

Minutes of a Public Hearing held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, February 6, 2002, at 3:00 p.m.

**Present:**

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

**Also Present:**

Barbara Grattan,	Town Clerk
Sean Walter, Esq.,	Town Attorney

**Absent:**

James Lull,	Councilman
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Supervisor Kozakiewicz called the meeting to order at 3:26 p.m.

Supervisor Kozakiewicz: "Okay, we're at the same bat channel, same place. Let the record reflect that the time is 3:26 p.m. We're 26 minutes behind schedule and we're here to open up the hearing. Barbara, would you read the affidavit of publishing and posting?"

Public Hearing opened: 3:26 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on February 6, 2002, at 3:00 p.m. regarding the consideration of the draft environmental impact statement in the support of the petition of the River Club LLC to allow the construction of 222 condominium units and associated amenities located at Riverside Drive."

Supervisor Kozakiewicz: "Okay. Now, Rick was kind enough to share me some of the legal text on the purpose of this public hearing. And I'm just going to recite that quickly for the record, although there is really very few people here who are for this purpose. But, he's highlighted because he knows that if he didn't highlight it, I probably wouldn't be able to follow it."

The purpose of the public hearing under SEQRA is quote to receive

comments and recommendations on the environmental issues associated with the project end of quote. Accordingly, substantive comments received at a SEQRA hearing become part of the official record and are incorporated with the responses by lead agency into the final EIS.

That's the reason we're here and with that, I'm going to pass it over to Rick to give us some perfunctory or initial comments and then I'll open it up."

Rick Hanley: "Thank you, Bob. Rick Hanley, Planning Director, Town of Riverhead. Upon the receipt of the application which the Clerk has described in the public notice, the Planning Department reviewed the environmental assessment form which was attending the petition, and identified a number of potentially significant adverse impacts associated with the application.

Upon that, the Planning Department made a report to the Town Board to that effect and by resolution of 579 of 2000, the Town Board did determine the petition to be a Type I action and required the preparation of an environmental- of a draft environmental impact statement.

The Town Board held a scoping hearing on August 30<sup>th</sup> of 2000, a number of comments were made at the scoping hearing and upon the approval of a scope, we received, that being the Town Clerk, received a draft EIS as prepared by Coastal Environmental Corp. for this particular application and we have reviewed that scope- the Planning Department has reviewed that scope, that DEIS I should say, and it conforms to the draft scope that was issued by the applicant as well as the comments received at the scoping hearing, and it was organized properly and has all its fingers and all its toes, and what you have done after that, a couple of Board meetings ago, is accepted that DEIS for distribution to involved agencies and you set this hearing.

That's all I have, Bob, in terms of the history of this thing. At this point, I'll remain here for any questions you might have in terms of the adverse impact associated with it and thank you."

Supervisor Kozakiewicz: "Thank you. Mr. Danowski, do you wish to make comments?"

Peter Danowski: "No. We're here to hear any comments in response to the draft environmental impact statement. The principals are in attendance as is Mr. Jeffrey Seaman, Ms. Regina Morengo (phonetic) of Ensign Engineering (phonetic), Mr. Thomas Wolpert of

Young and Young. With that said, the document speaks for itself and if there are comments to be made, place them on the record and we'll respond to them in the FEIS."

Supervisor Kozakiewicz: "Before you depart from the podium, I know that there were a number of comments made when we were acting upon the resolution which were brought forth by Councilwoman Blass. Is there any objection to those comments being incorporated into today's hearing- "

Peter Danowski: "No."

Supervisor Kozakiewicz: "-- as items that should be discussed or addressed and looked as part of the FEIS?"

Peter Danowski: "I'll accept Mrs. Blass' comments as a request as she stated them on the record. I have a copy of the pertinent part of those minutes. If subsequent to today's date you want to make that part of this record and produce them, that's fine."

Supervisor Kozakiewicz: "That's my question, whether there's any objection. I would for the record ask that those pertinent parts of that- those comments that were made at the Town Board hearing of January- "

Peter Danowski: "January 15<sup>th</sup>."

Supervisor Kozakiewicz: "-- would be made part and parcel of the record for this hearing as well. So that will be incorporated by reference and you have no objection- "

Peter Danowski: "No. In fact, I can produce those pages and show them to Mrs. Blass and she can agree those were her comments and we'll- "

Supervisor Kozakiewicz: "Yeah. I had the minutes set aside and, of course, like usual they got lost in the pile of papers on my desk so we can even maybe incorporate the pages directly of what they were in the Town Board minutes so that there's no question what two pages they were and if you don't have any objection, maybe I can ask Barbara to just look at those for two minutes and see if there's any other questions or comments. 109 through 111 of the Town Board minutes from this year, 2002."

Barbara Blass: "I found out subsequent to the statement that I

made about a default approval that that was in accurate. I was given some incorrect information in terms of the SEQRA time clock."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "I made a statement relative to the fact that it had- it was for the most part deemed adequate because we did not act in time and that was incorrect."

Supervisor Kozakiewicz: "Okay. I wasn't as concerned with those comments as opposed to the comments that addressed the inadequacy or insufficient data that you had raised and the questions you had posed which were in addition to those put forth in the DEIS."

Barbara Blass: "It's (inaudible) verbatim."

Supervisor Kozakiewicz: "That's why I take those minutes home at night. When I have trouble sleeping, I just read them again and it's not a problem anymore. Not your comments, but the whole meeting I should say. I'm not necessarily pointing to one particular section of Town Board meetings."

Councilman Densieski: "You read the minutes?"

Supervisor Kozakiewicz: "I do."

Councilman Densieski: "Good man."

Supervisor Kozakiewicz: "That's because usually some of the speakers the first time around I don't necessarily listen to what they're telling us."

Councilman Densieski: "Do you listen to me?"

Supervisor Kozakiewicz: "I do."

Barbara Blass: "Rick, did we ever get any commentary back from any of the other agencies?"

Rick Hanley: "On the DEIS? We have distributed- they have 30 days or so to- no, I haven't seen any yet. It would go to the Town Clerk, but normally what we do is we just wait until that period is up."

Barbara Blass: "I was just asking- "

Rick Hanley: "No. I'm not aware of any."

Barbara Blass: "Since then, it was January 15<sup>th</sup> I guess or shortly thereafter that it was distributed (inaudible)."

Rick Hanley: "January 15<sup>th</sup>. Right."

Barbara Blass: "There was some mention about a further analysis on the signalization of the intersection of 105 and 25 and at some point some additional work would have to be done. Is that going to be done later on depending upon the specific proposal that that's considered a preferred alternative?"

Rick Hanley: "Well, certainly we identified- the Town identified traffic impacts as a significant potential adverse impact with respect to those intersections. There was a traffic analysis made part of the DEIS. Any comments that are made on that analysis would have to be responded to as part of the FEIS. Is that the question you are asking?"

Barbara Blass: "The question said it is recommended- this is in the document- it's recommended that prior to the final development further analysis be made regarding signalization of that intersection and I just wondered if there was any work or any additional- "

Rick Hanley: "Possibly the applicant could share that with you if there's any additional information."

Supervisor Kozakiewicz: "I thought that you had put most of them on the record January 15<sup>th</sup> and I thought it would be easier just to incorporate them by reference rather than going through them."

Barbara Blass: "Is there an indication in terms of the number of bedrooms per unit that the applicant is interested and (inaudible)."

Rick Hanley: "This is a- "

Barbara Blass: "They are all (inaudible) bedroom units. I just wondered-- the wastewater calculation is based upon three bedroom condominium, three bedroom units. And I wondered if you would never be able to get 222 three bedroom units based upon the allowable (inaudible). Are they all one unit- that's what you're representing?"

Peter Danowski: "Yes. We did residency density formula."

Barbara Blass: "No. One bedroom per unit- "

Richard Hanley: "Just for the edification of the other Board members, the Residential C District allows the Town Board to issue a permit for a condominium and there are- there's an equation or algebra with respect to the density. Right. And if the applicant is suggesting that they are all to be one bedroom units, then essentially that maximizes his yield not to exceed I think five units per acre total if I recall correctly."

Barbara Blass: "I question it again because the wastewater flow is based upon three bedroom units. That's what it talks about here. That's why I asked the question."

Rick Hanley: "Okay. I would think that there would be some thought by the applicant to connect to the sewer district for this project."

Barbara Blass: "I think it's contingent upon connecting to the sewer district."

Rick Hanley: "So the flow- are we talking about flows with respect to sanitary systems or connection to the Riverhead Sewer District?"

Barbara Blass: "We're talking about the flow calculated right here and it talks- one minute- the quantity of sanitary flow is estimated from the Suffolk County Department of Health Service standards for subsurface sewage disposal systems for other than single family residences and is based upon a three bedroom condominium flow of 300 gallons per day. The residential condominium wastewater flow is then estimated to be 666,600 gallons per day- "

Rick Hanley: "Right."

Barbara Blass: "-- and then added to that is the wastewater flow from the clubhouse facility."

Rick Hanley: "Right. I think- he can speak for himself. But I think what he's done is he's given the Board the worse case scenario in terms of flows that could emanate from this in case you decided on a different distribution of bedroom sizes at the end of the day. But, again, I'm not sure I understand what the- he's probably just showing you flows that Suffolk County uses but I think the intent is to connect to the sewer district."

Barbara Blass: "It is. And it's within the paragraph that the sewer district, you know- "

Peter Danowski: "We'll explain in response in the FEIS."

Rick Hanley: "Okay."

Barbara Blass: "Was there consideration to clustering the entire project, the 78 singled family units on the northerly parcel only in order to mitigate against (inaudible) and other factors that exist on the (inaudible)."

Peter Danowski: "I think the alternatives- "

Supervisor Kozakiewicz: "We've got to get you on the mike. So I think that there's no question as to what you're being asked?"

Peter Danowski: "No. I think the format here should just be that if someone wants to make a suggestion to respond to, we will respond to it in writing because it will be part of the record and it will provide us with a record. But unlike a public hearing on a special permit where we have this give and take situation but I don't believe the alternatives suggest a 78 lot alternative with no building on the water side. I think clearly the benefit in the upscale community in the more expensive home would be located on the water. And certainly even on the cluster alternative we were talking in that sense."

Barbara Blass: "Rick, the written comment period after today is what? Because I'll put the balance of my comments in writing and then forward them."

Rick Hanley: "The regulations require that the lead agency keep the hearing record open for a minium of 10 days after the- I'm sorry- written comments 10 days after the close of the hearing. So if we were to close this hearing given the lack of commentary, I think it would make some sense to close the hearing."

Supervisor Kozakiewicz: "So it would be 10 days- "

Rick Hanley: "Ten days from the date of the close of the hearing- "

Supervisor Kozakiewicz: "Right."

Rick Hanley: "-- the public can respond in writing, any involved agency or party of interest."

Supervisor Kozakiewicz: "Okay."

Barbara Blass: "I reserve the rest of my comments. I'll put them in writing."

Supervisor Kozakiewicz: "Okay. Thank you. Anybody else? Okay, if not, I will declare the public hearing closed, the time of 3:42 p.m. having arrived. Thank you."

Public Hearing closed: 3:42 p.m.

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*Barbara Blass*  
*Court Clerk*