

Town Clerk
200 Howell Ave.
Riverhead, N.Y. 11901

Re: Special Permit Request – United Riverhead Terminal, N.Y.

I am writing to oppose the application by United Riverhead Terminal (URT) for expansion of its nonconforming use of its property on Sound Shore Road. The terminal should never have been allowed onto the bluffs of the Sound in a residential and agricultural area back in the 1950's but once there, the residents and Town over the years have come to make the best of it. We can and have lived with it as it is. But recently the terminal was acquired by the billionaire Mr. Catsimatidis who now wants to significantly expand this operation into a major gasoline storage, mixing and distribution center. To allow that to happen in a wholly residentially zoned area would be a travesty totally inconsistent with the development that has occurred over the past 60 years on the North Fork.

Why do people live on and visit the North Fork? For its natural beauty and rural nature. Who can believe when they drive just 80 miles out of New York City that there can be such a special place? Farms, vineyards, orchards, pumpkin patches, nurseries, sod farms, golf courses, pristine beaches, and farm stands everywhere! This is so obviously not the place for an un-needed gasoline/ethanol storage and distribution center with huge gasoline tanker trucks and their flammable cargo plying and clogging the ill-suited roadways.

One must ask why Mr. Catsimatidis is seeking this unjustified expansion of his nonconforming use at the terminal. Profit. Read the news about his recent acquisitions; one suspects he has big plans. Sure, the original justification had a ring of reasonableness to it--an emergency source of gasoline for disasters like Super Storm Sandy. Well who says the next such disaster won't hit Northville. And we now know the gasoline shortage during Sandy was not due to a lack of gasoline but rather to a lack of generators to pump the gasoline. That lesson has been learned and generators have been installed. The emergency argument was a mere subterfuge to entice the Town Board to approve this unwarranted expansion of URT's nonconforming use of its property. And, in fact, URT soon conceded it planned at least 12 tanker truck runs per day; now it asserts it will supply gas stations in a 10-mile radius. But wait, Mr. Catsimatidis just bought Hess so it looks like the sky is the limit! Throughout this process he has shared no information whatsoever as to his ultimate plans for this facility. The Town and the residents have a right to know.

But let's look beyond the total lack of any credible justification for this expansion. How will it affect the neighbors and the environment? Will it significantly increase use of the deep-water platform? To be sure. And how will that impact the Long Island Sound? And how will it affect the groundwater in the area? Will it increase noise, fumes, and diminish air quality? None of these things has been examined because, based solely on URT's submissions, you, the Town Board determined there was no significant impact from this expansion on the environment that would warrant an environmental impact study under SEQRA, and on October 7th you unanimously adopted Resolution 684.

I and the people of Riverhead and all of the East End would like to know how that could possibly be. Every day one passes the terminal one gets a healthy dose of fumes. Will that not get worse? On more than one occasion on still summer nights, I have called to complain about the droning noise from the pumps at the platform in the Sound. Noise travels over water. And have you ever heard the racket the URT tender boats make as they make countless trips between the dock and the platform? Surely this noise will increase dramatically as this facility expands. Such an

operation belongs in New Jersey, not in this recreational and residential venue on Long Island Sound. In addition, those travelling the local roads will now be faced with industrial traffic wholly unsuited to those roads. Such traffic has an impact on the environment and should have been considered in determining the need for a SEQRA study. Sound Shore Road is a very popular biking and walking street—activities wholly incompatible with gasoline tanker trucks not to mention the surrounding roads being inadequate for these large tanker trucks.

This application for the expansion of a nonconforming use cries out for a positive determination of potential impact on the environment that requires an environmental impact statement under SEQRA. I ask that you reverse your negative determination and pass a resolution requiring a SEQRA impact study.

There is also the issue of the wholly inadequate traffic study submitted by URT. A comparison of this study with other such studies submitted to the Board in the past reveals that it is wholly inadequate and almost laughable. It addresses nothing more than the turns the tankers will have to make and it is replete with misinformation. How will these heavy trucks laden with highly flammable gasoline make their way through the Town of Riverhead? Certainly, URT has not adequately answered that question in its traffic study nor the myriad other questions one expects will be addressed in such a study, e.g. capacity evaluations and analyses of the affected roads; current and projected traffic volumes; traffic signal evaluations to name a few.

Finally, there is the question of why the Town Board is handling this application rather than the Zoning Board. Your answer will no doubt be because the change does not affect enough of the total property to warrant Zoning Board review. A realistic examination of this application, however, reveals that it involves a potential transformation of the URT. Right now the terminal stores and distributes oil-- it is a sleepy operation. URT argues it has stored gasoline in the past so it is no change in that regard. It is only the installation of tanks for storing ethanol that constitutes the change and that is a minor change involving a small percentage of the property. So why hasn't URT been storing gasoline in the last 14 years or so? Because without ethanol, gasoline has no marketable value. So the addition of ethanol tanks at the terminal can arguably be viewed as a new use that will transform this sleepy facility into a major gasoline storage, mixing and distribution facility furthering Mr. Catsimatidis' intention to become the leading oil and motor fuels distributor to New York City and the East End. What appears to be modest expansion is in fact the basis for a sea change in this facility that will have a significant adverse impact on the surrounding residentially zoned property, not to mention increased usage of the deep water platform. Northville has the potential to become the East Coast's Persian Gulf. This so-called "minor" expansion of a nonconforming use is anything but minor and it demands review by the Zoning Board, not merely the Town Board.

I ask you the members of the Town Board, all of whom live in residential neighborhoods, would you want to live next to what this facility will become if this application is approved? I think I know the answer. So nip this expansion in the bud. Approving this application is the wrong thing for Northville Beach, the Town of Riverhead and the precious North Fork as we know and love it. I urge you to deny this application.

Sincerely,
