



## TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stan Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Peter S. Danowski, Jr.  
616 Roanoke Ave.  
Riverhead, NY 11901

### RESOLUTION 2020-003

**Claims Lead Agency, Issues a Negative Declaration Pursuant to SEQRA, and Approves a Preliminary Site Plan Application for Central Square at Wading River, NYS Route 25A, Wading River, NY  
SCTM No. 600-75-3-4**

Dear Sir:

The following resolution was duly adopted as amended at a meeting of the Town of Riverhead Planning Board held on January 16, 2020:

**WHEREAS**, a preliminary site plan application was submitted to construct a 4,250 sq. ft. bank with a drive-through, a 5,307 sq. ft. (150 seat restaurant), two buildings of 9,786 sq. ft. with retail and professional office uses, and two buildings of 9,989 sq. ft. with retail and professional office uses, and related improvements, including exterior lighting, walkways, landscaping, paved parking, drainage structures, etc. upon real property located on the south side of New York State Route 25A in Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-75-3-4; and

**WHEREAS**, the Planning Department has reviewed a survey last dated February 4, 2013 prepared by Harold F. Tranchon, Jr., L. S. for the 776,367 sq. ft. (17.82 acre) parcel labeling 404,261 sq. ft. (9.2806 acres) as undeveloped open space and a nine-page preliminary site plan last revised December 5, 2019, based upon the February 4, 2013 survey, including Site Data (SD-1), a Site Plan (SP-1), Site Details (SP-2), a Grading and Drainage Plan (G-1), Grading Cut and Fill Plan/Earthwork Computations (G-2), Site Lighting (SL-1), Landscaping Plan (LS-1), Building Floor and Roof Plan (A-1), Building Elevations for Building 1, 2, 3, 4 (A-4.1), prepared by Martin F. Sendlewski, Architect and;

**WHEREAS**, Planning Board resolution #2012-0080 dated December 6, 2012, approved a site plan to construct a 4,250 sq. ft. bank with a drive-through, a 5,307 sq. ft. (150 seat restaurant), two buildings of

9,786 sq. ft. with retail and professional office uses, and two buildings of 9,989 sq. ft. with retail and professional office uses, and related improvements, including exterior lighting, walkways, landscaping, paved parking, drainage structures, etc. upon real property located on the south side of New York State Route 25A in Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-75-3-4; and

**WHEREAS**, as per a letter from the Town Attorney's office dated October 1, 2013, the Town attorney found the following acceptable:

- Declaration and Covenant filed in the Office of the Suffolk County Clerk on July 9, 2013, in Liber D00012735 Page 747.
- Declaration of Covenants Landbanked Parking/Sidewalks, which was filed in the Office of the Suffolk County Clerk on July 12, 2013, in Liber D00012736 Page 297.
- Grant of Scenic Easement Covering Open Space, which was filed in the Office of the Suffolk County Clerk on September 26, 2013, in Liber D00012746 Page 172.
- Cross Access Declaration and Covenant, which was filed in the Office of the Suffolk County Clerk on August 19, 2013, in Liber D00012740 Page 838.

**WHEREAS**, the above mentioned site plan was extended for the period of 12 months on November 5, 2015. Therefore the application expired on November 6, 2016 and no further extensions could be granted and a new site plan application had to be submitted; and

**WHEREAS**, the parking ratio for retail use has been changed from one stall per 200 sq. ft. to one stall per 250 sq. ft. since the previous (expired) site plan approval, so the required parking has been reduced to 285 parking stalls and 286 are provided; and

**WHEREAS**, the covenants listed above still apply except for the Declaration of Covenants for Landbanked Parking/Sidewalks, which was for a landbanked parking area and associated sidewalks proposed between buildings #2 and #3 which are no longer proposed or necessary, because adequate parking is proposed without these fourteen (14) landbanked parking stalls; and

**WHEREAS**, Central Square at Wading River is located within the Central Suffolk Pine Barrens Compatible Growth area; and

**WHEREAS**, although the property was zoned Business PB as per the Comprehensive Plan, as required by the Court Order, the applicant was entitled to split zoning with Business CR at the front of the property, the zoning which was updated in October 2004, and residential zoning to the rear; and

**WHEREAS**, as per code section 301-224, where a zoning use district boundary line divides a lot in single or joint ownership of record at the time such line is adopted, the regulations for the less restricted portion of such lot shall extend not more than 30 feet into the more restricted portion, provided that the lot has frontage on a street in the less restricted district; and

**WHEREAS**, code section 301-224 allows the regulations of the less restricted portion of the lot (the Business CR Zoning District) to extend 30 ft. into the more restricted portion of the lot (the RB-80 Zoning District); and

**WHEREAS**, this allows a 12,200 sq. ft. portion of the parking area, 20 ft. deep to extend into the more restricted portion of the lot as shown in the preliminary site plan; and

**WHEREAS**, the Architectural Review Board issued a resolution (#2012-13) dated July 26, 2012, recommending approval of a landscaping plan and building elevations prepared by Martin F. Sendlewski, Architect last revised on January 16, 2012 with the following conditions: 1. Approval of the building elevations is limited to buildings 1, 2, 3 & 4. 2. No elevations have been provided for Buildings 5 & 6, therefore no approval for these buildings has been granted, and

**WHEREAS**, the proposed Building Elevations for Buildings 1,2, 3,4 last revised July 22, 2019 match the expired mylar elevations dated March 18, 2013 signed by the Planning Board Chairman on April 2, 2014; and

**WHEREAS**, the Landscaping Plan last revised December 5, 2019 matches the expired mylar landscaping plan dated March 13, 2019 signed by the Planning Board Chairman on April 2, 2014, except for the following:

- That the majority of the landscaping is no longer depicted on the drawing.
- The sizes of plantings has been increased as requested to improve the appearance of the landscaping.
- Some changes have been made in an effort to comply with Planning Department comments.

**WHEREAS**, deficiencies in the Landscaping Plan will be addressed as conditions of this resolution; and

**WHEREAS**, Buildings 5 and 6 are the proposed bank and restaurant. The expired approval resolution included the following conditions:

- “That no Building Permit or Temporary or Permanent Certificate of Occupancy shall be issued for the 4,250 sq. ft. bank building until a separate site plan application for this building is submitted and approved and which shall require a recommendation of approval from the Architectural Review Board.”
- “That no Building Permit or Temporary or Permanent Certificate of Occupancy shall be issued for the 5,307 sq. ft. restaurant building until a separate site plan application for this building is submitted and approved and which shall require a recommendation of approval from the Architectural Review Board.”

