverton Urban Renewal Plan and Subdivision of EPCAL Property at Calverton

Location: South side of New York (NY) 25 , north of Grumman Boulevard, east of Wading River Manor Road, Hamlet of Calverton, Town of Riverhead

Lead Agency: Town Board of the Town of Riverhead

Address: Town of Riverhead
Town Hall
200 Howell Avenue
Riverhead, New York 11901

Contact: Jill Lewis, Deputy Town Supervisor

Telephone No.: 631-727-3200 Ext. 655

SEQR Status: Type I

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Town Board of the Town of Riverhead
Proposed Subdivision of EPCAL Property**

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The Town Board of the Town of Riverhead (Town Board), as lead agency, subsequent to review of the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) and the Final Supplemental Generic Environmental Impact Statement (FSGEIS) as well as the 1997 FEIS prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and developed as a GEIS under SEQRA and Findings Statement prepared by the United States (U.S.) Navy, hereby certifies that:

- † it has considered the relevant environmental impacts, facts and conclusions disclosed in the DSGEIS and FSGEIS;
- † it has weighed and balanced relevant environmental impacts with social, economic and other considerations;
- † the requirements of 6 NYCRR Part 617 have been met;
- † consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- † adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigative measures that were identified as practicable during the environmental review process and as set forth herein.

Description of Action

The proposed action consists of a number of components related to the ultimate redevelopment of the subject property (known as the “EPCAL Property,”) as follows:

- † Creation and adoption of the Reuse and Revitalization Plan for the EPCAL Property
- † Amendment to the Town of Riverhead Comprehensive Master Plan
- † Amendment to the Calverton Urban Renewal Plan
- † 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
- † 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).

Reuse and Revitalization Plan

As the subject property is anticipated to be redeveloped over a multi-decade horizon, it is not possible to determine the precise uses or the precise square footage of each use that may be redeveloped on the EPCAL Property. Accordingly, a Reuse and Revitalization Plan, which functions as an amendment to the urban renewal plan and serves as the amendment to the Comprehensive Plan, was developed for the EPCAL

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Property, and was, in pertinent part, based upon information provided in a market analysis that was performed by RKG Associates, Inc. for the Town Board of the Town of Riverhead.

The Reuse and Revitalization Plan sets forth various development areas as listed below:

- † Limited Development: This area is shown as limited business park. It is located along NY 25.
- † Mixed Use - Business/Light Industrial/Distribution: The larger of these two areas is located along NY 25 and the smaller area is located south of the open space parcel located in the eastern portion of the site.
- † Light Industrial: This area is shown as light industrial/distribution and energy park. It is located in the south-central portion of the site along Grumman Boulevard.
- † Mixed Use - Business Park/Recreation/Sports: This area has access from NY 25, but the majority of the land is located southwest of the Limited Development area.

The Reuse and Revitalization Plan serves as the comprehensive development plan for the subject property and provides the basis for the subdivision plan.

In order to ultimately implement the proposed action, the Town Board will be required to adopt the Reuse and Redevelopment Plan, which will serve as the amendment to the Town of Riverhead Comprehensive Master Plan, and will be the basis for the amendment of the Calverton Urban Renewal Plan.

Amendment to Urban Renewal Plan

Following Articles 15 and 15A of New York State General Municipal Law, Section V. Implementation, E. Plan Amendments, the 1998 *Urban Renewal Plan* permits amendments to the *Urban Renewal Plan* and provides a procedure for such amendments. The amendments to the *Urban Renewal Plan* would follow the prescribed procedure. The proposed amendments to the *Urban Renewal Plan* would reflect the current site conditions, current land use and development trends, any policy changes that have occurred since the original 1998 *Urban Renewal Plan*, and the current thinking with regard to appropriate uses at the EPCAL Property. The four goals of the *Urban Renewal Plan* would remain the same. Notably,

- † The attraction of private investment in the site
- † The maximization of the real property tax ratable base
- † The maximization of skilled, high paying employment opportunities
- † The protection of the natural environment and the sustaining of the regional quality of life.

The amendments to the *Urban Renewal Plan* would also be consistent with the original conclusions that redevelopment efforts should focus on utilizing existing infrastructure, respecting the natural environment, and encouraging redevelopment that reflects the existing character of the region. It would also continue to note that a number of measures would need to be implemented in order to achieve the planned redevelopment of the subject property, including:

- † Adoption of a Planned Development (PD) Zoning District to permit a multi-use development
- † Extension of the Riverhead Water District to the subject property
- † Upgrades to the existing on-site sewage treatment plant and establishment of a municipal sewer district
- † Improvements to existing roadways and intersections in the vicinity of the subject property.

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Creation, Adoption and Application of Planned Development (PD) Zoning District

A new PD zoning district has been drafted that will guide development within the subject property. The PD District has been designed as a hybrid form-based zoning code, which will allow the Town flexibility over the multi-decade redevelopment horizon. The PD District establishes objectives, policies, and standards to promote orderly development and redevelopment within the PD District area for purposes of recapturing potential investment, growth, and employment opportunities for the region through a wide variety and mix of uses, (e.g., business [commercial and retail], industrial, government, energy park, recreation, utilities, residential), including use of the two runways, which would be available for limited redevelopment and/or historical use (aviation). The eastern runway has been, and continues to be, an active runway and would be available for such use in the future. The western runway would also be available for its historic aviation use and/or renewable energy uses. The overall intent of the PD District is to promote the expeditious and orderly conversion and redevelopment of EPCAL by allowing for flexibility in providing a mix of uses in order to prevent further blight, economic dislocation, and additional unemployment, and to aid in strengthening the economies of the Town of Riverhead, the region and the State of New York.

Development within EPCAL would be governed by various documents, including the amended Town of Riverhead Comprehensive Master Plan, the Town of Riverhead Zoning Code and the amended Calverton Urban Renewal Plan, as well as the Reuse and Revitalization Plan and a Subdivision Map. This Reuse and Revitalization Plan (Figure 2 of the FSGEIS) and the proposed Subdivision Map (contained in Appendix D of the FSGEIS), together specify, among other things, representative types and general locations of land uses in the proposed PD District, and the general scale, and intensity of development within the PD District. With respect to approvals, the Town Board would determine whether proposed development within EPCAL complies with the Reuse and Revitalization Plan and with the requirements of the PD District.

The PD District, upon adoption by the Town Board, would be applied to the individual tax parcels located within the subject property. These parcels include Suffolk County Tax Map Nos.: District 600-Section 135-Block 1 – Lots 7.1, 7.2, 7.33 and 7.4.

Proposed Subdivision Map and Theoretical Mixed-Use Development Program

In order to ensure a comprehensive evaluation of the entire action (including the impacts of redevelopment in accordance with the proposed subdivision) in accordance with the SEQRA and its implementing regulations at 6 NYCRR Part 617, a proposed Subdivision Map and Theoretical Mixed-Use Development Program were prepared and comprehensively analyzed in the DSGEIS and FSGEIS. The proposed Subdivision Map and Theoretical Mixed-Use Development Program are based upon over a year of coordination with NYSDEC to ensure that development would occur in a manner that is respectful of the environment, while still allowing for significant economic development. During this period, the Town also consulted with the NYSDOT and various environmental groups and other involved agencies and interested parties.

As explained in the DSGEIS and FSGEIS, 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 the SEQRA process establish conditions and thresholds for

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future development, set forth later in this Findings Statement, and the Subdivision Map ultimately filed (and/or amended in the future) may differ somewhat from that included in the FSGEIS and described herein. However, if the conditions and thresholds established herein are complied with, no further SEQRA review would be necessary. In the event the proposed Subdivision Map is modified from that contained in the 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 proposed Subdivision Map (see Appendix D of the 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/ROWs¹ (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:²

- † 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)³
- † Lot 46 – Community Center (9.4 acres)³
- † 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 proposed Subdivision Map as Navy Parcel “A” and Navy Parcel “B” (see Appendix D of the FSGEIS) 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.

Based upon the market assessment prepared by RKG Associates, there are a variety of different uses that could be feasible on the EPCAL Property over the multi-decade redevelopment horizon.

¹ Includes internal road rights-of-way, rights-of-way for highway purposes, and Town right-of-way for walkway/bike trail.

² All acreages have been rounded to the nearest tenth.

³ Will remain town-owned.

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For purposes of the analyses conducted in the DSGEIS and FSGEIS, a theoretical mixed-use development occurring over two time horizons was evaluated: 1) a near-term build-out in 2025; and 2) the full build-out in 2035, as more fully set forth below.

Projected Development in 2025

The following interim mixed-use theoretical development program with a horizon year of 2025 was analyzed as part of the instant SEQRA process:

- † 289,606 SF of industrial/research and development (R&D)/flex space
- † 1,330,305 SF of office/medical office/flex or institutional space
- † 358,785 SF of commercial/retail space
- † 150 Residential Units (supportive of commercial/industrial development at the EPCAL Property).

Potential Maximum Development Full Build-Out

In order to ensure comprehensive environmental review in accordance with the SEQRA and its implementing regulations at 6 NYCRR Part 617, a theoretical mixed-use, full build-out development program was identified, which reflects the potential ultimate development of the subject property in accordance with the Reuse and Redevelopment Plan, the PD District and the Subdivision Plan. The Theoretical Mixed-Use Development Program consisted of the following components:

- † 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 (this was the analysis level in the DSGEIS; a maximum permitted retail space of 500,000 SF was analyzed in the FSGEIS)
- † 300 Residential Units (supportive of commercial/industrial development at the EPCAL Property).

As explained in the DSGEIS and FSGEIS, it was determined that the mix of uses set forth in the Theoretical Mixed-Use Development Program would result in significant adverse traffic impacts that likely could not be fully mitigated. However, as was also explained in the DSGEIS and FSGEIS, it is impossible to 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 more fully described later in this Findings Statement.

With respect to open space on the EPCAL Property, the open space to be retained/created 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.

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An additional 367.4± acres of the overall site are proposed to comprise lawn/landscaping (e.g., however, in no case shall fertilizer-dependent lawn/landscaping exceed 15 percent of any individual lot).

While there are no regulations requiring an additional buffer area, the Town of Riverhead has voluntarily granted an additional five-foot buffer around the existing and created grasslands. Therefore, the Town is preserving additional acreage to what is described above.

As the EPCAL Property includes regulated wetlands, land within the Wild, Scenic and Recreational River System for the Peconic River, and habitat for endangered species, the proposed subdivision provides for maintenance of buffers of a minimum of 1,000 feet around designated wetlands (to accommodate tiger salamander habitat), and also provides for approximately 583.0 acres of maintained grassland (512.4 acres of existing grassland, and 70.6 acres of grassland to be created), as habitat for the short-eared owl, northern harrier and upland sandpiper. The proposed subdivision provides for preservation/creation of 65 percent of the site as natural area/open space, including wetlands and water bodies.

In addition, a continuous walkway/bike trail is proposed to be maintained generally around the perimeter of the site, within a 25-foot buffer area outside of the individual lots, to consist of portions of existing paved and unpaved trails. As necessary, the existing walkway/bike trail will be connected by newly-constructed trails, such that a continuous walkway/bike trail is provided. This walkway/bike trail will be under the jurisdiction of the Town CDA.

EPCAL State Legislation

In 2013, the New York State Senate and Assembly passed a bill entitled “An Act in relation to a plan for the development of the Enterprise Park at Calverton,” establishing the Enterprise Park at Calverton (EPCAL) Reuse and Revitalization District. The bill was ultimately signed into law by Governor Andrew Cuomo on October 23, 2013. The purpose of the legislation was to, among other things, provide for the expeditious and orderly conversion and redevelopment of the remaining portions of the overall Calverton Naval Weapons Industrial Reserve Plant property (hereinafter the “Calverton NWIRP property” or “NWIRP/Grumman property”) in order to prevent further blight, economic dislocation, unemployment and aid in strengthening the local, regional, and state economy. In anticipation of the redevelopment of the EPCAL Property, and in acknowledgement of some of the subject property’s environmental conditions, the Town of Riverhead coordinated closely for over a year with the NYSDEC to establish a framework for redevelopment that is protective of the environmental resources of the site, while allowing for significant economic development.

The legislation indicates that:

“In conjunction with the preparation of the urban renewal plan, the town shall also prepare or cause to be prepared a generic environmental impact statement pursuant to article 8 of the environmental conservation law. Impacts of individual actions proposed to be carried out in conformance with the adopted plan and the thresholds or conditions identified in the GEIS may require no or limited SEQR review if such GEIS and its findings set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental environmental impact statements to reflect specific significant impacts, such as site specific

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impacts, that were not adequately addressed or analyzed in the GEIS...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."

History of the Project Site and SEQRA History

In 1952, the U.S. Navy acquired approximately 4,500 acres within the Town of Riverhead for construction of airfield runways and associated facilities known as the NWIRP. According to the Draft Environmental Impact Statement, dated February 1997 (hereinafter "1997 DEIS"), prepared by the U.S. Navy for the disposal of the U.S. Navy property, the original site of the Calverton NWIRP, located approximately seven miles west of the Riverhead downtown, consisted of approximately 4,500 acres. At the time, the property was used mainly for farming and contained some residential development. It was chosen for its large size and its proximity to Bethpage, in Nassau County, where Grumman was already performing sub-assembly of airplanes.

The 4,500 acres were leased to Grumman for airfield operations, including final airplane assembly and testing, while the balance of the acreage that was subsequently acquired was designated as aviation buffer zone (most of which is located in the Long Island Central Pine Barrens [CPB]). Additional parcels were acquired over the years from individual property owners, which increased the U.S. Navy's holdings to over 6,000 acres. In 1976, approximately 900 acres of the northwest buffer zone (north of NY 25) was transferred to the Veterans Administration for construction of the Calverton National Cemetery. This reduced the Calverton NWIRP property to approximately 5,900 acres.

Grumman leased the Calverton NWIRP property for more than 40 years. While in 1987, Grumman had a total of approximately 23,000 employees on Long Island (including those at Bethpage), by 1994 that number declined to approximately 9,500, with approximately 1,500 employed at Calverton. At that time, Grumman was still the largest employer in Riverhead, and annual tax revenues were approximately \$1.5 million. By the middle of 1992, only one aircraft remained in production and the Calverton NWIRP officially closed in February 1996.

In 1994, subsequent to Grumman's announcement of its intention to vacate the property, the U.S. Congress authorized the Secretary of the U.S. Navy to convey approximately 2,900 acres "inside the fence" to the Town CDA for the purpose of economic development. Based upon this decision, the U.S. Navy prepared the 1997 DEIS (noted above), as well as a Final Environmental Impact Statement, dated December 1997 (hereinafter "1997 FEIS" or collectively the "1997 EIS"), pursuant to the National Environmental Policy Act (NEPA) (and as a Generic Environmental Impact Statement [GEIS] for the purposes of SEQRA), that dealt with the disposition and potential future use of the former Calverton NWIRP property, which includes the 2,323.9-acre EPCAL Property (the subject of the instant SEQRA process).

As part of the U.S. Navy's aforesaid 1997 environmental review process, a Findings Statement was prepared and filed in 1998 in accordance with 6 NYCRR Part 617.10(i). The 1998 Findings Statement and supporting documents indicated that "the Riverhead Town Board hereby finds that the proposed amendment to the Comprehensive Master Plan of the Town of Riverhead is supported by this Findings

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Statement and minimizes potential environmental impacts and will provide the necessary balance between protection of the environment and the need to accommodate social and economic considerations.” The U.S. Navy’s GEIS and Findings Statement set forth specific conditions under which future actions would be undertaken or approved, as required by 6 NYCRR Part 617.

After the environmental review process, the majority of the 2,900 acres was transferred to the Town CDA. Subsequent to the U.S. Navy’s environmental review process, approximately 492 acres of the property were conveyed to a private developer for the development of the Calverton Camelot industrial subdivision. In May 1998, the Town CDA contracted with a property management firm to assume the responsibility for operations and maintenance upon the property conveyance. The Town CDA Board then authorized the creation of the Riverhead Development Corporation, a local development corporation, to market the site for redevelopment. Subsequent to this, in September 1998, the CDA prepared an urban renewal plan for the property. Since 1998, additional environmental reviews have been performed for proposed developments on various portions of the original Calverton NWIRP property, most of which have not proceeded.

The Town of Riverhead Town Board, in 2013, determined that it was necessary to re-evaluate the ultimate use of the EPCAL Property and embarked on the current proposed action. As a significant amount of time has passed since the Findings Statement was adopted and the project and area conditions have changed since the time that the GEIS was filed, the Town of Riverhead re-commenced the SEQRA process beginning with the preparation of Parts 1, 2 and 3 of the New York State Full Environmental Assessment Form (EAF). The Part 1 – EAF is dated June 12, 2013. Based upon the EAF, the Town issued a Positive Declaration on June 18, 2013 and indicated that it would be conducting formal scoping to identify impact issues that required evaluation in the DSGEIS. The Town prepared a Draft Scope and circulated to the involved agencies and interested parties. A scoping meeting was held on July 16, 2013 and comments on the Draft Scope were received until July 23, 2013.

The Town issued a Final Scope on October 1, 2013. The impact issues outlined in a Final Scope are as follows: Land Use and Zoning; Socioeconomics; Community Facilities and Services; Transportation; Air Quality; Noise; Infrastructure; Cultural Resources; Geology, Soils and Topography; Water Quality and Hydrology; Terrestrial and Aquatic Environment; Petroleum and Hazardous Materials; and Visual Resources. The DSGEIS also evaluated cumulative impacts with other area projects.

The DSGEIS supplemented the original 1997 DEIS and was prepared in accordance with SEQRA and its implementing regulations at 6 NYCRR Part 617 and was based upon the Positive Declaration that was adopted and the Final Scope, which was promulgated by the Town Board. The DSGEIS was accepted as complete and adequate for public review on July 31, 2014. A public hearing on the DSGEIS and the proposed PD District was held on September 3, 2014. Comments were received on the DSGEIS until September 30, 2014.

The Town Board caused to be prepared an FSGEIS, which is based upon the DSGEIS, incorporates it by reference and supplements the 1997 FEIS. The FSGEIS addressed all substantive comments on the DSGEIS, and discussed the proposed changes to the PD District and proposed Subdivision Map, which have been developed to respond, in part, to such substantive comments. The FSGEIS was accepted for filing by the Town Board on March 15, 2016 and circulated to the involved agencies and interested parties. While a minimum 10 day consideration period of the FSGEIS after filing and prior to adoption of a written Findings

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Statement is required by SEQRA, the Town Board extended this consideration period and the opportunity to provide comments on the FSGEIS to 30 days after the acceptance of the FSGEIS (April 15, 2016). In response to the opportunity to provide comments, the Town Board received one piece of correspondence, as follows:

- Correspondence dated April 13, 2016 from George W. Hammarth, Deputy Regional Permit Administrator, New York State Department of Environmental Conservation

This correspondence addresses several items, including: the Wild, Scenic and Recreational River System permit; the Calverton Sewer District; the northern Long-eared bat; the frosted elfin butterfly; Audubon best management practices; tiger salamander breeding ponds; the Comprehensive Habitat Protection Plan (CHPP); the five-foot-wide non-disturbance buffer; the use of the runways; and the planting and maintenance of drainage reserve areas.

Where appropriate, this Findings Statement incorporates and addresses the concerns raised in the above-referenced comment letter.

Based upon this review, the Town Board has determined that no new substantive issues were raised during public review of the FSGEIS that were not adequately addressed in the DSGEIS or FSGEIS or which otherwise would preclude the Town Board from proceeding directly with the preparation and filing of a SEQRA Findings Statement for the proposed action.

Conditions and Criteria Under Which Future Actions Will Be Undertaken or Approved, Including Requirements for Any 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.”*

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As explained in the DSGEIS, the instant proposed action was not addressed in the original GEIS. Accordingly, a DSGEIS and 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 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 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 proposed Subdivision Map (see Appendix D of the FSGEIS), 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 exceed the 300 residential unit limit, as set forth in the PD District.

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- † Supportive retail, personal service and restaurant development shall not exceed 500,000 square feet as set forth in the PD District and shall not exceed 10,000 square feet of floor area per supportive use and 20,000 per principal use or lot.

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 is implemented, as needed, based on actual conditions at the time of development. 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 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.

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- † *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

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(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	<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 - Single shared left turn/ through and right turn lane</p> <p>Southbound - Single shared left turn/ through and right turn lane</p>	<p>Eastbound - Single shared left turn/ through and right turn lane</p>	<p>Eastbound - One exclusive left turn lane and a shared through and right turn lane</p>	All-way Stop	<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>EB left turn protected/permitted</p> <p>AM/PM Cycle length: 100 seconds</p> <p>Saturday Cycle length : 80 Seconds</p> <p>Optimize phase splits, vary with time period to correlate to future volumes</p>
12	Wading River Manor Road & LIE North Service Road	<p>Westbound - Stop Controlled with One shared left turn / through lane, and one right turn lane</p> <p>Northbound - One exclusive left turn lane and one through lane</p> <p>Southbound - One through lane and a channelized right turn lane</p>	<p>Northbound - One exclusive left turn lane and two through lanes</p>		<p>Unsignalized Intersection</p> <p>Westbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with protected/permitted Northbound left turns</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>	
13	Wading River Manor Road & LIE South Service Road	<p>Unsignalized</p> <p>Eastbound - Stop Controlled with One shared left turn / through lane, and one right turn lane</p> <p>Northbound - One through lane and a channelized right turn lane</p> <p>Southbound - One exclusive left turn lane and one through lane</p>	<p>Signalized</p> <p>Eastbound - One exclusive left turn lane, one shared left turn / through lane, and one right turn lane</p>		<p>Unsignalized Intersection</p> <p>Eastbound Approach Stop Controlled</p>	<p>Signalize</p> <p>Two-phase semi-actuated signal with protected/permitted Southbound left turns</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>	
14	NY 25 East of CR 46 to East of Manor Road/Splish Splash Drive**	<p>Eastbound - One through lane</p> <p>Westbound - One through lane</p>	<p>Eastbound - Two through lanes</p> <p>Westbound - Two through lanes</p> <p>Center striped median/left turn lane</p>		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 a 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:
 - Ø Days/hours of proposed construction activity
 - Ø Designated routes of heavy vehicles to and from the site
 - Ø Parking areas for workers and heavy vehicles
 - Ø Construction staging areas
 - Ø 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):
 - Ø Use of highly-reflective (high albedo) roofing materials
 - Ø Use of green roofs
 - Ø Maximization of interior daylighting
 - Ø Glazing of windows
 - Ø Installation of high-efficiency heating, ventilation and air conditioning systems
 - Ø Incorporating additional insulation for the roofs and walls
 - Ø Incorporating motion sensors and lighting and climate control
 - Ø Use of efficient, directed exterior lighting
 - Ø Reducing overall energy demand through appropriate design and sizing of systems
 - Ø Supplementation with self-generated energy (e.g., on-site renewable energy sources)

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- Ø 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 in Appendix D of the FSGEIS, 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 in Appendix D of the FSGEIS, 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.⁴ According to the most recent USFWS white-nose syndrome zone map, 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),⁵ includes certain prohibitions against incidental take, which is defined as killing, wounding,

⁴ Federal Register Vol. 80, No. 63. Thursday, April 2, 2015.

⁵ Federal Register Vol. 81, No. 9. Thursday, January 14, 2016.

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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. 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 south of both runways and also within the lands comprising the CPB Core Preservation Area at the western portion of the EPCAL site.

- † 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).
- † 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 Memorandum of Agreement (MOA), and

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mitigation, as identified by OPRHP and the Town based on the specific circumstance, will be employed.

