

MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD HELD AT THE ROANOKE AVENUE SCHOOL, ROANOKE AVENUE, RIVERHEAD, SUFFOLK COUNTY, NEW YORK, RELATIVE TO A "PUBLIC HEARING" BEFORE SAID TOWN BOARD IN THE MATTER OF THE ADOPTION OF A PROPOSED "ZONING ORDINANCE OF THE TOWN OF RIVERHEAD, NEW YORK", HELD ON APRIL 7, 1959 AT 7:30 P.M.

PRESENT: WILLIAM J. LEONARD, SUPERVISOR

OTIS G. PIKE
BRUNO F. ZALOGA, JUSTICES OF THE PEACE

JOHN H. BENEDICT
ELMER A. STOTZKY, COUNCILMEN

ALSO PRESENT: JACOB HARDING, TOWN ATTORNEY, ALDEN W. YOUNG, CONSULTANT TO THE ZONING COMMISSION AND MEMBERS OF THE RIVERHEAD TOWN ZONING COMMISSION.

SUPERVISOR LEONARD'S OPENING REMARKS FOLLOW:

SUPERVISOR LEONARD:

LADIES AND GENTLEMEN, ON BEHALF OF THE TOWN BOARD, THE MEMBERS AND MYSELF, I WISH TO WELCOME YOU AND SAY THAT I APPRECIATE YOUR ATTENDANCE HERE THIS EVENING. THE PURPOSE OF THE MEETING HERE THIS EVENING IS TO LISTEN TO YOUR OPINIONS, YOUR SUGGESTIONS, YOUR CRITICISMS AND WHAT HAVE YOU IN REGARD TO THE PROPOSED ORDINANCE FOR ZONING IN THE TOWN OF RIVERHEAD.

IT WAS IN 1957, WHEN THE TOWN BOARD APPOINTED A ZONING COMMISSION AND THE PURPOSE OF THAT COMMISSION WAS TO PREPARE A ZONING ORDINANCE FOR THE TOWN OF RIVERHEAD. I MIGHT STATE AT THIS TIME, THAT AT THAT TIME EVERY TOWNSHIP IN THE COUNTY OF SUFFOLK, WITH THE EXCEPTION OF RIVERHEAD HAD ALREADY ADOPTED ZONING, OR WERE CONTEMPLATING DOING SO. THE COMMISSION, IN MY OPINION HAS DONE A WONDERFUL PIECE OF WORK. I, AT THIS TIME WISH TO THANK THE ELEVEN MEMBERS, AND CHAIRMAN FOR THE WORK THEY HAVE COMPLETED AND PASSED ON TO THE TOWN BOARD.

THIS IS WHAT WE ARE HERE FOR, TO LISTEN TO YOU THIS EVENING. AS YOU PROBABLY NOTICED WHEN YOU WALKED IN WE ASKED THOSE WHO WISHED TO BE HEARD TO KINDLY REGISTER. SOME HAVE, AND SOME HAVE NOT. WE DECIDED AS PUBLISHED IN THE PAPERS TO ALLOCATE FIVE MINUTES OF TIME TO EACH OF THE SPEAKERS. THE REASON FOR THIS IS THIS, IF YOU TAKE FORTY PEOPLE AND GIVE THEM EACH FIVE MINUTES, SPEAKING TIME WILL TAKE THREE AND A HALF HOURS OF TIME, SO WE MUST LIMIT THE TIME IN ORDER TO HEAR ALL INTERESTED PEOPLE. HOWEVER, IF THERE IS SOMEONE WHO WISHES TO BE HEARD THE SECOND TIME AFTER THE FIRST SPEAKERS WHO WISH TO SPEAK HAVE BEEN HEARD, ALL WILL BE GIVEN ANOTHER OPPORTUNITY. WE INTEND TO KEEP THIS HEARING OPEN UNTIL EVERYONE WISHING TO BE HEARD IS HEARD.

THERE ARE SEVERAL REASONS WHY WE DECIDED WE WOULD PUT THIS ZONING ORDINANCE TO THE PEOPLE OF RIVERHEAD. I MIGHT SAY, AT THIS TIME THAT NOT THAT WE ARE AGAINST INDUSTRY BY ANY MEANS OR ANY SENSE OF THE WORD, WE WELCOME IT, BUT BY THE SAME TOKEN I MIGHT SAY, WE WOULD LIKE TO SHOOSSE THE INDUSTRY AND PLACE IT IN A CERTAIN LOCATION WHERE IT WOULD NOT BECOME AN OFFENSIVE BURDEN OR NUSANCE TO THE OTHER FOLKS IN THE TOWNSHIP. THERE ARE MANY REASONS OF COURSE AND SOME WILL NOT AGREE, BUT I SAY IN ALL SINCEREITY THAT THE MEMBERS OF THE TOWN BOARD, AND MYSELF IN PARTICULAR, IN THE PAST SEVERAL MONTHS, HAVE RECEIVED A GREAT DEAL OF CRITICISM OF THE SLUM AREAS LOCATED AT THE PRESENT TIME IN THE TOWN OF RIVERHEAD, AND I ALSO, MIGHT STATE AT THE PRESENT TIME WE DO NOT HAVE ANY LAWS THAT WILL GOVERN OR GIVE US THE POWER TO TAKE ACTION. I THINK ZONING WILL HELP, AND ALSO PREVENT THE EXPANSION OF THOSE SLUMS ALREADY IN EXISTANCE. ANOTHER REASON, THE FEDERAL HOUSING AUTHORITIES AND THE VETERANS ADMINISTRATION ARE RELUCTANT TO LOAN MONEY FOR THE CONSTRUCTION OF HOMES WHERE THE TOWNSHIPS ARE NOT ZONED, AND THIS HAS PROVEN A BURDEN AND INCONVENIENCE FOR SOME INDIVIDUALS IN OUR OWN TOWNSHIP.

I REALIZE THERE ARE MANY PEOPLE TO BE HEARD THIS EVENING, AND I KNOW FROM THE ATTENDANCE THAT THERE WILL BE QUITE A FEW ASKING TO BE HEARD, AND I WILL BE VERY BRIEF IN MY REMARKS FROM NOW ON. I WILL SAY, THAT YOU WILL BE ALLOWED FIVE MINUTES TIME. WE HAVE TWO TIME-KEEPERS, AND WHEN FOUR AND A HALF MINUTES HAVE ELAPSED THEY WILL STAND AND YOU WILL REALIZE YOU HAVE THIRTY SECONDS MORE TO GO. AT THE END OF FIVE MINUTES TIME, THEY WILL MOTION TO ME AND I WILL RAP THE GAVEL AND THE NEXT SPEAKER WILL BE HEARD. I HAVE ALSO, BEEN ASKED BY THE PRINCIPAL OF THE SCHOOL, THAT THERE SHOULD BE NO SMOKING IN THE AUDITORIUM. IF YOU WISH TO SMOKE, KINDLY STEP IN THE HALLWAY AND YOU WILL FIND RECEPTACLES FOR YOUR CIGARETTE BUTTS.

THERE IS ALSO THE QUESTION OF A REFERENDUM VOTE TO BE RAISED THIS EVENING. I WOULD LIKE TO TAKE THIS OPPORTUNITY TO READ AN OPINION GIVEN DOWN TO US:

"LAWS WHICH GOVERN OUR TOWNS ARE CREATED IN ALBANY, IN THE STATE LEGISLATURE. EACH TIME A LAW OR STATUTE IS PASSED, IT GOES THROUGH THE LEGISLATIVE PROCESS. IT PASSES THE SENATE AND ASSEMBLY, AND IF SIGNED BY THE GOVERNOR, IT BECOMES A LAW. THE FORMER SECTION WAS BROUGHT INTO BEING IN THIS FASHION IN 1909. IN 1959, SECTION 260 WAS REPLACED BY THE SAME LEGISLATIVE PROCESS. THE BILL WAS INTRODUCED INTO THE SENATE BY THE THEN SENATOR STAGG. NO CONSTITUTIONAL AMENDMENT WAS NECESSARY FOR THE REPEAL UNDER OUR FORM OF GOVERNMENT, THUS WE HAD IT REPEALED. AS IT NOW STANDS, A TOWN BOARD, MAY NOT SUBMIT A PROPOSED ZONING ORDINANCE TO THE PEOPLE BY REFERENDUM. IN THE OPINION OF THE STATE COMPTROLLER, REFERENDUMS ARE NOT GOOD PRACTICE, IN FACT THEY ARE WHOLLY UNATHORIZED BY LAW. UNLESS, A REFERENDUM IS SPECIFICALLY AUTHORIZED, THE GOVERNING

BODY OF A MUNICIPALITY IS REQUIRED TO EXERCISE ITS OWN JUDGEMENT IN THE ENACTMENT OF LEGISLATION AND SHOULD NOT ATTEMPT TO ESCAPE THIS DUTY BY CONDUCTING A REFERENDUM."

SUPERVISOR LEONARD THEREUPON DECLARED THE "PUBLIC HEARING" OPEN TO ANYONE WISHING TO BE HEARD FOR OR AGAINST THE PROPOSED ZONING ORDINANCE.

SUPERVISOR LEONARD THEN CALLED UPON THE TOWN CLERK. THE TOWN CLERK READ THE "NOTICE OF HEARING ON THE PROPOSED ZONING ORDINANCE" AND PRESENTED TO THE TOWN BOARD A PROOF OF PUBLICATION OF SAID NOTICE IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER OF THE TOWN, IN THE ISSUE OF MARCH 26, 1959. THIS PROOF OF PUBLICATION WAS ORDERED FILED.

THE TOWN CLERK THEN PRESENTED TO THE BOARD AN AFFADAVIT, DULY SWORN TO, THAT HE CAUSED TO BE MAILED BY RECEIPTED REGISTERED MAIL, A COPY OF THE "NOTICE OF HEARING ON THE PROPOSED ZONING ORDINANCE" FOR THE TOWN OF RIVERHEAD, TO THE FOLLOWING TOWNS, COUNTY AND STATE DEPARTMENTS:

1. TOWN CLERK, TOWN OF SOUTHOLD, SOUTHOLD, N.Y.
2. TOWN CLERK, TOWN OF SOUTHAMPTON, SOUTHAMPTON, N.Y.
3. TOWN CLERK, TOWN OF BROOKHAVEN, PATCHOGUE, N.Y.
4. CLERK, BOARD OF SUPERVISORS, SUFFOLK COUNTY CENTER,
RIVERHEAD, NEW YORK.
5. LONG ISLAND STATE PARK COMMISSION, ADMINISTRATIVE
HEADQUARTERS, BABYLON, N.Y.

SAID AFFADAVIT AND REGISTERED MAILING RECEIPTS WERE ORDERED PLACED ON FILE.

SUPERVISOR LEONARD THEN CALLED UPON THE TOWN CLERK TO READ ALL COMMUNICATIONS RECEIVED RELATIVE TO THIS HEARING.

LETTERS DATED APRIL 6, 1959 FROM HAROLD O. PETERSON, RIVERHEAD, WAS READ AS FOLLOWS:

"SINCE I WILL BE UNABLE TO ATTEND THE PUBLIC HEARING ON THE PROPOSED ZONING ORDINANCE SCHEDULED TO BE HELD AT THE ROANOKE AVENUE SCHOOL IN RIVERHEAD AT 7:30 P.M. ON APRIL 7, 1959, I WOULD APPRECIATE IT IF YOU WOULD HAVE THE ATTACHED LETTER READ AT SAID PUBLIC HEARING."

"I HAVE NOTED THAT THE PROPOSED ZONING ORDINANCE FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, PROPOSES TO DESIGNATE MY PROPERTY AT CORWELL AVENUE AND PECONIC RIVER IN THE VILLAGE OF RIVERHEAD, AS "RESIDENCE 2" AND THAT THIS WOULD PRECLUDE THE USE OF THIS PROPERTY FOR RENDERING SERVICES RELATING TO BOATING. I WOULD THEREFORE PREFER TO HAVE THIS PROPERTY DESIGNATED AS "BUSINESS 1" ON THE MAP WHICH IS A PART OF THE PROPOSED ZONING ORDINANCE. THE SUBJECT PROPERTY IS BOUNDED ON THE NORTH BY MADISON STREET, ON THE EAST BY THE PROPERTY OF ALVIN SCHOTT, ON THE SOUTH BY THE

PECONIC RIVER, AND ON THE WEST BY CORWELL AVENUE." END.
MATTER TAKEN UNDER ADVISEMENT. LETTERS ORDERED FILED.

A LETTER DATED MARCH 15, 1959 FROM EVA TERRY, RIVERHEAD, WAS READ AS FOLLOWS:

"ALL RIVERHEADERS ARE PLEASED AND PROUD WHEN A NEW BUILDING LIKE THE SUFFOLK COUNTY NATIONAL BANK IS OPENED FOR THE SERVICE OF THE COMMUNITY. IT MEETS THE NEEDS OF THE SPACE AGE TODAY-NOT THOSE OF 1890, WHEN THE BANK STARTED.

BY THE SAME TOKEN WE ARE CHAGRINDED AND ASHAMED WHEN PHOTOGRAPHS OF OUR SLUMS APPEAR IN THE SUNDAY "HERALD TRIBUNE". WE DON'T LIKE THAT SORT OF PUBLICITY. BUT HOW CAN WE AVOID IT, WHEN RIVERHEAD IS THE ONLY TOWN IN SUFFOLK COUNTY WHERE THERE IS NO ZONING LAW TO PREVENT OR ALLEVIATE SUCH CONDITIONS IN THE FUTURE? AREN'T SOME OF US LIKE JOHNNY'S FATHER, WHO SAID PROUDLY, "EVERYBODY IN THE PARADE IS OUT OF STEP BUT JOHNNY"?

SO I SHOULD LIKE RESPECTFULLY TO URGE THE MEMBERS OF THE RIVERHEAD TOWN BOARD TO SPEAK FOR THAT WHICH IN OUR BONES WE KNOW TO BE RIGHT FOR RIVERHEAD TOO. THEN WE SHALL NOT BE OUT-OF-STEP JOHNNIES."

END.

LETTER ORDERED FILED.

A LETTER DATED APRIL 6, 1959 FROM THE RIVERHEAD LEAGUE OF WOMEN VOTERS WAS READ AS FOLLOWS:

"THE RIVERHEAD LEAGUE OF WOMEN VOTERS AT ITS ANNUAL MEETING IN APRIL OF 1958 ADOPTED A PROGRAM OF STUDY OF ZONING FOR THE TOWN OF RIVERHEAD. THIS ACTION WAS BASED ON THE AUTHORITY OF ONE OF THE PRINCIPLES OF GOVERNMENT SUPPORTED BY THE LEAGUE OF WOMEN VOTERS OF THE UNITED STATES, THE RESPONSIBILITY OF GOVERNMENT TO SHARE IN THE SOLUTION OF SOCIAL AND ECONOMIC PROBLEMS WHEN AFFECT THE GENERAL WELFARE.

DURING THE PAST YEAR THE LEAGUE HAS STUDIED THE PURPOSES OF ZONING, HAS WATCHED IT WORKING IN OTHER COMMUNITIES, HAS COMPARED ZONING ORDINANCES OF OTHER TOWNS AND HAS ANALYZED THE TOWN OF RIVERHEAD WITH A VIEW OF POSSIBLE BENEFITS TO THE TOWN THROUGH ZONING.

IT IS THE CONSENSUS OF THE RIVERHEAD LEAGUE OF WOMEN VOTERS THAT OUR LEGISLATIVE BODY, THE TOWN BOARD, EMPOWERED TO REGULATE AND RESTRICT THROUGH ZONING HEIGHT AND BULK OF BUILDINGS, AREA OF YARDS AND OPEN SPACES, DENSITY OF POPULATION AND USE OF BUILDINGS, STRUCTURES AND LAND, ACT FAVORABLY IN THE ADOPTION OF THE ZONING ORDINANCE AS PRESENTED BY THE ZONING COMMISSION TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE." END.

LETTER ORDERED FILED.

A RESOLUTION DATED MARCH 20, 1959 FROM THE RIVERHEAD WOMEN'S CLUB WAS READ AS FOLLOWS:

"WHEREAS: THE ZONING LAW PROPOSED BY THE ZONING COMMISSION MUST BE ENACTED BY THE TOWN BOARD WITHOUT REFERENDUM, AND THE TOWN BOARD AND THE ZONING COMMISSION HAVE BEEN SUBJECTED TO MUCH CRITICISM AND ABUSE,

IT IS RESOLVED: THAT THE RIVERHEAD WOMEN'S CLUB AFFIRMS ITS BELIEF IN THE ABILITY AND INTEGRITY OF THE MEN AND WOMEN OF THE ZONING COMMISSION AND ON THE TOWN BOARD, AND HEREBY ENDORSES THE ZONING LAW AS PRESENTED BY THE ZONING COMMISSION."

END.

RESOLUTION ORDERED FILED.

A LETTER DATED APRIL 6, 1959 FROM ROLLIN HARGIS, RIVERHEAD, WAS READ AS FOLLOWS:

"IN REVIEWING THE MAP OF THE PROPOSED ZONING ORDINANCE FOR THE TOWNSHIP OF RIVERHEAD. I NOTE THAT THE AREA JUST WEST OF ROANOKE AVENUE ON ROUTE 58 TO OSBORNE AVENUE HAS BEEN ZONED FARMING.

SINCE HARRISON AVENUE AND WOODCREST ARE RATHER HEAVILY POPULATED IT WOULD SEEM THAT THE HEALTH, WELFARE AND MORALS OF THESE PEOPLE WOULD BE FAR BETTER PROTECTED IF YOU ZONED THE FRONTAGE ON ROUTE 58 FOR 200 FT. BACK AS BUSINESS 2 AND NORTH AND SOUTH OF THE ROUTE 58 FRONTAGE AS RESIDENCE 2."

END.

MATTER TAKEN UNDER ADVISEMENT. LETTER ORDERED FILED.

A LETTER DATED APRIL 6, 1959, A PETITION AND ZONING REPLY CARDS FROM THE NORTHVILLE BEACH CIVIC ASSOCIATION WAS PRESENTED. THE LETTER WAS READ AS FOLLOWS:

"THE NORTHVILLE BEACH CIVIC ASSOCIATION THROUGH ITS ZONING COMMITTEE HAVE TAKEN AN ACTIVE PART IN THE CAMPAIGN TO ENLIGHTEN THE PEOPLE OF RIVERHEAD TOWN UPON THE QUESTION OF ZONING. THEY HAVE CIRCULATED A PETITION AMONG THE CITIZENS AND RESIDENTS OF THE TOWN, CANVASSED THEIR OWN MEMBERS UPON THE QUESTION AND ALSO WILL BROADCAST UPON THE LOCAL RADIO STATION ON THIS ALL IMPORTANT SUBJECT. OUR ASSOCIATION SUPPORTS THE EFFORTS TO OBTAIN ZONING FOR RIVERHEAD.

THE PETITION CONTAINING SIGNATURES OF RIVERHEAD CITIZENS AND THE CARDS FROM OUR OWN MEMBERSHIP ARE ENCLOSED HEREWITH.

WE URGE YOU TO TAKE AFFIRMATIVE ACTION UPON THE ZONING ORDINANCE AT YOUR EARLY CONVENIENCE."

END.

LETTER, PETITION AND REPLY CARDS ORDERED FILED.

A PETITION SIGNED BY EIGHT PERSONS FAVORING ZONING WAS PRESENTED AND ORDERED PLACED ON FILE.

A PETITION SIGNED BY FORTY-NINE PERSONS FAVORING ZONING WAS PRESENTED TO THE BOARD AND ORDERED PLACED ON FILE.

A LETTER DATED APRIL 7, 1959 FROM DR. WILLIAM WILEY, RIVERHEAD, WAS READ AS FOLLOWS:

"WHEN THE MATTER OF ZONING COMES BEFORE YOU FOR ACTION MAY 2, I URGE UPON YOU THAT YOU ACT IN FAVOR OF A ZONING ORDINANCE FOR THE COMMUNITY. I BELIEVE THAT IN DOING SO, YOU WILL BE DOING A SERVICE FOR US ALL."

END.

LETTER ORDERED FILED.

SUPERVISOR LEONARD THEN CALLED UPON THOSE WISHING TO BE HEARD. COMMENTS FOLLOW:

MR. PAUL BROWN:

GENTLEMEN, WE CONCEDE THAT YOU HAVE THE POWER AND AUTHORITY AT THE PRESENT TIME TO ACCEPT OR REJECT THE ZONING AS A RESULT OF THE HEARING HERE TONIGHT, BUT THE POINT WE WANT TO RAISE AS YOU READ THAT LAW WAS THIS. WHAT WAS THERE TO PREVENT THE TAKING OF A PRIMARY POLL SUCH AS WAS CONDUCTED AUGUST 23, 1950 EVEN THOUGH THE RESULTS OF THAT POLL WAS REJECTED BY A VOTE OF 1376 AGAINST AND 347 IN FAVOR. DEFEATED THREE TO ONE. EVEN AT THAT TIME THE TOWN BOARD HAD THE POWER TO EITHER REJECT OR ACCEPT THE PROVISIONS OF ZONING, BUT FOLLOWING THE POLL THAT WAS TAKEN THEY WISELY WENT ALONG WITH THE MAJORITY OF THE TAXPAYERS AT THAT TIME AND DROPPED ZONING. NOW, I WANT TO KNOW WHETHER THEY ACTED ILLEGALLY OR NOT. AT THAT TIME IT WAS JUST SIMPLY AN ADVISORY POLL, IT WAS NOT BINDING UPON THEM. DID THEY, OR DID THEY NOT ACT ILLEGALLY AT THAT TIME?