**WHEREAS**, the Planning Board has approved including the same conditions as in the two bullet points above in the this preliminary site plan approval; and

**WHEREAS**, a public hearing was held and closed on December 5, 2019; and

**WHEREAS**, the entire site plan review fee, as required by Section 301-305G of the Code of the Town of Riverhead has been received in check no. 1021 dated November 30, 2018 from IBJ Realty LLC/Ioannis Zoumas; and

**WHEREAS**, as per Planning Board Resolution 2019-081 dated September 5, 2019, the Planning Board classified the project as a Type I action pursuant to SEQRA and directed the Planning Department to circulate a request for Lead Agency status and comments in the project’s SEQR review; and

**WHEREAS**, a Request of Lead Agency Status & Coordinated Review was conducted with involved agencies with the following comments:

- As per a letter dated October 17, 2019, the Central Pine Barrens Commission did not object to the Town of Riverhead assuming Lead Agency status, but requested additional information including whether the project still achieves the impact threshold of a Development of Regional Significance as defined in Chapter 4, Section 4.5.5.1 of the Central Pine Barrens Comprehensive Land Use Plan, which is a “Development Project resulting in a traffic impact which would reduce service by two (2) levels below existing conditions or to a level of service of D or below.”
- No response to the Request for Lead Agency was received from the New York State Department of Transportation (NYSDOT).
- As per a letter dated October 13, 2019, the Suffolk County Planning Commission indicated the Commission commented on the proposed action as it was referred for review on January 8, 2019.
- As per a letter dated October 24, 2019, the Suffolk County Department of Health Services indicated the Department has no objection to the Town of Riverhead assuming Lead Agency status and indicated the Department approved a wastewater permit for the above referenced project on March 2, 2015 with a recent renewal on January 5, 2019 under reference number C06-10-0019 and that any changes made to the proposal that impact the sanitary design, density, and/or use of the property, the project sponsor should submit a permit modification so that a complete technical assessment of the proposal can be undertaken.
- As per a letter dated August 29, 2019 PSEG Long Island accepts the Town of Riverhead as Lead Agency for this action and offers the following comments:
  1. The EAF and any supporting documentation should include a description and analysis of impacts of any necessary utility upgrades to support the project.
  2. Once design is obtained, an evaluation of potential impacts associated with the upgrades (if required) should be included. In particular, significant increases in pole heights which may result in visual impacts (i.e. pole height increases of more than 10

ft.) extent of ground disturbance and proximity to wetlands should be evaluated and analyzed.

**WHEREAS**, in relation to the expired site plan, on January 6, 2011 the Planning Board voted not to require a DGEIS for this project and the Knightland project (now constructed at the intersection of Route 25A and Sound Ave.). However the Planning Board indicated that the applicants use the same consultant for the traffic study and that the same traffic expert to study both projects and their cumulative impacts. On May 19, 2011 the Cumulative Traffic Impact Study for Knightland Village & Center Square was received which showed a loss of service (LOS) corresponding to the definition of a DRS which would apply to Central Square due to the location in the Pine Barrens Compatible Growth Area; and

**WHEREAS**, also in regard to the expired site plan, the applicant's consultant submitted correspondence dated March 27, 2012 outlining reasons why they believed the traffic study did not show Central Square was a DRS. The Deputy Town Attorney then sent a letter to the Commission dated July 6, 2012 to memorialize a conversation with the Executive Director that it is the Commission's practice to rely on Town experts to review traffic studies and determine whether or not the project should be considered a DRS and therefore whether or not an application to the Central Pine Barrens Commission is necessary. The letter requested that the Deputy Town Attorney be notified within 10 business days if there was any disagreement with this. As per the Deputy Town Attorney there was no response; and

**WHEREAS**, the Planning Board did not consider the previously approved (expired) site plan for the project a DRS and has determined that the decision will not be revisited in regard to the current site plan and an updated traffic impact study will not be required by the Planning Board; and

**WHEREAS**, as per an e-mail dated May 24, 2019, the NYSDOT indicated that agency had a Traffic Impact Study and Signal Warrant Analysis prepared by VHB in 2011, but that these studies need to be updated and also that electronic copies of all plans, with revisions if needed, are required as well as an update of the application PERM 33-COM, stage 1-3; and

**WHEREAS**, the Suffolk County Planning Commission reviewed the referral from the Town at a meeting on January 8, 2019 and as per Resolution No. ZSR-19-02 approved the proposed 52,620 sq. ft. "Central Square at Wading River" as depicted on the "Site Plan" by Maritn F. Sendlewski, AIA last dated September 6, 2017 with the following comments:

1. The applicant should continue to consult with the Suffolk County Department of Health Services and the Suffolk County Sewer Agency for review of the best available technology and practice for the disposal of sanitary waste water.
2. The applicant should be directed to continue to consult with the NYS Department of Transportation regarding access to the NYS Rte. 25A right-of-way and provide any traffic impact analysis required.
3. The applicant should review the Suffolk County Planning Commission publication *Managing Stormwater-Natural Vegetation and Green Methodologies* and include into the site development plan best management practice elements where practical.

4. The applicant should be directed to review and accommodate in to the site plan where practicable, Suffolk County Guidelines on “Energy Efficiency.”
5. The applicant should be directed to review and accommodate into the site plan, where practicable, Suffolk County Planning Commission guidelines on “Public Safety” (Section 4.4).

**WHEREAS**, Regarding items 1 and 2, the applicant will need to provide proof of a current the permit from the Suffolk County Department of Health Services Office of Wastewater Management and obtain a Highway Work Permit from the NYS Department of Transportation prior to issuance of a Building Permit; and

**WHEREAS**, Regarding comment 3, the applicant is using a drainable paver system walkways adjacent to buildings and the main walkway through the site which allows the impervious surface not to exceed the maximum allowed impervious surface of 75% and some area that would typically be turf lawn is proposed to be seeded with a wildflower mix; and

**WHEREAS**, current comments 4 and 5 repeat from the previous Suffolk County Planning Commission condition and comments dated October 6, 2010; and

**WHEREAS**, the Riverhead Planning Board had considered the previous determination of the Suffolk County Planning Commission in the approval of the previous (expired) plan and determined Energy Efficiency, current item 4, had been addressed in that the lighting plan included the use of photo cells and lighting timers to reduce the duration of exterior lighting and conserve energy;

**WHEREAS**, due to the fact that lighting technology has improved in the years since the expired approval and the High Pressure Sodium lighting proposed is not the most efficient type of lighting currently available, the Planning Board has required as part of the current application that the applicant update the exterior lighting to Light Emitting Diode (LED) meeting the requirements of Article XLIX, instead of High Pressure Sodium, to increase energy savings in addition to the use of photo cells and timers; and

**WHEREAS**, the Riverhead Planning Board had previously considered the determination of the Suffolk County Planning Commission and determined that Public Safety, current item 5, would be satisfactorily met by the addition of conditions 21(iii)b & c of resolution #2012-0080 dated December 6, 2012 regarding the addition of flat top speed humps for traffic calming. The flat top speed humps are shown on the currently proposed site plan; and

**WHEREAS**, as per a memo dated December 30, 2019 the Town Engineer had the following comments:

1. Because the proposed construction will disturb at least one acre of land, a SWPPP (Stormwater Pollution Prevention Plan) was approved on March 28, 2014. This Department must be notified when the final construction schedule is in place.
2. An excavation permit must be applied from the Building Department due to the volume of soil proposed for removal from the site.

3. If the applicant proposes to disturb more than five acres of land at one time the applicant must apply for and receive authorization from the Town Engineer prior to proceeding with the proposed disturbance; and

**WHEREAS**, the closest existing water main terminates at a fire hydrant on the north side of Route 25A, approximately opposite the eastern boundary of the Central Square property and as per the Superintendent of the Water District on May 9, 2019:

- A Lateral Water Main Extension will be required at the applicant's expense from the existing Water Main terminus to opposite the western boundary of the Central Square property and service will need to be provided across Route 25A. That is unless the approved project to the north, Hamlet Professional Offices/Center, extends the main to their western property boundary first, then Central Square will be required to extend the water main from the existing water main terminus to the east to the existing water main terminus to the west.
- The Water District will be unable to supply the required Fire Service flows for both Central Square at Wading River and Hamlet Professional Offices/Center, with a dead end water main, so the "loop" between the existing water main terminuses to the east and west (in front of Senor Taco at 6247 Route 25A) will need to be closed.

