

S. 3643

A. 4678

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

February 7, 2013

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. THIELE, LOSQUADRO, HENNESSEY -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to establishing the Enterprise Park at Calverton Reuse and Revitalization District

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings and intent. The former Calverton Naval
2 Weapons Industrial Reserve Plant in the town of Riverhead, county of
3 Suffolk (hereinafter "EPCAL"), was formerly owned by the Navy and leased
4 by the Grumman Corporation. In 1998, Northrop Grumman closed nearly all
5 facilities located on Long Island and chose not to renew its lease for
6 the EPCAL site causing economic dislocation and unemployment for resi-
7 dents of the town of Riverhead and the surrounding region. The Navy
8 conveyed 2900 acres to the town of Riverhead Community Development Agen-
9 cy ("CDA") for no consideration conditioned upon the town's reuse of the
10 property for economic development.
11 In 2011, the town and CDA re-dedicated their efforts and invested
12 significant funds to update, develop and implement a reuse and revitali-
13 zation plan to meet the current economic, market and site conditions.
14 The town and CDA, with the assistance of a firm with expertise in plan-
15 ning and environmental analysis for large scale revitalization and
16 development projects, updated the real estate market study; retained
17 experts in the field of engineering, survey and topographical analysis;
18 retained experts in the fields of sewer and water; and met with state,
19 regional and local departments, agencies and special interest groups to
20 identify, address, remedy or mitigate all concerns and potential adverse
21 impacts related to the town and CDA's goal of economic development at

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 the EPCAL site. The comprehensive and extensive analysis of economic,
2 market, environmental, traffic, sewer, water, and myriad other factors,
3 together with participation of state, regional, local departments, agen-
4 cies, and special interest groups, including but not limited to New York
5 state department of transportation, New York state department of envi-
6 ronmental conservation, Suffolk county planning and public works depart-
7 ments, town of Riverhead planning, engineering, water and sewer depart-
8 ments resulted in a reuse and revitalization plan that meets the
9 economic and urban renewal goals of the original conveyance and will
10 assist the state, county, and town to recapture potential investment,
11 growth and employment opportunities for this region.

12 It is the purpose of this act to promote the expeditious and orderly
13 conversion and redevelopment of EPCAL for uses including, but not limit-
14 ed to, housing, industrial, institutional, educational, governmental,
15 recreational, conservational, commercial or manufacturing uses, in order
16 to prevent further blight, economic dislocation and additional unemploy-
17 ment, and to aid in strengthening the New York state economy, the
18 regional economy and the economy of the town of Riverhead. It is also
19 the purpose of this act to provide an interim governmental structure for
20 EPCAL which will assume specified local authority and duties, in recog-
21 nition of the state and local partnership necessary for the successful
22 redevelopment of EPCAL.

23 S 2. Title 116 of article 15-B of the general municipal law is amended
24 by adding a new section 680-cc to read as follows:

25 S 680-CC. ENTERPRISE PARK AT CALVERTON REUSE AND REVITALIZATION
26 DISTRICT. 1. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION, THE FOLLOW-
27 ING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

28 A. "DISTRICT BOARD" SHALL MEAN THE GOVERNING BODY OF THE ENTERPRISE
29 PARK AT CALVERTON REUSE AND REVITALIZATION DISTRICT ESTABLISHED PURSUANT
30 TO SUBDIVISION TWO OF THIS SECTION.

31 B. "ENTERPRISE PARK AT CALVERTON REUSE AND REVITALIZATION DISTRICT" OR
32 "EPCAL" SHALL MEAN THE REGIONAL DEVELOPMENT ZONE CREATED BY THIS
33 SECTION, INCLUDING ALL EASEMENTS, RESERVATIONS AND RIGHTS APPURTENANT
34 THERETO, AND ALL BUILDINGS, STRUCTURES, UTILITIES AND IMPROVEMENTS
35 LOCATED THEREON COMPRISING ALL OR A PORTION OF THE FORMER NORTHROP GRUM-
36 MAN FACILITY AND FORMERLY WITHIN THE OWNERSHIP, CONTROL AND JURISDICTION
37 OF THE UNITED STATES GOVERNMENT. THE BOUNDARIES OF WHICH INCLUDE ALL THE
38 LAND AREA OF EPCAL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

39 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND
40 BEING AT CALVERTON, TOWN OF RIVERHEAD, COUNTY OF SUFFOLK, STATE OF NEW
41 YORK AS SHOWN ON A SURVEY PREPARED BY L.K. MCLEAN ASSOCIATES, P.C. DATED
42 OCTOBER TWENTY-FIRST, TWO THOUSAND ELEVEN. SAID PARCEL BEING MORE
43 PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

44 BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WESTERLY BOUND-
45 ARY LINE OF PECONIC AVENUE (NOT-OPEN), AND THE NORTHERLY BOUNDARY LINE
46 OF GRUMMAN BOULEVARD (RIVER ROAD);

47 SAID POINT OF BEGINNING BEING AT COORDINATES N. 271,175.86, E.
48 1,326,712.70 IN THE NEW YORK STATE PLANE COORDINATE SYSTEM, LONG ISLAND
49 ZONE, NAD 1983.

50 THENCE FROM SAID POINT OF BEGINNING WESTERLY ALONG SAID NORTHERLY BOUND-
51 ARY LINE OF GRUMMAN BOULEVARD (RIVER ROAD), THE FOLLOWING TEN (10)
52 COURSES AND DISTANCES;

