

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, February 22, 2012 at 7:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

(At this time, the Pledge of Allegiance was recited)

Supervisor Walter: "Bishop Wcela. Would you like us to sit or stand or-- "

Bishop Wcela: "You can be seated. That's fine.

Let us pray. Father, source of all that is good and just, bless the residents of our community, may they live together in peace and harmony and have what is necessary to face each day with dignity and confidence.

Bless those who protect public welfare, police, fire personnel, those who care for roads and parks, those responsible for public health. May they have the resources and sense of purpose to do their jobs well.

Bless all our officials here this evening and those they have chosen to work with them. By electing them we have placed in their hands our common good.

Give them wisdom, prudence, patience, foresight, dedication,

and a spirit of cooperation so they may foster well the well-being of our community.

And we ask this through Christ, our Lord."

(Collective response): "Amen."

Supervisor Walter: "Thanks very much, Bishop Wcela. Okay. We are going to- I didn't write this- didn't read this. You're the retired Vicar of the Eastern Vicariate of the Diocese of Rockville Centre. Actually knew that. My wife teaches at St. Isidore's we see you from time to time.

Okay. We're going to do things a little bit differently tonight. Diane, do you want to- why don't you- "

Diane Wilhelm: (Inaudible)

(Inaudible comment)

Supervisor Walter: "Okay. Yeah, I'm waiting for Diane to- it would be easier to sit at a table I would think.

Okay."

Councilman Dunleavy: "I'd like to make a motion that we approve the town board meeting-- the minutes of the town board meeting on February 7, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay, we'll go through Reports and Correspondence and then we'll start with our meeting."

REPORTS:

Tax Receiver

submitted total tax collection to
date, February 8, 2012 -
\$66,583,756.83

on March 10th we're having the honor the veterans day and it's going to be held at Polish Hall. We'll have a dinner and the price is \$27.50 per person. The veterans and one person can come free.

If anybody wants any tickets or wants to sponsor any veterans, please call town hall, Linda Hulse, and let her know or if anybody knows of any veterans call her and let her know so they can be contacted and come and join us at Polish Hall on March 10th."

Supervisor Walter: "Okay, good. So we're going to do this a little bit differently. The town board is going to sit at that table down there and we're going to let Frank Fish sort of take this away and you're going to run the meeting and be the town supervisor for the evening."

Frank Fish: "Okay. I (inaudible) the town supervisor but it reminds me, Sean, to say something and that is that the open house we just had from six to seven, actually one gentlemen did ask me. He said who are you working for? Are you working for the civic groups? Are you working for Suffolk County? I said no, we're working for the town.

So I do want to just mention that to you that back in last summer the town retained our firm as a planning firm to advise the town board on updating the Wading River master plan and suggesting some zoning recommendations to it.

So what Todd and I hope to do tonight on behalf of really the town board is really to present where we are thus far.

And the next slide which just gives you where we are, we started- actually we were retained last summer. We really started in earnest in September. As some of you know, we had two focus group meetings, those green squares, last fall. One with business owners, property owners, merchants, and then one with the civic group.

And in January we came back to the town board with some preliminary recommendations and at the January meeting there was a request for having a larger public workshop. And we had that- that's that third green square in February and I was very appreciative because there was a very nice turnout.

We had really good- I thought, good comments and just so you

know we are developing for the town board. Everyone signed in. We're doing- we're reproducing that sign in list. The town board is going to get from us a little report just encapsulating that February meeting so that they'll have that.

And then what we're trying to do tonight, that red circle our meeting with the town board tonight, the 22nd, is to- we now have some additional things. One of the comments made to us on February 4th are- was are you going to take what you've heard and now develop more recommendations? Our answer was yes.

And you'll see those and you had an- you'll see those tonight in the presentation but it gives me a chance to just say to everybody you should have gotten outside- if you didn't, you're going to see it here and then everything that's produced here when you leave tonight, we'll have copies of this power point also.

So we're trying to make sure that you have the ability to get hard copies of everything and of course everything is sent to the town electronically so everything is available electronically.

But what I want to mention is out in front we had put some text changes that we're suggesting to the master plan. The master plan has to come first and then based on the master plan update, you would make any zoning changes.

So there are two documents we're looking at. The master plan of Riverhead solely the Wading River portion. This is not to update the whole master plan, it's just the Wading River portion. And then based on any changes in the master plan we would then suggest some zoning changes to the town board.

You can see the rest of this schedule is supposed to go into March and April of this year and I'll get in at the end of this presentation to what we see as the next step for this- for the process.

So we're trying to get to a public hearing basically. By the way, tonight is not- none of this so far has been a legal or official public hearing. And the reason is we wanted to have these focus groups, we wanted to have a workshop, we wanted to have this evening's meeting, we're going to want to get a chance to speak to these as you see them develop.

Our hope was as we develop things, you'll be able to comment on them. Based on your comments, we try to refine things to the board but the objective is to get something produced for the board so that they can hold a formal public hearing and move forward on this this spring. So I say springtime.

So that's our overall project time line.

So our study goals, I think by the way this gives me the chance to say some of you know this. What we're presenting tonight, at least the first half you know by heart. Some of you are very, very knowledgeable. I don't want to name your names, but some of you are very knowledgeable.

But others, a gentleman came tonight, a young couple came tonight and they just moved into some of the condos on Route 25A, so and they're sitting here at the back and so they're seeing this for the first time. So a little bit of this, for those of you who are I consider you somewhat expert, some of this will be a little bit repetitive in the first part of this.

But in the second part, you'll see new responses to what we heard on February 4th. So this you've seen, those of you who— February 4th went, you've seen our overall study goals and I know the town board has seen this four times now so I'm not going to dwell on the study goals. They are in our handouts. We went over this on the 4th.

What I am going to do is hand this over to— Todd is going to go through for you the map changes in the plan and the zoning that we have suggested that the board consider. And a lot of you have seen the map changes but those of you who have not, we want to just try to go through those.

And, Todd, one thing I've learned is just to give you a briefing. Somebody asked me, you know, where's north, where's east, where's west? North on all our maps is and I forgot to say this, north is to the top so as you look at this your right is east and your left is west and down the bottom here is south. So— and we've outlined Route 25A in red here and then we started to identify for you the different developments.

I'm going to turn that over to Todd."

Todd Okolichany: "Okay, thank you. For those of you who don't know me, I'm the guy with the last name is very difficult to pronounce. I'm Todd Okolichany and I work with Frank Fish at BFJ.

Again, as Frank mentioned these next couple of slides we reviewed a couple times at the last town board work session as well as the public workshop that we held on February 4th but for those who haven't seen this or need a refresher, we can just, you know, I'll quickly try to go through the next couple of slides.

The study area as Frank mentioned is shown in red on this map. It's roughly a mile and a half, two miles long. It really covers the parcels that front 25A.

On this map and on a lot of the other maps though we like to show what the surrounding land uses area. So you'll see we sort of zoom out on a lot of these maps. So just to give you a perspective of the surrounding uses, your residential homes that abut some of the retail uses that are— that front 25A.

You may have mentioned or seen in the study goals a slide that one of the purposes of the study was to identify some of the what we call developable parcels or parcels that are currently vacant today that have a development potential to them.

And what I mean by that is, you know, we've shown on this map some of the vacant parcels, not just vacant but also you have a couple of agricultural pieces as well.

The reason— part of the reasons why we're doing the study is because a lot of these parcels over the last year or last couple of years have received development applications for them so the town wanted to revisit the 2003 comprehensive plan specifically for this area of Route 25A to determine whether some of the suggestions from that plan were still applicable today.

We've identified some of the parcels that are either vacant along the corridor or that have current development applications on them.

This next slide is some of the existing land uses along this corridor. The yellow typically is the predominant land use, not adjacent rights on this 25A corridor but behind some of the retail uses that generally front the corridor. The yellow represents those

residential uses.

But primarily on the corridor itself, in red is the typical color that we as planners show as a commercial retail or restaurant type of use. So as you can see on 25A, the intersection of 25A with Great River Manorville Road, is really today your current cluster of retail businesses that are really centered around this intersection.

Once we go further— or I should identify actually (inaudible) of Manorville Road and just east of there this white or grayish color signifies the vacant parcel along the corridor.

So, again, we've tried to identify those on several maps what those parcels are and we've identified that on this map, those vacant parcels as this gray or white color.

Heading further east, this is (inaudible) farm in green. This is the King Kullen shopping center and CVS. Heading further east of there you can see this large green area which signifies a current conservation area, that's the deep pond conservation area and boy scout camp.

As you— I probably don't need to tell you all of this, you're pretty familiar I'm sure with 25A, but just to review it in context to our study area.

Further east, again now we're getting closer to Sound Avenue. Again you'll see some red parcels, that's the Valero gas station and the East Wind catering hall. So you kind of see that there's really today two sort of small clusters of 25A that can certainly contain your retail uses and the catering hall for the corridor.

This is a zoning map. Zoning generally follows your land use map that we use the same colors where yellow signifies the residential uses and in red we've signified business zoning. But in this case, it's really showing what the existing zoning districts are that allow the types of land uses that you see on 25A.

So, again, you'll see in the vicinity of Route 25A and Wading River Manorville Road it's currently zoned today as your business CR zone. The business CR zone is what the town calls its neighborhood rural business zoning district.

The district currently allows neighborhood retail uses and

restaurants that serve the neighborhood.

Behind that is what we currently call the RB-80 zone. It's a residential zone show in yellow. Again, you see a lot of the yellow it's actually yellow with red dots. You'll see a lot of that just outside of the retail uses that front the corridor.