TONIGHT WE MEET ON COMMON GROUND. I, AND MY ASSOCIATES WILL SUM UP OUR SIDE OF THE ISSUE WITH THE SAME COURAGE AND DIGNITY THAT WE HAVE PRESENTED THEM IN THE PAST. WE HOPE, AND EXPECT THAT YOU WILL ACCORD US THE SAME AMOUNT OF TIME THAT THE ZONING BOARD HAS HAD TO PRESENT THEIR VIEWS. BECAUSE OF THE INVOLVED NATURE OF ZONING TO HAVE CONFRONTED THE TOWN OF RIVERHEAD, I AND MY ASSOCIATES WITH SEVERAL HUNDRED PETITIONS WILL REPRESENT A CROSS SECTION OF FARMERS AND VOTERS OF THE TOWNSHIP, AND USING THESE AS A FAIR PERCENTAGE WE ESTIMATE THE COMBINED STRENGTH WOULD REPRESENT AND COMPRISE OVER 51 PERCENT OF THE TOTAL TAXES COLLECTED IN THE TOWN OF RIVERHEAD.

WE HAVE AT OUR EXPENSE OUT OF OUR OWN POCKETS PREPARED A PETITION FOR THEM TO SIGN OF THEIR OWN FREE WILL EITHER YES OR NO ON ANY OF THESE THREE BASIC QUESTIONS: (1) WHETHER OR NOT THEY ARE IN FAVOR OF ZONING. (2) THE RIGHTS OF THE TAXPAYERS TO VOTE ON ZONING OR ANY OTHER ISSUE TO BE PRESENTED BY THE TOWN BOARD OR ANY OTHER ISSUE TO BE PRESENTED BY THE TOWN BOARD. (3) THE TAX PROBLEM AS IT EFFECTS THE FARMERS, DUCK GROWERS AND OTHER LARGE TAXPAYERS. THE RESULTS OF THIS POLL WILL BE READ TO YOU BY ANOTHER SPEAKER TO FOLLOW.

WE HAVE IN RIVERHEAD TOWN TODAY, ABOUT 13,554 RESIDENTS ACCORDING TO THE LONG ISLAND LIGHTING COMPANY ESTIMATE OF JANUARY 1, 1958. WE FIRMLY BELIEVE THAT 90 PERCENT OF THESE RESIDENTS MUST DESIRE TO

(Mr. PAUL BROWN:)

PRESERVE AND PROTECT THE HOMES, FARMS, BUSINESS STRUCTURES THAT HAVE ALREADY COMPLIED WITH REGULATIONS. IS IT FAIROR JUST TO FORCE 90 PERCENT OF THE TAXPAYERS TO SPEND MORE OF THEIR TAX MONEY AND ALSO BE SUBJECTED TO CONSIDERABLE LOSS OF COSTLY TIME AND DELAY, BECAUSE OF SOME ADJUSTMENT TO THE LIVING CONDITION OF THE OTHER 10 PERCENT OF OUR POPULATION WHICH COMPRISES MOSTLY TEMPORARY RESIDENTS IN OUR TOWN. IN OUR POORER AREAS COSTLY LEGAL FEES WILL HAVE TO BE PAID FOR THE TOWN TO EVEN DISENTANGLE THE INTANGLEMENTS PLUS THE EXPENSE OF ADMINISTRATION AND THE LEGAL EXPENSES NECESSARY TO DEFEND THE TOWN IN THE NUMEROUS ZONING DISPUTES THAT WILL FOLLOW THE ENACTMENT OF THIS ACT, AS HAS BEEN THE CASE NOT ONLY IN SOUTHOLD, SOUTHAMPTON, EASTHAMPTON, BUT EVERY OTHER TOWN WHERE ZONING EXISTS, AND WHERE THERE IS NO GUARANTEE TO ZONING. IF THE ZONING LAW IS PASSED FOR THE FIRST TIME IN THE HISTORY OF THE TOWN, THE TOWN BOARD, OR ZONING BOARD WILL ACTUALLY BECOME CO-MANAGER OF THE TAXPAYERS PROPERTY AND THE ONLY REMAINING RIGHTS THAT WILL NOT BE TAKEN AWAY WILL BE HIS RIGHT TO PAY THE BILL. THIS SIMPLE SET OF ORDINANCE AS YOU CLAIM THEM TO BE, WILL BE QUICKLY CHANGED AND ENLARGED IN A LEGAL MANNER DUE TO THE FLEXIBLE STRUCTURE OF THE ACT, AS PUT TOGETHER. LET ME QUOTE FROM A WESTERN PAPER DATED FEBRUARY 5, 1959 AN ARTICLE PERTAINING TO PROPOSED ZONING CHANGE TO THE TOWN OF HUNTINGTON.

SUPERVISOR LEONARD:

YOUR FIVE MINUTES ARE UP MR. BROWN. YOU WILL BE ABLE TO CONTINUE AFTER THE OTHERS HAVE BEEN HEARD MR. BROWN.

JACOB HARDING, TOWN ATTORNEY:

THERE WAS A QUESTION AS TO WHETHER THE REFERENDUM VOTE WAS ILLEGAL. THE LAWS ARE MADE BY THE DECISIONS OF THE COMTROLLERS OFFICE, AND ATTORNEY GENERAL'S OFFICE JUST THE SAME AS THEY ARE MADE BY THE STATUTE SINCE 1939 WHEN THE LAW WENT INTO EFFECT ELIMINATING THE REFERENDUM. THESE DECISIONS HAVE COME DOWN FROM THE COMPTROLLERS OFFICE AND ATTORNEY GENERAL OFFICE IN NO UNCERTAIN LANGUAGE TELLING US WE COULD NOT HAVE A REFERENDUM. I WOULD NOT GO SO FAR AS TO SAY, THE PREVIOUS ONE IS ILLEGAL, BUT I WILL SAY THE LAW HAS BECOME VERY VERY CLEAR IN THE LATTER YEARS.

DR. JOHN RUPPE:

REGARDING THE BASIC PRINCIPLES OF ZONING, I THINK IT COULD BE SUMMED UP VERY BRIEFLY TO MY MIND. IT SIMPLY IS A MEANS TO PREVENT ONE NEIGHBOR FROM DOING SOMETHING HARMFUL TO HIS FELLOW NEIGHBOR. JUST AS A PHYSICIAN REALIZED THAT A NEEDLE, OR OPERATION WILL HURT HE STILL DOES WHAT IS NECESSARY FOR THE HEALTH OF THE PATIENT. HE DOES NOT CALL IN ALL THE PATIENTS FRIENDS AND RELATIVES TO DIAGNOSE THE ILLNESS AND PRESCRIBE THE TREATMENT. I WOULD NEVER DENY ANYONE HIS THOUGHT ON THE SUBJECT, BUT IT REALLY DOES NOT MATTER WHETHER 51 PERCENT OF THE PEOPLE ARE FOR IT OR THE OTHER WAY AROUND.

(DR. JOHN RUPPE):-

IT DOES MATTER WHAT IS BEST FOR OUR TOWN. THE GOOD HEALTH IS UP TO YOU GENTLEMEN ON THE TOWN BOARD. IT CAN EITHER DEVELOP ITS RESOURCES, OR IT CAN BE THE TRAP AT THE BOTTOM OF THE SINK AND CATCH ALL THE GARBAGE OF THE COUNTY. A YES FOR ZONING, MUST BE IN YOUR CONSCIENCE, PLEASE HAVE THE COURAGE TO ACT IN GOOD FAITH.

MR. ROBERT STIVERS:

MR. CHAIRMAN, MEMBERS OF THE TOWN BOARD, I WOULD LIKE TO REFER BRIEFLY TO THIS MATTER OF A SUGGESTIVE REFERENDUM. SOME MONTHS AGO, YOU GENTLEMEN MADE IT KNOWN PUBLICALLY THAT AS A TOWN BOARD, YOU DEFINITELY WANTED TO GET THE OPINION OF THE TOWNSPEOPLE ON THIS ZONING MATTER. WE WERE DELIGHTED. OUR TOWN BOARD WAS INDEED SENSITIVE TO THE WILL OF THE PEOPLE. MOST CERTAINLY THEY WANTED THE PEOPLE WHO WERE TO PAY FOR THE ZONING THING TO DECIDE FOR THEMSELVES. THIS DEMOCRATIC AND TRULY AMERICAN GESTURE APPARENTLY DID NOT MEET WITH THE APPROVAL OF CERTAIN ONES IN OUR MIDST. THE TOWN BOARD WAS INFORMED THAT THERE WAS NO LAW OR LEGAL PRECEDENT UNDER WHICH OUR TOWN BOARD CAN ASK US OUR OPINION ON THIS MATTER. IT MAKES ME FEEL SOMETHING LIKE IF I WENT TO MY DENTIST AND HE SAID TO ME, I WISH I COULD ASK YOU WHICH TOOTH YOU WANT ME TO PULL, BUT THERE IS NO LAW TO THAT, AND SO I WILL HAVE TO USE MY DISCRETION. TRULY, THERE IS NO LAW NECESSARY FOR YOU TO DO THAT WHICH IS GOOD AND PROPER. THERE IS NO LAW NECESSARY TO HELP AN ELDERLY LADY ACROSS THE STREET, OR EVEN TO KISS YOUR WIFE GOOD MORNING. THESE ARE PROPER AND RIGHT THINGS, AND BELIEVE ME THERE IS NO LAW NECESSARY FOR YOU GENTLEMEN WHO WE HAVE ELECTED TO PUBLIC OFFICE TO COME TO US AND YOU MAY ASK US ANYTHING YOU PLEASE. I ASSURE YOU, IT IS COMPLETELY LEGAL AND PROPER TO DO SO.

I WOULD LIKE TO MENTION ONE OTHER THING IN CONNECTION WITH THE ZONING ORDINANCE. IT IS IN THE RESTRICTIONS WHICH IN THE FARMING AREA, NUMBER 31A. THIS PARTICULAR ITEM WAS LEFT OUT UNTIL THE VERY LAST MINUTE OR VERY LAST PRINTING. DURING THE THREE HEARINGS WHICH WE HAD IN THE TOWN OF RIVERHEAD, THIS ITEM WAS LEFT OUT. I WONDER IF IT WAS DONE PURPOSELY, BECAUSE IT IS A VICIOUS THING, REGARDING THE THINGS WHICH FARMERS MAY NOT DO. IT SAYS, "THE SALE OR RETAIL PRODUCTS RAISED OR GROWN ON THE PREMISES." AND, IT MEANS JUST THIS, THAT A FARMER WHO HAS A FARMSTAND MAY NOT BUY OR PURCHASE FROM A FELLOW FARMER MERCHANDISE WHICH HE DOES NOT RAISE HIMSELF, AND PUT IT OUT FOR SALE AS A WELL ROUNDED FARM STAND. I THINK THIS IS A VICIOUS THING AND WILL BE REFERRED TO LATER ON BY OTHER FARMERS.

I WOULD LIKE TO SAY, THAT IN THE RESTRICTIONS THAT GOVERN ALL OF THE TOWNSHIP OF RIVERHEAD, THE RESTRICTED BUSINESS WHICH CAN NEVER COME TO THE TOWNSHIP OF RIVERHEAD, AMONG THEM BEING, CHEMICAL INDUSTRIES AND PLASTICS. IN MODERN BUSINESS TODAY, THERE ARE TWO OR THREE HUNDRED BUSINESS WHICH COULD PROPERLY COME TO RIVERHEAD, WHICH YOU GENTLEMEN IF YOU VOTE THIS THING THROUGH AS IT IS, WILL WRITE OFF WITH THE STROKE OF A PEN. I ASSURE YOU THERE ARE MANY WHICH ARE GOOD AND PROPER AND CONDUCTED IN A MODERN MANNER. YOU WOULD NEVER KNOW WHAT WAS BEING CONDUCTED INSIDE THE WALLS OF SUCH A BUSINESS PLACE.

INCIDENTLY, I SHOULD LIKE TO ASK IF YOU THINK IT IS FAIR THAT A FARMER SHOULD NEVER BE PERMITTED TO HAVE AN AIR-STRIP OR TO MAINTAIN LIGHT PLANES ON HIS PROPERTY. THE FACT THAT IT'S LEFT OUT OF THE FARM USAGE MEANS IT COULD NOT BE USED. I ASK YOU AGAIN IS IT RIGHT THAT A FARMER OR FARMERS WIFE COULD NOT OPERATE SUCH A BUSINESS AS AN ANTIQUE SHOP FROM THE BUILDING ON THEIR PROPERTY. IT IS LEFT OUT, AND THEREFORE, IT IS NOT PERMITTED TO BE USED. THERE ARE MANY THINGS ABOUT THE ZONING ORDINANCE WHICH I CHALLENGE THE FOLKS WHO HAVE PUT IT TOGETHER. DID THESE FOLKS GO TO THESE CHEMICAL INDUSTRIES TO SEE WHETHER THE ENTIRE CHEMICAL INDUSTRY SHOULD BE RULED OUT. I DON'T THINK THEY DID.

MR. GIDEON STIVERS:

LADIES AND GENTLEMEN, I HOLD IN MY HAND A COPY OF THE CONSTITUTION OF THE UNITED STATES. YOU GENTLEMEN OF THE TOWN BOARD, I MYSELF, AND MANY MORE HAVE AT ONE TIME TAKEN A SOLEMN OATH TO SUPPORT THAT CONSTITUTION OF THE UNITED STATES OF AMERICA. WE HAVE AT TIMES REAFFIRMED THAT OATH. GENTLEMEN, IN THIS CONSTITUTION IT PROVIDES FOR A DIVISION OF POWERS TO PREVENT ANYONE OR ANY ONE POWER FROM BECOMING A DICTATORSHIP. IT PROVIDES FOR SEPARATE DEPARTMENTS. IT PROVIDES FOR A TRIAL BY JURY, BUT THAT JURY IS TO FOLLOW THAT A MAN IS INNOCENT UNTIL PROVEN GUILTY. IT GIVES YOU THE RIGHT TO HOLD PROPERTY FROM UNLAWFUL ENTRY AND SEARCH. IT ALSO, GIVES YOU ASSURANCE THAT THERE WILL BE NO CRUELTY OR EXCESSIVE FINES AND PUNISHMENTS HANDED DOWN. ANOTHER GOVERNMENT IN THIS WORLD PUTS ALL THREE POWERS OF GOVERNMENT IN ONE COMMUNAL COMMITTEE. A MAN IS CONSIDERED GUILTY UNTIL HE CAN PROVE HIMSELF INNOCENT. HE GOES BEFORE THE COMMITTEE WHO WILL JUDGE WHETHER HE IS INNOCENT OR GUILTY. THEY TAKE AWAY ALL RIGHTS TO PROPERTY. THE INDIVIDUAL IS JUST AN EXPENDABLE PART OF THE STATE. I HAVE GIVEN YOU A YARDSTICK, DOES IT MEASURE UP TO THIS CONSTITUTION, DOES IT HAVE THREE BRANCHES OF GOVERNMENT, ARE THE PEOPLE ELECTED TO IT, IS IT JUST A HEARING COMMITTEE OR CAN A MAN HAVE A TRIAL BY JURY, OR DO THEY FIND HIM GUILTY AS THEY DO IN THIS COMMUNISTIC SET UP IN RUSSIA. I HAVE TO GO ON RECORD AS BEING AGAINST ANYTHING WHICH SETS UP A COMMUNAL FORM OF GOVERNMENT NO MATTER HOW SLOWLY IT IS CHIPPING AWAY AT THIS CONSTITUTION, AND I WOULD BE VIOLATING MY OATH IF I DID NOT STAND UP AND SAY SO. I HAVE RECALLED THAT YOU HAVE TAKEN AN OATH AND IF YOU STAND IDLY BY AND ALLOW THIS CHIPPING AWAY AT THE CONSTITUTION YOU WOULD BE GUILTY IN MY OPINION OF A SIN OF OMISSION, AND IF I DIDN'T SPEAK UP I WOULD BE HELPING YOU VIOLATE IT. THE ONE THING I WANT TO KNOW, IF ZONING IS SUCH A WONDERFUL THING WHY ARE THE PROPONENTS SO FANATICAL TO PREVENT THE WILL OF THE PEOPLE TO BE KNOWN. IS IT POSSIBLE SOMEWHERE ALONG THE LINE SOME OUTSIDER HAS GOTTEN A FINGER IN THE PIE. IT SEEMS TO ME, THERE ARE MORE JOHNNY-COME-LATELY'S THAT COME SEE THAT THIS CONSTITUTION IS UNDERMINED. ALL THE OUT OF TOWNERS CARRY PICTURES OF THE SLUM AREAS. MAGAZINES HAVE PICKED OUT TOWN AS AN EXAMPLE OF A SIN TOWN. WHY ARE OUTSIDERS SO INTERESTED IN GETTING THIS IN. WE ARE THE LAST BULWARK ON LONG ISLAND. IT'S JUST AS BAD AS THE WOMEN COMING HOME FROM THE PARTY AND TELLING HER HUSBAND,

(MR. GIDEON STIVERS):-

I NEED AN OPERATION. HE SAID, GOOD GOD, WHAT FOR? SHE SAID, ALL THE OTHER GIRLS HAD ONE.

I MOVE TO VOTE NO. ALL THESE PEOPLE WHO ARE IN FAVOR OF TAKING AWAY THE POWERS OF THE CONSTITUTION THAT GUARANTEE US, YOU CAN MEASURE THEM UP AND BY THEIR FRUITS YE SHALL KNOW THEM.

MRS. SAMUEL HAYES:

WE ARE RIVERHEAD'S LEAGUE OF WOMEN VOTERS. WE ARE A NON-PARTISAN ORGANIZATION TO PROMOTE AN ACTIVE PARTICIPATION. ONE YEAR AGO THE RIVERHEAD LEAGUE, ADOPTED A PLAN, A PROGRAM OF THE STUDY OF ZONING FOR THE TOWN OF RIVERHEAD. WE HAVE STUDIED ZONING AND HAVE THOROUGHLY COMPARED ZONING ORDINANCES OF OTHER TOWNS, HAVE INVESTIGATED OBJECTIONS THAT HAVE BEEN RAISED. THE POPULATION OF SUFFOLK COUNTY IS RISING RAPIDLY. THE POPULATION OF RIVERHEAD, HAS GROWN FROM SOME 9000, TO OVER THIRTEEN THOUSAND BETWEEN THE YEARS OF 1950 AND 1958, ACCORDING TO THE LONG ISLAND LIGHTING COMPANY FIGURES. THE SCHOOL POPULATION IN SUFFOLK COUNTY HAS MORE THAN DOUBLED HERE IN THE TOWN OF RIVERHEAD. WE WOULD BE GETTING PROBLEMS OF CONGESTION IF WE DO NOT HAVE THE FORESIGHT TO PROTECT OUR COMMUNITY OF RIVERHEAD. WHICH IS TO SAY, WE ARE WITHOUT PROTECTION AGAINST CONGESTION AND ALL THE PROBLEMS THAT CONGESTION BRINGS. THE SCHOOLS, POLICE, FIRE PROTECTION, WATER SUPPLY AND SO FORTH. TO US HERE IN RIVERHEAD CONGESTION MEANS HIGHER TAXES. WITHOUT ZONING ANYBODY CAN LOCATE THEATRES AND SERVICE GARAGES BRINGING WITH IT NOISE AND TRAFFIC, IF WE ARE NOT PROTECTED BY ZONING. THIS IS NOT TO SAY WE ARE AGAINST GARAGES AND DRIVE-INS, BUT THEY DO NOT BELONG IN RESIDENTIAL AREAS. NOTHING STOPS A SPECULATOR FROM SUB-DIVIDING INTO LOTS THE SIZE OF A HANDKERCHIEF. WITH THIS TYPE OF CONGESTION WITH INADEQUATE LIGHT AND AIR, JUVENILE DELINQUENCY DEFINATELY COMES WITH THE NEED FOR MORE AND MORE SCHOOLS, A LARGER POLICE FORCE. THE MONEY TO PAY FOR ALL THIS MUST COME FROM HIGHER TAXES. ON THE OTHER HAND WHILE ZONING MAY SEEM RESTRICTED IN RESIDENTIAL AREAS, IT ENCOURAGES FACTORIES, STORES AND INDUSTRIES TO COME TO OUR TOWN, NOT THE KIND OF OBNOXIOUS INDUSTRIES FROM ALL THE OTHER TOWNS ON LONG ISLAND, MAKING RIVERHEAD A GOOD DUMPING PLACE FOR INDUSTRIES THAT ARE KEPT OUT, BUT THE KIND THAT ARE WELCOME, THAT WILL BRING EMPLOYMENT TO OUR PEOPLE AND LOWER TAXES TO OUR TOWN. ZONING WILL REQUIRE NEW STORES AND BUSINESSES TO PROVIDE PARKING AREAS FOR THE CUSTOMERS. THE TAXPAYERS WILL NOT BE ASKED TO PAY FOR PUBLIC PARKING FIELDS. THE PARKING FIELD ON MAIN STREET, COST US \$100,000. DEVELOPERS WILL NOT BE ABLE TO BUILD NEW HOMES, UNTIL THEY MAKE PROVISIONS FOR NEW ROADS ACCORDING TO THE SPECIFICATIONS OF OUR HIGHWAY DEPARTMENT, SAVING THE TAXPAYERS MANY DOLLARS. UNLESS WE HAVE ZONING WE ARE IN A TREMENDOUS LOT OF TROUBLE. WE MUST BEGIN TO KEEP OUR TAX DOLLARS FROM MULTIPLYING RAPIDLY IN THE FUTURE. THIS IS NOT TAKING AWAY THE RIGHTS OF ANY INDIVIDUAL, BUT THE ORDERLY PLAN OF OUR COMMUNITY. WE OF RIVERHEAD, SHOULD PROVIDE A DEFENSE FOR THE FUTURE OF OUR TOWN. IT IS THE LEADING CONSENSUS THAT THE TOWN BOARD ACT FAVORABLY IN THE BEST INTERESTS OF THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF OUR COMMUNITY.

