

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 3, 1984, at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Minutes of the Regular Meeting held March 6, and Special Board Meeting held March 4, 1984 are dispensed without objection and be approved.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated April 3, 1984 as follows:⊠

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that subjected to complete audit, the following bills be approved for payment

⊠

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening should anyone have any question of them. Reports. Mrs. Pendzick."

REPORTS

State Controllers Office-Annual financial report as of 12/31/83. Filed.

Tax Receivers Office-Report of collections as of 3/21/84. Filed.

Environmental Quality Review Board-Recommendng that the application of Albert Belonzi is a Type II Action. Filed.

Building Department-Report for month of March, 1984. Filed.

Open Bid Report-One used single boom wrecker. Filed.

Tax Receiver's Office-Report of collections as of 4/2/84. Filed.

OPEN BID REPORT-Used Single Boom Wrecker.

Bid Date: April 3, 1984, 11:00 a.m.
One Bid Submitted

#1 NAME: FRANK'S AUTO COLLISION

ADDRESS: ROUTE 25A & DOGWOOD DRIVE, WADING RIVER, NY

TOTAL BID: \$12,500.00

Irene J. Pendzick, "That concludes Reports."

Supervisor Janoski, "Thank you Mrs. Pendzick. Applications and Petitions."

APPLICATIONS AND PETITIONS

43 Owners of property on private roads in Wading River request parking prohibited signs. Filed.

William Mills-Special Permit Application to construct building for a canvas products factory on Elton Avenue. Filed.

Atlas Realty-Site Plan for Truck and Trailer Repair Shop, Route 25, Calverton. Filed.

George Klatt-Site Plan for Sheet Metal Shop on Hubbard Avenue. Filed.

APPLICATIONS AND PETITIONS Continued

Riverhead Building Supply-Site Plan for Storage building
on East Main Street, Riverhead. Filed.

44 Residents filed letters of Petition raising questions
re: proposed Peconic Marina. Filed.

Big E Farms-Special Permit for two family residence in
Bus. B. Dist. Filed.

Garsten Motors-Site Plan for addition to building on
Route 58, Riverhead. Filed.

Joseph Zinna-Special Permit for transmission repair on
East Main Street. Filed.

Irene J. Pendzick, "That concludes Applications and
Petitions."

Supervisor Janoski, "Thank you Mrs. Pendzick. The ap-
pointed time for the first and only public hearing has not
yet arrived, so we will move on to Correspondence."

CORRESPONDENCE

Friends of Earth,3/22/84-Re: Zone Change request in
Manorville. Filed.

Edw. Batcheller-Voicing environmental concerns re:
Manorville proposal. Filed.

Sherry Johnson,3/21/ & 3/26-Obsreving the sensitive
environmental nature of the Manorville area. Filed.

Dorothy Gelston,3/19/84-objecting to proposed sale of
property in Wading River. Filed.

Suffolk County Dept. of Planning,3.23.84-that the
application of Albert Belonzi is a matter for local
determination. Filed.

Army Corps of Engineers-Re: application to bulkhead
along Meeting House Creek, Aquebogue. Filed.

East Island Auto Salvage,3/26/84-requesting letter from
town to be permitted to hold auctions at 31 Kroemer
Avenue. Filed.

Chamber of Commerce,3/23/84-In support of Town Board's
opposition to Suffolk County Health Dept. Article 7. Filed.

Brookhaven Town-Notices of adoption to Chapter 85 of
Town Code. Filed.

Irene J. Pendick, "That concludes Correspondence."

Supervisor Janoski, "Thank you Mrs. Pendzick. Under Unfinished Business we have:

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone Application for a Recreational Use District in Manorville. That is presently before the Planning Board.

A. Lawrence Galasso-Site Plan for a Boat & Car storage building. We have been awaiting a revision of those plans and have just recently received them.

William Miller-Site Plan for Seasonal Snack Bar in Wading River. That will be addressed in a resolution this evening.

Robert Celic-Change of Zone & Special Permit Application for Children's Nursery on Route 25 and Shade Tree Lane, Aquebogue. That is before the Planning Board.

Wes Trailer Sales-Special Permit for emergency vehicle parking. That will be addressed in a resolution this evening.

Albert Belonzi-Special Permit for Gas Station in Industrial Use District. That one we will be calling a public hearing on this evening.

Rising Sun Woodworking-Special Permit for non-nuisance business on Tyte Drive. That is presently before the Planning Board."

Supervisor Janoski, "Before I recognize and open the meeting to comment on any matter, I would point out, if you haven't noticed on the agenda that this is the 182nd Anniversary of the first Town Board meeting held on this date in 1792. I am also advised by the Police Department that there are a number of vehicles parked in restricted areas in the parking lot and I wish to advise you that there is plenty of parking in the rear parking lot which is to the north side of this building. I would recognize anyone wishing to be heard at this time. Mr. McGann."

Jeffrey McGann, "Mr. Janoski and Mr. Councilmen. I would like to....."

Irene J. Pendzick, "Excuse me. May I have your name and address please."

PERSONAL APPEARANCES Continued

Jeffrey McGann, "Yes. My name is Jeffrey McGann. I live on Overlook Drive in Aquebogue. I would like, Mr. Janoski to commend to you, the Police, the fire, the ambulance people, the Highway Department, (both paid and unpaid) who this week, brought this Town through probably the most disastrous natural occurrences to happen in the last 30 or 40 years. The fact that there was no loss of life, not even a broken arm in the Town of Riverhead, I think is a tribute to the courage, the conviction, the valor of the people paid and unpaid of the Town and to you as the advisor. I am very proud. I am thankful and I am in awe."

Supervisor Janoski, "Thank you Jeff, very much and I have to agree with you that we all are in a debt of gratitude to those who are our emergency personnel, those volunteers and those who are uniformed. I recognize anyone else wishing to be heard at this time. Well then, let's do a few resolutions."

RESOLUTIONS#208 APPOINTS SPECIAL POLICE OFFICERS TO ASSIST IN FEDERAL DISASTER ASSISTANCE FUNDS APPLICATION.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, due to the "State of Emergency" that was called as a result of the recent severe storm damage, it is the intention of the Town Board to file for Federal Disaster Assistance Funds to aid residents who sustained damage to their real and personal property, and

WHEREAS, as part of this application process, it is necessary that a house-to-house survey be conducted of the storm damage that occurred to real and personal property in the Town of Riverhead.

NOW, THEREFORE, BE IT,

RESOLVED, that the following individuals be appointed as Special Police Officers to conduct the above-mentioned survey at the hourly rate of compensation of \$5.50 effective April 3, 1984.

JAMES WOOTEN
GARY HOTCHKISS
SAMUEL MALTESE
DIXON PALMER
MICHELLE GANNON

The vote, Boschetti, yes, Artale, yes, Prusinowki, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#209 AUTHORIZES ATTENDANCE OF ANIMAL CONTROL OFFICER AT BASIC ANIMAL CONTROL ACADEMY.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the State of New York Department of Agriculture and Markets is sponsoring the Basic Animal Control Academy for New York State Animal Control Personnel at the campus of the State University of New York at Delhi from Monday, June 18 to Friday, June 22, 1984, and

WHEREAS, it is the recommendation of Chief Police Roscoe Palmer that Animal Control Officer Halliday attend said academy, and

WHEREAS, Animal Control Officer David Halliday has expressed a desire to attend said academy.

NOW, THEREFORE, BE IT,

RESOLVED, that Animal Control Officer David Halliday be and is hereby authorized to attend the Basic Animal Control Academy at the campus of the State University of New York at Delhi from June 18 to June 22, 1984, and

BE IT FURTHER RESOLVED, that \$125 is authorized to cover the cost of tuition and that an advance of \$300 be permitted to cover the expenses of transportation, lodging and meals. Said advance is to be fully receipted upon his return and said expenses are to be taken from the Police Department Budget.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#210 AUTHORIZES THE SOLICITATION FOR BIDS FOR FOUR (4) MODULAR BUILDINGS.

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of Four (4) Modular Buildings to be used by the Riverhead Recreation Department and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on April 16, 1984 at Town Hall, 200 Howell Avenue, Riverhead New York; and to make a report of said bids to the Town Board at the next scheduled meeting following the opening of the bids.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

PUBLIC HEARING Continued

zoned business B and urges the Board to approve the zone change.

3. Gary Dinizio-requests to go on record in opposition to a zone change and lists 5 reasons why it should be denied.

4. Planning Board-3/2: Recommends that the application of Doug and Carol Sowinski be approved.

5. County Department of Planning-2/24: Stating that the matter is for local determination.

6. Andrea Stillwagon-3/2: objecting to a proposed zone change as a affected homeowner and taxpayer. Points out that there is much business property available elsewhere.

7. Long Island Farm Bureau-4/3: Requests that the Board consider the wishes of farmland and residential land owners in the area.

8. A petition signed by 93 people opposing the zone change. 65 residents and 28 non-residents.

Regarding 25 East Realty co.

1. Dorothy Draper-2/27: Requests a postponment of a decision regarding the zone change.

2. Planning Board-2/31: Recommends that the application be approved.

3. Environmental Quality Review Board-2/3: Recommends that the application be approved.

4. Environmental Quality Review Board-1/12: That the application is a Type II Action which will not have a significant impact on the environment. A memo recommending that the area remain low density as outlined in the Route 58 Corridor Plan.

5. County Dept. of Planning-3/21: Advising that the matter is for local determination.

6. Chamber of Commerce-3/23: In support of rezoning of these properties from existing Agricultural A to Business B with the exception of the parcel located between Kinney Chevrolet and Ruote 105 north of East Main Street approximately 600 feet.