So, again, our study area was really focusing in on 25A itself and not necessarily the residential uses that are behind those retail uses.

Once we go further east, just here where my finger is, again, this parcel right here is sort of the dividing line of where your current retail is today. That's again, the King Kullen shopping center and CVS.

You can see that even though that this parcel here (inaudible) is currently vacant today, as a land use it has a zoning designation assigned to that parcel. So currently today this parcel that fronts the Zoomas (phonetic) is zoned as a business CR district and the back of that piece is zoned as a one acre residential zoning district.

Some of the other zoning districts that are along the corridor are the MRP district and you have two developments today that are currently already there or three rather, with a professional office use and then some one and two family homes. Some of those homes are attached in one development and in another development they are detached homes.

That MRP zone is called the multi family professional office zone. What that zone allows today is residential uses. They are condominiums, one and two bedroom units, and it also allows for professional office.

The MRP zone does not allow any retail uses today.

Again going further past the MRP, as we get closer to Sound Avenue, you have the Valero gas station and the East Wind property. Those are also zoned as the business CR district which again allows your retail uses that serve the needs of the corridor.

What are some of the proposed zoning recommendations? You've seen this map hopefully before if you hopefully visited our February

4th workshop and I see a lot of the same faces today.

But some of the recommendations that we've suggested in the past and I'll go over those and then some of the changes we made as well.

The proposed zoning for the corridor that we suggest at this time is to take the— currently developed as retail today and not permit any further retail outside the sort of compact retail center that you have currently in the town today.

And what I mean by that is we suggest you keep the existing business CR zoning district only within the vicinity of Wading River Manorville intersection with 25A but rezone some of the parcels just east of that compact retail component. Rezone some of those parcels to the multi family residential professional office zone which is again is the MRP zoning district.

So we've suggested that on the north side of 25A just east of the shopping center you have here, this includes the developed farm and two vacant parcels on either side as well as the (inaudible) piece on the south side of 25A, we've suggested to rezone those from business CR to the MRP zoning district.

Again, what that would do is the MRP district excludes retail uses so in a sense that we would not permit any retail uses just east of King Kullen within this retail component you have today. Instead we would allow uses that are permitted under MRP such as the multi family condominium uses as well as professional office uses.

What we've also suggested is when we looked at the MRP zone was to permit some other uses that may also be compatible with some of the other uses that are currently along 25A today.

So we suggested to add to the MRP zoning district, add as a permitted use, permitted age restricted residences so like a senior living type of accommodation, 55 and older, as well as continue to allow as a permitted use agricultural uses.

In the event that the (inaudible) farm or any of the other farms within the MRP district wanted to continue to farm, that we wanted to list agricultural uses as a permitted use which is not specifically permitted in MRP today.

Further east as we go along to the intersection of Sound Avenue with 25A, there's a triangular piece with a Valero gas station and there's a small vacant parcel next to that. We've also suggested rezoning that from business CR to MRP as well.

And we thought that what this does is we're basically in a sense extending the existing MRP that's currently here today, extending it slightly to the west to replace that business CR district and also extend it to the east to cover that parcel near Sound Avenue to extend that MRP district and replace the current business CR district.

Actually, you want to go back. I just have one more point to make about the previous slide and then we'll compare both the existing and proposed zoning.

The last thing I just wanted to bring up is you know (inaudible) application approved for the intersection of Sound Avenue and 25A for the (inaudible) project. That was approved by the town in mid-December and it's currently under litigation.

So at this point, we have not made and we are not making any suggestions for that particular parcel due to the current litigation that it's in.

I think this will probably help to show you exactly side by side exactly what it looks like for the existing zoning for the top figure versus the proposed zoning that we're suggesting.

Again which is (inaudible), 25A including two large vacant parcels and the (inaudible) farm as well as the (inaudible).

We've suggested again rezoning the business CR to MRP but I should also mention that for example, the (inaudible) piece, a part of that today is a split zoned parcel. It's split zoned as business CR in the front and RB-40 in the rear and RB-40 is a one acre zoning district.

We've suggested (inaudible) when we have common ownership. We typically suggest that the entire parcel should be rezoned as one zoning district and not have a split zone to it. We have also done that for the north side of 25A up to the LIPA right of way.

You have about a hundred foot wide right of way with LIPA

utility and we've suggested that eliminating the split zone of the business CR and residential split zone and instead rezoning all of that to the (inaudible) zoning district up to the LIPA right of way.

One of the next steps that we'll have to look at from some of the suggestions is what are some of the impacts that would occur as a result of the proposed zoning changes.

And to start off with that what we looked at is the amount of acreage that we're actually suggesting to rezone. So this map really shows you- highlights the exact parcels that we would be rezoning. On the north side of 25A including (inaudible) LIPA right of way from 25A. The two (inaudible) and the (inaudible) farm in the middle represent about 22 acres that we are suggesting to rezone from the split business CR and RB-80 residential district and rezone those 10 acres again to the MRP zoning district.

On the south side the Zoomas piece represents about 18 acres so in total we're suggesting to rezone approximately 42 acres within the study area.

This is taken from the currently town's zoning code and to just give you a comparison. In the left column compared to the existing business CR zone for neighborhood rural business zone compared to your- what we're suggesting rezoning to the MRP or a multi family residential professional office zone and it goes over some of the what we call the bulk requirements including the height restriction, maximum building coverage and some of the other requirements that are assigned to those respective zoning districts.

So we compared the business CR district compared to the MRP zoning district, a couple of things you'll notice that I'd like to point out are the maximum building lot coverage.

Currently under the existing zoning, business CR allows a maximum of 15% building lot coverage. That's really the footprint on your first floor of the building and the amount of lot coverage that could take up.

So currently that allows a 15% building lot coverage as a maximum for any of the retail uses in the business CR zone. As a comparison today, the existing MRP zone permits up to 17% lot coverage but only for professional office.

Residential uses that are permitted under the MRP zone, under today's zoning you currently don't have a— does not have a maximum building lot coverage. Instead the way (inaudible), the way that's controlled in the MRP district is by the maximum number of dwelling units.

So as you see in the MRP zone, that zone only allows one and two bedroom dwelling units and what it allows is, for a one bedroom dwelling unit, allow four one bedroom dwelling units per acre. For a two bedroom dwelling unit, it allows for up to three of those type of units per acre. And that's the way under today's zoning that the MRP sort of manages that density.

Another bulk requirement turning business CR to MRP. In the business CR zone, your maximum impervious surface percentage or coverage is 75% so impervious surface takes into account your building as well as your parking area, driveways and (inaudible) pavement.

So today it allows 75% of the property to be basically (inaudible) contain buildings. In the MRP zone, under today's zoning, actually it's not maximum impervious surface coverage. But, again, you've got other restrictions such as maximum building lot coverage that sort of restricts the size of the building and then for— that's for professional office. And then for residential units that is dictated by the number of dwelling units per acre.

Finally I just want to compare the setbacks of these two zoning districts.

In the business CR zone, you have a minimum front yard setback of 30 feet. The MRP zone, one of the benefits of that zoning district, is that you have a larger setback requirement of 50 feet for your front yard.

Your sideways are fairly similar in both business CR and MRP, they're both 25 foot minimum setbacks from the property line for a building.

And the minimum rear yard depth is 25 feet for business CR compared to 50 feet for the MRP district. The MRP district does have under today's zoning greater setbacks (inaudible).

The last slide I want to cover before (inaudible) is we wanted

to review with you what you told us at our February 4th workshop. And as Frank mentioned, may have mentioned, we are in the process of writing a workshop summary report for that public workshop and again if you didn't have a chance to attend, I'm sure many of you have, I see a lot of the same faces, it was a great turnout. You should really commend yourselves for (inaudible) and showing your interest in it.

What did we learn from that workshop? One of the exercises, if you attended that workshop, you may recall we did a (inaudible) where we listed, we asked you to tell us what are the assets that you feel are within the community, and then we compared that to what are the major liabilities that you see for 25A, whether it's today or a vision you have for the future. What are some of the things that are troubling to you.

And we had you list I think about 10 different assets and about 10 different liabilities. And what we did is you had placed a dot next to all the assets you listed and all the liabilities and we tabulated those and we chose just today, just for today, to share with you the top votes that you voted for, for what was most important to you for some of the assets along the corridor and the most important liabilities.

And as you can see, for assets you value farming preservation, natural beauty, low traffic which is actually listed again as a liability meaning high traffic, and your unique rural feel is another asset.

So you can kind of tie some of these together. A lot of these assets are overlapping. Your rural feel is— overlaps with your farming preservation. So that's really the division that you told us some of the things that you'd like to preserve for the corridor.

And then some of the liabilities, strip malls, traffic and noise, high taxes and lack of parks and recreation facilities.

These were the top priorities that you told us that meant the most to you as for your vision for 25A."

Frank Fish: "This— what I'd like to go over now is a little bit of as a result of the meeting on February 4th, the workshop at the church, what we'll try to do is now incorporate and these were

out as you came in tonight, in a comprehensive plan first to try to incorporate verbiage that gives a vision of Wading River of compact retail centers, not strip malls.

So that we're trying to get that wording into the master plan first because the master plan has to set the stage for whatever zoning is chosen.

And then on the proposed zoning that follows the plan, we're saying as Todd went over to replace some of that business CR zone, namely about 24 acres of it, with the MRP zone.