**WHEREAS**, the Planning Board has carefully considered the merits of the preliminary site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

**WHEREAS**, that in the matter of the site plan of Central Square at Wading River the Riverhead Planning Board as Lead Agency hereby determines this Type I action pursuant to 6NYCRR Part 617 will have no significant environmental impacts. Now, therefore, be it

**RESOLVED**, that the preliminary plans including a nine-page preliminary site plan last revised December 5, 2019 including Site Data (SD-1), a Site Plan (SP-1), Site Details (SP-2), a Grading and Drainage Plan (G-1), Grading Cut and Fill Plan/Earthwork Computations (G-2), Site Lighting (SL-1), Landscaping Plan (LS-1), Building Floor and Roof Plan (A-1), Building Elevations for Building 1, 2, 3, 4 (A-4.1), prepared by Martin F. Sendlewski, Architect are hereby approved by the Planning Board with the following conditions:

1. That no construction nor site work shall begin nor Building Permits shall be issued until a Planning Board resolution for Final Site Plan Approval is approved and any conditions of the Final Site Plan Approval resolution are fulfilled and the revised mylar site plan is signed by the Planning Board Chairman.
2. That an application for final site plan approval including an updated 2-page site plan application, and nine (9) sets of revised complete plan sets (including sheets SD-1, SP-1, SP-2, G-1, G-2, SL-1, LS-1, A-1, and A-4.1) must be submitted for Final Site Plan Approval and shall include the following:

- a. That any of the plan sheets needing revisions shall list new revision dates.
  - b. That all plan sheets, including the floor plans and elevations, shall not exceed 24” by 36”.
  - c. That all plan sheets including floor plans and elevations shall include the Planning Board Certification box in the approved format and the seal and signature of the NYS licensed architect.
  - d. That the site plan set shall be revised as follows:
    - i. To delete the “14 Green Spaces” from the total required parking under the Parking Calculations.
    - ii. To change the amount of parking provided to the 286 parking stalls counted from the 285 listed.
    - iii. To change the parking subtotal for the rearmost row of parking from 47 to 57 to be accurate to the amount of parking stalls shown.
    - iv. To label the curb ramp detail #11 on page SP-2 as “Restaurant Curb Ramp Detail” as it is specific to the parallel curb ramp for the bank.
    - v. To include a separate “Bank Curb Ramp Detail” on page SP-2 for the parallel curb ramp required for handicapped access at the bank building.
    - vi. To include the voltage of the Visionaire VSX back-to-back luminaires in the Luminaire Schedule on page SL-1.
    - vii. To change the R2 High Pressure Sodium luminaires on page A-1 to LED lighting in compliance with Article XLIX including a color corrected temperature (CCT) of 3,000 K or below.
    - viii. On page LS-1, the Landscaping Plan:
      - (a) Note # 8, shall indicate 29 trees are required for 286 parking stalls. Not 25 trees for 285 cars.
      - (b) The majority of the landscaping, which is no longer depicted on the drawing shall be added back.
      - (c) The text overlap in the percentage of fertilizer dependent vegetation shall be fixed.
      - (d) That the manufacturer of the “Northeast Wildflower Mix” shall be listed in Note #9 and the species included listed either on page LS-1 or, if too numerous, by providing a separate specification sheet including this information from the manufacturer. (The mix shall not include any invasive species.)
3. That the conditions of a final site plan approval shall include, but not be limited to the following:
- a. That no Building Permit or Temporary or Permanent Certificate of Occupancy shall be issued for the 4,250 sq. ft. bank building until a separate site plan for this building is submitted and approved and which shall require a recommendation of approval from the Architectural Review Board.

- b. That no Building Permit or Temporary or Permanent Certificate of Occupancy shall be issued for the 5,307 sq. ft. restaurant building until a separate site plan for this building is submitted and approved and which shall require a recommendation of approval from the Architectural Review Board.
- c. That no importation or exportation of materials will take place until a permit for such is obtained by the Town Board pursuant to Chapter 62 of the Riverhead Town Code.
- d. That prior to the issuance of a Building Permit:
  - i. Proof of Suffolk County Department of Health Services Wastewater Management approval shall be provided to the Building and Planning Departments.
  - ii. A Fire Marshal Fire Prevention Permit for the construction of the buildings shall be obtained.
  - iii. The applicant shall apply for and obtain approval from the Riverhead Town Board for the lateral water main extension required.
  - iv. That proof of issuance of a Highway Work Permit from the New York State Department of Transportation (NYSDOT) for the required work shall be provided to the Building and Planning Departments.
  - v. The applicant must notify the Engineering Department when the final construction schedule is in place and, if the applicant proposes to disturb more than five acres of land at one time, the applicant must apply for and receive authorization from the Town Engineer prior to proceeding with the proposed disturbance
- e. That prior to issuance of a temporary or permanent Certificate of Occupancy:
  - i. Proof shall be provided to the Building and Planning Departments that all work required by the NYSDOT Highway Work Permit has been completed in a manner satisfactory to NYSDOT.
  - ii. That all required fees and Water Key money and are paid to the Town of Riverhead Water District.
  - iii. An RPZ application and fee shall be submitted to the Water District and the RPZ approved by the Water District shall be installed.
  - iv. That Suffolk County Department of Health Services approvals for constructed works are obtained.

**RESOLVED**, that pursuant to section 301-305 (B)(6)(b) of the Riverhead Town Code, this preliminary approval shall be valid for one year from the date of approval; which may be extended upon written request by the applicant for one additional year after due consideration by the reviewing board; and be it further

**RESOLVED** that the Clerk for the Planning Board is hereby authorized to forward a certified copy of this resolution to Nicholas Zoumas, P O. Box 385, Wading River, NY 11792, Martin F. Sendlewski, R.A., 215 Roanoke Ave., Riverhead, NY 11901 the Riverhead Planning Department; the Riverhead Building

Department; the Town Attorney; the Town Clerk; the Town Assessor; the Town Engineer; the Fire Marshal; and the Water District Superintendent.

Very truly yours,  
PLANNING BOARD



Stanley Carey  
Chairman

A motion was made by Mr. Densieski and seconded by Mr. Baier that the aforementioned resolution be approved:

THE VOTE

BAIER  X  YES \_\_\_ NO \_\_\_ O'DEA  X  YES \_\_\_ NO  
NUNNARO  X  YES \_\_\_ NO DENSIESKI  X  YES \_\_\_ NO  
CAREY  X  YES \_\_\_ NO

THIS RESOLUTION  X  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED



## TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stan Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Rajesh Mehta, Managing Member  
Peconic Management Group, LLC  
8 Old Schoolhouse Rd.  
Manorville, NY 11949

### **RESOLUTION # 2020-004**

**Classifies Action & Approves an Administrative Amended Site Plan for  
Peconic Management Group, LLC for a Wellness Center and Medical Billing Office at 1224  
Ostrander Ave., Riverhead, NY  
SCTM NO. 600-82-3-10**

Dear Sir:

The following resolution was duly adopted as amended at a meeting of the Town of Riverhead Planning Board held January 16, 2020:

**WHEREAS**, the applicant seeks approval for an administrative amended site plan approval for removal of an interior staircase and the addition of a 143 sq. ft. exterior, enclosed staircase on the south side of the building for access to the unfinished basement and second floor for a total floor area of 7,054.2 sq. ft., to change the use of the second floor of the building from medical office to office (for medical billing), to add a below grade propane tank of 1,000 gallons and a 6 by 12 ft. concrete generator pad, to provide an irrigation well, to reduce the landscaped area to the south adjacent to a commercial use to 5.4 ft. from 10 ft., to reduce the landscaped transitional yard area adjacent to the residential use from 30.7 ft. to the north and 25.1 ft. to the east to 25 ft., to provide fence along the property line shared with the adjacent residential use, to provide additional landscaping in the transitional yard, to increase the parking provided to 37 spaces from 35 spaces, and move the curb cut further north several feet, upon real property of 36,680 sq. ft. in the Shopping Center Zoning District at 1224 Ostrander Ave., Riverhead, known as SCTM No. 600-82-3-10 ; and