Supervisor Janoski, "Thank you Mrs. Pendzick. Before I recognize the representative of the applicant, I would just like to say a few things about public hearings. The public hearing which we are about to have is meant to allow citizens

PUBLIC HEARING ContinuedSupervisor Janoski Continued

of the community to express their views, their concerns, their opinions concerning the application which the Town Board is considering. It is based on this evidence and other evidence which is presented to the Town Board that it shall arrive at a conclusion as it addresses the application. Each individual who wishes to be heard, certainly will be recognized and offered the opportunity. And be advised that we do follow a 5 minute rule. Should anyone wish to return to the microphone, that individual would have to wait until everyone who is present who wishes to speak, has spoken. There should be no dialogue or argument between the speakers and members of the audience. All comments really should be addressed to the Town Board. And with that, I would recognize the representative of the applicant."

Pete Danowski, "Good evening Mr. Supervisor, not only the members of the Board, Mrs. Pendzick, Mr. Ehlers, but the crowd as well here. As you may know, I've lived almost, I guess I would have to say, my entire life in the township of Riverhead. As Mrs. Dillingham noted when she saw me today, she brought back memories that I was raised at least through the 7th grade in the Hamlet of Aquebogue. I want to say at the outset, that the applications here may have been misconstrued in the past. I know what I would like to have happen before we have discussion here is to set the record straight as to just what the application seeks to obtain. We have absolutely no interest in effecting any property east of County Road 105. Absolutely none. And I know I see some friends who are in the audience who are concerned about what happens east of 105. Neither applicant that I represent cares to comment and takes no position with regard to what happens east of 105. What we are talking about is asking this Town Board to consider an extension of an existing business zone to cover certain parcels of property up to and including the parcels that are indicated or going to be obtained by Doug and Carol Sowinski and neither parcel which is owned by Kinney Chevrolet or their corporation. We have been before the Town Planning Board. We have been through a public hearing before this Town Board. We have not opposed any extension of time so that everyone can be heard on these applications. In fact, we endorsed the idea. I would like at the outset to recognize Mr. Jerry Heingartner who is here on behalf of Kinney Chevrolet. Jerry would you just raise your hand? He's the man who is behind Kinney Chevrolet and I am really speaking on his behalf tonight. I would also like to introduce Carol and Doug Sowinski. Carol and Doug if you could stand up. These people are representing themselves with regard to the parcel of property next to Homeside Florist. I would note that they are also residents of Aquebogue and they've been educated in this town. They come forward to you as businessmen in this Town. Now, I know some

PUBLIC HEARING ContinuedPete Danowski, Continued

comment has been made about the direction that the Town Board is going. I am saying to this audience: Look around and look what Doug and Carol Sowinski have done. We had some pictures taken at some expense, to kind of carry you there beyond my words here tonight. I would like to go through them in certain fashion so that I can present what Carol and Doug Sowsinski wish to accomplish with this application. At the outset, at the tripod that appears before this audience, I have an artist's rendering of what the potential building would look like. I have placed this up here well in advance of the public hearing so as people walk in, they would have an opportunity to see what the building might look like. I also have depicted (and labelled #2 here) some representations of what Doug and Carol have accomplished in this Town in the past. Some of the pictures on the left reflect what was in existence prior to Doug revamping and remodelling what is now Northfork Auto Body. This is on Edgar Avenue down from the Aquebogue school. Doug's brother, Macy runs the business there. I don't think anyone here can look at those pictures and say anything but there has been a substantial improvement with regard to this facility that exists in the town. We have got a local couple here who have put their heart, their time, and their efforts into improving facilities in the town. These are not outsiders and they are not people who are going to tear the town down. The next example, somebody I like to and think of Aquilla Downs and the general store. But this is the place where we use to get the rock hard ice cream across from the Aquebogue grade school. The Post Office is to be located there. This is what has happened after Doug and Carol came in, approved the facility. Fixed it up and again placed the building that was not approving and turned it around and these people are here supposedly to be criticized for their future efforts. I point this out to say to people who might not know Doug and Carol and what they are all about. What their seeking to accomplish. They are not looking...."

Supervisor Janoski, "Mr. Danowski. I did make reference to you out there in the hall to a 5 minute presentation on the part of speakers. However, it is generally excepted by this Town Board that the representative of the applicant has more time to present the application and to familiarize everyone with the application. If that is ok Mr. Krudop, we will proceed."

Pete Danowski, "I have no real objection of sitting down in one more minute and I am sure that and perhaps the applicants, should I anticipate Mr. DiPietro speaking in a few minutes. I have no objection to his speaking longer than 5 minutes. I would point out that what we have here are photographs that start at the intersection of 105. It pro-

PUBLIC HEARING ContinuedPete Danowski, Continued

ceed to the retail shop operation at Homeside Florist. Then there is the wooded area that we are talking about. Then we go to Mr. Kart's building and bear in mind that Mr. Kart is in favor of this application and he will tell you that; prior to the existing zoning in this town, he sold cars (used cars) on that property. And in fact, he has a machine shop there and it's always been there and it's always been a concern of commercial entities, not residences. Beyond that are Mr. and Mrs. Stillwagon's property. Beyond we see the Kelly Insurance building a short distance to the west. We see a Carvel stand a short distance to the west. I am using these items to show you that this parcel is not between 2 residences. It is between the retail shop operation of Homeside Florist and a previously existing commercial use where Mr. Kart also has his home. It is also directly across from Kinney Chevrolet."

Supervisor Janoski, "I think that someone wants to point out that the ice cream (Carvel, whatever it is) is presently in Business B zoning."

Lady From Audience, INAUDIBLE.

Supervisor Janoski, "Let the attorney make his applique and you'll have an opportunity to speak."

Pete Danoski, "The indication is to show what the area looks like and I'm also speaking about here. I am going to flip across to the other side to speak about what exists on the other side of the street. We all, I think know, that before Kinney Chevrolet came into being, there was already existing an autoshop dealer there. Whether it was Crabtree O'Keefe or another name, that entity exists. Mr. Heingartner is here as well tonight to ask for change of his zoning by extending the business zone. This will permit him to spend a great deal of money more which obviously look towards bringing more tax dollars to the town and seek to improve a facility that will be competitive in the area. He must have his business changed so the rezoning will permit him to make a substantial improvement to his building. And once again, I think it's been clear, whenever anyone has spoken to us about these garages, we have explained. We are not looking to build out towards the road with regard to Kinney Chevrolet. We are looking to improve the facilities generally in the back area. For those people who are not specifically educated in the area of rezoning, it might be recommended by anyone in this audience that we just take the one lot and rezone that lot. Well, I suggest to you people that that might be criticized as spot zoning. We have therefore, suggested that we carry the change of zone, carry it up to and include the property or go to route 105. I also want to make it clear that I've had a chance to speak to Mr.

PUBLIC HEARING ContinuedPete Danowski, Continued

Olsen at Homeside Florist, and I've said this in pure candor to him, that I did not want to be mis-stated on the facts. If he felt that something was said that was incorrect, I want him to point it out. And I asked him very directly, did he want to be included in this application or not? Because the applicants, Sowinskis certainly have no objection. If this Town Board does not rezone the area where Mr. Olsen currently has his retail shop, as I understand it, he's zoned in an Agricultural area. He's put a recent improvement on the property. He's in zone business. As I understand it, he does not want to be included in this application. So I am saying for the record now, should this Town Board vote for an extension of the zone, I have no objection to stopping at the Sowinski's property line and not taking into consideration Mr. Olsen's property. I also say that in closing here, that my clients have sat down and attempted to speak to both Mr. and Mrs. Olsen (At least I think Mr. Olsen) well prior to appearing before the Planning Board. They've also spoken to Mr. Kart about this application. They have taken into consideration any suggestions they have. Whether it be acquiring a right of way. Whether it be exchanging parcels of property. Whether it be putting up a fence. Whether it be locating a building in a certain area. They have gone over backwards in saying: what are your suggestions with regard to the potential improvements of these properties? And so, I don't think it is fair to say: that somehow someone was left in the dark. We did go before the Planning Board. And at that Planning Board, Mr. Olsen was present, as was Mr. Kart and as was Mrs. Stillwagon. The minutes of that Planning Board hearing are available and the comments that were recorded are there. At no time was this application opposed by the people who were present. I do believe Mrs. Stillwagon asked a question about whether the improvement or the change of zone would effect her taxes. That was the one question that she did raise on the record. So I am not going to take up a tremendous amount of time. However, I would like the Town Board to look at these applications. Look at what is attempted to be done. Look at the surrounding neighborhood and the character of it. This is not a residential neighborhood. Look at it. I've also and I will flip around some of the pictures there. On the back of #3, we have also got some of the pictures of Homeside Florist and I've also listed something that I would like to point out because some mention has been made of it subsequent at the last hearing. That was: depicting the fact that we do have existing business areas to the east of 105. I have discussed these with my clients and he does not wish to locate his business east of 105. He's had the opportunity to look at parcels that are zoned business. Quite frankly, I advised him that I could put him in touch with a client and he said he did not want to do that because he didn't feel it proper to do so. He felt

PUBLIC HEARING ContinuedPete Danowski, Continued

that the areas west of 105 were more in tune with the commercial entity because they already exist in a commercial outline. I would like to just point out an exhibit of some of the properties. I am not just kidding about this. I have placed on the board the zoning district map and you will notice in blue, (And I will point out just for this audience's attention.) that there are business zones to the east of 105 that we will not touch and that we will not put our business on. Again this is the area that use to be Doc. Jerry Brown's vet hospital. You've got the Articat owner there. You've got Eddie McKay's farm property around the corner of Union Avenue. This blue area is zoned business and just to show that there are indications that the property is for sale. There are some pictures with for sale signs on them. We are not going east of 105. Again, I've just flipped around the photographs just so I could indicate the location of Homeside Florist and what currently exists there. I have noted further, I understand Mr. Krudop may be objecting to my time."

Supervisor Janoski, "Thank you Mr. Danowski. Does the attorney representing the opponents wish to speak at this time?"

Arthur DiPietro, "Yes. Mr. Supervisor. But before I do, Mr. Danowski had made a comment that Mr. and Mrs. Sowinski are here representing themselves. Do they intend to speak on behalf of their application or.....? I didn't quite know why they were here."

Lady from Audience, INAUDIBLE.