53 I. NORTH 69° 21' 24" WEST, A DISTANCE OF 3.10 FEET TO A POINT, THENCE

54 II. NORTH 84° 02' 24" WEST, A DISTANCE OF 616.74 FEET TO A POINT,
55 THENCE

1 III. SOUTH $87^{\circ} 05' 16''$ WEST, A DISTANCE OF 602.20 FEET TO A POINT,
2 THENCE
3 IV. SOUTH $85^{\circ} 37' 16''$ WEST, A DISTANCE OF 313.16 FEET TO A POINT OF
4 CURVATURE, THENCE
5 V. WESTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
6 RADIUS OF 614.17 FEET, AN ARC LENGTH OF 99.78 FEET TO A POINT OF TANGEN-
7 CY, THENCE
8 VI. NORTH $85^{\circ} 04' 14''$ WEST, A DISTANCE OF 732.38 FEET TO A POINT,
9 THENCE
10 VII. NORTH $71^{\circ} 24' 04''$ WEST, A DISTANCE OF 91.27 FEET TO A POINT,
11 THENCE
12 VIII. NORTH $71^{\circ} 22' 44''$ WEST, A DISTANCE OF 418.08 FEET TO A POINT,
13 THENCE
14 IX. SOUTH $69^{\circ} 37' 16''$ WEST, A DISTANCE OF 674.80 FEET TO A POINT,
15 THENCE
16 X. NORTH $62^{\circ} 22' 44''$ WEST, A DISTANCE OF 43.38 FEET TO A POINT FORMED
17 BY THE INTERSECTION OF THE AFOREMENTIONED NORTHERLY BOUNDARY LINE OF
18 GRUMMAN BOULEVARD (RIVER ROAD) AND THE EASTERLY BOUNDARY LINE OF THE
19 WELLS FAMILY CEMETERY;
20 THENCE ALONG SAID BOUNDARY LINE OF THE WELLS FAMILY CEMETERY, THE
21 FOLLOWING TWO COURSES AND DISTANCES;
22 I. NORTH $2^{\circ} 22' 14''$ WEST, A DISTANCE OF 286.12 FEET TO A POINT, THENCE
23 II. SOUTH $85^{\circ} 20' 16''$ WEST, A DISTANCE OF 90.00 FEET TO A POINT FORMED
24 BY THE INTERSECTION OF THE NORTHERLY BOUNDARY LINE OF THE WELLS FAMILY
25 CEMETERY AND THE EASTERLY BOUNDARY LINE OF LANDS OF THE UNITED STATES OF
26 AMERICA (NAVY PARCEL "B");
27 THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE OF LANDS OF THE
28 UNITED STATES OF AMERICA (NAVY PARCEL "B") THE FOLLOWING THREE COURSES
29 AND DISTANCES;
30 I. NORTH $4^{\circ} 39' 44''$ WEST, A DISTANCE OF 114.29 FEET TO A POINT, THENCE
31 II. NORTH $66^{\circ} 46' 00''$ WEST, A DISTANCE OF 1108.62 FEET TO A POINT,
32 THENCE
33 III. NORTH $53^{\circ} 05' 17''$ WEST, A DISTANCE OF 66.28 FEET TO A POINT
34 FORMED BY THE INTERSECTION OF THE EASTERLY BOUNDARY LINE OF LANDS OF THE
35 UNITED STATES OF AMERICA (NAVY PARCEL "B") AND THE SOUTHERLY BOUNDARY OF
36 MAP OF CALVERTON CAMELOT II, FILED IN THE SUFFOLK COUNTY CLERK'S OFFICE
37 MARCH 9, 2007 AS MAP NO. 11500;
38 THENCE ALONG THE BOUNDARY OF SAID MAP OF CALVERTON CAMELOT II, THE
39 FOLLOWING NINE COURSES AND DISTANCES;
40 I. SOUTH $89^{\circ} 01' 31''$ EAST, A DISTANCE OF 1480.82 FEET TO A POINT,
41 THENCE
42 II. NORTH $69^{\circ} 37' 16''$ EAST, A DISTANCE OF 318.93 FEET TO A POINT,
43 THENCE
44 III. NORTH $49^{\circ} 39' 50''$ WEST, A DISTANCE OF 8453.30 FEET TO A POINT,
45 THENCE
46 IV. SOUTH $40^{\circ} 20' 10''$ WEST, A DISTANCE OF 3321.67 FEET TO A POINT,
47 THENCE
48 V. SOUTH $4^{\circ} 05' 28''$ EAST, A DISTANCE OF 2564.03 FEET TO A POINT,
49 THENCE
50 VI. NORTH $90^{\circ} 00' 00''$ EAST, A DISTANCE OF 330.33 FEET TO A POINT,
51 THENCE
52 VII. SOUTH $30^{\circ} 00' 00''$ EAST, A DISTANCE OF 318.71 FEET TO A POINT,
53 THENCE
54 VIII. NORTH $82^{\circ} 58' 57''$ EAST, A DISTANCE OF 1633.67 FEET TO A POINT OF
55 CURVATURE, THENCE