And what that really does is that's going to prevent-- that's going to prevent the march of any strip malls east from the existing center of Wading River.

So we're trying to do that first. You've seen that on the map. But now we're trying to do two other things in the master plan which we've added. And that is amend the development requirements of the MRP zone so that we make it more responsive if you will to some of the things we've heard. And I'm going to go into that in a minute.

And then, secondly, encourage in the master plan now that the acquisition of open space and agricultural land. Now let me talk about this.

Zoning can't accomplish a lot-- some of the goals we heard, zoning alone I should say can't accomplish them. For instance, we can't create open space through zoning alone. One way to do it though is to try to get a not for profit organization, civic groups, Suffolk County, town, other resources-- state resources, to try to get monies for either the acquisition of the space itself or conservation easements on it on the space or the purchase of development rights.

There's various ways to do that to encourage open space in agricultural land preservation. So we've put that specifically into the master plan now as one of the goals of the plan.

The plan also has in it a map which and by the way we've put the maps out there at the tables and this is the same map, those of you who looked at the map, this is the same map that was out at the table.

What we're trying to say on this map, this map is currently in the master plan but what we're trying to say in it, some of the areas for instance are to rezone some of that business CR to the MRP but we're also saying that we've got areas where we prefer open space acquisition or we prefer a large front buffer area along Route 25.

So this plan allows us to say some things in the plan that are--some of which can be carried out in zoning and some of which would be carried out in site plan review by the planning board, some of which would be carried out through open space acquisition or conservation easements.

So we're trying to get these concepts into the plan and that's the business district element here and in red are the changes we've made in it thus far for the town board. Those are the suggestions in the plan.

Next what we're doing the next slide then shows, and this is a bit new. Again, you asked, I think there was a question, well, what are you going to do further as a result of the February 4th meeting?

Now with the MRP zone which Todd described, we're trying to put some things in the MRP zone that are trying to be responsive to some of the things we've heard.

There's a list of permitted uses already in the zone. Basically residential condominium, daycare centers, professional offices are allowed. We're trying to allow specifically houses for those over 55, agriculture and then professional and performing arts studio.

We've suggested to the board and we heard this also on February 4th, we do want to allow things that most people consider to be, they're not a strip mall. There are other uses that have a public good.

I'm not saying-- by the way, when we allow something, it doesn't mean something is going to go there that you have to do it, it just allows it. I realize library, museum is probably not likely, but we want to allow it. We wanted to allow public facilities. We wanted to allow schools, we wanted to allow churches and community centers, so those things could go in. Anything but retail. Retail is not allowed.

What we're trying to do is to contain the existing hamlet so that strip malls to the east of the hamlet, they cannot happen. They— so that's what we're trying to do.

So that's the major thing on permitted uses.

I think, Todd, the next slide goes into what we're trying to do in terms of development standards. In red, is a new thing. Currently under development standard no building or structure or parking is allowed in the front yard.

As you can see just to make it clearer, we've added some things that some people had suggested. We really want to allow no tennis courts or swimming pools. We don't want to allow structures in the front yard.

We don't want you to be able to park in the front yard actually. We want open space. We want landscaping in the front yard.

Secondly, the building coverage is currently 17% for offices but it isn't clear as to the maximum building coverage on residential. So we made building coverage of 17% for all uses, all uses in the MRP.

What does that mean? As Todd said, I'd rather use the term like footprint. It's the building— it's the amount of land area that a building may cover on the lot. Many coverages by the way, this is pretty restrictive coverage. Many coverages for residential I see are 20 or 25% coverage so this will control the building coverage on a lot to 17%.

A second— another thing— a third item here is that people had mentioned or it had been mentioned to us of controlling the unit size. I think actually one specific comment was you don't want to allow 3,000 square foot unit because it— the developer— I don't want to say the developer— the builder perhaps. A 3,000 square foot unit that you say is solely a one bedroom or two bedroom unit, that isn't going to happen.

The average size of the single family home in America is only about 2,600 square feet. That's the average size of a single family home.

We're trying to limit the size of these what could be town homes or condominiums. So you can see the one bedroom size there, 1,400 square feet; the two bedroom is 1,800. I don't want to go too low.

By the way, this is a balancing act. We don't want to be too low because we don't want— what we found in our experience is that people downsizing from a single family home of let's say 2,600 square feet, actually don't want to go into a— I shouldn't say all, many. I can't speak— we're finding in our focus groups because we do some of this work with various towns, is that to my surprise and I shouldn't be surprised, but people downsizing don't want— a lot of them, many of them, do not want to downsize too much.

They don't want to go in— I'll put it in my terms. I don't want to go into my daughter's current apartment that she lives in in Manhattan which the bedroom is about 150 square feet like a hotel room. And you know, my wife isn't going to downsize quite that much. Neither am I.

I don't mean to you know, so we won't allow it to be large enough to attract the empty nester but we don't want to get it too big so that builders are kidding with, you know, they say it's a two bedroom unit but it's got three dens. Those are bedrooms.

So we want to be careful about the size of this. So we put a size control in. It's not there now. We're suggesting something new to the town board on this.

Also a suggestion made to us was can you put a minimum open space requirement in? There's no open space requirement in the zone. So we're putting in a 20% open— that means that 20% of the site of the lot area, has to be open space. It can't be a parking lot. It can't be coverage, it can't be a building. It's got to be actually open space.

And so what we're trying to do— you can see what we're trying to do. We're trying to limit the amount of built space in the MRP zone, the coverage. We're trying to limit the unit sizes and we're trying to put in an open space requirement so that as you drive along Route 25A and I think I've heard this a lot on February 4th.

As you drive along you're going to know when you've left the hamlet. When you've left the hamlet, the new development is going

to be setback further, the 50 foot setback. That has to be landscaped. The coverage is going to be controlled for the residential. Unit size is controlled and anything further development have a 20% minimum open space.

On accessory uses, the parking. What we've found— by the way, I realize I need to drive into the professional offices in the MRP zone at least several other weeks because when I was there, the parking lot in the current MRP zone where you have professional offices were not full.

When we started looking at the requirements, this is one that we're loosening up. We're going— it's one where we're going in the other direction.

You currently have a parking space requirement in the professional office zone, the MRP zone that we think is too much, that it will lead to too much parking that isn't utilized and, therefore, it leads to too much impervious surface.

We're suggesting that that be changed so that it's one parking space for 250 square feet of office use. Currently your code requires one space per 150 square feet. We call this the difference between requiring four spaces per thousand and six spaces per thousand.

I haven't seen any codes in our practice that are at six spaces for thousand. That's too much parking. And we want to get less impervious surface and that's why we're making that change.

So the other minor one is if you got, and that doesn't exist out there now. The way the MRP zone is developed now, you've got all professional offices on one lot and you've got the housing on the other lot.

But if an applicant did decide to mix housing and professional offices with some of that parking therefore shared, we're giving the planning board the ability to reduce it by 15%.

Let me just suggest why. Office space, the peak parking demand for office space normally is nine to five. But for residential space the peak demand is usually in the evening. So some of the spaces could be shared if the applicant designs it correctly.

We're not saying it has to be. We're just saying the planning board will have the authority to look at shared parking. Again what we're after is we're after reducing the amount of asphalt on a particular site. That's all we're trying to do here, give the planning board that flexibility.

So I think this one just tries to show we think there's some benefits to doing this. The major benefit of zoning to MRP is to stop any more strip mall construction. That's the major benefit. But we think you get a greater front yard, it will be 50 feet as opposed to the current 30 or 25 foot in the CR zone. You'll get a maximum building coverage for all uses. Then you get the minimum 20% open space requirement, limits on the dwelling sizes, reduce the amount of parking.

And finally something we haven't changed, we have not changed this but I want to mention it. Because currently in the MRP zone the applicant when they come in, they have to show the planning board a regular development and they also have to show them what's called a cluster development. It's in your code now.

But if the planning board requires the cluster of residential units, you could get up to 50 even 70% open space. That is in your code now and we've kept it that way in the code.

So the next slide just goes to highlight this once again. What we're essentially doing, you've got your existing zoning in red, we're simply reducing the red. You've got your MRP zone in the crosshatch. We're expanding the MRP zone.

So what we're trying to do is make sure your top priority-- well, I should say the top priority (inaudible) February 4th, no strip malls, no more strip malls. We're trying to prevent more strip malls by making the MRP zone go to the east and to the west and to the south so that the current hamlet retail zoning stops at CVS and doesn't go any further.

Then secondly within the MRP we're trying to tighten up the controls of the MRP so you get more open space with any future development in the MRP.

So then this next slide, I just wanted to then go into our next step. That's what we've done so far. Now we have to by law, by regulation in New York State, we have to do something else and it's

call the state environmental quality review act.

We're going to take this, we're going to do an environmental assessment form for the town board. What's the purpose of that form? The purpose is to study the environmental impacts of doing this.

If the town board determines that second step there that the change has no significant adverse impact on the environment, then can then make what's called a negative declaration on that. The process (inaudible), they'll be in a position to have a public hearing and go forth with these changes or these changes as they modify based on what you say tonight.

If they can't make that determination, they would have to do what's called a positive dec, a positive declaration that there are significant adverse impacts and have to do a full environmental impact statement.

I will be very frank with the town board. We have tried our best to not have to go in that direction because if we have to do a full environmental impact statement it would take a year and quite frankly it will cost a little bit of money. But if it turns out in the environmental assessment form that we identify the significant adverse impact, we're going to bring it to the town board's attention and we would rather see a further modification of zoning text or zoning issues so that we can make sure what we're doing and we hope it is what we're suggesting is beneficial to the town and respond to a lot of the comments we heard.