Arthur DiPietro, "Mr. Supervisor, members of the Town Board of the Town of Riverhead. My name is Arthur DiPietro. I am an attorney. I represent the Olsens, the Stillwagons, the Browns, and certain other residents and property owners of the Town of Riverhead in the Hamlet of Aquebogue who, through me, appear in opposition to this change of zone application. I am not a resident of the Town of Riverhead. As a matter of fact, my contact with the Town of Riverhead even in my professional capacity, pales compared to Mr. Danowski's contact with the Town of Riverhead. However, I respectfully submit that that is totally irrelevant to what your Board has to consider tonight. So too, is it irrelevant that Mr. and Mrs. Sowinski may be the finest people who I have yet to meet and that Mr. Heingartner, who I certainly know is a fine gentlemen. A good businessman and his business is an asset to this community. The key here is zoning as the result of a comprehensive plan over a period of time, designed to take the Town of Riverhead from a point in time where it once existed without the benefit of zoning laws, to a point in time

PUBLIC HEARING ContinuedArthur DiPietro, Continued

in the future, which hopefully maximizes the use and management of all properties in the Town and all residents in the Town as a result of that comprehensive plan. It is occurrence to me that Mr. Danowski was somewhat defensive about further limiting this application because he might feel that then it would be susceptible to the charge that it was spot zoning. I submit to you as the application exists, it is spot zoning. And one of the most pertinent proofs of that fact, is that Mr. Danowski has seen fit to try to boot strap this application on the basis of what Mr. and Mrs. Sowinski have done in the past. It is not your Board's concern whether they would make this a pretty piece of property or an ugly piece of property. Because your Board, just as any other Town Board who would sit in a similar situation, has absolutely no control over how this land is going to be used and who is going to use it if and when you change the zoning. All you're empowered to do is change the zone. You have no assurance that the Sowinski's are going to purchase it. God forbid if something happened personally to them. Where even after they purchased it, they were forced to change their plans for economic or other reasons. They could sell it to anybody in this room and anybody in the entire world who could do whatever they want with it as long as it met the zone classification of business B or C. And before I go any further, I would like to offer a few things for the record and make an objection in point of Law 2, the legality of this hearing. The records which I had at my disposal, indicated that the resolution adopted at your board last week, called for a notice to be published for a change of zone to business C. Also the legal notice that was actually published, called for a change of zone to business C. It is my understanding that the petition both on behalf of the Kinney Corporation and on behalf of Sowinskis request a change of zone to business B. I would respectfully submit, that if that is the case, then this public hearing can not result in a vote on this application unless it is advertised. If the application is for a change of zone to business B, the notice of public hearing must state business B, not business C. If it is the intention of the applicants to have amended their application and they are now requesting business C or if it was the intention of the Town Board in adopting the resolution 2 weeks ago to make this a business C change of zone application as opposed to business B, then I respectfully submit that your Board can not act tonight because your Board does not have the requested advisory opinion of the Planning Board regarding a change of zone to business C as opposed to business B. In either alternative, I submit that the Board is in a dilemma and that you could not, in one instance, either continue this public hearing or certainly in the other instance, conclude it without rectifying and clarifying the records. And at this time, and in view of the fact that I understand that

PUBLIC HEARING ContinuedArthur DiPietro, Continued

you have also now adopted your minutes of the March 6th meeting, I would request that the record of this public hearing include the minutes of the Town Board meeting March 6, 1984 to the extent that they pertain to this change of zone application. I would also offer as part of the record, the following documents. A true copy of the notice of public hearing as published in the News-Review on page 22 on March 22, 1984, a true copy of resolution #204, which refers to the Planning Board for the possibility of rezoning lands along Route 25 east of County Road 105, a true copy of resolution #205 which imposes a moratorium on business construction on Route 58 to the west of this property, and a true copy of resolution #203 which announced this public hearing for a change of zone to business C. I would also offer a true copy of the Riverhead Beverage Center advertisement, part of which states that they are your bottle redemption center. I think this is very important because I assume that if you grant this change of zone, the Sowinski's are going to apply for a permit and a C.O. on the grounds that they are a retail business. I submit to you that the characterization of this business, based upon what they actually do, could as easily be characterized a bottling plant, warehouse, or wholesale business and then it would be not be a permitted use in the business zoned as C. I also would submit a rendering of the front elevation as it appears in a recent newspaper edition and I would ask what the square footage is of the building as proposed. What are the site plan provisions that are proposed? Because it is very important in that business B says you can cover 15% of the lot with buildings. Business C says you can cover 30%. Business B essentially has 50 foot set backs for front and rear yards. Business C only has 25. So it's very important what we're talking about here and I don't raise the discrepancy in this notice of public hearing as a mere legal technicality. It goes to the core and the substance of what is before you. I also submit as part of this record, 3 protested petitions. One signed by Ernest C. Olsen. One by Andrea M. Stillwagon and one by Elaine Olsen. And they are submitted pursuant to section 265 of the Town Law. Mr. Danowski made a comment that if the Olsens don't want their property included, it would be fine to stop short of their property. That does two things. That emphasizes that this is spot zoning, this is contract zoning. This is a change catered to an individual so he can put up a use that could exist in many other places in the town and he does not have to go east of 105 to do it. And I submit that your Board think about that statement and think if it was meant as a veiled threat rather than as a statement of largess. There are vacant lands immediately to the west in the business zone which could accomodate this business. The business exists in the Town of Riverhead right now. So there is no political or economical incentive to maybe bend the laws to

PUBLIC HEARING ContinuedArthur DiPietro, Continued

go and explore into town. He's just moving from one neighborhood in the town to another. I think that should weigh against the application. Finally with regard to Mr. Heingartner, I point out that he is a valid pre-existing non-conforming use. He, or his predecessors have continuously operated that automobile dealership prior to zoning. The zoning ordinance of the Town of Riverhead has a very very liberal provision for extension for pre-existing non-conforming uses. It is probably the easiest provision as far as the land owner is concerned of any municipality on the east end. It allows the owner of a pre-existing use to expand that use with virtually no limitations of standards by the application to your Town Board. Most other zoning ordinances only permit expansion of a pre-existing non-conforming use in a very limited way, according to specific provisions by going to Zoning Board of Appeals which has much less discretion than the Town Board. Denial of this application will in no way substantially hurt Mr. Heingartner because I am sure that if his plans for this property are as good and solid as they are represented to be, and I have no reason to believe they are not, that they will be favorably reviewed by you Board under the existing mechanics for such review. At this time, I have nothing further to present. I would, consistent with what Mr. Danowski said, request time later on in the meeting if something responsive should be addressed. I also at this time would like to turn our presentation over to Mr. Richard Warren of Inter Science Research Associates, who has done an analysis and a proposal regarding this change of zone and I would offer these documents for the record."

Richard Warren, "My name is Richard Warren. I am the president of Inter Science Research Associates in Southampton. We are environmental planning and development consultants. We have been there for approximately four years and we have worked for a variety of municipalities including the Town of Easthampton. We have recently completed a conformance of management plan for Montauk. We prepared a commercial industrial zone study for the town which has been implemented and adopted and also retail business distance zoning analysis for 10 separate retail business areas within the Town of Easthampton which has also been adopted by the Town. We were also retained by the Village of Northaven to do all their environmental review work. So we're quite familiar with application reviews and do an impact analysis. We were asked by Mr. DiPietro to take a look at this section of town with regard to the change of zone application and it was kind of a unique experience that when I spoke to Mr. DiPietro, I was unaware of who the clients were. I only found out tonight about this public hearing through my clients work which was really quite interesting. And in one sense good as planning consultants, in that we had no undo pressure to determine what our end product would be. We were

PUBLIC HEARING ContinuedRichard Warren, Continued

given the liberty to provide recommendations which I have in report form for the Board without any pressures from our clients. We have analyzed the property through a review of area photographs and field inspections. We have reviewed the zoning ordinance of the Town of Riverhead. We have also reviewed the Raymond, Parish, Pine and Weiner report for the Route 58 corridor. We have spoken to the Suffolk County Department of Public Works and the New York State Department of Transportation to determine some of the existing uses of the roadways. The area proposed for rezoning encompasses approximately 37 acres. I won't go into all the details but I'll touch on briefly some of the findings of the Raymond Parish Pine and Weiner study came up with. They recommend that all areas on the north and south side of Route 58 from Doctor's Path to Cross River Drive be zoned for residential. This is from their February 1983 comprehensive plan updated for the 58 corridor. It's my understanding, I spoke with the members of the planning staff of the Town of Riverhead today and they told me that that study had been adopted by the Town. It was being moved forward as far as implementation. In their report, (The February 1983 report) they stressed that throughout the Route 58 corridor there should be a reduction in the number of curb cuts to eliminate potential traffic hazardous and safety hazardous. They also stressed that there should be a protection in the neighborhood values, both on the north and south side of this roadway. Since Route 58 is a major eastwest corridor, the reduction of accesses into this road is certainly recommended. Only 25% of this existing district that is proposed for change, is in some sort of commercial use as defined by the zoning ordinance. That which is not conforming but is pre-existing in non-conformance. 75% of this area conforms to the zoning as definitions and to the comprehensive plan update. We have included in our report, which I'll submit now, on page 8 and page 9 some traffic generation rates. Uses which would be allowed in the business C zoning and used which are currently allowed in the Agricultural A zone. If you look at the typical, this is taken from the trip generation study instated by the transportation engineers in Washington D.C. If you look at the traffic generation rates for the various uses permitted in each of the zones, you'll see that the business zone has significantly higher trip generation rates. The change of zone to a business C zone would be contrary to the recommendations in the Raymond, Parish, Pine and Weiner study. Also, it should be pointed out that due to the lack of the minimum lot size within the business C and the minimum lot width, it's almost undetermined how many lots could be created in there for a business C use. Also increasing the ability of curb cuts within that area causing potential traffic and safety hazards. Their importance is the change in the neighborhoods characteristics. I think the north and south side of Route