Facts, Conclusions and Mitigation Measures Contained within the GEIS Relied Upon to Support the Lead Agency Decision

In accordance with 6 NYCRR §617.11, the Town Board has considered the DSGEIS and FSGEIS for the proposed action, as well as the 1997 DEIS, 1997 FEIS, and original Findings Statement, and certifies that it has met the requirements of 6 NYCRR Part 617. The commentary received from involved agencies and interested parties was used in the analysis of significant impacts to the environment, and this Supplemental Findings Statement contains the facts and conclusions in the DSGEIS and FSGEIS relied upon by the lead agency to support its decision and indicates those factors that formed the basis of the decision.

Further, upon due consideration and among the reasonable alternatives available, the Town Board, as lead agency, has determined that based upon the potential significant environmental impacts identified in the SGEIS, the following includes the mitigation measures to be incorporated into the decision to ensure that such impacts will be avoided or minimized to the maximum extent practicable, to wit:

Land Use and Zoning

1. The EPCAL Property constitutes a portion of the former Calverton NWIRP property, which has been underutilized since its transfer from the U.S. Navy to the Town of Riverhead in 1998 for economic development purposes. The subject property is classified within four Town zoning districts: Calverton Office, Light Industrial, Planned Industrial Park and Planned Recreational Park. However, use and development of the property has been limited, and the economic development goals have not been achieved.

The goal of redevelopment of the EPCAL Property has been sought by the Town of Riverhead since the adoption of the *Comprehensive Reuse Strategy for the NWIRP at Calverton, Riverhead, Long Island*, in March 1996. The objectives outlined in that document were to attract private investment, increase the tax base, maximize job creation and enhance the regional quality of life. However, as stated above, redevelopment and economic development has not been fully achieved at EPCAL, partially due to the limited uses and restrictions prescribed by existing zoning and a lack of connection between such permitted uses and actual market conditions.

From a zoning perspective, the PD District being contemplated by the Town Board as part of this proposed action would allow the Town to respond to market changes and would permit a variety of uses while maintaining the overall economic development objectives of the redevelopment of the subject property and protecting sensitive environmental resources. Accordingly, the proposed PD District would help the Town to achieve the goals contemplated at the time the property was transferred by the U.S. Navy and the adoption of the aforesaid *Comprehensive Reuse Strategy*.

2. The 2,900±-acre, “inside-the-fence” area of the NWIRP/Grumman property, was deemed an urban renewal area and the *Calverton Enterprise Park Urban Renewal Plan*, which was adopted in 1998, concluded that, based on the existing conditions of the site and land use and development trends,

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redevelopment efforts should focus on utilizing existing infrastructure, respecting the natural environment, and encouraging redevelopment that reflects the existing character of the region. The 1998 *Urban Renewal Plan* calls for the adoption of a planned development district to permit multiple uses, extension of the Riverhead Water District, upgrades to the STP and improvements to existing area roadways. Following Articles 15 and 15A of New York State General Municipal Law, the 1998 *Urban Renewal Plan* permits amendments to that *Urban Renewal Plan*. As part of the proposed action, amendments are proposed to the *Urban Renewal Plan* that would reflect the current site conditions, current land use and development trends, any policy changes that have occurred since the adoption of the 1998 *Urban Renewal Plan*, and appropriate uses that are reflective of market conditions. Accordingly, adoption of the proposed amendments to the *Urban Renewal Plan* would facilitate the achievement of the economic development and environmental protection goals of the Town at EPCAL.

3. The eastern runway has been, and continues to be, an active runway and would be available for such use in the future. The western runway would also be available for its historic aviation use and/or renewable energy uses. Certain uses, such as model airplanes, car racing and windmills/turbines would not be permitted on either runway. Any proposed change in runway uses that would not comply with the foregoing would require additional environmental review.
4. The proposed action would be consistent with the goals, objectives and other applicable elements of the *2003 Town of Riverhead Comprehensive Plan*.
5. As described above, approximately 593.2 acres of the EPCAL Property would be available for development (excluding DRAs, roads and ROWs and including the western runway) and approximately 1,514 acres would be preserved and protected. Therefore, approximately 65 percent of the property will be preserved.
6. The subject property is located within the Long Island Central Pine Barrens. Approximately 300 acres on the western property are located within the Core Preservation Area and the remainder of the property is within the Compatible Growth Area. The Core Preservation Area will remain undisturbed. Pursuant to Chapter 9 (Section 9.2) of the "Comprehensive Land Use Plan" (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...[t]his policy was approved unanimously by resolution of the Commission at its 1/11/95 meeting." Nevertheless, the Town prepared an analysis with the standards and guidelines of the CLUP, and based upon this analysis, the proposed action was found to be in compliance with such standards and guidelines.
7. A 200-foot-wide non-disturbance buffer, incorporating the Peconic WSRRS Corridor, will be placed along Grumman Boulevard, north of the existing ROW and the proposed 20-foot-wide ROW dedicated for highway purposes, in the vicinity of proposed lots 30 and 31 (as depicted on the proposed Subdivision Map included in Appendix D of the FSGEIS). The ROW and buffer along Grumman Boulevard will protect the forested vegetation in that area and visually screen and soften

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views of future development of proposed lots 30 and 31. In addition, much of the area along Grumman Boulevard will remain undisturbed, as discussed in the *Visual Resources* section, below.

8. Along NY 25, there will be a 20-foot-wide ROW dedicated for highway purposes, followed to the south by a 25-foot-wide ROW to be controlled by the Town CDA, which will include the walkway/bike trail. This ROW will be followed, to the south, by a 25-foot-wide vegetated buffer to be maintained on the individual lots that abut NY 25. These ROWs and buffers will maintain the visual character of the area and protect existing vegetation. The *Visual Resources* section, below, provides additional details regarding the buffers.
9. The walkway/bike trail will be maintained within a 25-foot-wide ROW located along NY 25 and will generally continue around the perimeter of the property. The walkway/bike trail will be located within the ROW along Grumman Boulevard. In isolated areas of the site, the segments of the walkway/bike trail that are not present will be established to provide a continuous ring. This alignment will circle the entire property for a length of approximately ten and one-half miles. The presence of this trail will provide recreational and fitness opportunities for the occupants of and visitors to the subdivision and for the public in general.

Socioeconomics

1. A Market Assessment and an Absorption Study were prepared by RKG Associates, Inc. (RKG) and Jeffrey Donohue Associates LLC for the purpose of analyzing socioeconomic (including demographic) trends, and providing an economic foundation for the development of alternative concepts for redevelopment of the EPCAL property and to analyze the potential land absorption, in terms of acreage and by use, for the development of the EPCAL site over the next fifteen years. According to RKG, there are a variety of different uses that could be feasible over the multi-decade redevelopment horizon, including, but not necessarily limited to: Multi-Modal Freight Village; Agri-Business/Food Processing; High-Tech Business/Green Technology/Research Park; Mixed Use Planned Development; Specialty Uses (e.g., aviation, entertainment, tourism), as described below.

Based upon the Market Assessment and associated review by the Town Board, the PD District has been drafted to permit high-tech business, energy production, research and development, light industrial and aviation uses, with limited supportive residential and retail uses, and a potential energy park. Permitting these land uses will result in socioeconomic benefits, and will help the Town achieve its goal of economic development on the EPCAL property.

2. Construction activities would have a positive economic effect during the construction period. The regional economic benefits include direct expenditure on construction goods and services and indirect and induced economic activity within the region. Based on a projected labor cost of \$582.5 million for full build-out under the Theoretical Mixed-use Development Program, the proposed development is projected to generate 482± full-time equivalent (FTE) construction jobs per year, or 9,635± FTE construction jobs over the anticipated build-out.
3. Permanent job generation ratios were calculated on a per-square-foot basis for the proposed mix of uses for the purposes of estimating the permanent job generation potential of the proposed full

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build-out. The full build-out under the Theoretical Mixed-Use Development Program would be expected to generate thousands of permanent jobs (between approximately 5,400 and 25,000 in various fields, depending upon the ultimate level and type of development constructed).

4. Significant long-term economic benefits would result from implementation of the proposed action. Based on 2014 tax rates, the total projected property taxes, depending upon the ultimate level and type of development that is constructed, is expected to range between \$8,500,000± and \$40,000,000+.

Based upon the foregoing, the proposed action has been developed to address the need for redevelopment of the EPCAL Property, such that it becomes a significant economic engine for growth and development within the Town of Riverhead, Suffolk County and State of New York, in accordance with the objectives of the federal government with respect to the transfer of the property to the Town of Riverhead.

Community Facilities and Services

1. The EPCAL Property is located within the jurisdiction of three fire districts. The majority of the subject property is situated within the service boundary of the Manorville Fire District. The service boundary of the Wading River Fire Department encompasses the northern portion of the subject property, running parallel to NY 25. The service area of the Town of Riverhead Fire District encompasses the southeastern portion of the subject property, primarily east of Calverton. While most of the area within proposed Lots 1 through 9 and 17 through 22 is within the Wading River Fire Department jurisdiction, the southern portion of these lots are located within the Manorville Fire District, as is most of the remainder of the development lots. At this time, both of these fire departments would share the responsibility of providing services to these lots. While the Board of Assessors has advised that it cannot determine the exact portion of property taxes that would be paid to each fire district, once development occurs within the subdivision, specific property taxes (based upon the \$51.2± million assessed value) will be apportioned appropriately. This revenue could be used to offset costs associated with increased demand for service. Furthermore, in order to ensure that there would be no significant adverse impacts to the fire departments, future development would include: state-of-the-art building construction in accordance with the latest fire and building code regulations (which would incorporate the latest techniques and technology for optimizing fire suppression and fire protection); proper hydrant and standpipe placement; installation of fire control panels; and proper internal roadway design to accommodate emergency vehicles. Based upon the foregoing, no significant adverse impacts relating to fire protection are expected.
2. Emergency medical services (EMS) are provided to the subject property by the ambulance company associated with the Riverhead Volunteer Ambulance Corps, Inc. (RVAC). In addition, the Wading River Fire Department provides EMS services. The RVAC services almost the entire EPCAL Property with the exception of approximately 197 acres in the northern portion of the property, located within 500 feet of NY 25, west of Fresh Pond Road. RVAC indicated that there is little margin to accommodate an increase in call volume. The stations have insufficient space and facilities to meet current staffing and call volume. According RVAC, any significant increase

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in call volume, especially in the western half of the Ambulance District would require the addition of a substation in that area, at least one additional ambulance and one additional first response vehicle. In order to address these concerns, the RVAC is expected to receive between approximately \$99,000 per year and \$494,000 per year at full build-out, depending upon actual level and type of development constructed. In addition, Lot 21, as shown on the proposed Subdivision Map (contained in Appendix D of the FSGEIS), which is approximately nine acres in size, would, in the future, continue to contain the existing one-acre Grumman Memorial Park. Due to the size of the overall parcel, it would also be available to community service providers (e.g., ambulance, fire, police) for establishment of satellite facilities. Therefore, no significant adverse impacts to EMS/ambulance services are projected.

3. The nearest receiving hospital to the subject property is the Peconic Bay Medical Center (PBMC), located at 1300 Roanoke Avenue in the Town of Riverhead, approximately eight miles east of the subject property. In addition, there are five other hospitals with 1,800 beds within a 25-mile radius of the subject property. While there will be a need for hospital beds to serve the permanent population, as residential development would be a relatively small portion of overall development at EPCAL, the need is not expected to be great. Based upon the foregoing, it is not anticipated that the proposed development would adversely impact health care services in the area.
4. The Town of Riverhead Police Department currently services the EPCAL Property. Based upon the analysis conducted, it is not expected that development of the EPCAL Property would result in a demand that causes significant adverse impacts to police services. It is anticipated that future tenants (e.g., industrial, office, energy park) would provide for their own internal safety and security operations. This may assist in reducing the number of calls to the Riverhead Police Department. While the EPCAL Property is currently not generating any property taxes, the site and surrounding area are currently patrolled by the Town of Riverhead Police Department. Upon redevelopment, the property will be placed back onto the tax rolls and future tenants will be generating property taxes to the Town of Riverhead General Fund, approximately 50 percent of which (between approximately \$1,000,000 and \$5,000,000 annually, depending upon the level and type of development ultimately constructed) will go to the Riverhead Police Department. This will help to address the potential increase in service demand.
5. The collection and disposal of all solid waste generated by the future development would be in conformance with Chapter 103, *Solid Waste Management*, of the Town of Riverhead Town Code. Development of the EPCAL Property in accordance with the Theoretical Mixed-Use Development Program would generate between approximately 352 tons per month and approximately 2,218 tons per month, depending upon the level and type of development ultimately constructed. The collection and disposal of solid waste would be performed by licensed, private carters. Thus, the ultimate disposal locations are at the discretion of the carter, pursuant to its disposal agreements, and thus, would not be expected to result in significant adverse impacts to the Town's waste management facilities, practices or plans. Furthermore, recycling would be encouraged and provision would be made for appropriate recycling containers. Therefore, no significant adverse impacts regarding solid waste are anticipated.

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6. The subject property is located within the Riverhead Central School District (CSD). Based on data from the New York State Education Department website, the school enrollment within the overall Riverhead CSD for the 2012-2013 school year was 5,234, and for the 2013-14 school year enrollment was estimated at 5,015 children. The Town contemplates that future residential units could potentially be constructed at the EPCAL property to support the non-residential development that would take place at EPCAL. As the project is in the environmental analysis stage and no specific development is proposed, the residential units have not been designed. However, using widely-accepted published generation factors, such residences would be expected to generate 0.22 school-aged children per unit (assuming a maximum of 300 units, this represents approximately 66 school-aged children). For the 2013-14 school year, the per pupil expenditure in the Riverhead CSD was calculated at \$23,450±. Therefore, the total cost to the Riverhead CSD, assuming the addition of 66 students, would be approximately \$1,547,700 (based upon current expenditure per pupil). Since school property tax generation would be expected to range between approximately \$5,000,000 and approximately \$25,000,000, depending upon the level and type of development ultimately constructed, there would be a substantial annual net fiscal benefit to the Riverhead CSD, as the property tax generation from the proposed non-residential development on the site would more than offset the cost of educating the additional students that may reside on the site.

Transportation

1. Traffic was a significant issue evaluated in the SGEIS. In order to ensure that potential traffic impacts were comprehensively evaluated, detailed traffic analyses were conducted in the DSGEIS and the FSGEIS, which evaluated existing traffic conditions and future traffic conditions, both with and without the proposed action (i.e., the “Build” and “No Build” conditions, respectively). The No-Build condition represented the future traffic conditions that can be expected to occur, were the proposed subdivision developed. The No-Build condition serves to provide a comparison to the Build condition, which represents expected future traffic conditions resulting from both project- and non-project-generated traffic. Background traffic volumes in the study area were projected to the anticipated interim build year of 2025 and the ultimate build-out of 2035. The normal weekday commuting hours in combination with the peak hour site traffic is the critical condition with regard to the determination of traffic impacts and the development of appropriate mitigation. The following roadways were examined: Middle Country Road (NY 25), Wading River Manor Road, Edwards Avenue, Grumman Boulevard, River Road, and Burman Boulevard. The following intersections were analyzed in the DSGEIS:

Signalized Intersections

- † Middle Country Road (NY 25) and Wading River Manor Road
- † Middle Country Road (NY 25) and Burman Boulevard
- † Middle Country Road (NY 25) and NY Route 25A
- † Middle Country Road (NY 25) and Edwards Avenue
- † Middle Country Road (NY 25) and Splish Splash Drive/Manor Road

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Unsignalized Intersections

- † Edwards Avenue and River Road
- † Grumman Boulevard and Burman Boulevard
- † Wading River Manor Road and Grumman Boulevard
- † Wading River Road/Schultz Road and North Street
- † Wading River Road and Long Island Expressway (LIE) North Service Road
- † Wading River Road and LIE South Service Road.

In addition, in order to understand the traffic patterns on Middle Country Road in the vicinity of the site, as well as traffic on Burman Boulevard, Automatic Traffic Recorders were installed at the following locations:

- † On Middle Country Road (NY 25) east of Burman Boulevard
- † On Middle Country Road (NY 25) west of Burman Boulevard
- † On Burman Boulevard south of Middle Country Road (NY 25)
- † On Burman Boulevard north of Grumman Boulevard.

2. The analyses determined that extensive traffic mitigation measures would have to be implemented to accommodate various levels of development at the EPCAL Property. The mitigation identified is based upon the Theoretical Mixed-Use Development Program evaluated in the SGEIS. However, the actual uses developed will determine the actual traffic generation and the mitigation required (i.e., the traffic generated by a solar farm is negligible, but the traffic generated by a large-scale manufacturing facility could be substantial). In order to ensure that the traffic generated by the permitted development can be adequately mitigated, as each use is approved, constructed and occupied, traffic counts must be taken at the individual lot access points (as counting of the subdivision access points to the external road network would capture traffic not associated with the subdivided lots). The counts must capture the weekday a.m. peak period of activity, as this has been determined to be the critical time period.

Based upon the analyses conducted as part of this SEQRA process, the maximum number of trips that could be generated at this site and reasonably mitigated at this site 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 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.

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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 (below) 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,

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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.

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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 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 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 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 115 Second cycle all time periods</p>	<p>Multi-phase Actuated-Coordinated signal</p> <p>AM/PM Cycle length: 100 seconds 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 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 Multi-phase Actuated-Coordinated signal</p> <p>Westbound Lefts turns fully protected Eastbound left turns protected/permitted</p> <p>North-south split phasing</p> <p>AM/PM Cycle length: 100 seconds 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 Saturday Cycle length : 100 Seconds</p> <p>NB right turn overlaps WBL 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	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 - One shared left turn / through lane and one channelized right turn lane Southbound - Single shared left turn/ through / right turn lane		Northbound - One exclusive left turn lane, a shared left turn / through lane and one channelized right turn lane	Unsignalized Intersection Eastbound & Westbound approaches stop controlled	Signalize Two-phase semi-actuated signal with permitted left turns Northbound approach leading AM/PM Cycle length: 80 seconds Saturday Cycle length : 70 Seconds Optimize phase splits, vary with time period to correlate to future volumes	North-south split phasing EB right turn overlaps NBL 90 Second cycle all time periods Optimize phase splits, vary with time period to correlate to future volumes
8	Grumman Boulevard & Burman Boulevard (Site Access)	Eastbound – Single shared left turn / through lane Westbound – Single shared through / right turn lane Southbound - Single shared left turn/ right turn lane	Eastbound – One exclusive left turn lane and one through lane Westbound – Single shared through / right turn lane Southbound - One exclusive left turn lane and one exclusive right turn lane	Eastbound – Two exclusive left turn lanes and one through lane	Unsignalized Intersection Southbound Approach Stop Controlled	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	80 Second cycle all time periods Optimize phase splits, vary with time period to correlate to future volumes
9	New Intersection Grumman Boulevard & West Site Access		Eastbound – One exclusive left turn lane, one through lane Westbound – Single shared through / right turn lane Southbound - One exclusive left turn lane and one exclusive right turn lane	Eastbound – One exclusive left turn lane, one through lane Westbound – One through lane and an exclusive right turn lane Southbound - One exclusive left turn lane and one exclusive right turn lane		Unsignalized Intersection Southbound Approach Stop Controlled	Signalize Two-phase semi-actuated signal with permitted Southbound left turns 80 Second cycle all time periods Optimize phase splits, vary with time period to correlate to future volumes
10	Wading River Manor Road & Grumman Boulevard	Westbound – One exclusive left turn lane and one exclusive right turn lane Northbound - Single shared through / right turn lane Southbound - Single shared left turn / through lane	Westbound – Two exclusive left turn lanes and one free channelized right turn lane Northbound - One through lane and a free channelized right turn lane Southbound - One exclusive left turn lane and a through lane		Unsignalized Intersection Westbound Approach Stop Controlled	Signalize Two-phase semi-actuated signal with permitted Southbound left turns 70 Second cycle all time periods Optimize phase splits, vary with time period to correlate to future volumes	Optimize phase splits, vary with time period to correlate to future volumes

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

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

3. Under current conditions (e.g., given available rights-of-way, available land to expand rights-of-way), it would not be possible to accommodate a trip generation level of 5,000 total trips (combined entering and exiting) during the critical weekday a.m. peak hour. If the aforesaid 5,000 total trip level in the a.m. peak hour is reached, and the Town seeks to permit additional development, additional SEQRA review would have to be undertaken.
4. Access to the site from NY 25 will be provided by the existing signalized access point at Burman Boulevard. In addition, while not currently proposed to be developed, the rights-of-way for the construction of access on NY 25, both west and east of Burman Boulevard, have been provided for potential future use. Two access points would be provided on Grumman Boulevard and River Road, along the south of the site. One of these will be the existing Burman Boulevard T-intersection with River Road, which would be signalized. A second access point would be developed to the west of Burman Boulevard, forming a new T-intersection with Grumman Boulevard which would be signalized. The proposed Subdivision Map contained in Appendix D of the FSGEIS includes a system of internal roadways designed to provide connections from the external access point to the proposed lots. These proposed internal roadways, with the exception of some of the roadways leading to the access points, provide a paved width of 37 feet and a 55-foot right-of-way. In addition, the existing Burman Boulevard, which bisects the site between Middle Country Road and River Road, will remain to serve the proposed development. These internal roadways will remain under the jurisdiction and maintenance of the Town of Riverhead. STOP control should be installed on the minor legs of the internal intersections initially. As the subdivision occupancy increases, some of the internal intersections may be candidates for signalization. This situation should be monitored and traffic signals considered, if and when they become appropriate.
5. Significant infrastructure will be provided within the proposed subdivision dedicated to pedestrians and bicyclists. The entire former Calverton NWIRP is ringed by a walkway/bike trail, which exists just inside the existing fence. As part of the proposed action, this walkway/bike trail will be included in a 25-foot-wide right-of-way to be controlled by the Town of Riverhead CDA. The presence of this walkway/bike trail will provide recreational and fitness opportunities for the occupants of and visitors to the subdivision and for the public in general. While improvements have been identified for Middle Country Road, which includes widening of Middle Country Road, this widening must be performed to the requirements of the NYSDOT. It is anticipated that any widening of Middle Country Road will include a safety shoulder and will likely include a dedicated bicycle lane and sidewalks in areas with any significant roadside development.
6. When the Calverton NWIRP plant was in operation, it was served by a rail spur, which extended from the Ronkonkoma Branch, south of the site near Connecticut Avenue, north into the plant. This spur was utilized to move bulk materials and large items from points west to the plant for use in their manufacturing operations. This spur, long in a state of disrepair, was reconstructed and modernized in 2011 and returned to freight operations. It is utilized by some of the existing industrial uses that occupy the Calverton Camelot industrial subdivision, which is located adjacent to the proposed subdivision. The presence of the rail spur provides an opportunity for its use by future occupants of the EPCAL subdivision and could potentially reduce truck traffic to and from the site.
7. The proposed subdivision and proposed PD District envision a range of potential land uses from light industrial to energy park to multi-family housing, and includes uses such as office and retail.

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As such, there may be a wide range of parking needs within the subdivision. Based on the parking analyses and the projected parking demand from mixed-use development in accordance with the PD District, parking ratios have been established that will ensure that there is sufficient parking to meet the demand. Accordingly, implementation of the proposed action will not result in significant adverse impacts to parking.

8. The proposed subdivision of the EPCAL property would result in construction of improvements to the subdivision lots over a period of many years. This study identified two analysis years, 2025 and 2035, as representative forecast years for which to evaluate potential impacts. Given the extended build-out anticipated, the exact duration and nature of construction on specific lots cannot be known at this time. However, in order to mitigate potential construction-related impacts, the Town requires a construction traffic management and logistics plan be developed and filed with each site plan application. It shall be made clear through the approval process that heavy vehicles shall arrive and depart the subdivision via major roadways only and avoid secondary minor streets.
9. It is recommended that the posted speed limit on the section of NY 25 between just east of CR 46 and east of Manor Road/Splish Splash Drive be set to 45 miles per hour (see discussion in the *Noise* section, below). However, this decision is ultimately under the jurisdiction of the NYSDOT.

Air Quality

1. An air quality evaluation was performed for the proposed action, which demonstrated that the development of the proposed project would not result in adverse air quality impacts. The air quality analysis evaluated existing conditions, the local air quality impacts from the proposed action, construction activity, and air toxics.

The microscale analysis evaluated site-specific impacts from the vehicles traveling through congested intersections in the study area. This analysis demonstrates that all existing and future carbon monoxide concentrations are below the National Ambient Air Quality Standards (NAAQS). Specifically,

- † All the one-hour carbon monoxide (CO) concentrations ranged from 3.3 to 3.6 ppm and are well below the CO NAAQS of 35 ppm.
- † All the eight-hour CO concentrations ranged from 2.3 to 2.6 ppm and are below the CO NAAQS of 9 ppm.

The air quality study demonstrates that the proposed project conforms to the Clean Air Act Amendments (CAAA) and the State Implementation Plan (SIP) because:

- † No violation of the NAAQS would be expected to be created.

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- † No increase in the frequency or severity of any existing violations (none of which are related to this development) would be anticipated to occur.
- † No delay in attainment of any NAAQS would be expected to result due to the implementation of the proposed action.

Furthermore, the following measures have been incorporated into the proposed action that will minimize air quality impacts:

- † The proposed operational and physical roadway improvements will assist in reducing air quality impacts associated with mobile sources.
- † Future development will be designed to meet or exceed the New York State Energy Conservation Construction Code, which requires the use of energy efficient products in all new and renovated construction.
- † With respect to stationary sources, during the proposed project's design phase, the following greenhouse gas mitigation measures will be considered and encouraged:
 - Ø Use of highly-reflective (high albedo) roofing materials
 - Ø Use of green roofs
 - Ø Maximization of interior daylighting
 - Ø Glazing of windows
 - Ø Installation of high-efficiency heating, ventilation and air conditioning systems
 - Ø Incorporating additional insulation for the roofs and walls
 - Ø Incorporating motion sensors and lighting and climate control
 - Ø Use of efficient, directed exterior lighting
 - Ø Reducing overall energy demand through appropriate design and sizing of systems
 - Ø Supplementation with self-generated energy (e.g., on-site renewable energy sources)
 - Ø Tracking of energy performance of building and developing a strategy to maintain efficiency.

Based upon this analysis, no significant adverse air quality impacts from the operational phase of the future development are anticipated.

Construction activities associated with the proposed action could result in a temporary increase in air quality impacts. The primary source of potential emissions is from fugitive dust resulting from construction operations (e.g., earthwork, clearing, grading, creation of stockpiles). In order to minimize this potential, dust control measures will be used during construction to protect air resources. The appropriate methods of dust control would be determined by the surfaces affected (i.e., roadways or disturbed areas) and would include, as necessary, the application of water, spray adhesives, the use of stone in construction roads, and vegetative cover.

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Furthermore, during construction, there is the potential for emissions associated with construction vehicles. Therefore, emission controls for construction vehicles emissions will include, as appropriate, proper maintenance of all motor vehicles, machinery, and equipment associated with construction activities, such as, the maintenance of manufacturer's muffler equipment or other regulatory-required emissions control devices.

Accordingly, no significant adverse impacts to air quality are anticipated during the construction period.

Noise

1. Implementation of the proposed action will result in both vehicular traffic and building operation noise sources. The vehicular traffic noise sources were compared to the Federal Highway Administration (FHWA) and the NYSDOT noise impact criteria and the building's mechanical equipment and operations were compared to the Town of Riverhead's noise control criteria. The equivalent sound level, or L_{eq} , is used as the monitoring and modeled sound level descriptor. The L_{eq} averages the background sound levels with short-term transient sound levels and provides a uniform method for comparing sound levels that vary over time. Based upon noise monitoring, the L_{eq} values at all monitoring locations, during all peak periods monitored, range between 46.3 dB(A) and 54.5 dB(A). The L_{eq} sound levels are below the lowest Noise Abatement Criteria (NAC) threshold [57 dB(A)] established by the FHWA to help protect the public health and welfare from excessive vehicular traffic noise.

The L_{dn} sound level is the average of aircraft sound levels at a location over a complete 24-hour period. A ten-decibel "penalty" is added to those noise events which take place between 10:00 p.m. and 7:00 a.m. (local time). This ten-decibel adjustment represents the added intrusiveness of sounds that occur during normal sleeping hours. The flight tracks of the military jets previously operating at the site indicated that there were 242 flights per day that resulted in L_{dn} sound level contours that ranged from 65 dB through 85 dB over most of the EPCAL Property, as well as a small area of approximately ten acres south of Grumman Boulevard. Based upon the noise monitoring data, the elimination of the military jets operating at the subject property has resulted in a substantial reduction in L_{dn} sound level contours that now range from 44 dB to 53 dB.

The noise study evaluated the mobile and stationary source sound levels associated with the proposed project to determine the potential change in sound levels at receptor locations on and in the vicinity of the EPCAL Property. The future sound levels included cumulative impacts from traffic growth over time and increases in traffic from the proposed project and other significant projects in the study area. The future sound levels were calculated following procedures and guidance of the FHWA and NYSDOT. Based upon the analysis, there are a number of receptors that would be impacted by the noise associated with the future traffic on area roadways, assuming that the subject site is built out as evaluated in the DSGEIS. However, if the uses that are ultimately developed on the site are less noise intensive and/or generate less traffic, the number of receptors experiencing noise impacts would be reduced.

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Since travel speed is a major factor associated with vehicular traffic, managing the travel speed along a roadway could reduce sound levels at nearby receptor locations. Based upon this analysis, a five-mile-per-hour reduction in speed limit (to 45 miles per hour) could be employed on NY 25 to reduced noise levels, if necessary. However, the NYSDOT will make the final determination regarding the speed limit of NY 25.

Future development on the EPCAL Property will be required to be designed to minimize its sound levels to the surrounding areas. Moreover, specific development would include the necessary mitigation measures, such as:

- † For potential noise-generating equipment on the exterior of buildings, equipment meeting applicable acoustic standards would be required
- † Acoustic enclosures and exhaust silencers would be required if equipment is expected to generate excessive noise
- † Equipment to be located on the roof of a building would be situated away from residential areas or in a penthouse.

With the incorporation the measures cited above, operational noise associated with future development occurring in conformance with the proposed action would not have a significant adverse noise impact.

2. Impacts on community sound levels during construction would include noise from construction equipment operating at the subject property. The sound levels would vary widely, depending on the specific construction activities being conducted and where the construction activities were occurring. Increased noise levels would be greatest during the early stages of each construction phase, although these periods would be of relatively short duration. The noise generated would be similar to other construction projects in the Town and all phases of construction would comply with the restrictions specified in the Town's *Noise Control* ordinance (Chapter 81 of the Town Code), such as days of week and time of day. Thus, no significant adverse noise impact during the construction period is expected.

Infrastructure

1. In conjunction with the Calverton STP, the existing network of gravity sewers, pump stations, and force mains has been supplemented in recent years in conjunction with the ongoing development of Calverton Camelot to include the extension of gravity sewers generally coincident with the Calverton Camelot roadways. The NYSDEC recognizes that the STP cannot meet current standards because of the low current flows and the composition of the sewage (no food, so it cannot create and maintain biomass for treatment). Therefore, the development of the EPCAL property would alleviate this situation by increasing the flow and providing varied waste materials. The upgraded STP would require a new/revised SPDES permit. It is estimated that development at EPCAL Property would generate between approximately 252,000 gpd of sewage effluent and 1,137,000 gpd of sewage effluent, depending upon the actual level and type of development constructed. The proposed upgrade and expansion of the existing Calverton Sewer District sanitary

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collection, conveyance and treatment facilities will be phased to accommodate the amount and type of development anticipated and evaluated in the SGEIS. The Town's consultant, H2M, has prepared a map and plan for the Calverton STP upgrade, including moving the discharge area north of the groundwater divide. This map and plan was submitted to the New York State Environmental Facilities Corporation (NYSEFC) in July 2015. The Town has not yet received comments from the NYSDEFEC. In addition, a NYSEFC loan application package was also submitted to NYSEFC in March 2016 to take advantage of its low interest long-term loans and short-term borrowing. Also, the Riverhead Town Board held a Public Hearing on April 19, 2016 wherein the project was described and the project budget presented and to seek comments on the proposed measures to upgrade the plant and eliminate the Peconic Estuary outfall. The Public Hearing comment has been closed and the Town Board passed a Bond Authorization and Estoppel Notice at the June 7, 2016 Town Board meeting. Additionally, the Town is awaiting approval from NYSEFC on the Design Report. The Town has secured the following four grants totaling \$6,941,000, which cover approximately 92 percent of the total project cost of \$7,560,000. The proposed STP upgrade schedule is as follows: Design Start Date - August 1, 2016; Construction Start Date - June 1, 2017; and Construction End Date - December 31, 2019.

2. Whereas currently sewage effluent generated by the STP is discharged into McKay Lake, in the future, such sewage effluent will be piped to an area north of the groundwater divide (Lot 42 on the proposed Subdivision Map in Appendix D of the FSGEIS) and will be disposed of in an area that would not impact the Peconic River watershed to the south. Based upon the upgrade to the STP and the relocation of the outfall, the proposed action is not expected to result in significant adverse impacts related to sewage disposal.
3. With an estimated peak water use of 350,000 gpd (243 GPM), the Riverhead Water District (RWD) would have sufficient supply well pumping capacity to meet the demands associated with the interim development level analyzed in the SGEIS. 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) to accommodate District-wide growth. With an estimated peak water use of 1,990,000 gpd (1,382 GPM) at full build-out at EPCAL, 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. Water conservation measures, which may include low-flow fixtures, low-flow toilets, and/or drip irrigation, will be required for new development at the EPCAL Property. Based upon the proposed mitigation, and with the addition of one-to-two new wells (depending upon the ultimate level and type of development ultimately constructed at EPCAL, the proposed action would not have a significant adverse impact on the water supply.
4. An overall SWPPP will be prepared for the subdivision incorporating measures to control erosion and sedimentation in accordance with Chapter 110, *Stormwater Management and Erosion and Sediment Control*, of the Town Code. Each individual lot (at the time of development) will be

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required to conform to the overall SWPPP and provide site-specific details regarding erosion and sedimentation control. Implementation of the sequenced construction process and other best management practices would assist in ensuring that the proposed development would minimize the stormwater runoff impact to groundwater and surface water resources.

5. The integrated stormwater management system (i.e., the collection system and drainage reserve areas) on the property would contain and recharge all stormwater on-site and would also serve to reduce pollutants that can be transported by stormwater runoff, from leaving the site as well. 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 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. Further, the majority of the proposed drainage reserve areas will be restored to grassland, once reshaped, to contain the appropriate volume from an eight-inch runoff. The drainage reserve areas (DRAs) proposed to be re-vegetated to grassland will become part of the drainage infrastructure (in conjunction with the roads, catch basins, etc.); however, such DRAs would be maintained by the Town or Special District, if created by the Town, to manage the grasslands under the guidance of the CHPP. Where possible, the areas encompassing the DRA's will be left in their natural state. In such cases, no drainage structures (e.g., drywells) will be installed. Where grading is required in order to provide for the required storage volume or allow for the construction of the adjacent road, the areas will be restored with slopes that approximate the surrounding areas (typically no more than 1V:6H). Disturbed areas will be restored with a seed mix consistent with the existing natural areas, which will be detailed on the Final Subdivision Plans. The Town will maintain the grasslands in a manner consistent with the CHPP, which will be noted on the Final Subdivision Plans.

As the proposed stormwater management system includes various methods of drainage (i.e., drywells, drainage reserve areas) and all stormwater would be handled on-site and in accordance with Town of Riverhead requirements), no significant adverse impacts are expected to result from the anticipated stormwater generation and runoff.

6. There is a natural gas line that serves the site and such service is provided to the area by National Grid. As the individual lots are sold for development, the individual owners must secure a service availability letter from National Grid with respect to their specific natural gas load requirements.

Electric service is currently provided to the site by PSEG Long Island. PSEG Long Island responded that it will provide service to the proposed project in accordance with their filed tariff and schedules in effect at the time the service is required. According to the letter, the service is to be provided via customer installed underground cable to pole line on the south side of NY 25A. As the individual lots are sold for development, the individual owners must secure a service availability letter from PSEG Long Island with respect to their specific electric load requirements.

Based upon the information provided by the service providers, no significant adverse impacts to natural gas or electrical service are anticipated.

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Cultural Resources

1. As part of the environmental review in 1996, the U.S. Navy performed extensive historic and archaeological surveys of the NWIRP Calverton property in coordination with the OPRHP or SHPO, and in compliance with Sections 106 and 110 of the National Historic Preservation Act (NHPA) of 1966, as amended; Executive Order 11593; and NEPA. The prehistoric periods and historic period (1609 -1952), as well as the Grumman Era at Calverton (1952-1996) were analyzed in the environmental review process.

A review of the National Register files of OPRHP showed that no architectural or cultural resources within the NWIRP Calverton Property are listed in the national or state registers. No cultural resources, determined eligible but not yet listed in the registers, are located within the NWIRP Calverton Property. In addition, the U.S. Navy received concurrence from the SHPO with findings of non-eligibility for a potential historic district.

Phase IA and Phase IB Archeological Surveys were undertaken. Based upon these surveys, the area of archaeological sensitivity was concluded to be approximately 50 acres. Future consultations between the Town CDA and SHPO were outlined in MOA filed with the Town of Riverhead.

Pursuant to the MOA, the conveyance document contained covenants to ensure the protection of such properties. This satisfied the requirements of 36 CFR 800.9[b] and mitigated the adverse effects of the transfer on the eligible historic properties. Based upon the foregoing, upon conveyance of the subject property from the U.S. Navy to the Town CDA, an agreement between the Town CDA and SHPO was executed on August 27, 1998 to establish specific covenants on the subject property related to historic and archaeological resources. Based upon the covenants, if in the future, the archaeological sensitivity map is revised such that the archaeologically sensitive areas are reduced in size due to the revision of boundaries of these areas, as authorized by the OPRHP, the provisions of the covenant will only apply to the reduced areas.

The only segment of the EPCAL Property that is still within an area that has been identified as culturally sensitive is located in the northeastern portion of the EPCAL Property. This area is located outside the developable lots, is proposed to be preserved as open space, and thus would not be adversely impacted by the proposed action.

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.” 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. Based upon the foregoing, there would be no significant adverse impacts to cultural resources.

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Geology, Soils and Topography

1. Since bedrock is estimated to be located approximately 1,200 feet beneath the EPCAL Property, there are no geologic features at the subject property, and no extensive excavation or filling of the property is anticipated, implementation of the proposed action would have no impact on the geological resources underlying the property.
2. A portion of the EPCAL Property has been previously disturbed by various earth-moving activities associated with the site's use as naval weapons production and air plane testing facility. While additional soils will be disturbed in order to implement the proposed action, the soils located in areas designated for preservation or open space, which comprise approximately 1,514 acres (65± percent of the site), would not be disturbed or altered.

As part of site-specific applications for development within the EPCAL Property, applicants would be required to conduct on-site borings to determine specific soil conditions, and to ensure that appropriate measures are implemented to mitigate issues that may arise (e.g., the potential need for topsoil to establish landscaping, the potential need for excavation of unsuitable soils and the potential importation of material to facilitate proper drainage).

3. The disturbance of soils for construction and regrading activities increases the potential for erosion and sedimentation. All development within the EPCAL Property would be required to employ proper erosion and sedimentation controls (e.g., the strategic placement of silt fencing and hay bales to prevent overland runoff and to protect on-site drywells from siltation, maintenance of construction entrances to minimize the transport of sediment on to roadways, placement of appropriate cover over soil stockpiles to protect from wind and precipitation). Also, the Town of Riverhead requires the preparation of a Stormwater Pollution Prevention Plan in accordance with Chapter 110, *Stormwater Management and Erosion and Sediment Control*, of the Town Code.
4. Since the topography is relatively flat with moderate slopes, the topographic conditions would not be expected to limit the potential development/redevelopment of the site. Furthermore, as part of the site plan approval, applications for development would be required to comply with Chapter 63, *Grading*, of the Town Code. The cut and fill of the subdivision infrastructure (including roads and stormwater facilities) is expected to be balanced. Site engineering plans for each of the individual parcels will be developed based on detailed and accurate topographic information and detailed architectural design for the buildings. There would be opportunity during the development of the various lots to design grading plans so as to ensure earthwork will be balanced as development proceeds. Further, phasing of the project over a number of years would minimize the impact of excavation, as it would spread out the number of truck trips associated with soil removal.

Based upon the foregoing, no significant adverse impacts to on-site geology, soils or topography would result during either the construction or operational phases of the future development.

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Water Quality and Hydrology

1. The northern branch of the groundwater divide bisects the subject property, such that the northern portion of the site exhibits horizontal groundwater flow toward the north. The southern portion of the site is situated between the northern and southern branches of the divide, such that shallow flow recharge travels toward the Peconic River, or downward and eastward within the Magothy aquifer. The subject property is located in Zone III, which encompasses the eastern portion of the Magothy recharge zone and is generally of high water quality. However, it is partially within an area identified with shallow groundwater contamination with organics. It is also located within the Central Suffolk Special Groundwater Protection Area (SGPA), which is considered to be a Critical Environmental Area (CEA) for the purposes of SEQRA, and is located within the Central Suffolk Pine Barrens. 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.” Nevertheless, the Town has designed the proposed EPCAL subdivision to comply with the standards and guidelines as set forth in the CLUP, and as such, the proposed action would be protective of groundwater resources.
2. In order to ensure the protection of groundwater, future site-specific development applications would comply with the relevant recommendations of the “Wastewater Management Alternatives” and the “Highest Priority Areawide Alternatives” of the 208 Study and all site-specific applications would be subject to compliance with the Town’s stormwater ordinance (Chapter 110 of the Town Code). With respect to the impact to groundwater, stormwater would be contained and recharged on the site through the use of leaching pools and drainage reserve areas, which is a proper drainage method. In addition, the development would be connected to a municipal STP, which would remove nitrogen before recharge to groundwater. Much of the area to the south of the subject property is within the Peconic Headwaters Natural Resources Management Area. Therefore, the relocation of the sewage disposal area to north of the groundwater divide (and away from the Peconic River) would also have a positive impact on groundwater and surface water resources, reduce nitrogen loading to the estuary and improve the environmental health of the area. Development must limit the amount of fertilizer-dependent vegetation on individual lots to 15 percent and native and/or low-maintenance species must be incorporated, to the maximum extent practicable in accordance with the PD District. Also, water conservation methods would be used to the maximum extent practicable to decrease overall water usage and groundwater impacts, and would comply with the requirements of the Suffolk County Sanitary Code (Article 6).
3. There is property that the U.S. Navy has committed to transferring to the Town, which still has groundwater contamination. This property consists of approximately 200 acres, and is shown on the Subdivision Map as Navy Parcel “A” and Navy Parcel “B” (see Appendix D of the FSGEIS) both of which are located outside of any numbered lot. The U.S. Navy is actively involved in the remediation of this property, and will address the impacts of existing groundwater contamination beneath these areas, prior to their transfer to the Town CDA.

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4. The subject property is not within an existing water district or service area. However, the RWD has made an application to the NYSDEC to annex the entire site into that district. Impacts and mitigation related to water use were discussed with the *Infrastructure* section, above. Moreover, an applicant for development must demonstrate that water conservation measures, which may include low-flow fixtures, low-flow toilets, and/or drip irrigation, will be implemented.
5. An individual applicant for development at the EPCAL Property must provide a letter of sewer availability upon application to the SCDHS, as part of the site plan approval process.
6. The proposed subdivision has been designed to maintain the scenic and undeveloped nature of the Peconic River headwaters and the WSRRS corridor. The Town is requesting a modification of the WSRRS boundary (as depicted on the proposed Subdivision Map in Appendix D of the FSGEIS), which will remove some of the area that is proposed to be developed on the EPCAL Property to outside of the corridor, but add other areas that are currently within the EPCAL property into the WSRRS corridor. These measures, along with the relocation of the sewage effluent disposal north of the groundwater divide and away from the Peconic River, will help to protect the Peconic River Headwaters.
7. The proposed action and the CHPP, discussed in the *Terrestrial and Aquatic Environment* section below, have been specifically developed to avoid the loss of, and to minimize development-related disturbance to, wetland and aquatic habitats, including the Peconic River Significant Coastal Fish and Wildlife Habitat. All of the wetland areas and ponds identified on the property will be preserved within open space areas, and no development would occur within 1,000 feet of any such identified pond, even if the water surface area is located off-site.

Based upon the foregoing and with implementation of the proposed mitigation measures, no significant adverse impacts to water resources would be anticipated.

Terrestrial and Aquatic Environment

1. Existing ecological conditions at the subject property are well-documented, based upon numerous past studies of the site, as well as field surveys undertaken as part of the instant SEQRA process. Various on-site terrestrial ecological communities were identified including: pitch pine-oak forest; pitch pine-oak-heath woodland; pine/spruce/conifer plantation; successional old field; successional shrubland; and paved road/path. In addition, six NYS Endangered or Threatened species were identified in the 1997 FEIS, including; eastern tiger salamander; spotted salamander; barrens buckmoth; rose coreopsis; Nuttal's lobelia and slender pinweed. The 1997 FEIS identified 25 wetlands, wetland complexes and deepwater habitats on the subject property. The NYSDEC identified four ponds on the site and six ponds adjacent to the site as potential tiger salamander breeding ponds.

In order to protect the sensitive environmental features identified on the EPCAL Property, a CHPP has been prepared to mitigate the impacts of the proposed action on the existing ecological habitats

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Town Board of the Town of Riverhead
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identified at the subject property through the preservation, creation and management of key habitat areas for resident plant and wildlife species. This plan will be submitted to the NYSDEC as part of the Incidental Take Permit prepared by the Town, pursuant to 6 NYCRR Part 182. Activities associated with the CHPP that are ultimately approved by the NYSDEC, will be funded by the full faith and credit of the Town of Riverhead. The monitoring of the of the height of the grasslands at EPCAL and the grasslands to be created pursuant to the CHPP and the mowing of these grasslands according to the habitat requirements set forth in the CHPP, will be funded by the full faith and credit of the Town of Riverhead or the Special District, if created. As an alternative to the above, the Town is researching the ability to partner with local not-for-profit conservation and land trusts, together with or including coordination by and between such conservation and land trusts and federal, state and/or local government entities related to such management and monitoring of the grasslands. In the event that any of the preserved grassland areas described herein are transferred, a security bond will be required to ensure that the required maintenance and monitoring will be funded.

Based upon the CHPP, the following measures would be implemented:

- † 787.3± acres of woodland would be preserved (including 447.9 acres in wetland buffer area)
- † 512.4± acres of existing grassland would be preserved and 70.6± acres of grassland would be created for a total of 583.0 acres of grassland at the site
- † 117.6± acres of meadow/brushland, other than grasslands, would be preserved (including 66.1 acres in wetland buffer area)
- † 9.3± acres of water bodies, other than wetlands, would be preserved
- † 16.4± acres of on-site wetlands (i.e., identified eastern tiger salamander ponds) would be preserved. Specifically, various wetland and aquatic resources are located within or partially within the subject property boundaries, including ten National Wetland Inventory (NWI)-designated habitats and six NYSDEC-regulated wetland areas. The proposed Subdivision Map has been specifically developed to avoid the loss of wetland and aquatic habitats, and to minimize development-related disturbance to these resources. No development will occur within 1,000 feet of any such on- or off-site habitat, including the NYNHP-listed Coastal Plain Pond community. In addition, fencing will be required 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 as shown on the proposed Subdivision Map included in Appendix D of the FSCEIS) the 1,000-foot radius of eastern tiger salamander breeding ponds. Thus, the eastern tiger salamander breeding ponds and surrounding upland habitat would be preserved.

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- † The preservation of all wetland and aquatic habitats and adjacent upland areas located at the site, also allows for the protection of breeding and non-breeding habitat for the five NYS Special Concern amphibian or reptile species documented at the subject property (marbled salamander, eastern spadefoot toad eastern box turtle, spotted turtle and eastern hognose snake). Additionally, the NYS Special Concern snake species eastern worm snake has been documented in the vicinity of the subject property and may also occur on-site, particularly within moist forested areas near water features. If present at the site, potential on-site habitat protection for this species would also be afforded through the preservation of wetlands and adjacent habitats.

Also, by preserving all on-site wetland/aquatic habitats, the CHPP would also preserve any potential habitat for the seven NYS-listed wetland-adapted plants for which on-site records exist (coppery St. John's-wort, comb-leaved mermaid-weed, small floating bladderwort, short-beaked beakrush, rose coreopsis, Nuttall's lobelia and Wright's panic grass).

- † 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 CPB Core Preservation Area at the western portion of the site. It is also anticipated that additional Pitch Pine-Oak Forest habitat will occupy the site 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. The large contiguous blocks of Pitch Pine-Oak Forest will also provide potential habitat for the NYS-Threatened plant slender pinweed that was identified as occurring on-site.
- † Preservation of forested habitat under the CHPP would also afford habitat protection for the NYS-Special Concern woodland bird species whip-poor-will, which was observed and noted as a probable on-site breeder in 2009.
- † Vegetated open space areas within the proposed lots would be contiguous with each other and with vegetated areas on adjacent parcels. The proposed lot layout has specifically been configured such that areas of existing Pitch Pine-Oak Forest and other natural vegetation to remain are concentrated within the rear and side yards of the proposed lots, and contiguous to existing areas of Pitch Pine-Oak Forest on adjoining off-site properties.
- † Although no records for the NYS-Threatened butterfly species frosted elfin (*Callophrys irus*) were reviewed as part of this assessment, the NYSDEC has identified this species as potentially occurring on-site. Accordingly, the large contiguous blocks of Pitch Pine-Oak Forest to be preserved under the CHPP represent significant potential habitat area for this species. Specifically, the two larval food plants that the frosted elfin relies on, blue lupine (*Lupinus perennis*) and wild indigo (*Baptisia spp.*, particularly *Baptisia tinctoria*), occur within

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dry open woods, grassland, and/or disturbed open areas. In order to ascertain whether such plant species exist on the property, a field study, which was concentrated in the three habitat types preferred by the two plant species, was conducted by a representative of the NYSDEC, Region 1 and a representative of the Town of Riverhead on July 12, 2016. This study was conducted during the height of the growing season, when aboveground morphological characteristics (e.g., stems, leaves, flowers, etc.) of the two herbaceous plants would be readily apparent and identifiable. While potentially suitable habitat exists on the site, no evidence of either of these plant species was found during the on-site investigation.

Based on the lack of larval host plant species found within the site during the field survey, there is unlikely to be suitable habitat for the threatened frosted elfin. Therefore, no impact to the frosted elfin would be anticipated upon implementation of the proposed action.

- † The Pitch Pine-Oak-Heath Woodland community occurs within scattered pockets at the southeastern portion of the site, in the area to the north of the eastern runway. This area would be preserved as open space and preservation of this community represents potential upland habitat for the five NYS-Special Concern species that have been documented at the subject property. 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 NYS-Threatened slender pinweed.
 - † The protection of portions of the former tree plantation areas on the site will provide additional upland habitat protection for the rare herpetofauna noted on-site, as well as potential habitat for slender pinweed.
 - † Successional Shrubland would be preserved within the proposed open space areas to the north and south of these lots. In the absence of additional disturbance, it is anticipated that the process of ecological succession that is already underway will continue within the Successional Shrubland habitats, resulting in the eventual conversion to wooded communities. The preservation of portions of the Successional Shrubland would afford upland habitat protection for the rare herpetofauna species noted on-site, as well as potential habitat for slender pinweed.
 - † Prior to any potential development of individual subdivision lots that abut on-site grassland habitats, a five-foot non-disturbance buffer area will be established during the site plan process. Covenants and restrictions will be required to preserve the buffer area in its natural state.
2. The subject property is located within the CPB, including over 300 acres on the western portion of the property, which are located in the Core Preservation Area. The remainder of the site is within the Compatible Growth Area of the CPB. As explained earlier in this Findings Statement, the

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Town's position is that pursuant to Chapter 9 (Section 9.2) of the CLUP, the redevelopment of the EPCAL Property was considered to be an economic development activity and, does not constitute development. Nevertheless, the subdivision has been designed to comply with the standards and guidelines of the CLUP, as indicated in the *Land Use and Zoning* section, above.

3. As previously explained, the EPCAL Property is located within the Peconic Headwaters and the Peconic WSRRS corridor. No development is proposed for those portions of the subject property located within the WSRRS corridor boundary. It is proposed that the WSRRS boundary be relocated (as shown on the Subdivision Map in Appendix D of the FSGEIS) to remove certain acreage from the corridor, which is currently located within proposed development lots, and to add certain acreage to the corridor, which is proposed to remain in open space lots. . Wetland and adjacent upland habitats associated with the Peconic Headwaters and the Peconic River WSRRS corridor would remain as undeveloped/preserved lands following implementation of the proposed action. In addition, the relocation of the sewage disposal area to north of the groundwater divide (and away from the Peconic River) would also have a positive impact on the ecological resources within the Peconic Headwaters and WSRRS corridor.
4. 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. According to the most recent USFWS white-nose syndrome zone map, 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) , 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. 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.

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Research of records, including those of New York Natural Heritage Program, as well as discussions with NYSDEC representatives reveal that there are no known northern long-eared bat (*Myotis septentrionalis*) hibernacula at the EPCAL site. The Reuse and Revitalization Plan, which includes subdivision of the EPCAL property will, at ultimate build-out, preserve approximately 787 acres of forest/woodland, which represents approximately 56 percent of the existing 1,400± acres of forest/woodland at the property. The retention of approximately 787 acres of this forested/wooded acreage, will provide an abundance of potential roosting, breeding and foraging habitat suitable 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. In addition, and in compliance with NYSDEC guidelines, to avoid a taking, the Town will restrict the clearing of trees on the lots proposed for future development to the winter hibernation period for this species (November 1 to March 31). In the event that a future landowner proposes to conduct clearing outside of the northern long-eared bat winter hibernation period or outside the parameters of the Incidental Take Permit obtained by the Town, such landowner would apply for an Incidental Take Permit pursuant to 6 NYCRR Part 182, as same may be applicable based on prevailing regulations at the time of the proposed clearing.

5. The CHPP identifies the grassland birds that have been documented at the subject property and describes the general grassland bird management practices that apply to these species, based upon best management practice (BMP) guidance documents published by the NYSDEC and Audubon New York. Moreover, the CHPP identifies specific habitat requirements (i.e., recommended habitat sizes, shrub cover, forb cover, thatch depth, vegetation height/density) for upland sandpiper and seven other grassland bird species that have been documented at the subject property. The monitoring of the of the height of the grasslands at EPCAL and the grasslands to be created pursuant to the CHPP and the mowing of these grasslands according to the habitat requirements set forth in the CHPP, will be funded by the full faith and credit of the Town of Riverhead or the Special District, created by the Town. However, as noted above, as an alternative to the above, the Town is researching the ability to partner with local not-for-profit conservation and land trusts, together with or including coordination by and between such conservation and land trusts and federal, state and/or local government entities related to such management and monitoring of the grasslands.

Based upon the foregoing, no significant adverse impacts to terrestrial, wetland and aquatic resources are anticipated as a result of the proposed action.

Petroleum and Hazardous Materials

1. There are two additional parcels, shown on the proposed Subdivision Map (Appendix D of the FSGEIS) 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 CDA. These parcels will

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then be preserved as open space and would be managed in accordance with the Habitat Protection Plan. Property transfer of contaminated areas would not occur prior to the construction, installation, and successful operation of an approved remedial design. Thus, no adverse impacts related to hazardous waste are anticipated.

2. While no other petroleum or hazardous materials impacts associated with the former use of the EPCAL Property have been identified, should such impacts occur during site development, they would be addressed in conformance with prevailing regulations and appropriate mitigation would be required.
3. As no specific users have yet been identified for the EPCAL Property, no specific needs for petroleum and hazardous materials handling, use or storage can be identified at this time. However, as site plans are reviewed, any users who propose to handle, use or store such materials would be required to comply with prevailing regulations, which are designed for protection of the environment.

Visual Resources

1. The visual impacts of the projected future development of the EPCAL Property have been studied extensively throughout the SEQRA process. In order to ensure that there would be positive impacts to the visual character of the EPCAL Property, and that the potential for significant adverse visual impacts would be minimized to the maximum extent practicable, the following specific measures have been incorporated into the proposed project design:
 - † Preservation of approximately 787 acres of woodlands and wetlands, much of which is located along the most visible portions of the site (along NY 25 at the westernmost and easternmost extents of the property, including over 3,600 linear feet and over 2,500 linear feet, respectively).
 - † Preservation of approximately 8,500 linear feet of woodland along the western extent of Grumman Boulevard, east of Wading River Manor Road (with the exception of the proposed driveway between lots 30 and 31), and approximately 8,500 linear feet, east of Burman Boulevard.
 - † No disturbance of vegetation along Wading River Manor Road, thus preserving the existing visual character of the site frontage along this roadway.
 - † Beyond the proposed 20-foot-wide dedication for highway purposes, establishment of a 25-foot-wide right-of-way to be maintained by the Town CDA for the construction and/or maintenance of a walkway/bike trail and an additional 25-foot-wide vegetated buffer within Lots 1 through 9 and 17 through 22 along NY 25 (as shown on the proposed Subdivision Map in Appendix D of the FSGEIS).

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- † Beyond the proposed 20-foot-wide dedication for highway purposes, a 200-foot-wide buffer (WSRRS boundary), including 25 feet of vegetation, north of Grumman Boulevard in the area adjacent to proposed Lots 30 and 31 (as shown on the proposed Subdivision Map in Appendix D of the FSGEIS) to visually screen and soften views of future development on these lots.
- † Preservation/creation of approximately 583 acres of grasslands, which would enhance the appearance of the site.

In addition, the extension of the WSRRS boundary north onto the EPCAL Property will provide additional protection for the Peconic River, including its scenic resources, which, in turn, will assist in preserving visual resources on the southern portion of the site.

2. The proposed action incorporates the preservation and expansion of the walkway/bike trail generally around the perimeter of the site. The walkway/bike trail will be enhanced where necessary, and would be controlled by the Town CDA, outside of individual lots. The trail would traverse much of the wooded area of the site, offering scenic views to pedestrians and bicyclists using the site for recreational purposes.
3. The proposed new zoning district (the PD District) has been created to be sensitive to site and building design. The PD District incorporates specific design measures with regard to building setback and height, use of building materials, varied rooflines, and landscaping and buffering among other items, all which will affect the visual character in a positive way.
4. The issue of exterior lighting has been evaluated during the SEQRA process. Future facilities will be multi-level and generate light emissions related to exterior and interior lighting. Streets will also incorporate lighting. The new facilities on the site would increase the amount of exterior lighting viewed from the surrounding roads and developments. However, future development that occurs within the EPCAL subdivision is subject to the Town's regulations regarding exterior lighting, which addresses overlighting, energy waste, glare, light trespass and skyglow. Adherence to the Town regulations will prevent light spillover onto adjacent properties and roadways, as well as onto on-site protected environmental areas. Based upon the foregoing, no significant adverse lighting impacts would result from the implementation of the proposed action.

Use and Conservation of Energy

1. Future lot owners/tenants must demonstrate that their 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.

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2. It is expected that the proposed action would not result in a significant adverse impact due to increased energy demands, and ultimately may be an energy producer should energy-related facilities locate on the EPCAL Property, as permitted by the proposed zoning.

In accordance with 6 NYCRR §617.11, the Town Board has considered the DSGEIS, FSGEIS, as well as the 1997 GEIS and Findings Statement prepared by the U.S. Navy for the proposed action, and certifies that it has met the requirements of 6 NYCRR Part 617. This Supplemental Findings Statement contains the facts and conclusions in the aforesaid documents, relied upon to support this decision, and sets forth the conditions and criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance.

A Copy of this Findings Statement has been sent to:

The Honorable Sean Walter, Town Supervisor
and Members of the Town of Riverhead Town Board
200 Howell Avenue
Riverhead, New York 11901

Stanley Carey, Chairman
Town of Riverhead Planning Board
200 Howell Avenue
Riverhead, New York 11901

Michael Reichel, Sewer District Superintendent
Riverhead Sewer District
River Avenue (off Riverside Drive)
Riverhead, New York 11901

Mark Conklin, Water District Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Chris Kempner, Director
Riverhead Community Development Agency
200 Howell Avenue
Riverhead, New York 11901

George Woodson, Superintendent
Town of Riverhead Highway Department
1177 Osborne Avenue
Riverhead, New York 11901

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Board of Fire Commissioners
Wading River Fire District
1503 N. Country Road
Wading River, New York 11792

Board of Fire Commissioners
Manorville Fire District
14 Silas Carter Road
Manorville, New York 11949

The Honorable Ed Romaine, Supervisor
And Members of the Town Board
Town of Brookhaven
Town of Brookhaven Town Hall
One Independence Hill
Farmingville, New York 11738

The Honorable Steven Bellone, County Executive
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

Jennifer Casey, Chair
Suffolk County Planning Commission
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

James L. Tomarken, MD, MPH, MBA, MSW, Commissioner
Suffolk County Department of Health Services
3500 Sunrise Highway, Suite 124
Great River, New York 11739

Gilbert Anderson, P.E., Commissioner
Suffolk County Department of Public Works:
335 Yaphank Avenue
Yaphank, New York 11980

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James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway, Suite 1000
Oakdale, New York 11769

Commission Chair
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton, New York 11978

Empire State Development Corporation/Long Island Regional Economic Development Council
c/o Cara Longworth, Regional Director
150 Motor Parkway
Hauppauge, New York 11788

Ruth Pierpont, Deputy Commissioner/Deputy SHPO
New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Pebbles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Joseph T. Brown, Regional Director
New York State Department of Transportation
State Office Building
250 Veterans Memorial Highway
Hauppauge, New York 11788

George Stafford, Director
Division of Coastal Resources
New York State Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Carrie Meek Gallagher, Regional Director
New York State Department of Environmental Conservation
SUNY @ Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409

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Basil Seggos, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

Riverhead Free Library
330 Court Street
Riverhead, New York 11901

TOWN OF RIVERHEAD

Resolution # 539

AUTHORIZES THE SUPERVISOR TO EXECUTE A STIPULATION WITH THE RIVERHEAD POLICE BENEVOLENT ASSOCIATION

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves a stipulation with the PBA and authorizes the Supervisor to execute same; and,

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Office of the Chief of Police, Dixon Palmer, P.B.A. President, the Office of the Town Attorney and the Accounting Office; 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 from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 540

**CLASSIFIES APPLICATION AS A TYPE I ACTION PURSUANT TO SEQRA
AND REQUESTS LEAD AGENCY STATUS TOWN OF RIVERHEAD PECONIC
RIVER/ROUTE 25 CORRIDOR BROWNFIELD OPPORTUNITY AREA PROGRAM
STEP II NOMINATION**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Riverhead Town Board intends to approve the Peconic River/Route 25A Corridor Brownfield Opportunity Area (BOA) Program Step II Nomination document; and

WHEREAS, the BOA Study Area is approximately 495 acres in size (or +/- $\frac{3}{4}$ of a square mile) and stretches approximately 1.03 miles from west to east generally from the eastern end of the Long Island Expressway (LIE) east to Hubbard Avenue and encompasses an area north of Main Street in downtown Riverhead; and

WHEREAS, the Study Area includes downtown Riverhead, which is an older, traditional downtown and several residential neighborhoods with unique community challenges including a high rate of commercial vacancies, abandoned properties, nonconforming uses, incompatible land use patterns, traffic congestion, parking issues, need for improved pedestrian amenities, Peconic River/Estuary water quality, localized flooding, need for wayfinding signage, and NYSDEC restrictions on development due to a designated river designation; and

WHEREAS, the purpose of the BOA project is to overcome major obstacles to redevelopment, identify key strategic areas where redevelopment (or preservation and related improvements) will act as catalysts for revitalization of the area as a whole; and

WHEREAS, the Proposed Action is the approval of a BOA Step II Nomination document and is the only action; and

WHEREAS, the Riverhead Town Board's planning consultants, Nelson, Pope and Voorhis (NPV) has completed the Long Environmental Assessment Form Part 1 and Part 2 specifically for the approval process of documents necessary for the BOA Nomination; and

WHEREAS, the proposed action is the adoption of the Town of Riverhead Peconic River/Route 25A Corridor Brownfield Opportunity Area (BOA) Program Step II Nomination and does not include any construction or physical alterations; and

WHEREAS, many of the recommendations included in the BOA encourage stricter land use and development standards than the currently existing regulations in order to protect the Peconic River and surrounding environmental resources while supporting the redevelopment of brownfield sites; and

WHEREAS, the Riverhead Town Board identified the BOA Nomination as a Type I action pursuant to 6NYCRR Part 617.4(b)(1) and (2) mandating coordinated SEQRA review with involved agencies; and

WHEREAS, any proposed actions that result from the BOA Nomination would need to separately complete the SEQRA Environmental Review process; and

WHEREAS, the Planning Department has received and analyzed the Full EAF Part 1, Part 2 and other project documentation provided by the Town Board and has report outlined the action's potential for environmental impact; and

WHEREAS, the Town Board is requesting Lead Agency status for the purpose of SEQRA coordinated review with involved agencies; now

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board declares the action to approve the Peconic River/Route 25 Corridor Brownfield Opportunity Area (BOA) Program Step II Nomination document to be a Type I action pursuant to 6NYCRR Part 617.4(b) (1) and (2) and further directs the Planning Department, in conjunction with the Town Clerk, to circulate a request for the Town Board to be the Lead Agency in the project's SEQR review; and

BE IT FURTHER RESOLVED, that the Planning Department be directed to file the requisite notice requesting Lead Agency status and all relevant information with the Town Clerk; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to coordinate the Lead Agency request inclusive of relevant information to all involved agencies with a request for comments and interest in being Lead Agency; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the Town Board's planning consultants Nelson, Pope and Voorhis, Melville, New York; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 541

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE FOR A PUBLIC HEARING FOR A SITE PLAN APPLICATION KNOWN AS PECONIC CARE SUBMITTED BY THE ENGEL BURMAN GROUP ON A CERTAIN PARCEL IDENTIFIED AS LOT/BLOCK 17 ON THE APPROVED SUBDIVISION MAP OF CALVERTON CAMELOT LOCATED ON THE SOUTHWEST SIDE OF THE EASTERN RUNWAY, (+/-) 3,300 FEET SOUTHEAST OF JAN WAY, CALVERTON, NY DESCRIBED AS SCTM # 0600-135-1-7.56

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Riverhead Town Board is in receipt of a site plan petition from Peconic Care c/o The Engel Burman Group for the construction of a health care facility in the form of a campus for research, 160 beds and inpatient rehabilitation; and

WHEREAS, the campus will be comprised of six (6) buildings with a combined (total) area of 133,917 SF located on approximately 40 acres of leased land within a portion of the Calverton Enterprise Park (EPCAL) identified as Lot/Block 17 which is 95.6 acres on the approved subdivision map of Calverton Camelot located along the southwest side of the eastern runway, (+/-) 3,300 feet southeast of Jan Way, EPCAL, Calverton, NY, described as Suffolk County Tax Map number 0600-135-1-7.56; and

WHEREAS, the subject parcel is zoned Planned Industrial Park (PIP); and

WHEREAS, the Zoning Board of Appeals issued an interpretation of Town Code Chapter 108-230 A (3), referenced as Appeal 13-40; and

WHEREAS, the Zoning Board of Appeals interpretation determined the proposed action is a permitted use within the PIP Zoning Use District; and

WHEREAS, the project includes a research and rehabilitation facilities campus with associated site improvements for Peconic Care; 77,798 sf Main building, 17,188 sf Extended Care building, 10,156 sf Fitness Center, 2,172 sf Arts & Crafts Barn, 1,440 sf Maintenance, and Gate House; and

WHEREAS, the Riverhead Planning Department identified the petition for Site Plan approval as a Type I action pursuant to 6NYCRR Part 617.4(b)(6)(i) mandating coordinated SEQRA review with involved agencies; and

WHEREAS, the Planning Department has received and analyzed the full EAF and other project documentation provided by the applicant and has prepared a SEQRA report outlining the action's potential for environmental impact; and

WHEREAS, that by Resolution # 428 adopted by the Riverhead Town Board on June 7, 2106 has declared the site plan petition of Peconic Care to be a Type I action pursuant to 6NYCRR Part 617.4(b)(6)(i) and further directing the Planning Department to circulate a request for the Town Board to be the Lead Agency in the project's SEQR review. Now,

THEREFORE, BE IT RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice of public hearing once in the July 28, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed change of zone, to be posted on the sign board of the Town;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant, EDK at Calverton, LLC, 67 Clinton Road, Garden City, NY, Vincent J.Messina, Esq. 267 Carlton Avenue, Suite 301, Central Islip, NY 11722 and John Gursky, PE, Cameron Engineering & Associates, 100 Sunnyside Boulevard, Suite 100, Woodbury, NY 11797; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 16th day of August, 2016 at 7:10 o'clock p.m. to consider a site plan on the motion of the Town Board to site plan petition from Peconic Care, c/o The Engel Burman Group for the construction of a health care facility in the form of a campus for research, 160 beds and inpatient rehabilitation located at Lot/Block 17 which is 95.6 acres on the approved subdivision map of Calverton Camelot located along the southwest side of eastern runway, (+/-) 3,300 feet southeast of Jan Way, EPCAL, Calverton, NY, described as Suffolk County Tax Map number 0600-135-1-7.56.

Dated: Riverhead, New York
July 19, 2016
BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 542

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR
CHEMICALS FOR TOWN OF RIVERHEAD SEWER DISTRICT**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead wishes to publish and post a notice to bidders for the purchase of **CHEMICALS FOR TOWN OF RIVERHEAD SEWER DISTRICT**.

NOW THEREFORE BE IT RESOLVED, the Town Board be and does hereby authorize the Town Clerk to publish and post the following public notice in the **JULY 28, 2016** issue of the News Review; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CHEMICALS** for use in the Town of Riverhead Sewer District, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until **2:05 PM on August 23, 2016** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission are available on the Town of Riverhead website at www.townofriverheadny.gov. on or after July 28, 2016. Click on "Bid Requests" and follow the instructions to register.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation **'EXCEPTIONS TO THE SPECIFICATIONS'** and attached to the bid form.

All bids must be submitted to the Office of the Town Clerk at the address stated above in a sealed envelope clearly marked **CHEMICALS FOR TOWN OF RIVERHEAD SEWER DISTRICT**. Bids must be received by the Office of the Town Clerk by no later than **2:05 pm on August 23, 2016**.

Please take notice that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids, and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder. Note: Bid responses must be delivered to the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 543

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR
LUBRICANT ITEMS FOR TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead wishes to publish and post a notice to bidders for the purchase of **LUBRICANT ITEMS FOR TOWN OF RIVERHEAD**

NOW THEREFORE BE IT RESOLVED, the Town Board be and does hereby authorize the Town Clerk to publish and post the following public notice in the **July 28, 2016** issue of the News Review; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **LUBRICANT ITEMS** for use in the Town of Riverhead Sewer District, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until **2:10 PM on AUGUST 23, 2016** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission are available on the Town of Riverhead website at www.townofriverheadny.gov. on or after **July 28, 2016**. Click on "Bid Requests" and follow the instructions to register.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation **'EXCEPTIONS TO THE SPECIFICATIONS'** and attached to the bid form.

All bids must be submitted to the Office of the Town Clerk at the address stated above in a sealed envelope clearly marked **LUBRICANT ITEMS FOR TOWN OF RIVERHEAD**. Bids must be received by the Office of the Town Clerk by no later than **2:10 pm on August 23, 2016**.

Please take notice that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids, and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder. Note: Bid responses must be delivered to the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 544

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH RIVERHEAD YOUTH SPORTS, INC FOR REFEREE/UMPIRE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE FOOTBALL PROGRAM FOR 2016 CALENDAR YEAR

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

WHEREAS, the Riverhead Youth Sports, Inc. provides professional officials to referee games; and,

WHEREAS, the Riverhead Youth Sports, Inc. has offered to provide professional officials to referee games for the 2016 Football program offered to boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

WHEREAS, the County of Suffolk PAL creates the football league rosters for numerous towns, including the Town of Riverhead PAL Football League, and requires that all PAL leagues register with Sports Illustrated Play (easyMerchant).

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Riverhead Youth Sports, Inc. for referee services for 2016 Football Program(s) as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$3900.00 and authorizes the Chief of Police and/or Financial Administrator to execute the Sports Illustrated Play (easyMerchant) registration agreement; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Town Accounting Department; 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 the same may be obtained from the office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**AGREEMENT BETWEEN TOWN OF RIVERHEAD ON BEHALF OF
TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE AND
RIVERHEAD YOUTH SPORTS, INC.**

THIS AGREEMENT made and entered into this ____ day of _____, 2016, by and between the Town of Riverhead, a municipal corporation duly existing under the laws of the State of New York, (hereinafter referred to as the "Town"), with its principal place of business located at 200 Howell Avenue, Riverhead, NY and Riverhead Youth Sports, Inc., having an address at P.O. Box 888, Riverhead, NY 11901.

WHEREAS, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

WHEREAS, the Riverhead Youth Sports, Inc. provides professional officials to referee games; and,

WHEREAS, the Riverhead Youth Sports, Inc. has offered to provide professional officials to referee games for the 2016 Football program offered to boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

WHEREAS, by Resolution # _____ adopted on July 19, 2016, the Town Board authorized the Supervisor to enter into an agreement with Riverhead Youth Sports, Inc. for referee services for 2016 Football Program as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$3900.00 and authorizes the Chief of Police and/or Financial Administrator to execute the Sports Illustrated Play (easyMerchant) registration agreement.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

SECTION 1. Purpose:

The purpose of this Agreement is to contract with Riverhead Youth Sports, Inc. to provide and arrange for officiating services for the football program offered as part of and affiliated with the Town of Riverhead Police Athletic League to increase the public health, safety, and quality of life for the youth of the Town of Riverhead. The extent of the Town's payment for services hereunder to Riverhead Youth Sports, Inc. is intended to provide social and recreational programs and services that enable youth, especially from poor or otherwise disadvantaged family backgrounds, to participate in these healthy and productive programs to reduce crime and increase youth opportunities for productive activities within the community.

SECTION 2. Scope of Work:

Riverhead Youth Sports, Inc. shall provide and arrange for officiating services for the 2016 Boys Football Program offered to the youth of Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

SECTION 3. Duration of Contract:

The term of this agreement shall commence on _____, 2016 and expire at the end of the 2016 Town of Riverhead Police Athletic League Boys Football season.

SECTION 4. Consideration:

As consideration for the services provided, as specified in Paragraph 2, the Town will reimburse or provide *payment the Riverhead Youth Sports, Inc. for a sum of money not to exceed \$3900.00 for 2016 Football Program to provide and arrange for officiating services for said program(s) that are part of and affiliated with the Town of Riverhead Police Athletic League during the contract period. Riverhead Youth Sports, Inc. may submit vouchers seeking payment or reimbursement for monies spent on officiating services on a biweekly or monthly basis during the contract period. *To the extent that Riverhead Youth Sports, Inc. seeks payment prior to completion of officiating services, Riverhead Youth Sports, Inc. shall be required to provide the Town with documentation to substantiate costs related to such services within 60 days. It is agree and understood that consideration is limited to payment or reimbursement of monies/costs related to officiating services and no additional costs, charges, or fees are permitted under this agreement.

SECTION 5. Relationship:

The Town and Riverhead Youth Sports, Inc. intend that an independent contractual relationship be created by this contract. The Riverhead Youth Sports, Inc. is not considered to be an employee of the Town for any purpose and neither the Riverhead Youth Sports, Inc. nor any employee of the Riverhead Youth Sports, Inc. shall be entitled to any of the benefits the Town provides for the Town's employees, including, but no limited to, health insurance, sick or annual leave, or workers compensation. The Riverhead Youth Sports, Inc. specifically represents and stipulates that the Riverhead Youth Sports, Inc. is engaged in the business of providing the services set forth in this contract, whether or not for profit, and that the Riverhead Youth Sports, Inc. is fully registered and legally authorized to conduct such business, and pays all necessary taxes and assessments levied against such business. The terms of this agreement are not intended to create any duties, obligations or liabilities to any third parties. Neither party intends this agreement to create any third-party beneficiaries to this agreement.

SECTION 6. Suspension, Termination, and Close Out:

If the Riverhead Youth Sports, Inc. fails to comply with the terms and conditions of this contract, the Town may pursue such remedies as are legally available, including, but not limited to, the suspension or termination of this contract.

SECTION 7. Changes, Amendment, Modifications:

The Town and Riverhead Youth Sports, Inc. may, agree from time to time, to change or modify the Scope of Work to be performed hereunder. Any such change, amendment or modification shall be in writing and signed by all parties.

SECTION 8. Assignability:

The Riverhead Youth Sports, Inc. shall not assign any interest on this contract and shall not transfer any interest on the contract without prior written consent of the Town.

SECTION 9. Reports and Information:

The Riverhead Youth Sports, Inc., at such times as and in such form as the Town may require, shall furnish the Town such periodic reports, including an accounting for the expenditures of Town funds, as it may request pertaining to the work of services undertaken pursuant to the contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this contract.

SECTION 10. Liability and Indemnification:

The Riverhead Youth Sports, Inc. agrees to hold the Town harmless and shall indemnify and defend all claims, demands, or suits of law or equity arising from the negligent or intentionally wrongful actions or omissions of the Riverhead Youth Sports, Inc. or the Riverhead Youth Sports, Inc. officials or agents in providing the services called for under this agreement.

SECTION 11. Severability:

If any portion of this Agreement is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of any of the remaining portion.

IN WITNESS WHEREOF, the Town and the Riverhead Youth Sports, Inc. have executed this contract agreement as of the date and year last written below:

TOWN OF RIVERHEAD:

Supervisor

Date

Attest:

Town Clerk

Town Attorney

Riverhead Youth Sports, Inc

Riverhead Youth Sports, Inc President

Date

TOWN OF RIVERHEAD

Resolution # 545

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH CUMMINS POWER SYSTEMS, LLC, REGARDING GENERATOR MAINTENANCE SERVICE FOR THE RIVERHEAD WATER DISTRICT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, The Town of Riverhead requires generator maintenance service regarding the effective administration of the Riverhead Water District; and

WHEREAS, Cummins Power Systems, LLC, is ready, willing and able to provide generator service and maintenance at two separate plant facilities; and

WHEREAS, the cost for such two-year service shall be a total of \$9,100.00.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute an agreement with Cummins Power Systems, LLC in substantially the same form annexed hereto, regarding generator maintenance service at two separate plant facilities; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of _____, 2016, between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "Town") and Cummins Power Systems, LLC, a company existing under the laws of the State of Delaware with a principal place of business at 155 Rittenhouse Cir, Bristol, PA, 19007 (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town of Riverhead and Consultant agree as follows:

1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth in Schedule A attached hereto and made a part hereof. These services are to be rendered by Consultant as an independent contractor and not as an employee of Town.

2. TERM OF AGREEMENT

The Agreement shall be deemed to have commenced on May 13, 2016, and terminate on May 12, 2018.

3. PAYMENT

For these services, Town will pay Consultant at the rate of NINE THOUSAND ONE HUNDRED DOLLARS (\$9,100.00) regarding scope of services as set forth in the attached Schedule A, which shall be paid as follows: A first payment of FOUR THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$4,550.00) shall be paid within 30 days of receipt of a fully executed Agreement subject to the additional conditions in this section. A second payment in the amount of FOUR THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$4,550.00) shall be paid on or about May 12, 2017, subject to the additional conditions in this section. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for expenses expressly provided for in the attached schedule. Consultant shall not incur any expenses in Town's behalf except for those items expressly provided for in the attached schedule. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices shall reference this Agreement or otherwise be identified in such a manner as Town may reasonably require. Consultant shall produce an invoice after each completed service visit, and such invoice(s) shall be due net thirty (30) days from the invoicing date.

4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

5. PUBLICITY

Consultant shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

7. TERMINATION

This Agreement may be terminated at any time and for any reason by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due for services rendered under this Agreement as tabulated from the effective date of termination. Likewise, the Town shall be entitled to pro rata refund of any monies previously paid tabulated from the effective date of termination regarding undelivered services.

8. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of three years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

9. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment

in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Daniel P. McCormick, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Robert Mongrandi, Cummins Power Systems, LLC, 3025 Veterans Memorial Highway, Ronkonkoma, New York, 11779.

11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall maintain Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance, as follows:

- A. Worker's Compensation Insurance. Consultant shall maintain during the term of this Agreement worker's compensation insurance for all of Consultant's employees providing scope of services pursuant to this Agreement. In addition, in the event Consultant utilizes sub-contractor(s) regarding scope of services, sub-contractor(s) shall also be required to maintain worker's compensation insurance for each

employees providing scope of services pursuant to this Agreement, unless such sub-contractors are insured pursuant to Consultant's worker's compensation insurance policy.

- B. Commercial General Liability Insurance and Umbrella Liability Insurance:
Consultant shall maintain during the term of this Agreement commercial general liability insurance and umbrella liability insurance regarding scope of services as applicable to Consultant's employees, agents and sub-contractor(s) regarding coverage for and claims related to personal injury, including death, as well as claims for property damage which may arise from rendered services pursuant to this Agreement, including acts and/or omissions, which shall name the Town of Riverhead and Town of Riverhead Water District as additional insureds, with policy limits as follows: Comprehensive General Liability Insurance in the amount of not less than ONE MILLION DOLLARS (\$1,000,000.00) per each occurrence and TWO MILLION DOLLARS (\$2,000,000.00), general aggregate. Umbrella Liability Insurance in the amount of not less than FIVE MILLION DOLLARS (\$5,000,000.00) per occurrence and in the aggregate.
- C. Commercial General Liability and Umbrella Liability Insurance. The above policies for commercial general liability and umbrella liability insurance must be written as to include Contractor's Protective Liability Insurance to protect the Consultant against claims arising from the operations of any sub-contractor(s).

The above insurance policies must name the Town of Riverhead and Town of Riverhead Water District as additional insureds on a primary and non-contributory basis for general liability, automobile liability and excess umbrella liability. The additional insured status must be evidenced by a copy of endorsement CG 20 10 10 01, "additional insured-owners, lessee or contractors-scheduled person" or organization endorsement or its equivalent and copy of endorsement CG 20 37 10 01, "additional insured-owners, lessees or contractors-completed operations endorsement", or its equivalent.

- D. -Blanket Waiver of Subrogation – The above policies for workers' compensation insurance as well as comprehensive general liability insurance, automobile insurance, and excess umbrella liability insurance shall include waiver of transfer of rights of recovery against the Town of Riverhead and the Town of Riverhead -Water District. Such waiver of subrogation shall be evidenced by certificate of insurance or copy of endorsement to the appropriate policy.
- E. ————Owner's Protective Liability Insurance – (Town of Riverhead Water District, and/or Town Board, and/or Town of Riverhead as OWNER) – If the Town of Riverhead, Riverhead Water District deem necessary, the Contractor shall furnish to the just named entities with respect to the operations he or any of his subcontractors perform, a regular Owner's Protective Liability Insurance Policy for and in behalf of the TOWN WATER DISTRICT and/or TOWN BOARD, TOWN OF RIVERHEAD as OWNER, providing for a limit of not less than ONE

MILLION DOLLARS (\$1,000,000.) each occurrence, a total limit of TWO MILLION DOLLARS (\$2,000,000.) general aggregate, for all damages arising out of bodily injuries to, or death of, two or more persons in any one accident; and regular Protective Property Damage Insurance providing for a limit of not less than ONE HUNDRED THOUSAND DOLLARS (\$100,000.) for all damages. The insurance must fully cover the legal liability of the TOWN DISTRICT and/or TOWN BOARD, TOWN OF RIVERHEAD as OWNER. The coverage provided under this policy must not be affected if the TOWN WATER DISTRICT performs work in connection with the project either for, or in cooperation with, the Contractor or as an aid thereto, whether the same be a part of the Contract or separate therefrom, by means of its own employees or agents, or if the TOWN DISTRICT directs or supervises the work to be performed by the Contractor.

F.— Automobile Public Liability Insurance - The Consultant shall obtain and maintain during the life of the Agreement such automobile public liability insurance as shall protect him and any subcontractor performing work covered by this Agreement from claims for damages for personal injury, including death as well as from claims for property damage which may arise from operations under this Agreement, whether such operations be by himself or by any subcontractor, or by any one directly or indirectly employed by either of them and the amounts of such insurance shall be as follows:

- (1) Automobile Public Liability Insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000.) for bodily injuries, including death and property damage per occurrence.
- (2) Umbrella Liability for bodily injury, including death and property damage in an amount of not less than FIVE MILLION DOLLARS (\$5,000,000.).

PROOF OF CARRIAGE OF INSURANCE

The Consultant shall furnish the TOWN OF RIVERHEAD with certificates of each insurer insuring the Consultant or any subcontractor under this Agreement, except with respect to subdivision D. of paragraph 12.

Both certificates, as furnished, and the insurance policy, as required, shall bear the policy numbers, the expiration date of the policy and the limit or limits of liability thereunder. Consultant shall provide the TOWN OF RIVERHEAD and WATER DISTRICT with any notice of cancellation at least thirty (30) days prior to the actual date of such cancellation.

G. HOLD HARMLESS/INDEMNIFICATION: Cummins Power Systems, LLC, hereby indemnifies, defends and holds the Town of Riverhead and the Town of Riverhead Water District, its departments, officers, agents and employees, harmless against claims, actions or demands against Town and Water District, its departments,

officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the negligent or willful acts or omissions of Cummins Power Systems, LLC. Consultant shall be notified promptly in writing of any demand, claim or suit for damages as subject under this Section G, and shall have the right to control and settle the defense of any claim in respect of which indemnity may be sought hereunder, provided that Consultant shall not settle any claim that would impose any expense or other obligation upon an indemnified party without its prior written consent, which shall not be unreasonably withheld. This indemnification does not apply to the extent that the foregoing damages or costs are proximately caused by the negligence or willful misconduct of the Town and Water District, its departments, officers, agents and employees.

13. Limitation of Liability

Except for the indemnification obligations herein, Consultant's liability with respect to the services performed hereunder shall be limited to the written warranty remedies applicable to the services furnished hereunder, and with respect to other performance of this Agreement shall be limited to the contract price. Contractor shall not be liable for any loss of profits, consequential, incidental or contingent damages whatsoever, whether arising out of breach of contract, warranty, tort (including negligence and strict liability) or other theories of law, with respect to the products and services sold hereunder, or any undertakings, acts or omissions relating thereto.

14. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

15. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

16. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this

Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement. In the event that any of the material(s) and/or workmanship, used under this agreement, are found to be defective during the Warranty Coverage, Cummins Power Systems shall correct such defect(s) at no additional cost to the Town during the Warranty Coverage Period which shall be effective for ninety (90) days from the date of installation for the hours and days of Monday-Friday, 8:00 a.m. to 4:00 p.m.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF RIVERHEAD

CUMMINS POWER SYSTEMS, LLC

By: Sean M. Walter, Supervisor

By:

| DATE:

DATE:



**BRONX BRANCH
890 ZEREGA AVENUE
BRONX, NY 10473
Phone: 718-892-2400**

PLANNED MAINTENANCE AGREEMENT

Customer Address	Customer Contact	Quote Information
RIVERHEAD WATER DEPT. TOWN OF RIVERHEAD 1035 PULASKI ST. Riverhead, NY 11901	Contact: Mark Conklin Phone: 631 466-0858 Fax: 631 369-4608 Cust Id: 340325	Quote Date: 06-APR-16 Quote Expires: 05-OCT-16 Quote Num: 18230 Quoted By: Robert J Mongrandi Quote Term: 1 Year(s)

Site Information					
1	PLANT# 11	5737 MIDDLE COUNTRY RD.	CALVERTON	NY	11933
2	PLANT# 12	GRUMMEN BLVD. &	CALVERTON	NY	11933

Site	Unit Number	Manufacturer	Model	Prod Model	Serial Number	Type
1	1	ONAN	500DFED-558762	500DFED-5587622G	A030454361	GENSET
2	2	ONAN	275DFBF-3731Y	275DFBF-3731Y	E036501839	GENSET

Site	Unit Number	Service Event	Qty	Sell Price	Extended Price
1	1	FULL PM SERVICE (FS)	1	1,640.00	1,640.00
		PM INSPECTION (IN)	1	635.00	635.00
2	2	FULL PM SERVICE (FS)	1	1,640.00	1,640.00
		PM INSPECTION (IN)	1	635.00	635.00

Renewal PM Agreement Dates: May 1, 2016 - Apr. 30, 2017

Semi-Annual Planned Maintenance Agreement consisting of (1) FS and (1) IN performed on the above listed equipment annually. Program includes oil and coolant sampling during FS Service.

All services performed normal business hours between 8:00am-4:00pm Mon-Fri, excluding holidays.

This agreement does not constitute "an all-inclusive" agreement. Pricing is for the quantity of specific service events listed above. Therefore, but not limited to, any additional service requests, additional repairs as quoted and approved by you, or emergency service requests will be billable to your account. The attached terms and conditions apply.

All services performed by Cummins Factory Direct Certified Technicians utilizing factory authorized parts and materials suited for your specific equipment under standby use. All waste materials disposed in accordance with EPA / DEP Regulations. Reports submitted upon completion.

This customer will be invoiced as services are rendered, terms are net 30 days.

For any questions or comments regarding this agreement, please contact the following:
Bob Mongrandi / NY PM Territory Manager direct: 718-502-1209 email: robert.mongrandi@cummins.com

Thank you for the opportunity!



PLANNED MAINTENANCE AGREEMENT

Customer Address	Customer Contact	Quote Information
RIVERHEAD WATER DEPT. TOWN OF RIVERHEAD 1035 PULASKI ST. Riverhead, NY 11901	Contact: Mark Conklin Phone: 631 466-0858 Fax: 631 369-4608 Cust Id: 340325	Quote Date: 06-APR-16 Quote Expires: 05-OCT-16 Quote Num: 18230 Quoted By: Robert J Mongrandi Quote Term: 1 Year(s)

> PLEASE CHECK A BOX BELOW FOR YOUR PM SERVICE DATES:

Customer requests designated PM service dates, notate dates here _____

CPS to determine PM service dates

> PLEASE RETURN VIA EMAIL: a scanned copy of approved signed agreement/
purchase order/check image to:

Bob Mongrandi / PM Territory Manager email: robert.mongrandi@cummins.com

> CHECK PAYMENT REMITTANCE:

Cummins Power Systems LLC, PO Box 786567, Philadelphia, PA, 19178-6567.

> PLEASE CHECK BOX BELOW IF PREPAYING VIA CREDIT CARD:

CUSTOMER PREPAY VIA CREDIT CARD: A CUSTOMER SERVICE REPRESENTATIVE WILL
CONTACT YOU FOR YOUR PAYMENT INFORMATION AND PROCESSING.

Standard Agreement Amount	\$4,550.00
Proposal Total	\$4,550.00

P.O./ Check # _____

Print Name _____

Title / Position _____

Customer Approval

Signature: _____

Date: _____

CUMMINS POWER SYSTEMS, LLC

Signature:  _____

Date: _____



PLANNED MAINTENANCE TERMS AND CONDITIONS

(A) This Planned Maintenance Agreement is entered into by Cummins Power Systems, LLC, and owner/agent named for the specific listed equipment, on page 1. During the Term of this Agreement, provided your account is current, CPS will perform the service work as described in the Planned Maintenance Check List, on the listed equipment. The equipment will be inspected and or serviced at agreed intervals during normal business hours (unless otherwise specified) the term this agreement is in effect. A written report is to be provided to the customer within 10 days following the visit. As part of this agreement, it is recommended that the customer follow the maintenance procedures described in their specific operators manuals. This agreement is for a specified term on page 1 and does NOT automatically renew. To renew or extend the term of your agreement please contact the salesperson listed on this agreement.

(B) Agreement price includes materials, labor, travel time, and mileage to perform the services listed on the Planned Maintenance Check List. Unless specified otherwise on page 1, agreement includes lube oil, lube oil filters, fuel oil filters, coolant filters (where used), and 1 gallon of coolant (top off).

(C) CPS warrants and agrees that all of its personnel, performing services pursuant to this agreement shall be factory (Cummins, Inc.) certified for the services they perform and that all parts and materials installed shall be new and suitable for the use intended.

(D) Unless otherwise specified, this agreement is to be invoiced and paid in full at the beginning of the agreement term. Payment terms are net 30 days from the invoice date, subject to credit department approval, unless otherwise noted herein. A late charge of 1.5% per month will be imposed on any overdue balance until paid. PMA services will not be provided until invoices for the listed equipment are paid, including any late charges, regardless of invoice date.

(E) The above price does not include any federal, state or local taxes.

(F) The above price will be held firm for 30 days from date of our quotation.

(G) CPS is not responsible for serving and paying fees for any permits, licenses, certificates, inspections, registration, and the like required by the state, city, town, government, or regulatory agency that may be required in any way for the installation and operation of the above quoted equipment.

(H) This proposal represents the complete agreement. Such agreement may not be modified except by written agreement of both parties. These specific Terms and Conditions take precedence over customers purchase orders concerning all matters related to generator systems service sales, payment terms, and warranty.

(I) This agreement is subject to cancellation by 30 days written notice by either party for whatever reason. CPS is entitled to be compensated for any services provided to customer up to including any costs required to collect costs for services rendered.

(J) Cummins Power Systems, LLC warranty does not warrant the sale of new or remanufactured products, manufactured or remanufactured by third parties. The only manufacturers, or remanufacturers, whose warranties are administered by Cummins Power Systems, LLC are Cummins, Inc., Diesel ReCon Company, and Onan Corporation. The warranty period for services rendered under this Planned Maintenance Agreement is 90 days from date of service or 250 elapsed run hrs from service date, whichever occurs first.

(K) The liability of Cummins Power Systems, LLC arising out of any defects shall not in any case exceed the cost of correcting such defects in accordance with the aforementioned warranties and shall not include any transportation charges, owner's labor or materials, loss of revenue, or any direct or indirect consequential damages whether foreseeable or not. Such correction shall constitute a fulfillment of all obligations to the owner and owner's sole remedy.

(L) Cummins Power Systems, LLC makes no warranty as to normal wear and tear, nor do we agree to be liable for loss of time to the user while the engine or other equipment is out of commission, nor for any labor or other expense, damage or loss occasioned, or claimed to be occasioned, by defective parts. None of these warranties will apply to (1) any engine or product that shall have been subject to over speeding, misuse, negligence or accident, (2) any engine or product that shall have been repaired or altered by anyone in such a way that in the judgment of CPS, its performance and reliability are adversely affected, (3) any part of an engine or product improperly applied or installed by anyone other than CPS, (4) failures in any way resulting from use of parts not manufactured or approved by CPS, (5) normal maintenance services including but not limited to such things as engine tune-up, lubricants, anti-freeze, and the repair or replacement of filters and belts.