1 IX. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
2 RADIUS OF 3,634.79 FEET, AN ARC LENGTH OF 400.24, TO A POINT ON THE
3 WESTERLY BOUNDARY LINE OF BURMAN BOULEVARD, SAID CURVE HAVING A CHORD
4 BEARING OF NORTH $86^{\circ} 08' 14''$ EAST AND CHORD DISTANCE OF 400.04 FEET;
5 THENCE SOUTH $4^{\circ} 07' 36''$ EAST ALONG SAID WESTERLY BOUNDARY OF BURMAN
6 BOULEVARD, A DISTANCE OF 721.60 FEET TO A POINT FORMED BY THE INTER-
7 SECTION OF THE WESTERLY BOUNDARY LINE OF BURMAN BOULEVARD AND THE NORTH-
8 ERLY BOUNDARY LINE OF GRUMMAN BOULEVARD (SWAN POND ROAD);
9 THENCE ALONG SAID NORTHERLY BOUNDARY LINE OF GRUMMAN BOULEVARD (SWAN
10 POND ROAD) THE FOLLOWING TWO COURSES AND DISTANCES;
11 I. WESTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
12 RADIUS OF 2,914.79 FEET, AN ARC TO A POINT OF TANGENCY, SAID CURVE
13 HAVING A CHORD BEARING OF SOUTH $86^{\circ} 33' 36''$ WEST AND CHORD DISTANCE OF
14 363.75 FEET, THENCE
15 II. SOUTH $82^{\circ} 58' 57''$ WEST, A DISTANCE OF 1069.85 FEET TO A POINT
16 FORMED BY THE INTERSECTION OF THE NORTHERLY BOUNDARY OF GRUMMAN BOULE-
17 VARD (SWAN POND ROAD) AND THE EASTERLY BOUNDARY LINE OF LANDS OF THE
18 UNITED STATES OF AMERICA (NAVY PARCEL "A");
19 THENCE ALONG SAID LANDS OF THE UNITED STATES OF AMERICA (NAVY PARCEL
20 "A") THE FOLLOWING FIVE (5) COURSES AND DISTANCES;
21 I. NORTH $4^{\circ} 20' 00''$ WEST, A DISTANCE OF 525.31 FEET TO A POINT, THENCE
22 II. NORTH $90^{\circ} 00' 00''$ WEST, A DISTANCE OF 560.57 FEET TO POINT, THENCE
23 III. NORTH $30^{\circ} 00' 00''$ WEST, A DISTANCE OF 436.40 FEET TO A POINT,
24 THENCE
25 IV. NORTH $90^{\circ} 00' 00''$ WEST, A DISTANCE OF 790.00 FEET TO A POINT,
26 THENCE
27 V. SOUTH $0^{\circ} 00' 00''$ WEST, A DISTANCE OF 1099.72 FEET TO A POINT FORMED
28 BY THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF SAID LANDS OF THE
29 UNITED STATES OF AMERICA (NAVY PARCEL "A") AND THE NORTHERLY BOUNDARY
30 LINE OF GRUMMAN BOULEVARD (SWAN POND ROAD);
31 THENCE ALONG SAID NORTHERLY BOUNDARY LINE OF GRUMMAN BOULEVARD (SWAN
32 POND ROAD) THE FOLLOWING EIGHT COURSES AND DISTANCES;
33 I. SOUTH $82^{\circ} 58' 57''$ WEST, A DISTANCE OF 243.60 FEET TO A POINT OF
34 CURVATURE, THENCE
35 II. WESTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
36 RADIUS OF 11,509.16 FEET, AN ARC LENGTH OF 176.33 FEET TO A POINT OF
37 TANGENCY, SAID CURVE HAVING A CHORD BEARING OF SOUTH $82^{\circ} 32' 37''$ WEST
38 AND CHORD DISTANCE OF 176.33 FEET THENCE
39 III. SOUTH $82^{\circ} 06' 17''$ WEST, A DISTANCE OF 2226.10 FEET TO A POINT OF
40 CURVATURE, THENCE
41 IV. WESTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
42 RADIUS OF 2,241.83 FEET, AN ARC LENGTH OF 504.77 FEET TO A POINT OF
43 TANGENCY, SAID CURVE HAVING A CHORD BEARING OF SOUTH $88^{\circ} 33' 18''$ WEST
44 AND CHORD DISTANCE OF 503.70 FEET, THENCE
45 V. NORTH $84^{\circ} 59' 41''$ WEST, A DISTANCE OF 2,524.17 FEET TO A POINT OF
46 CURVATURE, THENCE
47 VI. WESTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
48 RADIUS OF 2,341.83 FEET, AN ARC LENGTH OF 215.04 FEET, TO A POINT OF
49 TANGENCY, SAID CURVE HAVING A CHORD BEARING OF NORTH $87^{\circ} 37' 31''$ WEST
50 AND CHORD DISTANCE OF 214.96 FEET, THENCE
51 VII. SOUTH $89^{\circ} 44' 39''$ WEST, A DISTANCE OF 974.35 FEET TO A POINT,
52 THENCE
53 VIII. NORTH $48^{\circ} 03' 55''$ WEST, A DISTANCE OF 107.56 FEET TO A POINT
54 FORMED BY THE INTERSECTION OF SAID NORTHERLY BOUNDARY LINE OF GRUMMAN
55 BOULEVARD (SWAN POND ROAD) AND THE EASTERLY BOUNDARY LINE OF WADING
56 RIVER - MANORVILLE ROAD (C.R. 25);

1 THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE OF WADING RIVER -
2 MANORVILLE ROAD (C.R. 25) THE FOLLOWING FIVE COURSES AND DISTANCES;
3 I. NORTH $5^{\circ} 25' 40''$ WEST, A DISTANCE OF 730.69 FEET TO A POINT OF
4 CURVATURE, THENCE
5 II. NORTHERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
6 RADIUS OF 868.51 FEET, AN ARC LENGTH OF 317.24 FEET TO A POINT, SAID
7 CURVE HAVING A CHORD BEARING OF NORTH $15^{\circ} 53' 32''$ WEST AND CHORD
8 DISTANCE OF 315.48 FEET, THENCE
9 III. NORTH $6^{\circ} 15' 09''$ WEST, A DISTANCE OF 124.46 FEET TO A POINT,
10 THENCE
11 IV. NORTH $32^{\circ} 55' 09''$ WEST, A DISTANCE OF 97.96 FEET TO A POINT,
12 THENCE
13 V. NORTH $59^{\circ} 52' 49''$ WEST, A DISTANCE OF 289.20 FEET TO A POINT FORMED
14 BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF LANDS OF HENRY
15 ZEBROWSKI AND THE EASTERLY BOUNDARY LINE OF WADING RIVER MANORVILLE ROAD
16 (C.R. 25);
17 THENCE NORTH $30^{\circ} 07' 11''$ EAST ALONG SAID SOUTHERLY BOUNDARY LINE OF
18 LANDS OF HENRY ZEBROWSKI, A DISTANCE OF 200.00 FEET TO A POINT,
19 THENCE NORTH $59^{\circ} 52' 49''$ WEST ALONG THE EASTERLY BOUNDARY LINE OF LANDS
20 OF HENRY ZEBROWSKI AND THEN ALONG LANDS OF BRIDGETTE LYNN ASSOCIATES,
21 INC., A DISTANCE OF 354.90 FEET TO A POINT,
22 THENCE SOUTH $30^{\circ} 07' 11''$ WEST ALONG THE NORTHERLY BOUNDARY LINE OF LANDS
23 OF BRIDGETTE LYNN ASSOCIATES, INC. A DISTANCE OF 192.28 FEET TO A POINT
24 FORMED BY SAID NORTHERLY BOUNDARY LINE OF LANDS OF BRIDGETTE LYNN ASSO-
25 CIATES, INC. AND THE EASTERLY BOUNDARY LINE OF WADING RIVER - MANORVILLE
26 ROAD (C.R. 25);
27 THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY LINE OF WADING RIVER -
28 MANORVILLE ROAD (C.R. 25) THE FOLLOWING TWO COURSES AND DISTANCES;
29 I. NORTHERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
30 RADIUS OF 904.93 FEET, AN ARC LENGTH OF 576.68 FEET TO A POINT OF
31 TANGENCY, SAID CURVE HAVING A CHORD BEARING OF NORTH $34^{\circ} 06' 33''$ WEST
32 AND CHORD DISTANCE OF 566.98 FEET THENCE
33 II. NORTH $15^{\circ} 51' 10''$ WEST, A DISTANCE OF 1320.93 FEET TO A POINT
34 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF MIDDLE
35 COUNTRY ROAD (N.Y.S. RT. 25) AND THE EASTERLY BOUNDARY LINE OF THE
36 AFOREMENTIONED WADING RIVER - MANORVILLE ROAD (C.R. 25);
37 THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF MIDDLE COUNTRY
38 ROAD (N.Y.S. RT. 25) THE FOLLOWING NINE (9) COURSES AND DISTANCES;
39 I. NORTH $53^{\circ} 57' 26''$ EAST, A DISTANCE OF 153.37 FEET TO A POINT OF
40 CURVATURE, THENCE
41 II. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
42 RADIUS OF 5,769.65 FEET, AN ARC LENGTH OF 407.82 FEET TO A POINT OF
43 TANGENCY, THENCE
44 III. NORTH $49^{\circ} 54' 26''$ EAST, A DISTANCE OF 41.47 FEET TO A POINT,
45 THENCE
46 IV. SOUTH $40^{\circ} 05' 34''$ EAST, A DISTANCE OF 85.30 FEET TO A POINT,
47 THENCE
48 V. NORTH $49^{\circ} 54' 26''$ EAST, A DISTANCE OF 147.64 FEET TO A POINT,
49 THENCE
50 VI. NORTH $40^{\circ} 05' 34''$ WEST, A DISTANCE OF 85.30 FEET TO A POINT,
51 THENCE
52 VII. NORTH $49^{\circ} 54' 26''$ EAST, A DISTANCE OF 690.89 FEET TO A POINT OF
53 CURVATURE, THENCE
54 VIII. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
55 RADIUS OF 1,392.69 FEET, AN ARC FEET TO A POINT OF TANGENCY, THENCE

