

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, April 26, 1966 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.
Thomas R. Costello, Justices of the Peace

Vincent B. Grodski
George G. Young, Councilmen

Also present: Shepard M. Scheinberg, Town Attorney and Alex E. Horton, Supt. of Highways.

The meeting was called to order at 10:30 A. M., by Supervisor Robert B. Vojvoda.

Justice Costello welcomed the bronzed and rested vacationers, Supervisor Vojvoda and Councilman Young back to the fold and expressed a wish that their excursion was most enjoyable.

Proof of Publication relating to Notice of Change of Town Board Meeting date from third to fourth Tuesday during the month of April, 1966, was submitted to the Board and ordered filed.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on April 5, 1966, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the minutes of a Special Meeting of the Town Board held in the Town Hall on April 14, 1966, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

REPORTS:

Tax Receiver's, dated April 11, 1966. Filed.

Tax Receiver's, dated April 21, 1966. Filed.

Recreation Department, month of March, 1966. Filed.

Riverhead Fire District, Elections held April 7, 1966. Filed.

REPORTS continued:

After being duly advertised the following Bid for 8 foot Fence requirement for use of the Town of Riverhead Recreation Department was opened by the Town Clerk on Monday, April 18, 1966 at 11:00 A. M.

RIVERHEAD FENCE CO., 973 West Main Street, Riverhead, N. Y. 11901

Delivered and installed-Per Linear Foot 8.25

TOTAL PRICE \$1,900.00

The Bid was filed for the April 26, 1966 Meeting of the Town Board.

After being duly advertised the following Bids for One (1) New 1966 One-Half Ton Pickup Truck for use of the Riverhead Town Highway Department were opened by the Town Clerk on Monday, April 18, 1966 at 11:30 A. M.

LYON FORD, INC., Route 58, Riverhead, N. Y. 11901

Delivered Price One 1966 Ford Model F-100- 1/2 Town Pickup Truck \$2,200.00

Less Trade-In: One 1959 International 4 W.D. Pickup Truck 300.00

Delivered Price of 1966 Pickup Truck less trade-in \$1,900.00

TRYAC TRUCK & EQUIPMENT CO., INC. Box 98, Riverhead, N. Y. 11901

Delivered Price One 1966 International Model 11-A (4x4) Pickup Truck- \$2,960.49

Less Trade-In: One 1959 International 4 W.D. Pickup Truck 563.00

Delivered Price of 1966 Pickup Truck less trade-in \$2,397.49

The Bids were filed for the April 26, 1966 Meeting of the Town Board.

COMMUNICATIONS

Town of Southold, dated April 20, 1966, Notice of Public Hearing relating to proposed amendments to Building Zone Ordinance. Filed.

Copy to Town Attorney.

Town of Brookhaven, dated April 19, 1966, Notice of Public Hearing relating to proposed amendments to Building Zone Ordinance. Filed.

Copy to Town Attorney.

Martin L. Bloch, Garden City, N. Y., dated April 13, 1966, offering services as shorthand reporter. Filed.

Connie King, dated April 19, 1966, calling Board's attention to Police Department's efficient handling and speedy solution of vandalism complaint. Filed.

Copy to Police Department.

State Traffic Commission dated April 15, 1966, Notice of Action relating to Driveway to Municipal Parking Field, said Action, "Orders erection of stop sign on driveway to Parking Field at its intersection with Route 25 from east." Filed.

Copy to Police Department.

COMMUNICATIONS continued:

Old Whalers Festival, Inc., dated April 12, 1966, extending invitation to Town Board to join Governor Nelson A. Rockefeller at the reception for dignitaries to be held at Baron's Cove Inn, Sag Harbor, N. Y., on Saturday, June 18, 1966 at 2:30 P. M. Filed.

Long Island Lighting Co., dated April 15, 1966, submitting plan and map for installation of street lighting on Washington Avenue, Jamesport, N. Y. Filed.
Referred to Lighting Committee.

Copy of letter from Riverhead Free Library to H. Lee Dennison, County Executive, dated April 4, 1966, requesting that the proposed erection of pumping station for sewerage be relocated. Filed.

Pierre G. Lundberg, Attorney, dated April 12, 1966, making request that the matter of approval by the Town Board for additional units for Mobile Home Park owned by Joseph Conforti be placed on the Agenda and submitting plan dated July 27, 1965, approved by Suffolk County Department of Health under date of September 21, 1965, said plan to supersede plan dated May 15, 1964. Filed.

Mr. & Mrs. Art Wedel, dated April 13, 1966, submitting suggestions for "Keep Riverhead Clean" Project. Filed.

Perry V. Conklin, dated April 18, 1966, making request that two concrete markers which were removed from property on Peconic Bay Blvd., at time of removal of several feet of soil, be replaced. Filed.
Referred to Supt. of Highways.

At this point of the meeting, Supervisor Vojvoda asked if anyone wished to be heard.

Mrs. Muriel Isaacs, representing Marty's Hole in Wall, appeared before the Board and requested permission to hold Art Show on East Main Street, Riverhead, N. Y., on Saturday, May 21, 1966 from 12:00 Noon to 3 P. M.

Mrs. Isaacs stated that the Riverhead High School students will participate in this project and that the paintings will be placed on display against store buildings on East Main Street.

Permission granted by Town Board to Marty's Hole In Wall to hold Art Show on East Main Street, Riverhead, On Saturday, May 21, 1966 from 12:00 Noon to 3 P. M.

CLAIM

William Knotoff, 30 Hampton Road, Southampton vs. Town of Riverhead in the amount of \$82.20 for damage sustained to 1964 Buick Rivera by protruding metal on bridge approach ramp, was submitted to the Board, and ordered filed.

Town Clerk advised that copies of above claim have been submitted to the Town Attorney and Insurance Brokers on April 11, 1966.

HEADS OF DEPARTMENTS

Police Chief Grodski appeared before the Board and made suggestion that the "stop lines" be painted and "center lines" be marked on all Town roads before Memorial Day.

The Town Board entered into a discussion on the suggestion as offered by Chief Grodski and directed the Supt. of Highways to proceed with the painting of "stop lines" and marking of "center lines" on all Town roads with the request that every effort be put forth to complete the work by Memorial Day.

Mr. Horton, Supt. of Highways assured the Board that he will do all possible to carry out the request.

Donald Rhuda, Supt. of Recreation presented Joseph McKenna, Cortland College student who has been assigned to serve as Field Student in the Riverhead Recreation Department for a period of eight weeks.

The members of the Town Board welcomed Mr. McKenna and assured him that Mr. Rhuda would keep him busy.

Mr. Rhuda advised the Board that the Recreation Department is planning a "Bike Safety Program" to be worked in conjunction with Police Chief Grodski.

UNFINISHED BUSINESS:

Town Attorney Shepard M. Scheinberg reported that a rough draft of the Traffic and Parking Ordinance will be submitted to the Board on May 3rd, 1966 by Abram Shorr, Special Town Attorney.

NEW BUSINESS:

The matter of drawing up specifications for bids on the Jamesport Marina Concession and Iron Pier Beach Concession was referred to Donald Rhuda, Superintendent of Recreation.

RESOLUTIONS:

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That Highway bills of Municipal Machinery Co., dated March 28 and 30th, 1966 in the amount of \$734.37, submitted on Machinery Highway Item No. 3 Warrant dated April 26, 1966 be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the bid for one (1) new 1966 one-half ton Pickup Truck for use of the Riverhead Town Highway Department, be and it is hereby awarded to Lyon Ford, Inc., Route 58, Riverhead, N. Y., at a cost of \$1900, subject to its bid and specification form dated April 16, 1966 and filed in the Office of the Town Clerk, and be it

RESOLUTIONS continued:

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/Commissioner of Public Works of the County of Suffolk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for Crushed Stone mixture of 3/4" to 1-1/2", for use of the Town of Riverhead Highway Department, for the period from May 16, 1966 to May 15, 1967, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 10:00 A. M., on May 16, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, May 16, 1966, at 10:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Crushed Stone".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the bid submitted by Riverhead Fence Co., 973 West Main Street, Riverhead, N. Y., and opened by the Town Clerk on April 18, 1966, for 8 Foot Fence Requirements for use of the Town of Riverhead Recreation Department, be and is hereby rejected, and be it

RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for sealed bids for 8 Foot Fence for use of the Town of Riverhead Recreation Department, and

FURTHER RESOLVED, That specifications be prepared by the Superintendent of Recreation, and bids to be returnable up to 11:00 A. M., on May 16th, 1966, and

BE IT FURTHER RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, May 16, 1966, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on 8 Foot Fence".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Justice Zaloga.