**WHEREAS**, the Final Site Plan of Wellness Center at Ostrander/Peconic Management Group was approved on December 15, 2016 for construction of a two-story 6,911 sq. ft. medical office (3,455,625 sq. ft. per floor) on a 36,680 sq. ft. parcel located in the Shopping Center Zoning District on the east side of Ostrander Ave. in Riverhead; and

**WHEREAS**, the resolution for Final Site Plan approval required that the applicant obtain one (1) Transfer of Development Right (TDR) for additional floor area in accordance with Article LXII of the Code of the Town of Riverhead; and

**WHEREAS**, the original approval required TDRs because although the site is outside the Riverhead Sewer District, hook up was not proposed, and in the Shopping Center (SC) Zoning District the Maximum Floor Area Ratio (FAR) without sewers is 0.15 and the amount proposed was 0.188; and

**WHEREAS**, the Suffolk County Department of Health Services Approval for Construction-Other Than Single Family dated March 30, 2017 for Reference No. C06-15-0008 indicated that 0.63 of a Pine Barrens Credit were redeemed for an additional 189 gallons per day (gpd) for the required design flow of 691.1 gpd; and

**WHEREAS**, variances were obtained for relief from Chapter 108, Section 108-262A, for permission to construct a single medical office instead the permitted office campus style collection of buildings, Section 108-263A for 10 ft. deep unoccupied landscaped area in the front yard (with the exception of free-standing signs and access driveways) instead the required 35 ft., and Section 108-263C, providing for 25 ft. of non-disturbed transitional buffer adjacent to residential use instead of the required 50 ft., as per the determination of Zoning Board of Appeals Appeal No. 14-07 granted February 27, 2014 and extended twice until February 27, 2017; and

**WHEREAS**, the approved site plan shows a future cross access to the south aligned with the 24' wide north-south traffic aisle in the parking lot, but resolution 2016-0131 did not include a condition requiring the filing of a future cross access agreement to the satisfaction of the Town Attorney; and

**WHEREAS**, this cross access is not shown on the proposed amended site plan; and

**WHEREAS**, a Building Permit was obtained, but an exterior, enclosed staircase which was not on the approved site plan was found to have been constructed and other changes were completed/proposed; and

**WHEREAS**, the following were reviewed for the amended site plan: A site plan last revised December 30, 2019 prepared by Christopher Thomas Labate, P. E., of Labcrew Engineering P. C., including an Alignment Plan (AL-1), a Sanitary/Grading Plan (SP-2), a Landscape Plan (SP-3), a Lighting Plan (SP-4), Site Details (SD-5), an Erosion Control/Earthwork Plan (EWP) and plans prepared by Paul John Clinton, R. A., including a Proposed Foundation Plan (A1.00), a Proposed First Floor Plan (A1.01), a Proposed Second Floor Plan (A1.02), dated October 3, 2019, but listing revision dates of March 31, 2015 and December 22, 2016, and elevations, including and north and south elevations (A4.01) and west and east elevations (A4.02) dated October 3, 2019, but listing a revision date of July 22, 2016; and

**WHEREAS**, the additional FAR for the enclosed staircase is 143 sq. ft., which requires an additional fraction of 0.0953 of a TDR and the applicant has agreed to redeem 0.10 of a TDR; and

**WHEREAS**,; due to the change in one floor to office from medical office the required design flow has been reduced so additional Pine Barrens Credits are not required

**WHEREAS**, the Planning Board determined during discussion at the November 7, 2019 Planning Board meeting that no referral to the Architectural Review Board was necessary because the addition for the staircase is in keeping with the rest of the building; and

**WHEREAS**, on January 2, 2020 the Highway Superintendent indicated that there are no issues with the curb cut and improvements in the right-of-way as-built; and

**WHEREAS**, the Water District indicated on January 2, 2010 that the key money assessment fee of \$5,032.30 due for the project as per a letter to the applicant dated November 25, 2019 has not been paid, but that additional key money will not be required for the enclosed stairway as shown on the proposed amended site plan; and

**WHEREAS**, the Town Engineer indicated in an e-mail on December 26, 2019 that the revised plans are acceptable; and

**WHEREAS**, a pavement binder inspection conducted on December 6, 2019 by the Town Engineering Department was failed as per a memo from the Town Engineer dated December 6, 2019; and

**WHEREAS**, the Fire Marshal has reviewed the revisions including the addition of a 6' by 12' generator pad 3 ft. south of the building and the addition of a 1,000 gallon, underground propane tank 12.2 ft. from the southern property line and 10.2 ft. from the generator pad and the specifications for the Generac standby generator provided with the following comment: Generator shall be installed in accordance with the 2015 International Building Codes, NFPA 70-2014, NFPA 110-2013, NFPA 111-2013, and the manufacturer's requirements; and

**WHEREAS**, the site plan review fee, as required by Section 301-305G(2) of the Code of the Town of Riverhead was received as per check number 695 from Rajesh K. Mehta and Paayal P. Mehta received September 11, 2019; and

**WHEREAS**, in the matter of the administrative site plan of Peconic Management, LLC the Action is a Type II action pursuant to 6NYCRR Part 617; and

**WHEREAS**, the Planning Board has carefully considered the merits of the administrative site plan application, the SEQRA record to date, as well as all other relevant Planning, Zoning and Environmental information. Now, therefore, be it

**RESOLVED**, that the site plan last revised December 30, 2019 prepared by Christopher Thomas Labate, P. E., of Labcrew Engineering P. C., including an Alignment Plan (AL-1), a Sanitary/Grading Plan

(SP-2), a Landscape Plan (SP-3), a Lighting Plan (SP-4), Site Details (SD-5), an Erosion Control/Earthwork Plan (EWP) and plans prepared by Paul John Clinton, R. A., including a Proposed Foundation Plan (A1.00), a Proposed First Floor Plan (A1.01), a Proposed Second Floor Plan (A1.02), dated October 3, 2019, but listing revision dates of March 31, 2015 and December 22, 2016, and elevations, including and north and south elevations (A4.01) and west and east elevations (A4.02) dated October 3, 2019, but listing a revision date of July 22, 2016, are hereby approved by the Planning Board with the following conditions:

1. That the second floor of the building shall only be used for office use, not medical office use, and the offices on the second floor shall not be used as exam rooms.
2. That no further site work shall be done until: the Chairman of the Planning Board signs a mylar copy of the site plan which is contingent on the following:
  - i. That the mylar site plan, mylar floor plan, and mylar elevations shall:
    - a. Not exceed the size of a standard D size drawing (24" x 36").
    - b. Include a Planning Board Certification Box and the engineer's seal and signature on each page.
    - c. Include a revision date for all plans requiring revision.
    - d. Be titled Wellness Center & Medical Billing Office instead of Wellness Center & Medical Office.
  - ii. That the required 0.10 TDRs (Agricultural Preservation Credits) are redeemed and the TDR Certification box on the first page of the site plan is completed and signed by the Chairman of the Planning Board and the Planning Board attorney.
  - iii. That the mylar site plan set shall be revised to:
    - (1) On the drawings, change the labels for the fencing along the northern and northeastern property line shared with the residential use (which has been installed) as "Existing 6' white PVC fence" instead of "Proposed 6' stockade fence."
    - (2) Change the fence detail on page SD-5 to match the 6' solid, white PVC fence installed.
    - (3) Show and label a "6' black vinyl coated chain link fence to be installed by applicant" along the eastern property line shared with property owned by Suffolk County where there currently is no fencing.
    - (4) Show and label the existing 6' black vinyl coated chain link along the eastern property line shared with Riverhead Commons, LLC.
    - (5) Correct the total side yard setback proposed in the Zoning Requirements table to 91.3 ft. to match the sum of the 30 ft. and 61.3 ft. side yard setbacks shown on the site plan drawing.
    - (6) Change the Parking Area Striping & Alignment Detail on page SD-5 to show the parking stall to the left as 10' wide instead of 9'-0" wide to agree with the