So that's the next step. And then in those environmental studies, obviously we're going to look at impacts on natural features, density, impervious coverage, traffic.

Oh, by the way, let me mention something here on traffic. We're not going to have much effect on traffic no matter what we do. I think you all know that. Twenty five-25A, most of the traffic because we've got data already on it. Most of the traffic is thru traffic. It's thru traffic. It's coming from Brooklyn, it's coming from the rest of Nassau and Suffolk and going out to the north fork or some are going to the south fork or coming here. We can't do much about it.

What we can do is on the traffic generation from the property

rezone is to try to make sure that that is less than is the potential under existing zoning. That's what we're trying to do.

We want to look at school children because we've asked the school board already, there are some existing units. In fact there's some people here who live in those units in the MRP zone, we want to know— we're getting how many school children are from those units. Most of those units are two bedroom units. So we're going to get that. If we did more MRP what does it mean in terms of the impact on the school district and then finally community— what I would call community character along the road.

So we'll look at those. Those are our next step. And then after that, what's our sort of agenda and what we're hoping is that we will get based on comments tonight and more discussion with the town board, a final draft plan and then zoning text and map amendments.

We'd like the town board to declare themselves, this is a formality, it's called lead agency under the state environmental quality review act. By the way, no one else can be lead agency. You're the elected officials. State law is very clear. Only they can update the plan, only they can change the zoning, so these five people, they are the lead agency. But they need to declare themselves that. We hope they'll do that in March on the basis of that environmental assessment form.

Then we hope based on those studies though and any changes they make we would be ready for a hearing on three things, (inaudible) the plan update, just the verbiage change in the comprehensive plan, zoning text amendments, the zoning map amendments that we've reviewed this evening, that they could hold that hearing.

Once they hold that hearing and they must hold that hearing, that's the legal public hearing. Based on that hearing they then would decide any final changes or revision and be in a position if they wished to, to adopt the plan and the changes.

So that's the schedule we're on.

I think with that, we've taken enough of your time. We'd like to turn it to you. I think what— and by the way, Sean, if you want to— if you could, I'd like to just suggest. If you could be— H heard a lot, by the way, as you know we stayed and it was good on

that Saturday, the 4th, we stayed until about 1:00. It was a good meeting.

But if you've already said something, if you could be brief about repeating it, you know, maybe a minute or two. If you haven't and it's brand new, you need to spend the time and take three or four minutes, whatever, and where you want, if I can respond to something I will. But I think, you know, mostly I'd like to- I think Todd and I would like to listen, take notes.

The board's major purpose tonight is also to listen to you. So with that, Sean, would you like me to- I'm going to invite you to- the mike's on, so you could speak right from that mike.

Todd, you're going to take notes."

Laurina Dougherty: "Thank you for the good job, PF&J Planning, very clear."

Diane Wilhelm: "Could you say your name?"

Laurina Dougherty: "My name is Laurina Dougherty. Would you like me to spell it?"

Diane Wilhelm: "That's okay, I got it."

Laurina Dougherty: "And I'm a Wading River, life time resident of Long Island, living from St. James out to Wading River.

I just want to make one comment. All of us that live within the community, the traffic that we primarily experience, which I don't know is indicated here, is the agra-tourism. I am pro-agra-tourism.

You know that's going to be here. That's what Long Island is all about. I did want to be clear on that. I certainly am against any other kinds of some of the suggested developments that are in the area that would get more tourists to come and shop in our small, little community.

And I just- really wanted to say that. I went to the meeting and the one thing when a lot of people came and spoke and actually took the microphone away. The one thing I didn't see on the liabilities was we don't want to see empty stores.

You know, we live here, we don't have a lot of retail stores. You go just a little bit west, you go all over, there's nothing but empty stores. So we don't want that here.

And then I just was actually asked by a neighbor to come up and read a letter to the town board and it's a very short letter and then I'm done and I really thank you for listening.

It's-- Dear Riverhead Town Board. It's from a woman by the name of Kathleen Wright.

I moved here two and a half years ago. After looking at many neighborhoods, I wanted that lovely look that Wading River has. I remember looking at CVS and the King Kullen shopping center with dismay but I felt that this was just one area wasn't enough to make me look further east for a home.

I've been a great voice for other people wanting to move here for the open spaces. Now I feel with all this development already and because of the economy house prices have dropped thousands.

How do you expect the many homes that are empty to sell if Wading River becomes another developed area like Rocky Point, people will look elsewhere to buy just as I would have done.

Please keep the Wading River-- please keep Wading River the hamlet I have grown to love.

And it's signed by Kathleen Wright who lives on Cliff Road.

Thank you for your time."

Roman Sadowy: "My name is Roman Sadowy. I live in Wading River. I just have a short question for Mr. Fish.

The parcel of land that's presently in litigation, how does that figure into the SEQRA process?"

Frank Fish: "It isn't going to because we're not in our zoning changes-- the only thing we have to-- when we do that full EAF, that environmental assessment form, we must evaluate what's called in state terms the proposed action.

The proposed action for us is the zoning changes that the town

board is considering. We're not making any recommendation for the parcel that's in litigation primarily because both the town counsel and our own counsel have advised me that it would be imprudent for me to comment on that litigation while it's being, you know, litigated. I agree with that.

So that is not part. We're not making any recommendations on that parcel. So it's not part of the proposed action that will be evaluated in the environmental assessment form. Good."

Roman Sadowy: "Okay, so in that case, you can't comment on this at all."

Frank Fish: "That's correct."

Roman Sadowy: "It will be a separate issue between- "

Frank Fish: "Eventually I presume one of two things. You know, I shouldn't even speculate. But obviously the judge- the court will decide in one way or the other. I don't want to predict that, I don't want to comment on it."

Roman Sadowy: "Okay, thank you."

Dominique Mendez: "Hi. Dominique Mendez, Wading River. Riverhead Neighborhood Preservation Coalition."

I need my reading glasses so my eyes are getting worse and worse.

So I wanted to just mention a couple of things that we see and concerns. We talked about elimination of split zoning. What- eliminating that split zoning that already exists, what that means is split zoning is already there. It's keeping the back end of those parcels, that 17.5 acres, would have remained open space and it's kind of technical but it's like on the Zoomas parcel, on that central square parcel, they were going to develop the front end and the back end would have remained open space.

So that's open space on 17.5 acres that this community would have had and is now instead being suggested for development albeit not retail development which is good, but still development.

Removing split zoning effectively allows 44% more land to be

developed within those properties next to and across from the CVS pharmacy. That's approximately 13 additional 10,000 square foot one story office buildings or approximately 72 additional multi family units at our calculation. So that's a lot more development potential.

So, yes, great, it could eliminate some retail though it leaves a lot on the table but it does increase the development potential.

The second point of concern is something that we've been very adamant about is that we think the condos should be senior condos. Even, you know, an 1,800 square foot unit, it's fairly likely that you're going to have families move in that's not a small unit.

There's a need for age restricted, for senior condos. There's no place like that, no places like that in Wading River and 72 additional units, like I said, imagine that, you know, if it were families and there's no way to keep that from happening when you have an 1,800 square foot two bedroom unit which may end up being a three bedroom unit.

The buffering. Another issue we have is buffering. We want there to be a better attempt at mitigating visual impact. One thing we suggested was for there to be evergreens on the MRP so especially if you had residential building. So that you didn't need fences in that front yard but it would really buffer visually. So that would make a big difference.

But also you could have buffers on the business CR and increase the buffers there so any additional retail that's— there's plenty retail that could still come in, could have wider buffers and go to 50 feet and we didn't see that.

Rentals. We're very concerned about the possibility of rentals. It looks like those are a possibility in this— in these new suggestions and I think that most people in this community aren't really that comfortable about having any rentals here.

Lack of open space is another issue. I think it was very clear that everyone wanted more open space. It's not just that they didn't want certain malls. They wanted— we wanted open space and even though they might give 20% back in open space, they still allowed 17.5 acres that probably would have— almost definitely would have remained open space and took those away.

So the net result is actually more development. That's the net result of this.

Yes, so less retail but more development and too much development I think for Wading River.

Another concern and this is something that I- we've brought up a couple of times. We really think it's important that they change those- any time they reference Knightland, it be very clear that they are not recommending any zone changes because when you see proposed zoning and you see a red business CR and it's not (inaudible) separately, that no action in litigation is not specific enough.

If Knightland doesn't go through because of litigation or whatever reason, sometimes things happen, site plans get submitted all the time and they don't get built for whatever reason, we want the ability to say maybe that could be able to be rezoned but some crafty lawyer will look at that and likely argue that they have recommended business CR and so there's no reason not to be more explicit to have it be a different color and to be clear that BFJ is making no recommendations on that parcel.

There's no reason not to change it unless it is to leave a loophole and I you know wouldn't want to think the town board would want to leave a loophole. So that should definitely be changed. And I've asked for it twice. It hasn't been done yet."

(Unidentified): "What color do you want?"

Dominique Mendez: "What?"

Frank Fish: "No, no, we understand that."

Dominique Mendez: "And, last thing, and (inaudible), retail. We want to reduce the allowable development. Obviously we need and want very little retail but we also need to watch the- we also want to limit commercial development and the multi family units because if we don't do that, the character of Wading River will greatly suffer.

So things like the split zone, the set asides, we need to do more to reduce that density on those parcels because right now we've increased the amount of building that's allowed on those parcels.