RESOLVED that the plan of Mobile Home Park at Wading River of Joseph J. Conforti, dated July 27, 1965, having affixed thereto the approval of the Suffolk County

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RESOLUTIONS continued:

Department of Health, dated September 21, 1965, to be filed by the Town Clerk of the Town of Riverhead, in accordance with the provisions of Ordinance No. 10 of said Town and that said plan dated July 27, 1965 shall in all respects supersede the plan heretofore filed in the Office of the Town Clerk, dated May 15, 1964 on June 2, 1964, pursuant to the provisions of said Ordinance No. 10.

The vote, Councilman Young, Not Voting, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

COMMUNICATION

Florence Abrams, dated April 26, 1966, advising Town Board that she is presently employed by the Town of Riverhead as a Part-Time Clerk for the Zoning Board of Appeals. Filed.

Councilman Grodski offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That Florence Abrams, be and is hereby appointed as Part-Time Clerk to the Zoning Committee, to be compensated at \$2.00 per hour, for hours so worked and that said appointment be retroactive as of April 1, 1966.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

WHEREAS, the performance bonds of United States Fidelity and Guaranty Company, Kingswood Development Corporation, Constantine King, Cornell Associates, Inc., and Ruscon Development Company guaranteeing performance of completion of roads, water and installation under bonds No. 12-1476-65 in the amount of \$30,000 and 12-1478-65 in the amount of \$20,000, and expiring on May 26, 1966, and

WHEREAS, the work under these bonds has not been completed, be it

RESOLVED, that bonds No. 12-1476-65 and 12-1478-65 should be renewed for an additional year and be it further

RESOLVED, that a copy of this resolution be forwarded to Mr. Constantine King so that he may take the necessary steps to renew said bonds.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to install street lighting on Washington Avenue, within the Jamesport Lighting District, as per letter and plan dated April 15, 1966, outlining added cost to aforesaid District of \$21.00 per annum.

RESOLUTIONS continued:

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Helene M. Block, Town Clerk, be and is hereby authorized to attend the 1966 School for Town Clerks sponsored by the Town and County Officers Training School, to be held on June 27th, 28th and 29th, 1966 at Cornell University, Ithaca, New York, and that all necessary expenses be paid.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

The matter of a request by I. M. Young & Co., for a Special Permit to erect a Transient Multiple Residence on property off Edwards Avenue, Calverton, N. Y., said erection to supplant the existing building, was submitted to the Board.

The application together with plans and specifications filed with the Building Department were found in order by the Building Inspector.

Justice Costello offered the following resolution which was seconded by Councilman Young.

WHEREAS, The I. M. Young & Co., has made application for a Special Exception pursuant to Article II, Section 205A, Paragraph 3 of Zoning Ordinance No. 26 of the Town of Riverhead, to erect a multiple residence labor camp as described in the application and plans submitted to the Riverhead Building Department on April 21, 1966,

BE IT RESOLVED That the application of I. M. Young & Co., requesting a Special Exception to erect a multiple residence labor camp as described in the application and plans submitted on April 21, 1966 to the Riverhead Building Department, be and the same be granted.

The vote, Councilman Young, Yes, Councilman Grodski, Not Voting, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

The Town Board convened as a Board of Audit and examined the following bills submitted on Warrants dated April 26, 1966; General Town - \$22,573.75, General Repairs Highway Item No. 1 - \$1,057.52, Bridge Highway Item No. 2 - \$548.00, Machinery Highway Item No. 3 - \$2,556.89 and Miscellaneous Highway Item No. 4 - \$941.23.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That General Town Bills submitted in the amount of \$22,573.75, be approved for payment

RESOLUTIONS continued:

AND FURTHER RESOLVED, That General Repairs Highway Item No. 1 Bills in the amount of \$1,057.52, Bridge Highway Item No. 2 Bills in the amount of \$548.00, Machinery Highway Item No. 3 Bills in the amount of \$2,556.89 and Miscellaneous Highway Item No. 4 Bills in the amount of \$941.23, be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

At this point, Supervisor Vojvoda recessed the meeting to hold a Public Hearing scheduled for 11:30 A.M.

PUBLIC HEARING - 11:30 A.M.

Affidavit of Proof of Publication of Notice of Public Hearing pursuant to Section 65 of the Town Law and Section 501 of Zoning Ordinance No. 26 of the Town of Riverhead as Amended, Suffolk County, New York, relating to the creation of Residence 3 District, was submitted to the Board and ordered placed on file.

Supervisor Vojvoda requested Elwood Hooper, Special Town Attorney to offer an explanation to the delegation in attendance so that they may be apprised of the purpose of this Hearing.