MR. CARL STAGG:

I AM SPEAKING AGAINST ZONING, BECAUSE I THINK IT IS AN UNWARRANTED INTRUSION UPON MY PROPERTY. I DON'T THINK WE NEED ZONING BECAUSE I BELIEVE THAT UNDER THE LAWS GOVERNING THE PUBLIC HEALTH AND THE PUBLIC SAFETY THAT THE TOWN BOARD HAS ALL THE AUTHORITY THAT IT NEEDS TO COVER ANYTHING THAT MAY COME UP IN THE WAY OF BAD CONDITIONS. IT HAS BEEN PROVEN TO US WITHIN THE LAST TWO MONTHS OR SO, THAT SUCH IS THE CASE, BECAUSE THE TOWN HAS PROMULGATED AND PASSED A FIRE CONTROL ORDINANCE. THEY HAVE PUT PENALTIES IN IT FOR FAILURE TO PROVIDE SAFETY. THEY HAVE APPOINTED A MAN WHO HAS THE AUTHORITY TO CHECK AND TO SEE THAT ALL WILL ABIDE BY THE FIRE RULES, AND IF YOU DON'T ABIDE BY THEM YOU ARE SUBJECT TO A PENALTY.

ON THE PUBLIC HEALTH SIDE OF THE PICTURE, WE HAVE A PICTURE OF A BUSINESS WHICH HAS BEEN PENALIZED TO THE EXTENT OF BEING PUT OUT OF BUSINESS ON THE LAWS OF PUBLIC HEALTH, ALL WITHOUT ZONING. WE HAVE BEEN LED TO BELIEVE THAT ZONING IS A CURE ALL OF ANYTHING BESETTING A GROWING COMMUNITY. IT WON'T CURE ANY SINGLE EVIL THAT EXISTS. THINGS WOULD BE CONTROLLED UNDER LAWS SIMILAR TO THIS FIRE CONTROL LAW, AND PUBLIC HEALTH LAWS PROVIDING THE TOWN BOARD MAKES A RULE OR LAW COVERING THE INDIVIDUAL CASES. I AM AGAINST ZONING BECAUSE I THINK IT BECOMES DANGEROUSLY CLOSE TO LAWS OF THE TOWNS MENTIONED BY THE GENTLEMEN OVER THERE. I THINK THAT A FARMER HAS THE RIGHT TO USE HIS PROPERTY IN ANY LEGAL METHOD HE DESIRES, AS LONG AS IT DOESN'T TRANSGRESS THE PUBLIC HEALTH OR SAFETY LAW. I DON'T THINK ANYBODY HAS THE RIGHT TO TELL ME HOW BIG A HOUSE I SHOULD BUILD. I AM THE ONE TO DECIDE WHETHER I WANT 600 OR 6000 SQUARE FEET. I DON'T THINK IT CONCERNS THE TOWN AS LONG AS THE STRUCTURE IS SAFE, AND AS LONG AS IT DOESN'T CREATE A HEALTH HAZARD, AND AS LONG AS I DON'T CARRY ON AN ILLEGAL OCCUPATION. SURE, A GAS STATION MAY COME UP ON THE CORNER, IN FACT THERE IS A GAS STATION PRACTICALLY ON EVERY CORNER OF THE TOWN ALREADY. I AM AGAINST ZONING BECAUSE I DON'T THINK THE PEOPLE OF THE TOWN OF RIVERHEAD WANT ZONING. I BELIEVE THAT ALL POWER UNDER OUR FORM OF GOVERNMENT PRESIDES IN THE PEOPLE, AND THAT THE PEOPLE CAN DELEGATE TO OTHER PEOPLE TO CARRY ON. I THINK THE PEOPLE HAVE A RIGHT TO RECLAIM THOSE POWERS WITH OR WITHOUT THE CONSENT OF THE PEOPLE TO WHOM THEY HAVE DELEGATED THOSE POWERS. I CAN CITE IN HISTORY WHEREIN A LAW WAS PROMULGATED LEGALLY, KING GEORGE OF ENGLAND PROPOSED THE STAMP ACT IN BOSTON, BUT IT WAS VETOED VERY EMPHATICALLY BY A REFERENDUM.

MR. GRANT ADAMS:

I'D LIKE TO ASK MR. HARDING A QUESTION. HE SAYS, IT IS ILLEGAL FOR THE TOWN TO HOLD A REFERENDUM AS TO WHETHER WE WANT ZONING LAWS. I SHOW YOU THE WORD ILLEGAL, I DOUBT THE WORD ILLEGAL IS IN THERE. FURTHERMORE, I'D LIKE TO ASK HIM WHERE HE EVER HEARD OF A CASE BEING TRIED OUT. IF I WANTED TO PAY FOR IT TELL ME WHY I CAN'T. HE CAN'T FIND SUCH A WORD, AND HE CANNOT PROVE THAT TO BE SO. I READ THAT LAW, AND I'M NOT A LAWYER AND I INTERPRET IT DIFFERENTLY THAN HE DOES AND SO DO THE COURTS. I MAY SAY HERE AND NOR ACCORDING TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA THIS WHOLE THING IS ILLEGAL NOW WHAT YOU'RE DOING, AND THE WORK ILLEGAL WOULD STAND UP

IF I HAD THE MONEY TO FIGHT IT. YOU MET BEHIND CLOSED DOORS AND DONE THE THING AND THEN YOU OPENED THE THINGS AFTERWARDS. IF I'M NOT WRONG, THE CONSTITUTION OF THE UNITED STATES WOULD THROW IT OUT. IF I HAD THE MONEY TO DO IT, HOWEVER, FORGET ABOUT THAT BECAUSE IT AIN'T GOING TO DO ANY GOOD. I TELL YOU THIS MUCH HOW MR. OTIS PIKE, HE IS INFAVOR OF ZONING BECAUSE HE CAME OUT FOR IT IN THE CAMPAIGN. IF HE'S A GOOD LAWYER, HE DOESN'T HAVE TO BE A JUSTICE OF THE PEACE, HE CAN MAKE ENOUGH MONEY OUTSIDE.

IF I WANT TO BUILD A HOUSE AND YOU GUYS DON'T LIKE MY FACE, WHICH I DON'T LIKE MY FACE ANYHOW, THEREFORE, I COULDN'T. THAT IS WHAT HE WANTS. I THINK I WILL PAY FOR THE REFERENDUM, IT'S LESS TROUBLE AND EASIER THAN YOU HERE NOW. I'LL PAY FOR IT. IF YOU CAN SHOW ME ANY LAW THAT SAYS IT'S ILLEGAL I'LL PAY FOR THAT TOO.

REVEREND HERBERT B. PERRY, JR.:

I RISE AS A PRIVATE CITIZEN, AN OUTSIDER BUT ONE NONETHE LESS WHO HAS A SENSE OF RESPONSIBILITY TOWARD THE COMMUNITY, AND I THINK HAS THE DUTY TO DO SO. I FIND MYSELF IN THE UNUSUAL POSITION, CERTAINLY NOT ONE DESIRED, OF BEING CONCERNED AND INVOLVED WITH THE PROBLEM OF ZONING AND THE PROBLEM OF SLUMS IN OUR COMMUNITY. I THINK I AM SAFE IN SAYING THAT EACH ONE OF US HERE IS CONCERNED ABOUT THE SOCIAL CANCERS THREATENING THE WELFARE AND THE WELL BEING OF OUR CHILDREN, YOUR CHILDREN AND MINE, AND OF THE ENTIRE COMMUNITY. ABOUT TWO MONTHS AGO I WAS APPOINTED TO A CITIZENS ADVISORY COMMITTEE ON SLUM CLEARANCE. RELUCTANTLY, I ACCEPTED THE SECRETARYSHIP OF THAT COMMITTEE. WE HAVE BEEN WORKING DILIGENTLY FOR THE PAST TWO MONTHS LOOKING INTO THE SLUM CONDITIONS THAT EXIST HERE. WE HAVE A NUMBER OF PROPOSALS TO MAKE, BUT BASIC TO ANY OF THEM IS THE ISSUE OF ZONING AND I AM AUTHORIZED BY THE COMMUNITY OF WHICH I AM THE SECRETARY TO APPEAL TO THE TOWN BOARD URGENTLY REQUESTING THE ADOPTION OF THE PROPOSED ZONING ORDINANCE. THERE ARE SOME MEMBERS OF OUR COMMITTEE WHO FEEL THAT THIS IS PREREQUISITE IF WE DON'T HAVE ZONING WE CAN DO NOTHING ABOUT SLUM CONDITIONS AND I AM AUTHORIZED TO SAY JUST THAT, BY THE COMMITTEE.

I AM TRYING TO THINK OF WHAT ELSE I AM AUTHORIZED TO SAY, BUT I AGAIN APPEAL AS A PRIVATE CITIZEN TO THE TOWN BOARD, URGENTLY REQUESTING THAT THIS ZONING ORDINANCE BE ADOPTED AS THE FIRST BASIC STEP TOWARD THE SOLUTION OF ANY SLUM CLEARANCE IN THIS COMMUNITY.

MR. LEO SAXSTIEN:

MR. SUPERVISOR, MEMBERS OF THE TOWN BOARD, I AM DECIDEDLY OPPOSED TO ZONING BECAUSE IT IS A DELIBERATE CONFISCATION OF PROPERTY WITHOUT COMPENSATION. NOW, ORIGINALLY ZONING MAY HAVE HAD SOME GOOD IDEAS BACK OF IT, BUT LATELY IT HAS BEEN PROSTITUTED INTO A MOST EVIL THING. WE HAVE A TRIAL ON NOW IN THE SUPREME COURT CONCERNING A MAN IN THE TOWN OF HUNTINGTON. THEY HAD A ZONING ORDINANCE, AND HE GAVE PERMITS FOR WHICH IT IS ALLEGED HE RECEIVED \$20,000, CERTAINLY, THAT MAN IS IN FAVOR OF ZONING BECAUSE HE COULD GET GRAFT.

(MR. LEO SAXSTIEN):-

YOU HAVE ANOTHER SITUATION IN SMITHTOWN. THEY HAVE CUT DOWN TO WHERE THEY DON'T PERMIT MORE THAN ONE HOUSE ON TWO ACRES OF GROUND AND THE REASON THEY GIVE IS, WE DON'T WANT ANY MORE KIDS HERE, IT COSTS TOO MUCH MONEY. THAT IS NOT THE PURPOSE OF ZONING. THOSE ARE SELFISH MOTIVES, AND SHOULD NEVER BE ALLOWED BY ANY DECENT PEOPLE.

WE COME DOWN HERE TO THE QUESTION OF WHETHER THE PEOPLE SHOULD BE ALLOWED TO SAY WHAT THEY WANT. THEY WANT MANY THINGS. IN THE PAPERS MR. PIKE PERSONALLY SAID HE FAVORED ZONING BUT HE WOULD FOLLOW WHAT THE PEOPLE WANTED. I BELIEVE YOU MR. SUPERVISOR, SAID THE SAME THING. I DON'T KNOW WHETHER THE OTHER MEMBERS DID OR NOT, BUT I WOULD LIKE TO ASK YOU NOW MR. SUPERVISOR, AND MEMBERS OF THE TOWN BOARD, WHETHER IF THE MAJORITY OF THE PEOPLE IN THE TOWN OF RIVER-HEAD, DON'T WANT IT WHETHER YOU INSIST ON CRAMMING IT DOWN OUR THROATS.

SUPERVISOR LEONARD:

THE PURPOSE OF THE HEARING IS TO HEAR THE VIEWS OF THE PEOPLE OF THE TOWN.

MR. SAXSTIEN:

HAVE YOU MEMBERS OF THE TOWN BOARD DECIDED IN ADVANCE EXACTLY WHAT YOU ARE GOING TO DO?

SUPERVISOR LEONARD:

IF I GAVE YOU AN ANSWER NOW, IT MAY BE TAKEN THAT I AM IN FAVOR OF AGAINST IT, UNTIL I'VE HEARD EVERYONE, I WILL NOT GIVE MY OPINION.

MR. SAXSTIEN:

WILL YOU ASSURE ME THAT THIS IS AN OPEN QUESTION AND THE MEMBERS OF THE TOWN BOARD, HAVE NOT MADE UP THEIR MINDS ON THE QUESTION OR ZONING?

SUPERVISOR LEONARD:

YOU HAVE DIRECTED THE QUESTION TO ME. I CAN ONLY SPEAK FOR MYSELF, THERE ARE FOUR OTHER MEMBERS.

MR. SAXSTIEN:

I WILL DIRECT THE QUESTION TO YOU ALONE AND BE SATISFIED.

SUPERVISOR LEONARD:

AT THIS TIME I HAVE NOT MADE UP MY MIND.

MR. SAXSTIEN:

NOW I WOULD LIKE TO MAKE OTHER REMARKS, FIRST THIS SO-CALLED ADVISORY REFERENDUM. I NOTICED THAT MR. HARDING SAID, THE ATTORNEY GENERAL, AND COMPTROLLER ARE LAW. I WILL TAKE ISSUE WITH THAT SUBJECT MOST EMPHATICALLY THEY ARE NOT LAW. THE ONLY THING THAT IS LAW IS SOMETHING THAT A COURT HAS PASSED UPON. THE ATTORNEY GENERAL HAS MERELY GIVEN AN OPINION AS AN ATTORNEY. COMING TO THE REFERENDUM, THE USE OF THE WORD REFERENDUM AS I UNDERSTAND IT YOU MAY NOT HAVE AN ADVISORY REFERENDUM BECAUSE IT ISN'T ALLOWED, BUT YOU ARE ABLE TO HAVE AN ADVISORY POLL. AT THIS MEETING TONIGHT, IT WASN'T NECESSARY TO CALL EVERYONE IN THIS WAY, IT WOULD HAVE BEEN MORE FAIR TO HAVE A BALLOT AND COME IN BETWEEN THE HOURS OF 1:00 AND 8:00 AND EXPRESS OPINIONS PERSONALLY. I AM AGAINST ZONING, BUT IF THE MAJORITY OF THE PEOPLE OF THE TOWN WANT IT THEY ARE ENTITLED TO SUFFER WITH IT, AND I THINK YOU SHOULD GIVE THEM A CHANCE TO EXPRESS THEIR OPINIONS.

MR. IRVING KAHN:

MR. SUPERVISOR, MEMBERS OF THE TOWN BOARD, LADIES AND GENTLEMEN. I WISH TO STATE MY PERSONAL POSITION RIGHT AT THE OUTSET. I MERELY SPEAK FOR THE LONG ISLAND FARM BUREAU, AS IT REPRESENTS 55 PERCENT OF THE FARMS. IN FARM BUREAU, THAT IS THE MEMBERSHIP ROLL PERCENTAGE WISE IN THE TOWNSHIP OF RIVERHEAD IN FARM BUREAU.

I AM TORN BETWEEN TWO LOVES, BECAUSE OF THE FACT THAT I HAVE HAD GOOD EXPERIENCE WITH ZONING, AND SOMETIMES AWFUL EXPERIENCES WITH ZONING PERSONALLY, BUT AS COUNSEL FOR FARM BUREAU, I CAN ONLY SPEAK AS THE VOICE OF FARM BUREAU, AND IT IS ONLY IN SUCH CAPACITY THAT I SPEAK TONIGHT. WE DO NOT COME HERewith ANY RANCOR, WE DO NOT HAVE ANY PERSONAL AXE TO GRIND. WE HAVE STATED OUR POSITION BRIEFLY AT THE ZONING COMMISSION'S HEARING THAT WE DO NOT HAVE ANY POSITION FOR OR AGAINST ZONING THAT IS SPEAKING FOR FARM BUREAU. I HAVE TRIED IN THE BEST WAY THAT I KNEW HOW TO SEND VERBEL TELEGRAMS TO THE COMMITTEE TO TELL THEM HOW THE FARM BUREAU FELT, AND HAD HOPED THAT SOMEONE WOULD HAVE GOTTEN IN TOUCH WITH ME, OR RATHER WITH THE POWERS THAT BE OVER IN FARM BUREAU TO FIND OUT WHAT MADE THE THING TICK. NO ONE ATTEMPTED THAT.

AT A MEETING OF THE BOARD OF DIRECTORS OF FARM BUREAU LAST MONTH THE ZONING COMMITTEE APPOINTED BY FARM BUREAU FOR THE TOWN OF RIVERHEAD APPEARED BEFORE THE BOARD OF DIRECTORS AND AFTER MUCH DISCUSSION IN WHICH THE BOARD MEMBERS FOUGHT BACK AND FORTH, SAYING THAT IT WAS NOT LONG ISLAND FARM BUREAU'S BUSINESS TO GET MESSED UP IN A ZONING PROBLEM IT WAS DECIDED TO HAVE A POLL OF THE FARM BUREAU - OR THE FARMERS - NOT FARM BUREAU - THAT IS MEMBERS IN THE TOWN OF RIVERHEAD AND WHICH WE DID. OVER FOUR HUNDRED BALLOTS WERE SENT OUT - AS FAIR AND SQUARE AS ANY BALLOT COULD EVER BE SENT TO ANYONE. NOT ONE WORD IN THERE TO INFLUENCE A MAN TO VOTE FOR OR AGAINST. I CAN TELL YOU THAT LESS THAN 20 VOTED FOR IT, AND OVER 190 VOTED AGAINST IT. AND, THEY SPENT THEIR OWN FOUR CENT STAMP TO SEND THE ENVELOPE BACK.

MR. TOOKER:

MR. SUPERVISOR, I WAS BORN IN RIVERHEAD TOWN, 62 YEARS AGO, AND HAVE LIVED HERE ALL MY LIFE SO I DON'T THINK I AM A JOHNNY-COME-LATE-LY. FOR OVER 50 YEARS, I WATCHED THIS TOWN GROW AND I HAVE SEEN THE NEED FOR ZONING BECOME MORE AND MORE ACUTE. I HAVE SEEN THE NEIGHBORING TOWN AND THE CITIZENS AND THE PROTECTION WHICH ZONING COULD GIVE THEM. I HAVE SEEN THE TOWN BOARDS GIVE THEM THAT PROTECTION. I THINK IT IS TIME ALSO, THAT RIVERHEAD HAD THAT PROTECTION. TEN YEARS AGO, I WAS ON THE COMMISSION FOR THE TOWN OF RIVERHEAD. I OFTEN THINK OF HOW MANY HEADACHES WOULD HAVE BEEN SAVED IF IT HAD BEEN DONE AT THAT TIME. I WAS TOLD THAT THE TOWN BOARD WOULD NOT ADOPT ZONING BECAUSE ENOUGH PEOPLE HAVE NOT BEEN HURT. TEN YEARS HAVE PASSED AND I THINK ENOUGH PEOPLE HAVE BEEN HURT. THE TOWN HALL WAS FULL OF IRATE CITIZENS WHO HAD BEEN HURT, AND DEMANDED OF THE TOWN BOARD PROTECTION WHICH ZONING COULD GIVE THEM. I THINK IT WAS TIME THAT SOMETHING WAS DONE ABOUT THIS AND THE QUESTION FACED. THIS TOWN, NEEDS ZONING AND IN MY OPINION WANTS ZONING, AND I HOPE THAT THE TOWN BOARD WILL ADOPT THE ZONING ORDINANCE.