And it could be commercial, it could be multi family and we're definitely concerned about that increase in development potential.

Thank you."

Frank Fish: "If I may, just so the public knows, just in case- Dominique, I wanted to just show them on a map your very first point which is the split lot zoning. I'm not sure this (inaudible).

But at any rate, the current zoning, you can see that zoning line right there. Above it is zoned yellow residential and there is the LIPA right of way. Right there. That's the right of way.

So that's the current zoning. There's this gap between the zoning line and the LIPA right of way. Down below here you'll see that what we were doing, responding to a comment, we were not following that zoning line, that current zoning line right there.

We brought the MRP line up to the LIPA right of way. Now what was our thinking on that? Well, first there was a comment made to us why aren't you doing that. It- in back of that retail zone, that red is R-80 between the red and the LIPA right of way.

If we don't do that, it seemed to us from a planning perspective that you are going to have the ability to put in maybe three or I don't know four, I haven't looked at the number of these, or five single family homes.

But I'm not sure that anyone would want to do that if you're going to have condominiums in front of you or possibly professional offices and you've got high tension wires in back of you, that from a planning perspective that may fit. That was our thinking.

Now I'm not debating- I don't want to debate this. I understand what Dominique is saying because by doing that, in other words, if we kept the line the same right across there, that would remain yellow. That little part of the lot would remain yellow. And by remaining yellow, it could only be developed for a couple of single- a few, single family homes. Period.

And what I think Dominique's point is, they would like to see the line continued as it is now and not extend it to the LIPA right of way. So there's the pros and cons. Understand all I wanted to do was make sure the audience understood your- "

Dominique Mendez: "Can I explain one thing? And what really happens usually— what would happen in cases is what was proposed on the Zoomas parcel, Central Square. They were going to sterilize that portion. They were going to use wastewater credits from there and they weren't going to build on that back portion. And they pretty knew that was what was going to happen when they zoned it that way.

So it would have allowed that all to remain open space and they would have been able to not have to build like a sewage treatment plant on the front parcel. They would be able to use the wastewater credit.

So in effect, it would have remained open space so 17.5 acres and it would have been very unlikely they would have been actually developed with homes and so it's kind of like those 17.5 acres back."

Sid Bail: "Good evening everyone. Sid Bail, President of the Wading River Civic Association. This is a work in progress. I was happy to hear Frank, you know, emphasize that point. I think it's good to hear that and I guess, you know, it's important for all of us to keep that in mind.

The challenge. You know, the 25 years or so that I've been involved in civic activities, etc., one of the key issues has been balancing development with preservation of community character. And does it matter? I had a little conversation out in the hall with one of the reporters of this thing and, you know, there's going to be development, right, and you're going to have to accept, you know, some form of development.

I think community character, preservation of community character is very, very real to us in Wading River. And, you know, sometimes I say, yes, it is real, it is real and February 4th to me was the proof that it is real. The turnout tonight, not everyone is on the same page but, you know, I realize that.

During President's Week is a good indication that people do care about these issues.

The— just very quickly. On January 12th, the consultants made a presentation to the town board and basically they wanted to know, you know, this is what we think, you know, kind of the direction we

want to go in. Tell us, you know, if we're way out of line.

And a big component of this was the use of the MRP zoning. And there seemed to be consensus of the part of the town board that this was a plausible line to pursue.

On February 4th, the day of the very, very large turnout, the preliminary strategies were once again trotted out. The goals, the goals that were part of the January presentation, two of the goals, allow for orderly growth and development while balancing conservation and development slash economic development.

And this one. Preserves community character and open space and ensures compatibility. The same goals were part of the February 4th presentation but what was different in the February 4th presentation was the expansion of the MRP zone, the end of split zoning.

And you know it has a lot of implication. MRP zoning, some of this may develop as offices, my guess is a lot of it will develop as a condo. I think there are some people in Wading River who are unaware that there are condos in Wading River, except those nice new young people who have moved into the community, you know, recently.

And, you know, and even if you are aware, I don't think you'd be necessarily aware of the number, how many are there. Twenty, a hundred, seventy-five? Right. There are actually 63, 63 units, all right.

So with the MRP calculation, thinking what would work preserving community character what would most people would feel comfortable preserving the rural character and based upon the potential of changing the business CR zone to MRP, the calculation roughly would be, it would be increasing the units by about 100%. All right.

Now, what Frank, excuse me, what BFJ not Frank personally, what BFJ suppose, okay, has the potential for 233% increase. All right. That's a- you know, the numbers, you know, in terms of multi housing complexes, some of the projects along Middle Road, etc., they're still relatively small numbers but I'm putting it in the context of Wading River. All right, and community character.

So it's a point of concern. Now one of the things that we thought of, I thought of particularly being an ex-school teacher,

someone accused me today, said what did you teach, you know? Obviously you didn't know anything about economics.

But the— one of the things that I was very much concerned, one of the realities, and then there's planning in terms of government, in terms of the town board, has to be concerned with ratables and condos are a good deal in terms of the amount that people pay in terms of property taxes who live in condos.

And if the condo dwellers have children, and I'm not suggesting they take a vow of chastity, you know, as a condition, you know, a covenant on their lease, (inaudible), but the— the Jewish kid from Wading River.

Now, but one of the things that I was conscious of the fact is that, you know, probably the more seniors that you had and seniors when you think about it, the terms means now just people over 55. So now you consider that senior citizen.

I consider them young whipper-snappers. Now, it's unfortunately, you know, relative. But I was troubled from the calculations of potential and everything in the footnote to the materials of BFJ, there was an assumption that 50% would be one bedroom; 50% would be two bedrooms. In the condos in Wading River, they're all two bedrooms, they are all two bedroom.

In fact, if you look at some of the re-sale notices, some of them are listed as three bedrooms. Okay. So they grew another bedroom somehow. Right. The infamous den that— the bedroom, okay.

So, you know, I don't know about the houses you grew up in, I guess we all grew up in smaller houses than we're living in now. My first house in Wading River was— I'm not sure, but I'm guessing about 1,100 square feet. Okay. And I think the supervisor even mentioned at a work session that, you know— "

Supervisor Walter: "Fifteen hundred square feet."

Sid Bail: "Fifteen hundred square feet."

Supervisor Walter: "There was three boys, no problem."

Sid Bail: "Right. Well, now Mr. and Mrs. Bail are plodding around the house with 2,200 and some square feet, and you know we

used to— when we first moved in there 25 years ago, we thought it was a big house, okay. But then came the age of McMansions and you know 2,250 square feet, you know, would not be considered that big.

But in Wading River, if you look at the condos that are presently here, I think, you know, like Frank talked about, you know, this was on the fly seeing the changes that he made, reducing the size of the condos to 1,400 for one bedroom and 1,800 for two bedroom.

In Wading River right now one set of condos, I think the smallest one is 1,800 square feet— 1,780, and one of them goes up to 3,000 square foot. Okay.

Now, most likely the odds are, you know, if you were going to buy a unit that big and it's not age restricted, you know, there's the likelihood and I'm not anti-child being, you know, an ex-teacher myself, and a parent. But the reality of \$22,000 per student I think in the Shoreham-Wading River school district.

Another thing, if you look at the numbers of mixed use housing projects in the neighboring Longwood school district, some of them produce lots of kids, all right. Some of them produce less kids. So I think it's extremely important— and I talked to Mr. Hanley, Rick Hanley today and Frank mentioned it also to get the exact number so we know what we're talking about.

The estimate or the guesstimate as some people would put it, is what— 14-16 children."

Frank Fish: "Just so you know, Rick has asked— told me today the school district— the school district is going to do— we're going to get the actual number from it. I talked to the young couple who's here and they give me some feel but we'll get the school district actual numbers. We think you're right."

Sid Bail: "Some people have said we're over condo-d in the township of Riverhead (inaudible), too many condos. I don't know if that's the case. I don't think we're over condos in Wading River and we're certainly not over seniors condos because there are no senior condos.

I would agree with Dominique's suggestion that if I had my— I think it is preferable to limit the condos to 55 and over and this

would do- this would probably ensure it would be a tax positive rather than depending on if it produces 18 kids or 30 kids or 40 kids.

The set aside. I would- Dominique, I also agree what she said about ending the split zoning. In essence what- we didn't create this split, it was there. I would like to see an adjustment in density if the MRP zoning is done away with.

Now my hope and expectation is that this is all still- this was my conclusion before I came in the door. My hope and expectation is that this is still a work in progress. And whatever the consultants have put forth is still open to change that will help preserve the community character of Wading River.

That's all I have. Thank you."

Dr. Barbara Fontana: "Good evening. I promise I will not be as long. My name is Dr. Barbara Fontana. I've been a resident of Wading River for 34 years and I'm speaking on behalf of the steering committee of RNPC.

I have three points. My first is that while the BFJ study is proposing that five parcels be changed from business to MRP it still leaves, excuse me, it still leaves 100- the potential for 120,000 square feet of retail space on the western side of the intersection.

I did- I took a map and those are the parcels in red. I'd be happy to pass it so you could see if you'd like. A hundred twenty thousand square feet of potential retail space.

So we are proposing and we would like you to consider reducing the lot coverage on those parcels from 15% to 10%. That would reduce the amount of potential retail space from 120,000 to 80,000 which we think would be an improvement. We realize that the people who own that land need to develop it; we're not saying they shouldn't develop it. But we'd like to see it scaled down a bit.