Elwood Hooper submitted the following explanation:

"That a Public Hearing was held on the 5th day of April, 1966, on proposed amendments to Zoning Ordinance No. 26, relating to the creation of Residence 3 District Use and at said Hearing all the objections submitted pertained to the proposed 1/3 acre minimum area requirement for two-family dwellings.

The Town Board was urged to revise the proposals to include an area of 22,000 square feet having a width of less than 125 feet in the establishment of such District Use.

As a result of said Hearing, the Town Board deemed that revision was necessary and the amendments were revised to include an area of 22,000 square feet having a width of less than 125 feet.

That Notice of Public Hearing on the revised amendments has been published according to statutes."

Mr. Hooper made recommendation that the amendments as revised be adopted by the Board.

Supervisor Vojvoda thereupon declared the Hearing open and asked if anyone wished to be heard in favor of or in opposition to the proposed amendments as contained in the Notice of Public Hearing.

Edwin S. Lapham, Attorney, addressed the Board and stated that he appreciates the Ordinance as now presented by the Town Board, as it is what the people want and what is suitable to the needs of the Wading River School District.

Mr. Lapham, made recommendation that upon adoption of this Ordinance, that steps be taken immediately to apply the change to the area shown on the filed map.

PUBLIC HEARING - 11:30 A.M., continued:

The following persons addressed the Board and spoke in favor of the amendments as proposed:

Mr. Gordon T. Danby, Mr. Albert Prodell, Mr. Herbert Hildebrandt, Mrs. Bert Rhodes, Mrs. Margaret Heatley, Mrs. Charles Wood, Mrs. Norman Bruen, Mrs. Gordon T. Danby, Mrs. Evelyn Meier, Mrs. Mabel Heatley, Mrs. Joseph Michalowski, Mrs. Myra Katchenbacker and Mr. Lawrence Kenny.

Mr. John Talmage, Baiting Hollow, addressed the Board and made inquiry as to the area this proposed Residence 3 District Use would encompass.

Supervisor Vojvoda replied to Mr. Talmage stating that this proposed District Use is not being applied to any specific area at this time. That the purpose of this Hearing is to create a vehicle for a Residence 3 District Use and if this is established the areas desiring this Use will make request that it be applied.

Mr. William Miller, addressed the Board and stated that the proposed Use District is one that the people of Wading River have wanted for a long time.

Mr. Miller commended the Board for its cooperation and expressed much appreciation for its consideration.

The members of the Board thanked Mr. Miller for his kind words of approval.

Mr. Cyril Wulforst, Calverton, addressed the Board and asked how this vehicle will work over the originally proposed 1/3 acre minimum area requirement and what it will supplant.

Justice Costello stated that he understands Mr. Wulforst's question and offered the following explanation:

"If some particular Residential 1 area of the Town of Riverhead having 8,400 square foot area now, requests this Use No. 3 District by submitting a Petition and Map, and the petition is approved by the Town Board, this Residential 3 District Use will supplant Residential 1 Use District."

Mr. Wulforst: "In that particular area, only?"

Justice Costello: "Yes, Mr. Wulforst, in that specific area only. For instance, if people in Calverton Resident 1 Zone bring in a petition and map for a change from Resident 1 Zone to Resident 3 Zone, we will hold a Public Hearing on the matter and if this request is granted, then that specific area in Calverton will be zoned Residence 3 District."

Mr. John Hartmann, St. James, addressed the Board and stated he is owner of property in Riverhead Town and asked if the areas will be zoned along school district lines only.

Supervisor Vojvoda replied to Mr. Hartmann stating that the proposed change does not apply to school district lines only. It will depend on the requests made and where the people want this Use applied.

Mr. Hartmann: "Then any area that would object to this Use----the lines would be drawn and the Use not applied?"

PUBLIC HEARING - 11:30 A. M., continued:

Supervisor Vojvoda: "Yes, Mr. Hartmann, the people of a specific area will have to request such a change by submitting a petition and map."

Mr. Talmage: "It almost seems that what you are asking here is that a developer not be allowed to come into an area and develop in an area of 15,000 square feet but on an area of 22,000 square feet. However, individual lots outside of the farm and open areas still would have the 8,400 square feet. Now, if you live on a lot of 8,400 square feet but you don't want anybody else to live in your locality on a lot of that size, in effect you are removing some of the land from the market. The farmers feel that whatever is being done should be fair to all the citizens in the Town and we would have no particular objection. But if you say this farm land not be allowed to develop because it is upzoned to such heights then you are directing the business in another direction and this seems unfair."

Mr. Lapham: "The intention of the Wading River people was that the whole area within the Wading River School District have this 22,000 square foot zone and I would recommend to whoever makes the proposal to the Town Board and files the suggested map that it include the entire area."

Mr. Talmage: "I want to make it clear that very generally the farm people feel that most people are not able to take care of one acre of open land. If you have one acre of open woodland and build a home on 1/4 of it, the rest of it couldn't be prettier if you left it alone, but this is not the case in farm land. You'll have rural slums in no time if you have homes on one acre requirements. You would have to hire a groundskeeper to take care of the rest of it or it would go to pot and ruin and get very unattractive.

Bear in mind that it would not be a very attractive thing for the Town to seek one acre zoning on open land. And at the same time if the time comes when the farmer is no longer able to make a proper living on that land, it is literally off the market as naturally a developer is not interested and the farmer's life long investment is gone if he cannot market this property.

Now, wooded land is quite a different matter. Some of us own wooded land and would not be in opposition."

Mr. Prodell: "But we are not talking here about one acre zoning, we are talking one-half acre zoning."

Mr. Danby: "The intention of the Wading River people was that the whole area within the Wading River School District have this 22,000 square foot area and when we petitioned we had no intention of discriminating as we felt that once this Use District was established it could be applied to any area in the Town."

Councilman Young asked Mr. Talmage how he felt about 1/2 acre zoning.

Mr. Talmage replied stating that the farm group has spent a lot of time studying zoning matters and have taken the position that 1/2 acre for individual lots if it is across the Board would be fair and if a developer would put in water and sewerage that 1/3 acre minimum requirement would be sufficient.

PUBLIC HEARING - 11:30 A.M., continued:

Mr. Hartmann voiced an opinion that the proposed upzoning would be a hardship to the retired farmers, depriving them of a fair share of developers' business.

Mr. Hartmann further added that he cannot foresee a density of homes, unless there is industry and every area that has been developed where there is no industry is suffering from the cause of high taxes and that he is convinced that only an executive could afford to exist on one acre of land.

No one else wishing to be heard and no communications having been received thereto, Supervisor Vojvoda declared the Hearing closed at 12:00 Noon.

Supervisor Vojvoda expressed thanks on behalf of the Town Board to the people for the interest they have shown by their attendance and for the opinions they have submitted relative to the proposed creation of Residence 3 District.

Supervisor Vojvoda re-opened the meeting.

Special Town Attorney Elwood Hooper recommended that the proposed zoning change be adopted by the Town Board.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, may be adopted by the Town

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby adopts the following amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that at a regular meeting of the Town Board of the Town of Riverhead held at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 26th day of April, 1966, the following resolution was duly adopted:

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, may be adopted by the Town

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby adopts the following amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended:

Add to DEFINITIONS:

Sec. 102.1A - AGRICULTURE - The cultivation of the soil for food products or other useful or valuable growths of the field or gar-

den but shall not include the raising of animals, poultry or dairy products, riding academies, livery or boarding stables and dog kennels where the same is carried on as a business or gainful operation.

Add to ARTICLE II SECTION 200 - DISTRICTS:

Section 200A Designated Districts: After the words "The Town of Riverhead is hereby divided into the following use District": the following words: "Residence 3 District".

Add SECTION 210 RESIDENCE 3 DISTRICT:**Section 210A USES:**

In the Residence 3 District no building, structure or premises shall be used, or arranged, or designated to be used, and no building shall be hereafter erected, reconstructed or altered unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Agriculture, provided no storage of manure shall be permitted within 100 feet of any side or rear lot lines or within 150 feet of any street lines.

2. One family dwellings.

3. Churches; parish houses; libraries; schools, elementary or high, both public or private, having curriculum the same as ordinarily given in public schools.

4. Parks, playgrounds, recreational areas operated by the Town.

5. Colleges and universities, provided that the plot has an area of not less than 75 acres and a continuous street frontage of not less than 400 feet, and provided further that the total building area shall not exceed ten per cent (10%) of the total lot area and the location of all buildings and structures shall have been approved by the Planning Board.

6. Accessory uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business, and shall be understood to include the following:

(a) Home occupations or professions conducted within the dwelling by the residents thereof.

(b) The sale at retail of "home-grown" or "home-made"

products raised or produced on the premises, provided no roadside stands, tables or similar devices for the purpose of display or sale of such products shall be permitted in the front yard.

(c) Private garages, private boathouses, private greenhouses and similar accessory buildings for residences. Potato storage buildings, machinery storage buildings, greenhouses, irrigation pump houses and similar accessory buildings or structures for agriculture.

(d) A temporary building or shed used during construction of a building or structure on the premises provided such building or shed is located in the rear yard.

(e) Swimming pools constructed in accordance with Article III, Section 3011 of this Ordinance.

(f) Fences not exceeding four (4) feet in height may be erected on the front property line and on such portions of the side property lines as shall be lot lines inclosing the required front yard. If such fence is erected along a street, the permitted height there-

PUBLIC HEARING - 11:30 A.M., continued:

shall be measured from the existing elevation of the center line of such street opposite such fence. On lots used for other than dwellings wire strand or open woven wire fences up to six (6) feet in height above ground level may be permitted on lot lines adjacent to the required front yard and on street lines.

Sect. 210B LOT AREA:

No main building shall be erected on a lot of an area of less than 22,000 square feet and having a width of less than 125 feet.

Sect. 210C FRONT YARD:

There shall be a front yard having a minimum depth of 50 feet. Where 40% or more of the frontage on that side of the street between two intersecting streets is improved with main buildings, no building or structure shall project beyond the average front yard line so established. However, this regulation shall not be interpreted to require a front yard depth of more than 60 feet. Further, the averaging provision shall not be considered or applied where the distance between two intersecting streets is more than one thousand (1000) feet.

Sect. 210D SIDE YARD:

There shall be two side yards, one on each side of the main building; the total width on both sides to be not less than 45 feet with the minimum of either side yard being not less than 20 feet wide. In case of a corner lot no main building shall be erected, reconstructed or altered nearer to a side street line than 50 feet or the average distance therefrom of the existing buildings fronting on the side street.

Sect. 210E REAR YARD:

There shall be a rear yard having a minimum depth of 50 feet.

Sect. 210F AREA OF MAIN BUILDING:

The main building area shall not exceed 15% of the total lot area.

Sect. 210G HEIGHT:

No main building shall be erected, reconstructed or altered so as to exceed 35 feet in height.

Sect. 210H ACCESSORY BUILDING:

No accessory building or structure shall be erected, reconstructed or altered so as to be situated as follows:

1. In a front yard.

2. In a side yard unless the accessory building is 50 feet from a side street line, 20 feet from a property line and 20 feet from any other building.

3. In a rear yard unless the accessory building is 20 feet from a property line and 20 feet from any other building and 50 feet from a side street line and rear street line.

Accessory buildings or structures shall not be erected, reconstructed or altered so as to occupy more than 5% of the total lot area, or to be more than 25 feet in height.

Where an accessory building is constructed as a building subordinate to the use rather than to the main building, the building shall be erected, reconstructed or altered so as to be situated in conformity to the requirements of the main building.

Sect. 210I OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 211J of this Ordinance.

Sect 210K LIVING AREA:

No dwelling shall be erected unless provision shall be made therein as follows:

1. For single family dwelling - Not less than 800 square feet of area of the first story, but a maximum of 150 square feet of area of the second story may be used and applied to the area requirement of the first story, and exclusive of attached garages, carports, uninclosed porches and breezeways.

The adoption of the aforesaid amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, shall take effect ten (10) days after publication and posting.

Dated: April 26th, 1966

BY ORDER OF
THE TOWN BOARD
TOWN OF
RIVERHEAD, N. Y.
HELENE M. BLOCK,
TOWN CLERK

The adoption of the aforesaid amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, shall take effect ten (10) days after publication and posting.

AND the Town Clerk is hereby authorized and directed to enter the said amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, and to publish a copy once in the News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law and file in her office affidavit of said publication and posting, and

FURTHER RESOLVED, That the Town Clerk be directed to send Notices of the adoption of the amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, to the Towns of Brookhaven, Southampton and Southold, the Long Island State Park Commission and the Suffolk County Department of Planning.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Town Attorney Shepard M. Scheinberg made recommendation to the Town Board that the Petition of the Wading River School District Area be placed under consideration.

The Town Board directed the Town Clerk to refer the Petition of the Wading River School District Area together with map to be furnished by Petitioners to the Town Planning Board for action thereon.

There being no further business on motion and vote, the meeting adjourned at 12:10 P. M., to meet on Tuesday, May 3rd, 1966 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk

HMB.