- 10' wide parking stalls required and labeled as 10' wide in the Parking Area Striping Detail and on the site plan drawing.
- (7) Show the proposed future cross access to the south as shown on the site plan approved by Resolution 2016-0131 dated December 15, 2016 and on the mylar signed by the Planning Board Chairman on August 29, 2017.
  - (8) No longer depict wooded areas to the west along Ostrander Ave. and north and east on the drawings, because only 20 individual trees remain scattered around the site.
  - (9) On the Landscaping Plan SP-3:
    - (a) Show the locations and calipers at 4.5 ft. above grade for the existing trees and provide a symbol in the Landscaping Symbols Key for "Existing Trees to Remain."
    - (b) To update the label for the number of Brown's Global Yew provided along Ostrander Ave. south of the curb cut to 13 from 11 and change the quantity in the Landscaping Chart from 54 to 56.
    - (c) To change the 14 *Euonymus fortunei* now included as landscaping to 14 *Aucuba Japonica* (dwarf cultivars) or *Skimmia Japonica*, recommended as alternatives in New York as per the Cornell Cooperative Extension of Suffolk County, because *Euonymus fortunei* is on the Suffolk County "Do Not Sell" list for invasive species.
- iv. That the floor plan for the second floor will be revised to remove the "laundry" room, since this use is not applicable to a billing office.
  - v. Receipt of a digital copy of the site plan matching the mylar in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
  - vi. That six (6) complete paper plan sets matching the mylar shall be provided.
3. That no Temporary Certificate of Occupancy or Permanent Certificate of Occupancy shall be issued until the mylar plans are signed by the Planning Board Chairman and the following are satisfactorily addressed:
- i. That proof of Suffolk County Department of Health Services Wastewater Management final approval for updated plans including the change in footprint of the building for the enclosed staircase is provided to the Building and Planning Departments
  - ii. A covenant is submitted containing all the limitations and provisions of this resolution to the satisfaction of the Town Attorney and the approved covenant is recorded with the Suffolk County Clerk and the recorded covenant is submitted to the Town Attorney for filing with the Riverhead Town Clerk.
  - iii. A future cross access agreement to the satisfaction of the Town Attorney is recorded with the Suffolk County Clerk and the recorded covenant is submitted to the Town Attorney for filing with the Riverhead Town Clerk.
  - iv. The applicant submits six (6) signed and sealed accurate as-built surveys to the Planning Department.

- v. The applicant shall request, pay the applicable fees, and obtain all the necessary site inspections as applicable (a satisfactory binder inspection from the Engineering Department and a final inspection from the Planning Department prior to the issuance of a certificate).
- vi. Confirmation is obtained from the Water District that the required \$5,032.30 in key money has been paid and all applicable Water District requirements are met.
- vii. All Building Department and Fire Marshal requirements have been met.
- viii. The soil directly around the existing tree trunks is to be removed as applicable so the tree trunk flares are not buried.

**BE IT FURTHER RESOLVED**, that pursuant to section 108-129F of the Riverhead Town Code, this site plan approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Planning Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and

**BE IT FURTHER RESOLVED**, that the Clerk for the Planning Board is hereby authorized to forward a certified copy of this resolution to Christopher Labate, R. A., Labcrew Engineering, P. C., 273 Hawkins Ave., Ronkonkoma, NY 11779, Paul J. Clinton, Architect, P. C., 27 Sherwood Rd., Hampton Bays, NY 11946; the Riverhead Building Department; the Town Attorney; the Town Clerk; the Town Assessor; the Town Engineer; the Water District Superintendent, and the Fire Marshall.

Very truly yours,  
PLANNING BOARD



Stanley Carey  
Chairman

A motion was made by Mr. Nunnaro and seconded by Mr. Densieski that the aforementioned resolution be approved:

**THE VOTE**

BAIER  X  YES \_\_\_ NO \_\_\_ O'DEA  X  YES \_\_\_ NO \_\_\_

NUNNARO  X  YES \_\_\_ NO \_\_\_ DENSIESKI  X  YES \_\_\_ NO \_\_\_

CAREY  X  YES \_\_\_ NO \_\_\_

THIS RESOLUTION  X  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED



**TOWN OF RIVERHEAD  
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stanley Carey, Chairman*  
*Edward Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Bram D. Weber, Esq.  
290 Broadhollow Road, 200E  
Melville, NY 11747

**Resolution No. 2020-005**  
**Authorizes Planning Board Clerk to Publish and Post Notice of Public Hearing for the**  
**Minor Subdivision Application of John J. Ratto**  
**730 Sound Avenue, Wading River, NY**  
**SCTM No. 600-58-1-10**

Dear Mr. Weber:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 16, 2020;

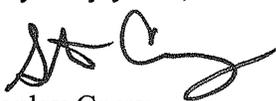
**WHEREAS**, the Riverhead Planning Board is in receipt of a two-lot minor subdivision application proposing to subdivide an existing 4.71 acre lot parcel and create two new individual lots with sizes of 2.35 acres (Parcel 1) and 2.36 acres (Parcel 2); and

**WHEREAS**, the subject parcel, identified as SCTM No. 600-58-1-10, is located at 730 Sound Avenue, Wading River, NY, and is located within the Residential B-80 (RB80) zoning use district; and

**WHEREAS**, the Riverhead Town Planning Board desires to hold a public hearing at this time. Now, therefore be it

**RESOLVED**, that the Clerk to the Planning Board hereby be authorized to publish and post the attached notice of public hearing.

Very truly yours,

  
Stanley Carey  
Planning Board Chairman

A motion was made by Mr. Baier and seconded by Mr. Nunnaro that the aforementioned resolution be approved:

THE VOTE

BAIER  YES \_\_\_ NO O'DEA  YES \_\_\_ NO

NUNNARO  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO

CAREY  YES \_\_\_ NO

THIS RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**THE PLANNING BOARD OF THE TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Planning Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday, the 6<sup>th</sup> day of February, 2020 at 7:00 o'clock p.m., to consider a two-lot minor subdivision application proposing to subdivide an existing 4.70 acre parcel and create two new individual lots with sizes of 2.35 acres (Parcel 1) and 2.36 acres (Parcel 2), with said parcel being located at 730 Sound Avenue, Wading River, NY, and being more particularly described as SCTM No. 600-58-1-10 and located in the Residential B-80 (RB80) zoning use district.