1 IX. NORTH $60^{\circ} 22' 23''$ EAST, A DISTANCE OF 1935.68 FEET TO A POINT
2 FORMED BY THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF LANDS OF
3 ISLAND WATER PARK CORP. AND THE AFOREMENTIONED SOUTHERLY BOUNDARY LINE
4 OF MIDDLE COUNTRY ROAD (N.Y.S. RT. 25);
5 THENCE ALONG SAID BOUNDARY LINE OF LANDS OF ISLAND WATER PARK CORP. THE
6 FOLLOWING SEVEN COURSES AND DISTANCES;
7 I. SOUTH $6^{\circ} 07' 37''$ EAST, A DISTANCE OF 1100.62 FEET TO A POINT,
8 THENCE
9 II. SOUTH $8^{\circ} 18' 58''$ EAST, A DISTANCE OF 1088.48 FEET TO A POINT,
10 THENCE
11 III. SOUTH $6^{\circ} 06' 42''$ EAST, A DISTANCE OF 1143.05 FEET TO A POINT,
12 THENCE
13 IV. SOUTH $84^{\circ} 59' 41''$ EAST, A DISTANCE OF 815.30 FEET TO A POINT,
14 THENCE
15 V. NORTH $6^{\circ} 06' 42''$ WEST, A DISTANCE OF 2222.50 FEET TO A POINT,
16 THENCE
17 VI. NORTH $84^{\circ} 59' 41''$ WEST, A DISTANCE OF 832.48 FEET TO A POINT,
18 THENCE
19 VII. NORTH $6^{\circ} 07' 37''$ WEST, A DISTANCE OF 1116.41 FEET TO A POINT
20 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF MIDDLE
21 COUNTRY ROAD (N.Y.S. RT. 25) AND THE EASTERLY BOUNDARY LINE OF SAID
22 LANDS OF ISLAND WATER PARK CORP;
23 THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF MIDDLE COUNTRY
24 ROAD (N.Y.S. RT. 25) THE FOLLOWING THREE COURSES AND DISTANCES;
25 I. NORTH $60^{\circ} 22' 23''$ EAST, A DISTANCE OF 407.76 FEET TO A POINT OF
26 CURVATURE, THENCE
27 II. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
28 RADIUS OF 5689.65 FEET, AN ARC LENGTH OF 304.56 FEET TO A POINT OF
29 TANGENCY, THENCE
30 III. NORTH $63^{\circ} 26' 24''$ EAST, A DISTANCE OF 307.82 FEET TO A POINT
31 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF MIDDLE
32 COUNTRY ROAD (N.Y.S. RT. 25) AND THE WESTERLY BOUNDARY LINE OF LANDS OF
33 THE RIVERHEAD WATER DISTRICT,
34 THENCE ALONG SAID BOUNDARY LINES OF LANDS OF THE RIVERHEAD WATER
35 DISTRICT, THE FOLLOWING THREE COURSES AND DISTANCES;
36 I. SOUTH $6^{\circ} 32' 47''$ EAST, A DISTANCE OF 304.98 FEET TO A POINT, THENCE
37 II. NORTH $83^{\circ} 27' 13''$ EAST, A DISTANCE OF 465.80 FEET TO A POINT,
38 THENCE
39 III. NORTH $6^{\circ} 32' 47''$ WEST, A DISTANCE OF 434.49 FEET TO A POINT
40 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF MIDDLE
41 COUNTRY ROAD (N.Y.S. RT. 25) AND THE EASTERLY BOUNDARY LINE OF SAID
42 LANDS OF THE RIVERHEAD WATER DISTRICT;
43 THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF MIDDLE COUNTRY
44 ROAD (N.Y.S. RT. 25) THE FOLLOWING ELEVEN COURSES AND DISTANCES;
45 I. NORTH $70^{\circ} 28' 19''$ EAST, A DISTANCE OF 704.60 FEET TO A POINT OF
46 CURVATURE, THENCE
47 II. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
48 RADIUS OF 5,769.65 FEET, AN ARC TO A POINT OF TANGENCY, THENCE
49 III. NORTH $62^{\circ} 56' 21''$ EAST, A DISTANCE OF 537.40 FEET TO A POINT OF
50 CURVATURE, THENCE
51 IV. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
52 RADIUS OF 1870.08 FEET, AN ARC LENGTH OF 273.06 FEET TO A POINT OF
53 TANGENCY, THENCE
54 V. NORTH $71^{\circ} 18' 19''$ EAST, A DISTANCE OF 484.30 FEET TO A POINT OF
55 CURVATURE, THENCE

1 VI. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
2 RADIUS OF 5,689.65 FEET, AN ARC LENGTH OF 334.34 FEET TO A POINT OF
3 TANGENCY, THENCE
4 VII. NORTH $74^{\circ} 40' 19''$ EAST, A DISTANCE OF 2552.80 FEET TO A POINT OF
5 CURVATURE, THENCE
6 VIII. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A
7 RADIUS OF 5,689.65 FEET, AN ARC LENGTH OF 622.32 FEET TO A POINT OF
8 TANGENCY, THENCE
9 IX. NORTH $80^{\circ} 56' 20''$ EAST, A DISTANCE OF 1395.90 FEET TO A POINT OF
10 CURVATURE, THENCE
11 X. EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A
12 RADIUS OF 11,499.19 FEET, AN ARC LENGTH OF 525.22 FEET TO A POINT OF
13 TANGENCY, THENCE
14 XI. NORTH $80^{\circ} 10' 09''$ EAST, A DISTANCE OF 155.88 FEET TO A POINT
15 FORMED BY THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF LANDS OF THE
16 STATE OF NEW YORK AND THE SOUTHERLY BOUNDARY LINE OF MIDDLE COUNTRY ROAD
17 (N.Y.S. RT. 25);
18 THENCE ALONG SAID BOUNDARY LINE OF LANDS OF THE NEW YORK STATE THE
19 FOLLOWING THREE COURSES AND DISTANCES;
20 I. SOUTH $13^{\circ} 18' 00''$ EAST, A DISTANCE OF 2246.37 FEET TO A POINT,
21 THENCE
22 II. SOUTH $90^{\circ} 00' 00''$ EAST, A DISTANCE OF 970.64 FEET TO A POINT,
23 THENCE
24 III. NORTH $13^{\circ} 18' 00''$ WEST, A DISTANCE OF 2333.65 FEET TO A POINT
25 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF MIDDLE
26 COUNTRY ROAD (N.Y.S. RT. 25) AND LANDS OF THE STATE OF NEW YORK;
27 THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF MIDDLE COUNTRY
28 ROAD (N.Y.S. RT. 25) THE FOLLOWING TWO COURSES AND DISTANCES;
29 I. NORTH $88^{\circ} 00' 13''$ EAST, A DISTANCE OF 1015.57 FEET TO A POINT,
30 THENCE
31 II. NORTH $88^{\circ} 34' 37''$ EAST, A DISTANCE OF 1511.20 FEET TO A POINT ON
32 THE WESTERLY BOUNDARY OF LOT 6 AS SHOWN ON MAP OF JAMES H. SMITH'S FARM,
33 FILED WITH THE SUFFOLK COUNTY CLERK'S OFFICE ON DECEMBER 15, 1894 AS
34 FILE NO. 491;
35 THENCE SOUTH $5^{\circ} 43' 17''$ EAST ALONG THE WESTERLY BOUNDARY LINE OF LOT 6
36 AS SHOWN ON SAID MAP OF JAMES H. SMITH'S FARM, A DISTANCE OF 2164.07
37 FEET TO A POINT;
38 THENCE NORTH $86^{\circ} 48' 00''$ EAST ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 6
39 AND THROUGH LOT 7 AS SHOWN ON SAID MAP OF JAMES H. SMITH'S FARM, OF A
40 DISTANCE OF 321.08 FEET TO A POINT;
41 THENCE SOUTH $6^{\circ} 34' 40''$ EAST ALONG THE WESTERLY BOUNDARY OF LOT 7 AS
42 SHOWN ON SAID MAP OF JAMES H. SMITH'S FARM, A DISTANCE OF 503.88 FEET
43 TO A POINT;
44 THENCE NORTH $83^{\circ} 46' 40''$ EAST THROUGH LOTS 7, 8, 9, 10 & 11 AS SHOWN ON
45 SAID FILED MAP AND CONTINUING THROUGH THE SOUTHERLY BOUNDARY OF LOT 1 AS
46 SHOWN ON "MAP OF PROPERTY OF EDWIN BROWN" FILED WITH THE SUFFOLK COUNTY
47 CLERK'S OFFICE ON MARCH 21, 1920 AS FILE NO. 761, A DISTANCE OF 1628.84
48 FEET TO THE SOUTHERLY BOUNDARY LINE OF LOT 2 AND THE NORTHERLY BOUNDARY
49 LINE OF LOT 5 AS SHOWN ON THE AFOREMENTIONED FILED MAP;
50 THENCE ALONG THE BOUNDARY LINES OF LOT 5 AS SHOWN ON SAID "MAP OF PROP-
51 erty OF EDWIN BROWN" THE FOLLOWING FOUR COURSES AND DISTANCES;
52 I. SOUTH $6^{\circ} 14' 40''$ EAST, A DISTANCE OF 1656.83 FEET TO A POINT,
53 THENCE
54 II. SOUTH $83^{\circ} 36' 20''$ WEST, A DISTANCE OF 265.45 FEET TO A POINT,
55 THENCE