MR. ROLAND O. PETERSON:

MR. SUPERVISOR, LADIES AND GENTLEMEN, WE ARE ALL CONSUMERS INDIRECTLY OR DIRECTLY OF THE PROHIBITIVE INDUSTRIES THAT ARE MENTIONED IN THE INDUSTRIAL SECTION OF THIS ZONING ORDINANCE. I DON'T SEE WHY IT SHOULD NOT BE POSSIBLE TO HAVE AN ORDINANCE SUCH THAT WOULD LIMIT ODORS, SMOKE AND NOISE, THEN WE WOULD NOT HAVE TO RESTRICT THE INDUSTRIES FROM COMING INTO THE TOWN. ALSO, I DON'T SEE HOW THAT THIS ORDINANCE IN ITS ENTIRETY IS NEEDED JUST TO PREVENT SLUMS. WE WOULD DEAL SPECIFICALLY WITH HOUSING PROBLEMS AND PREVENT SLUMS AND PREVENT THE INJUSTICES THAT WOULD RESULT FROM THIS ORDINANCE.

DR. PHILIP RAFLE:

MR. SUPERVISOR, MEMBERS OF THE TOWN BOARD, LADIES AND GENTLEMEN. I CAN PROBABLY SPEAK AT CONSIDERABLE LENGTH ON THE SUBJECT OF COMMUNITY PLANNING. IN TEN YEARS IN THIS TOWNSHIP I HAVE HAD MANY PROBLEMS. SOME EIGHT YEARS AGO WE BEGAN TO HAVE SOME OF THESE PROBLEMS AND THERE WAS ONE TIME NOT TOO LONG AGO, I WAS ASKED TO MAKE A SURVEY OF A CERTAIN AREA OF THE TOWNSHIP RELATIVE TO HOUSING. AT THAT TIME ONE OF THE RECOMMENDATIONS MADE AT THAT TIME WAS FOR ZONING AS A MATTER OF PLANNING. WITHOUT A COMMUNITY PLAN, I CAN'T SEE HOW YOU KNOW WHERE YOU ARE GOING. WE HAVE HAD MANY PROBLEMS IN THE MATTER OF HEALTH AND WELFARE OF THE COMMUNITY, AND ZONING IS A KEYSTONE OF A HEALTH PROGRAM OR COMMUNITY PLANNING AND DOES SOMETHING TOWARD MAKING THE COMMUNITY WORTH WHILE. YOU HAVE TO LIVE WITH MANY OF THESE PROBLEMS, AND MANY OF THE CITIZENS IN THE TOWN HAVE CALLED ME THINKING THAT I HAD CERTAIN POWERS UNDER THE HEALTH LAW THAT I MIGHT DO. NOT SO MUCH AS A HEALTH OFFICIAL, I CAN'T DIVORCE MYSELF FROM BEING HEALTH COMMISSIONER, BUT AS WELL AS A CITIZEN I URGE THIS BOARD TO TAKE THE PRIMARY STEP ALONG WITH TWO OTHER THINGS, THAT IS, A GOOD WATER SUPPLY AND PROBABLY THE BEST SEWERAGE DISPOSAL SYSTEM IN

THE COUNTY OF SUFFOLK. THIS TOWN HAS SHOWN LEADERSHIP, AND I THINK IT CAN TAKE ITS RIGHTFUL PLACE FOR THE CITIZENS OF THIS COUNTY.

MR. WICKHAM TYTE:

I DON'T EXPECT TO TALK LONG AT THIS STAGE, BECAUSE WE GET A SECOND TIME AROUND. ALL I WANT TO DO IS NOT ORATE ESPECIALLY, BUT I DID NOTICE ONE OF THE PEOPLE MENTIONED THE ATTITUDE OF YOU MEN WHEN YOU TOOK OFFICE. I HAVE A CLIPPING OF NEWS-REVIEW OF OCTOBER 1957, ON PAGE THREE REGARDING THE PUBLIC STATEMENT MADE BY OTIS PIKE, AND I WOULD READ THAT JUST TO SHOW EXACTLY WHAT HE SAID. HE SAID: "ZONING IS A WORD THAT A POLITICIAN IN RIVERHEAD IS NOT SUPPOSED TO MENTION. IT IS SUPPOSED TO BE POLITICAL DEATH. IF THIS BE TREASON MAKE THE MOST OF IT. I AM FOR ZONING. I AM NOT IN FAVOR OF FORCING IT UPON OUR PEOPLE WHEN THE MAJORITY OF THEM DON'T WANT IT." SO IN A SENSE YOU MEN STAND IN THE SPOTLIGHT TO DECIDE WHETHER THESE WERE EMPTY WORDS OR WHETHER YOU WANTED TO KNOW WHAT RIVERHEAD REALLY WANTED AND YOU INTEND TO KEEP THIS A GOVERNMENT FOR THE PEOPLE, OF THE PEOPLE AND BY THE PEOPLE.

THE GROUP I AM WITH HAS TAKEN A PRIVATE POLL AND I BELIEVE THEY REPRESENT POSSIBLY 75 PERCENT OF THE TAXPAYERS OF THE TOWN OF RIVERHEAD. IN THIS BOX WHICH I AM GOING TO GIVE TO YOU MEN ARE THE RESULTS. I WOULD LIKE THEM BACK AFTER YOU HAVE TIME TO LOOK AT THEM. 451 HAVE SIGNED THE PAPER REPRESENTING THE BIGGEST TAXPAYERS IN THIS TOWN WHO DO NOT WANT ZONING. A FEW SAID THEY DO WANT IT. WE HAVE 13 YES, WE HAVE THEM IN THERE TO. WE DIDN'T THROW THEM OUT. ON THE SECOND QUESTION, DO THE PEOPLE OF RIVERHEAD WANT A REFERENDUM OR POLL, OUT OF THE TOTAL HERE I THINK THERE WAS ONE PERSON WHO DIDN'T WANT IT TO GO TO A REFERENDUM. THIS IS HOW THE PEOPLE THINK, AND I LEAVE IT FOR YOUR PERUSAL TO SEE WHAT YOU REALLY MEAN AND SAY WHEN YOU TAKE AN OATH OF OFFICE, OR WHETHER YOU WANT TO BE A LAW IN YOURSELVES.

MR. EUGENE ROMANO:

I DON'T HAVE ANY PREPARED SPEACH. AS A BUILDER AND PROPERTY OWNER IN THIS TOWN, I THINK WE MUST HAVE ZONING. I DON'T SAY, BECAUSE ALL OF THE TOWNS HAVE IT WE MUST, BUT THE FACT IS THAT ALL OF THE TOWNS HAVE IT AND ARE PROGRESSING WITH IT. IT MUST BE A GOOD THING. I DON'T SAY THAT THE LAW THAT THESE MEN PROPOSE IS A PERFECT ONE. I THINK WE MUST HAVE ZONING. WE HAVE A POLICE DEPARTMENT, AND A VERY GOOD ONE. I DON'T THINK ZONING TAKES AWAY ANYBODYS RIGHTS. IF YOU HAVE A PIECE OF PROPERTY, I THINK IT SHOULD BE PROTECTED. I THINK YOU HAVE TO HAVE MORE FAITH IN YOUR TOWN BOARD YOU ELECTED. I THINK IT'S FOR THE BENEFIT OF THE TOWN IF ZONING IS HAD. I THINK IT'S AN ABSOLUTE MUST. ALL THE OTHER TOWNS HAVE DONE IT. GARDEN CITY AND HEMPSTEAD, HAVE HAD IT FOR A GREAT MANY YEARS AND IT HAS PROVEN VERY SUCCESSFUL.

MR. HENRY SIRRINE:

I HAVEN'T HAD MUCH TIME TO LOOK THE ZONING ORDINANCE OVER. NOW

WE SELL PRODUCE TO OTHER FARMERS. WHAT ARE YOU GOING TO DO, PUT US OUT OF BUSINESS. IT LOOKS THAT WAY TO ME. I AM IN FAVOR OF THE SLUM CLEARANCE, BUT I DON'T SEE WHY THAT IS STUCK IN THERE.

MR. ALDEN YOUNG:

THAT WAS PUT IN THERE FOR THIS REASON. IF YOU WERE ABLE TO SELL BANANAS AND APPLES AND PINEAPPLES ON A STAND ON ONE SIDE OF A STREET, THEN ACROSS THE STREET A SUPER-MARKET COULD COME, THEREFORE, IT'S NECESSARY TO MAKE SOME SORT OF A BASIC EQUALITY IN WHAT YOU DO.

MR. SIRRINE:

IF THAT'S WHAT IT IS FOR IT IS FOR THE BENEFIT OF BIG BUSINESS, AND NOT SMALL BUSINESS AND YOU'RE GOING TO KNOCK THEM OUT.

I HAPPEN TO HAVE ZONING EXPERIENCE IN CAMDEN. I WAS INTERESTED IN A RESTAURANT WITH A FRIEND. \$5,600 WAS PAID FOR THE PROPERTY AND WE HELD IT FOR TWO YEARS PENDING BEFORE THE ZONING BOARD. WE NEVER COULD GET PERMISSION AND FINALLY SOLD OUT. I HAVE A MAN WHO HAS WORKED FOR ME FOR 32 YEARS. HE BOUGHT A PIECE OF PROPERTY IN FLANDERS. NOW HE CAN'T PUT A TRAILER ON IT. WHAT IS SO BAD ABOUT A TRAILER, PROVIDED IT MEETS WITH HEALTH STANDARDS AND SO FORTH.

SUPERVISOR LEONARD:

IF ZONING WENT INTO EFFECT, HE WOULD BE ABLE TO PUT HIS TRAILER ON THAT LOT.

MR. REGINALD SMITH:

MR. SUPERVISOR, I BRING YOU SOLICITATIONS FROM SOME FRIENDS - FROM SOME FORMER MEMBERS OF THE TOWN BOARD OF RIVERHEAD. I HAVE KNOWN THE TOWN BOARD FOR ONLY 30 YEARS DURING MY TIME IN RIVERHEAD. I AM A JOHNNY-COME-LATELY, BUT THE GREETINGS THAT I BRING ARE FROM PEOPLE WHO HAVE BEEN HERE FROM AN EARLIER TIME. THE OLDEST ONE IN POINT OF SERVICE IS MR. GEORGE HILDRETH, AND HE HAS ASKED ME TO SPEAK TO YOU IN HIS STEAD. HE WANTS YOU TO KNOW THAT HE IS FOR THE PASSAGE OF THIS ZONING ORDINANCE. MR. HILDRETH, WAS A MEMBER OF YOUR TOWN BOARD FROM 1905 TO 1918. HE WAS IN THE DISTRICT ATTORNEY'S OFFICE AND DISTRICT ATTORNEY FOR 9 SUCCEEDING YEARS. THEREAFTER, HE WAS ON THE BOARD OF EDUCATION. HE IS A FINE SINCERE CITIZEN. A PERSON WHO IS AS MUCH INTERESTED IN THIS COMMUNITY, AND HE SAYS, PLEASE PASS THIS ZONING ORDINANCE NOW.

THE NEXT MAN WHO SENDS YOU HIS GREETING THROUGH ME, IS MR. DWIGHT CORWIN WHO IS 88 YEARS OLD AND HE SAYS HE WANTS YOU TO PASS THIS ZONING ORDINANCE. MR. DWIGHT CORWIN, WAS A SUPERVISOR OF THIS TOWN FROM 1911 TO 1917. HE WAS A COUNTY AUDITOR OF THIS COUNTY AND ON THE BOARD OF CHILD WELFARE FOR MANY YEARS, AND HE WANTS THIS ZONING ORDINANCE PASSED.

I BRING YOU GREETINGS OF MR. WILLIAM MILLER, FROM WADING RIVER, WHO WAS ON THE TOWN BOARD FOR 16 YEARS AND HE ASKS FOR THE PASSAGE OF THIS ZONING ORDINANCE.

(MR. REGINALD SMITH):-

NEXT, I REFER TO MR. MILTON L. BURNS, WHO BECAME THE TOWN CLERK IN 1922, AND WAS ON THE TOWN BOARD FOR MANY YEARS, AND LATER THE COUNTY TREASURER OF THIS TOWN, AND YOU ALL KNOW HE HAS NOTHING TO GAIN FROM ANY EXPRESSION HE MIGHT SEND TO YOU. HE SAYS, PLEASE PASS THIS ZONING ORDINANCE.

AND, THE GREETING OF JOSEPH KELLY ELECTED TO YOUR BOARD IN 1935, AND SERVED FOR 20 YEARS. HE STUDIED MUNICIPAL LAW AND I HAVE HEARD IT SAID THAT MR. KELLY, HAD PROBABLY AS MUCH KNOWLEDGE OF MUNICIPAL LAW IN THIS COUNTY AS ANY OTHER MAN. HE SAID, ZONING IS GOOD FOR MOST OF THE PEOPLE. IT IS A GOOD THING FOR THE TOWN OF RIVERHEAD, AND HAS ASKED ME TO TAKE THE MESSAGE AND SAY THAT HE RECOMMENDS PASSAGE OF THIS ORDINANCE.

NOW, I KNOW THAT YOU MEN HAVE A PROBLEM ON YOUR HANDS, BUT YOU SHOULD NOT BE SWAYED BY THIS HYSTERIA TONIGHT. YOU WOULD THINK THE ZONING COMMISSIONS WERE A GROUP OF IMBECILES TO HEAR SOME OF THE ESPRESSIONS. THERE IS NO TOWN, OR AREA SOUTH OF POUGHKEEPSIE WHERE THERE IS NO ZONING EXCEPT IN THE TOWN OF RIVERHEAD. YOU HAVE HEARD THE MINISTERS AND REPRESENTATIVES FOR THE ELIMINATION OF THE PROBLEMS OF SLUM CLEARANCE, YOU HAVE HEARD THE COMMISSIONER OF PUBLIC HEALTH, YOU HAVE HEARD FROM THESE MEN WHO HAVE PRECEDED YOU. AS JUDGE HILDRETH SAID, "HELL YES, IT IS HIGH TIME."

SUPERVISOR LEONARD:

THANK YOU MR. SMITH. I WOULD LIKE AT THIS TIME TO DECLARE A FIVE MINUTE RECESS. WE HAVE GONE THROUGH THE LIST OF THOSE WHO HAVE REQUESTED TIME TO SPEAK. WE WILL HAVE A QUESTION AND ANSWER PERIOD, BUT IF THERE IS ANYONE ELSE WHO WISHES TO BE HEARD, YOU WILL BE GIVEN AN OPPORTUNITY.

MEETING CALLED TO ORDER AFTER A FIVE MINUTE RECESS.

SUPERVISOR LEONARD:

LADIES AND GENTLEMEN, I WOULD LIKE TO APOLOGIZE TO MR. STARK. WHEN HE WALKED IN I WAS BUSY WRITING NAMES DOWN AND I INADVERTENTLY OMITTED HIS NAME. AT THIS TIME, MR. STARK.

MR. THOMAS STARK:

MR. SUPERVISOR, MEMBERS OF THE BOARD, I WOULD LIKE TO SPEAK TO YOU TONIGHT IN THE SAME CATAGORY AS THE GENTLEMEN REPRESENTED BY MR. SMITH. YOU PERSONALLY KNOW MY VIEWS ON THIS ORDINANCE. YOU KNOW I HAVE APPEARED BEFORE YOU WITHIN THE LAST FEW WEEKS AND URGED THE ENACTMENT OF IT. YOU ALSO, KNOW THAT DURING MY TENURE ON THE BOARD, I HAPPENED TO BE PART OF THE STUDY THAT KICKED THIS OFF, AND IN THE SELECTION OF THE LADIES AND GENTLEMEN THAT MADE UP THAT COMMITTEE. AS A MEMBER OF THE BOARD AT THAT TIME, WE ATTEMPTED TO PICK A REPRESENTATIVE GROUP OF CITIZENS OF THIS COMMUNITY WHO WOULD STUDY THE PROBLEM AND COME UP WITH THIS RECOMMENDATION. AS TO THE PROPOSED ORDINANCE, THIS GROUP I THINK HAS DONE A WONDERFUL JOB.

(MR. THOMAS STARK):-

I DON'T THINK WE EVEN KNOW HOW MANY HOURS THIS GROUP SPENT GOING OVER ALL THE INFORMATION POSSIBLE FOR THIS ORDINANCE. THERE WERE DIFFERENCES OF OPINION AMONG THEM, BUT THOSE WERE RESOLVED IN FAVOR OF WHAT THOSE ELEVEN PEOPLE FELT WAS THE BEST RECOMMENDATION FOR THE HEALTH, SAFETY AND WELFARE OF OUR COMMUNITY. THEY HAVE NOW PRESENTED THAT TO THE BOARD WITH THE RECOMMENDATION THAT IT BE ENACTED BY THE BOARD. I URGE THE BOARD TO CONSIDER WHAT PREVIOUS SPEAKERS HAVE SAID, TO CONSIDER THE NATURE OF YOUR OWN OATHS AS REPRESENTATIVES IN THIS COMMUNITY, TO UPHOLD THE CONSTITUTION OF THIS STATE AND COUNTRY. YOU ALSO HAVE AN OATH TO DO THE BEST THING WHICH IN YOUR MINDS IS THE BEST THING FOR THE BEST INTERESTS OF THE COMMUNITY WHETHER FROM WADING RIVER TO JAMESPORT, OR IN THE MIDDLE. I URGE THE BOARD TO CONSIDER CAREFULLY ALL THESE VIEWS EXPRESSED NOT ONLY ORALLY HERE TONIGHT, NOT ONLY BY PETITIONS HANDLED UP TO YOU BUT ALSO TO THE SENTIMENTS THAT HAVE BEEN EXPRESSED TO YOU IN THE MATTER BY LEADING CITIZENS OF THE COMMUNITY.

TWO WEEKS AGO, WE HANDED UP TO YOUR BODY A PETITION JOINED IN BY PEOPLE WE THINK ARE A BROAD CROSS SECTION OF THE PEOPLE OF THIS COMMUNITY. I URGE YOU TO CONSIDER THOSE VIEWS, AS WELL AS THE OTHERS YOU HAVE HEARD HERE TONIGHT. IF THE ORDINANCE IS ENACTED, WHICH I THINK IT WILL BE, I THINK THE BURDEN WILL BE GREAT IN THE CAREFUL ADMINISTRATION OF THE ORDINANCE. MANY OF THE CRITICISMS THAT WE HAVE HEARD PRO AND CON, HAVE RESULTED FROM BAD ADMINISTRATION IN OTHER TOWNS. I BELIEVE IT WILL BE THE DUTY OF YOU GENTLEMEN TO CAREFULLY CHOOSE PEOPLE WHO WILL ADMINISTER THE JOB. IN CONCLUSION, I URGE ANOTHER MATTER WHICH HAS NOT BEEN MENTIONED HERE TONIGHT. I URGE - I WOULD NOT LIKE FOR ONE TO SEE THIS BECOME A POLITICAL QUESTION AS TO ONE MEMBER OR ANOTHER. PLEASE ACT WITH UNANIMITY.

MR. NICK HODUKAVICH:

I AM NOT A SPEAKER. FIRST I AM GOING TO TELL MY OPINION ON THIS ZONING. I AM FIFTY-FIFTY, BECAUSE THE TOWN LOOKS MUCH NICER AND BETTER. IN PATCHOGUE WHEN YOU RIDE AROUND THERE ONE WAY OR THE OTHER WAY IT'S BEAUTIFUL, THAT SHOWS THE ZONING BOARD DID A LOT OF GOOD. BUT, I'M AGAINST IT TOO, BECAUSE IF A FREEDOM GOES WE CAN'T DO WHAT WE LIKE TO DO, ONLY JUST AS SOMEBODY TELLS US HOW WE'RE GOING TO DO IT. I AM AGAINST THAT, BUT THERE IS ANOTHER THING AGAINST THIS ZONING MAP WHICH I LOOKED AT. AT AN INTERSECTION IN CALVERTON, THERE IS A BUSINESS PLACE, THERE IS A RESTAURANT. THE WHOLE FOUR CORNERS IS A BUSINESS. WHEN I LOOKED AT THE WADING RIVER INTERSECTION THE FOUR CORNERS IS A BUSINESS. ON NORTHVILLE TURNPIKE THERE IS WHERE I LIVE IS NUMBER TWO RESIDENTIAL. WHY WHEN THERE ARE ALREADY TWO BUSINESS PLACES ON EACH SIDE OF NORTHVILLE TURNPIKE. CAN ANYBODY TELL ME WHY?

MR. ALDEN YOUNG:

AS I EXPLAINED TO YOU BRIEFLY, THAT WAS CONSIDERED AND THE ZONING COMMISSION, INDICATED THAT I PUT IT IN AS RESIDENTIAL, HOWEVER, YOU MIGHT HAVE A RIGHT TO ASK FOR IT TO BE CHANGED.

MARGARET MILLER:

I WOULD LIKE TO SAY, THAT I AM OPPOSED TO ZONING. I THINK IF THE TIME AND EFFORT SPENT TO MAKE THE PEOPLE TAKE IT HAD BEEN PUT INTO THE EVILS SPOKEN OF THEY COULD HAVE ALL BEEN ATTENDED TO.

MR. HENRY FIOTO:

MR. SUPERVISOR, GENTLEMEN OF THE BOARD, LADIES AND GENTLEMEN. I AM NOT HERE FORTY YEARS, NOT THIRTY, I AM ONE OF THOSE JOHNNY-COME-LATELY WITH ABOUT FOURTEEN CENTS LESS THAN MOST PEOPLE. I DON'T WANT ANYBODY TELLING ME WHAT TO DO ON MY PIECE OF LAND, AND I AM OPPOSED TO ZONING. THAT IS, IN ITS PRESENT FORM. I DON'T BELIEVE ZONING, THE WAY IT IS WRITTEN NOW WOULD BE PASSED. I THINK IT SHOULD BE TAKEN INTO CONSIDERATION AND SHELVED.

REVEREND WILLIAM COCHRANE:

THE TOWN BOARD SUPERVISOR, AND OTHER MEMBERS. FIRST OF ALL I AM NOT A PROPERTY OWNER IN THE TOWN OF RIVERHEAD, BUT I DO HAVE MEMBERS OF MY CHURCH WHO DO LIVE HERE. I DON'T RECALL ANY FACE AT THE CEMETARY PROTESTING, CRYING, WEEPING WITH THE FAMILIES. PERHAPS IF ZONING HAD BEEN PUT INTO EFFECT I WOULD NOT HAVE HAD THE UNPLEASANT TASK OF BURYING THREE CHILDREN WHO DIDN'T HAVE A CHANCE, BECAUSE SOMEBODY WANTED TO DO AS THEY PLEASED TO DO ON THEIR OWN PIECE OF GROUND. MY RIGHTS STOP WHERE THE OTHER FELLOWS BEGIN, AND YOUR RIGHTS STOP WHERE THE OTHER FELLOWS BEGIN. NO ONE WANTS TO BE ENCROACHED UPON. NO ONE WANTS TO SPEND HIS MONEY OF LIFETIME EARNING BUILDING UP A PIECE OF PROPERTY AND HAVE IT DESTROYED BY SOME ONE BUILDING A STABLE NEXT DOOR, BUT IN NOT ENACTING A ORDINANCE FOR ZONING YOU ARE TELLING ME I CAN PUT A SLUM ANYWHERE. IF THE SOCIOLOGISTS ARE RIGHT IN STATING THAT A MAN IS PART OF HIS ENVIRONMENT TAKE A LOOK AT THE JAIL AND YOU KNOW THAT SLUMS BREED CRIME. THE SAME CHILDREN FROM THOSE SLUMS INTERMINGLE AND MIX WITH THE ONES YOU SEND HERE AT RIVERHEAD HIGH SCHOOL, AND YET YOU DON'T WANT THESE THINGS CORRECTED. YOU WANT THEM TO GO ON. GO AHEAD LET THEM CONTINUE, AND THE ONLY DIFFERENCE BETWEEN BUCHENWALD AND RIVERHEAD, IS THAT ONE IS LOCATED IN GERMANY AND THE OTHER IN THE UNITED STATES OF AMERICA. WE NEED ZONING, ZONING PROTECTS LIVES.

PERHAPS YOU DIDN'T GO TO THE HOSPITAL AND LOOK AT THE MOTHER'S BODY BURNED, BECAUSE SOMEBODY WANTED TO MAKE A PROFIT ON THE TWO-BIT SHACK, OR GO DOWN BELOW THE CEMETERY AND LOOK AT HOW SOME OF THESE PEOPLE LIVE. GO AHEAD AND LET THIS BECOME THE CESSPOOL OF LONG ISLAND, YOU'RE DOING A VERY FINE JOB TONIGHT.

BOOING FROM AUDIENCE.

SUPERVISOR LEONARD:

MAY I AT THIS TIME ASK EVERYONE TO BE COURTEOUS TO THE SPEAKERS. THERE HAS BEEN NO BOOING IN THE PAST, LET'S NOT HAVE ANY IN THE FUTURE.

MEMBER OF THE AUDIENCE:

HE ISN'T A RESIDENT, AND I'M NOT A RESIDENT EITHER.

SUPERVISOR LEONARD:

HE HAPPENS TO BE A GENTLEMEN OF THE CLOTH.

RABBI ASHER SHAPIRO:

ALTHOUGH I AM A JOHNNY-COME-LATELY, PERHAPS YOU HAVE WONDERED IF YOU LIVED HERE FORTY OR THIRTY YEARS WHAT HAPPENED TO THE COMMUNITY. DID THE OLD-TIMERS DO ANYTHING, OR DID THEY BREED THE SLUMS. PERHAPS YOU DO NEED A JOHNNY-COME-LATELY TO SHOW OBJECTIVELY WHAT SHOULD BE DONE.

I CAME WITHOUT PREPARED NOTES, BUT AS I LISTENED TO SOME OF THE HYSTERIA TONIGHT I COULDN'T HELP BUT CORRECT SOME OF THE INACCURACIES ABOUT THE REFERENDUM. YOU KNOW WHY WE CAME HERE TONIGHT. THIS IS THE TIME TO LET YOUR ELECTED OFFICIALS KNOW ABOUT THE EVILS THAT COULD HAVE BEEN CORRECTED WITH THE ZONING LAW. ONE OF THE GENTLEMEN WHO HANDED A BALLOT BOX, A POLL THAT WAS SUPPOSED TO CONTAIN FOUR HUNDRED AND THIRTEEN OPINIONS, FOUR HUNDRED AGAINST AND THIRTEEN IN FAVOR. I HAPPENED TO BE LOCATED IN SEVERAL OF THE STORES IN THE AREA WHEN REPRESENTATIVES CAME IN AND NO ONE CAME OVER TO GET MY OPINION. OBVIOUSLY IT IS A POLL AMONGST SELECTIVE CLIENTELE AND I WOULD LIKE TO GO THROUGH THIS AND SEE IF EVERYONE HAD A CHANCE TO ANSWER.

WE HAVE HAD SOME OF OUR PEOPLE HOLD UP COPIES OF THE UNITED STATES CONSTITUTION, AND WAVED IT AROUND AND SAID A ZONING LAW WOULD CONTRADICT AND TAKE AWAY THE RIGHTS OFFERED TO US UNDER THE CONSTITUTION. I THINK ANY INTERPRETATION OF THE CONSTITUTION WHICH ALLOWS THE BREEDING OF SLUMS IS A PERVERTED INTERPRETATION, AND CERTAINLY NOT WHAT THE FOUNDING FATHERS HAD IN MIND WHEN THEY WROTE A CONSTITUTION WHICH ALLOWS FOR PREGRESS AND THE ENCOURAGEMENT OF GOOD LIVING IN THE COMMUNITY.

ONE OF THE INACCURATE STATEMENTS TONIGHT WAS THAT THE FARMER CAN'T SELL HIS OWN PRODUCE. ACCORDING TO THE ZONING LAW, A FARMER CAN SELL HIS OWN PRODUCE. ZONING DOES NOT PREVENT A MAN FROM CARRYING ON THE BUSINESS HE HAS A RIGHT TO CARRY ON. THE CONSTITUTION OF THE UNITED STATES ALSO CARRIES OUT CERTAIN PROCESSES OF LAW WHICH ARE COMMUNAL IN NATURE, BECAUSE IT IS SO CLOSELY RELATED WITH THE WORDS COMMUNIST, THE WHOLE CONCEPT OF EMINENT DOMAIN IS IN THE CONSTITUTION, IT IS ADMINISTERED IN A COMMUNAL PROCEDURE. ANYONE

(RABBI ASHER SHAPIRO):-

WHO HAS A GRIPE THE ZONING LAW GIVES A RECOURSE. IT IS QUITE A SIMPLE PROCEDURE TO GET A ZONING PERMIT, AND HAVE RECOURSE TO THE OPINION OF A JUDGE IN THE EVENT A PERSON IS DISPLEASED WITH THE ZONING COMMISSION.

I HAVE HEARD A LOT OF WORDS ABOUT THE WORD FREEDOM. I WONDER WHAT THEY MEAN. IS IT FREEDOM TO DESECRATE OUR COMMUNITY, TO MAKE IT THE CESSPOOL, OR IS IT THE FREEDOM FROM THESE THINGS TO HOLD OUR HEADS UP HIGH AND SHOW OUR CHILDREN WE CAN HAVE A GOOD COMMUNITY.

SOME OF THE STATEMENTS MADE WERE THAT ZONING WOULD NOT CORRECT THE SLUM CONDITIONS. OF COURSE THEY WON'T, IT'S TOO LATE. WE SHOULD HAVE PASSED THE ZONING LAW A LONG TIME AGO, BUT AT LEAST PASSING A ZONING LAW NOW WILL PREVENT THE CONDITION FROM GETTING WORSE.

I WAS ON A SURVEY WITH SOME OF YOUR PEOPLE ON THE SLUM CONDITIONS OF THE AREA AND I WONDER WHAT WOULD HAVE HAPPENED IF JESUS, AND MOSES WERE WITH US. GENTLEMEN, I URGE THAT YOU PASS THE ZONING ORDINANCE.

MR. HENRY VAIL:

IN 1939, I CAME TO RIVERHEAD. I DIDN'T LIVE HERE AT THE TIME, BUT JOE PUGSLEY AND MYSELF TOOK A PIECE OF LAND ON THE OTHER SIDE OF THE MOTEL. AT THAT TIME, THE NEAREST HOUSE WAS JOHN, THE LAWYER WHICH WAS AT LEAST A THOUSAND FEET FROM ME. HERE IT IS 1959. AT THAT TIME WHEN YOU HAD THE REFERENDUM I WAS AGAINST ZONING. I THOUGHT IT WAS TAKING EVERYTHING FROM US, BUT I SEE THINGS IN A DIFFERENT LIGHT.

AT THE PRESENT TIME I HAVE A CHINESE WALL ON THE EAST OF ME, AND ON THE OTHER SIDE I HAVE A DESERT. WHEN WE BOUGHT THAT LOT IT WAS A RESIDENTIAL SECTION, AND THE MAN THAT WAS PUSHING THE LAND SAID HE WANTED A LOVELY BUNCH OF HOMES, THE FINEST HOMES IN RIVERHEAD. I DON'T THINK IT'S FALLEN TOO FAR SHORT OF WHAT HE WANTED. AT THE PRESENT TIME I HAVE A CHINESE WALL ON ONE SIDE, A GIN-MILL ACROSS THE STREET, AND A DENTIST ON THE OTHER SIDE. IN THE SUMMERTIME YOU'RE ANNOYED WITH THE TRUCKS STARTING AND STOPPING AT ALL HOURS IN THE NIGHT. IF WE HAD ZONING, THAT PIECE OF LAND UP THERE WOULDN'T BE LISTED AS INDUSTRIAL NOW. IT WOULD HAVE TO BE RESIDENTIAL BECAUSE IT WAS LAID OUT AS MYRUS PARK. SO, I'M IN FAVOR THAT WE HAVE ZONING FROM SAID EXPERIENCE, CON'T LET IT HAPPEN TO YOU. A LOT FEET SAFE AT THE PRESENT TIME, BUT YOU'RE NOT UNTIL YOU HAVE ZONING. A LOT OF PEOPLE WILL SAY, REGULATION TAKES ALL THE PRIVILEGES AND YOU DON'T HAVE THE CONSTITUTION BEHIND YOU. WOULD YOU DRIVE YOUR CAR WITHOUT INSURANCE? YOU HAVE TO HAVE A LICENSE. NOBODY KICKS ABOUT THAT, WHY ARE YOU KICKING ABOUT ZONING? AT THE LAST MEETING I MENTIONED, AND I WILL MENTION AGAIN, OUR GOD GIVEN WATER SYSTEM ON LONG ISLAND IS FASTLY BEING POLLUTED BY DETERGENTS AND OTHER THINGS. IT'S COMING THROUGH THE TOP OF MY PROPERTY AND GOING INTO THE RIVER AND INTO THE OCEAN. I THINK THERE SHOULD BE SOMETHING IN THE ZONING LAWS TO CLEAR UP THE MATTER TO HOLD THE WATER IN THE GROUND. AFTER ALL, LONG ISLAND WOULD BE A DESERT ALL OVER IF WE DIDN'T HAVE DRINKING WATER.

MR. EDWARD PURCELL:

I'M IN THE SIGN BUSINESS. ANY SIGN I PUT UP HAS TO GO BEFORE THE BOARD OF APPEALS WHICH IS VERY NICE. BUT I HAVE A MAN IN SOUTHOLD TOWN. IT ONLY TOOK ME EIGHT WEEKS TO PUT UP A SIGN FOR HIM DUE TO THE FACT THAT I HAD TO APPEAR BEFORE THE BOARD OF APPEALS. NOW, IF THAT IS A GOOD WAY OF LIVING ALL RIGHT, IF THEY WANT TO RUN MY BUSINESS, I'LL SELL THE BUSINESS TO THE TOWN, AND THEY CAN TAKE CARE OF IT. IF THEY WANT THE WHOLE THING I HAVE A SET PRICE. YOU CAN QUOTE ME A PRICE ON THE PREPROPERTY TOO. I'LL MOVE SOME PLACE ELSE.

SUPERVISOR LEONARD:

THE TOWN ISN'T INTERESTED IN PURCHASING THE PROPERTY, BUT IF YOU WERE GOING TO MOVE YOU WOULD HAVE TO MOVE A LONG WAY AWAY TO GET AWAY FROM ZONING.

MR. EDWARD PURCELL:

IT'S ONE OF THE BEST TOWNS IN THE COUNTY WITHOUT IT.

MR. REUBEN RYAN:

I'LL START OUT BY TELLING YOU THAT I HAVEN'T A GREAT DEAL TO SAY. I SUPPOSE THERE IS NO PROPOSITION THAT CANNOT BE ARGUED BOTH WAYS, AND I AM SURE YOU WILL FIND A VERY FINE GROUP OF PEOPLE ON EITHER SIDE OF A GREAT NUMBER OF ARGUMENTS.

I AM GOING TO TAKE THE SAME POSITION MR. LEONARD HAS TAKEN. I WON'T TELL YOU HOW I FEEL ON ZONING, BUT I WOULD LIKE TO SAY YOU MUST NOT OPERATE UNDER THE ILLUSION THAT ZONING IS A ECONOMY MEASURE. I DON'T THINK ANYBODY WOULD INTEND THAT. YOU CAN EXPECT AN CONTINUAL INCREASE IN TAXES. THIS TOWN BOARD MUST TAKE UNTO ITSELF THE OBLIGATION TO SET UP IN OFFICE ABLE PERSONS, NOT SIMPLY RETIRED OR SEMI-RETIRED OR OTHER WISE PART TIME AVAILABLE PERSONS TO HANDLE THE PROPOSITION YOU HAVE STATED ARE SO IMPORTANT.

AS YOU PROBABLY KNOW, I AM IN BUSINESS IN THE WEST END OF RIVERHEAD TOWN, AND I HAVE SOME DEALING WITH A ZONING PROPOSITION IN THE ADJOINING TOWN. I SPENT ALL OF THIS MORNING TO SECURE A RENEWAL OF A SIMPLE LITTLE SIGN PERMIT. THIS PROBLEM ISN'T NECESSARY, BUT I HAD TO LEAVE MY BUSINESS AND DRIVE SOME DISTANCE AWAY. I WENT TO THIS OFFICE AND ANNOUNCED THE PURPOSE OF MY CALL AND STOOD BY. A VERY RESPECTABLE ELDERLY FLAT-FOOTED MAN TOOK IT POSSIBLY UNDER ADVISEMENT. I ACTED VERY UNCONCERNED AND LOOKED AROUND THE ROOM AND OUT THE WINDOW AND EXTREMELY PATIENT. IT WAS VERY DIFFICULT. I THINK IT WAS FULLY 45 MINUTES BEFORE I LEFT THAT PLACE HAVING PAID A MERE EIGHT DOLLARS AND ALL THAT HAPPENED WAS A PERMIT WAS ISSUED BASED ON A MATTER WHICH HAD BEEN SETTLED A MONTH AGO. THESE THINGS ARE THE REALITIES. I THINK YOU SHOULD BE PREPARED FOR THEM.

I AM SURE OUR TOWN BOARD WILL CERTAINLY BE FACED WITH THE PROBLEM OF ELIMINATING A SITUATION SUCH AS THIS TO KEEP OUR GOOD PEOPLE HAPPY. THIS IS THEN THE EXTENT OF MY MESSAGE, AND DIRECTED TO THE TOWN BOARD AND YOU FOLKS WHO WANT TO LISTEN.

MR. AUGUST HANSEN:

I HAVE A LITTLE COMPLAINT TO MAKE ABOUT AN ORDINANCE AND CLEANING UP IN RIVERHEAD. I AM ALSO TAXPAYER. DO YOU KNOW WHERE I LIVE? NOT VERY FAR FROM THERE, THERE WAS A MAN BURNED TO DEATH IN A LITTLE SHACK DOWN THERE. WELL, RIGHT AFTER THAT THERE WAS A BUNCH OF RUBBISH AND JUNK MOVED ON THE SAME MAN'S PROPERTY UP BEHIND WHERE WE LIVE, AND THERE IS A PILE OF IT IN THERE. WELL, I SPOKE TO HIM ONE DAY, AND SAID, "WHAT IS THE IDEA OF PILING UP ALL THAT JUNK FROM THE HOUSES THERE?" HE SAID. "YOU WON'T SEE IT WHEN THE LEAVES GET ON THE TREES, YOU WON'T BE ABLE TO SEE IT." NOW, THE ONLY MATTER OF FACT, YOU PUT A MATCH TO IT AND ALL THE HOUSES WOULD BE BURNED RIGHT UP THERE AND ALL THE STUFF LAYING IN THERE.

I WOULD SAY, I'M HUNDRED PERCENT FOR ZONING. I LIVED IN A TOWN FOR 35 YEARS, AND ALSO PRESIDENT OF THE CIVIC ASSOCIATION, AND HAD A LOT TO DO WITH ZONING AND ORDINANCE THROUGH THE TOWN, AND, THAT ISN'T GOING TO HURT ANYBODY HERE IN RIVERHEAD. I AM SURE IF THE ZONING IS RUN RIGHT AND BY THE PROPER WAY, AND PEOPLE THE COMMITTEE SET UP TO INSPECT AND REGULATE IT. I AM HUNDRED PERCENT FOR ZONING.

MR. ROBERT EDWARDS:

I HAVE JUST A PERSONAL PROBLEM I WANTED TO KNOW ABOUT. I HAVE A HOUSE TRAILER SET IDLE TEN MONTHS OF THE YEAR. A SMALL ONE, AND TWO MONTHS OF THE YEAR I TAKE IT ABOUT 7 MILES UP AND PARK IT ON THE BEACH FOR THE SUMMER. NOW, WHAT IS GOING TO HAPPEN WHEN YOU PUT THE ZONING THROUGH? AM I GOING TO HAVE TO GET RID OF THE TRAILER? WHEN I TAKE IT TO ONE LOCATION AND MOVE IT BACK YOUR NOT GOING TO LET ME MOVE IT BACK AS I UNDERSTAND BECAUSE THE WATER WILL RUIN IT IN THE WINTER.

SUPERVISOR LEONARD:

DO YOU OWN THE PIECE OF PROPERTY DOWN AT THE BEACH?

MR. ROBERT EDWARDS:

NO, MY PARENTS DO.

SUPERVISOR LEONARD:

DO YOU LIVE IN THE TRAILER?

MR. ROBERT EDWARDS:

NO, IT STAYS IN MY YARD BEHIND THE HOUSE. IT'S NOT OCCUPIED TEN MONTHS OUT OF THE YEAR, ONLY TWO MONTHS.

MR. ALDEN YOUNG:

IN THE INTERPRETATION IT SAYS THAT MOBILE HOMES OR OTHER STRUCTURES ON WHEELS IF USED FOR BUSINESS OR LIVING PURPOSES SHALL BE CONSIDERED A HOUSE OR BUILDING. AS LONG AS IT'S VACANT, IT IS NOT. DOES THAT ANSWER YOUR QUESTION?

MR. ROBERT EDWARDS:

THEN I WILL BE ALLOWED TO TAKE IT BACK AND FORTH?

SUPERVISOR LEONARD:

YES. IT IS THE SAME AS YOUR AUTOMOBILE.

MR. GEORGE SMELTZER:

IT IS CLAIMED THAT ZONING WOULD IMPROVE OUR WELFARE, OUR SAFETY, MAYBE OUR MORALS. I UNDERSTAND THAT ZONING IS LEGAL BECAUSE OF THE POLICE POWER OF THE STATE. SO, HAS THE TOWN BOARD SEEN FIT TO INQUIRE OF THE OTHER TOWNS OF SUFFOLK COUNTY. HAVE THERE BEEN LESS HIGHWAY ACCIDENTS, LESS DEATHS THROUGH FIRES? ARE THE PEOPLE SAFER, HEALTHIER. DOES THE PUBLIC HEALTH RECORD SHOW THAT PEOPLE IN ZONED TOWNS HAVE BETTER HEALTH RECORDS THAN PEOPLE IN TOWNS NOT ZONED. DOCTOR RAFFE ANSWERED THAT, HE HAS THE INFORMATION IN HIS OFFICE. HAS THE ZONING BOARD INQUIRED INTO SUCH INFORMATION TO GUIDE THEMSELVES?

SUPERVISOR LEONARD:

I CAN'T ANSWER FOR THE ZONING COMMISSION.

MR. GEORGE SMELTZER:

THEY HAVEN'T INQUIRED. WHY HAVE THEY WASTED ALL THIS TIME? THESE VOTES SHOW 400 NO. BUT, IT'S NOT GOOD. WHY DO SOME PEOPLE CALL IT A CESSPOOL? WHY DID THEY COME AND DIVE IN THE CESSPOOL? WHY DIDN'T THEY STAY WHERE THEY WERE BEFORE?

SUPERVISOR LEONARD:

IS THAT A DIRECTED QUESTION TO SOMEONE? YOU WILL HAVE TO ASK THE PEOPLE. I AM NOT QUALIFIED TO ASK IF ANYONE HAS DIVED INTO A CESSPOOL.

MR. GEORGE SMELTZER:

THE JOHNNY-COME-LATELY SAID THIS TOWN IS A CESSPOOL, AND HE CAME IN HERE OF HIS OWN FREE WILL. WOULD IT BE ANY HELP TO THE TOWN BOARD TO BE GUIDED BY THE WILL OF THE PEOPLE. THE FARM BUREAU

REPORT WAS A GOOD GUIDE. HOW WOULD IT BE IF WE HAD A STANDING VOTE AND HEAR THOSE WHO ARE AGAINST ZONING. THOSE WHO ARE AGAINST ZONING MAY STAND, AND THOSE WHO ARE IN FAVOR STAND AFTERWARDS. THAT WOULD HELP.

SUPERVISOR LEONARD:

ARE YOU ASKING ME FOR PERMISSION? YOU MAY ASK THE PEOPLE TO STAND.

MR. GEORGE SMELTZER:

I HAVEN'T THE RIGHT TO ASK THE PEOPLE TO STAND. YOU SAID BEFORE YOU HAVEN'T FORMED AN OPINION. I'M TRYING TO HELP YOU FORM AN OPINION. IF YOU GIVE THAT PERMISSION. MAY I?

SUPERVISOR LEONARD:

CERTAINLY.

MR. GEORGE SMELTZER:

WITH THE SUPERVISOR'S PERMISSION, I AM ASKING PEOPLE IN FAVOR OF ZONING TO PLEASE STAND.

ABOUT 60% OF ATTENDANCE STANDING.

I NOW ASK FOR THE PEOPLE AGAINST ZONING TO STAND.

ABOUT 40% OF ATTENDANCE STANDING.

GENTLEMEN OF THE BOARD, HAVE THE PEOPLE HELPED TO GUIDE YOU IN YOUR DECISION?

SUPERVISOR LEONARD:

WE WILL TAKE IT UNDER ADVISEMENT AT THIS TIME.

MR. JOHN RIESDORPH:

MR. SUPERVISOR, MEMBERS OF THE BOARD, FRIENDS, I AM A JOHNNY-COME-LATELY, BUT I PROBABLY HAVE AN AXE TO GRIND BECAUSE I HAVE A PIECE OF PROPERTY. I THOUGHT I WAS GOING TO BUILD ON IT. IF THE ZONING GOES THROUGH I HAVE TO GET A PERMIT. I VOTED AGAINST ZONING WHEN IT CAME UP TEN YEARS AGO, BUT SINCE THEN I HAVE CHANGED MY MIND. I HAVE FOUND OUT AS THE GOOD DOCTOR SAID, THAT INSTEAD OF THINKING OF OUR INDIVIDUAL TROUBLES WE SHOULD THINK OF THE TOWN. IN MY CAPACITY AS SUPERINTENDENT OF THE RIVERHEAD WATER DISTRICT, IT HAS BEEN VERY FORCEABLY PUT UPON ME. HENRY VAIL, SPOKE ABOUT THE CONDITION WE HAVE HAD. AS SUPERINTENDENT OF THE WATER DISTRICT,

I HAVE LOST A LOT OF SLEEP, AND I THINK THE TOWN BOARD HAS LOST A LOT OF SLEEP. IT IS A CONDITION WHICH IF WE HAD ZONING, WE NEVER WOULD HAVE. DOCTOR RAFLE HAS BEEN QUITE WORRIED ABOUT IT.

I HEARD A LOT OF INSINUATIONS ABOUT GRAFT IN ZONING, AND IT SEEMS TO ME THAT IS ALL UNCALLED FOR, BECAUSE IF THERE IS GOING TO BE ANY GRAFT IN ZONING, IT'S GOING TO BE BECAUSE A MAJORITY OF THE PEOPLE WISH IT, BECAUSE THE MAJORITY OF THE PEOPLE ELECT YOUR TOWN OFFICERS. ANOTHER THING, I ADMIT IT DOES TAKE AWAY SOME OF OUR CIVIL RIGHTS, BUT BY THE SAME TOKEN I SEE OLD FACES HERE. SOME YEARS AGO WHEN THE COUNTY TOOK OVER ROANOKE AVENUE, THAT MEANT WE HAD NOTHING MORE TO DO WITH ROANOKE AVENUE, AND I NEVER HEARD ANYBODY COMPLAIN ABOUT IT. YET, IT TOOK AWAY OUR RIGHTS. THE SAME THING HAPPENED WITH MAIN STREET. I REMEMBER BACH IN 1937, ATTENDING A MEETING SIMILAR TO THIS WHEN THEY WANTED TO PUT A SEWER DISPOSAL PLANT IN RIVERHEAD. A VERY WELL KNOWN LAWYER GOT UP. HE WAS GOING TO GET AN INJUNCTION. THERE WERE ALMOST FIST FIGHTS, BUT THEY PUT THE DISPOSAL IN AND RIGHT NOW WE ARE A MODEL FOR ANYTHING OUTSIDE OF NASSAU COUNTY. IF WE DON'T PUT ZONING IN, WE ARE GOING TO HAVE LOTS MORE TROUBLE. ALTHOUGH I HAVE VOTED AGAINST IT, I HAVE SEEN THE LIGHT AND I ASK THE TOWN BOARD TO PASS IT.

THEODORE HAUPT:

I AM AGAINST ZONING. ARE YOU GOING TO CLEAR THE SLUMS UP THAT ARE IN NOW?

SUPERVISOR LEONARD:

I WILL SAY THIS. IN MY OPINION WE CANNOT DO ANYTHING TO ELIMINATE THOSE THAT ARE HERE, BUT WE CAN PREVENT THE GROWTH OF THOSE THAT ARE ALREADY IN EXISTANCE, AND PREVENT ANY OTHERS FROM DEVELOPING.

MR. THEODORE HAUPT:

YOU STILL HAVE THE SLUMS IN TOWN.

SUPERVISOR LEONARD:

THAT IS TRUE, BUT THERE IS NO POSSIBLE WAY TO ELIMINATE THEM AT THE PRESENT TIME, BUT WE CAN PREVENT THEM FROM GROWING.

MR. REGINALD YOUNG:

CONDON SMITH, WROTE ME A LETTER LAST JULY, ASKING ME TO COME TO HIS OFFICE AND GIVE HIM INFORMATION ON A PIECE OF LAND OVER AT SOUTHAMPTON. I HAVE THAT LETTER WITH ME. HE MENTIONED NO COMPENSATION OR ANYTHING, BUT IT WOULD HAVE TAKEN MY TIME TO CHANGE MY CLOTHES AND GO TO HIM AND GIVE HIM THE INFORMATION HE REQUESTED. NOW THE INFORMATION I FINALLY CALLED HIM, AND HE GAVE ME THE INFORMATION, THE VERY INFORMATION I GAVE HIM, HE MADE MONEY. IN OTHER WORDS, HE IS FOR ZONING, AND I AM AGAINST. HE IS THE TYPE OF PERSON

(MR. REGINALD YOUNG):-

WHO WILL UTILIZE OTHER PEOPLE'S INFORMATION AND RECEIVE THE COMPENSATION FOR IT...

MEMBER OF THE AUDIENCE:

MR. CHAIRMAN, AS A PARTNER OF MR. SMITH, I OBJECT TO ANY REFERENCE TO PERSONALITIES AT THIS MEETING.

MR. REGINALD YOUNG:

I'M SORRY THAT I BROUGHT IT UP, BUT ONE FACT I WANT TO BRING OUT, THAT IS THIS. PEOPLE THAT ARE FOR ZONING ARE THE ONE'S THAT CANNOT REALIZE THAT A PERSON NEEDS HELP IN OTHER THINGS. THE LOWLY CLASS OF PEOPLE NEEDS HELP. IN OTHER WORDS THEY HAVE. HE DOESN'T COMPENSATE PEOPLE IN MY CASE. HE USED ME, MY INFORMATION TO MAKE MONEY, AND I'D LIKE TO SAY AT THIS TIME THAT ANY LAWS THAT HAVE BEEN BROUGHT UP HERE TONIGHT ARE LAWS OF MAN. IN MY CASE I'D LIKE TO BRING UP THE LAWS OF THE GOOD LORD HIMSELF, AND THAT IS LOVE THEY NEIGHBOR AS THYSELF. ALL NIGHT THERE HAS BEEN A SLUM QUESTION MOSTLY AS FOR ZONING. NOW I WONDER HOW MANY PEOPLE ARE FOR ZONING THAT HAVE GONE IN WITH OLD CLOTHES ON AND GONE AMONGST THOSE PEOPLE THAT THEY WISH TO HELP. AND, HOW MANY HAVE GONE UP THERE AND TRIED TO UNDERSTAND AND HELP THOSE PEOPLE, EAT WITH THOSE PEOPLE THAT NEED THE HELP? PERHAPS SOME, YES, BUT ON THE OTHER HAND I HAVE WORKED WITH PEOPLE AND I UNDERSTAND THE SITUATIONS.

NOW, MY IDEA IS THIS. WE NEED NO LAWS. THE LAWS OF LOVE THY NEIGHBOR IS SUFFICIENT, AND CONSEQUENTLY IF YOU BRING UP ZONING YOU BRING UP ALL KINDS OF BAD FEELING AMONGST US. WHY IT'S ALL RIGHT IF YOU WANT THAT. THAT IS YOUR AFFAIRS, BUT IN MY CASE, AND I'D MUCH RATHER LIVE WITH MY PEOPLE WITH LOVE IN MY HEART. ALTHOUGH IN THE CASE OF REG THERE THAT IS HIS WAY OF DOING THINGS NOT MINE.

SUPERVISOR LEONARD:

YOU ARE OUT OF ORDER. DON'T BRING IN PERSONALITIES. CONTINUE ON WITH ZONING.

MR. REGINALD YOUNG:

WELL, IN OTHER WORDS I THINK THE SITUATION IS THIS. IF WE ARE GOING TO HELP THE PEOPLE IN SLUMS, I THINK IT SHOULD BE DONE FROM THE HEART. THAT IS THE WAY THE CREATOR OF ALL THINGS WANTED IT, AND IT SHOULDN'T BE LAWS THAT FORCE PEOPLE TO HELP. WHERE THOSE WHO ARE NOT FOR IT WANT TO HELP THEM RIGHT ALONG.

SUPERVISOR LEONARD:

WE SHALL NOW HAVE ANOTHER FIVE MINUTE RECESS.

MEETING AGAIN CALLED TO ORDER AFTER FIVE MINUTE RECESS.

MR. PAUL BROWN:

I WOULD LIKE TO FINISH UP. THERE WAS AN ARTICLE CONTAINING PROPOSED CHANGES OR AMENDMENTS TO THE TOWN OF HUNTINGTON ZONING. DATED HUNTINGTON: THE TOWN'S HOUSING ORDINANCE WHICH IF ENACTED WOULD HAND BUILDING INSPECTORS SWEEPING AUTHORITY OVER EXISTING HOMES AS WELL AS NEW CONSTRUCTION. THE 60 PAGE DOCUMENT AS AMENDED TO THE SIMPLE ZONING LAW THAT YOU NOW HAVE, THE 60 PAGE DOCUMENT, WOULD GIVE BUILDING INSPECTORS POWER TO DEMAND ANY REPAIR THEY DEEMED AS DUE TO THE SOCIAL OR ECONOMIC DECLINE OF THE TOWN. THAT COVERS ABOUT EVERYTHING INSIDE OR OUTSIDE YOUR HOME OR HOUSE.

SUPERVISOR LEONARD:

THAT AUTHORITY WAS TURNED DOWN.

MR. PAUL BROWN:

I'M SAYING, HOW IT'S POSSIBLE TO GET THIS STUFF. I'M TRYING TO FIND OUT WHAT CAN HAPPEN HERE IF WE SO DESIRE TO GO THROUGH WITH IT, OR IF YOU SO DESIRE. ONE HOME OWNER'S TO MAINTAIN THE HOME, LANDLORD TO PROVIDE TEMPERATURE SUFFICIENT, SUFFICIENT SLEEPING SPACE, HOT AND COLD RUNNING WATER. THESE ARE ONLY PART OF THE LONG LIST. ALSO INCLUDED WAS THE AUTHORITY OF THE INSPECTOR TO ORDER THE PAINTING OF HOMES INSIDE OR OUT. THIS IS A FAIR EXAMPLE OF HOW THIS SO CALLED SIMPLE SET OF ORDINANCES CAN AND WILL CHANGE IF ENACTED. WE RAISE OBJECTIONS TO THE AUTHORITY TO SUBMIT THE ISSUES OF ZONING OR ANY OTHER ISSUE PROVIDED THE TAXPAYERS WERE GIVEN THEIR INHERENT RIGHT TO APPROVE OR DISAPPROVED OF THE ISSUE AND USE THE BALLOT IN THE VOTING BOOTH. THIS HAS BEEN OUR RIGHT SINCE THE TOWN WAS FOUNDED IN 1792. IT HAS STOOD THE TEST OF TIME AND PROVEN TO OUR COMMUNITY THE VERY STRUCTURE OF THE FEDERAL, STATE, COUNTY AND TOWN LAWS WERE WISELY SET UP TO PROVIDE FREEDOM, FREE ASSEMBLY, FREE SPEECH AND THE VOTERS RIGHT BY BALLOT TO MAKE THE FINAL DECISION. REMOVE ANY ONE OF THESE AND ONE BY ONE THE REST OF THE STRUCTURE WILL FALL APART AND TURN INTO A DICTATORSHIP FORM OF GOVERNMENT. THE LAW SAYS THEY CAN NO LONGER HAVE A VOTE BY BALLOT DUE TO ZONING ACT CHANGES. IN 1950

THE TOWN BOARD PRESENTED THE ZONING ISSUE UNDER THE SAME EXISTING LAWS AND CONDUCTED AN ADVISORY POLL. AT THAT TIME THE TAXPAYERS TURNED IT DOWN. THE TOWN BOARD WENT ALONG WITH THEIR WISHES AND DID NOT FORCE ZONING UPON THEM, ALTHOUGH THEY HAD THE POWER TO DO SO. THE SAME AS YOU HAVE. IN OTHER WORDS, THERE IS NOTHING IN THE LAW TO PREVENT THIS TOWN BOARD FROM TAKING AN ADVISORY POLL AND ABIDING BY THAT VOTE IF THEY CARE TO DO SO. THAT IS ONE OF THE REASONS WE PRESENTED THAT QUESTION IN OUR PETITION. WE SEEK GOD'S BLESSING AND GUIDANCE UPON ALL OF YOU. ONCE WE HAVE ARRIVED AT A DECISION WE WILL AND CAN GO FORWARD TO MAKE RIVERHEAD A BETTER PLACE TO LIVE. THANK YOU. THAT'S ALL I HAVE TO SAY.

REVEREND HERBERT PERRY, JR.:

IN CASE ANYONE HAS TAKEN A COUNT FROM THE PREVIOUS VOTE, I FOUND THAT I WAS SITTING WHEN I SHOULD HAVE BEEN STANDING. I AM AFRAID THAT THERE MAY BE SOME MISUNDERSTANDING REGARDING OUR SLUM CLEARANCE COMMITTEE AND I RISE TO CLARIFY FOR YOU. PLEASE UNDERSTAND, WE ARE UNDER NO ILLUSION THAT A ZONING ORDINANCE WILL CLEAR OUR COMMUNITY OF SLUMS, BUT WE DO RECOGNIZE THAT AS BEING A NECESSARY PREREQUISITE FOR ANY SLUM CLEARANCE PROGRAM. WE HAVE A PROGRAM FOR SLUM CLEARANCE THAT HAS THREE PRONGS. ANY ONE OF THESE THREE PRONGS IF FRUSTRATED WITHOUT ZONING. AT THE LAST MEETING OF OUR COMMITTEE, LET ME ILLUSTRATE. WE TOOK IT UPON OURSELVES TO INVITE THREE OF THE LANDLORDS INVOLVED IN SLUM CLEARANCE PROBLEMS TO ATTEND OUR MEETING. THEY VERY GRACIOUSLY DID SO, AND WE WERE PLEASED AND WE READ TO THEM OUR REPORT AND OUR FINDINGS IN THEIR PARTICULAR AREA. THEY FOUND NOTHING WRONG WITH OUR FINDINGS, AND THEY EVEN AGREED TO ABIDE BY THE BASIC SUGGESTIONS THAT WE HAD TO MAKE. NOW WE FIND THAT WITH THE PRESENT LANDLORDS WE CAN COOPERATE OR THEY WILL COOPERATE WITH US. THEY ARE WILLING AND COOPERATIVE, BUT IF WE WORK WITH THESE PEOPLE, THIS GROUP AND BEGIN TO MAKE SOME PROGRESS TOWARD SLUM CLEARANCE AND THE IMPROVEMENT OF HOUSING, WHAT DO WE DO WITH FIVE OR SIX OTHERS THAT ALL OF A SUDDEN MUSHROOM. WITHOUT ZONING WE HAVE NO PROTECTION AGAINST THE SLUMS OCCURRING. THAT FACT IS, THAT ANY PRIVATE CITIZEN WHO OWNS PROPERTY CAN EASILY START HIS OWN SLUM, UNLESS WE HAVE ZONING.

NOW ANOTHER PRONG IS OUR PROJECT IS TO - WE HAVE A MINISTERS ASSOCIATION THAT I BELONG TO THAT HAS A PILOT PROGRAM BEING LAUNCHED CURRENTLY IN COOPERATION WITH THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. THAT PROGRAM WAS INTENDED TO GO DOWN INTO THE TREE AREAS AND ATTEMPT TO RE-EDUCATE THE PEOPLE THAT ARE THERE, SO THAT WHEN THEY DO HAVE THE PRIVILEGE OF DECENT FACILITIES THEY KNOW HOW TO USE THEM AND BECOME MORE RESPECTABLE CITIZENS OF OUR COMMUNITY. PLEASE UNDERSTAND, WE HAD NO ILLUSIONS ABOUT CURING OUR PROBLEM, BUT WE DO WANT TO STRESS THE POINT THAT IT IS A NECESSARY PREREQUISITE.

SUPERVISOR LEONARD:

THERE IS A GENTLEMEN WHO MADE A REMARK THAT HE WAS NOT A RESIDENT. I THOUGHT, IF HE WANTED TO SAY SOMETHING, I WOULD GIVE HIM THE OPPORTUNITY TO SAY SOMETHING.

MR. JAMES C. DELUCA:

MY NAME IS JAMES C. DELUCA. I CAME TO LONG ISLAND IN 1903. I CAME TO PATCHOGUE, WHEN THEY HAD WOOD SIDEWALKS. JUDGE KLEIN AND I BUILT 500 BUILDINGS IN FLORAL PARK. WE HAD THE SAME ZONING. ONE, MR. JOHN RUDIKER, WHO HAD A LUMBER YARD, THEY PUT HIM TO THE WALL, ALMOST KILLED HIM. I SAID, WHAT ARE YOU DOING HERE? HE SAID, DELUCA, YOU

(Mr. James C. DeLuca):-

CAN HELP ME. I SAID WHAT IS WRONG WITH THESE BANDITS - NOT THE BANK BUT THE PEOPLE ARE PUTTING ME TO THE WALL, HE SAID. I HAVE NO MONEY. I HAVE 500 LOTS. TAKE ANY AMOUNT OF THOSE AND GIVE ME \$50,000. I WENT TO CHARLES VAN ROSTRUM. HE'S DEAD NOW. I SAID, CHARLIE, CREDIT MR. RUDIKER WITH \$50,000 AND CHARGE MY ACCOUNT. THEY ALMOST CHASED ME OUT OF TOWN.

THE FIRST SIDEWALK I PUT IN IN 1913. THEY DIDN'T WANT A SIDEWALK. I WANTED AN INDUSTRY. MY PAYROLL WAS TEN TO FIFTEEN THOUSAND DOLLARS A WEEK IN FLORAL PARK. I CAME HERE AND SAID, I WANT TO PUT UP A LUMBER YEAR, A FOOD PROCESSING PLANT. I HAD THE MONEY TO BURN. I COULD SELL AND PRODUCE MONEY. THEY SAID YES. THEY GAVE ME A HIGH JOB IN GREENPORT, PAID A GOOD PRICE AND THEY KNEW WHAT I CAME IN FOR. I PUT A PAYROLL IN TOWN. I SAID I WANT TO PUT UP AN INDUSTRIAL BUILDING. YES. YES. ALL OF A SUDDEN ANOTHER HIGH BRASS SAID ANYBODY BOTHER YOU. I SAID NO. ALL OF A SUDDEN BING, I GOT A KNIFE ON BOTH SIDES OF MY THROAT. IN 1930, I PUT IN A GARDEN APARTMENT TO THE BUILDING DEPARTMENT. HERE IT IS. (DISPLAYING MAPS): I WAS REFUSED. I HAVE FIVE TRUCKS STANDING OUT TO THE MERCY OF THE WEATHER, BRAND NEW TRACTOR AND CAR, MY MACHINERY STANDING THERE. THEY WOULD NO ALLOW ME TO PUT UP A BUILDING. NOW THE HIGHWAY IS COMING AND TAKING AWAY MY PROPERTY, AND I WAS COMPELLED TO TAKE ANOTHER PIECE OF PROPERTY IN SAYVILLE. I HAD TO BUY A HOUSE TO STORE MY LUMBER AND HAD TO BUILD MY HOME. I HAVE A HOME IN EASTPORT, VERY SMALL. THEY GAVE ME A SUMMONS AND FINED ME \$50.00 FOR SELLING SOMETHING ON WHICH IT'S NOT GROWN ON THE SAME PREMISES. THAT IS WHAT ZONING BRINGS ALL O F YOU.

WE NEED INDUSTRY HERE. THIS IS ONLY DEAD END STREET. WE NEED A BRIDGE ACROSS THE SOUND. WE NEED INDUSTRY INTO THE TOWN THAT BRINGS IN A PAYROLL. LET THE INDUSTRY COME AND THOSE PEOPLE WHO DIDN'T WISH THE ZONING, LET THEM GET OUT.

MR. GRANT ADAMS:

I'D LIKE TO ASK COUNCILLAN BENEDICT A QUESTION. FIRST I WANT TO SAY SOMETHING ABOUT THE ZONING FEELING AS I SEE IT HERE. IT'S BEEN CONSTANTLY TALK ALL NIGHT LONG TO TRY TO HELP THE SLUM. THE ONLY MAN I THOUGHT SPOKE SENSE WAS TO GO WITH THEM, LIVE WITH THEM. WHAT I'M GETTING AT IS COUNCILMAN BENEDICT AND I HAD QUITE A CONVERSATION OVER THIS ZONING BUSINESS. I SAID TO JOHNNY, THERE SEEMS TO ME THERE SHOULD BE SOME WAY OF HAVING A VOTE. I SAID I'LL EVEN PAY FOR IT. THERE'S A MAN SAYS HE BELIEVES IT. I'D LIKE TO PUT MY HAND IN MY POCKETBOOK AND DO .IT. I ASK HIM HOW HE FEELS NOW. THERE IS ONLY ONE WAY TO DO IT, A SIMPLE PIECE OF PAPER. THEREFORE, I'D LIKE TO ASK MR. BENEDICT, HOW HE FEELS ABOUT THAT VOTE NOW. HERE'S THE TIME TO GIVE US AN ANSWER.

COUNCILMAN BENEDICT:

IF YOU WANT ME TO ANSWER, I WILL. IT WAS THREE MONTHS I THINK, THAT AT A TOWN BOARD MEETING AT THE TIME IT WAS PUBLICIZED THE FACT

THAT WE DID GO ON RECORD TO FAVOR A REFERENDUM OF SOME KIND. SINCE THAT TIME WE HAVE BEEN ADVISED BY THE TOWN ATTORNEY, AND OTHERS THAT SUCH A REFERENDUM COULD NOT BE HAD AND WE HAVE TO ABODE BY THEIR ADVICE.

MR. GRANT ADAMS:

HAS THERE BEEN A CASE TRIED THAT SAYS IT CAN NOT BE HELD. DO YOU HAVE ANY OBJECTION TO ME GETTING AN ATTORNEY. IF I GO TO THE SUPREME COURT AND GET IT WILL YOU ACCEPT IT. I ASK YOU THAT QUESTION. I WILL PAY FOR IT.

MR. IRVING KAHN:

I WOULD LIKE TO FINISH WHAT I HAD TO SAY. FARM BUREAU TOOK THAT POLL AND IT WASN'T A WEIGHTED POLL. PEOPLE WERE NOT CHOSEN AS WE WERE LED TO BELIEVE THAT THEY MIGHT HAVE BEEN CHOSEN IN THAT FAMOUS BAG OVER THERE. I DON'T THINK THEY WERE CHOSEN THERE EITHER, AND I DON'T THINK THE BOARD BELIEVES THAT.

ONE THING I WOULD LIKE TO SAY. IN MY SORT OF EXPERIENCE IN RIVERHEAD, NEVER HAVE I COME ACROSS IN MY YEARS OR THE YEARS OF FARM BUREAU THAT ONE MEMBER OF YOUR BOARD, OR ANYBODY ASSOCIATED WITH YOUR BOARD HAS BEEN GUILTY OF ACCEPTING ONE SOLITARY NICKEL THAT DIDN'T BELONG TO THEM, AND FOR THAT YOU ARE TO BE COMPLIMENTED. NOT ONE OF YOU HAS BEEN CHARGED WITH ANYTHING LIKE THAT. SO, LET'S NOT GET AWAY ON THIS SIDETRACK OF GRAFT.

WE IN FARM BUREAU DON'T HAVE AN AXE TO GRIND. WE ARE A REASONABLE FAIR MINDED GROUP OF PEOPLE. WE ARRIVED AT OUR DECISIONS FROM THE GRASS ROOTS. KITCHEN CONFERENCES ARE HELD. I THINK BRUNO, YOU KNOW JUST HOW THAT WORKS. FINALLY, THE MAN WHO REPRESENTS THAT AREA COMES AND TELLS US HOW THE FARMER FEELS. AND I SAY TO YOU GENTLEMEN TONIGHT THAT I CAN'T SAY THAT WE REALLY HEARD ARGUMENTS AGAINST ZONING. WHAT WE DID HEAR TONIGHT WAS THE FEAR OF HOW THIS IS GOING TO BE ADMINISTERED, OR WHAT MIGHT BE PUT OVER ON THE PEOPLE LATER ON.

NOW, THE DIFFERENCE BETWEEN BEING AWARE OF SOMETHING AND BEING INFORMED ABOUT IT IS THE TROUBLE WITH THE RIVERHEAD ORDINANCE. THIS IS WHAT I PERSONALLY FEEL IS THE TROUBLE. IF THE TIME WERE TAKEN TO INFORM THE PEOPLE - PLENTY OF TIME WERE TAKEN TO INFORM THE PEOPLE OF WHAT YOU INTEND TO DO FOR RIVERHEAD. WHAT THE ORDINANCE IS INTENDED TO DO FOR RIVERHEAD, AND TO SO BOLSTER YOUR ORDINANCE THAT THESE FEARS CAN BE ALLEVIATED. SUCH AS IF IT IS POSSIBLE FOR THE BOARD OF APPEALS TO BE ELECTED RATHER THAN TO BE APPOINTED.

FOR YOUR ADMINISTRATING OFFICER TO BE ONE WHO WOULD BE IN SOME WAY ELECTED RATHER THAN SELECTED. IF SOMETHING LIKE THAT COULD BE WORKED OUT - IF YOU WOULD RESUBMIT THIS AND THIS IS MY FINAL SUGGESTION, IF YOU WOULD RESUBMIT THIS TO YOUR ZONING COMMITTEE WHO HAVE PUT IN SO MUCH LABOR IN THIS AND GIVE THIS A LITTLE TIME TO SIMMER DOWN. BECAUSE I THINK YOU HAVE HAD YOUR POLL TONIGHT. YOU HAVE HAD A REPORT OF THE FAIR POLL WE TOOK, AND WHETHER THE VOTES IN THAT BAG ARE WEIGHTED OR NOT IS NOT TOO IMPORTANT, YET THERE MUST BE SIGNATURES THERE AND THEY CAN BE COUNTED. I SUGGEST YOU RESUBMIT THIS

(MR. IRVING KAHN):-

TO YOUR COMMITTEE, AND IN THE MEANTIME THE VARIOUS GROUPS CAN BE CALLED UPON IN EXECUTIVE SESSION TO FIND OUT WHAT THE REAL BEEF IS. IN THAT WAY WHEN YOU HAVE YOUR FINAL PUBLIC HEARING BEFORE YOU MAKE YOUR DECISION YOU WILL KNOW EXACTLY HOW EVERYBODY FEELS. RIGHT NOW, I DON'T THINK THE PEOPLE HAVE BEEN INFORMED FULLY AS TO WHAT IS GOING TO HAPPEN, BECAUSE THE ORDINANCE AS IT STANDS TODAY, IS WHAT HAS BEEN VOTED AGAINST AND NOT ZONING. THE ORDINANCE HAS BEEN VOTED AGAINST. THERE IS THE DIFFERENCE BETWEEN BEING AWARE OF AND BEING INFORMED OF. THE ORDINANCE ITSELF HAS NOT BEEN FULLY EXPLAINED. THE ORDINANCE ITSELF HAS NOT BEEN FULLY IMPLEMENTED. I DON'T THINK IT'S THE BEST ORDINANCE IN THE COUNTY OF SUFFOLK, HOWEVER, IT IS A JOB WELL DONE ON THE PART OF THAT COMMITTEE.

MR. PAUL BROWN:

I WANT TO CHALLENGE HIS STATEMENT THAT HE THINKS THEY MIGHT BE WEIGHTED.

SUPERVISOR LEONARD:

HIS STATEMENT WAS JUST THE OPPOSITE.

MR. IRVING KAHN:

I MADE FUN OF IT.

MR. MORRIS DIAMOND:

I FEEL THE POLL AS TAKEN IS A REPRESENTATION OF HOW THE FARMERS FEEL ONLY.

MR. JOHN KULESA:

I PERSONALLY FEEL ZONING IS IN NO MATTER WHAT WE DO OR SAY. WHY NOT GIVE US A POLL? WHAT DO YOU HAVE TO LOSE?

MR. ROBERT STIVERS:

GENTLEMEN, I CANNOT CONCEIVE ANY OF YOU MEN HAVING A COMPLETELY SETTLED OPINION IN YOUR MIND AT THE MOMENT, OR BEFORE THE MEETING. I DON'T THINK ANY OF US TRUTHFULLY BELIEVE THAT. SOME OF YOU DID NOT FIND IT CONVENIENT TO BE OUT TO A NUMBER OF THE MEETINGS THAT WERE HELD BY THE ZONING PLANNERS. I SAW SOME OF YOU AT CERTAIN MEETINGS, BUT THERE WERE CERTAIN POINTS THAT WERE BROUGHT UP THERE THAT I THINK YOU SHOULD KNOW ABOUT. I DON'T THINK YOU HAVE THEM BECAUSE CERTAIN INFORMATION WHICH WAS SUPPOSED TO BE VERY IMPORTANT WAS LEFT OUT AND WAS NOT CHECKED. I THINK PARTICULARLY ABOUT AN ITEM THAT WAS BROUGHT UP IN THE WADING RIVER MEETING THAT A BUSINESS CONDUCTED IN RIVERHEAD MANUFACTURING THINGS LIKE SADDLES, HARNESSSES, LADIES POCKET BOOKS, BAGS AND THINGS LIKE THAT, THIS WAS NOT DOWN IN THE MINUTES OF THAT MEETING. IT SEEMS

(MR. ROBERT STIVERS):-

AS THOUGH IT WAS A POINT WELL TAKEN. I NOTICE THE SAME RESTRICTIONS IN HERE, THAT IN NO PLACE IN THE TOWN OF RIVERHEAD CAN SUCH A BUSINESS BE CONDUCTED. AM I RIGHT IN ASSUMING THAT THE RESTRICTION WHICH DO NOT APPEAR OR RATHER PERMIT CERTAIN BUSINESS IN THE INDUSTRIAL AREA ALSO RESTRICT THEM IN ALL OTHER AREAS. AM I CORRECT IN ASSUMING THAT THE RESTRICTIONS WHICH RESTRICT BUSINESSES IN THE INDUSTRIAL AREA, DOES THAT AUTOMATICALLY RULE THEM OUT OF THE ENTIRE TOWNSHIP OF RIVERHEAD?

MR. ALDEN YOUNG:

YES, AND LET US SAY EVEN FURTHER THE OTHER DISTRICTS, FOR YOUR INFORMATION, ARE LISTED TO SHOW JUST WHAT YOU MAY HAVE.

MR. ROBERT STIVERS:

IT DOES SAY OIL, RUBBER, OR LEATHER GOODS.

MR. ALDEN YOUNG:

WE HAVE TAKEN THAT AS BEING OIL, RUBBER OR LEATHER GOODS MANUFACTURED, AS MEANING THE RAW MATERIAL RATHER THAN THE ASSEMBLY. A SADDLE IS AN ASSEMBLY PRODUCT.

MR. ROBERT STIVERS:

DON'T YOU THINK THAT THESE RESTRICTIONS SHOULD BE CAREFULLY GONE OVER. IN WORKING THIS THING OUT AND THINKING LONG UPON IT, I FIND THERE ARE MANY INDUSTRIES HERE WHICH WOULD BE GOOD AND PROPER IN THEIR MODERN WAYS OF DOING THINGS. YOU HAVE HERE WE CAN'T HAVE A BLAST FURNACE IN THE TOWN OF RIVERHEAD. I DON'T THINK WE HAVE A BLAST FURNACE THIS SIDE OF PENNSYLVANIA, NOR DO WE HAVE A COKE OVEN.

I FIND OTHER THINGS WHICH I THINK ARE PROPER AND RIGHT. AS AN EXAMPLE, IF A FARMER OR OTHER MAN FINDS A DEPOSIT OF CLAY, I BELIEVE HE HAS A RIGHT AND PROPER RIGHT TO USE THIS FOR MAKING BRICK AND ANYTHING ELSE. INCIDENTLY TILE WOULD BE USED BY ELECTRIC FURNACES, AND I DON'T BELIEVE YOU WOULD KNOW WHAT WAS GOING ON INSIDE OF A BUILDING WHERE TILE IS BEING MANUFACTURED. TERRA-COTA IS THE SAME THING THAT POTS ARE BEING MADE OF.

AT THE JAMESPORT MEETING I WAS THE DEVIL'S ADVOCATE IN THAT CASE. OF THREE PEOPLE THE FIRST PERSON WAS IN FAVOR OF ZONING AND WANTS ME TO ANSWER THIS QUESTION. HE SAID, HE HAD A \$30,000 HOUSE AND SAID HE DIDN'T WANT SOMEBODY TO BUILD SOME LITTLE SHACK ALONG SIDE OF HIM AND DEVALUE HIS PROPERTY. AND, I ASKED THE COMMISSION THIS QUESTION, WILL THIS PRESENT ZONING ORDINANCE IF IT GOES IN THIS WAY WILL IT PREVENT A NEIGHBOR FROM BUILDING A VERY VERY SMALL HOUSE ON THAT ADJOINING PROPERTY. THE CHAIRMAN OF THE COMMISSION SAID, NO, IT WILL NOT PREVENT THAT NEIGHBOR FROM BUILDING A VERY VERY SMALL HOUSE. THE SECOND PERSON IN FAVOR OF ZONING SAID, I DON'T WANT SOMEONE TO BE ABLE TO HAVE A PIG PEN ALONG SIDE OF MY PROPERTY. I DON'T LIKE IT. I ASKED THE ZONING COMMISSION IF THERE IS ANYTHING IN THE ZONING ORDINANCE TO PREVENT

PEOPLE FROM RESIDENCE ONE OR TWO OR FARMING TO RAISE GOATS, GUINEA PIGS, OR ORDINARY PIGS. HE SAID, NO, THERE IS NOTHING IN THE ORDINANCE WHICH WILL PREVENT THEM FROM DOING SO.

THE THIRD PERSON IN FAVOR OF ZONING ASKED THIS QUESTION AND HE SAID, BELIEVE ME IF WE HAD ZONING WE WOULDN'T HAVE THAT FIRE TRAP ON RAILROAD AVENUE THERE. AND, HE IS REFERRING TO THE OLD BUILDING THERE WHICH IS OLD INDEED. I SAID TO THE CHARIMAN, IS THIS THING OR IS THERE ANYTHING IN THE ZONING ORDINANCE WHICH WOULD PREVENT ANYTHING FROM BEING TAKEN DOWN. HE SAID NO, THERE IS NOTHING IN THE ORDINANCE TO PREVENT THAT.

I WOULD LIKE TO SAY THIS AND CLOSE. CAN A FARMER OR OWNER IN A FARM WHO RUNS A RIDING ACADEMY RENT TO ANOTHER S SADDLE, OR HARNESS SHOP? No. NEXT, CAN THE MANUFACTURER SET UP A PLANT TO MAKE POCKET BOOKS AND SO FURTH? No. CAN A YOUNG ATTORNEY COMING TO RESIDENCE 1, AND PROVIDED HE HAS THE ROOM ON HIS PROPERTY, MAINTAIN HIS OFFICE IN A STRUCTURE SEPARATE FROM HIS HOUSE, THE ANSWER IS NO. ONE ATTORNEY HAS THE MONOPOLY IN THIS SECTION. CAN A FARMER OR PERSON IN RESIDENCE 1 OR 2 OPERATE AN ANTIQUE BUSINESS? THE ANSWER No. CAN A FARMER OPERATE AN AIR STRIP? No. EXCLUDED BY 205A. CAN A FARMER RENT HIS LAND FOR A CIRCUS OR CARNIVAL? THE ANSWER IS, NO. IT IS EXCLUDED FROM FARM USE. HOW ABOUT A BOY? EVERYONE OF YOU HAVE TRAPPED A MUSKRAT, RATHER EXCEPT MR. PIKE. WELL, YOUR SON CAN TRAP MUSKRATS FOR PIN MONEY WITHOUT GETTING A JAIL SENTENCE PROVIDING HE DOESN'T HANG THE SKINS, AND ACCORDING TO THIS ORDINANCE HE IS FACING A SIX MONTHS JAIL SENTENCE FOR HANGING THE SKINS. I THINK IT'S RIDICULOUS, AND I THINK THE WHOLE THING SHOULD BE CHECKED OVER.

MR. GEORGE SMELTZER:

THERE WAS AN INSINUATION BEFORE ABOUT A LOADED POLL. A GOOD EXAMPLE IS CENTRAL DISTRICT NUMBER TWO WHEN THE AUDIENCE IS LOADED WITH TEACHERS. AGAIN, MAY I ASK THE BOARD A DIRECT QUESTION INDIVIDUALLY?

SUPERVISOR LEONARD:

WHAT IS THE PURPOSE OF IT? WE ARE HERE TO DISCUSS ZONING NOT TO ANSWER QUESTIONS. IF IT'S INREGARD TO ZONING WE WILL ANSWER IT.

MR. GEORGE SMELTZER:

YES, I'D LIKE TO ASK EACH MEMBER OF THE BOARD IN THEIR BELIEF DO THEY BELIEVE THAT CITIZENS OF THE TOWN SHOULD HAVE THE RIGHT TO VOTE ON WHETHER OR NOT ZONING IS TO BE ADOPTED? ASIDE FROM WHAT THE LAW IS, DO YOU BELIEVE SO?

COUNCILMAN STOTZKY:

YOU CAN'T CHANGE THE LAW.

MR. GEORGE SMELTZER:

DO YOU BELIEVE PEOPLE SHOULD HAVE THE RIGHT TO VOTE ON THIS?

COUNCILMAN STOTZKY:

WE HAVE TO GO BY THE LAWS.

SUPERVISOR LEONARD:

WE HAVE BEEN ADVISED THAT IT IS ILLEGAL. IF YOU WANT TO CONDUCT THE POLL YOU CAN DO IT ON YOUR OWN AND THEN SHOW US THE RESULTS.

MR GEORGE SMELTZER:

YOU REPRESENT THE TOWNSPEOPLE, WE HAVEN'T THE RIGHT TO ASK YOU WHAT IT IS. IS THIS A POLICE STATE?

SUPERVISOR LEONARD:

WE ARE GOVERNED BY THE STATE OF NEW YORK. WE CAN'T REWRITE THE LAWS TO SUIT YOU OR ANY OTHER INDIVIDUAL.

MR. GEORGE SMETTZER:

I'M NOT ASKING YOU TO.

MR. PAUL BROWN:

WOULD YOU HAVE ANY OBJECTION, YOU AND THE REST OF THE MEMBERS OF THE TOWN BOARD IN TAKING ADVISORY POLL IN ORDER THAT THE WISHES OF THE PEOPLE COULD BE FOUND? DO YOU PERSONALLY HAVE ANY OBJECTION TO TAKING AN ADVISORY POLL, SUCH AS THEY TOOK IN 1950?

SUPERVISOR LEONARD:

MAY I SUGGEST YOU CAN DO THE SAME THING.

MR. PAUL BROWN:

WE HAVE BEEN TRYING TO GIVE YOU SOME.

SUPERVISOR LEONARD:

WE WILL LOOK AT IT, AND I WILL RETURN THE SUITCASE WITH THE VOTE.

MR. PAUL BROWN:

WOULDN'T YOUR CONSCIENCE FEEL BETTER IF YOU WERE REALLY GIVING THE TOWNSPEOPLE THAT?

SUPERVISOR LEONARD:

I SAY THIS TO YOU PAUL, THE NUMBER OF PEOPLE THAT ARE HERE THIS EVENING IS A SMALL PERCENTAGE OF THE TOWN POPULATION OF THE TOWN OF RIVERHEAD, AND IT MIGHT SURPRISE YOU AND ME TOO THAT YOU WOULD BE OUTNUMBERED AS FAR AS A VOTE IS CONCERNED. THERE ARE A LOT OF PEOPLE WHO DIDN'T SHOW UP HERE TONIGHT WHO HAVE INFORMED ME THAT THEY ARE IN FAVOR OF ZONING, BY BY THE SAME TOKEN THERE MAYBE SOME WHO ARE NOT IN FAVOR OF IT.

MR. PAUL BROWN:

IF THE MAJORITY WANTS IT, WE ARE IN FAVOR OF IT A HUNDRED PERCENT

MR. ROBERT STIVERS:

HOW MUCH TIME WOULD YOU GIVE US?

SUPERVISOR LEONARD:

I TOLD YOU THREE MONTHS AGO YOU CAN TAKE IT.

MR. WICKHAM TYTE:

WE MIGHT AS WELL GET BACK TO THIS FAMOUS BOX. GETTING BACK TO THE THING, I MIGHT MENTION DURING ONE OF THE RECESSES THEY GAVE ME NINE AND PAUL HAS ANOTHER SIXTY, THAT BRINGS IT UP TO 527. BUT, THIS IS NOT SUPPOSED TO BE A POLL OF EVERYBODY WHO HAD THE RIGHT TO VOTE. I WOULD SAY, THAT WHILE WE TALKED ABOUT LOADED POLLS IT SEEMS TO ME THAT IN THE PAPER WE READ CERTAIN PROFESSIONAL MEN, SAY, 53 WERE ALL IN FAVOR OF ZONING. AND THERE WERE A CERTAIN NUMBER IN FAVOR, BUT THEY WOULDN'T RECORD THEIR NAMES UNLESS THEY WOULDN'T BE PATRONIZED OR SOME REASON. I SUPPOSE THE PROPONENTS OF ZONING WOULDN'T CONSIDER THAT A LOADED POLL. WE WERE TRYING TO FIND OUT WHAT THEIR STRONG SENTIMENT IS AGAINST ZONING IN THE TOWN OF RIVERHEAD. IT WASN'T OUR OBJECTIVE. WE WANTED TO PROVE A POINT TO THE TOWN BOARD THAT THERE WAS A VERY STRONG SENTIMENT AGAINST IT, AND THE SENTIMENT INCLUDED TAXPAYERS. I THINK IT IS UNFAIR TO SAY THE SO-CALLED LEADING CITIZEN GROUP POLL - I THINK OURS WAS SLIGHTLY FAIRER BECAUSE THE 14 THAT WERE AGAINST IT WE DIDN'T THROW INTO THE ASH CAN. ANYWAY, I DO FIND THIS BUSINESS OF POLLS HAS TAUGHT ME A LESSON. IF WE WERE TO POLL A CERTAIN CLICK OF PEOPLE, NAMELY PROFESSIONAL MEN, AND ADDED A GROUP OF PEOPLE OF DO-GOODERS, AND ALSO PEOPLE WHO WOULD GET JOBS, IT WOULD GO OVER WITH A BANG, BUT IF WE WERE TO TAKE A POLL OF FIRST THE TAXPAYERS IN GENERAL IT WOULD BE BEATEN.

SUPERVISOR LEONARD:

WE ARE HERE TO HEAR ZONING, NOT POLLS, PLEASE DIRECT YOUR REMARKS TO ZONING. I THINK SOME OF THE PEOPLE WOULD LIKE TO GET HOME.

MR. WICKHAM TYTE:

ONE POINT RELATIVE TO ZONING. THERE SEEMS TO BE FROM THE FARM BUREAU AN IDEA THAT WE ARE ACCUSING OR SOMEBODY IS ACCUSING THAT THE TOWN BOARD MAY BE A BUNCH OF CROOKS OR SOMETHING. THAT IS NOT THE POINT. ZONING IS A THING THAT GOES OVER A LONG PERIOD OF YEARS. ZONING BOARDS COME AND GO, AND IT HAS SEEMED TO BE THAT IN OTHER TOWNS THE ONLY WAY WE CAN GET AN INDEX OF GRAFT AND CORRUPTION THAT HAS CREPT IN IS FROM THEM. WE MAY BE IMMUNE TO THAT, AND THE PEOPLE WE MIGHT NOT BE ANY BETTER THAN THE AVERAGE TOWN. BUT, THAT WOULD BE NO REFLECTION ON THIS BOARD. BUT, SOMEWHERE ALONG THE LINE THIS COULD HAPPEN.

ONE THING I'D LIKE TO BRING UP IN THE STRANGE WAY PEOPLE HAVE OF NOT BEING ABLE TO DISCERN THE LINE THAT DIVIDES PUBLIC AND PRIVATE PROPERTY. FOR INSTANCE THEY WILL MENTION ROANOKE AVENUE AND THE COUNTY AND STATE BEING INVOLVED. WHEN YOU DRIVE DOWN THE STREET IF THEY HAVE SPEEDING REGULATIONS, AND FOR THAT SAME REASON THEY SHOULD PUT RESTRICTIONS ON LAND, BUT THESE RESTRICTIONS ON HIGHWAY ARE PUBLIC AND OTHER RESTRICTIONS ARE ON PRIVATE PROPERTY. WHY MIX THE TWO THINGS UP? WHY NOT SAY THERE IS A LINE OF DEMARKATION THAT SEPARATES PUBLIC AND PRIVATE PROPERTY. ONE THING, IT MIGHT CONCEIVABLY BE WRITTEN. A MAN ONCE WANTED A BOOK PUBLISHED AND HE SAID IF I WOULD CONDENSE THAT BOOK WOULD YOU PRINT IT. HE SAID, IF YOU CONDENSE WATER IT IS STILL WATER, AND IF YOU TAKE A ZONING ORDINANCE AND AMEND IT IT CAN NEVER CONCEIVABLY WORK UNDER THE AMERICAN SYSTEM OF PRIVATE OWNERSHIP. IF YOU CAN IMAGINE ONE DAY YOU WAKE UP AND A MAN SAYS YOU HAVE A NICE PIECE OF PROPERTY AND YOU HAVE A NEW PARTNER AND YOU SAY WHO. AND, HE SAYS, ME. HE SAYS I'M GOING TO TELL YOU WHAT YOUR'RE GOING TO DO WITH THAT PROPERTY AND HOW BIG IT'S GOING TO BE. IN ZONING, THE TOWN COMES TO BE THE PARTNER. I SUGGEST YOU THROW IT INTO THE WASTEBASKET.

MR. REGINALD YOUNG:

I AM SORRY I SPOKE ABOUT REG. SMITH. THE ONLY THING I WANT TO BRING UP IS AN ILLUSTRATION. HE WASN'T HERE AND I HATE TO TALK ABOUT PEOPLE BEHIND THEIR BACK. WHAT I WOULD LIKE TO SAY WAS THE IDEA THAT THOSE AGAINST ZONING ARE FORCING US TO SHARE THEIR BURDENS. THERE IS NO HARM IN THEM BANDING TOGETHER AND HELPING THESE PEOPLE IN SLUM AREA. ANYWAY, I WOULD LIKE TO ASK YOU BILL, AND OTIS, IF I MIGHT, TO USE AN ILLUSTRATION OF WHAT HAPPENED A YEAR OR SO AGO OTIS. YOU BOTH OPPOSED THE AREA UP IN CALVERTON. THE LAND GRAB BY THE GOVERNMENT THERE IN GRUMMAN AIRCRAFT AREA. YOU OPPOSED THAT AND WON IT OUT. THAT IS THE SAME THING YOU'RE NOT FIGHTING FOR, BUT YOU'RE STANDING IN JUDGEMENT OF US NOW IN YOUR POSITION, WHEREBY WE ARE GOING TO HAVE OUR RIGHTS INFRINGED UPON. PLACING THE SAME RESTRICTION THE GOVERNMENT HAD DONE WITH THE AREA IN CALVERTON. AND PROPOSE THE SAME RESTRICTIONS ON US AND YET HAVE US PAY FOR IT, WHEREAS THE GOVERNMENT WOULD HAVE PAID US.

MR. LEO SAXSTIEN:

GENTLEMEN, AND MEMBERS OF THE TOWN BOARD. IT SEEMS TO ME THAT THERE HAS BEEN AN AWFUL LOT OF RED HERRING DRAGGED INTO THIS ZONING SITUATION, AND DRAGGED IN BY THE NEWSPAPERS. I KNOW THIS TOWN BOARD HAS HAD ITS PROBLEMS. THOSE NEWSPAPERS RUN IN WITH A LOT OF FOOLISH IDEAS AND HAVE NO RELEVANTCY, BUT OF COURSE THEY MAKE THINGS HOT FOR YOU. NOW, THIS SLUM CLEANANCE AFFAIR. I HAPPENED TO BE AT THE LAST MEETING. I NEVER SAW SUCH CHILDISH REMARKS BUT YOU FIND THEM OUT EVENTUALLY. NOW, A SLUM IS DEFINED AS ANY PLACE WHERE POOR PEOPLE LIVE, AND I THINK THAT IS THE ONLY KIND OF DEFINITION YOU WILL HAVE. THE ONLY WAY YOU WILL ELIMINATE SLUMS IS NOT BY HAVING POOR PEOPLE AND I WISH THEM EVERY LUCK. BUT IT HASN'T BEEN ABLE TO BE DONE IN 5000 YEARS OF RECORDED HISTORY. THE STRANGE THING IS WHEN FIRES HAPPEN IN ZONED TOWNS THEY DON'T SAY ANYTHING. IF A FIRE HAPPENS IN RIVERHEAD, RIGHT AWAY THEY SAY IT'S NOT A ZONED TOWN. THAT DIDN'T CAUSE A FIRE. THE MOST STRIKING EXAMPLE WAS THE BRICK BUILDING IN AQUEBOGUE. THE FELLOW GOT DRUNK AND WENT TO SLEEP WITH A LIGHTED CIGARETTE. HE'S GOING TO BURN UP HERE, OR NEW YORK CITY, NO ANY OTHER PLACE. THERE IS NO REASON TO BE MISLED AND SAY YOU'RE GOING TO GET SLUM CLEARANCE THROUGH ZONING, BECAUSE YOU DON'T. YOU KNOW AS WELL AS I DO. IF YOU TALK ABOUT SLUMS, YOU CAN JUST DIVIDE A LOT UP AND PUT A LITTLE SHACK ON EACH AND WHATEVER THEY CALL A SLUM THEY CALL A SLUM. IF I SPEND \$3,000 ON IT THEY CALL IT A SLUM. ZONING ISN'T GOING TO ELIMINATE IT. THE THING THAT I AM REALLY SORRY ABOUT IS THAT I CAN'T RESIST THE IMPLICATION AS TO WHAT THIS TOWN BOARD HAS DONE. FIRST YOU WENT OUT AND REPRESENTED TO US ALL THAT YOU WERE GOING TO DO, TO FOLLOW THE WISHES OF THE PEOPLE. THERE IS NO REASON WHY YOU SHOULDN'T. YOU MAY THINK YOU KNOW BETTER THAN OR MORE THAN THE PEOPLE WHO ELECT YOU, BUT MY OBSERVATION HAS BEEN THERE IS NO PUBLIC OFFICIAL WHO KNOWS MORE THAN THE PEOPLE WHO ELECT HIM. I DON'T CARE HOW STUPID HE THINKS THOSE PEOPLE ARE. THE FACT THAT THEY ELECT ONE OF YOU AND YOU SIT ON THE TOWN BOARD DOESN'T MEAN YOU KNOW ANY MORE ABOUT THE PROBLEMS AND SOLUTIONS THAN ANYBODY WHO HASN'T BEEN ELECTED.

THE NEXT THING YOU SAID YOU WERE GOING TO REPRESENT THE PEOPLE AND FIND OUT WHAT THEIR OPINION WAS. YOU TALK ABOUT IT BEING PASSED IN OTHER TOWNS. YOU KNOW IT WAS RAMMED DOWN THE THROATS OF THE FELLOWS IN SOUTHOLD AND SOUTHAMPTON. YOU KNOW IN EASTHAMPTON, THE PEOPLE WERE DEAD SET AGAINST THE CHARTER, YET THE SUPERVISOR VOTED FOR THE CHARTER, AND PUT THE ENTIRE EAST END OF SUFFOLK COUNTY IN A HELL OF A POSITION.

NOW, I KNOW YOU HAVE THE POWER TO PASS THIS ORDINANCE. I KNOW ORIGINALLY THEY HAD A LAW AND HAD TO HAVE A REFERENDUM, AND WHEN THEY FOUND IT COULDN'T PASS BECAUSE THE PEOPLE WERE AGAINST IT THEY MADE IT A PERMISSIVE REFERENDUM AND THEN SAID ALL RIGHT, DON'T GIVE THE PEOPLE ANY RIGHTS, LEAVE IT UP TO THE TOWN BOARD.

SUPERVISOR LEONARD:

MAY I INTERRUPT. YOU ARE NOT HAVING ANY REFERENCE TO ANYONE IN THE TOWN OF RIVERHEAD, WHO TOOK THESE ACTIONS?

MR. LEO SAXSTIEN:

No, no.

SUPERVISOR LEONARD:

I THOUGHT PERHAPS YOU DID, BECAUSE IN ONE OF THE ARTICLES IN THE NEWS-REVIEW, A LOT OF PEOPLE THOUGHT IT REFERRED TO SOMEONE IN THE TOWN OF RIVERHEAD THAT IS GIVING THE TOWN BOARD THE RIGHT TO PASS IT WITHOUT THE RIGHT OF A REFERENDUM.

MR. LEO SAXSTIEN:

I KNOW IT WASN'T DONE BY ANYBODY IN THE TOWN OF RIVERHEAD.

NOW, THEY GAVE IT TO THE TOWN BOARD, AND I REALIZE AS ALL OF YOU DO THAT THERE IS ONE POSSIBLE FACT THAT IF WE DON'T LIKE ANYTHING UNDER THE BUSHEL, YOU KNOW THAT RIVERHEAD IS THE ONLY TOWN IN SUFFOLK COUNTY WHERE THE VOTE IS AS EVENLY DIVIDED, AND THERE ISN'T ANY REASON WHY, THAT IS THE REASON IT IS SUCH A GOOD TOWN TO LIVE IN. WHEN YOU HAVE A SITUATION LIKE THAT, EVERY MEMBER OF THE TOWN BOARD IS GOING TO SEE TO IT THAT HE DOES WHAT IS RIGHT INSTEAD OF DOING SOMETHING DEAD WRONG. YOU HAD AN OPINION THAT YOU COULD NOT HAVE AN ADVISORY REFERENDUM. I TOLD YOU I AGREE, BECAUSE THE WORD REFERENDUM HAS A SPECIAL MEANING. I CAN SHOW A CASE WHERE A JUDGE HAS HELD YOU CAN CALL THEM TOGETHER AND ASK THEM, YOU CAN CALL IT A BALLOT AT A MEETING LIKE THIS. FIRST A PERSON HESITATES TO STAND UP IN PUBLIC AND SAY WHAT HE IS GOING TO DO, I DON'T KNOW WHY YOU COULDN'T JUST AS WELL HAVE THIS HEARING AND LET IT CONTINUE FOR A PERIOD OF SIX OR SEVEN HOURS AND LET THE PEOPLE COME DOWN AND CAST THE BALLOTS. I DON'T KNOW WHY YOU WOULDN'T LET THEM GO AHEAD AND TAKE A CHANCE. SUPPOSING YOU PASSED THIS ZONING ORDINANCE, AND SUPPOSE WE DECIDED TO PUT UP A THIRD PARTY, AN APPEAL PARTY AND WE FIND THAT THE APPEAL PARTY GETS IN.

MEMBER OF THE AUDIENCE:

MR. CHAIRMAN, I THINK THE GENTLEMEN IS OUT OF ORDER. HE PRESUMES LACK OF INTEGRITY OF THE TOWN BOARD.

MR. LEO SAXSTIEN:

Do I HAVE THE FLOOR?

SUPERVISOR LEONARD:

CONTINUE MR. SAXSTIEN, IF YOU WILL.

MR. LEO SAXSTIEN:

I CAN'T HELP BUT WONDER HOW YOU PEOPLE WOULD FEEL IF AN APPEAL PARTY GOT IN BY A SUBSTANTIAL NUMBER OF VOTES. I KNOW IF I WERE IN YOUR POSITION I WOULD FEEL AS LOW AS A SNAKE. AND, IT'S SO EASY

(MR. LEO SAXSTIEN):-

FOR YOU, AFTER ALL, IF YOU ARE GOING TO REPRESENT THE PEOPLE LET THEM EXPRESS THEIR OPINION AND FOLLOW IT.

I KNOW WHAT ZONERS ARE AFRAID OF. THERE ARE ABOUT A THOUSAND PEOPLE WHO WANT IT, AND OVER FIVE THOUSAND WHO DON'T AND THEY KNOW IT. I TALKED TO REG SMITH, PRIOR TO THE ELECTION SOME EIGHT YEARS AGO AND HE FELT THE SAME THING, BUT OF COURSE HE FOUND OUT DIFFERENTLY. THAT IS THE REAL TROUBLE, THAT IS WHAT MAKES EVERYBODY SO MAD.

MR. MORRIS DIAMOND:

I HAVE BEEN FASCINATED BY POLITICS ALL MY LIFE, AND I HAVE LIVED WITHIN THIS TOWN OF RIVERHEAD FOR FIFTEEN YEARS, AND I AM NOT UNAWARE THAT THE POLITICIANS IN THIS TOWN BY AND LARGE ARE LIKELY TO BE RE-ELECTED. YOU ARE INTIMATING THAT THESE PEOPLE INTEND TO CUT THEIR OWN THROATS BY JAMMING DOWN THE THROATS OF THIS TOWN, A ZONING ORDINANCE. YOU ALSO INTIMATED THAT IN VARIOUS TOWNS THAT IT WAS JAMMED DOWN THEIR THROATS. DIDN'T THE PEOPLE AT THE NEXT ELECTION HAVE AN OPPORTUNITY TO SHOW HOW THEY FELT. I'M ONLY ASKING QUESTIONS, I DON'T KNOW. DID THEY DO ANYTHING?

MR. LEO SAXSTIEN:

IN THE TOWN OF SOUTHAMPTON, I EXPECT IF A DEAD HORSE RAN ON THE REPUBLICAN TICKET HE WOULD BE ELECTED, SO BEAR THAT IN MIND.

MR. MORRIS DIAMOND:

BY THE WAY, I THINK IF YOU HAD A REFERENDUM, YOU WOULD BE SURPRIZED. I CAN'T SEE THESE PEOPLE CUTTING THEIR OWN THROATS AND TO FLY IN THE FACE OF WHAT YOU SAY IS PUBLIC DISPLEASURE.

SUPERVISOR LEONARD:

IS THERE ANYONE ELSE WISHING TO BE HEARD?-----NO ONE ELSE WISHING TO BE HEARD, I HEREBY DECLARE THIS PUBLIC HEARING CLOSED.

MAY I TAKE THIS OPPORTUNITY TO THANK EACH AND EVERYONE OF YOU FOR YOUR PRESENCE HERE THIS EVENING. I WOULD LIKE TO FEEL AS THOUGH WE LEAVE HERE IN THE SAME DEMOCRATIC SPIRIT OF LIVING WE ARE ACCUSTOMED TO, WITH AN OPORTUNITY TO ALL TO GIVE THEIR OPINION FOR AND AGAINST.

ALL OF YOUR SUGGESTIONS AND CRITICISMS OF THIS PROPOSED ORDINANCE WILL BE GIVEN DUE CONSIDERATION BY THE TOWN BOARD.
THANK YOU.

MEETING CLOSED AT 11:37 P.M. ON MOTION AND VOTE BOARD ADJOURN-
ED TO MEET ON APRIL 21, 1959 AT 9:30 A.M.

Anthony F. Gabzinski
ANTHONY F. GABZINSKI, TOWN CLERK

AFG:MVB