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Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, January 24, 1984 at 3:36 P.M.

Present: Joseph Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 3:00 P.M. on the 24th day of January, 1984, and do consent to the holding of such meeting for the purpose of adopting a resolution regarding River Center Associates site plan, and any other matters that may come before the Board.

Dated: January 24, 1984

TOWN BOARD MEMBERS,  
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
Supervisor

John Lombardi  
Councilman

Vincent Artale  
Councilman

Victor J. Prusinowski  
Councilman

Louis Boschetti  
Councilman

FILED:

#92 RESOLUTIONS  
APPROVES SITE PLAN OF PECONIC PLAZA

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

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RESOLUTIONS Continued-

WHEREAS, a site plan covering the real property in the Town of Riverhead designated as tax map numbers 0600-84-436.4 and 0600-84-4-33.3, prepared by Donald A. Denis, A.I.A., P.C., Architect, dated SP-1 January 23, 1984 was submitted by Stanley Cohen for Site Plan review.

NOW, THEREFORE, BE IT RESOLVED, that the site plan prepared by Donald A. Denis, A.I.A., P.C., Architect, dated SP-1 January 23, 1984 submitted by Stanley Cohen be and is hereby approved, subject to any and all restrictions and/or limitations as outlined in the Riverhead Town Code, Chapter 108, and

BE IT FURTHER RESOLVED, that the approval of this site plan is subject to the following requirements:

1. That any and all limitations outlined in the Riverhead Town Code as it may from time to time be amended.

2. That the covenant attached hereto shall be executed by the owner of the premises covered by this site plan and recorded with the Suffolk County Clerk after a complete legal description covering in their entirety tax map parcels, numbers 0600-84-4-36.4 and 0600-84-4-33.3, has been annexed to the covenant by the applicant, Stanley Cohen, d/b/a Peconic Plaza.

3. That a copy of the covenant stamped as recorded by the Suffolk County Clerk shall be filed with the Riverhead Town Clerk and until such filing the approval granted herein shall not be effective.

4. That the form, design, and location of any signage shall be submitted to the Town Board for its approval prior to being erected at the property. All signage so proposed shall be coordinated in appearance, design and color.

5. That the entire parking area and exterior areas of all buildings shall be maintained in a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not performed, the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval, or in its discretion without waiver of its right to revoke such certificate of occupancy, the Town Board may cause the Highway Department to enter upon the premises and clean the premises of litter and debris and the charge thereof shall be assessed upon the owner of the property covered by this site plan as provided by paragraph 7 herein.

6. Trash receptacles of a decorative design shall be maintained at the entrance of each building of the facility.

7. That the property shall be maintained on a weekly basis by an outside agency under contract to the owner of the facility. A written agreement evidencing such contract shall be maintained on file with the Town Clerk. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and cleaning the property of noxious weeds, grasses, and other growth, mow the property, trim the trees, and the expense thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax assessment of the facility.

RESOLUTIONS Continued-

8. That the owner of the facility agrees that the front of the buildings shall be a fire zone and shall file such paper as shall be necessary with the Town Clerk to cause the designation of the front of the building as a fire zone and all parking shall be prohibited in the front of the buildings.

9. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

10. That the area shown on site plan SP-1 dated January 23, 1984, as "Grade and Seed" shall be graded and seeded after being filled and leveled and maintained with the grass cut until such time as either paving or additional buildings may be erected thereon. This Board's approval of the site plan SP-1 showing this open and fenced area shall not confine this Board or any future Town Boards to approval of any buildings proposed to be located within the "Grade and Seed" envelope. It is specifically understood that future approvals for expansion, if any, shall not be limited to the "Grade and Seed" area.

11. That the south, east, and west facades shall be brick; the rear facade shall be trower stucco.

12. All drainage shall be of sufficient design so that no storm water run-off shall go onto Route 58 or Middle Road; in the event that the drainage provided by the site plan is inadequate to prevent such storm water run-off, the owner of the property covered by the site plan shall make such additional improvements as may be necessary to contain all storm water run-off.

13. This site plan shall not be modified or amended unless by resolution by this Town Board which amendment shall be recorded in the form provided with the Suffolk County Clerk and filed with the Town Clerk.

14. That no application shall be made for additional building at the site covered by this permit without such application showing the construction of curbs and gutters by the applicant for the length of Middle Road abutting the applicant's property.

15. Trees shall be planted at 20 foot intervals.

DECLARATION AND COVENANT

THIS DECLARATION, made the 24th day of January, 1984, by Stanley Cohen, as partner of River Center Associates, a general partnership, with offices at 4623A Sunrise Highway, Bohemia, NY, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Route 58, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be for the best interests of the Town of Riverhead and the owners and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

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RESOLUTIONS Continued -

WHEREAS, Declarant has considered the foregoing and determined that same will be for the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That the Declarant, for the purpose of carrying out the intentions above expressed does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That any and all limitations outlined in the Riverhead Town Code as it may from time to time be amended.

2. That the covenant attached hereto shall be executed by the owner of the premises covered by this site plan and recorded with the Suffolk County Clerk after a complete legal description covering in their entirety tax map parcels, numbers 0600-84-4-36.4 and 0600-84-4-33.3, has been annexed to the covenant by the applicant, Stanley Cohen, d/b/a Peconic Plaza.

3. That a copy of the covenant stamped as recorded by the Suffolk County Clerk shall be filed with the Riverhead Town Clerk and until such filing the approval granted herein shall not be effective.

4. That the form, design, and location of any signage shall be submitted to the Tpwn Board for its approval prior to being erected at the property. All signage so proposed shall be coordinated in appearance, design and color.

5. That the entire parking area and exterior areas of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not performed, the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval, or in its descretion without waiver of its right to revoke such certificate of occupancy, the Town Board may cause the Highway Department to enter upon the premises and clean the premises of litter and debris and the charge thereof shall be assessed upon the owner of the property covered by this site plan as provided by paragraph 7 herein.

6. Trash receptacles of a decorative design shall be maintained at the entrance of each building of the facility.

RESOLUTIONS Continued -

7. That the property shall be maintained on a weekly basis by an outside agency under contract to the owner of the facility. A written agreement evidencing such contract shall be maintained on file with the Town Clerk. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and cleaning the property of noxious weeds, grasses, and other growth, mow the property, trim the trees, and the expense thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax assessment of the facility.

8. That the owner of the facility agrees that the front of the buildings shall be a fire zone and shall file such paper as shall be necessary with the Town Clerk to cause the designation of the front of the building as a fire zone and all parking shall be prohibited in the front of the buildings.

9. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

10. That the area shown on site plan SP-1 dated January 23, 1984, as "Grade and Seed" shall be graded and seeded after being filled and leveled and maintained with the grass cut until such time as either paving or additional buildings may be erected thereon. This Board's approval of the site plan SP-1 showing this open and fenced area shall not confine this Board or any future Town Boards to approval of any buildings proposed to be located within the "Grade and Seed" envelope. It is specifically understood that future approvals for expansion, if any, shall not be limited to the "Grade and Seed" area.

11. That the south, east, and west facades shall be brick; the rear facade shall be trowel stucco.

12. All drainage shall be of sufficient design so that no storm water run-off shall go onto Route 58 or Middle Road; in the event that the drainage provided by the site plan is inadequate to prevent such storm water run-off, the owner of the property covered by the site plan shall make such additional improvements as may be necessary to contain all storm water run-off.

13. This site plan shall not be modified or amended unless by resolution by this Town Board which amendment shall be recorded in the form provided with the Suffolk County Clerk and filed with the Town Clerk.

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RESOLUTIONS Continued -

14. That no application shall be made for additional building at the site covered by this permit without such application showing the construction of curbs and gutters by the applicant for the length of Middle Road abutting the applicant's property.

15. That the within covenant Declaration may not be annulled, waived, changed or modified, unless and until approved by resolution of the Town of the Town of Riverhead, or its successors.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 3:36 P.M.



Irene J. Pendzick  
Town Clerk

IJP:bg