1 III. SOUTH 6° 24' 00" EAST, A DISTANCE OF 499.92 FEET TO A POINT,
2 THENCE
3 IV. NORTH 83° 21' 52" EAST, A DISTANCE OF 1721.36 FEET TO A POINT
4 FORMED BY THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF LOT 5 AS
5 SHOWN ON SAID "MAP OF PROPERTY OF EDWIN BROWN" AND THE WESTERLY BOUNDARY
6 LINE OF PECONIC AVENUE (NOT OPEN);
7 THENCE ALONG THE WESTERLY BOUNDARY LINE OF PECONIC AVENUE (NOT OPEN) THE
8 FOLLOWING FIVE COURSES AND DISTANCES;
9 I. SOUTH 6° 04' 58" EAST, A DISTANCE OF 2077.59 FEET TO A POINT,
10 THENCE
11 II. SOUTH 13° 07' 16" WEST, A DISTANCE OF 77.19 FEET TO A POINT,
12 THENCE
13 III. SOUTH 5° 57' 48" EAST, A DISTANCE OF 639.29 FEET TO A POINT,
14 THENCE
15 IV. SOUTH 6° 35' 47" EAST, A DISTANCE OF 657.42 FEET TO A POINT,
16 THENCE
17 V. SOUTH 6° 02' 13" EAST, A DISTANCE OF 744.57 FEET TO THE POINT OR
18 PLACE OF BEGINNING.
19 SAID PARCEL CONTAINING 92,535,335± SQUARE FEET OR 2,124.319± ACRES
20 MORE OR LESS.
21 C. "REUSE AND REVITALIZATION PLAN" SHALL MEAN THE PLAN FOR THE REUSE
22 OF EPCAL PREPARED BY THE TOWN OF RIVERHEAD AND TOWN OF RIVERHEAD COMMU-
23 NITY DEVELOPMENT AGENCY.
24 2. ESTABLISHMENT OF ENTERPRISE PARK AT CALVERTON REUSE AND REVITALIZA-
25 TION DISTRICT. THERE IS HEREBY ESTABLISHED AN ENTERPRISE PARK AT
26 CALVERTON REUSE AND REVITALIZATION DISTRICT. THE GOVERNING BOARD OF THE
27 DISTRICT SHALL BE A BODY CORPORATE AND POLITIC.
28 A. THE GOVERNING BOARD OF THE DISTRICT SHALL CONSIST OF SEVEN MEMBERS:
29 FIVE MEMBERS OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD; ONE MEMBER
30 APPOINTED BY THE GOVERNOR WITH EXPERIENCE AND EXPERTISE IN ECONOMIC
31 DEVELOPMENT, ENVIRONMENT, AND PLANNING; ONE MEMBER APPOINTED BY THE
32 COUNTY EXECUTIVE OF SUFFOLK COUNTY WITH EXPERIENCE AND EXPERTISE IN
33 ECONOMIC DEVELOPMENT, PUBLIC WORKS, OR HEALTH SERVICES; AND, TWO EX-OF-
34 FICIO, NON-VOTING MEMBERS OF A CIVIC, PROTECTIVE OR SERVICE ASSOCIATION
35 LOCATED IN THE TOWN OF RIVERHEAD OR PROVIDING SERVICE WITHIN THE TOWN OF
36 RIVERHEAD TO BE SELECTED BY MAJORITY VOTE OF THE MEMBERS IDENTIFIED
37 ABOVE.
38 I. THE INITIAL MEMBERS SHALL BE APPOINTED FOR THE FOLLOWING TERMS: THE
39 MEMBERS OF THE TOWN BOARD SHALL CONTINUE TO SERVE AS MEMBERS OF THE
40 DISTRICT BOARD THROUGHOUT THEIR RESPECTIVE TERMS. AN APPOINTMENT TO FILL
41 A VACANCY SHALL BE MADE IN THE IDENTICAL MANNER OF INITIAL APPOINTMENT.
42 IN THE EVENT A VACANCY EXISTS IN THE MEMBERSHIP OF THE TOWN BOARD OF THE
43 TOWN OF RIVERHEAD THEN THE MAJORITY OF MEMBERS OF THE TOWN BOARD MAY
44 VOTE TO APPOINT A MEMBER OF THE DISTRICT BOARD UNTIL SUCH TIME AS THE
45 VACANCY IS FILLED BY APPOINTMENT OR ELECTION.
46 II. A MAJORITY OF THE VOTING MEMBERS OF THE DISTRICT BOARD SHALL
47 CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS OR THE EXERCISE
48 OF ANY POWER OR FUNCTION OF THE DISTRICT BOARD. AN ACT, DETERMINATION
49 OR DECISION OF THE MAJORITY OF MEMBERS PRESENT AND ENTITLED TO VOTE
50 DURING THE PRESENCE OF A QUORUM SHALL BE HELD TO BE THE ACT, DETERMI-
51 NATION OR DECISION OF THE DISTRICT BOARD.
52 III. THE DISTRICT BOARD SHALL APPOINT A CHAIRPERSON OF THE DISTRICT
53 BOARD TO SERVE FOR A TWO YEAR PERIOD. ALL MEMBERS OF THE DISTRICT BOARD,
54 INCLUDING THE CHAIRPERSON, SHALL SERVE WITHOUT COMPENSATION BUT MAY BE
55 REIMBURSED FOR EXPENSES NECESSARILY INCURRED IN THE PERFORMANCE OF THEIR
56 DUTIES.

1 IV. THE DISTRICT BOARD SHALL APPOINT AN EXECUTIVE DIRECTOR AND SUCH
2 OTHER INDIVIDUALS OR STAFF DEEMED NECESSARY TO ADMINISTER THE PROVISIONS
3 OF THIS ACT.

4 3. POWERS OF THE DISTRICT BOARD. THE DISTRICT BOARD SHALL HAVE THE
5 POWER TO:

6 A. ADOPT, AMEND, OR REPEAL SUCH RULES AND REGULATIONS RELATED TO THE
7 INTERNAL MANAGEMENT OF EPCAL CONSISTENT WITH THIS SECTION, AS IT DEEMS
8 NECESSARY TO ADMINISTER THIS SECTION, AND TO DO ANY AND ALL THINGS
9 NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSE AND POLICIES OF THIS
10 SECTION TO EXERCISE ALL POWERS GRANTED BY LAW. THE REUSE AND REVITALIZA-
11 TION PLAN AND RULES OR REGULATIONS ADOPTED BY THE DISTRICT BOARD SHALL
12 BE THE PRINCIPAL MEANS FOR CONTROLLING THE LAND DEVELOPMENT ACTIVITIES
13 WITHIN EPCAL, AND THE REGULATIONS MAY CONTAIN DUTIES OF THE DISTRICT
14 BOARD TO BE UNDERTAKEN IN THE EXERCISE OF THE POWER GRANTED BY THIS
15 SECTION.

16 B. THE DISTRICT BOARD SHALL PROMULGATE RULES AND REGULATIONS CONSIST-
17 ENT WITH ALL LOCAL, COUNTY, STATE AND FEDERAL LAWS TO ACHIEVE THE GOALS
18 SET FORTH IN THIS SECTION.

19 C. I. THE DISTRICT BOARD SHALL MAKE AN OMNIBUS APPLICATION FOR ALL
20 SUBDIVISIONS OF LAND, CONCEPTUAL DEVELOPMENT PLAN, INCLUDING DESIGNATED
21 OR PERMITTED ZONING USES, DIMENSIONS, LOT AREA, LOT COVERAGE, NECESSARY
22 INFRASTRUCTURE IMPROVEMENTS, INCLUDING SEWER AND WATER, AND SUCH OTHER
23 DEVELOPMENT OR IMPROVEMENTS PROPOSED AND SET FORTH IN THE REUSE AND
24 REVITALIZATION PLAN TO ALL SUCH STATE, REGIONAL AND LOCAL DEPARTMENTS
25 AND AGENCIES HAVING JURISDICTION TO REVIEW, COMMENT, OR APPROVE DEVELOP-
26 MENT PROPOSED WITHIN EPCAL AND SUCH STATE, REGIONAL AND LOCAL DEPART-
27 MENTS AND AGENCIES SHALL NOT UNREASONABLY WITHHOLD, DENY OR DELAY
28 APPROVAL PROVIDED THE OMNIBUS APPLICATION IS CONSISTENT WITH THE REUSE
29 AND REVITALIZATION PLAN AND CONSISTENT WITH ANY APPLICABLE LOCAL, STATE
30 OR FEDERAL LAW OR REGULATIONS.

31 II. ALL LICENSES, APPROVALS, PERMITS OR DECISIONS ISSUED OR GRANTED AS
32 A RESULT OF SUCH OMNIBUS APPLICATIONS OR PROCEEDINGS SHALL INURE TO THE
33 DISTRICT BOARD AND FURTHER INURE TO AND FOR THE BENEFIT OF AND BE BIND-
34 ING UPON ANY PERSON LEASING, ACQUIRING, CONSTRUCTING, MAINTAINING, USING
35 OR OCCUPYING ANY LANDS IN EPCAL.

36 D. ENCOURAGE, COOPERATE WITH, AID AND ASSIST THE TOWN OF RIVERHEAD IN
37 THE PREPARATION AND ADOPTION OF ZONING LAWS AND OTHER LOCAL LEGISLATION
38 REGULATING, RESTRICTING OR CONTROLLING USES OF REAL PROPERTY WITHIN
39 EPCAL. THE TOWN OF RIVERHEAD SHALL RETAIN ALL POWERS RELATING TO THE
40 ENACTMENT AND AMENDMENT OF ZONING FOR LANDS WITHIN EPCAL, ENFORCEMENT OF
41 BUILDING AND FIRE CODES FOR ALL DEVELOPMENT PROJECTS AND APPLICATIONS
42 FOR IMPROVEMENT TO PROPERTY WITHIN EPCAL.

43 E. MAKE MAPS AND PLANS FOR PROPOSED SUBDIVISIONS, LOTS FOR DEVELOPMENT
44 WITHIN EPCAL CONSISTENT WITH THE ZONING DISTRICTS ADOPTED BY THE TOWN OF
45 RIVERHEAD.

46 F. MAKE AND EXECUTE CONTRACTS AND ALL OTHER INSTRUMENTS NECESSARY AND
47 CONVENIENT FOR THE EXERCISE OF ITS POWERS AND FUNCTIONS UNDER THIS
48 SECTION.

49 G. ESTABLISH AND MAINTAIN SUCH FACILITIES AS MAY BE NECESSARY FOR THE
50 TRANSACTING OF ITS BUSINESS.

51 H. UTILIZE, TO THE EXTENT FEASIBLE, THE STAFF AND FACILITIES OF THE
52 TOWN OF RIVERHEAD, PURSUANT TO AN ALLOCATION TO BE MADE TO THE TOWN
53 BOARD OF THE TOWN OF RIVERHEAD.

54 I. HOLD HEARINGS IN THE EXERCISE OF ITS POWERS, FUNCTIONS, AND DUTIES
55 PROVIDED FOR BY THIS SECTION.

56 J. CONTRACT FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE.

1 K. SUE AND BE SUED IN ITS OWN NAME, PLEAD AND BE IMPEADED.

2 L. ACQUIRE EASEMENTS AND OTHER INTEREST IN REAL PROPERTY CONTIGUOUS OR
3 ADJACENT TO EPCAL IN CONFORMANCE WITH THE REUSE AND REVITALIZATION PLAN.

4 M. ENFORCE THE REUSE AND REVITALIZATION PLAN, REGULATIONS, POLICIES
5 FOR THE REGULATION OF ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS.

6 N. ADOPT AND COLLECT REASONABLE FEES, INCLUDING SUBDIVISION, AND PLAN
7 AND PROJECT REVIEW FEES, TO DEFRAY ITS OPERATING EXPENDITURES. ANY SUCH
8 FEES SHALL BE IN ADDITION TO ANY APPLICABLE LOCAL, STATE OR FEDERAL
9 FEES.

10 O. RECEIVE FOR THE PURPOSES OF EXERCISING ITS POWERS UNDER THIS ACT
11 ANY FUNDS OR MONEYS FROM ANY SOURCE, INCLUDING GRANTS, BEQUESTS, GIFTS
12 OR CONTRIBUTIONS MADE BY ANY INDIVIDUAL, ASSOCIATION OR CORPORATION, OR
13 BY ANY MUNICIPAL, COUNTY, STATE OR FEDERAL GOVERNMENTS PROVIDED THAT
14 WHENEVER THE TERMS OF SUCH GRANT, BEQUEST, GIFT OR CONTRIBUTION REQUIRE
15 THE GRANTS TO BE A MUNICIPALITY, MUNICIPAL AGENCY OR UNIT OF LOCAL
16 GOVERNMENT, THE DISTRICT SHALL BE SO CONSIDERED.

17 P. BORROW MONEY AND ISSUE BONDS OR OTHER OBLIGATIONS.

18 4. APPLICATIONS FOR DEVELOPMENT WITHIN EPCAL. A. THE DISTRICT BOARD
19 SHALL HAVE JURISDICTION TO REVIEW AND APPROVE ALL PROPOSED DEVELOPMENT
20 WITHIN EPCAL AND APPLICATIONS SHALL BE MADE TO THE DISTRICT BOARD ON
21 FORMS AND IN SUCH MANNER AS THE DISTRICT BOARD SHALL DESIGNATE.

22 B. THE DISTRICT BOARD SHALL DISPOSE OF APPLICATIONS SUBMITTED FOR
23 DEVELOPMENT OR IMPROVEMENT OF THE PROPERTY AS FOLLOWS:

24 I. IF THE APPLICATION IS CONSISTENT WITH THE PREAPPROVED APPLICATIONS
25 OF THE DISTRICT BOARD ISSUED BY THE STATE, REGIONAL AND LOCAL DEPART-
26 MENTS AND AGENCIES, THE DISTRICT BOARD AFTER MAKING A DETERMINATION OF
27 CONSISTENCY WITH THE USE AND REVITALIZATION PLAN, SHALL REFER THE APPLI-
28 CATION TO THE TOWN OF RIVERHEAD FOR COMPLIANCE WITH ITS BUILDING CODE
29 AND ANY OTHER APPLICABLE PROVISIONS OF THE TOWN CODE FOR THE TOWN OF
30 RIVERHEAD.

31 II. IF THE APPLICATION IS NOT CONSISTENT WITH THE PREAPPROVED APPLICA-
32 TIONS OF THE DISTRICT BOARD ISSUED BY THE STATE, REGIONAL AND LOCAL
33 DEPARTMENTS AND AGENCIES, THE DISTRICT BOARD, AFTER MAKING A DETERMI-
34 NATION OF CONSISTENCY WITH THE USE AND REVITALIZATION PLAN, SHALL
35 AUTHORIZE A HARDSHIP APPLICATION SEEKING A MODIFICATION, ALTERATION OR
36 EXEMPTION FROM THE APPLICABLE ISSUED LICENSE APPROVAL, PERMIT OR DECI-
37 SION TO BE FORWARDED TO THE APPROPRIATE STATE, REGIONAL OR LOCAL DEPART-
38 MENT OR AGENCY FOR ACTION AND THE DEVELOPMENT APPLICATION SHALL BE
39 DEEMED IN OBEYANCE. IF A MODIFICATION, ALTERATION OR EXEMPTION IS GRANT-
40 ED, THE DISTRICT BOARD SHALL RENDER A DETERMINATION CONSISTENT WITH ALL
41 THE COMMENTS AND DETERMINATIONS AND FORWARD TO THE TOWN OF RIVERHEAD FOR
42 COMPLIANCE WITH ITS BUILDING CODE AND ANY OTHER APPLICABLE PROVISIONS OF
43 THE TOWN CODE FOR THE TOWN OF RIVERHEAD.

44 C. THE DISTRICT BOARD SHALL MAKE A DETERMINATION WITHIN NINETY DAYS OF
45 THE RECEIPT OF A COMPLETE APPLICATION. IF THE DISTRICT BOARD FAILS TO
46 MAKE A DECISION WITHIN NINETY DAYS, THE DEVELOPMENT SHALL BE DEEMED TO
47 BE APPROVED BY THE DISTRICT BOARD UNLESS I. THE DISTRICT BOARD RENDERS A
48 DETERMINATION THAT PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE IS
49 REQUIRED TO COMPLETE REVIEW OF THE APPLICATION; II. THE DISTRICT BOARD
50 RENDERS A DETERMINATION THAT DUE TO THE COMPLEXITY OR SUCH OTHER UNIQUE
51 CHARACTERISTIC OF THE APPLICATION FOR PROPOSED DEVELOPMENT OR ANY SUCH
52 PORTION THEREOF ADDITIONAL TIME IS REQUIRED TO COMPLETE REVIEW; OR III.
53 THE DISTRICT BOARD AND APPLICANT MUTUALLY AGREE TO EXTEND THE REVIEW
54 PERIOD, THEN THE DISTRICT BOARD'S PERIOD OF REVIEW SHALL BE EXTENDED FOR
55 A PERIOD OF TIME NOT TO EXCEED AN ADDITIONAL NINETY DAYS. TO THE EXTENT
56 THAT AN ACTION TAKEN IN FURTHERANCE OF THIS ACT IS SUBJECT TO ARTICLE

1 EIGHT OF THE ENVIRONMENTAL CONSERVATION LAW THE DISTRICT BOARD SHALL ACT
2 AS LEAD AGENCY.

3 5. ENTERPRISE PARK AT CALVERTON REUSE AND REVITALIZATION PLAN. A. THE
4 TOWN OF RIVERHEAD SHALL FORMULATE AND ADOPT AFTER PUBLIC HEARING A REUSE
5 AND REVITALIZATION PLAN FOR THE EPCAL SITE THAT IS BASED UPON THE MARKET
6 STUDY, SITE AND SURVEY ANALYSIS, ENVIRONMENTAL AND TRAFFIC REVIEW AND
7 CONSISTENT WITH THE GOAL OF ECONOMIC DEVELOPMENT AND URBAN RENEWAL AND
8 ADOPT SUCH REUSE AND REVITALIZATION PLAN CONSISTENT WITH THE PROCEDURAL
9 REQUIREMENTS OF A COMPREHENSIVE MASTER PLAN WITHIN ONE YEAR OF THE
10 EFFECTIVE DATE OF THIS SECTION.

11 B. THE DISTRICT BOARD SHALL DEVELOP CRITERIA, REGULATIONS AND PERMIT-
12 TING PROCESSES CONSISTENT WITH THE REUSE AND REVITALIZATION PLAN, GENER-
13 IC IMPACT STATEMENT, AND ZONING ADOPTED BY THE TOWN OF RIVERHEAD TO
14 EFFECTUATE THE GOAL OF ECONOMIC DEVELOPMENT AND URBAN RENEWAL WITHIN ONE
15 HUNDRED TWENTY DAYS AFTER ADOPTION OF THE REUSE AND REVITALIZATION PLAN
16 OR WITHIN ONE HUNDRED EIGHTY DAYS OF ADOPTION OF THIS SECTION.

17 6. JUDICIAL REVIEW. ANY PERSON AGGRIEVED BY A FINAL DETERMINATION BY
18 THE DISTRICT BOARD UNDER THIS ACT MAY WITHIN THIRTY DAYS FROM THE DATE
19 OF SUCH DETERMINATION SEEK JUDICIAL REVIEW PURSUANT TO ARTICLE SEVENTY-
20 EIGHT OF THE CIVIL PRACTICE LAW AND RULES. THE DISTRICT BOARD SHALL BE
21 PARTY TO ANY SUCH PROCEEDING.

22 7. REPORTING. THE DISTRICT BOARD SHALL SUBMIT, NINETY DAYS FROM THE
23 COMPLETION OF THE FINAL PROJECT ASSOCIATED WITH THE REDEVELOPMENT OF
24 EPCAL, A REPORT TO THE RIVERHEAD TOWN BOARD. SUCH REPORT SHALL CONTAIN
25 ALL RELEVANT INFORMATION RELATED TO ALL ASSOCIATED COMPLETED DEVELOPMENT
26 PROJECTS WITHIN EPCAL AND THE CURRENT ACTUAL AND ESTIMATED ECONOMIC
27 BENEFITS SUCH DEVELOPMENTS WILL PROVIDE TO THE REGION. THIRTY DAYS FROM
28 RECEIPT BY THE TOWN BOARD, THE TOWN SHALL MAKE SUCH REPORT AVAILABLE TO
29 THE PUBLIC ON ITS RESPECTIVE WEBSITE. UPON SUBMISSION OF THE FINAL
30 REPORT TO THE TOWN BOARD THE DISTRICT BOARD SHALL BE DISCHARGED.

31 S 3. Severability. The provisions of this act shall be severable and
32 if any portion thereof or the applicability thereof to any person or
33 circumstance shall be held invalid, the remainder of this act and the
34 application thereof shall not be affected thereby.

35 S 4. This act shall take effect immediately.