PUBLIC HEARING ContinuedRichard Warren Continued

58 within this area are two completely different areas. A change of zone would represent a reduction in the estatic value of the residential neighborhood to the south. At the present time it's vacant. I have an air photo here to show you the proposed district. At the present time this commercial (excuse me) this residential C district (inaudible). But you can see the southern border of this. The potential access from the south of the district is due to the fresh water wetlands, large drainage systems that drains down into the Terry Creek and into Flanders Bay. Therefore, any access into this residence C district is going to be developed right off of Route 58, right through the commercial business area. This also identifies the existing uses within that agricultural building zone of Route 58 and 105, Kinney Chevrolet-Olds and across Kelly Insurance Agency and the Dairyland and Homeside Florist. He had ability to claim the residential uses on one side and commercial uses on the other side and it can work. But you need to have the flexibility of having... For instance, a road dividing it. A case and point would be Waynescott in the Town of Easthampton were you have resident 1/2 acre zoning on the south side of Montauk highway. On the north side you have a commercial and industrial zone and with that ability, you can do some sensitive designs in order to safely and sensitively plan for the residential area. We came up with 3 recommendations. Along the north side, we believe that the new action alternative is recommendd. It's consistent with the comprehensive plan update which was adopted by the town but also lallows the existing uses to continue. Should that not be deemed acceptable, we feel that rezoning only the Kinney Chevroleta-Olds parcel to business C zone to make the use conform, would be acceptable. Additional commercial use within the vacant areas we feel is going to put additional stress on the roadway systems. On the south side, we recommend no changes in the zoning. Due to the importance of maintaining limited access and the neighborhood values of this resident C district of the south. Again, the area is different in character and should be examined separately. The only commercial use in there is the Homeside Florist along the County Road 105 and New York State Route 25. It acts as a separation between what could be residential use to the east and County road 105. However, an access could be developoed off of 105 into this back portion of the property. Therefore, it works as a buffer. However, a development along Route 25 where your access and egress is going to be taking place for the development of the south, could creat some conflicts between residential and business use. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. I'm going to recess this hearing until the hour of 20 minutes to 9, at which time we will re-open the hearing."

SUPERVISOR JANOSKI RECESSED THE MEETING AT 8:30 P.M.
SUPERVISOR JANOSKI RECONVENED THE MEETING AT 8:55 P.M.

Supervisor Janoski, "As you probably have figured out, the Town Board met in my office along with the council, council for the opponents and dialogue too for the applicants. There, the council for the opposition is indeed correct that there was a typographical error in the resolution that was previously passed calling this public hearing. And therefore, in the official notice in the official paper of the town notifying the public of this public hearing. It was therefore, agreed that this evening this Town Board will pass a resolution calling yet another public hearing to take place 2 weeks from now at 8:30 p.m. I'm not sure of the date. I regret... (Tuesday) Regular Town Board meeting in 2 weeks. The 17th. We will also continue the information which has been received as part of this public hearing, as part of the record of the public hearing which will be called in 2 weeks. I would appreciate it if the audience would, of course, reserve comments on this application which they were prepared to make this evening and hold them until the public hearing which will be called. With that said, I recess this public hearing. I am sorry. Close this public hearing. Technicalities are technicalities and let me please say the right words. Ladies and gentlemen, the meeting is to order. I would ask you to carry on your conversations in the corridor. We do have yet some business to attend to here. I thank you for that consideration. Mr. Kasperovich I have not opened up the meeting to public comment as of yet. Ok. Let us proceed with the resolutions. Just a minute. Mr. Kasperovich, please take the microphone."

William Kasperovich, Wading River, "My name is William Kasperovich. I live in Wading River. I don't mean to be difficult, but I think comments made prior to resolutions and after resolutions are night and day. What I wish to speak of is your proposal of voting on resolution 222 this evening which is written here on the agenda. Authorizes the retention of H2M regarding the extension 26, Wading River Water Study. In your resolution, copies of which were handed to the reporters, refers to the H2M Wading River Water Study as having been completed and reviewed by the Town Board. It's my understanding, in due process, an engineering report that is submitted in the final form, is either accepted or rejected by the Town Board. The review is in order upon receipt. Now, question is, when the resolution was written in sense of review and completed, has the H2M report been accepted? Therefore, I submit that this resolution is not in order."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Mr. Kasperovich. We have an application and interest in the people to the west of the condominium development up on that northern pier off of Sound Avenue in the extension of public water to their community. It is the position of this Town Board that we do indeed want to extend public water wherever possible. So it is the intent of this Town Board to extend it as far as possible and as far as feasible. I see no reason not to proceed with the proposition that would bring public water and therefore, controllable water to these people. (Prior to the exceptance or rejection of the H2M water study for the western part of the town.) We are going through a very lengthy process as you well know, with the Reeves Park extension, which is not yet culminated. So I do hope that you would appreciate the desire of this Town Board to act expeditiously in the bringing of public water to all of those residents that we could possibly reach."

William Kasperovich, "I fully appreciate that and I've taken all this into consideration. However, the original request for the study by H2M was for feasibilities. Now, the feasibilities as it what was presented, is either the work by the organization as accepted or unaccepted. We have now given them additional work beyond this without concluding the initial work which is supposed to have been in this scope."

Supervisor Janoski, "In your opinion, what would the ultimate solution to the water problems be? I hope that you would agree the extension of public water."

William Kasperovich, "No sir."

Supervisor Janoski, "What would it be?"

William Kasperovich, "Public water is interpreted by most people in Riverhead, as the extension of the water district, supplying the town itself from the wells that exist. I believe that the westerly portion of this township is beyond the economical scope of reaching the area with the existing wells. Whether there are wells or whether new wells are sunk, was supposed to come to light by the H2M study. Now, until this study is accepted as the work being final, to further extend this work without it's finality, it is this resolution that is not in order. That is my opinion and statement."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to comment on any matter before the Board on resolution? Mr. Nohejl."

Bill Nohejl, Calverton, "No. I just want to move this aside so I can see John."

PUBLIC HEARING Continued

Supervisor Janoski, "Don't block the passageway to the podium Bill."

Emil Reidel, Wading River, "My name is Emil Reidel. I am from Wading River and I am here to discuss the sale of a parcel of property that borders Sound Road and Creek Road in Wading River. I feel at this point, that possibly the Town Board should put a hold on all action they have made on that particular parcel. I base this request on the fact that, last summer, Ms. Grace Anner wrote a letter to the town asking if that property was for sale. We had suspected it was going to be for sale only because we saw people from the town (town government) looking this particular parcel over with the owner of a certain restaurant. She received a reply from the town stating that the parcel will not be for sale. While up to now, everything the Town Board did may have been legal in approving the sale, I have a feeling there is a question of ethics involved. This individual was never given the opportunity to have any input on the sale of this property. I think based on that letter, I think the Town Board is morally obligated to put in abeyance this project. Furthermore, I understand it's only for a parking lot. Is this true? Only for parking?"

Supervisor Janoski, "Technically, it's not true. No."

Emil Reidel, "Ok. What is it going to be for then?"

Supervisor Janoski, "The subteranean area would be used for leaching pools. Is that a proper discription?"

Emil Reidel, "Ok. Ms. Anner has her new well which borders on that property. It is maybe no more than 10 feet from that property. Now, I thought that there were Health Department Codes and Town Codes as to how close you could put a leaching pool or cesspool to a private water supply. Now, does this individual need the leaching pools to operate? Has he been operating illegally or on a waiver? That was originally a snack bar. A business that was run on a daily basis, beach hours. The waste water and the water needs are nowhere near what a restaurant would need. The property borders on a marsh land. The property that is going to be sold, borders on a marsh land. Has anyone taken into account that there may be a need for an environmental protection report as to what effect the sale of that property is going to have on marsh land? The individual is going hoping to rent a building which now protects Ms. Anner. It gives her a certain amount of privacy. These people... She's a woman. We all refer to her as Aunt Grace. I do. All of us younger people do. People will be able to look into her living room. That parking lot...She's a woman who lives alone and I think the Town Board should consider the impact that this proposition is going to have on her life. From what I understand, the

PERSONAL APPEARANCES ContinuedEmil Reidel Continued

resolution was passed near the 30 days and the 30 days were almost up. I don't know whether it's the 6th or the 8th. I don't know if it depends on when the Town Board meeting was held or when it was published in the paper. I think the Board, at this point, has an obligation to put a hold on it. She has a right to have some input. That's all I have to say."

Supervisor Janoski, "Thank you very much. Cathy."

Cathy Casey, Wading River, "Good evening. I'm sorry you asked earlier about this and I didn't know and now I've learned a number of facts. Obvioulsy, I don't know much about it but it seems to me, putting leaching beds near someones private wells when we have so many problems already in Wading River (as you well know, with our water) is asking a bit much. Whether it's just one homeowner or not, to run the risk of possibly contaminating her well. Then what are we going to do? Tell her she's going to have a filter and have her go though what many of our residents are going through. I just recently heard, people are receiving defective (wells) rather filters, from Union Carbide. They are leaking, etc., etc. Plus the delays all the way around we get regarding the obtaining of the filters. I think, as I stated to you, I was also made aware (we were all made aware) two weeks ago, the Senior Citizens drinking the contaminated water because they can't afford to buy the water. Ok. To me that is just synonymous with this whole thing. Ok. If there is a possibility that there will, whether it's next year or 10 years down the road, could be contaminated and as a result effect her anyway as a result of leaching beds being put on property adjacent to hers, in particular, for a restaurant. We do not want to see Beach Boy do out of business. But we feel, and I also concur, we have a moral obligation to our residents whether it's one or it's 500. Ok. She's just one of many. Let's not add fuel to our fire with out water problems. Ok. There was a very valid point (I thought) brought out to me by another resident. That was squaring off the corner. ok. It sounds very good and it might be very helpful and maybe safer in some regard. However, as you know, that area is used by people taking their boats on trailers down to take them out into the Sound. As a result of squaring it off, in that Sound Road is very narrow. Logically, you're going to curtail the size of that corner as it is. Might we run into a problem with people pulling trailers with boats and them trying to come around and therefore, have to go into the north bound lane of Sound Road in order to make that turn. If we square it off and therefore, I presume bringing it out further, than it was."

Supervisor Janoski, "Cathy, I will offer to you, a copy of the site which you can have copied. The Town Attorney is

PERSONAL APPEARANCES ContinuedSupervisor Janoski, Continued

in his office. There he is right there. So you can have a copy of this so you can see what it is that is being done."

Cathy Casey, "Well, I think that's just perhaps a thought. Maybe we should (in addition) consider. Ok. What else did I have to say? Based on the fact that you have the letters (as I understand) from Mrs. Anner to the Town Board and your response to her. Ok. What prompted the Board's change of mind to sale that piece of property?"

Supervisor Janoski, "I don't know it was a change of mind. There was contact made with the Board some time ago. I guess about a year ago. In first discussions, I think consideration died. They just stopped. I received a letter from Mrs. Anner and said it's not for sale. There were a number of things raised in the letter considering safety as I recall and a number of issues. I believe, responding that the Board was trying to improve conditions throughout the Town etc., etc. Then it was dropped. It came back again and the Town Board, over a long period of time, considered it and then decided to go ahead with it. That is basically what happened."

Cathy Casey, "Well, I think in fairness to her, in that at least as I understand it, in view of the sequence of events, she was, (if you will) at least within the last (let's say) 2 years, the first to approach you about it. I certainly feel perhaps you should consider her again since you are considering the sale of that property. I certainly think she should be given an opportunity. Ok. And that's without trying to infringe upon the Beach Boy's business and having them go out of business. As far as the parking area is concerned, I presume that right now he's using or his customers are using the beach parking facility which (in most cases) probably is fine because they have the passes on their car. So there's no real..... Nobody is going to go out and say you can't park there to go into the restaurant to have your dinner or whatever. However, a point was brought to my attention and I don't know so I would like to clarify with you. We don't get (As you know, we complained about this last year.) very well, or what we feel is adequate police patrol of the beach area down there in the summer. Ok. When the beach is closed, the kids hang around. People have been observed sleeping on the beach and that trailers have been in the parking lot. Now, that went on last year. Ok. I understand there's a possibility that the problem with ticketing (for example) cars that do not have the passes, (the stickers on the windows) is because many are from out of town and we all know that. We see a lot of out of town license plates. It's kind of fruitless because we, in the Town of Riverhead do have the abilities to; take for example, someone who comes from New Jersey who has a summer home or is a guest, doesn't

PERSONAL APPEARANCES ContinuedCathy Casey Continued

have to sticker, to ticket them when in a sense they can just take the tickets and throw them away because we do not have the abilities to to go back to them perhaps to their home residence (if you will) or their legal residence. Whatever you want to call it. Because we don't have the facilities that Suffolk County does. Where they can go into (what is it?) the state computer or whatever and find out where this person lives and send them a notice to their homes such as in New Jersey."

Supervisor Janoski, "We tie into the same computer that the Suffolk County ties into."

Cathy Casey, "You do then. Ok. So we are now....."

Supervisor Janoski and Cathy Casey, Spoke at the same time and the few remarks exchanged were INAUDIBLE.

Supervisor Janoski, "We certainly not a backwards...."

Cathy Casey, "I am very glad to hear that. It really makes me feel good. But then.... Ok. I have to say that we will discuss this further in the next few months. However, we would certainly like to see much better police protection and patrols in Wading River. Ok. That goes back to the burglaries and what have you that you are probably more aware of than I am. So we will talk to you further about this. But we would appreciate it if we could get the police protection. Thank you very much."

Supervisor Janoski, "Thank you Cathy. Is there anyone else wishing to address anything before the Town Board before we go on? Ok. Let us move on to the resolutions."

RESOLUTIONS#213 APPOINTS DAY CUSTODIAL WORKER.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, due to the transfer of Charles Brown from his position of custodial worker to his present position of maintenance mechanic with the maintenance crew, a vacancy presently exists in the position of day-time cusotidal worker at Town Hall, and

WHEREAS, Michael Benedict was appointed as a 90-day temporary to the position of Town Hall Custodial Worker, and

WHEREAS, such 90-day period is concluding and Michael Benedict has served admirably in said position during his temporary appointment.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT,
RESOLVED, that Michael Benedict be and is hereby appointed to the position of Custodial Worker for a probationary period of one year, at the annual salary of \$12,223.69 as set forth in Group 1, Step P of the 1984 CSEA Salary Schedule effective April 4, 1984.

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

The resolution was thereupon declared duly adopted.

#214 AUTHORIZES POLICE OFFICER TO ATTEND NYSPIN ADVISORY
ADVISORY COMMITTEE MEETING

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

WHEREAS, an New York Statewide Police Information Network (NYSPIN) Advisory Committee Meeting is being held in Albany, N.Y. on May 30 & 31, 1984 and

WHEREAS, Police Officer Kurpetski is a member has expressed a desire and interest to attend this Committee Meeting.

NOW, THEREFORE, BE IT RESOLVED, that JOHN KURPETSKEI be and is hereby authorized to attend said Committee Meeting, and

BE IT FURTHER RESOLVED, that Police Officer Kurpetski be given in advance the amount of \$100.00 which shall cover the entire expense of travel, food and lodging and said advance is to be taken from the Police Budget. Said monies spent at said Committee Meeting shall be accounted for upon Officer Kurpetski's return.

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

The resolution was thereupon declared duly adopted.

#215 APPOINTS 90-DAY TEMPORARY LABORERS TO HIGHWAY ROAD CREW

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

WHEREAS, in order to have desired road work completed within the town it is necessary to hire temporary individuals to perform said work.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be hired as 90-day temporary laborers at the hourly rate of compensation of \$5. commencing April 9, 1984.

Jeffrey A. Fleischman

Arthur Reichel

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#216 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS LIQUID ASPHALT HIGHWAY DEPARTMENT

Councilman Boscshetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for the year 1984.

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 A.M. on April 17, 1984 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on APRIL 17, 1984 at 11:10 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid on Liquid Asphalt".

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

The resolution was thereupon declared duly adopted.

PUBLIC NOTICE
ADVERTISEMENT FOR BIDS
LIQUID ASPHALT - HIGHWAY DEPT

SEALED BIDS for the purchase of Liquid Asphalt requirements for the year 1984, for the use of the Town of Riverhead Highway Department, will be received by the Town Clerk of the Town of Riverhead, for the Town Board at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, N.Y. up to 11:10 A.M. on APRIL 17, 1984, at which time and place they will be publicly opened and read aloud.

Detailed specifications and form for bidding may be obtained at the office of the Superintendent of Highways, Osborn Avenue, Riverhead, N.Y. during the usual office hours.

Plainly mark envelope containing bid, "Bid on Liquid Asphalt".

The Town Board reserves the right to reject any and all bids.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK
IRENE J. PENDZICK, TOWN CLERK

RESOLUTIONS Continued:#217 AUTORIZES TOWN CLERK ADVERTISE FOR BIDS ON ONE (1) NEW SELF PROPELLED TRAFFIC LINE MARKER

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of one (1) New Self Propelled Traffic Line Marker for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on April 17, 1984, and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on APRIL 17, 1984 at 11:00 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation, "BID ON ONE NEW SELF PROPELLED TRAFFIC LINE MARKER".

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

The resolution was thereupon declared duly adopted.

ADVERTISEMENT FOR BIDS

Sealed bids for the purchase of One (1) New Self Propelled Traffic Line Marker for the use of the Town of Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead for the Town Board, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, N.Y. up to 11:00 A.M. on April 17, 1984, at which time and place they will be publicly opened and read aloud.

Detailed specifications and forms for bidding may be obtained at the office of the Superintendent of Highways, Osborn Avenue, Riverhead, New York during the usual office hours.

Plainly mark envelope containing bid "Bid on One (1) New Self Propelled Traffic Line Marker"

The Town Board reserves the right to reject any and all bids.

By: ORDER OF THE TOWN BOARD
Irene J. Pendzick
Town Clerk
Town of Riverhead, N.Y.

RESOLUTIONS Continued:#218 AUTHORIZES ATTENDANCE AT SCHOOL

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

WHEREAS, Burroughs has scheduled school for training in On-Line Utility Billing, this Town Board hereby authorizes Janice R. Gierer and Francis Friszolowski to attend the On-Line Utility Billing class scheduled for the week of May 14, 1984, and that all necessary expenses be paid for by the Town.

BE IT FURTHER RESOLVED, that an advance of four hundred dollars (\$400.00) is hereby authorized and will be fully accounted for upon their return.

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

The resolution was thereupon declared duly adopted.

#219 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 337 hours in the amount of \$4,098.80, in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#220 GRANTS PERMISSION TO SEARS TO HAVE SIDEWALK DEMONSTRATION

Councilman Boschetti offered the following resolution, which was seconded by Councilman Artale.

WHEREAS, the Town Board is in receipt of a request from Sears Merchandise Group to conduct a sidewalk demonstration of a single gas grill in front of their store located at 203 East Main Street, for the period Saturday, April 14 through Saturday, September 1st, to be used exclusively on Saturdays and Memorial Day, Monday May 28th.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby grant permission to Sears Merchandise Group to conduct their sidewalk demonstration on Saturdays during the period of April 14 through September 1 and on Memorial Day, Monday, May 28, 1984, and

BE IT FURTHER RESOLVED, that Sears Merchandise Group provide to the Town Clerk a certified of insurance indicating the Town as an additional insured in the amount of \$1,000,000.

RESOLUTIONS Continued:

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Police Department.

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

The resolution was thereupon declared duly adopted.

#221 AUTHORIZES SUPERVISOR TO ENTER INTO AGREEMENT WITH H2M
RE: PETITION FOR SEWER MAIN HOOKUP FOR RESIDENTS OF
SUNRISE AVENUE AND FAIRWAY, RIVERHEAD

Councilman Artale offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, residents of Sunrise Avenue and Fairway within the Town of Riverhead have expressed interest in a sewer main to serve their properties.

NOW, THEREFORE, BE IT RESOLVED, that Holzmacher, McLendon and Murrell, P.C. be and is hereby retained to prepare a map and plan with cost estimates and assessed value tabulations suitable for a petition at a cost not to exceed \$2,600.00, and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to forward a copy of this resolution to Holzmacher, McLendon and Murrell.

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

The resolution was thereupon declared duly adopted.
 (See Sewer Minutes)

#222 AUTHORIZES THE RETENTION OF H2M RE: EXT. 26, WADING
RIVER WATER STUDY

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

WHEREAS, the Town of Riverhead commissioned the engineering firm of Holzmacher, McLendon and Murrell to prepare the Wading River Water Study, which study has been completed and reviewed by this Town Board, and

WHEREAS, this study indicates that it is feasible to lay water main with costs that are not prohibitive to serve Sound Avenue west of the Baiting Hollow Condominium Project, and

WHEREAS, it has been recommended that this work be commenced in segments.

NOW, THEREFORE, BE IT

RESOLVED, that Holzmacher, McLendon and Murrell be retained to prepare a map, plan and preliminary cost estimates and assessed value tabulations suitable for a petition covering Extension 26 with all options as shown in the Wading River Water Study at a cost not to exceed \$4,700.00.

RESOLUTIONS Continued:

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

The resolution was thereupon declared duly adopted.
(See Water Minutes)

#223 AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH CONSULTING FIRM OF RAYMOND, PARISH, PINE AND WERNER RE:-
ROUTE 58 CORRIDOR ZONING CODE AMENDMENTS

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

WHEREAS, the consulting firm of Raymond, Parish, Pine and Weiner has prepared a Master Plan Revision for the Route 58 corridor which generally outlines beneficial land use restrictions for Route 58 asome of which are not in conformance with current zoning, and

WHEREAS, this Board desires to implement the revisions in the proposed Master Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to execute an agreement with Raymond, Parish, Pine and Weiner in an amount not to exceed \$8,500 for the preparation of specific zoning code amendments to implement the Route 58 Master Plan revision.

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

The resolution was thereupon declared duly adoptead.

#225 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF WILLIAM J. MILLS, 111 TO CONSTRUCT A NON -NUISANCE INDUSTRY, ELTON STREET, RIVERHEAD, NEW YORK

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of William J. Mills, 111, to construct a non-nuisance industry in an Industrial B District, Elton Street, Riverhead, New York.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 1984, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of William J. Mills, 111 to construct a non-nuisance industry in the Industrial B District located at #0600-109-2-2, property presently owned by Joseph A. Pufahl.

RESOLUTIONS Continued:

Said applicant wishes to construct on said land a 20,000 square foot building for the purpose of operating therein a canvas products factory.

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

The resolution was thereupon declared duly adopted.

#226 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO PARKING SCHEDULE CONTAINED IN THE RIVERHEAD TOWN CODE

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to amending the Parking Schedule contained in the RIVERHEAD TOWN CODE.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 1984, at 8:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the parking schedule contained in the RIVERHEAD TOWN CODE, Section 108-27 as follows:

Dated: April 3, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, TOWN CLERK

| <u>USE</u> | <u>Present Number of Parking Spaces Required</u> | <u>Proposed changes in Num- ber of Parking Spaces</u> |
|---|--|---|
| One-family and two-family dwellings | 1 per dwelling unit | Same |
| Mutiple dwellings | 1 1/4 per dwelling unit | 1 1/2 per dwelling |
| Hotels, motels, tourist homes, cabins, lodging, rooming and board- ing houses | 1 per guest sleeping room or suite | Same |

RESOLUTIONS Cont.

| <u>USE</u> | <u>Present Number of Parking Spaces Required</u> | <u>Proposed changes in Num- ber of Parking Spaces</u> |
|---|--|---|
| Fraternities, sororities or dormitories | 1 per 2 sleeping rooms | Same |
| Hospitals | 1 per 1 1/2 patient beds | 1 per 1 patient bed |
| Sanatoriums or convalescent homes | 1 per 3 patient beds | Same |
| Medical or dental office | 1 per 150 square feet of floor area | Same |
| Mortuary or funeral director's establishments | 1 per 75 square feet of floor area or assembly rooms | Same |
| Bowling Alleys | 4 per alley | Same |
| Theaters, auditoriums or any public assembly area with fixed seats, including churches, schools above elementary levels, colleges and universities. | 1 per 3 seats | 1 per 2 seats |

RESOLUTIONS Cont.

| <u>USE</u> | <u>Present Number of Parking Spaces Required</u> | <u>Proposed changes in Num- ber of Parking Spaces</u> |
|-----------------------------------|--|---|
| Drive-in rest- aurant, etc. | 1 per 500 sq.ft. of lot area devoted to use | 1 per 300 sq.ft of lot area devoted to use. |
| Golf driving range | 1 per driving tee | Same |
| Golf course | 2 per hole | Same |
| Business and In- dustrial uses | See ** 108-64.1 | Same |
| Professional service buildings | 1 per 100 sq. ft. of floor area | 1 per 150 sq.ft of floor area |
| Retirement community | 1 1/2 per dwelling unit | Same |

*Excluding sq. ft. of floor areas used for stairwells,
elevators and rest rooms of buildings.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski,
Yes, Lombardi, Yes, and Janoski Yes.
The resolution was thereupon declared duly adopted.

#227 AUTHORIZED TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING, RE: AMENDMENT TO SECTION 108-3 OF THE
RIVERHEAD TOWN CODE, "SPECIAL PERMITS"

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

RESOLVED, that the Town Clerk is hereby authorized to
publish and post the below Public Notice with regard to amen-
ding section 108-3 of the RIVERHEAD TOWN CODE, "Special Per-
mits", Section G.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on
the 17th day of April, 1984, at 8:25 o'clock p.m. at the Riv-
erhead Town Hall, 200 Howell Avenue, Riverhead, New York, to
hear all interested persons with regard to the following
amendment to Section 108-3 of the RIVERHEAD TOWN CODE,
"Special Permits" as follows:

G. In those sections of this chapter where special
permits and site plans are authorized by resolution and
provisions of this definition, the Town Board, upon finding

RESOLUTIONS Continued:

and stating said findings in its resolution of approval that the overall purposes of this chapter can be fulfilled by the inclusion in said special permit or site plan of a variance from the requirements of any use district, may grant in its resolution granting a special permit or site plan a variance or up to twenty five percent (25%) of any setback, area coverage, height, lot area, floor area, side yard, front yard, rear yard, parking requirements or planting schedule.

Dated: April 3, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

*Underscore indicates addition
Running Line indicates deletion

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski Yes.
The resolution was thereupon declared duly adopted.

#228 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: DESIGNATION OF NO PARKING ON PRIVATE ROADS PURSUANT TO LOCAL LAW #2-1983

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the designation of no parking on private roads pursuant to Local Law #2-1983.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 1984, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the designation of private roads known as Oak Lane, Laurel Lane, Beach Club Lane, and Forest Lane, Wading River, New York, as "Parking Prohibited" in the travel portion of the private roads, at all times based upon the fire hazard which may exist if vehicles are parking in the streets prohibiting emergency vehicles from assisting the residents, all pursuant to Local Law #2-1983, adopted December 6, 1983.

Dated: April 3, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, Town Clerk

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

RESOLUTIONS Continued:

The resolution was thereupon declared duly adopted.

#229 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF ALBERT P.R. BELONZI

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Albert P.R. Belonzi to re-establish the use of a gasoline service station located on the north side of State Route 25 (West Main Street), approximately 150 feet west of Marcy Avenue (next to U.S. Post Office Annex), in the Industrial B Use District, and be it further

RESOLVED, that the Town Clerk is authorized to send by certified mail, return receipt requested, a certified copy of the notice of public hearing on the application, which notice shall be mailed no later than April 6, 1984, and be it further

RESOLVED, that the Town Clerk shall execute an affidavit of mailing indicating that she has mailed a certified copy of the notice of public hearing to all persons within a radius of 1,000 feet of the proposed gasoline station as provided on the list supplied by the applicant, and be it further

RESOLVED, that the applicant shall pay all expenses incurred by the Town Clerk with regard to sending such notices certified mail.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 1984, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application filed with the Riverhead Town Board by Albert P.R. Belonzi to re-establish the use of a gasoline service station located on the north side of State Route 25 (West Main Street) approximately 150 feet west of Marcy Avenue (next to the U.S. Post Office Annex), in the Industrial B Use District, tax map #0600-124-2-21.1, more particularly described as follows:

Town of Riverhead, County of Suffolk and State of New York, more particularly bounded and described as follows:

BEGINNING at an iron rod set in the intersection of the northerly line of West Main Street with the westerly line of the land of Tomroc Realty, Inc., which said iron rod is North 83 degrees 02 minutes 00 seconds west 152.07 feet, as measured along the northerly line of West Main Street from

RESOLUTIONS Continued:

the westerly line of Marcy Avenue, said point of beginning being in the center line of the right-of-way, 20 feet wide, hereinafter referred to, and

Running thence from said point of beginning North 83 degrees 02 minutes 00 seconds west along the northerly line of West Main Street 151.38 feet to a concrete monument set in the easterly line of land of Getty Oil Company, formerly of Tide Water Oil Company,

Running thence North 15 degrees 06 minutes west along the easterly line of the land of Getty Oil Company 129.60 feet to a concrete monument set in the southerly line of the land of Long Island Cauliflower Association; thence North 83 degrees 02 minutes 00 seconds east along the southerly line of land of the Long Island Cauliflower Association and along a portion of the southerly line of the land of the Michael Aniello 144.92 feet to a stake in a portion of the westerly line of the land of Michael Aniello;

Thence South 14 degrees 00 minutes 30 seconds east along a portion of the westerly line of the land of Michael Aniello and along the westerly line of the land of Tomroc Realty, Inc. 166.00 feet to the point or place of BEGINNING.

Together with an easement for ingress and egress over and upon the easterly 10 feet and the southerly 10 feet of line hereinafter described as the center line of a right-of-way and

Subject to an easement for ingress and egress over and upon the westerly 10 feet of a line hereinafter described as the center line of a right-of-way, and

The center line being described as follows:

BEGINNING at an iron rod on the northerly line of West Main Street, being the point of beginning of the above described parcel, and running thence from said point of beginning North 14 degrees 00 minutes 30 seconds west along the division line between the lands of the party of the first part and Tomroc Realty, Inc. 139.96 feet to a monument;

Thence North 77 degrees 48 minutes 50 seconds east along the division line between the lands of Michael Aniello and of Tomroc Realty, Inc. 115.01 feet to a drill hole and the westerly line of Marcy Avenue.

THAT the proposed type of operation will be a gasoline service station. "Gasoline Service Station" as defined in the RIVERHEAD TOWN CODE, Section 108-3, is "Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel

RESOLUTIONS Continued

with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. 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 Certificate of Occupancy which may result from this site plan approval.

4. That trash receptacles of a decorative design shall be maintained at the entrance of the building.

5. That the property shall be maintained on a weekly basis by the owner of the property. 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 do all things necessary to restore the property to a neat appearance and the expenses 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 bill covering the facility.

6. 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 stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

7. That the building shall be painted a heritage color in keeping with the rural atmosphere of the area.
and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to William Miller and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of April, 1984 by William Miller residing at Box 612, Wading River, New York, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Sound Avenue, Wading River, tax Map #0600-57-1-11, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto, and

RESOLUTIONS Continued:

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

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 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 a covenant containing all the limitations and provisions of this site plan approval resolution, in the form attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. 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 adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

4. That trash receptacles of a decorative design shall be maintained at the entrance of the building.

5. That the property shall be maintained on a weekly basis by the owner of the property. 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 do all things necessary to restore the property to a neat appearance and the expenses 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

RESOLUTIONS Continued:

tax bill covering the facility.

6. 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 stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

7. That the building shall be painted a heritage color in keeping with the rural atmosphere of the area.

Supervisor Janoski, "Can I pass on this until I get information concerning the dates? They revised the site plan and elevations today."

Councilman Boschetti, "I'll withdraw my second."

Councilman Artale, "I'll withdraw my motion."

#231 AUTHORIZES TOWN CLERK TO PUBLISH AND POST SUPERVISORS ANNUAL REPORT

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

RESOLVED, that the Town Clerk be, and hereby is authorized to publish and post the Supervisor's Annual Report in summary for the year ending December 31, 1983.

TOWN OF RIVERHEAD

ANNUAL REPORT OF SUPERVISOR (SUMMARY)

| <u>CURRENT FUNDS</u> | Jan. 1, 1983 | | | Dec. 31, 1983 |
|----------------------------|--|-----------------|----------------------|---|
| | Reserved & Unreserved <u>FUND BALANCE</u> | <u>RECEIPTS</u> | <u>DISBURSEMENTS</u> | Reserved & Unreserved <u>FUND BALANCE</u> |
| <u>GENERAL TOWN</u> | \$1,898,399.11 | \$6,328,415.47 | \$7,182,764.41 | \$1,044,050.17 |
| <u>HIGHWAY</u> | | | | |
| Repairs & Maintenance | 281,577.79 | 965,191.02 | 1,041,052.90 | 205,695.91 |
| Bridges | 1,811.57 | 166.89 | — | 1,978.46 |
| Machinery | 37,910.13 | 264,335.14 | 183,879.19 | 118,366.08 |
| Snow & Miscellaneous | 96,829.55 | 126,621.54 | 170,532.56 | 52,918.53 |
| <u>FUNDS FOR</u> | | | | |
| Community Development | 4,793.13 | — | — | 4,793.13 |
| Small Cities/Discretionary | 84,857.56 | 328,335.12 | 365,359.28 | 47,833.40 |
| Federal Revenue Sharing | 28,242.82 | 384,257.22 | 292,312.23 | 120,187.81 |
| Police Athletic League | 1,550.45 | 9,967.72 | 8,647.90 | 2,870.27 |
| Scavenger Waste District | -0- | 35,718.42 | 260,584.45 | (224,866.03) |
| Street Lighting District | 126,830.00 | 186,443.95 | 195,073.06 | 118,200.89 |
| Water District | 108,677.72 | 591,554.99 | 578,216.77 | 122,015.94 |

RESOLUTIONS Continued:

for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, dry-cleaning or otherwise cleaning or servicing such motor vehicles, but not including body and fender work, machine shop work or the storage of dismantled vehicles on the lot."

That applicant for this special permit is ALBERT P.R. BELONZI, 18 Park Avenue, Medford, New York, being represented by Henry S. Saxstein, Esq., East Main Street, Riverhead, New York.

THAT Northville Gasoline Corp., 35 Pinelawn Road, Melville, New York, is the owner of the subject premises.

Dated: April 3, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, TOWN CLERK

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

The resolution was thereupon declared duly adopted.

#230 APPROVES SITE PLAN OF WILLIAM MILLER, RE: SEASONAL SNACK BAR RESTAURANT, SOUND AVENUE, WADING RIVER

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, William Miller did submit to this Town Board a site plan for a Seasonal Snack Bar Restaurant to be located on Sound Avenue in Wading River, New York, tax map #0600-57-1-11 and

WHEREAS, this site plan has been reviewed by the Building Department and this Town Board, and

WHEREAS, further plans containing elevations were submitted and reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by William Miller most recently dated September, 1983, and further plans submitted containing elevations dated September 13, 1983, for a building permit for a seasonal snack bar restaurant to be located on Sound Avenue, Wading River, New York, tax map #0600-57-1-11, 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 a covenant containing all the limitations and provisions of this site plan approval resolution in the form attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed

RESOLUTIONS Continued

| <u>CURRENT FUNDS</u> | Jan. 1, 1983 | | | Dec. 31, 1983 |
|-----------------------------|--|------------------------|------------------------|---|
| | Reserved & Unreserved <u>FUND BALANCE</u> | <u>RECEIPTS</u> | <u>DISBURSEMENTS</u> | Reserved & Unreserved <u>FUND BALANCE</u> |
| Ambulance | 10,099.89 | 17,205.39 | 16,386.32 | 10,918.96 |
| Parking Meter | 30,098.22 | 14,206.40 | 433.48 | 43,871.14 |
| Sewer District | 203,944.23 | 472,138.50 | 510,010.29 | 166,072.44 |
| Public Parking District | 53,020.79 | 78,619.18 | 73,079.05 | 58,560.92 |
| Public Parking Debt Service | — | 49,414.00 | 49,414.00 | — |
| Sewer District Debt Service | 114,684.89 | 35,930.20 | 41,304.24 | 109,310.85 |
| Water District Debt Service | 40,669.82 | 167,178.65 | 168,435.93 | 39,412.54 |
| General Twon Debt Service | 39,340.91 | 229,644.76 | 239,255.28 | 29,730.39 |
| Capitol Projects | 510,144.47 | 2,674,018.91 | 3,328,400.69 | (144,237.31) |
| TOTAL ALL FUNDS | \$3,673,463.05 | \$12,959,363.47 | \$14,705,142.03 | \$1,927,684.49 |

TOWN OF RIVERHEAD
STATEMENT OF INDEBTEDNESS
AS OF DECEMBER 31, 1983

| | <u>OUTSTANDING</u> <u>JAN, 1, 1983</u> | <u>ISSUED DURING</u> <u>FISCAL YEAR</u> | <u>PAID DURING</u> <u>FISCAL YEAR</u> | <u>OUTSTANDING</u> <u>DEC. 31, 1983</u> |
|-------|---|--|--|--|
| TOTAL | <u>\$3,416,125.00</u> | <u>\$930,000.00</u> | <u>\$224,375.00</u> | <u>\$4,101,750.00</u> |

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the Annual Report for Federal Revenue Sharing Funds as follows:

PUBLIC NOTICE
REPORT
FEDERAL REVENUE SHARING FUNDS
FOR 1983

PLEASE TAKE NOTICE, that the Annual Report of proposed actual expenditures of Federal Revenue Sharing funds for the year ending December 31, 1983 are filed in the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York and are available for public inspection.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued:#232 APPROVES SITE PLAN OF GEORGE KLATT, RE: SHEET METAL SHOP ON HUBBARD AVENUE, AQUEBOGUE, NEW YORK

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

WHEREAS, George Klatt did submit to this Town Board a site plan for a sheet metal shop to be located on Hubbard Avenue in Aquebogue, near the intersection of Hubbard Avenue and Edgar Avenue, tax map #0600-85-3-76 and

WHEREAS, this site plan has been reviewed by the Building Department and this Town Board, and

WHEREAS, the applicant has received Health Department approval for this construction,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by George Klatt, most recently dated December 6, 1983, for a building permit for a sheet metal shop to be located on Hubbard Avenue, near the intersection of Hubbard Avenue and Edgar Avenue in Aquebogue, tax map #0600-85-03-76, 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 a covenant containing all the limitations and provisions of this site plan approval resolution, in the form attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

2. That the form design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. 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 adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

4. That a metal building, pursuant to specifications filed with and approved by the Building Department and this Town Board, shall be built upon the property, and such metal building shall be of a heritage color in keeping with the rural atmosphere of the area.

5. That the minimum setback for the proposed building shall be a minimum of 50 feet; however, applicant may set the building back further if he so desires.

RESOLUTIONS Continued

6. That this permit approval is in part conditioned upon the existence of a wooded buffer zone between Hubbard Avenue and the building to be constructed. In the event the woods are destroyed, the owner of the property shall provide a vegetation buffer from nursery stock.

and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to George Klatt and the Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of April, 1984, by George Klatt residing at Fourth Street, P.O. Box 111, South Jamesport, New York 11970, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Hubbard Avenue, tax map #0600-85-3-76, 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

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 Declarant, for the purpose of carrying out the intentions above expressed does hereby make known, admits, 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 purchases and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That a covenant containing all the limitations and provisions of this site plan approval resolution, in the form attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated

RESOLUTIONS Continued:

in appearance and design.

3. 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 adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

4. That a metal building, pursuant to specifications filed with and approved by the Building Department and this Town Board, shall be built upon the property, and such metal building shall be of a heritage color in keeping with the rural atmosphere of the area.

5. That the minimum setback for the proposed building shall be a minimum of 50 feet; however, applicant may set the building back further if he so desires.

6. That this permit approval is in part conditioned upon the existence of a wooded buffer zone between Hubbard Avenue and the building to be constructed. In the event the woods are destroyed, the owner of the property shall provide a vegetation buffer from nursery stock.

7. Subject to any restrictions and/or limitations as outlined in the RIVERHEAD TOWN CODE.

George Klatt

Sworn to before me this
 _____ day of April, 1984.

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

The resolution was thereupon declared duly adopted.

#233 APPROVES AMENDED SITE PLAN OF RIVERHEAD BUILDING SUPPLY

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, a site plan approval was granted to Riverhead Building Supply on November 1, 1983, for a building permit, and

WHEREAS, an amended site plan was submitted to this Town Board most recently dated April 3, 1984,

NOW, THEREFORE, BE IT

RESOLVED, that the amended site plan submitted to this Town Board most recently dated April 3, 1984, be and is hereby approved, subject to any and all restrictions and or

RESOLUTIONS Continued:

limitations as outlined in the Riverhead Town Code, as well as any conditions and/or limitations that may have been adopted in the previous site plan approval, and be it further

RESOLVED, that a certified copy of this resolution shall be forward to Robert L. Tooker, Esq. and the Riverhead Building Department.

The vote, Boschetti, yes, Artale, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

Councilman Artale, "Resolution #230, revised as of 3/30/84."

SUPERVISOR JANOSKI, "Let us offer that amendment. The original site plans were submitted dated 9/13 and I wish to amend that resolution. Revised elevations dated 3/30/84."

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#234 AUTHORIZES TIME AND ONE HALF OVERTIME COMPENSATION FOR ACCOUNTING DEPT.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the following employee of the Accounting Dept. be paid time and one half overtime compensation.

| | | | |
|-------------------|----------|------------|---------|
| Victoria Vourakis | 4.5 hrs. | @\$12.1550 | \$54.50 |
|-------------------|----------|------------|---------|

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#235 AUTHORIZES OVERTIME COMPENSATION FOR BUILDING DEPT. EMPLOYEE

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

RESOLVED, that the following employee of the Building Department be paid time and one-half overtime compensation.

| | | | |
|---------------|--------|--------------|----------|
| James DeLucca | 8 hrs. | @\$19.4772 = | \$155.82 |
|---------------|--------|--------------|----------|

RESOLUTIONS Continued:#236 APPROVES SPECAIL PERMIT APPLICATION OF WES TRAILER SALES

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

WHEREAS, by application dated January 31, 1984, WES Trailer sales did submit to this Town Board an application for a special permit to utilize existing facilities as emergency parking for recreational vehicles in disrepair at premises located on Route 25, Wading River, New York, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated March 2, 1984, the Planning Board did recommend that the special permit application be approved with certain conditions, and

WHEREAS, a public hearing was held on this matter on the 20th day of March, 1984, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of WES Trailer Sales to utilize existing facilities as emergency parking for recreational vehicles in disrepair at premises located at Route 25, Wading River, N.Y. be and is hereby approved, subject to the following conditions and/or restrictions:

1. That the holder of the special permit shall file annually with the Town Clerk a written statement authorizing a representative of the Building Department to inspect his property at any time for the purpose of verifying compliance with the conditions of this special permit.

2. That no more than four (4) recreational vehicles shall be permitted to be used at any one time for living and only then in the event of emergency repairs being made on such vehicles. Such use shall not continue for a period of more than fourteen (14) days.

3. That Health Department approvals for sanitary conditions shall be obtained and sanitary hookups shall be made at all times to vehicles in which people are living.

4. That the Town Board may hold a public hearing upon written notice to the owner of this special permit for the purpose of determining compliance with the conditions of this special permit and in the event that it is determined that compliance has not been met, this permit shall be revoked by the Town Board and all operations permitted hereunder shall cease immediately.

5. That the property shall, at all times, be kept free from debris.

6. That the approval of this permit shall not be construed as an approval for a mobile home park as defined in the RIVERHEAD TOWN CODE.

and be it further

RESOLUTIONS Cont.

| <u>USE</u> | <u>Present Number of Parking Spaces Required</u> | <u>Proposed changes in Num- ber of Parking Spaces</u> |
|--|---|---|
| Any public assembly area without fixed seats | 1 per 100 sq. ft. of floor area | Same |
| Elementary schools | 1 per classroom | Same |
| Office Buildings* | 1 per 150 sq. ft. of floor area | Same |
| Restaurants | 1 per 3 seats | Same |
| Marinas | 1 per slip | Same |
| Retail Stores* | 1 per 150 sq. ft. of of floor area | 1 per 200 sq.ft of floor area |
| Retail stores in Business B. Dist.* | 1 per 150 sq. ft. of floor area | 1 per 200 sq. ft. of floor area |
| Industrial or man- ufacturing estab- lishments* | 1 per ea. 2 employees, computed on the basis of the greater number of persons to be employed at peak employment, but not less than 1 per 300 sq. ft. of floor | 1 per ea. 2 employees, com- puted on the basis of the greater num- ber of persons to be employed at peak employ- ment, but not less than 1 per 400 sq. ft. of floor area |
| Any commercial or business use not other wise express- ly provided for* | 1 per 200 sq. ft. of | 1 per 300 sq. ft. of floor area. |
| Warehouse, etc. | 1 per 1,000 sq.ft. floor area up to 5,000 sq. ft. and 1 additional space for ea. additional 10,000 sq. ft. of floor area | Same |

RESOLUTIONS Continued:

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Gatz, Arnoff & Czygier, Esqs., attorneys for applicant.

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

The resolution was thereupon declared duly adopted.

#237 APPROVES SITE PLN OF GARSTEN MOTORS

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, a site plan was submitted by Garsten Motors for site plan approval for a building permit for an addition to their building located on Old Country Road, Riverhead, New York, and

WHEREAS, this site plan was reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Garsten Motors for a building permit for an addition to their building located on Old Country Road, Riverhead, New York, dated January 30, 1984, be and is hereby approved, subject to the following:

1. Subject to any restrictions and/or limitations as outlined in the RIVERHEAD TOWN CODE.
2. That the applicant shall keep the premises clean and free of debris.
3. That all signage to be placed at the premises shall be subject to further Town Board approval.
4. That the attached declaration and covenant shall be executed by the applicant and filed with the Suffolk County Clerk and proof of recording filed with the Town Clerk before this resolution shall become effective.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of April, 1984, by Garsten Motors with offices at Old Country Road, Riverhead, New York, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Old Country Road, commonly known as Garsten Motors, 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

RESOLUTIONS Continued:

Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

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 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. Subject to any restrictions and/or limitations as outlined in the RIVERHEAD TOWN CODE.
2. That the applicant shall keep the premises clean and free of debris.
3. That all signage to be placed at the premises shall be subject to further Town Board approval.

GARSTEN MOTORS

By: _____

Sworn to before me this
_____ day of April, 1984.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski Yes.
The resolution was thereupon declared duly adopted.

#238 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: CHANGE OF ZONE APPLICATIONS OF DOUGLAS AND CAROL SOWINSKI AND 25 EAST REALTY (KINNEY CHEVROLET)

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, an application was made by Carol and Douglas Sowinski and Kinney Chevrolet-Olds to change the existing Agriculture A zoning to Business B zoning in the following areas:

1. Sowinski: Beginning at the southwest corner of the intersection of County Route 105 and NYS Route 25; thence running southerly along County Route 105 a distance of 50C

RESOLUTIONS Continued:

feet, more or less; thence running in an westerly direction approximately 1500 feet, more or less to a point; thence running approximately 500 feet, more or less, to NYS Route 25; thence running approximately 1500 feet, more or less, to the point or place of BEGINNING. The above described premises to include property now or formerly owned by Lillian Finch, Estate of Eugene Andrae; Andrea Dinizio; Martin and Jean Kart; Ernest and Elaine Olsen.

2. 25 East Realty Co. Beginning at a point at the northwest corner of the intersection formed by NYS Route 25 and County Route 105; running thence westerly along NYS Route 25, approximately 1500 feet, more or less, to a point; running thence northerly 600 feet, more or less, to a point; thence running easterly 1500 feet, more or less, to a point, thence running southerly 600 feet, more or less, to the point or place of BEGINNING. The above described premises to include property now or formerly owned by 25 East Realty Co., August and Lillian Muller, Camelia Stivers, Saul Lerner, et al. and Ernest and Dorothy Draper. and

WHEREAS, the Town Board, on its own motion, wishes to have further public comment and testimony on the above applications .

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held by this Town Board, outlined as follows:

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 1984, at 8:30 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue;, Riverhead, New York, to hear all interested persons with regard to the change of zone applications of Douglas and Carol Sowingski and 25 East Realty Company, as outlined above, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

Dated: April 3, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, TOWN CLERK

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

The resolution was thereupon declared duly adopted.

SUPERVISOR JANOSKI: "May I take this opportunity to wish John Lombardi a Happy Anniversary as he is the only member of the Town Board who was around then back in 1792."

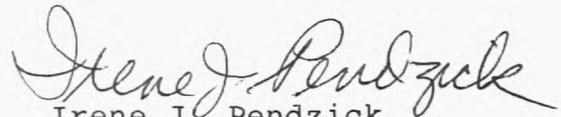
PERSONAL APPEARANCES

Councilman Lombardi, "Thank you Joe."

Supervisor Janoski, "With that, without objection
adjourned."

There being no further business on motion or vote, the
meeting adjourned at 9:47 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk