



TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
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Stanley Carey, Chairman
Edward Densieski, Vice-Chair/Secretary

Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

May 16, 2019

Dawn Thomas, Esq.
Community Development Director
Town of Riverhead

Resolution No. 2019-026
Resolution Adopting SEQRA Consistency Analysis
And SEQRA Findings With Respect To
The Enterprise Park At Calverton Preliminary Subdivision Map
(8-Lot Major Subdivision Map)
SCTM # 0600-135-1-7.1, 7.2, 7.33 & 7.4

Dear Ms. Thomas:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on May 16, 2019:

WHEREAS, the Town of Riverhead Community Development Agency (CDA) has submitted an amended 8-Lot subdivision map entitled "The Enterprise Park At Calverton" Preliminary Subdivision Map, last revised 26th day of March, 2019, SCTM #0600-135-1-7.1, 7.2, 7.33 & 7.4; and

WHEREAS, the CDA had previously submitted a 50-Lot EPCAL Subdivision Map, known as "Subdivision Map for Enterprise Park at Calverton," prepared by VHB, dated June 6, 2014; and

WHEREAS, the EPCAL 50-Lot Subdivision Plan and related changes to, among other things, the Town Zone Code, were subjected to a comprehensive SEQRA Supplemental Generic Environmental Impact Statement review by the Riverhead Town Board as Lead Agency, and the Riverhead Planning Board as an Involved Agency; and

WHEREAS, the application for the 50-Lot subdivision was initiated by the Community Development Agency and Riverhead Town Board; and

WHEREAS, the Planning Board, as an Involved Agency under SEQRA, began its initial review of the EPCAL subdivision map(s) in the spring of 2015; and

WHEREAS, the EPCAL SEQRA process undertaken by the Town Board consisted of a number of components related to the proposed redevelopment of the subject property; and

WHEREAS, the Town Board completed the SEQRA process when it issued a Supplemental Findings Statement for the Supplemental Draft and Final Generic Environmental Impact Statement. The following were components of the SEQRA process:

1. Creation and adoption of the Reuse and Revitalization Plan for the EPCAL Property
2. Amendment to the Town of Riverhead Comprehensive Master Plan
3. Amendment to the Calverton Urban Renewal Plan
4. Creation and adoption of a Planned Development (PD) Zoning District
5. Amendment to the zoning map of the Town of Riverhead to rezone the EPCAL Property to the PD Zoning District
6. Subdivision of the EPCAL Property into 50 lots, all but 10 of which would be for ultimate redevelopment with a mix of uses (e.g., commercial, industrial, among others); and

WHEREAS, after the Town Board issued its SEQRA Supplemental Findings Statement, an application for a 50-Lot subdivision was submitted by the CDA to the Planning Board in November 2016. The Planning Board initiated its review of the Preliminary 50-Lot Subdivision Map and held a Public Hearing on January 5, 2017. As an Involved Agency, the Planning Board reserved its Findings Statement on the proposed 50-Lot Subdivision Map, pending its further review; and

WHEREAS, since the Planning Board's Public Hearing of January 5, 2017, the CDA and Town Board have entered into an Agreement of Sale with a private entity (i.e. Calverton Aviation and Technology aka: CAT), which requires amendment of the 50-Lot Subdivision Map to a proposed 8-Lot Major Subdivision Map; and

WHEREAS, the CDA has now submitted an amended preliminary subdivision map which amends the previously submitted subdivision application that called for a 50-lot subdivision reflect a change in the lot layout to depict an 8-Lot Major Subdivision Map. The revised 8-lot plan is described as:

1. Lot # 1 Pine Barrens Core Area, to be preserved (formerly Lot # 48 of 50 Lots), comprised of 292.7 acres.
2. Lot # 2 (formerly Lot # 49 of 50 Lots) comprised of 98.9 acres.
3. Lot # 3 (formerly Lot# 21 of 50 Lots) to be retained by the Town of Riverhead for Grumman Park and future community service facilities comprised of 11.2 acres.
4. Lot # 4 STP Recharge Parcel (formerly Lot # 42 of 50-Lots) comprised of 35.1 acres.
5. Lot # 5 Town of Riverhead with Community Center (formerly Lots # 45 and 46 of 50-Lots) comprised of 25.5 acres.

The remaining 44 lots, roads, and drainage areas of the original 50- Lot Subdivision Map have been replaced by three new lots:

6. Lot # 6 comprised of 727.3 acres, constituting a new parcel not depicted on the former 50-Lot map.
7. Lot # 7 comprised of 898.4 acres, constituting a new parcel not depicted on the former 50-Lot map.

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8. Lot # 8 comprised of 18.1 acres, constituting a new parcel not depicted on the former 50-Lot map due to it being created by the final location of the bicycle path.