The other thing I'd like to mention regarding this, is that there was a study done by BFJ for the zip code 11792 and it projected the need for only 23,000 square feet of retail space for zip code 11792.

So even if you reduce the lot coverage to 10%, you still have

three times what's projected as the need for our zip code. So we don't think we're being unreasonable in asking for this.

My second point is that the business CR zoning, the way the code is written right now, it says each store cannot exceed 10,000 square feet. We would like that changed so that each building cannot- it says store. There are people who were in the master plan study group who said they thought it was supposed to say each building but it actually says each store."

Councilwoman Giglio: "I think that's what the proposal is right now before the planning board is 10,000 square foot building. It's not a strip mall, but 10,000 square foot building."

Dr. Barbara Fontana: "Right. And not per store, but per building. We'd like that changed to 7,000 square feet rather than 10,000. Again, you heard Mr. Fish say and those of you- I know some of you were at the public meeting. You heard people say over and over again, they want to maintain the rural character of Wading River.

We think that having 7,000 square feet buildings would be more conducive to maintaining that rural feel. And it's not a tremendous difference but we think that it would help.

And my third point has to do with Mays farm and I see that Bernie Mays there in the back. The steering committee was unanimous in supporting the idea that that access road should be eliminated. It goes through his farm.

He came to a civic meeting and said that it will hurt his business, that people aren't going to want to cross the road from one part of his farm to the other part to pick pumpkins of whatever it might be and we feel very strongly that the people in Wading River like the agricultural nature of our community. We want him to be able to make a profit on his farm, we don't want something done that's going to hurt his farm. So we would urge you not to eliminate the access road.

Now I've heard that that has to do with the cuts on 25A but when I look at the map, his farm and the real estate office share a cut. There are only two other parcels, one if the Venezia (phonetic) and one is the Dr. Dovato (phonetic) piece where he's talking about building a veterinary hospital. They could share a

curb cut also and that would mean only one more curb cut on 25A and we wouldn't have to do anything to his farm.

Thank you."

Supervisor Walter: "You realize we're not doing-- that road only will be put in if Mr. May decides to build his farm and then they might-- "

Dr. Barbara Fontana: "No, I did not know that."

Supervisor Walter: "Yeah, we're not putting the road in. We're not putting the road in. No. It's only in the site plan process. It could get constructed."

Kevin Keiler: "Good evening. I'm Kevin Keiler. I'm a resident of Wading River for over 50 years.

I have concerns with the change of zoning on Route 25A business corridor. I'm hearing a lot the last two days, the last couple weeks on how people want to change the zoning of property that is owned by a few people that have owned it for over 23 years. It all stems from 1988 when there was-- a civic association made a commitment to set up the Route 25A business corridor which I think they did a darn good job.

And upon that so far now we've had some expansion, King Kullen (inaudible) that place used to be farm field and so forth. And at a difficult time now when these people have owned this property for 23 years, some go back further from the farms, and you're talking about people that maybe are going to use the money when they sell it or build it for their retirement, hand it down to their families and so forth.

And they have been paying taxes for 23 years. They've gone through some of the toughest times but now I don't think anybody is really interested in building anything this date, but I think they're all panicking because they're in jeopardy of losing their right to build on their property. I'm not so sure that's the right thing to do in this day and age but I think that's why there's a panic going on.

I'm not sure if you gave-- you said, look, we're not going to change the zoning, you're going to see everybody start building

immediately. But right now you're in jeopardy of losing your ability to build what you've been saving for the last 23 years, you are going to have to do something.

So I'm asking you as a board to really consider their side of what's going on because I have a tough time how these zonings are getting changed midstream and I'll bring up another point.

There's a residential area, you have two acres, one acre to build your own house on, save the other acre to build a home for your family member or you want to sell it for your retirement. And all of a sudden you find out, oh, the town made a zone change, you can't build on a one acre lot. There would be a lot of upset people.

And I think that's what you really have to look into because I do feel that the people don't really want to see any change. They want to just see all the open spaces stay as it is and it can happen. I mean 50 years ago there was all open spaces. We didn't even have a— I think we had one deli and one gas station. And we had to travel all over.

But I think over time they've done a real good job in building the commercial— developing the commercial areas in Wading River. The stores— the-- have done an excellent job with the architectural review board and all the buildings look nice and I think if they keep that in mind and when all this new does start if it does, they have the architectural right, they will still be in very much keeping with what we all like to see.

And I do also believe that you won't see buildings just— commercial buildings just don't get built for the sake of building and people have, you know, there has to be a market for stores to go in there. The stores that go in there, they need "x" amount of people living in the area or that will use the stores.

I think part of this is a little bit of a panic. And I hope the board really looks strongly at that and protect some of the people's, you know, their investment.

And also the commercial building when they are built will have very little impact on the town of Riverhead. They pay a lot of taxes, they don't impact the school district, they don't ask for garbage collection, you know, they do all their own. So— and they

don't add any more personnel to the school district. That's all when you start putting condos in and things like that. That's something that you do have to look at. Like I said it costs \$22,000 a year to send one student to the Shoreham Wading River school. So we have to look at the tax base on that as well.

Thank you for your time."

Councilman Dunleavy: "Thank you."

Frank Fish: "Would anyone else- would you like to speak?"

Nicholas DePierro: "Good evening, members of the board and the association here.

In my previous career- "

Diane Wilhelm: "Just state your name for the record."

Nicholas DePierro: "Yes. My name is Nicholas DePierro from Wading River."

Diane Wilhelm: "Thank you."

Nicholas DePierro: "Okay. In my previous career when I used to attend a lot of meetings, we had a saying, when all is said and done, there's going to be more said than done.

Another one, if you like that one is when the going gets tough, the tough get going. And I tell you guys you are going to have a tough time with dealing with making the right decision and I hope it is going to be the right decision that is going to be made for the people of Wading River.

Every few years when someone in Wading River wants to develop a parcel of land that they own, there's always a cry for a moratorium. We had that maybe 10 years ago or something like that. There was a big cry for a moratorium and well there is probably needs for moratoriums every now and then but what people are asking for now is a change of zone.

The zoning that's already in place. Don't you think that the people who have that zoning and the right to develop their property according to the zoning that's in place, don't you think that

they're going to come back and say, hey, you're taking away my rights that the zoning that's providing me and they are going to perhaps bring a lawsuit against the town. It's very possible. I know I would.

One of the questions I have to ask, let's see, I'm kind of jotting down notes as I'm listening to people speak. One speaker, actually a couple of them, recommended senior citizen housing or condos. Well to me that is kind of a form of prejudice against the younger people and if that ever does come to pass that you do have senior citizen condos in the town, and if I was part of that senior citizen community that had a condo and I had a young grandchild that wanted to live with me and that person was part of school age child, you would prevent me from having that granddaughter or grandchild with me because it's a senior citizen project? I don't think so. You wouldn't be able to do that. There's certain rights that we have as senior citizens if we want our grandchildren to live with us.

That's another one. Okay. Now, all of these— this study that was done, I didn't hear the word restaurant. Does that also— is that also included with the MRP section?"

Frank Fish: "No, no. A restaurant is not a permitted use in the MRP. It is permitted in the current business zone but it is not permitted in the MRP. It's not permitted now and we're not making— we're not suggesting any change in the— "

Nicholas DePierro: "Well, I would suggest that it be included, restaurants also to be included. Maybe we should have a small theater of sorts or something like that and again I mentioned this previously that any time people talk about residential areas, whether they like it or not, that is going to include an impact on the school district.

And I stated this at the meeting in Wading River. Businesses do not impact a school district. I was watching the presentation that— the last part of the presentation that you had in Wading River and Mr. Barra stood up and spoke. Do you realize how much of a contribution he makes toward the community? Do you realize how much of a contribution that any business would make to a community by employing the local residents? People don't take that into consideration.

We need jobs. People don't want to travel 10 miles to go to work. They might not have any way to get there. But if there are more businesses located in the community, they can work in their community. And that's what I recommend. Less condos and more businesses.

Thank you."

Councilman Dunleavy: "Thank you."

Caesar Cairo: "Good evening. My name is Caesar Cairo and I am a Suffolk County resident since 1993 when I was a student at State University of New York at Stony Brook and I was an NCAA athlete. I love Long Island. I fell in love with this place and thank God I've been able to make it my home with my two children and my wife here for 15 years we've been married.

So I will address you as a member of the Long Island Builders Institute saying that we believe in the merits of this project. We believe in the economic development. We believe in the job creation and we believe that this is a good thing for the community.

I just want to say it is under the existing code and the Long Island Builders Institute advocates responsible building. And this is a responsible project."

Councilwoman Giglio: "Which project are you referring to?"

Caesar Cairo: "The Zoomas project."

Councilwoman Giglio: "Thank you."

Caesar Cairo: "You're welcome. And it is time for us to do the responsible thing here.

Thank you very much for your time."

Councilman Dunleavy: "Thank you."

Frank Fish: "If there's no one else, Sean, I just want to remind everyone in the audience because I know some people are leaving, that the power point, if you want a copy, as you came in, you know where the town board agenda was, I have left the power point copies out there so I know the town board is going to go on

with their agenda so for me, I'm going to just say thank you. This was very helpful and I'll turn this back to Sean."

Supervisor Walter: "Thank you everybody for coming. We're going to take up resolutions. Thank you, Frank, I appreciate it. Can you leave the board's out front? Okay. That's fine. Just leave the boards in my office.

All right. We're going to— does anybody want to be heard on the resolutions? I don't see anybody so we're going to call the resolutions."

(Some inaudible discussion regarding resolutions)

Supervisor Walter: "Bob, what's the changes for the BID resolution?"

Councilman Dunleavy: "Yeah, the list is on the last page of the new resolution of what they're going to donate to."

(Some inaudible discussion regarding resolutions)

Supervisor Walter: "All right. So then what we're going to do with this is withdraw— let's just call John 43."

Councilman Dunleavy: "I'd like to make a motion we un-table 43. So moved."

Supervisor Walter: "Who's seconding that?"

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 43 is un-tabled."

Supervisor Walter: "And now, John, same motion."

Councilman Dunleavy: "Okay. And I would like to withdraw Resolution #43. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 43 is withdrawn.

Supervisor Walter: "All right. So now we have something with 109. Un-table- "

Councilman Dunleavy: "I'd like to un-table Resolution 109. So moved."

Supervisor Walter: "Okay, Bob. Wait, Bob. All right. What are we doing with 109, authorizes the execution of agreement with Cyber Trust- "

Robert Kozakiewicz: "109 I shot around an e-mail to the board earlier today."

Supervisor Walter: "I didn't see it. Woefully behind again."

Councilwoman Giglio: "The last time we discussed it we thought that the amount was \$1,000."

Robert Kozakiewicz: "The amount was wrong and there is a new agreement which was sent to me by (inaudible) and at page 35 it sets forth that the monthly (inaudible) for the service is \$1,000. The prior (inaudible) had the monthly amount (inaudible)."

(Some inaudible discussion)

Supervisor Walter: "Is the mike- can you hear me? For some reason we can't get anybody to come and fix it for us. No, if you have it and you're comfortable with it and we're comfortable. Show George the numbers.

What are you turning up? It seems to be working. Somebody been playing with it again? Can we- Chief, what have you got a picture of there? Oh. Training."

(Some inaudible discussion)

Supervisor Walter: "They're the ones that gave us the wrong agreement. So if they don't want to do business with us, I don't know, who are they, Verizon? Can we get AT&T? Come on."

Councilwoman Giglio: "Amend it to a thousand dollars and strike the paragraph?"

Supervisor Walter: "Yes. But this is not the place to be doing this. We're voting on resolutions. So if they won't hold the price, we'll have to (inaudible). Let's move-- let's call the-- we're leaving it on the table."

Resolution #135

Councilman Dunleavy: "Carl and Terry Carter open space capital project budget adjustment. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Didn't we do this already?"

Councilman Wooten: "Well, we've authorized it. We never shifted the money over."

Councilwoman Giglio: "I thought we didn't have any money in CPF."

Supervisor Walter: "We don't. But we authorized it anyway."

Councilman Wooten: "Well, we did when we authorized it. We actually have about (inaudible)."

Supervisor Walter: "Is there any money left in the-- "

Unidentified: "We moved all but about 150,000 back into the CPF fund because we have three open projects but we weren't sure if that was the final numbers. So we moved three million back into the CPF and left about 120,000 or so in-- actually 120,000 after this transfer, in the capital project in case any of those projects go over or if you have (inaudible)."

Councilman Wooten: "Well, this was earmarked last year by this board."

Councilwoman Giglio: "September of 2010."

Unidentified: "So we may not have taken it off of the CPF monies until the resolution last month. We still have 100,000 or so

left."

Supervisor Walter: "Is there anything else (inaudible)."

Councilwoman Giglio: "Other than the bond payment that's due that we're short, right?"

Unidentified: "That's why we moved the three million and we closed all the other accounts that we had received grants for in the past and moved all of that back over to the CPF fund.

So we moved roughly nine million dollars at the end of last year back in the CPF to pay off the bond and we left 120,000 in there just in case- I think we had North Fork Preserve and there was two other projects that we knew that we-- we rounded how much we moved over to three million and left some money in there just in case those projects went over."

Supervisor Walter: "Did they do anything with this yet? Jim, have they- "

Councilman Wooten: "Yes. They're designed. The front has been cleared. Today they were down there, patched up the roadways. Yeah, the whole plan was put together."

Supervisor Walter: "All right. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to yes, but I'd like to see the plan."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #136

(Some inaudible discussion)

Councilman Wooten: "Is this a repealing resolution? Is that what this is?"

(Some inaudible discussion)

Councilman Wooten: "I move the resolution authorizing the issuance pursuant to Section 90.10 of the local finance law of refunding bonds of the town of Riverhead, Suffolk County, New York, to be designated substantially public improvement refunding (serial) bonds, and providing for other matters in relation thereto and the payment of the bonds to be refunded thereby. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #137

Councilman Gabrielsen: "Resolution repealing certain previously adopted serial bond authorizations. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #138

Councilwoman Giglio: "Riverhead sewer treatment plant upgrade capital project budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "This is the right amount? I thought Michael said it was 49. He needed 249."

Councilman Wooten: "This was a shortfall. He didn't get enough."

Councilwoman Giglio: "Yes."

The Vote (Cont'd.) "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #139

Councilman Dunleavy: "Appoints temporary secretary to the board of assessment review. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #140

Councilman Wooten: "Authorizes the filing of an application for New York State assistance from the household hazardous waste state assistance program and signing of the associated state contract under the appropriate laws of New York State. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #141

Councilman Gabrielsen: "Okay. Authorizes the town supervisor to execute change order No. 2 for Grangebél Park north spillway rehabilitation. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #142

Councilwoman Giglio: "Authorizes town clerk to publish and post the attached notice to bidders for the GE Evolve LED series Avery Post top street lights or reasonable equal. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #143

Councilman Dunleavy: "Authorizes the town clerk to publish and post the attached notice to bidders for the town wide annual construction contract. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Diane, do you have the actual contract in your office?"

Diane Wilhelm: "I believe-- "

(Inaudible comment)

Supervisor Walter: "So you have one. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #144

Councilman Wooten: "Authorizes town clerk to publish and post the attached notice to bidders for the town wide annual procurement contract. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #145

Councilman Gabrielsen: "Ratifies the termination of a crossing guard. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #146

Councilwoman Giglio: "Okay. Amends Resolution #88. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #147

Councilman Dunleavy: "Ratifies the appointment of a wastewater treatment plant operator II. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Did we— Tara, I don't think we discussed 147, ratifies the appointment of a wastewater— "

Tara: (Inaudible)

Supervisor Walter: "Did we have this at the work session?"

Tara: (Inaudible)

Councilman Dunleavy: "We're supposed to appoint— if he's on

the list, 60 days after the list comes out, then a provisional is supposed to be appointed off the list. And this is what we're doing now."

Tara: "Correct. After the fact."

Councilman Dunleavy: "After the fact."

Councilwoman Giglio: "So his pay doesn't change, his rate doesn't change. Everything is the same as what he was operating under."

Tara: "That's right."

Supervisor Walter: "All right. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. I'm going to say we hired this person provisional until he took the civil service test. Civil Service Law says that he has to be appointed permanent 60 days after the list is published and we did not do that so we're doing it right now.

We've been paying him. It's not a new employee. So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "For all the reasons heretofore stated, yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #148

Councilman Wooten: "This awards bid for heating fuel. So moved."

Supervisor Walter: "What did we get it for, do we know?"

Councilman Wooten: "I don't know. But it's cold in here."

(Some inaudible comments)

Councilman Gabrielsen: "I seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Let me ask a question. It's 14-4. Is it 14 and a half cents or \$14.50? The thing is 14 cents. Okay."

(Some inaudible comments)

Supervisor Walter: "Let's re-call it as amended, 14.5"

Councilman Wooten: "Okay, I'll recall Resolution #148. Awards bid for heating fuel, set at a price of 14.5 cents per gallon over the Northville tank (inaudible). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes, as amended; Walter, yes. The resolution is adopted."

Resolution #149

Councilman Gabrielsen: "Adopts disciplinary decision. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #150

Councilwoman Giglio: "Rescinds Resolution #439 of 2011. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #151

Councilman Dunleavy: "Approves extension of security posted by Mastro Realty in connection with the subdivision entitled Map of Mastro Realty (road and drainage improvements). So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #152

Councilman Wooten: "This approves the extension of security posted by Campo Brothers in connection with the subdivision entitled Cedar Grove (road and drainage improvements). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution 153

Councilman Gabrielsen: "Approves extension of security posted by CTR Development LLC in connection with the subdivision entitled Demchuk Estates (road and drainage improvements). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution 154

Councilwoman Giglio: "Authorizes the supervisor to execute a professional services agreement with Suffolk Online Advertising. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #155

Councilman Dunleavy: "Authorize the supervisor to execute a professional services agreement with WFT Data Services. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #156

Councilman Wooten: "This authorizes the retention of the law firm of Campolo, Middleton & McCormick LLP regarding claim of Bobby Riddick. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #157

Councilman Gabrielsen: "Awards bid for recreation software program. So moved."

Councilwoman Giglio: "And seconded."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #158

Councilwoman Giglio: "Adopts a local law amending Chapter 52 entitled building construction of the Riverhead town code (New York State Uniform Fire Prevention and Building Code). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I'd like to point out this is a big change in the way you went about, what you were required to get a building permit in the town of Riverhead and originally it was a fee of-- anything over \$3,000 required a building permit.

And I know John Dunleavy and most of the board knows, (inaudible). So it's a big win for the citizens and kind of lets the government (inaudible).

You no longer need a permit for siding, roofing and general repairs. Basically it comes down to a permit for structural changes and electrical changes.