(M) Note: There are no warranties, expressed or implied, including warranties or merchantability or fitness for a particular purpose by Cummins Power Systems, LLC or any of its dealers, except the warranties specified herein. No person is authorized to bind Cummins Power Systems, LLC for any such other warranty.

(N) Notwithstanding any of the above, the liability in contract, in tort, under any warranty, in negligence or otherwise of Cummins Power Systems, LLC shall not exceed the return of the amount of the purchase price. Under no circumstances shall Cummins Power Systems, LLC be liable for consequential damages. The prices for Cummins Power Systems, LLC products are based upon and in consideration for limiting the liability of Cummins Power Systems, LLC.

(O) Force Majeure Events: The Company will not be liable for any loss, damage, or delay due to any cause beyond its reasonable control including, but not limited to, acts of government, labor disputes, strikes, lockouts, fire, explosion, theft, floods, water, weather, earthquake, riot, civil commotion, war, vandalism, misuse, abuse, mischief, or acts of God.

(P) Customer Responsibilities: Customer agrees to provide unrestricted and safe access to the Units and a safe work place for the CPS Personnel. Customer agrees to comply with all applicable state and local laws, ordinances, and regulations related to the operation of the Units. The owner is responsible for the operation and maintenance of the equipment as specified in the operations and maintenance manuals/bulletins. Owner is responsible for the costs associated with such maintenance and any adjustments which may be required. Owner is also responsible for providing proof that all recommended maintenance has been performed. Owner is responsible for correct mileage/hour documentation and maintaining an operative usage meter.

(Q) Notices: Any notice to be given to Customer under this Agreement shall be in writing and sent to the address shown on the front of this Agreement. Any notice to be given to the CPS under this Agreement shall be in writing and sent to: Cummins Power Systems LLC, 2727 Ford Rd, Bristol PA 19007; Attention: General Manager - Planned Maintenance Business. Any such notices will be deemed given when mailed with return receipt requested via the United States Postal System or via a nationally recognized overnight courier service.



Cummins Power Systems LLC
 890 Zerega Avenue Bronx, NY 10473
 Phone: (718) 892-2400 Fax: (718) 892-0055



Power Generation NY Field Service 2016 Labor Rates

Dear Valued Customer,

The following labor rates are for customers units **Covered** by a “Signed” Planned Maintenance Agreement. These rates would apply to any additional work/repairs that are not part of the **Planned Maintenance Agreement**.

Monday - Friday 7:30 AM- 4:00 PM	\$145.00/hour
Monday - Friday 4:00 PM - 8:00 PM	\$217.50/hour
Monday - Friday 8:00 PM -7:30 AM	\$290.00/hour
Saturday, first 8 hours	\$217.50/hour
Saturday, after the first 8 hours	\$290.00/hour
Sunday	\$290.00/hour
Holiday's	\$290.00/hour

The following labor rates are for customers units **Not Covered** by a “Signed” Planned Maintenance Agreement. These rates would apply to any work/repairs performed.

Monday-Friday, 7:30AM- 4:00 PM	\$187.00/hour
Monday-Friday, 4:00PM - 8:00 PM	\$280.50/hour
Monday-Friday, 8:00PM - 7:30 AM	\$374.00/hour
Saturday, first 8 hours	\$280.50/hour
Saturday, after the first 8 hours	\$374.00/hour
Sunday	\$374.00/hour
Holiday's	\$374.00/hour

Service calls are billed at a 4 hour minimum charge.
 Travel time and mileage are portal to portal by the responding technician.
 Mileage charge is \$2.25 per mile plus tolls.

Should you have any questions or requirements with which I may assist you, please do not hesitate to contact me directly at 718-502-1248.

Best regards,

Arty Schaub
 Power Generation Service Manager

TOWN OF RIVERHEAD

Resolution # 546

CLASSIFIES APPLICATIONS AS AN UNLISTED ACTION WITHOUT COORDINATED REVIEW, ASSUMES LEAD AGENCY AND AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE FOR A PUBLIC HEARING FOR A SPECIAL PERMIT APPLICATION KNOWN AS PRESTON HOUSE ON A CERTAIN PARCEL LOCATED AT 428 EAST MAIN STREET, IDENTIFIED AS SCTM NO. 600-129-3-13, RIVERHEAD, NY

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Riverhead Town Board is in receipt of an Application for Special Permit from J. Petrocelli Development Associates/Joseph Petrocelli to convert an existing two-story building for use as a restaurant with a bar, having a seating capacity of 185 seats and to construct a separate five (5) story hotel with 20 units located toward the rear yard of the restaurant/bar facility, all upon real property known and designated as 428 East Main Street, Riverhead; which premises is also known as SCTM No. 600-129-03-13 (the "Subject Property"); and

WHEREAS, the subject property is located in the Urban Renewal Area; and

WHEREAS, the subject parcel is zoned Downtown Center 1 (DC-1) Zoning Use District; and

WHEREAS, the proposed development requires variance relief from the Zoning Board of Appeals of the Town of Riverhead ("ZBA"); and

WHEREAS, the applicant has made an application for variance relief and appeared before the ZBA on June 23, 2016 with regard to Appeal No. 16-39; and

WHEREAS, the ZBA did not express any objections to the application upon the summation of the applicant's presentation, but advised that no formal decision will be made until such time as a SEQRA determination is made by the Lead Agency; and

WHEREAS, the Riverhead Planning Department has reviewed the Application for Special Permit, the application under Appeal No. 16-39 for area variance relief being sought from the ZBA and the petition for Site Plan approval and identified the actions as an unlisted action pursuant to SEQRA; and

WHEREAS, the Planning Department has received and analyzed the full EAF and other project documentation provided by the applicant to date and has prepared a SEQRA report outlining the action's potential for environmental impact for the Special Permit application, requested variances from the ZBA and the petition for Site Plan approval together.

NOW THEREFORE, BE IT RESOLVED, the Town Board assumes Lead Agency without the need for coordinated review with other involved agencies; and

RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice of public hearing once in the July 28, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed public notice, to be posted on the sign board of the Town;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant, J. Petrocelli Development Associates/Joseph Petrocelli, 100 Comac Street, Ronkonkoma, NY 11779; Eric J. Russo, Esq., 140 East Main Street, Sayville, NY 11782 and Thomas C. Wolpert, PE, Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 16th day of August, 2016 at 7:05 o'clock p.m. to consider an Application for Special Permit from J. Petrocelli Development Associates/Joseph Petrocelli to convert an existing two-story building for use as a restaurant with a bar, having a seating capacity of 185 seats and to construct a separate five (5) story hotel with 20 units located toward the rear yard of the restaurant/bar facility, all upon real property known and designated as 428 East Main Street, Riverhead; which premises is also known as SCTM No. 600-129-03-13 (the "Subject Property") and is currently zoned as Downtown Center 1 (DC-1) Zoning Use District.

Dated: Riverhead, New York
July 19, 2016

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 547

APPOINTS SPECIAL COUNSEL TO BOARD OF ASSESSORS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board wishes to appoint Special Counsel to represent the Board of Assessors; and

WHEREAS, the Town Board wishes to appoint the law firm of Scott DeSimone P.C.; and

NOW THEREFORE, BE IT RESOLVED, that the law firm of Scott DeSimone P.C. is hereby appointed as Special Counsel to the Board of Assessors; and be it further

RESOLVED, that the legal services to be provided by the law firm of Scott DeSimone P.C. as Special Counsel shall be billed at the hourly rates and shall be reimbursed for actual associated litigation costs and expenses as set forth on the attached approved schedule; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the law firm of Scott DeSimone, P.C., LLP, 41780 Route 25, P.O. Box 233, Peconic, New York 11958-0233; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared TABLED

SCOTT DE SIMONE P.C.

SCHEDULE OF HOURLY RATES FOR LEGAL SERVICES PROVIDED TO TOWN OF RIVERHEAD BOARD OF ASSESSORS

General Advisory and Pre-Trial Litigation Services: To be billed* at a rate of \$200 per hour

General advisory and pre-trial litigation services include advisory and pre-trial legal services to the Board of Assessors relative to real property tax administration and any potential and/or pending litigation related thereto or any provisions of the Real Property Tax Law, and advisory services (if sought) to any other Town Department and/or Board relative to real property tax administration and/or the Real Property Tax Law.

General pre-trial litigation services shall include defending against any legal proceedings brought against the Board of Assessors inclusive of the normal and customary tasks and services associated therewith (reviewing and/or preparation of legal papers and correspondence, as well as communication with, by, and between the Board of Assessors, opposing counsel and/or staff thereof, court personnel and other relevant persons and/or entities), as well as reviewing and providing valuation analyses, negotiating proposed settlement of pending matters, engaging in related motion practice, initiating (with the consent of the Board of Assessors and the Town Attorney) an appeal of any decision and/or order or judgment, or defending/opposing an appeal brought by a petitioner arising from related motion practice, attending court appearances/conferences, settlement conferences, or meetings, conducting property inspections, filing of court documents (where filing required to be by attorney), drafting legal documents and agreements.

Trial Litigation Services: To be billed* at a rate of \$225 per hour

Trial litigation services shall be deemed to be all legal services defending against a specific legal proceeding pending against the Board of Assessors which are provided after either, the date upon which the Court schedules a future appraisal exchange date, or the date the Town Board adopts a resolution retaining the services of an appraiser/appraisal firm to prepare an appraisal in connection therewith, whichever date is later, inclusive of appellate work approved by the Town Attorney, until such matter is finally disposed of. In the event any matter is scheduled for trial, Scott DeSimone P.C. may retain the services of trial counsel whose services shall be billed by Scott DeSimone, P.C. to the Town at the same hourly rate. In the event Scott DeSimone P.C. chooses to retain trial counsel, retention of any specific attorney or law firm shall be subject to the consent of a majority of the Town Board. Consent of the Town Board shall be sought through the Town Attorney.

*Legal services shall be billed in time intervals as follows: Services/tasks requiring eight minutes or less to complete shall be billed for eight minutes. Services/tasks requiring more than eight minutes or more shall be billed in six minute intervals.

Litigation Costs and Expenses:

Actual litigation costs and expenses to be reimbursed shall be include but not be limited to: Extraordinary charges (same day-overnight-two day) to deliver legal papers, court filing fees, county clerk filing fees, process server fees, fees associated with the service of subpoenas, stenographic fees, fees for printing/binding services that cannot be performed in-house, costs for reproduction of documents, maps, surveys, photos, etc. that cannot be performed in-house, supplies necessary for the creation of trial exhibits or the creation of appellate briefs and/or records on appeal, expenses (pre-approved by Town Attorney) associated with required travel beyond Suffolk and Nassau County.

TOWN OF RIVERHEAD

Resolution # 548

SETS HOURLY RATE SCHEDULE FOR THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI, LLP

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP has acted as special counsel, providing legal and professional services for the Town of Riverhead, the Town of Riverhead Community Development Agency, the Riverhead Water District, the Riverhead Sewer District and the Calverton Sewer District, as well as other Town Departments for more than 20 years; and

WHEREAS, during that time representing the interests of the Town of Riverhead and the districts noted above, Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP has acted with utmost professionalism, appeared before various administrative bodies, state agencies, in Federal and New York State courts, and in particular, regarding the challenge made to the 2010 DEC Part 182 regulation changes successfully argued the appeal before the NYS Court of Appeals; and

WHEREAS, the hourly rate has not been increased for almost a decade.

NOW, THEREFORE, BE IT RESOLVED, effective August 1, 2016, the Town Board hereby approves an hourly rate of \$200 per hour for Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP for all matters being handled by that firm; and be it further

RESOLVED, that the Town is hereby directed to forward a copy of this resolution to the Accounting Department, Office of the Town Attorney and Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP, 445 Griffing Avenue, Riverhead, New York 11901.

THE VOTE

Hubbard	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Giglio	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Wooten	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Dunleavy	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Walter	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

The Resolution Was Thereupon Duly Declared **NOT ADOPTED**

TOWN OF RIVERHEAD

Resolution # 549

**APPOINTS SPECIAL COUNSEL TO REPRESENT ZONING BOARD OF APPEALS
RELATIVE TO SPECIFIC PENDING LITIGATION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board wishes to appoint Special Counsel to represent the Zoning Board of Appeals relative to current pending litigation captioned as follows:

William F. Andes Jr., Eva Andes, Martin Siver and Dale Silver, Esq. v. Zoning Board of Appeals of the Town of Riverhead, John Reeve, and Sandra Reeve Index No. 10-27305

John F. Reeve, Sandra Reeve, and 18 Whites Lane, LLC v. Board of Zoning Appeals of the Town of Riverhead, William Andes and Martin Silver App. Div. Case No.: 2015-06153 Index No. 14-12417

WHEREAS, the Town Board wishes to appoint the law firm of Smith Finkelstein Lundberg Isler and Yakaboski, LLP; and

NOW THEREFORE, BE IT RESOLVED, that the law firm of Smith Finkelstein Lundberg Isler and Yakaboski, LLP is hereby appointed as Special Counsel to the Zoning Board of Appeals specifically for the above referenced proceeding(s) and any prospective appeals to the Appellate Division, Second Department then authorized in writing by the Town Attorney or this Board; and be it further

RESOLVED, that the legal services to be provided by the law firm of Smith Finkelstein Lundberg Isler and Yakaboski, LLP as Special Counsel shall be billed at the hourly rates previously established by this Board for this firm for such similar legal services; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the law firm of Smith Finkelstein Lundberg Isler and Yakaboski, LLP, 456 Griffing Ave., Riverhead, New York 11901; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 550

**APPROVES EXTENSION TO LICENSE AGREEMENT WITH
UNITED FENCE & GUARD RAIL CORP.**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, by Resolution # 542 adopted on July 21, 2015, the Town Board of the Town of Riverhead ratified the signing of a Construction Staging License Agreement (the "Agreement") with United Fence & Guard Rail Corp. to utilize use public parking lot owned by the Riverhead Public Parking District # 1 at 406-414 Roanoke Avenue, Riverhead as a construction staging area during the reconstruction of Roanoke Avenue; and

WHEREAS, the term of the Agreement did end on July 15, 2016; and

WHEREAS, United Fence & Guard Rail Corp. has requested an extension effective to August 31, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and hereby grants the extension requested by United Fence & Guard Rail Corp. to now end on August 31, 2016; and be it further

RESOLVED that the Town Supervisor, or his designee is authorized to execute the First Amendment to the Agreement in substantially the form attached hereto; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to United Fence & Guard Rail Corp., the Engineering Department, the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

FIRST AMENDMENT TO
CONSTRUCTION STAGING AREA LICENSE AGREEMENT

FIRST AMENDMENT TO CONSTRUCTION STAGING AREA LICENSE AGREEMENT [“License”] entered into by and between the TOWN OF RIVERHEAD, as governing body of Riverhead Public Parking District No. 1, 200 Howell Avenue, Riverhead, NY [“Licensor”] and United Fence & Guard Rail Corp., having an address of 25 Mill Road, Ronkonkoma, New York 11779 [“Licensee”]

RECITALS

WHEREAS, on or about July 15, 2015, that Licensor and Licensee entered into a Construction License Agreement (“Agreement”) for use of property located on the northeasterly corner of the intersection formed by Roanoke Avenue and Third Street, Riverhead, NY 11901 and which premises is also known as 406-414 Roanoke Avenue, Riverhead, NY 11901 and further known and designated as SCTM # 0600-128-05-10 (the “licensed premises” or “staging area”); and

WHEREAS, the Agreement permitted the Licensee the temporary use of the licensed premises for a construction staging area; and

WHEREAS, the term of the Agreement ended on July 15, 2016; and

WHEREAS, the Licensee desires an extension to August 31, 2016, and

WHEREAS, the Licensor agrees to the extension based upon additional consideration pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, the Licensor and Licensee agree to FIRST AMENDMENT TO THE CONSTRUCTION STAGING AREA LICENSE AGREEMENT as follows:

1. TERM. The term of this License amended to end on August 31, 2016.
2. FEE. No payment of a monetary fee shall be required for this License for this extension. As consideration, the Licensee agrees to the following work items:
 - Patch 30 potholes and reseal edges of patches placed last year with no AC.
 - Remove all surficial earth from Third Street parking lot to achieve a clean surface and then apply and roll millings remaining from Roanoke Ave milling operations. Approximately 25000 sf and 300 tons of millings in place.
 - Apply and roll millings remaining from Roanoke Ave milling operations to earthen parking lot recently graded by hwy across from Pulaski St School and adjacent to Hamilton Ave parking lot. Approximately 10000 sf and 150 tons of millings in place.

- Apply and roll millings remaining from Roanoke Ave milling operations to earthen parking lot at Stotzky Park around the PAL shed and adjacent to new soccer fields. Approximately 70000 sf and 10000 tons of millings in place. The Town will try to grade parking lot prior to paving in the next couple of weeks.

3. All other terms and conditions of the CONSTRUCTION STAGING AREA LICENSE AGREEMENT shall remain unaffected and continue in full force and effect.

IN WITNESS WHEREOF, each of the parties has caused its authorized representative to execute triplicate original counterparts of this First Amendment to the Construction Staging License Agreement this _____ day of July, 2016.

Licensor: _____

Riverhead Public Parking District No. 1

By: Sean M. Walter, Supervisor

Licensee: _____

United Fence & Guard Rail Corp.

By: Bill Murtagh, President

TOWN OF RIVERHEAD

Resolution # 551

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 221 (COMMUNITY PRESERVATION; OPEN SPACE) OF THE RIVERHEAD TOWN CODE TO EXTEND THE EFFECTIVE DATE OF THE COMMUNITY PRESERVATION FUND REAL ESTATE TRANSFER TAX, IMPOSED PURSUANT TO ARTICLE 31-D OF THE STATE TAX LAW, UNTIL DECEMBER 31, 2050 AND TO AUTHORIZE THE USE OF A PORTION OF THE TOWN COMMUNITY PRESERVATION FUND, NOT TO EXCEED 20%, FOR WATER QUALITY IMPROVEMENT PROJECTS, SUBJECT TO MANDATORY REFERENDUM

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 221 entitled, "Community Preservation; Open Space" of the Riverhead Town Code once in the July 28, 2016 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Planning Department, Planning Board, Farmland Select Committee, Open Space Committee, Peconic Land Trust, Senator Kenneth LaValle, Assemblyman Fred Thiele, Assemblyman Anthony Palumbo, Town of Southold, Town of East Hampton, Town of Southampton, Town of Shelter Island, Office of Accounting and the Town Attorney; and be it further

RESOLVED, that this resolution is subject to mandatory referendum as provided in Article 7 of the New York State Town Law and that the Town Clerk is directed to publish notice hereof; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Department, the Town Engineer, the Town Attorney's Office and Accounting Office; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 16th day of August, 2016 at 7:15 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 221 entitled "Community Preservation; Open Space" of the Riverhead Town Code and creating a new category of eligible funding for water quality improvement projects, including wastewater treatment, aquatic habitat restoration and pollution prevention as follows:

LOCAL LAW NO. OF 2016

A LOCAL LAW in relation to extending the expiration date of the two percent (2%) real estate transfer tax imposed pursuant to Article 31-D of the State Tax Law, in connection with the Town Community Preservation Fund for an additional twenty (20) years until December 31, 2050 and creating a new category of eligible projects for funding through Community Preservation Fund, not to exceed 20%, for water quality improvement projects, including wastewater treatment, aquatic habitat restoration and pollution prevention projects.

Chapter 221. Community Preservation; Open Space
Article V. Amendment to and Extension of Effective Date for Peconic Bay
Community Preservation Fund

§ 221-34. Legislative findings.

A. The Town Board hereby finds that in 1998, the New York State Legislature adopted Chapter 114 of the Laws of 1998 which authorized towns in the Peconic Bay Region to establish community preservation funds for the purpose of preserving land for open space, farmland preservation, historic preservation, and parks and recreation purposes. The revenue for said fund was to be derived from a two-percent real estate transfer tax. This Town Board, by Local Law No. 14 of 1998, did implement the provisions of Chapter 114 of the Laws of 1998. Said local law was approved by the electors of the Town in a mandatory referendum on November 3, 1998. Pursuant to the provisions of said local law, the Town Community Preservation Fund went into effect on April 1, 1999.

B. The Town Community Preservation Fund has been an unparalleled success in preserving land for parks and conservation purposes. From April 1, 1999, through May 2002, the Community Preservation Fund in the Peconic Bay Region towns has generated \$99.28 million for land preservation. The result has been the acquisition of thousands of acres of land for the public benefit.

C. The authorization for the two-percent real estate transfer tax was originally set to expire at the end of the year 2010. The State Legislature, by the enactment of Chapter 250 of the Laws of 2002, authorized the towns to extend the expiration date of the tax until December 31, 2020, subject to mandatory referendum. The Town Board in 2002 did enact a local law which provided for such extension. The voters approved the local law at the general election held November 5, 2002. Again in 2006, the State Legislature, by the enactment a chapter of the Laws of 2006, authorized the towns to extend the expiration date of the tax until the end of the year 2030. The Town Board in 2006 did

enact a local law which provided for such extension until 2030. The voters approved the local law at the general election held November 7, 2006.

D. In 2015, the State Legislature approved and the governor signed into law, Chapter 551 of the Laws of 2015, amending the Town Law in relation to the Peconic Bay Community Preservation Fund and Chapter 114 of the Laws of 1998 amending the Town Law and other laws relating to authorizing certain towns in the Peconic Bay region to establish Community Preservation Funds to extend the 2% real estate transfer tax from December 31, 2030 to December 31, 2050 and creating a new category of eligible funding for water quality improvement projects including but not limited to: wastewater treatment; aquatic habitat restoration; and pollution prevention. It further allows the town boards of any town within the Peconic Bay region (East Hampton, Riverhead, Shelter Island, Southampton and Southold) to utilize a maximum of 20% of the CPF to finance the implementation of water quality improvement projects. The CPF water quality improvement funds could be used to match any federal, state, county or other funds up to a maximum of 10% of water quality improvement funding for the operation of the Peconic Bay National Estuary Program (PEP).

E. This article implements the twenty-year extension and creates a new category of eligible funding for water quality improvement projects.

§ 221-35. Definitions.

As used in this article, the following words and terms shall have the following meanings:

(a) "Water quality improvement project" means: (1) wastewater treatment improvement projects; (2) non-point source abatement and control program projects developed pursuant to Section Eleven-B of the Soil And Water Conservation Districts Law, Title 14 of Article 17 of the Environmental Conservation Law, Section 1455b of the Federal Coastal Zone Management Act, or Article Forty-Two of the Executive Law; (3) aquatic habitat restoration projects; (4) pollution prevention projects, and (5) the operation of the Peconic Bay National Estuary Program, as designated by the United States Environmental Protection Agency. Such projects shall have as their purpose the improvement of existing water quality to meet existing specific water quality standards. Projects which have as a primary purpose to permit or accommodate new growth shall not be included within this definition.

(b) "Wastewater treatment improvement project" means the planning, design, construction, acquisition, enlargement, extension, or alteration of a wastewater treatment facility, including alternative systems to a sewage treatment plant or traditional septic system, to treat, neutralize, stabilize, eliminate or partially eliminate sewage or reduce pollutants in treatment facility effluent, including permanent or pilot demonstration wastewater treatment projects, or equipment or furnishings thereof. An incentive or rebate program established by the Town Board for the upgrade of existing septic systems or cesspools shall constitute an eligible project within the definition of a wastewater treatment improvement project. Stormwater collecting systems and vessel pumpout stations shall also be included within the definition of a wastewater improvement project.

(c) "Aquatic habitat restoration project" means the planning, design, construction, management, maintenance, reconstruction, revitalization, or rejuvenation activities intended to improve waters of the state of ecological significance or any part thereof, including, but not limited to ponds, bogs, wetlands, bays, sounds, streams, rivers, or lakes and shorelines thereof, to support a spawning, nursery,

wintering, migratory, nesting, breeding, feeding, or foraging environment for fish and wildlife and other biota.

(d) "Pollution prevention project" means the planning, design, construction, improvement, maintenance or acquisition of facilities, production processes, equipment or buildings owned or operated by municipalities for the reduction, avoidance, or elimination of the use of toxic or hazardous substances or the generation of such substances or pollutants so as to reduce risks to public health or the environment, including changes in production processes or raw materials; such projects shall not include incineration, transfer from one medium of release or discharge to another medium, off-site or out-of-production recycling, end-of-pipe treatment or pollution control.

(e) "Stormwater collecting system" means systems of conduits and all other construction, devices, and appliances appurtenant thereto, designed and used to collect and carry stormwater and surface water, street wash, and other wash and drainage waters to a point source for discharge.

(f) "Vessel pumpout station" means a project for the planning, design, acquisition or construction of a permanent or portable device capable of removing human sewage from a marine holding tank.

§ 221-36. Authority.

Pursuant to Chapter 551 of the Laws of 2015, the Town Board is hereby authorized to utilize revenues from the Community Preservation Fund to implement water quality improvement projects in accordance with a plan to preserve community character, pursuant to Article III of this Chapter. A maximum of twenty (20) percent of the Fund may be utilized for the implementation of water quality improvement projects; provided that where such water quality improvement funds are utilized for the operation of the Peconic Bay National Estuary Program, the use of such funds shall only be utilized to match federal, state, county, or other public or private funds on a dollar for dollar basis, not to exceed ten (10) percent of the annual amount appropriated for water quality improvement projects.

§ 221-37. Community Preservation Fund Project Plan.

A. Preservation of community character shall include the protection and improvement of the quality of all water resources.

B. Before any revenues from the Community Preservation Fund may be spent on water quality improvement projects as defined in this Article, all such projects shall be approved by the Town Board as part of the Community Preservation Fund Project Plan, adopted pursuant to Section 64-e of the Town Law and Article I of this Chapter.

C. Said plan shall prioritize each project to be undertaken pursuant to this Chapter, establish priorities for preservation and shall include farmland as its highest priority.

D. Said plan shall list every water quality improvement project which the Town plans to undertake pursuant to the Community Preservation Project Plan and shall state how such project would improve existing water quality and have as their primary purpose the accommodation of new growth as opposed to the remediation of water quality which shall not qualify for funding under this Article or such other provisions of this Chapter.

E. The proposed water quality improvement project shall be for the planning, design, or implementation of a project with a probable useful life of at least five (5) years, pursuant to the state local finance law.

F. The proposed water quality improvement project shall be consistent with one or more regional water quality improvement plans.

§ 221-38. Certification.

In addition, no monies from the Community Preservation Fund shall be expended for a water quality improvement project by the Town, unless such project also has been certified by the Town Board, by resolution, pursuant to this Article. In making such certification, the Town Board shall find as follows: (a) the proposed water quality improvement project shall be for the planning, design, or implementation of a capital project with a probable useful life of at least five (5) years, pursuant to the state local finance law, (b) the proposed water quality improvement project is consistent with one or more regional water quality improvement plans, (c) such project advances measurable water quality improvement for the Peconic Bay region, (d) such project complies with specific existing or proposed state or regional water quality standards or targets, (e) in the case of aquatic habitat restoration projects, the project will promote aquatic habitat restoration, and (f) in the case of pollution prevention projects, the project will reduce, avoid, and eliminate the use of toxic or hazardous substances, or the generation of such substances. The Town Board shall not certify projects which solely accommodate new or additional growth.

§ 221-39.

The real estate transfer tax implemented by Article II of Chapter 221 (Community Preservation; Open Space) pursuant to Article 31-D of the State Tax Law, is hereby extended until December 31, 2050.

§ 221-40. Mandatory Referendum.

The provisions of this local law are subject to mandatory referendum pursuant section 23 of the New York Municipal Home Rule Law, as provided for by Section 3 of Chapter 551 of the Laws of 2015.

§ 221-41. Proposition.

Pursuant to Chapter 551 of the Laws of 2015 and Section 23 of the New York Municipal Home Rule Law, the following proposition shall be placed before the electors of the Town of Riverhead at the general election to be held on November 8, 2016:

“Shall a Local Law entitled ‘A LOCAL LAW amending Chapter 221 (Community Preservation; Open Space) of the Town Code of the Town of Riverhead, (1) in relation to extending the effective date of the real estate transfer tax imposed to benefit the Town Community Preservation Fund until December 31, 2050 and (2) authorizing the use of a portion of such Town Community Preservation Fund, not to exceed 20%, for water quality improvement projects’ BE APPROVED? “

§ 221-42. Severability.

If any clause, sentence, paragraph, section, or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 221-43. Effective date.

This article shall take effect after filing with the Secretary of State and after approval at the general election to be held on November 8, 2016 by the affirmative vote of the qualified electors of the Town upon the proposition set forth in § 221-41 of this article.

- Underline represents addition(s)

Dated: Riverhead, New York
July 19, 2016

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 552

**AUTHORIZES THE SALE OF OBSOLETE/SURPLUS TOWN OF RIVERHEAD
HIGHWAY DEPARTMENT PERSONAL PROPERTY, TO WIT:
DRESSER 175C TRACK LOADER**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead Highway Department is the owner of a Dresser 175C Track Loader deemed to be non-operational, outdated and no longer useful to the Town of Riverhead Highway Department; and

WHEREAS, the Town of Riverhead Highway Department seeks to declare this item obsolete/surplus property and dispose of by sale; and

WHEREAS, the Town of Riverhead Procurement Policy, which was amended by Resolution #198 adopted by the Town Board on March 15, 2011, authorizes the Town to dispose of personal property; and

WHEREAS, pursuant to Guideline 8 of the Town's Procurement Policy the Town is authorized to dispose of surplus/obsolete property based upon an evaluation by the Town Financial Administrator, with the assistance of the department head, regarding estimated surplus value and, thereafter, recommendation of Financial Administrator to the Town Board regarding disposal or sale; and

WHEREAS, the Highway Department Superintendent and the Financial Administrator agree that the Dresser 175C Track Loader be deemed obsolete and the Highway Department offer for sale "AS IS"; and

WHEREAS, the Town Highway Department secured two quotes for the sale, including pick up and haul of Dresser 175C Track Loader; and

WHEREAS, the Financial Administrator recommends that the Town approve the sale of the Dresser 175C Track Loader to Michael Majsce at a price of \$750.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the sale of Dresser 175C Track Loader in the possession of the Town Highway Department to Michael Majsce for \$750.00, including pick up and hauling costs from such location identified by Town Highway Department; and be it further

RESOLVED, that the Financial Administrator shall deposit said funds received from the sale of the surplus property in the appropriate account; and be it further

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

THE VOTE

Hubbard Yes No

Giglio Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 553

**RATIFIES ADOPTION OF AMENDMENT TO ALCOHOL POLICY
FOR THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board, by Resolution #706 adopted on October 6, 2015, adopted an Alcohol Policy for the Town of Riverhead; and

WHEREAS, by Resolution #318 adopted on May 3, 2016, the Town Board amended the current Alcohol Policy for the Town of Riverhead regarding comprehensive general liability and liquor liability insurance policy limits as stated on Page 6 of 10; and

WHEREAS, The Town Board desires to further amend the current Alcohol Policy for the Town of Riverhead regarding liquor liability insurance policy limits as stated on Page 6 of the Alcohol Policy.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby adopts the attached amended Alcohol Policy for the Town of Riverhead; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby amends, nunc pro tunc, the *Alive on 25* Alcohol Vendor License Agreement, section 5, "Insurance and Indemnification", to require liquor service liability insurance coverage in the amount of \$1,000,000.00 (one million dollars) per occurrence and \$2,000,000.00 (two million dollars) in the aggregate; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD ALCOHOL POLICY

PURPOSE

The Town has experienced exponential growth in the use of the Town facilities and an increase in the number of Special Events as defined and provided under Chapter 255 of the Town Code of the Town of Riverhead. With increasing frequency, those Special Events seek use of the several facilities that are Town-owned, as well as well as Town highways, parking fields. The purpose of this Policy is to ensure that oversight and sound judgment are exercised by all organizations when, in connection with a Special Event as approved under Chapter 255 of the Town Code of the Town of Riverhead, such entity is proposing to allow the serving of alcohol to attendees. The intent of this policy is to allow limited alcohol consumption at such events while protecting the Town, its citizens, visitors and Town property. The Town of Riverhead seeks to establish the following guidelines under this policy with the principal goal being one to protect our underage attendees and prevent to the greatest extent possible any underage consumption of alcohol; together with a secondary goal to reduce or diminish excessive consumption of alcohol by adults and attendees of a Special Event and the attendant consequences that result. In addition, the Town Board, be and hereby, determines that the within policy shall assist in effectuating public safety, public order and decorum. The Town believes in a positive recreational experience for its youth and as such requires that all events geared toward youth prohibit alcohol.

SCOPE

This policy applies to all persons sponsoring a Chapter 255 Event (sometimes “Permit Holders” or “Applicant/Lessee), occurring at a Town of Riverhead facility or on municipally owned or leased property where alcohol is being served. In case of a conflict between this policy and the Laws of the State of New York, the New York State Laws, rules and regulations take preference.

OBJECTIVES

The objectives of RIVERHEAD’s Municipal Facility Alcohol Policy are as follows:

- To allow limited alcohol consumption during events at Town facilities, highways, parking fields or other Town owned properties.
- To promote the safety and protection of the members of the community and the public, and to protect property owned by the Town of Riverhead.
- To endorse self-responsibility and respect for others in the use of alcohol at events on Town property and discourage high-risk alcohol-related practices that may endanger individuals or result in damage to property.
- To assure that Town facility-use priorities are maintained.

PRIORITIES FOR USAGE

Town events that are presented by the various departments and committees have preference over private functions for available dates. Once a date is selected, only the Town Board can overrule a booking.

- Town Departments, Town Committees and Town Events

- Meetings of groups to which the Town is a sponsor or member
- Uses requested by agencies or officials of county, state or federal governments
- Not-for-Profit and Civic Organizations where the meeting is open to the general public or which are intended to provide information to the general public
- Other Not-for-Profit and Civic Organizations events
- Residents and Town Businesses
- Non-residents

The Board approves each application and reserves the right to deny any permit for any reason. The following considerations and subsequent risk chart provides specific details regarding the implementation of this policy and objectives above.

GENERAL CONSIDERATIONS

Alcohol may only be consumed as part of an event that is approved by the Town through this alcohol policy. Town playing fields, playgrounds are off limits to alcohol at all times; Town family areas, such as picnic areas are be off limits, except as otherwise permitted pursuant to Chapter 255 and Chapter 205 of the Town Code of the Town of Riverhead. Notwithstanding the exception recited above, no permit or waiver shall be issued for the service and consumption of alcohol at or within the following Town parks and playgrounds: Stotzky Park, Veterans Memorial Park and Bayberry Park.

The Town Board requires that participants in all events be respectful of the neighbors in surrounding homes and businesses. Pursuant to Chapter 255, all Applicants must comply the required filing dates set forth in Chapter 255-9(B), provide all such material and information required and set forth in the provisions of Chapter 255, and pay such fees or provide such bond or security to secure compliance with the permit as determined appropriate by the Town Board.

The Responsible Party is the contact person during the event and as such must be present for the entire event. All event workers shall refrain from consuming alcohol while working at the event. All event workers should be provided with highly visible identification such as a button, badge, apron, uniform or other form of identification. If the risk associated with the event, as set forth in the Alcohol Risk Chart included below, requires that a police officer be hired, this expense will be borne by the Applicant/Lessee.

Alcohol may be sold and/or served providing all local, state and federal alcohol laws and policies are adhered to, and any permits conspicuously posted. The Applicant/Lessee must obtain all required local and/or state permits that are necessary for the sale and distribution of alcoholic beverages. The Applicant/Lessee must serve alcohol responsibly. Patrons of the event are strictly prohibited from bringing in their own alcoholic beverages or "brown bagging." The Applicant/Lessee is responsible for the purchase and transportation of all alcoholic beverages. All alcohol and related containers must be removed from the premises immediately after the event. Non-alcoholic beverages are to be available at all events. Food must be served in conjunction with alcohol service. Appropriate cleaning of the area to minimize any alcohol smell shall be accomplished by the Applicant/Lessee.

There will be no unreasonably loud noise or music allowed after 10:00 PM, including departing guests and vehicles. The Town has a Noise Ordinance, which is listed under Chapter 251 of the Code of the Town of Riverhead and applies to all events.

- The activity shall not extend beyond the hours approved in the request.
- Activities shall be restricted to the area for which permission is granted.
- The organization using a Town facility shall be responsible for moving its equipment, material and supplies into and out of the facility.
- If custodial assistance is needed, as determined by the administration, a charge will be assessed and must be paid within 30 days.
- The facility will be carefully examined after use. The applicant will promptly reimburse the Town for any loss or damage occurring as a result of the use of the facility.
- No property or equipment is to be altered or removed from the premises.
- No decorations or materials will be attached to the walls; floor or ceiling in any manner which damages the building or is permanent in nature.
- No reservation will be considered secured until the Town's administrative official approves the use and the fees are paid.
- Special permission and training is required for use of the Handicapped Lift.

SERVING CONSIDERATIONS

The Town Board requires that all alcohol servers have TIPS training (Training for Intervention Procedures) approved by the State of New York. TIPS training shall be undertaken not less than 30 days prior to the Special Event. Alcohol must be served only from area(s) designated by the application at the time of event booking (social room, porch, and/or tent, etc.). The Applicant/Lessee must designate a caterer/TIPS trained server or bartender to serve and oversee the alcoholic beverage area at all times. This person is responsible for verifying the legal age of each person consuming alcohol. The permit holders shall affix a non-removable wristband or bracelet to a person verified to be of legal age and shall place signage at the Special Event. Bottled beer and other alcoholic beverages must be served in paper or plastic containers or glassware provided by the caterer, not greater than 12 ounces for beer or cider and 5 ounces for wine/champagne. Proper recycling of empty alcohol containers is the responsibility of the Applicant/Lessee. All bottles must remain behind the bar area. No person less than 21 years of age may serve, possess and/or consume alcoholic beverages on Town properties. Oversized drinks, contests, volume discounts or similar incentives are not permitted. The Applicant/Lessee shall ensure signs are posted indicating any alcohol-restricted areas.

An adequate supply of food must be served/available to persons attending the event. It is recommended that all event organizers take steps to encourage food consumption to help reduce the risk of intoxication. The caterer/TIPS trained server must file liquor liability insurance with the Town named as additional insured. **Alcoholic drinks (limited to beer, cider, wine and champagne) are allowed. No liquor or mixed drinks are allowed under any circumstances.** Only a caterer or TIPS trained server may dispense beer from kegs or barrels. Non-alcoholic beverages must be made available and at a lower cost than any alcoholic beverages. The serving of all alcoholic beverages must cease at least one (1) hour prior to the specified ending time on the special event and/or municipal facility use application signed by the permit holder.

The following controls must also be adhered to by the permit holder:

- In the event that attendees are able to walk around the event with alcohol, ensure that the event area where alcohol is being served is secured.
- Be on duty to ensure the physical setting is safe at all times. Any unsafe condition must be reported to the facility representative and addressed appropriately.
- Ensure that guests at the event are properly supervised and ensure no one consumes alcohol in an unauthorized location.
- In the event of an approved outdoor 'beer garden', fencing is required for the outdoor designated area. It shall be a single row of fencing which is 36 inches high and be securely erected. The cost and set up of fencing is the responsibility of the event organizer.
- Ensure that all entrances and exits to the event are adequately supervised.
- Ensure that food and non-alcoholic drinks are available at all times.

LOSS OF SERVING PRIVILEGE/REVOCAION OF RENTAL OR USE AGREEMENT

Violations of any State of New York laws will result in loss of serving privileges and may result in loss of facility use privileges. All posted rules must be adhered to. Violations of posted rules may result in loss of service to specific individuals, loss of serving privileges, or termination of the rental/use agreement depending on the severity of the violation. It is the responsibility of the permit holder to prevent underage consumption of alcohol, to prevent intoxicated or rowdy persons from entering events, to manage patrons from becoming intoxicated, to refuse service to intoxicated patrons, and to facilitate the safe removal of patrons from the event, if their actions warrant removal. Alcohol distribution may be discontinued for any patron or for an entire event at the discretion of the caterer, TIPS-trained staff, police officer, Town staff person, or the Town Board. Profanity, disorderly acts or illegal activities of any kind are absolutely prohibited. Those violating this prohibition will be ejected from the premises. If any individuals at the event become too disruptive, the Town staff person on duty is authorized to order them to leave or notify law enforcement. The Town Board or its designee reserves the right to discontinue the service of alcoholic beverages at any time during a function. Chapter 255 approval and/or rental/use agreements can be revoked at any time and any violation of this policy may result in immediate termination of the event without refund.

CLEAN UP AND DAMAGE ASSESSMENT

The Town staff or designee will determine adequacy of clean up and extent of damages. A preliminary assessment will be done at the time of closing; final assessment will occur on the next business day preferably with the permit holder present. Assessment includes, but is not limited to, areas inside the building, the porch area, parking areas, tent site, outbuildings and facility grounds. If clean up or damages exceed the damage deposit, the Applicant/Lessee will be responsible for the remaining balance. If no damage occurs during the event, a refund check of the entire amount will be mailed to the permit holder within ten (10) days after the event. Partial refund checks will be issued after expenses have been determined to remedy issues. If damages exceed the deposit, it is the responsibility of the permit holder to, within three (3) business days of the event, either cover the cost of the excess damages or submit an insurance claim against the event policy and assure that the claim is processed to the satisfaction of the Town. The Town Board reserves the right to refuse to rent to a particular group or individual at any time and in the future if a rental results in excessive clean up or damage.

Requirements for the Refund of the Security Deposit

- The building, entrances, common areas, and equipment are left in a clean, secure and reasonable manner.
- Bathrooms are left in sanitary condition and ready for the next renter or user.
- Floors are swept and ready for another rental.
- No food items are left over in the cupboards, sink, stove, or refrigerator.
- All dishes are clean and dry.
- Common use/kitchen items are left for the next renter(s).
- The rental spaces are to be left set up for a meeting with tables and chairs as found with remaining chairs and tables properly stored.
- The renter shall remove all trash, garbage and recyclables from the premises.
- Grassy areas will be cleaned.
- Any other items as assigned by Town staff.

INSURANCE AND INDEMNIFICATION

The permit holder must 1) comply with all general liability insurance requirements set forth in the relevant special event and/or municipal facility use applications; and 2) submit a liquor liability insurance certificate naming the Town of Riverhead as additional insured. The Applicant/Lessee must also indemnify, defend and hold harmless the Town of Riverhead, its elected officials, public officials, employees and volunteers from claims, damages, losses and expenses, which might arise as a result of the event taking place. A copy of the caterer's or TIPS-trained server's liquor liability insurance policy, with the Town named as additional insured, must be submitted to the Town staff no less than 30 days prior to the event.

DRINKING AND DRIVING

The permit holder will be responsible for promoting safe transportation options for all the drinking participants.

SECURITY

As set forth in Chapter 255, the Town, including the Police Chief, Fire Marshall, Ambulance Chief and such other Town department head, shall evaluate the need and costs related to police protection and such other town services necessary to ensure public health and safety. The applicant/lessee shall be responsible for all reimbursement costs i.e. staffing of police personnel, hiring of special police officers, town employees etc deemed appropriate by the Town Board and required pursuant to the conditions of the Chapter 255 permit.

**TOWN OF RIVERHEAD MUNICIPAL FACILITY USE APPLICATION & AGREEMENT
FOR USE OF ALCOHOL**

(This form does not reserve any facility for exclusive use by the applicant. Additional special event/and or municipal facility use applications may be required.)

Applicant/Lessee's Name: _____

Applicant/Lessee's Address: _____

Applicant/Lessee's Telephone numbers): _____

Kind of Function/Event: _____

Day and Date of Function/Event: _____

Time of the Function/Event: _____

Facility Requested to be Used: _____

Approximate # Invited/Expected: _____

Name of Responsible Party: _____

The Responsible Party is the contact person during the event and as such must be present for the entire event.

Will alcohol be served by you or by another person or party? (Circle one) YES NO

A State-licensed caterer or Town-approved Victualer/Liquor License is required for functions where alcohol is served and must be provided to the Town at least thirty (30) days prior to the event

Do you agree to execute an agreement that you and/or your company will indemnify, defend and hold the Town of Riverhead harmless from all claims arising out of the use of the requested facility?

(Circle one) YES NO

If you circled Yes, then execute the agreement attached.

If you circled No, then do not complete and do not file this application and seek another location for your event.

Do you agree that your company, your caterer or a TIPS-trainer server working at the event, will provide the Town of Riverhead with a copy of a commercial general liability insurance policy providing no less than \$1,000,000.00 (one million dollars) per occurrence/\$2,000,000.00 (two million dollars) in the aggregate of general liability insurance coverage and no less than ~~\$2,000,000.00 (two million dollars)~~ \$1,000,000.00 (one million dollars) per occurrence/\$2,000,000.00 (two million dollars) in the aggregate of liquor liability insurance coverage and each policy(ies) naming the *Town of Riverhead*, as an additional insured party and that you will exhibit evidence showing that this has been done and showing the amount of insurance carried to the Town office at least thirty (30) days before the commencement of the event indicated. (Circle one) YES NO

If you circled No, do not complete and do not file this application and seek another location.

*Strikethrough represents deletion

*Underline represents addition

Alcohol Policy – Municipal Facility

Municipal Facility Use Application & Agreement (for use of alcohol)

Is this event a public or private event? Public Private

I UNDERSTAND THAT IF MY APPLICATION IS APPROVED, I MUST ADHERE TO ALL OF THE REQUIREMENTS OF THE TOWN OF RIVERHEAD ALCOHOL POLICY FOR MUNICIPAL FACILITIES, AS WELL AS OTHER RELEVANT TOWN POLICIES.

These items are required at the time of the application submission

- **Insurance Policy**
- **Non-refundable deposit**
- **TIPS training certificates for any alcohol server**
- **Damage/clean-up deposit**
- **Victualer or catering license**
- **Listing of who is staffing event**
- **Name of the Responsible Party (individual and corporation)**

The Town requires a non-refundable deposit with this application. The deposit, along with all appropriate documents, must be submitted at the same time.

Please sign this application and the attached referenced Agreement to Defend, Hold Harmless and Indemnify the Town of Riverhead for use of Town-owned Real Property.

Town of Riverhead)
County of Suffolk) s.s.:
State of New York)

I, _____, being duly sworn, swear that to the best of my knowledge and belief the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the Town Code and all other laws pertaining to the proposed application shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner.

Signature _____
Owner, Agent or Responsible Party

Sworn to be before this _____ day
of _____ 20 _____

Notary Public, Suffolk County, New York

Application determined to be complete:

Signature: _____
Town

Date: _____, 20.

_____ Application approved subject to proof of required insurance
(conditions, if any, are listed below)

_____ Application denied
(statement of reasons are listed below)

PROMISE AND AGREEMENT TO DEFEND, HOLD HARMLESS, AND INDEMNIFY THE TOWN OF RIVERHEAD, NEW YORK FOR USE OF TOWN-OWNED REAL PROPERTY

Completion and execution of this form is required in conjunction with use of a facility or property of the Town of Riverhead a private event or function and/or for the approval of a Special Event under Town Code Chapter 255 where alcohol is being served or sold.

THIS IS AN IMPORTANT LEGAL DOCUMENT, IN WHICH THE SIGNER MAKES SIGNIFICANT AND POTENTIALLY COSTLY FINANCIAL COMMITMENTS TO THE TOWN OF RIVERHEAD. NO ONE SHOULD SIGN THIS DOCUMENT WITHOUT FIRST CONSIDERING HAVING LEGAL COUNSEL OF HER OR HIS CHOICE REVIEW IT.