Dated: January 16, 2020  
Riverhead, New York

**BY THE ORDER OF THE PLANNING BOARD  
OF THE TOWN OF RIVERHEAD**



## TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stanley Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Richard F. Lark, Esq.  
PO Box 973  
Cutchogue, NY 11935

### **Resolution #2020-006**

**Approves Two-Lot Minor Subdivision of John P. Kujawski & Sons, Inc.  
630 Manor lane, Jamesport, NY  
SCTM No. 600-22-2-11.5**

Dear Mr. Lark:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 16, 2020:

**WHEREAS**, the Planning Department has received and reviewed a two-lot minor subdivision application seeking to subdivide an existing 120.08 acre farm parcel and create two separate parcels, with Parcel 1 proposed to be 63.96 acres, and Parcel 2 proposed to be 56.12 acres; and

**WHEREAS**, the subject parcel, identified as SCTM No. 600-22-2-11.5, is located at 630 Manor Lane, in Hamlet of Jamesport, on the east side of Manor Lane, and is located within the Agricultural Protection (APZ) zoning use district, which requires a minimum lot size of 80,000 square feet; and

**WHEREAS**, the proposed lots conform to the dimensional requirements of the zoning district in which they are located; and

**WHEREAS**, the subject parcel is presently improved with several agricultural structures including two frame barns, a metal barn, two irrigation wells, a horse run-in, farm roads, as well as high tension power lines and support poles; and

**WHEREAS**, the subject parcel, SCTM No. 600-22-2-11.5, was subject to a Purchase of Development Rights by Suffolk County in November of 1077, as recorded in Suffolk County Liber 8433, page 359 and Liber 8401, page 86, which prohibited or otherwise restricted the use of the premises for any purposes other than agricultural production; and

**WHEREAS**, the Applicant’s intent by filing of this subdivision application is for the purposes of Estate planning, with one parcel to be retained under the John P. Kujawski & Sons Inc. for continued farming in the Corporation name, and the other parcel to be transferred to the applicant’s son and daughter in law for the purposes of continued farming; and

**WHEREAS**, in a letter dated June 26, 2018, the Suffolk County Farmland Committee recommended approval of the subdivision subject to the following conditions:

1. The landowner shall obtain appropriate subdivision approval from the Town of Riverhead; and
2. Upon receiving subdivision approval from the Town of Riverhead, the Landowner shall send the Suffolk County Division of Planning and Environment a copy of the tax map with new tax map numbers depicting the approved 2-lot subdivision; and

**WHEREAS**, the Planning Board has received and reviewed a map, entitled “Survey of Property Situate Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-22-02-11.5, prepared and stamped by Nathan Taft Corwin, III, LS, last dated October 9, 2019; and

**WHEREAS**, in a letter dated December 20, 2018 the Suffolk County Planning Commission considered the matter to be one of local determination; and

**WHEREAS**, the Riverhead Planning Board held and closed a public hearing in order to receive public comments on the proposed minor subdivision on December 5, 2019; and

**WHEREAS**, the application for minor subdivision is an Unlisted Action pursuant to SEQRA, with coordinated review being optional and not recommended; and

**WHEREAS**, the Riverhead Planning Board has considered the merits of the proposed minor subdivision with the SEQRA record created to date, public comments received at the public hearing, input from other agencies, the report of the Planning Department, the subdivision regulations of the Riverhead Town Zoning Code as well as relevant planning and zoning information. Now, therefore be it

**RESOLVED**, that the Riverhead Planning Board hereby assumes Lead Agency status for the purposes of SEQRA review, and further issues a Negative Declaration, as the proposed two-lot minor subdivision does not present any significant negative environmental impacts to the health, safety, welfare, and general character of the surrounding area; and be it further

**RESOLVED**, that the Riverhead Planning Board hereby approves the map, entitled “Survey of Property Situate Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-22-02-11.5, prepared and stamped by Nathan Taft Corwin, III, LS, last dated October 9, 2019; and be it further

**RESOLVED**, that the approval of this two-lot minor subdivision does not entitle the property owner to any development rights on either newly created parcel, as the Development

Rights have previously been purchased by Suffolk County and the use of the subject parcels is restricted to agricultural production; and be it further

**RESOLVED**, that this subdivision approval shall be subject to the following conditions:

1. The lots shall not be further subdivided without approval from the Riverhead Planning Board.
2. A mylar copy of the approved subdivision map shall be submitted to the Riverhead Planning Department for the Chairman of the Planning Board to affix his signature to; and be it further

**RESOLVED**, that prior to the Planning Board Chairman signing a mylar copy of the subdivision map, the following conditions shall be met.

1. The map shall receive approval from the Suffolk County Department of Health Services.
2. That a covenant containing all of the limitations and restrictions contained within this resolution, in a form approved by Counsel to the Planning Board, shall be filed on each newly created parcel.
3. The subdivision map shall be revised to include the Planning Board Certification box.
4. The approved map shall be filed with the Clerk of Suffolk County.
3. The approved map shall be filed with the Suffolk County Real Property Tax Services; and be it further

**RESOLVED**, that the time period for the Chairman of the Planning Board to sign the approved subdivision map shall expire on July 14, 2020; and be it further

**RESOLVED**, that copies of this resolution may be forwarded to John Kujawski & Sons, Inc, 5864 Sound Ave., Riverhead, NY 11901-5609; the Riverhead Building Department; the Town Clerk; the Town Attorney's Office; the Town Assessor's Office; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

  
Stanley Carey  
Planning Board Chairman

John P. Kujawski & Sons, Inc. Minor Subdivision – Approval Resolution

THE VOTE

A motion was made by Mr. O'Dea and seconded by Mr. Densieski that the aforementioned resolution be approved:

THE VOTE

BAIER X YES \_\_\_ NO    O'DEA X YES \_\_\_ NO  
NUNNARO X YES \_\_\_ NO    DENSIESKI X YES \_\_\_ NO

CAREY X YES \_\_\_ NO

THIS RESOLUTION X WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED



# TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stanley Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Dorothy Rose  
PO Box 5535  
Miller Place, NY 11764

**Resolution No. 2020-007**  
**Grants Final Site Plan Approval for Site Plan Application of 406 Osborn Avenue**  
**406 Osborn Avenue, Riverhead NY**  
**SCTM #600-126-1-6**

Dear Mrs. Rose:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on January 16, 2020:

**WHEREAS**, the Town of Riverhead Planning Board adopted Resolution No. 2019-089, dated September 19, 2019, by which the Board granted preliminary site plan approval to develop a vacant 0.483 acre parcel with a mixed use building consisting of 4,556 sq. ft. of first floor retail use, and 4,458 sq. ft. of residential apartments on the second floor, with a total of six (6) units, ranging in size from 506 sq. ft. through 688 sq. ft., along with parking, landscaping, lighting, storm water, and sanitary improvements on a site located at 406 Osborn Avenue, Riverhead, NY, with said parcel being more particularly described as SCTM No. 600-126-1-6 and being located within the Village Center (VC) zoning use district; and

**WHEREAS**, the preliminary approval was granted with the following conditions:

1. The applicant shall provide color and material samples of the proposed building material to the Planning Board prior to final approval.
2. The site plan shall be revised to comply with all comments from the Town Engineer, the Riverhead Building Department, and the Riverhead Highway Department; and

**WHEREAS**, as per the preliminary approval resolution, the applicant presented revised architectural elevations to the Planning Board at its regular meeting on January 2, 2020; and

**WHEREAS**, the Planning Board selected its preferred design of white shutters with a red, green, and blue flower design as indicated on a plan prepared by Robert J. Gruber, RA, last dated August 12, 2019; and

**WHEREAS**, the total site plan fee as required by Town Code 301-305G(1) has been submitted; and

**WHEREAS**, the Planning Board has reviewed the aforementioned final site plan application.

**NOW, THEREFORE BE IT RESOLVED**, that the Riverhead Planning Board hereby grants final site plan approval for the site plan application of 406 Osborn Avenue, including a site plan, prepared and stamped by Robert J. Gruber, RA, with sheets labeled SP-1 having a last revision dated of November 2, 2018 and SP-2 having a last revision date of October 24, 2018, an eight page set of architectural drawings, prepared and stamped by Robert J. Gruber, RA, with sheets labeled of 1 of 8: Cover Sheet & Schedules, 2 of 8: Foundation Plan, 3 of 8: First Floor Construction Plan, 4 of 8: Second Floor Construction Plan, 5 of 8: Roof Framing Plan & Detail, 6 of 8: Section A-A, B-B & Detail, 7 of 8: Front & Left Side Elevation, 8 of 8: Rear & Right Side Elevation, having a last revision date of November 5, 2018, and a lighting plan prepared by Eric Perkins, LC, MIES, last dated September 27, 2018, last dated September 27, 2018; and be it further

**RESOLVED**, that this final site plan approval is hereby granted subject to the following conditions:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan.
2. That a covenant, in a form approved by the Town Attorney, containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk.
3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Article XLVIII of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein.
4. That any outdoor lighting shall be installed pursuant to Article XLIX of the **Riverhead Town Code** and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 251, Article III, entitled, "Rubbish, Refuse, and Rank Vegetation," and Chapter 245, Article I, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**.
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**.
8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, the property owner

hereby authorizes and consents to the Town of Riverhead to enter the premises at 406 Osborn Avenue, Riverhead, New York to enforce said handicapped parking regulations.

10. That all new utilities shall be constructed underground.
11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation.
12. That all nursery stock and installation methods thereof shall meet the latest “American Standards for Nursery Stock,” as published by the American Association of Nurserymen.
13. The applicant must satisfy all requirements of the Building and Fire Code of New York State.
14. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in §301-305F of the **Code of the Town of Riverhead**.
15. That no importation or exportation of materials will take place until a permit for such is obtained from the Town Board pursuant to §229-3A of the Riverhead Town Code.
16. That no work in Town of Riverhead right-of-way will take place without a permit from the Town of Riverhead Highway Department.
17. That no Building Permit shall issue prior to approval by the Suffolk County Department of Health Services Office of Wastewater Management.
18. That no Building Permit or shall be issued until the Chairman of the Planning Board signs one (1) mylar copy and six (6) paper copies of the plans, including a site plan, prepared and stamped by Robert J. Gruber, RA, with sheets labeled SP-1 having a last revision dated of November 2, 2018 and SP-2 having a last revision date of October 24, 2018, an eight page set of architectural drawings, prepared and stamped by Robert J. Gruber, RA, with sheets labeled of 1 of 8: Cover Sheet & Schedules, 2 of 8: Foundation Plan, 3 of 8: First Floor Construction Plan, 4 of 8: Second Floor Construction Plan, 5 of 8: Roof Framing Plan & Detail, 6 of 8: Section A-A, B-B & Detail, 7 of 8: Front & Left Side Elevation, 8 of 8: Rear & Right Side Elevation, having a last revision date of November 5, 2018, and a lighting plan prepared by Eric Perkins, LC, MIES, last dated September 27, 2018, last dated September 27, 2018. Prior to the signature of the plans, the following conditions shall be met:
  - i. The mylar plans shall not exceed the standard D size drawing (24” x 36”).
  - ii. Receipt of a digital copy of the final site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
  - iii. Covenants to the satisfaction of the Town Attorney are submitted and filed (as indicated under item #2).
  - iv. The applicant receives a Fire Marshal construction permit.
  - v. The applicant receives a Highway Work Permit from the Town of Riverhead Highway Department.
  - vi. The applicant receives the necessary permits from the Riverhead Sewer District and the Riverhead Water District.

19. That no Certificates of Occupancy shall be issued until:

- i. The applicant pays applicable Water Key money fees per the Riverhead Water District.
- ii. The applicant obtains all necessary inspections from the Riverhead Building Department, the Riverhead Fire Marshal's Office, the Riverhead Water District, the Riverhead Sewer District, and the Riverhead Planning Department.

20. As part of an application for final site inspection, the applicant shall submit six (6) signed and sealed as-built surveys, signed and sealed by a NYS Licensed Land Surveyor to the Planning Department pursuant to §301-303E of the **Code of the Town of Riverhead**.

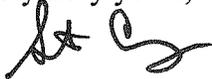
**AND BE IT FURTHER**

**RESOLVED**, that pursuant to §301-303F of the Riverhead Town Code, this final approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Planning Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and be it further

**RESOLVED**, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; the Riverhead Water District; and the Town Clerk; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

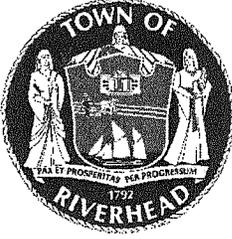


Stanley Carey  
Planning Board Chairman

A motion was made by Mr. Densieski and seconded by Mr. Nunnaro that the aforementioned resolution be approved:

THE VOTE

BAIER \_\_\_ YES X NO    O'DEA X YES \_\_\_ NO  
NUNNARO X YES \_\_\_ NO    DENSIESKI X YES \_\_\_ NO  
CAREY X YES \_\_\_ NO  
THIS RESOLUTION X WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED



## TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stanley Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Charles R. Cuddy, Esq.  
PO Box 1547  
Riverhead, NY 11901

### **Resolution #2020-008**

**Classifies Action Pursuant to SEQRA, Claims Lead Agency, and Issues Negative Declaration for the Two-Lot Minor Subdivision Application of Tarra Development Ellen Street, Riverhead, NY 11901 SCTM Nos. 600-65-1-29.62 & 600-65-1-29.63**

Dear Mr. Cuddy:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 16, 2020:

**WHEREAS**, the Planning Board has received and reviewed a two-lot minor subdivision application seeking to subdivide an existing 87,115 sq. ft. (1.999 acre) parcel of land and create two new lots having sizes of 41,446 sq. ft. (0.951 acres) and 38,142 sq. ft. (0.875 acre); and

**WHEREAS**, the proposed subdivision also involves a small unimproved triangular shaped piece of land, identified as SCTM No. 600-65-1-29.63, which is located on the west side of Ellen Street, opposite SCTM No. 600-65-1-29.62; and

**WHEREAS**, the proposal does not include any plans to develop SCTM no. 600-65-1-29.63; and

**WHEREAS**, the subject parcels were part of a prior major subdivision known as Tall Oakes Estates, which was a 99-lot major subdivision approved by the Riverhead Planning Board by Resolution dated August 22, 1988, whose final map was filed with the Suffolk County Clerk on July 17, 1990 as File No. 8977; and

**WHEREAS**, the approved Tall Oakes Estates major subdivision presented a yield map which identified the as of right development potential of 110 lots which conformed to the zoning and dimensional requirements at the time of the original subdivision (Agriculture A and Residence); and

Tarra Development 2 Lot Subdivision – SEQRA Classification, Lead Agency, and Negative Declaration

**WHEREAS**, the creation of a new buildable lot within the Tall Oakes Estates major subdivision would not exceed the maximum yield of the original subdivision; and

**WHEREAS**, during the original Tall Oakes Estates subdivision approval, the subject parcel (SCTM No. 600-65-1-29.62) was intended to be used as a well site for the Riverhead Water District; and

**WHEREAS**, the small triangular parcel on the west side of Ellen Street (SCTM no. 600-65-1-29.63), was created as part of an exclusionary zone to create a non-pollution radius around the future potential well site; and

**WHEREAS**, subsequent to the approvals and buildout of the Tall Oakes subdivision, the Riverhead Water District found that the site would no longer be beneficial to the Water District and that it did not have the ability to produce potable water, and as such, the Water District abandoned plans to develop the site with water distribution facilities; and

**WHEREAS**, the Planning Board has received and reviewed a subdivision map entitled “Subdivision Map Vinwood, LLC: Preliminary Plat,” prepared and stamped by Howard W. Young, LS, and Thomas C. Wolpert, PE, last dated August 5, 2019; and

**WHEREAS**, the Planning Board held a public hearing on the proposed subdivision on November 7, 2019; and

**WHEREAS**, the application to create subdivide SCTM No. 600-65-1-29.62 and create a new buildable lot has been considered by the Riverhead Planning Board; and

**WHEREAS**, the proposed action is an Unlisted Action, pursuant to SEQRA, with coordinated review being optional and not recommended; and

**WHEREAS**, the Planning Board has reviewed the subdivision application, the report of the Planning Department, the Short Environmental Assessment Form (SEAF), and comments received at the public hearing, as well as other relevant planning, zoning, and environmental information.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Riverhead Planning Board hereby assumes Lead Agency status, without coordinated review, for the purposes of SEQRA review; and be it further

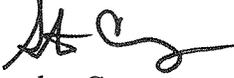
**RESOLVED**, that the Planning Board hereby issues a Negative Declaration pursuant to SEQRA, as the creation of a new buildable lot will not have a significant negative environmental impact to the health, safety, welfare, or character of the area; and be it further

**RESOLVED**, that copies of this resolution may be forwarded to the Riverhead Building Department; the Town Clerk; the Town Attorney’s Office; the Town Assessor’s Office; and be it further

Tarra Development 2 Lot Subdivision – SEQRA Classification, Lead Agency, and Negative Declaration

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,



Stanley Carey  
Planning Board Chairman

THE VOTE

A motion was made by Mr. Nunnaro and seconded by Mr. Densieski that the aforementioned resolution be approved:

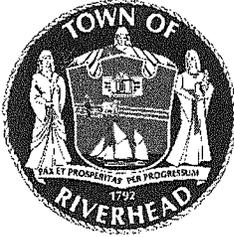
THE VOTE

BAIER  YES \_\_\_ NO O'DEA  YES \_\_\_ NO

NUNNARO  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO

CAREY  YES \_\_\_ NO

THIS RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED



## TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596  
(631) 727-3200, EXT. 240, FAX (631) 727-9101

*Stanley Carey, Chairman*  
*Ed Densieski, Vice-Chair/Secretary*

*Richard M. O'Dea, Member*

*Joseph H. Baier, Member*  
*George Nunnaro, Member*

January 16, 2020

Charles R. Cuddy, Esq.  
PO Box 1547  
Riverhead, NY 11901

### **Resolution #2020-009**

**Approves Fourteen (14) Lot Sketch Plan for the Major Subdivision of Villas at Roanoke Utilizing Transfer of Development Rights and Designed to Comply with the Requirements of the Long Island Workforce Housing Act (LIWFHA)  
Sound Shore Road, Jamesport, NY  
SCTM No. 600-8-2-4**

Dear Mr. Cuddy:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on January 16, 2020:

**WHEREAS**, Charles R. Cuddy, Esq., on behalf of his client, Villas at Roanoke, LLC, did submit an application for the approval of a Sketch Plan to identify the Planning Board's preferred layout for a Yield Map to identify the potential subdivision yield of an existing 11.1334 acre parcel of land located on the south side of Sound Shore Road, Jamesport, being more particularly described as SCTM No. 600-8-2-4, and being split zoned, with approximately 4.4 acres of the subject parcel located within the Residence A-40 (RA40) zoning use district, and approximately 6.7 acres located within the Residence A-80 (RA80) zoning use district; and

**WHEREAS**, by Planning Board Resolution No. 2019-046, dated June 6, 2019, the Riverhead Planning Board approved a yield map identifying an as-of-right development potential of six (6) lots, based upon a yield map prepared and stamped by Howard W. Young, LS, last dated October 29, 2018; and

**WHEREAS**, pursuant to Town Code §301-208A, Transfer of Development Rights can be used to increase lot yield within the Residence A-80 zoning use district, however, in no instance shall lot yield exceed one lot per 40,000 sq. ft.; and

Villas at Roanoke TDR & LIWFHA Sketch Plan – Approval Resolution

**WHEREAS**, pursuant to Town Code §301-208B, Transfer of Development Rights can be used to increase lot yield within the Residence A-40 zoning use district, however, in no instance shall lot yield exceed one lot per 20,000 sq. ft.; and

**WHEREAS**, by Planning Board Resolution No. 2019-107, dated November 7, 2019, the Riverhead Planning Board approved a thirteen (13) lot yield map, predicated upon the procurement and redemption of seven (7) Transfer of Development Rights (TDR) by the applicant, to be considered under separate application by the Riverhead Planning Board, pursuant to the guidelines of Town Code Article XLII; and

**WHEREAS**, pursuant to the conditions of Planning Board Resolution No. 2019-107, the applicant was required to submit a plan which complied with the Long Island Workforce Housing Act (LIWFHA), either by electing to receive a 10% density bonus and provide affordable workforce housing on, or reducing their yield to twelve (12) lots, predicated upon the purchase and redemption of seven (7) TDR's; and

**WHEREAS**, the applicant has elected to receive the aforementioned density bonus, and will provide one (1) affordable workforce housing unit on site, pursuant to the definitions outlined in the LIWFHA; and

**WHEREAS**, the Planning Board has received and reviewed a sketch plan, prepared and stamped by Howard W. Young, LS, last dated January 3, 2020, which demonstrates the fourteenth (14<sup>th</sup>) lot as afforded by density bonus outlined in the LIWFHA; and

**WHEREAS**, the plan demonstrates compliance with the cluster requirements enumerated in Town Code §301-296F and has identified a 3.4076 acre “open space” area; and

**WHEREAS**, the plan has identified a 32,325 sq. ft. drainage recharge area to manage on-site stormwater; and

**WHEREAS**, the Planning Board has carefully considered the proposed yield map entitled “Sketch Plan ‘AA’ Open Space Easement,” prepared and stamped by Howard W. Young, LS, last dated January 3, 2020, the report of the Planning Department, the report of the Town’s Consulting Engineer, the FEAF dated January 9, 2019, as well as other relevant planning, zoning, and environmental information.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Town of Riverhead Planning Board hereby approves the fourteen (14) lot sketch plan as prepared by Howard W. Young, LS, last dated January 3, 2020; and be it further

**RESOLVED**, that the development potential as identified in the aforementioned map is predicated upon the procurement and redemption of seven (7) Transfer of Development Rights (TDR) by the applicant, to be considered under separate application by the Riverhead Planning Board, pursuant to the guidelines of Town Code Article XLII; and be it further

Villas at Roanoke TDR & LIWFHA Sketch Plan – Approval Resolution

**RESOLVED**, that the creation of a fourteenth (14<sup>th</sup>) lot within the proposed subdivision is permitted as a density bonus under the conditions of the Long Island Workforce Housing Act, and does not require the purchase of additional Transfer of Development Rights; and be it further

**RESOLVED**, upon submission of a Preliminary Plat, the applicant must identify one (1) lot within the fourteen (14) lot subdivision as an affordable workforce housing unit, as defined by the Long Island Workforce Housing Act; and be it further

**RESOLVED**, that the lot identified as an affordable workforce housing unit shall remain affordable by the placement of restrictive covenants filed on the property as a condition of final subdivision approval; and be it further

**RESOLVED**, that regulations defining the affordability component of the affordable workforce housing unit shall be adopted prior to final subdivision approval; and be it further

**RESOLVED**, that copies of this resolution be forwarded to Howard W. Young, 400 Ostrander Avenue, Riverhead, NY 11901; Villas at Roanoke, LLC, PO Box 534, Wading River, NY 11792; the Building Department; the Town Clerk; Richard Ehlers, Attorney to the Planning Board; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,



Stanley Carey  
Planning Board Chairman

**THE VOTE**

A motion was made by Mr. Baier and seconded by Mr. Densieski that the aforementioned resolution be approved:

**THE VOTE**

BAIER  X  YES \_\_\_ NO O'DEA  X  YES \_\_\_ NO

NUNNARO  X  YES \_\_\_ NO DENSIESKI  X  YES \_\_\_ NO

CAREY  X  YES \_\_\_ NO

THIS RESOLUTION  X  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED