

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

February 20, 2020

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

Resolution #2020-017

Approves 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 February 20, 2020:

WHEREAS, the Planning Board has received and reviewed a two-lot minor subdivision application seeking 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, at the northeast corner of Sound Avenue and Forest Hollow Lane in Wading River located within the Residential B-80 (RB80) zoning use district; and

WHEREAS, the Residential B-80 (RB80) zoning use district requires a minimum lot size of 80,000 sq. ft.; and

WHEREAS, the proposed lot sizes for Lot 1 being 102,396 sq. ft. and Lot 2 being 102,565 sq. ft. both conform to all dimensional requirements of the RB80 zoning district; and

WHEREAS, the lot is presently improved with a one (1) story frame dwelling, garage, paver patio, and paved driveway; and

WHEREAS, the proposal does not include any plans to develop proposed Lot 2 at this time however, any disturbance greater than 1 acre will require a SWPPP; and

WHEREAS, the Planning Board has received and reviewed a subdivision map entitled “Yield Map for 730 Sound Avenue Situated at Wading River” prepared and stamped by Matthew D. Crane, NYS licensed Land Surveyor, last dated September 17, 2019; and

WHEREAS, the Planning Board held a public hearing on the proposed subdivision on February 6, 2020; and

WHEREAS, in a letter dated December 6, 2019, the Suffolk County Planning Commission found the proposed application to be a matter of local determination as there appears to be no significant county-wide or inter-county impacts; and

WHEREAS, in an email dated December 12, 2019, the Riverhead Water Superintendent had the following comments:

1. The drawing shows a water main to be installed on Forest Lane. We think that is just a mistake on the drawing because there is no diameter listed or any other detail on it. If they wanted to do that, they would need to get an easement on the right-of-way and go through the Water District office to install it at the expense of the applicant.
2. We think the more likely scenario is that the back parcel (Parcel 2) will be fed water from a water service 1” or 2” service from the main on Sound Avenue. The Water District will then tab at the street and leave the pipe in a meter pit and run the service from that at the applicant’s expense.
3. The only thing they need for that is access to that right-of-way. The Water District does not know if they have access to the right-of-way but all homes across the street from the parcel do and this parcel probably does too.
4. If any irrigation is to be used on either parcel the Water District recommends the use of smart controllers be incorporated into the irrigation systems controls to comply with the NYSDEC Water Conservation Program.

WHEREAS, on February 12, 2020, the Riverhead Deputy Highway Superintendent had the following comments:

1. The applicant will need to apply for a road opening permit to install a water service from the Sound Avenue 12-inch water main to the proposed second lot.
2. The applicant will also need to apply for a highway permit to open access to the proposed second lot for a driveway.
3. The applicant can acquire both a driveway permit and open road permit at the same time as long as the work is completed within one (1) year.

WHEREAS, the Planning Department has reviewed the SEAF Part 1, completed Kenneth Van Helden, P.E. dated July 31, 2019 and Planning Staff have completed the SEAF Parts 2 and 3 dated February 20, 2020; and

WHEREAS, the proposed minor subdivision is a Type II Action pursuant to Town Code §225-12B(1) “Subdivisions of residential land into four lots or less where subdivided parcels conform to the Town of Riverhead Code Chapter 301 and are or have been restricted from further subdivision.” These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, Article 8 and no further action is required; and

WHEREAS, the Planning Board has carefully considered the merits of the final site plan application, the SEQRA record to date, the report of the Planning Department, public comments, as well as all other relevant Planning, Zoning, and Environmental information; No therefore it be

RESOLVED, that the Riverhead Planning Board hereby approves the minor subdivision application of John J. Ratto, including a subdivision map prepared by Matthew D. Crane, LS, titled “Yield Map for 730 Sound Avenue Situated at Wading River,” last dated September 17, 2019, subject to the following conditions:

1. Prior to the Chairman of the Planning Board signing the mylar, the following conditions shall be satisfied:
 - A. The applicant shall submit one (1) mylar and six (6) paper copies the approved subdivision map and six (6) paper copies.
 - B. The applicant shall receive approval from the Suffolk County Department of Health Services Office of Wastewater Management.
2. Upon the Chairman of the Planning Board affixing his signature to the mylar, the following shall take place:
 - A. The signed map shall be filed with the Suffolk County Clerk, with certified copies submitted to the Riverhead Planning Department.
 - B. The signed map shall be filed with the Suffolk County Real Property Tax Services; and be it further

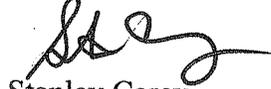
RESOLVED, that the time period for the Chairman of the Planning Board to affix his signature to the mylar map shall expire on November 1, 2020; and be it further

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

John J. Ratto 2-Lot Minor Subdivision – Approval Resolution

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. O'Dea 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

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Joseph Baier, Member
George Nunnaro, Member

February 20, 2020

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

RESOLUTION 2020-018

**Approves a Final 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 at a meeting of the Town of Riverhead Planning Board held on February 20, 2020:

WHEREAS, on September 5, 2019 the Town of Riverhead Planning Board adopted resolution #2019-081 classifying the action of Central Square at Wading River as a Type I action pursuant to SEQRA, requesting Lead Agency status, and coordinating review with involved agencies; and

WHEREAS, the Town of Riverhead Planning Board adopted resolution # 2020-003 dated January 16, 2020 to Claim Lead Agency, Issue a Negative Declaration Pursuant to SEQRA, and Approve a Preliminary Site Plan Application 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 final application including a nine-page final site plan last revised January 29, 2020 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), and Building Elevations (A-4.1) for building 1, 2, 3, and 4, 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 404,261 sq. ft. of the site has been covenanted as open space; 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 on the 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 Landscaping Plan last revised December 5, 2019 given Preliminary site plan approval matched 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 was 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, the proposed final Landscaping Plan last revised January 29, 2020 has been revised to fix the majority of the deficiencies in the Landscaping Plan conditionally approved by the Preliminary site plan approval; and

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

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

WHEREAS, the proposed Building Elevations (A-4.1) for buildings 1, 2, 3, and 4 last revised January 29, 2020 matches the building elevations approved by the Preliminary site plan; 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 Preliminary and Final 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, 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 Development of Regional Significance (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, e-mail correspondence from NYSDOT received on January 29, 2020 reiterated the same information as in the May 24, 2019 e-mail including that the Traffic Impact Study and Signal Warrant Analysis prepared by VHB in 2011 would need to be updated; and

WHEREAS, due to the fact that lighting technology has improved in the years since the expired approval and the High Pressure Sodium lighting originally 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, all lighting proposed is now LED; 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 final 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. Now therefore, be it

RESOLVED, that the final site plan application including a site plan dated January 29, 2020 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), and Building Elevations (A-4.1) for building 1, 2, 3, and 4, prepared by Martin F. Sendlewski, Architect 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. is hereby approved by the Planning Board with 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 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 245, 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 Nicholas Zoumas and William and Ioannis Zoumas hereby do authorize and consent to the Town of Riverhead to enter the premises on the south side of NYS Route 25A in Wading River, 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 applicable 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, after the first lift of paving, and post-construction prior to the issuance of a certificate).
15. That Dig Safely New York Call 811 shall be called and all utilities shall be marked out prior to the commencement of any work.
16. That all landscaped areas and plantings proposed shall be watered by an automatic underground irrigation system with rain sensor and smart controller.
17. That all utility meters and transformers shall be suitably screened from view with evergreen plantings.
18. That all handicapped curb ramps will be constructed to be ADA compliant.
19. That prior to any work in the NYS Route 25A right-of-way or work on the proposed access to NYS Route 25A a Highway Work Permit shall be issued by the NYS Department of Transportation.
20. That no importation or exportation of materials nor site work will take place until a permit for such is obtained from the Town Board pursuant to Chapter 62 of the Riverhead Town Code.
21. That no clearing or site work nor Building Permit shall be issued until the Chairman of the Planning Board signs a revised mylar copy of the final plan set, including a 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), and Building Elevations (A-4.1) for building 1, 2, 3, and 4, prepared by Martin F. Sendlewski, Architect, the signature of which is contingent upon the following:

- i. That certification of clean title to the satisfaction of the Town Attorney is submitted.
 - ii. That covenants to the satisfaction of the Town Attorney are submitted and filed (as indicated under item #2) exclusive of the Cross Access Declaration and Covenant and Grant of Scenic Easement Covering Open Space, which were filed as part of the expired approval, and the Covenants for Landbanked Parking/Sidewalks, which no longer applies.
 - iii. That the mylar plans shall not exceed the size of a standard D size drawing (24" x 36").
 - iv. That the mylar plans include a Planning Board Certification Box on each page.
 - v. That each page of the mylar plans shall be signed and sealed by the applicable architect, land surveyor, or engineer.
 - vi. That only pages required to be revised shall have a new revision date and the rest of the pages shall retain the last revision date of January 29, 2020.
 - vii. That the mylar plan set shall be revised to:
 - a. Make the following changes to the Landscaping Plan (LS-1):
 1. Correct the text cut off to the east which should read "Woods. Now or Formerly The Nassau County Council of Boy Scouts of America."
 2. Add back the planting beds previously depicted along the north side of buildings #1 and #4.
 - b. Include the voltage of the Visionaire VSX back-to-back luminaires in the Luminaire Schedule on page SL-1.
 - viii. The submission of six paper copies of all plans matching the mylar.
 - ix. Submission of a digital copy of the Proposed Site Plan matching the mylar plan set 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.
22. 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.
23. 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.

24. That, in addition to signature of the mylar final site plan, prior to the issuance of a Building Permit the following shall be obtained:

- 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.

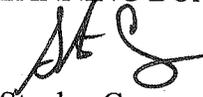
25. That prior to issuance of a temporary or permanent Certificate of Occupancy:

- i. The applicant submits six (6) signed and sealed accurate as-built surveys to the Planning Department.
- 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 installed.
- iv. 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.
- v. Proof of Suffolk County Department of Health Services Wastewater Management approval of constructed works shall be provided to the Building Department.
- vi. That all required inspections as indicated in condition number 14 above have been requested and been found to be satisfactory; and be it further

RESOLVED, that pursuant to section 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 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. 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



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February 20, 2020

Bosworth Contruction Corp.
C/O Richard Bosworth
48220 Route 25
Southold, NY 11971

Resolution No. 2020-019
Chapter 219 Coastal Erosion Hazard Area Permit of
Christopher & Kristin Donnelly Residence
668 Sound Shore Road, Riverhead, NY
SCTM No. 600-7-3-3

Dear Mr. Bosworth:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 20, 2020:

WHEREAS, the Riverhead Planning Board is in receipt of a Chapter 219 Coastal Erosion Hazard Area permit application from Christopher and Kristin Donnelly submitted by the applicant's agent, Richard Bosworth, to demolish an existing 981 square foot single family dwelling and construct a new 2,010 sq. ft. single family dwelling, install and attach new retaining wall to the landward side of the existing retaining wall, and reconstruct a beach access stairway down the face of the bluff located landward and seaward of the Coastal Hazard Erosion Line at 668 Sound Shore Road, Riverhead, NY; and

WHEREAS, the subject parcel is 0.32 acre parcel with a 981 sq. ft. one story single family residence with a rear screen porch and frame storage shed, and wooden retaining wall on the top of bluff, located within the RA-40 zoning use district on a private right-of-way known as Well's Way, and more particularly described as SCTM No. 600-7-3-3; and

WHEREAS, the Planning Department has received and reviewed a site plan entitled, "Survey of Property Situate Jamesport S.C. Tax No. 600-7-3-3," prepared by Metes and Bounds Surveying, stamped and signed by Ralph O. Heil, licensed NYS Land Surveyor, last dated February 19, 2020; a site plan entitled "Retaining Wall and Stairs Repairs," prepared, stamped and signed by Anthony J. Tarantino, NYS licensed P.E., last dated November 5, 2019; a site plan application, including a completed Short Environmental Assessment Form (SEAF) dated January 25, 2019, prepared by Bosworth Construction Corp; and

WHEREAS, in a letter dated April 23, 2019, the Suffolk County Planning Commission found the proposed application to be a matter of local determination as there appears to be no significant county-wide or inter-community impacts; and

WHEREAS, in a memo dated December 11, 2019, the Town's Consulting Engineer had no objection taken to the proposed improvements; and

WHEREAS, the Planning Board has adopted Resolution No. 2019-117, dated December 19, 2019, which classified the proposed action as an Unlisted Action pursuant to 6NYCRR Part 617 (SEQRA), assumed Lead Agency, and issued a Negative Declaration; and

WHEREAS, the Planning Department has reviewed the SEAF Part 1, completed by Richard Bosworth dated January 25, 2019 and Planning Staff have completed the SEAF Parts 2 and 3 dated December 19, 2019; and

WHEREAS, the Planning Department has reviewed a Warning Letter issued by the New York State Department of Environmental Conservation, dated June 20, 2019 for the construction and reconstruction of retaining walls in the adjacent area of a regulated NYS tidal wetland without the required NYSDEC permit; and

WHEREAS, the New York State Department of Environmental Conservation's issuance of a Warning Letter in lieu of further enforcement against the applicant considers the violation resolved and any future regulated activity will require the appropriate permits; and

WHEREAS, the Planning Department has received an NYSDEC Article 25 Tidal Wetlands Permit (Permit ID 1-4730-01819/00004) effective November 15, 2019 through November 14, 2024; and

WHEREAS, in a memo dated February 20, 2020, the Town's Consulting Engineer had the following comments prior to recommending engineering approval:

1. All proposed site improvements including driveway, walkways, and constructed surfaces should be shown on the site plan.
2. Two (2) versions of the updated survey/site plan have been provided. The design that proposes the roof runoff drywell in the center of the property, as opposed to the westerly property line, is recommended.
3. The location of the existing sanitary system as shown on the survey/site plan is not consistent with the field measurements noted in the sanitary system inspection report prepared by Terra Tech Site Development. The survey/site plan should depict the existing location of the sanitary system accurately.
4. The deadmen system for the retaining wall is designed to be a minimum of 14 feet from the back of the new vinyl sheathing. At a minimum distance of 14 feet, the

deadmen would extend under a portion of the proposed deck and could be in conflict with the proposed poured concrete piers for the deck. The design should be further evaluated and, if necessary, revised; and

WHEREAS, the Zoning Board of Appeals, on January 23, 2020 has granted relief for Appeal No. 2019-005 Christopher and Kristin Donnelly – 668 Sound Shore Road – SCTM No. 600-7-3-3 – RA40 Zoning for variances and/or relief from Chapter 219 Section 10 B where proposed additions are within the Coastal Erosion Hazard Area which is not permitted; Chapter 301 Section 222 E where proposed eastern side yard setback is 9.6 feet and minimum required is 10 feet; and proposed additions increase gross floor area within existing nonconforming side yard setbacks, representing an increase in degree of nonconformity; and

WHEREAS, pursuant to Riverhead Town Code Chapter 219, where it is determined that strict application of the standards and restrictions of Chapter 219 may cause practical difficulty or unnecessary hardship, such standards and restrictions may be varied or modified, provided that the following criteria are met:

1. No reasonable, prudent, alternative site is available.
2. All responsible means and measures to mitigate adverse impacts on natural systems and their functions and values have been incorporated into the activity's design at the property owner's expense.
3. The development will be reasonably safe from flood and erosion damage.
4. The variance requested is the minimum necessary to overcome the practical difficulty or hardship which was the basis for the requested variance.
5. Where public funds are utilized, the public benefits must clearly outweigh the long-term adverse effects; and

WHEREAS, there are no known public funds required for this application; and

WHEREAS, the location and design of the proposed structure does not pose significant concern for erosion at the subject parcel or neighboring lands; and

WHEREAS, the applicant has met the minimum requirements pursuant to Chapter 219 of the Riverhead Town Code; and

WHEREAS, the action is reasonable and necessary, considering reasonable alternatives to the proposed activity and the extent to which the proposed activity requires a shoreline location and it is unlikely other alternatives can be viable if required by the applicant; and

WHEREAS, the proposed action minimizes adverse effect on natural protective features and their functions and protective values, existing erosion protection structures and natural resources and the proposed work is expected to have no measureable impact on natural protective features and their functions and protective values, existing erosion protection structures and natural resources; and

WHEREAS, the Planning Board has carefully considered the merits of the Chapter 219 Application, the Short Environmental Assessment Form, the report from the Planning Department, the report of the Town's Consulting Engineer, and the SEQRA record to date. Now, therefore be it

RESOLVED, that the Riverhead Planning Board hereby approves the Chapter 219 application for Christopher and Kristin Donnelly at 668 Sound Shore Road, Riverhead, NY, including plans and grants a Chapter 219 Permit with the following conditions:

1. The applicant shall not commence any construction activity seaward of the "top of bluff" (i.e. construction of stairway down face of bluff) between April 1st and August 31st in order to avoid an "Incidental Take" of an endangered species (Piping Plover and Least Tern) as regulated by the NYSDEC. Any access to the beach or activity within the bluff area within these dates will require an "Incidental Take Permit" from the NYSDEC.
2. The applicant shall not conduct any tree cutting or clearing between April 2nd and October 31st of any calendar year may result in the "take" of these species or their habitat within the meaning of Environmental Conservation Law (ECL) §11-535. The NYSDEC has documented the summer occurrence of the Northern Long-Eared bat (*Myotis septentrionalis*), a species listed as "threatened" by both New York State and the U.S. Fish and Wildlife Service, within 1.5 miles of the project location.
3. The applicant is prohibited from constructing, building, or creating any impervious surfaces on the subject parcel which includes driveways, walkways, house additions, and any and all impervious surfaces not listed. If the applicant desires to create any site change, the applicant must submit a new application to the Town of Riverhead Planning Board for any and all alterations to the site that will create impervious surfaces.
4. No Building Permit shall be issued prior to the Chairman signing Six (6) paper copies and one (1) mylar copy of the site plan, titled "Survey of Property Situate Jamesport S.C. Tax No. 600-07-03-03," prepared by Metes and Bounds Surveying, Ralph O. Heil, L.S. last dated February 19, 2020; and Six (6) paper copies and one (1) mylar copy of the site plan, titled "Retaining Wall and Stairs Repairs," prepared by Reilly Tarantino Engineering, Anthony J. Tarantino, NYS licensed P.E. last dated November 5, 2019.
 - a. The following conditions must be satisfied prior to the signature of the plans and mylar:
 - i. Receive Suffolk County Department of Health Services Office of Wastewater Management approval for existing sanitary system.
 - ii. The Applicant must verify the measurements for the location of the existing sanitary system as shown on the survey/site plan as it is not consistent with field measurements noted in the sanitary

system inspection report prepared by Terra Tech Site Development. The survey/site plan should depict the existing location of the sanitary system accurately.

- iii. Applicant must schedule an inspection with the Town of Riverhead Environmental Planner to verify the installation of erosion control measures are in place.
 - iv. The applicant must retain a licensed New York State Professional Engineer to remain onsite and oversee the installation and construction of the new retaining wall landward of the Coastal Erosion Hazard Line, the attachment of the new landward wall to the existing retaining wall to insure the integrity of the bluff remains and no further disturbance is created. The Engineer shall document all phases of construction and installation of the retaining wall system with time and date stamped photograph's and field notes and must be submitted to the Town Environmental Planner.
 - v. The contractor must provide time and date stamped photographs of Wells Way, a private right-of-way, depicting pre-construction conditions of the road and submit them to the Town Environmental Planner.
5. Prior to the Issuance of a Certificate of Occupancy, the following conditions shall be satisfied:
- a. The licensed New York State Environmental Professional Engineer must submit a signed, stamped, and sealed post construction analysis of the new landward retaining wall attached to the landward side of the existing retaining wall certifying that all the completed work conforms to the approved plans, designs, and any structural improvements has not impaired or damaged the integrity of the bluff.
 - b. The contractor must provide time and date stamped photographs of Wells Way, a private right-of-way, depicting post-construction conditions of the road and submit them to the Town Environmental Planner for approval.
 - c. In the event of damage to Wells Way, the contractor must remediate and repair all damage to Wells Way to the satisfaction of the Highway Superintendent caused by the access to the site, staging of construction equipment, and storage of construction equipment and materials.

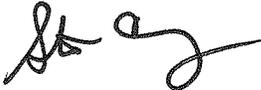
RESOLVED, that this approval is subject to the following terms and conditions:

1. A copy of this resolution, which shall represent the Town's authorized approval under Chapter 219, shall together with the plans cited above be available for inspection at the work site when work is in progress. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by authorized representatives of the Town of Riverhead to determine whether the permittee is complying with this permission. Such representative may order the work suspended pursuant to Chapter 219 of the Town Code. The permittee shall require that any contractor, project engineer or other person responsible for the overall supervision of this project reads, understands and complies with this permit and all of its conditions. Any failure to comply precisely with the terms and conditions of this permit, unless authorized in writing, shall be treated as a violation of the Town Code. If any of the permit conditions are unclear, the permittee must contact the Riverhead Planning Department at the letterhead address or by telephone at (631) 727-3200, ext. 207.
2. If the permittee intends to undertake any project design modifications after permit issuance, the permittee must submit the appropriate plan changes to the Riverhead Planning Department for approval prior to undertaking any such changes. The permittee is advised that substantial modification may require submission of a new permit application. This approval is specified for a one year duration from the date of this resolution. To ensure its uninterrupted coverage, any request for renewal should be made at least 30 days prior to expiration. Pursuant to Chapter 219, construction allowed by variance granted by the Coastal Erosion Hazard Board of Review must be completed within one year from the date of approval.
3. The permittee has expressly accepted by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the Town of Riverhead from suit, actions, damages and costs of every name and description resulting from said project. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights of way which may be required for this project including a building permit from the Town of Riverhead.
4. All construction and demolition debris shall be removed completely from the site and disposed of at an approved upland location. Disposal of debris in tidal wetlands, waters, adjacent area or Erosion Hazard Area is prohibited. Contamination of tidal wetlands and the waters of New York State by sediments or any other environmentally deleterious materials associated with the project is prohibited. Towards these ends, the applicant shall erect and maintain a suitable sediment barrier such as staked haybales across the site between the construction activity and the top of bluff, and shall vegetatively stabilize all disturbed areas with maritime tolerant vegetation as soon as possible. The barrier shall remain in place until vegetation has taken hold; and, be it further

RESOLVED, that the Clerk for the Planning Board is hereby authorized to forward a copy of this resolution to Christopher Donnelly, 49 Columbia Place #4, Brooklyn, NY; Richard Ehlers, attorney to the Planning Board; the Town Attorney; the Town Engineer; the Building Department; 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 the same may be obtained from the Office of the Town Clerk.

Very truly yours,



Stanley Carey, Chairman
Riverhead Planning Board

**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
Ed Densieski, Vice-Chair/Secretary

Richard M. O'Dea, Member

Joseph H. Baier, Member
George Nunnaro, Member

February 20, 2020

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

Resolution #2020-020

**Approves Minor Subdivision Application of Tarra Development Corp.
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 February 20, 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 parcel 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 – Approval Resolution

WHEREAS, the creation of a new buildable lot within the Tall Oakes Estates major subdivision does 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 public hearing was held open pending a determination from the Riverhead Zoning Board of Appeals; and

WHEREAS, the Planning Board held a continuation of the public hearing on February 20, 2020, to receive any additional public input on the proposed subdivision; and

WHEREAS, by Planning Board Resolution No. 2020-008 dated January 16, 2020, the Riverhead Planning Board classified the proposed minor subdivision as an Unlisted Action pursuant to SEQRA, assumed Lead Agency Status without the need for coordinated review, and issued a Negative Declaration pursuant to SEQRA; and

WHEREAS, approval of the subdivision, as proposed, required relief from the Town of Riverhead Zoning Board of Appeals for relief from Town Code §301-11 where the proposed lot size for Lot #2 is 38,142 sq. ft. where 40,000 sq. ft. is required, and for minimum required lot width, where the proposed Lot #1 is 122.58 ft. and the proposed Lot #2 is 124.33 ft.; and

WHEREAS, the applicant made an application to the Town of Riverhead Zoning Board of Appeals by Appeal No. 2019-060; and

WHEREAS, by Determination dated January 30, 2020, the Riverhead Zoning Board of Appeals granted the desired relief with the following conditions:

Tarra Development 2 Lot Subdivision – Approval Resolution

1. It is recommended that the Planning Board condition its approval on the applicant's agreement to dedicate the parcel identified as SCTM No. 600-65-1-29.63 to the Town to be merged to the contiguous Town owned land.

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Planning Board hereby approves the minor subdivision application of Tarra Development Corp, including a subdivision map prepared by Howard W. Young, LS, titled "Vinwood, LLC: Preliminary Plat," last dated August 5, 2019, subject to the following conditions:

1. The applicant shall submit one (1) mylar and six (6) paper copies the approved subdivision map and six (6) paper copies which show the following revisions:
 - a. SCTM No. 600-65-1-29.63 shall be removed from the map, as the relief received from the Riverhead Zoning Board of Appeals effectively nullifies the utilization of this parcel to meet dimensional regulations; and be it further

RESOLVED, that prior to the Chairman of the Planning Board signing the mylar, the following conditions shall be satisfied:

1. The applicant shall receive approval from the Suffolk County Department of Health Services Office of Wastewater Management.
2. The applicant shall pay fees in the amount of \$76,052.00 to the Riverhead Water District to satisfy acquisition of the parcel from the Riverhead Water District (\$70,000.00) and to satisfy required Key Money fees (\$6,052.00).
3. The parcel identified as SCTM No. 600-65-1-29.63 shall be dedicated to the Town of Riverhead and consent given for the parcel to be merged with neighboring lands belonging to the Town; and be it further

RESOLVED, that upon the Chairman of the Planning Board affixing his signature to the mylar, the following shall take place:

1. The signed map shall be filed with the Suffolk County Clerk, with certified copies submitted to the Riverhead Planning Department.
2. The signed 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 affix his signature to the mylar map shall expire on September 1, 2020; and be it further

RESOLVED, that prior to the issuance of any Certificate of Occupancy for new structures on Lot #2 of the minor subdivision, the applicant shall submit a fee of \$3,000.00 to the Town

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 – Approval Resolution

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. O'Dea 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

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

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

Joseph Baier, Member

Richard O' Dea, Member
George Nunnaro, Member

February 20, 2020

Steven Losquadro, Esq.
649 Rt. 25A, Suite 4
Rocky Point, NY 11778

Resolution 2020-021
Adopts Final Scope pursuant to SEQRA for the Site Plan Application of
Breezy Hill Group VI, LLC
1792 Middle Road, Calverton, NY
SCTM No. 600-100-2-4.2

Dear Mr. Losquadro:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 20, 2020:

WHEREAS, the Riverhead Planning Board is in receipt of a site plan application to establish and operate a construction & demolition processing facility (C&D) pursuant to New York State Department of Environmental Conservation Regulations Part 360 Solid Waste and Part 361 on 6.683 acres of land located within the Industrial A (Ind A) zoning use district; and

WHEREAS, the subject parcel is located at 1792 Middle Road, Calverton, NY, on a parcel of real property more particularly identified as SCTM No. 600-100-2-4.2; and

WHEREAS, by Resolution No. 2018-022, dated March 15, 2018, the Riverhead Planning Board classified the proposed action as an Unlisted Action pursuant to SEQRA and authorized the Planning Department to circulate a request to involved agencies for the Planning Board to assume Lead Agency status for the purposes of SEQRA review; and

WHEREAS, by Planning Board Resolution No. 2019-037, dated May 16, 2019, the Riverhead Planning board assumed Lead Agency status and issued a Positive Declaration pursuant to SEQRA, as the proposed action may have a significant potential adverse impact on the health, welfare, and the environment for the following reasons:

1. The use poses potential threats to the groundwater supply in an area where public water infrastructure is not currently available and whose water usage for uses in the surrounding is provided via wells fed directly from groundwater.

Breezy Hill Group VI, LLC – Final Scope Adoption

- 2. The use has the potential increase heavy industrial traffic along roadways within an area containing residential, rural, and industrial uses.
- 3. The use has the potential to degrade existing roadway and infrastructure as a result of increase heavy industrial traffic.
- 4. The use has the potential to increase noise levels and present impacts to neighboring residential
- 5. As a result of illegal land clearing by the applicant, the use has the potential to create significant adverse visual impacts to neighboring residential properties; and

WHEREAS, the applicant submitted a Draft Scope entitled “Breezy Hill Group VI, LLC Asphalt and Concrete Crushing and Screening Facility, Draft Environmental Impact Statement Draft Scope,” dated December 26, 2019, prepared by Nelson, Pope & Voorhis, LLC; and

WHEREAS, the Planning Board held a public scoping session at its meeting on the afternoon of February 20, 2020, to receive public input on the contents of the Draft Environmental Impact Statement Draft Scope; and

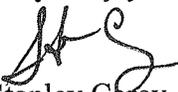
WHEREAS, all comments that have been received have been reviewed, analyzed, and assembled into a final draft scope. Now, therefore be it

RESOLVED, that the Planning Board of the Town of Riverhead hereby finds the contents of this final scope to be in an acceptable form to prepare a Draft Environmental Impact Statement on; and be it further

RESOLVED that the Clerk for the Planning Board is hereby authorized to forward a certified copy of this resolution to the Town Clerk, the NYSDEC Environmental News Bulletin, and to the applicant or his agent; 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
Riverhead Planning Board Chairman

A motion was made by Mr. Densieski and seconded by Mr. Nunnaro 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**

Breezy Hill Group VI, LLC – Final Scope Adoption

CC: Building Department
Town Clerk
Richard Ehlers, Attorney to the Planning Board
Chic Voorhis, Nelson, Pope & Voorhis, Applicant's Environmental Professional