So I commend the board for making this change. It's been long overdue. Yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Yes. I support this also and I'd like to thank Richie Downs for his-- trying to gather all the thoughts of the board and put it in something as simple as copying what the state already has. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I vote yes. I think this is a great change and takes the dollar amount out so it's only for structural improvements that you have to get a building permit.

I vote yes."

The Vote (Cont'd.) "Walter."

Supervisor Walter: "Yes. And I thank Councilman Gabrielsen and Richie Downs for working on this and taking the ideas of the board and condensing it into something as (inaudible). Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #159

Councilman Dunleavy: "Appoints interpreter for police department and justice court. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #160

Supervisor Walter: "All right. Before we call this (inaudible)."

(Some inaudible discussion)

Councilman Dunleavy: "George Gabrielsen and I went to look at this and what they're doing is they put a berm, the yellow is where that berm is and they're only going to clear west of the berm. East of the berm stays and what it does is it protects the farm from the water from the Peconic Bay and (inaudible). So this is what that's doing."

Supervisor Walter: "Good. All right."

Councilman Wooten: "Grants clearing permit to Peconic Farms LLC as provided by Chapter 62-5 Subsection 82 of the Riverhead town

code. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #161

Councilman Gabrielsen: "Authorize town clerk to post and publish and attached notice to bidders for the EPCAL ballfield parking lot improvement project phase I. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "This is for the-- good. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. They started to work out there and these ballfields are going to be in operation-- moving right along. We need the parking lot so people can get there and park their cars.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #162

Councilwoman Giglio: "Amends Resolution #810 dated November 1, 2011, establishment of audit committee. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "I'd like to thank John's service on the audit committee.

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I think this is good. It takes all the town board members, myself and the supervisor off the audit committee and puts all outside members on the audit committee to look over our books.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #163

Councilman Dunleavy: "Authorize the supervisor to execute stipulation with Local 1000 AFSCME, AFL-CIO Riverhead unit of the Suffolk Local #852 standby pay. So moved."

Supervisor Walter: "One second. There was a change we wanted to- in verbiage- Jim, I think you were- is that in here- in this stipulation?"

(Some inaudible discussion)

Supervisor Walter: "Okay, seconded?"

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I would just like to thank our fire marshal Dave (inaudible) because he has been on call 24 hours a day, seven days a week for the last three weeks while we have had one fire marshal on staff and I think if we're going to ask him to stay within 15 minutes of Riverhead town and to be ready to serve, that we should be rewarding him in some way for his time where he is on call 24 hours a day, seven days a week. Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "You're assuming he has a life out of the

(inaudible). Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I think this is a long time coming. We have other departments that get call pay for being on call. The fire marshal never got it, so I think he deserves it.

And I'm voting yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted,"

Resolution #164

Councilman Gabrielsen: "Authorize attendance at 2012 New York State-- "

Councilman Wooten: "You missed one, George. 164.""

Councilman Dunleavy: "George, you didn't miss it. Councilman Wooten missed it."

Councilman Wooten: "Authorizes the supervisor to execute stipulation with Local 1000 AFSCME, AFL-CIO Riverhead unit of the Suffolk Local #852 (PSD). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Do we know anything about-- "

Councilman Dunleavy: "We're one dispatcher short."

Councilman Wooten: "I know."

Councilman Dunleavy: "We can't get the list so we're going to hire a part time dispatcher. And the union has agreed to let us hire him for six months."

Councilman Wooten: "I vote yes. (Inaudible)."

Councilman Dunleavy: "I vote yes, we need it."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #165

Councilman Gabrielsen: "Authorize attendance at the 2012 New York State town clerks association state conference. So moved."

Councilwoman Giglio: "And seconded."

Councilman Dunleavy: "Are you going away again?"

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I believe in education and networking and she brought very important information back last year and I assume you are going to do it again this year.

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. And you should be happy with what I brought back on the (inaudible). Yes."

Diane Wilhelm: " The resolution is adopted."

Resolution #166

Councilwoman Giglio: "Awards bid for maintenance and emergency services contract C - control Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #167

Councilman Dunleavy: "Awards bid for maintenance and emergency services Contract D - distribution Riverhead water district. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #168

Councilman Wooten: "Awards bid for maintenance and emergency services Contract E - electrical Riverhead water district. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #169

Councilman Gabrielsen: "Awards bid for maintenance and emergency services Contract M - mechanical Riverhead water district. So moved".

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #170

Councilwoman Giglio: "Extends bid for dry hydrated lime, calcium hydroxide, for Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #171

Councilman Dunleavy: "Authorizes the supervisor to execute an agreement with the Riverhead Business Improvement District Management Association, Inc. regarding the 2012 calendar year. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #172

Councilman Wooten: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 48 entitled Beaches and Recreation Centers of the Riverhead town code, dog park. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to vote yes but I'm really--"

Supervisor Walter: "(inaudible) a dog park."

Councilman Dunleavy: "I don't think these fees-- I think they're kind of excessive."

(Some inaudible comments)

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #173

Councilman Gabrielsen: "Reinstates and appoints fire marshal I. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. I think Ray Zitek will do a great job. So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #174

Councilwoman Giglio: "Promotes fire marshal I. So moved."

Councilman Dunleavy: "This should be before the other one."

Councilman Wooten: "Wait a minute. This reinstates fire marshal I and promotes fire marshal I."

(Some inaudible comments)

Councilman Wooten: "I see, very good. Thank you."

Councilman Dunleavy: "I second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes. The resolution is adopted."

Resolution #175

Councilman Dunleavy: "Ratifies execution of agreement with

New York State Office of Emergency Management regarding grant HMGP-1899. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is for storm damage.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #176

Councilman Wooten: "Business Improvement District budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #177

Councilman Gabrielsen: "Pay bills. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay, good. Now we open up to whoever wants to be heard. But I have a feeling what you're going to tell us- "

Karen Leslie: "You already know. Why is that? Karen Leslie, Ellen Street in Riverhead. For the benefit of those who are not aware of what Sean and I know, the town has an easement on my property. It's lot 7- hear me- it's lot- is it on- it's lot 73."

(Inaudible comment)

Karen Leslie: "Yes. There's a broken pipe and I've asked for it to be fixed. George Gabrielsen was on my property in 2010- "

Supervisor Walter: "It's a highway department pipe. I've asked multiple times for it to be fixed. You've e-mailed me; I've e-mailed George Woodson.

I've sent out our water superintendent multiple times."

Karen Leslie: "Gary gets blamed for everything but he's not at fault this time."

Supervisor Walter: "No, no. I've sent him out multiple times to look at it. I've asked- "

Councilman Dunleavy: "This time you're okay."

Supervisor Walter: "It's unfortunate, I mean, Jim, you're the liaison- rather than take up a lot of time here, why don't you see Jim right afterwards and you've got to get the highway department to do it."

Karen Leslie: "Okay. The problem just so you know and just to put it on the record is that the tremendous amount of erosion is caused by the water going over the curb rather than in the sewer and I didn't know we had a sewer department."

Supervisor Walter: "It's a drainage problem."

Karen Leslie: "It's- the drain is now built up so much sand on the other side of it, it doesn't drain and there's trees that are falling down around it and it's near the street so it could be dangerous."

Councilman Wooten: (Inaudible)

Karen Leslie: "Yeah, I have pictures here."

Councilwoman Giglio: "Those are town roads, right?"

Councilman Wooten: "Yes."

Karen Leslie: "Do you want me to give you those pictures? There's the drainage easement and there's the-

Supervisor Walter: (Inaudible) "Does anybody else want to be heard? Give it to Councilman Wooten and you can correspond directly with him and see if he can get the highway superintendent to fix the pipe."

Karen Leslie: "That should take (inaudible). Thank you."

(Some inaudible comments)

Supervisor Walter: "You can give it to Diane. I don't need the copies. She wants you to fix this. Anything else?"

Karen Leslie: "No, thank you."

Supervisor Walter: "Thank you. Mr. Biegler."

Eric Biegler: "Good evening. Eric Biegler, Reeves Park, Sound Park Heights Civic Association.

Beautiful weather we've been having lately and about five days ago someone unloaded a piece of heavy equipment in the parking lot of Reeves Beach. When I say heavy equipment, I'm talking about a tractor-

Supervisor Walter: "Excavator."

Eric Biegler: "-- possibly, started to head down the ramp at the beach, realized they probably couldn't go all the way down to the sand so they didn't turn around, they just kind of backed up. So you can tell it was treads and everything. But they managed to rip up some of the pavers in the ramp that's going down to the beach. These pavers have been there for a long time, it's held together really well. If it doesn't get fixed real soon, it's going to start to undermine the entire ramp.

So before it costs the town hundreds of thousands of dollars to fix the ramp, four stones need to be fixed."

Councilman Wooten: "Do you know who- "

Eric Biegler: "I have no- you know, my little spies couldn't- didn't even see it, so I have no idea who put something that big down the beach."

Supervisor Walter: "The highway superintendent- "

Councilman Wooten: "I'll talk to him."

Eric Biegler: "But before everybody sits there and starts talking about it, let's get the four stones fixed before like other people run over the stones and it starts to kick up and you know what I'm talking about."

Supervisor Walter: "I think the highway department- "

Eric Biegler: "Other than that, I have nothing- thank you for a nice long meeting. I enjoyed it immensely."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Anybody else wish to be heard this fine evening? All right. Can I have a motion to adjourn?"

Councilman Dunleavy: "I make a motion we adjourn the town board meeting."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Meeting adjourned: 9:23 p.m.