Site Plan review or yield determination for Lots 6, 7, and 8 shall comply with or be calculated based upon applicable zoning, New York State Department of Environmental Conservation wetland and tiger salamander buffer requirements/regulations, and the Town Board's July 19, 2018 Supplemental Generic Findings Statement at such time as specific site development is proposed; and

WHEREAS, the Town Board, by CDA Resolution #2018-10, adopted on November 7, 2018, found that the sale the property now comprised of Lots 6, 7, and 8, which includes of necessity the subdivision of the property, was "in conformance with the conditions and thresholds established in the Final Generic Impact Statement (FGEIS) of October 6, 1998, as supplemented by the Final Supplemental Environmental Impact Statement (FSEIS) adopted on March 15, 2016, and with the Supplemental Findings Statement adopted July 19, 2016, prepared in conjunction with the adoption of the Planned Development (PD) Zoning District adopted on August 16, 2016, the Town of Riverhead Comprehensive Master Plan, as amended on August 2, 2016, and the Town of Riverhead Calverton Enterprise Park Urban Renewal Plan, as amended on August 2, 2016, and therefore pursuant to SEQRA regulations (6 N.Y.C.R.R. 617.10(d)(1) no further SEQRA review is required for this action. Site specific SEQRA review will be conducted as required in connection with the Sponsor's applications for approvals for the redevelopment project"; and

WHEREAS, this latest map iteration, the revision of the 50-Lot Subdivision Map to an 8-Lot Major Subdivision Map, is part of the Planning Board's ongoing subdivision review process; and

WHEREAS, the Town Planning Department has undertaken a SEQRA Consistency Analysis to compare the original 50-Lot map and Lead Agency's adopted Findings Statement to determine if any significant changes have occurred with respect to significant adverse environmental impact(s) generated by the amended 8-Lot map configuration; and

WHEREAS, the Consistency Study, dated April 1, 2019, has been submitted to the Planning Board for its review; and

WHEREAS, the Consistency Study determined that the proposed uses of Lots # 1, 2, 3, 4, and 5 depicted on the 8-Lot map are the same as the proposed use described for Lots # 48, 49, 21, 45, 46 and 42 on the 50-Lot map and the Supplemental DGEIS, FGEIS and Lead Agency's Findings Statement and therefore will not result in any change in use not previously studied in the SEQRA; and

WHEREAS, the Consistency Study determined that the remaining lots comprise vacant land which will undergo full SEQRA review at such time as specific site development plans are presented to the involved agency.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board hereby accepted and adopts the Planning Board's Consistency Report dated April 1, 2019 and makes it a part of its SEQRA record in connection with the pending amended preliminary subdivision application; and be it further

RESOLVED, that the Planning Board hereby adopts the following SEQRA Findings in connection with this application:

1. Lots 1 through 5 do not require any further review under SEQRA since their uses are the same as proposed 50-Lot Subdivision Map and thus their potential impacts have been fully studied.

2. Lots 6, 7, and 8 are being created at this time as large acre parcels without directing where future development and infrastructure will occur within these subdivided parcels. The potential impact on habitats will be evaluated during SEQRA reviews during future site plan/future development application stages for these lots as required by NY State and Town Code including a SEQRA Consistency Analysis to evaluate future development plan conformance with the previous SEQRA record and Lead Agency Findings Statement. Therefore the Planning Board finds that site specific study will occur when the owner of the large acre lots determines how it wishes to proceed with development. At that time, SEQRA review will, of necessity, have to be undertaken by all permitting agencies at which time if there are identified environmental impacts that were not fully addressed in the completed SEQRA review, further study will have to be undertaken. If the site specific development impacts identified habitat areas, the developer will be required to obtain a Taking Permit from the NYSDEC which will require the development of a site specific Comprehensive Habitat Plan.

3. Having considered the draft and final Supplemental Generic Environmental Impact Statement and the Supplemental Generic Finding Statement, and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- a. The requirements of 6 NYCRR Part 617 have been met; and
- b. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse 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.

4. Based on the foregoing, no further study under SEQRA is required at this time for the amended 8-Lot subdivision map; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to Frank Isler, Esq., Smith, Finkelstein, Lundberg, Isler, and Yakaboski LLP, 456 Griffing Ave., Riverhead 11901, Riverhead Town Supervisor and Members of the Town Board; all involved agencies pursuant to SEQRA; Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; and the Town Clerk; and be it further

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

Very truly yours,

Stanley Carey
Planning Board Chairman

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

THE VOTE

BAIER ___ YES ___ NO O'DEA ___ YES ___ NO

NUNNARO ___ YES ___ NO DENSIESKI ___ YES ___ NO

CAREY ___ YES ___ NO

THIS RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED