

Farmer Sues Over Condemnation

But town proceeds with drainage plan at Calverton corner

By Tim Gannon

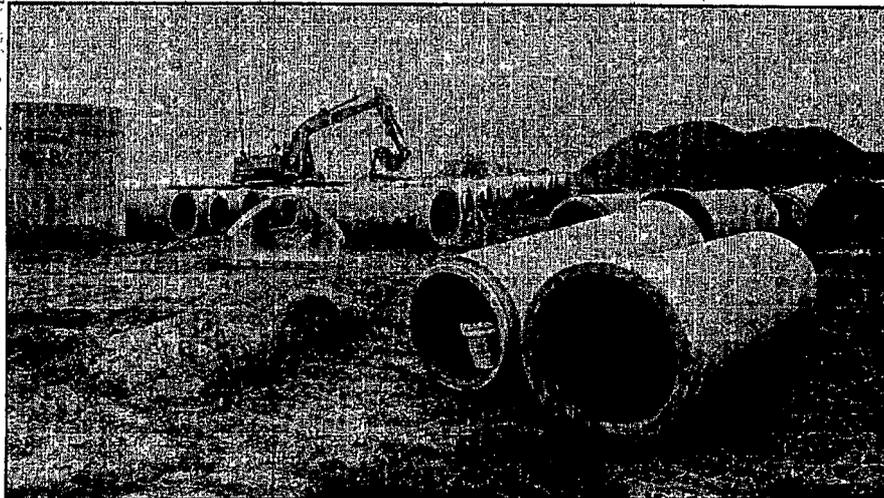
CALVERTON—A \$234,432 drainage project at the intersection of Edwards Avenue and Riley Avenue is slated to be completed by the end of November, according to town engineer Ken Testa.

However, that cost could rise if the property's former owner is successful in a condemnation court bid seeking \$465,000 in damages from the town.

The project is part of a plan to collect stormwater and realign the intersection to give drivers a better sight-distance. "There've been a number of accidents there," Mr. Testa said.

To complete the project, the town seized the 3.89-acre site from Calverton farmer Dan Donahue in December by exercising its right of eminent domain in the face of Mr. Donahue's opposition to a sale to the town. Among other reasons for his refusal to sell, he cited the tract's suitability as arable farmland and asked town officials to consider purchasing another lot.

The court has received appraisals of the property from the town and from Mr. Donahue and will rule on the price of the land following a trial, according to Frank Isler, the town's special counsel on the case. The town appraised the land at \$81,000 and Mr. Donahue has been paid that amount, according to Mr. Isler. Mr. Donahue has submitted an appraisal of \$465,000 that "takes into account both



CALVERTON PIPELINE—Work has begun on the drainage project at the intersection of Edwards and Riley avenues

News-Review photo by Barbaraellen Kocfi

direct and consequential damages, according to Saul Fenchel, Mr. Donahue's attorney.

In seeking consequential damages, the court is asked to consider the potential losses to the property owner that result from the taking of part of his land, Mr. Fenchel said. Mr. Donahue owned about 18 acres on the site prior to the condemnation, and the ability to develop the rest

of that land is impaired by the loss of the 3.89 acres, the attorney added.

A trial date has yet to be set and a decision is likely to take several months, Mr. Isler said.

Meanwhile, the town is proceeding with plans to build a recharge basin to collect stormwater runoff in an area Mr. Testa points to as one of the worst roads for flooding in Riverhead.

That area also had a flooding problem, he said.

The initial cost of the drainage project there was estimated at \$40,000, but the Town Board reduced some of the drainage and paving work, removed a provision for sidewalks and used existing contracts on some of the work, enabling the town to complete the job at about \$25,000, according to Mr. Testa.

The project is being funded through a \$2 million road resurfacing bond approved last year by the Town Board. The contractor, Bove Industries of Setauket, began work two weeks ago, according to Mr. Testa.

Calverton resident Steve Haizlip suggested at a recent Town Board meeting that the area at the intersection be used for a park. Councilman Jim Lull said the Town Board has not yet discussed that proposal.

Across town in Aquebogue, curbing is being installed at Meeting House Creek Park, where a drainage project recently was completed and, where paving is scheduled to take place shortly, Mr. Testa

The town appraised the land at \$81,000. The owner has submitted an appraisal of \$465,000.

Like all drainage projects near waterways, the Meeting House Creek project includes curbing to guide rainwater away from the surface water in order to prevent pollution.

A \$110,000 drainage project at East Creek, half of which is funded by a state grant, began Tuesday, Mr. Testa said. Future drainage projects are planned in the Mill Road, Youngs Avenue and Reeves Avenue areas of Riverhead.

The Meeting House and East Creek projects also are being funded through the \$2 million bond, Mr. Testa said. More than \$1 million of that bond remains unspent, according to Highway Superintendent Charlie Bloss.

**NAVAL WEAPONS
INDUSTRIAL RESERVE PLANT - CALVERTON
PUBLIC MEETING**

The Navy is pleased to invite you to discuss the establishment of a Restoration Advisory Board for NWIRP-Calverton (former Grumman facility).

The RAB is a forum where community members meet with representatives from the Navy, State and Federal environmental agencies, and other groups to discuss the environmental programs underway at NWIRP-Calverton. The RAB will work in partnership with the decision-makers on cleanup issues and related matters by providing information, suggestions, and community input to be used by the Navy in making decisions on actions and proposed actions. Community participants interested in becoming RAB members are encouraged to attend.

**Thursday, October 16, 1997
Riverhead Town Hall
200 Howell Avenue
Riverhead, New York**

Meeting begins at 7:00 pm

For more information, please contact:
Mr. James Colter (Code 1821/JLC)
at Northern Division, NAVFAC, 10 Industrial Highway
Mail Stop 82, Lester, PA 19113-2090
Telephone: 610-595-0567 extension 163

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