This Agreement to Defend, Hold Harmless, and Indemnify the Town of Riverhead, New York is made by the undersigned ("Applicant/Lessee"), of _____, Town of _____ County of _____ and State of _____, in favor of the Town of Riverhead, a municipal corporation located in York County and State of New York ("the Town"), its successor and assigns.

In consideration for the Town's permitting Applicant/Lessee to host a private function or event, specifically a _____, on Town-owned property, specifically on/at _____, on _____ 20____, which I acknowledge to be good and valuable consideration for the undertakings I make here, I, the undersigned Applicant/Lessee, do hereby promise and covenant that I will defend and hold harmless the Town, its officers and officials, employees, volunteers, agents, and representatives, and its and their successors and assigns ("Town Parties"), from and against any and all actions, causes of action, suits, claims, proceedings, judgments, losses, recoveries, damages and expenses of every kind, including, but not limited, to attorney's fees, reasonable investigative and discovery costs, and court costs, as well as for injunctive or non-monetary relief, arising in any way from the use of the property described above on the date(s) stated above and that I will indemnify the Town Parties for all sums that it or they may pay or become obligated to pay, to anyone or any entity on account of or arising in any way whatsoever from the use of the property described above on the date(s) stated above; and I further say that I understand and intend that this commitment can and will be enforced against me to the maximum extent allowed by law, and without regard to whether a claim (or cause of action, etc., as described above) arises out of contract or negligence, including but not limited to claims for property damage or death, and without regard to whether any such claim arises from or is alleged to arise in part or in whole from the negligence of the Town Parties.

If I sign below in a representative capacity, then I represent and personally warrant that I am duly authorized to sign in that representative capacity, and I acknowledge, understand, and agree that by signing I bind the entity for which I sign, and its successors and assigns, to every undertaking in this document.

In witness whereof, I acknowledge that I have read and executed this Agreement to Defend, Hold Harmless and Indemnify the Town Parties, at the place and on the day appearing below, that I fully understand its terms and understand that I am making a substantial, binding legal commitment, constituting a potentially financially expensive commitment, by signing it, and that I intend my signature to evidence this my undertaking of my commitment and intention to defend and to hold harmless, and to indemnify as described above, and in all instances and in any event, to the greatest and fullest extent allowed by law, and I intend my commitment to be enforceable against me, the Applicant/Lessee, to that same extent.

Town of Riverhead)
County of Suffolk) s.s.:
State of New York)

I, _____, being duly sworn, swear that to the best of my knowledge and belief the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the Town Code and all other laws pertaining to the proposed application shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner.

Signature _____
Owner, Agent or Responsible Party

Sworn to be before this _____ day
of _____ 20 _____

Notary Public, Suffolk County, New York

TOWN OF RIVERHEAD

Resolution # 554

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH VHB
ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, PC**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead and Community Development Agency (hereinafter collectively referred to as "Town") embarked on a plan to update its Comprehensive Reuse Plan for the 2,900 acre Calverton site formerly known as the Naval Weapons Industrial Reserve Plant at Calverton (now commonly referred to as "EPCAL") for the purpose of bringing to fruition the goal of economic development at the EPCAL site; and

WHEREAS, the Town retained the services of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) to assist the Town in preparing an updated Comprehensive Reuse Plan for the Calverton site, including, but are not limited to, development of a revised land use plan and associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process; and

WHEREAS, the services above required VHB to study and analyze historical data and present site conditions; boundary and topographic surveys; sewer, water and roadway infrastructure; and a host of other conditions and/or issues related to land use plan, zoning, subdivision, and environmental review of all proposed actions related to the comprehensive reuse plan now known and referred to as the "Reuse & Revitalization Plan for EPCAL"; and

WHEREAS, the Town as part of its plan to bring to fruition economic development sought to retain the services of a firm with expertise in developing marketing and planning strategies, providing tactical advice for entering into new markets and acquiring strategic business partners, and the ability to provide full brokerage services to market for lease or sale certain Town owned real estate commonly known and described as EPCAL; and

WHEREAS, the Town did retain the services of Cushman & Wakefield, a business development firm providing high-level strategic and tactical advice to government agencies in the marketing real estate for lease and sale, to market the property; solicit new prospective commercial clients; receive, review and report all offers to lease or purchase submitted by buyers or buyers' agents to the Town; evaluate offer(s) and advise Town in handling additional offers to purchase submitted between contract and closing; and

WHEREAS, the new prospective clients solicited by Cushman & Wakefield require detail regarding site conditions; potential environmental issues; land use plan; and technical and engineering specifications regarding subdivision, sewer, water and

roadway infrastructure all within the expertise of VHB hence the Town and Cushman & Wakefield have requested and solicited information from VHB necessary to respond to new prospective clients and have requested that VHB be available on site to meet with new prospective clients; and

WHEREAS, VHB has agreed to assist the Town and Cushman & Wakefield as an expert in coordinating the data described above and in other expert capacity to assist in the successful marketing, lease and/or sale of property located at EPCAL.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute Professional Services Agreement with VHB Engineering, Surveying and Landscape Architecture, PC in substantially the same form as annexed hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to VHB Engineering, Surveying and Landscape Architecture, PC, 2150 Joshua's Path, Suite 300, Hauppauge, NY 11788; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of July, 2016 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "TOWN") and VHB Engineering, Surveying and Landscape Architecture PC , a corporation existing under the laws of the State of New York with a principal place of business at 2150 Joshua's Path, Suite 300, Hauppauge, New York 11788 (hereinafter referred to as "CONSULTANT").

WHEREAS, the Town of Riverhead and Community Development Agency (hereinafter collectively referred to as "Town") embarked on a plan to update its Comprehensive Reuse Plan for the 2,900 acre Calverton site formerly known as the Naval Weapons Industrial Reserve Plant at Calverton (now commonly referred to as "EPCAL") for the purpose of bringing to fruition the goal of economic development at the EPCAL site; and

WHEREAS, the Town retained the services of VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) to assist the Town in preparing an updated Comprehensive Reuse Plan for the Calverton site, including, but are not limited to, development of a revised land use plan and associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process; and

WHEREAS, the services above required VHB to study and analyze historical data and present site conditions; boundary and topographic surveys; sewer, water and roadway infrastructure; and a host of other conditions and/or issues related to land use plan, zoning, subdivision, and environmental review of all proposed actions related to the comprehensive reuse plan now known and referred to as the "Reuse & Revitalization Plan for EPCAL"; and

WHEREAS, the Town as part of its plan to bring to fruition economic development sought to retain the services of a firm with expertise in developing marketing and planning strategies, providing tactical advice for entering into new markets and acquiring strategic business partners, and the ability to provide full brokerage services to market for lease or sale certain Town owned real estate commonly known and described as EPCAL; and

WHEREAS, the Town did retain the services of Cushman & Wakefield, a business development firm providing high-level strategic and tactical advice to government agencies in the marketing real estate for lease and sale, to market the property; solicit new prospective commercial clients; receive, review and report all offers to lease or purchase submitted by buyers or buyers' agents to the Town; evaluate offer(s) and advise Town in handling additional offers to purchase submitted between contract and closing; and

WHEREAS, the new prospective clients solicited by Cushman & Wakefield require detail regarding site conditions; potential environmental issues; land use plan; and technical and engineering specifications regarding subdivision, sewer, water and roadway infrastructure all within the expertise of VHB hence the Town and Cushman & Wakefield have requested and solicited information from VHB necessary to respond to new prospective clients and have requested that VHB be available on site to meet with new prospective clients; and

WHEREAS, VHB has agreed to assist the Town and Cushman & Wakefield as an expert in coordinating the data described above and in other expert capacity to assist in the successful marketing, lease and/or sale of property located at EPCAL; and

WITNESSETH:

In consideration of the mutual promises herein contained, the TOWN and CONSULTANT agree as follows:

1. SCOPE OF SERVICES

VHB Engineering, Surveying and Landscape Architecture PC (hereinafter "CONSULTANT") shall provide assistance, in the form of compiling, research, response for data related to site conditions; potential environmental issues; land use plan; and technical and engineering specifications regarding subdivision, sewer, water and roadway infrastructure, to the Town and Cushman & Wakefield necessary to respond to new prospective clients and other issues related to the goal of market, lease and/or sale of the EPCAL property. The Town shall make payment upon completion of assignments (response to information per new prospective client) and upon submission of detailed voucher *to be approved by TOWN indicating the prospective client and identification of tasks undertaken to complete the assignment. All services are to be rendered by CONSULTANT as an independent contractor and not as an employee of TOWN or Cushman & Wakefield. The TOWN and CONSULTANT agree that the TOWN & Cushman & Wakefield shall not be responsible for any additional expenses, referred to as "direct expenses", related to scope of services and acknowledge that no such provision for reimbursement of expenses shall be included in this agreement.

The details and means of performing the services referenced above shall be exclusively and solely determined by CONSULTANT such that CONSULTANT may at its expense, employ such assistants as CONSULTANT deems necessary to perform the services.

CONSULTANT warrants that CONSULTANT shall conduct its business, as it relates to the services set forth herein, in a commercially reasonable, professional, legal and ethical manner. CONSULTANT shall represent the interests of the TOWN solely, and as such, CONSULTANT may not act as, engage in representation of, negotiate on behalf of any prospective client or collect any fee from any prospective client.

The fee for all services will be \$250 per hour for principal staff members (VHB Labor Categories Principal 1-4) and \$150 for all other staff members. To the extent that VHB is requested to provide or respond to inquiries which were the subject of previous assignment, VHB will make diligent effort to minimize fees and seek to assign staff at the lower hourly fee. Notwithstanding the hourly rate recited above, VHB fees for services shall not exceed \$2500.00 per prospective client and/or assignment without the approval, in writing, of at least three members of the Town Board.

Note, the services described above are intended and shall be deemed separate and distinct from the scope of services set forth in the agreement between the Town of Riverhead and VHB authorized by the CDA Resolution No. 4 dated February 1, 2011 and any other subsequent agreements related to and outlining tasks necessary to complete the Reuse & Revitalization Plan.

2. TERM OF AGREEMENT

This Agreement shall commence on the date the Agreement is fully executed by the TOWN and CONSULTANT and will continue for a period of one year.

3. PAYMENT

For these services, TOWN will pay CONSULTANT upon submission of detailed voucher to be approved by TOWN. CONSULTANT shall submit a separate invoice signed by CONSULTANT, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon costs incurred or services rendered consistent with the terms of the professional services agreement."

4. RIGHTS TO DOCUMENTS OR DATA

With the exception of reports, documents or data required to be provided to review/approval agencies (e.g., NYSDEC, SCHDS...), all information and data, regardless of form, generated in the performance of, or delivered under the identified tasks, as well as any information provided to CONSULTANT by TOWN, shall be and remain the sole property of TOWN. CONSULTANT shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with TOWN's prior written approval. In the event that the legal right in any data and information generated in the performance of the tasks does not vest in TOWN by law, CONSULTANT hereby agrees and assigns to TOWN such legal rights in all such data and information. These obligations shall survive the termination of this Agreement.

5. PUBLICITY

CONSULTANT shall not, without the prior written consent of TOWN, in any manner advertise or publish the fact that TOWN has entered into this Agreement with CONSULTANT, with the exception of review/approval agencies (i.e. NYSDEC, SCHD...). CONSULTANT shall not, without the prior written consent of the TOWN,

provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the TOWN board or by resolution of the TOWN Board, with the exception of documents, data and reports required to be provided to review/approval agencies (i.e. NYSDEC, SCHD or such other entity or agency in furtherance of and necessary to satisfactorily complete any work.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned, without the prior written consent of at least three members of the TOWN Board or by resolution of the TOWN Board. CONSULTANT is responsible for all work performed by subcontractor and ensures compliance with all terms of this agreement and all state and federal laws.

7. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, TOWN shall have no further obligation to CONSULTANT except to make any payments for completion of all or portions of assignments, which may have become due under this Agreement.

8. RECORDS

CONSULTANT shall keep accurate records of the time spent in the performance of services hereunder. The TOWN shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of CONSULTANT involving transactions related to this Agreement.

9. CHANGES

The TOWN and CONSULTANT acknowledge that the scope of services detailed in this agreement is intended to identify all necessary services and it is not possible to determine the specific scope of work or level of effort for all work at this time.

The TOWN and CONSULTANT acknowledge that the “not to exceed” language is intended to reflect and permit downward adjustment of fees as and for each assignment as same are dependent upon available information previously provided by VHB and/or requirement for update and/or supplementation. To the extent an upward modification of the fee(s) is requested, CONSULTANT shall provide the Town with a proposed schedule of research and assignment of personnel to reflect additional work and compensation related thereto to complete the assignment.

The TOWN, by written request or consent by at least three members of the TOWN Board, within the general scope of this Agreement, may, at any time by written notice to CONSULTANT, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an

equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. Payment will be made to CONSULTANT for all tasks completed or partially completed as described above. It is agreed and understood that no oral agreement, conversation, or understanding between the CONSULTANT and the TOWN, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to TOWN of Riverhead if mailed by certified mail, postage prepaid to TOWN of Riverhead, Attention: Ann Marie Prudenti, Esq., Chief Deputy Town Attorney, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to CONSULTANT if mailed by certified mail, postage prepaid to Theresa Elkowitz, M.S., Principal, VHB Engineering, Surveying and Landscape Architecture, P.C., 2150 Joshua's Path, Suite 300, Hauppauge, New York 11788.

11. COMPLIANCE WITH LAWS

CONSULTANT and CONSULTANT's subcontractor shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. CONSULTANT will notify TOWN immediately if CONSULTANT's work for TOWN becomes the subject of a government audit or investigation. CONSULTANT will promptly notify TOWN if CONSULTANT is indicted, suspended or debarred. CONSULTANT represents that CONSULTANT has not been convicted of fraud of any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, CONSULTANT agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. CONSULTANT may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a TOWN agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying CONSULTANT's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

CONSULTANT shall carry Comprehensive General Liability Insurance, including products completed, contractual, property and personal injury in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate and \$1,000,000.00 as and for professional liability per claim and in the aggregate, and, if applicable, worker's compensation insurance and employer's liability insurance in compliance with statutory limits. In addition, CONSULTANT shall carry automobile liability insurance including owned and non-owned and hired automobiles with a combined single limit of

\$1,000,000.00 per occurrence. CONSULTANT hereby indemnifies and holds the TOWN, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against TOWN, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the negligent acts or omissions of CONSULTANT, CONSULTANT's subcontractor or agents under this Agreement.

13. CONFLICT OF INTEREST

CONSULTANT hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the TOWN of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the TOWN, contract with the TOWN for sale of any product or service. CONSULTANT further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the TOWN, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. CONSULTANT further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with TOWN.

14. DISCLOSURE

The TOWN shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

15. DISPUTES

If CONSULTANT fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to CONSULTANT not to exceed thirty (30) days, and an opportunity for CONSULTANT to cure such failure (except in case of emergency), any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings.

16. ADDITIONAL PROVISIONS

VHB shall perform its services in accordance with the professional standards applicable to the services provided (i.e. engineering, planning, consulting, etc.), at the time such services are rendered.

The parties agree that VHB's liability under this agreement and for the project shall be limited to 2,000,000.00 or the amount of VHB's fees hereunder, whichever is greater.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF RIVERHEAD

VHB Engineering, Surveying & Landscape
Architecture, P.C.

By: Sean Walter, Supervisor

By: Thomas Lucivero, Senior Principal

TOWN OF RIVERHEAD

Resolution # 555

AUTHORIZES NOTICE OF PUBLIC HEARING REGARDING RATE RESTRUCTURE OF THE RIVERHEAD WATER DISTRICT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, report dated June 2016 has been prepared by H2M Group as consulting engineers to the Riverhead Water District outlining recommendations for rate restructuring that will provide for water conservation measures and the financial stability of the Riverhead Water District, and

WHEREAS, Chapter 291 of the Riverhead Town Code does permit the Riverhead Town Board as governing body of the Riverhead Water District to adopt rate restructuring, and

WHEREAS, the Town Board desires to call a public hearing to receive public comment on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post notice of public hearing on this matter to be held on the 2nd day of August, 2016 at 2:15 pm at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons, and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full with the attached rate restructure table in the July 21, 2016 edition of The News Review, and

BE IT FURTHER RESOLVED, that a copy of H2M report dated June 2016 is available for review at the Office of 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.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

Meter Size	Current Minimum Service Charge	Proposed Minimum Service Charge	Percentage	Annual Increase
3/4" or 5/8"	\$10.90	\$10.90	0.00	0.00
1"	\$19.90	\$19.90	0.00	0.00
1-1/2"	\$10.97	\$12.80	16.6%	\$21.96
2"	\$12.97	\$15.42	18.9%	\$29.40
3"	\$19.30	\$20.77	7.6%	\$17.46
4"	\$25.30	\$28.50	12.6%	\$38.40
6"	\$42.30	\$43.73	3.4%	\$17.16
8"	\$86.63	\$104.67	20.8%	\$216.40
10"	\$113.30	\$125.00	10.3%	\$140.40

Meter Size	Current Gallons Included in Min. Charge	Current Total Annual Allowable Consumption	Proposed Gallons Included in Min. Charge	Proposed Total Annual Allowable Consumption
3/4" or 5/8"	5,000 gal.	20,000 gal.	4,000 gal.	16,000 gal.
1"	12,000 gal.	48,000 gal.	9,000 gal.	36,000 gal.
1-1/2"	8,000 gal.	96,000 gal.	6,000 gal.	72,000 gal.
2"	10,000 gal.	120,000 gal.	8,000 gal.	96,000 gal.
3"	14,000 gal.	168,000 gal.	11,000 gal.	132,000 gal.
4"	20,000 gal.	240,000 gal.	16,000 gal.	192,000 gal.
6"	32,000 gal.	384,000 gal.	27,000 gal.	324,000 gal.
8"	80,000 gal.	960,000 gal.	64,000 gal.	768,000 gal.
10"	100,000 gal.	1,200,000 gal.	84,000 gal.	1,008,000 gal.
12"	120,000 gal.	1,440,000 gal.	ELIMINATED	ELIMINATED

Current Rate After Min Is Exceeded	Percentage Increase from Current Rate	Revised Rate After Min Is Exceeded	Approximate Revenue Generated Annually
\$1.50/1,000 gal	5%	\$1.58/1,000 gal	\$292K
\$1.50/1,000 gal	10%	\$1.65/1,000 gal	\$433K
\$1.50/1,000 gal	15%	\$1.73/1,000 gal	\$583K
\$1.50/1,000 gal	20%	\$1.80/1,000 gal	\$734K
\$1.50/1,000 gal	25%	\$1.87/1,000 gal	\$883K

Highlighted item represents proposed increase

Task	Current Fee	Proposed Fee
Scheduled Turn On/Off (fee is per each service performed)	\$30	\$50
Same Day Turn On/Off (fee is per each service performed)	none	\$75
Emergency Turn On/Off (fee is per each service performed)	\$150	\$200
Reconnect Fee	\$275	\$300
Disconnect Fee	None	\$200
¾" Pre-Tap Water Service	\$305	\$850 (plus meter cost)
1" Pre-Tap Service	\$405	\$850 (plus meter cost)
1" Service in Vault	\$1,200 (incl. meter)	\$1,300 (plus meter cost)
1" Residential Fire Service	\$2,500	No Change
Water Meter Assembly (Various Sizes)	Varies	District Cost + 10%
Service Line Inspection	\$50	No Change
Large Tapping Fee	\$400	\$600
Witness Hydrant Flow Test	\$150	No Change
Misc. Service Charge	none	\$50
Distribution Repairs	none	Time & Material
One Day Hydrant Rental	\$50	\$50 up to 20K gallons (over 20K gal. billed at contract rate)
Meter Test Fee	none	\$50
Water Meter Repair	none	\$175
Register/MXU Repair or Replace	none	\$175
Quarterly Fire Line Fee	Various	No Change
Return Check Charge	\$20	No Change
Backflow Review & Submittal	none	\$75
Additional Backflow Inspections	none	\$50

TOWN OF RIVERHEAD

Resolution # 556

PAYS BILLS

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #16-13 July 06, 2016 (TBM 07/19/16)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	995,497.86	995,497.86
POLICE ATHLETIC LEAGUE	4	2,511.84	2,511.84
RECREATION PROGRAM FUND	6	25,899.28	25,899.28
HIGHWAY FUND	111	502,179.34	502,179.34
WATER DISTRICT	112	136,614.33	136,614.33
RIVERHEAD SEWER DISTRICT	114	48,627.42	48,627.42
STREET LIGHTING DISTRICT	116	32,028.82	32,028.82
PUBLIC PARKING DISTRICT	117	4,046.23	4,046.23
AMBULANCE DISTRICT	120	1,400.37	1,400.37
EAST CREEK DOCKING FACILITY FU	122	3,125.30	3,125.30
CALVERTON SEWER DISTRICT	124	1,192.49	1,192.49
RIVERHEAD SCAVENGER WASTE DIST	128	22,594.55	22,594.55
WORKERS' COMPENSATION FUND	173	8,184.82	8,184.82
WATER DISTRICT CAPITAL PROJECT	412	5,740.67	5,740.67
TRUST & AGENCY	735	2,110,961.50	2,110,961.50
CALVERTON PARK - C.D.A.	914	794.00	794.00
TOTAL ALL FUNDS		3,901,398.82	3,901,398.82

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 557

2016 SKATE PARK PROJECT at STOTZKY PARK

BUDGET ADOPTION

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Superintendent of Recreation requests a transfer of funds from the Park and Recreation Special Trust Fund for the Skate Park at Stotzky Park.

RESOLVED, that the Riverhead Town Board authorizes the Accounting Department to establish the following budget and make the necessary transfers from the Special Trust Park and Recreation Account:

		<u>FROM</u>	<u>TO</u>
736.092705.421050	Transfer from Park and Rec Fees	27,675	
406.071100.523000.70161	Skate Park Improvement		27,675

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation and the Accounting Departments.

RESOLVED, 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.

On a motion by Supervisor Walter, seconded by Councilman Dunleavy, resolution #557 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Giglio - ABSTAIN
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 558

AMENDS RESOLUTION #253, ADOPTED ON APRIL 19, 2016
EPCAL PLAYGROUND - BUDGET ADOPTION

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Superintendent of Recreation had requested a transfer of funds from the Park and Recreation Special Trust Fund to the Playground at EPCAL Park and Resolution 2016-253 on April 19, 2016 adopted such transfer; and

WHEREAS, the Superintendent of Recreation requests to postpone the project and return the funds to the Park and Recreation Special Trust Fund.

RESOLVED, that the Riverhead Town Board authorizes the Accounting Department to keep project 70162 "2016 EPCAL Playground Improvement" and remove the funding to the Park and Recreation Special Trust Fund.:

	<u>FROM</u>	<u>TO</u>
406.071100.527000.70162 Playground Equipment	10,000	
736.092705.421050 Park and Rec Special Trust Fund		10,000

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation and the Accounting Departments.

RESOLVED, 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.

On a motion by Supervisor Walter, seconded by Councilman Dunleavy, resolution #558 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy - ABSTAIN
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 559

**AMENDS RESOLUTION 508 OF 2016 REAPPOINTING PART-TIME
CROSSING GUARD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, by Resolution #508, adopted by the Town Board of the Town of Riverhead on July 7, 2016, the Town Board reappointed a Part-Time Crossing Guard effective July 7, 2016 at an hourly rate of \$11.22; and

WHEREAS, Resolution # 508-2016 named the appointee as Brian Moody when the correct name should be Brian Mooney.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby amends Resolution #508-2016 to correct the name of the person reappointed to the position of Part-Time Crossing Guard to Brian Mooney; and be it further

RESOLVED, that all other terms and conditions of Resolution # 508-2-16 shall remain unchanged and in full force and effect; 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.

On a motion by Supervisor Walter, seconded by Councilman Dunleavy, resolution #559 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted