

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 17, 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.

Supervisor Janoski, "There is a Mazda Pick-Up in the back parking lot with their lights on."

Steve Haizlip, Read license plate number.

Councilman Prusinowski, "Thank you Steve."

Supervisor Janoski, "Whatever he said, that's the license plate number. Alright. Before we get into the business of the meeting, I would like to do a couple things. One: is to announce that at 5 o'clock this afternoon, I was informed that the President of the United States has declared this area to be a disaster area and we will now be come eligible for Federal Disaster funds in the form of low interest loans. The second thing I want to address is: that there is a resolution on tonight's agenda which will rescind the authority for the sale of the property in Wading River. That corner of Creek Road and Sound Road. I would like at this time, call the last resolution which is the resolution of condolence, so that we might do that in a more dignified atmosphere."

#### RESOLUTION

#### #271 RESOLUTION OF CONDOLENCE - STEPHEN GRODSKI

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

WHEREAS, The Riverhead Town Board wishes to express its profound sadness at the passing of STEPHEN GRODSKI, former Town of Riverhead Chief of Police who served the town and its people for more than 25 years, and

WHEREAS, the Riverhead Town Board wishes to add its sincere sympathy to that of the many who knew and admired him, and

WHEREAS, The Town of Riverhead is diminished by the loss of a man known for his genuine regard for its citizens as well as an unselfish devotion to duty.

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that this Town Board at its meeting assembled this 17th day of April, 1984, pause in its deliberations to recognize the great contribution of service of STEPHEN GRODSKI to the Town of Riverhead and extend to his family our most sincere condolences, and

BE IT FURTHER RESOLVED, that a suitably engrossed copy of this resolution be prepared and presented to the family of STEPHEN GRODSKI.

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

The resolution was thereupon declared duly adopted by acclamation.

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

RESOLVED, That the Minutes of the Regular Town Board Meeting held March 20, 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:

General Town	\$352,477.90
PM	4,904.21
AM	2,191.60
Highway	110,386.29
ST & SL	24,041.30
CF	161.84
SMC	549,110.16

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.

General Town	\$352,477.90
PM	4,904.21
AM	2,191.60
Highway	110,386.29
ST & SL	24,041.30
CF	161.84
SMC	549,110.16

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

Tax Reciever's Report of collections as of 4/11/84. Filed.  
 Police Department report for month of March, 1984. Filed.  
 Open Bid Report-One new self propelled traffic line marker. Filed.  
 Open Bid Report-Liquid Asphalt, Highway Department. Filed.

OPEN BID REPORT - Self Propelled Traffic Line Marker.

Bid Date: April 17, 1984-11:10 a.m.  
 Two Bids submitted

#1 NAME: TRIOUS INCORPORATED  
 ADDRESS: 369 DUFFY AVENUE, P.O. BOX 741, HICKSVILLE  
 TOTAL BID: \$20,960.00  
 TOTAL BID LESS TRADE IN: \$20,560.00  
 MAKE AND YEAR: UNIMASCO 1984

#2 NAME: EMPIRE MUNICIPAL SUPPLY CORP.  
 ADDRESS: 250 RTE. 303, BLAUVELT, NY.  
 TOTAL BID: \$26,077.00  
 TOTAL BID LESS TRADE IN: \$25,577.00  
 MAKE AND YEAR: PRISMO 1984

OPEN BID REPORT - Liquid Asphalt, Highway Department.

Bid Date: April 17, 1984-11:00a.m.  
 Two Bids Submitted.

#1 NAME: LANDSPELL ASPHALT AND BITUMINOUS CORP.  
 ADDRESS: OLD NORTHPORT ROAD, BOX 697 KINGS PARK, NY  
 TOTAL BID: ITEM #1 \$0.965 per/gal ITEM #2 \$1.135 per/gal

REPORTS Continued

#2 NAME: RAYMOND O. WELCH ASPHALT CO.  
 ADDRESS: 1064 WOODCREST AVENUE, RIVERHEAD, NY  
 TOTAL BID: ITEM #1 \$.9990 per/gal ITEM #2 \$1.24 per/gal

Irene J. Pendzick, "That concludes Reports."

Supervisor Janoski, "Thank you Mrs. Pendzick. The appointed time for the first public hearing has not yet arrived. We will move on to the (Correspondence) Applications."

APPLICATIONS AND PETITIONS

Site Plan-Eastland Realty Services to renovate Caldor Shopping Center. Filed.

Special Permit-Kimbroke Enterprises, Inc. to construct 190 Condominiums north side of Sound Avenue, East of Pier Avenue. Filed.

Site Plan-Peconic River Yacht Basin-Marina. Filed.

Site Plan-Jiffy Lube (Auto Service Center, Rte 58.) Filed.

Site Plan-Bill Homer (Aamco)-Addition to vehicle repair shop. Filed.

Site Plan (Revision)-Lawrence Galasso (Boat and Car storage building). Filed.

Site Plan (Revision)-Colgate Design Co. (Wading River Post Office). Filed.

Special Permit-Leonard Moore to construct one-family residence on farm in Wading River. Filed.

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

Supervisor Janoski, "Thank you Mrs. Pendzick. Once again the time for the first public hearing has not yet arrived. We will move on to Correspondence."

CORRESPONDENCE

Edith Olsen, 4/4/84- objecting to lease of Town Dock to private interests. Filed.

CORRESPONDENCE Continued

Theodore Stoetzel, 4/3/84- Requesting removal of dangerous trees in back of his property at 65 Brook Street, on Town property. Filed.

N.Y.S. Dept. of Transportation, 3/29/84- Advising that investigation of traffic conditions and speed limits on Sound Avenue is scheduled. Filed.

Environmental Quality Review Bd. 4/5/84- Advising that application of Rising Sun Woodworking is a Type II Action. Filed.

Sherry Johnson, 4/6/84- Re: Change of Zone of River Road in Manorville. Filed.

Ron Ziel, 4/5/84- Re: House in Jamesport. Filed.

N.Y.S. Dept. of Environmental Conservation, 4/6/84- Re: Deis Peconic River Yacht Basin. Filed.

Long Islanders Camping Club, 4/9/84- Re: Supporting Campground in Manorville. Filed.

Manorville Fire District, 4/6/84- Re: Appointment of Alex Horton Jr., as Commissioner. Filed.

Town of Southold, 4/11/84- Re: Proposed Local Laws. Filed.

Town of Brookhaven, 4/9/84- Re: Amendment to the Code. Filed.

Riverhead Planning Board, 4/11/84- Re: Change of Zone of Robert Celic be approved. Filed.

County of Suffolk, 4/4/84 and 4/9/84- Re: Amendments to the Zoning. Filed.

Town of Southampton, 4/84- Re: Local Laws 1-8 and Chapter 69. Filed.

Sherry Johnson, 4/12/84- Commenting on the environmental impact of the proposed Recreational Park in Manorville. Filed.

East End Arts and Humanities, 4/5/84- Advising of Project "Suburban Ethnicity: The Polish Americans On L.I." and the need for funding. Filed.

Irene J. Pendzick, "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 Recreational Use District in Manorville. That

UNFINISHED BUSINESS Continued

is presently before the Planning Board.

A. Lawrence Galasso-Site Plan for Boat and Car Storage Building. There will be a resolution on that matter this evening.

Robert Celic-Change of Zone & Special Permit for Children's Nursery on Route 25 and Shade Tree Lane, Aquebogue. We are going to call a public hearing on that this evening.

Rising Sun Woodworking-Special Permit for Non-Nuisance Business on Tyte Drive. We will be calling a public on that this evening.

Atlas Realty-Site Plan for truck and trailer repair shop, Route 25. There will be a resolution on that this evening.

Big E Farms-Special Permit for 2-family residence in Bus B District. That is before the Planning Board.

Joseph Zinna-Special Permit for transmission repair on East Main Street. We will be calling a public hearing on that this evening."

Supervisor Janoski, "There are 5 minutes before the first scheduled public hearing. I would open the meeting to anyone who has any comment on any matter. That being the case, let us do some of the resolutions."

RESOLUTIONS

#239 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

(See Water Minutes)

#240 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS, RE: INSTALLATION OF WATER MAINS AND APPURTENANCES, EXTENSION NO. 23

(See Water Minutes)

#241 AUTHORIZES TIME AND ONE HALF OVERTIME FOR SEWER DISTRICT EMPLOYEES.

(See Sewer Minutes)

RESOLUTIONS Continued

#242 AUTHORIZES SICK TIME BONUS TO PAY TO MEMBERS OF THE SUPERIOR OFFICERS ASSOCIATION FOR THE PERIOD FROM JANUARY 1, 1984 TO MARCH 31, 1984 AS PROVIDED FOR BY CONTRACT.

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

BE IT RESOLVED, that the following members of the Superior Officers Association be paid Sick Time Bonus Pay for the period from January 1, 1984 to March 31, 1984.

1. Alexander, F.	\$75.00
2. Becht, J.	75.00
3. Droskoski, W.	75.00
4. Grattan, J.	75.00
5. Grossman, A.	75.00
6. Mazzo, L.	75.00
7. Robinson, D.	75.00
8. Underwood, R.	75.00
TOTAL	<u>\$600.00</u>

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

The resolution was thereupon declared duly adopted.

#243 APPOINTS HENRY SAXTEIN TO DEFEND TOWN OF RIVERHEAD AND BUILDING INSPECTOR, RE: MCALEAVY.

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

RESOLVED, that Henry Saxtein be and is hereby appointed to represent the Town of Riverhead and Riverhead Building Inspector in the suit brought against the above named defendants by McAleavy, and be it further

RESOLVED, that Henry Saxtein shall be compensated at the agreed upon hourly rate.

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

The resolution was thereupon declared duly adopted.

#244 APPOINTS PETER MAYER, ESQ., HEARING OFFICER, RE: POLICE OFFICER FRANK ROMANIELLO.

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

RESOLVED, that Peter Mayer, Esq., be and is hereby appointed as Hearing Officer with regard to the case concerning Police Officer Frank Romaniello, and be it further

RESOLVED, that Peter Mayer, Esq., shall be compensated at the agreed upon hourly rate.

RESOLUTIONS Continued

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

The resolution was thereupon declared duly adopted.

#245 APPOINTS VINCENT A. MALITO, ESQ., APPEALS COUNSEL RE: JESSIE HUGHES.

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

RESOLVED, that Vincent A. Malito be and is hereby appointed Appeals Counsel to the Riverhead Town Attorney concerning Jessie Hughes, and be it further

RESOLVED, that Vincent A. Malito, Esq., shall be compensated at the agreed upon hourly rate.

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

The resolution was thereupon declared duly adopted.

#246 AUTHORIZES OVERTIME-HIGHWAY DEPARTMENT.

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

RESOLVED, that the Superintendent of Highway be and is hereby authorized to pay time and one-half compensation for overtime for a total of 33 hours in the amount of \$377.46, 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, Janoski, yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of 7:45 has arrived. The Town Clerk will please read a notice of Public Hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 17, 1984 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Designation of Private Roads known as Oak Lane, Laurel Lane, Beach Club Lane, and Forest Lane, Wading River, as "Parking Prohibited" in the travel portion of the private roads.

Supervisor Janoski, "Mr. Town Attorney."

PUBLIC HEARING Continued

Richard Ehlers, "Under a recent Town Code amendment, a local law was adopted which permitted citizens who reside on private streets within the Town of Riverhead, to file petitions signed by more than 80% of the assessed evaluation of abutting on a private street requesting that these streets be designated "Private Roads, Parking Prohibited". The Town Police Department would, under that ordinance, be permitted to enter upon the streets to enforce that parking prohibition. The purpose of this hearing is, as part of that local law, that after the petition is filed, the Town Board is to hear from the residents of the community or other residents of the township who oppose or favor that particular application. So tonight for consideration, are the streets of Oak Lane, Laurel Lane, Beach Club and Forest Lane, being private roads in the Town of Riverhead."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present representing the community in question? Yes sir. If you would just get closer to the microphone and just state your name and address."

Michael Hope, Oak Lane, Wading River, "My name is Michael Hope. I live on Oak Lane in Wading River."

Irene J. Pendzick, "How do you spell your last name sir."

Michael Hope, "H-O-P-E."

Irene J. Pendzick, "Thank you."

Michael Hope, "Mr. Supervisor and members of the Board. We submitted a petition with the 80% of the assessed evaluation to you and we are asking that you adopt this resolution for no parking on private roads."

Supervisor Janoski, "Thank you Mr. Hope. Yes. Is there anyone else present who wishes to speak to the matter? Mr. Pfeiffer."

Henry Pfeiffer, Wading River, "Henry Pfeiffer of Wading River."

Supervisor Janoski, "Henry is that mike on?"

Councilman Lombardi, "Push it up."

Henry Pfeiffer, "How about that? A little better? Henry Pfeiffer of Wading River. I am a resident of Laurel Lane, one of the streets included within this enclave. The road work into there is 8 foot wide. The intersections are 90 degrees in most cases. This is ample room and ample width for the use of emergency vehicles serving the people there in case of emergency. But not in the event that there is any vehicles parked

PUBLIC HEARING Continued

along the side. Recently, as a resident of Laurel Lane, on the corner people have parked near my home. And consequently, other people using it, enter into that intersection into that street, found it necessary to climb the abutment outside the property on my property. The thing that is most important is that we be assured that in the event that there is some type of emergency, that emergency vehicles can respond properly and without any impediments. Thank you."

Supervisor Janoski, "Thank you Henry. Is there anyone else present who wishes to address the Town Board on this matter? Mr. Kasperovich."

William Kasperovich, Wading River, "Seems I walked in at an opportune time. My name is William Kasperovich. I live in Wading River. I would like to bring to the Board's attention and to clarify a point. Last year after many many years of concern and discussion, we extended the leaf pick up from the Town proper to the entire township. The way the resolution was heard here in the audience and it is read today, can be reread with a different intent. Now, I feel in good government, not necessarily for my own house, because I will say that what is good for the Town is good for me and all services should go to all taxpayers and all residents. Now, we have people that live on the side roads....."

Supervisor Jansoki, "Bill. I am sorry to interrupt you. This is a public hearing on parking prohibited on private roads. Do you wish to address the Town Board on that matter?"

William Kasperovich, "I walked in confused. I am sorry. I will back off. Let me just say at this point, somebody has a Mazda, 7413, left their lights on."

Supervisor Janoski, "In some future years, somebody will look over the records of this public hearing and be thoroughly confused. Is there anyone yet who wishes to address the Town Board on the matter of the designation of parking private roads as no parking in Wading River. That being the case, I hereby declare this hearing closed. Let us do a few of the resolutions."

7:45 PUBLIC HEARING CLOSED AT 7:51

RESOLUTIONS

#247 REVOCATION OF AUTHORIZATION OF THE SUPERVISOR TO DELIVER DEED RE: SALE OF PROPERTY IN WADING RIVER.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.  
WHEREAS, This Board by resolution dated March 6, 1984 authorized the Town Supervisor to execute a contract of sale concerning certain property, more particularly described on

RESOLUTION Continued

the attached survey, located at the corner of Creek Road and Sound Road in Wading River for several purposes including the enhancement of traffic flow, and

WHEREAS, it appears that the improvements to be constructed by the purchaser by way of curbing may impede the ability of motorists towing trailers to the Town boat ramp to successfully negotiate said corner.

NOW, THEREFORE, BE IT,

RESOLVED, that the authorization of the Supervisor to deliver a deed conveying title to the property as more particularly described on the attached survey, located at the corner of Creek Road and Sound Road in Wading River, be and hereby is rescinded.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Robert and Roberta Petersen.

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

The resolution was thereupon declared duly adopted.

#248 GRANTS EASEMENT FOR UNDERGROUND CESSPOOLS RE: INTERSECTION OF CREEK ROAD AND SOUND ROAD, WADING RIVER.

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

WHEREAS, the proprietors of the Beach Boy Restaurant located at the intersection of Creek Road and Sound Road in Wading River have completed improvements to their kitchen facilities which have been determined by the Suffolk County Department of Health to require new cesspools, and

WHEREAS, there is insufficient property at the Beach Boy Restaurant to permit the installation of cesspools on property owned by the proprietors of the Beach Boy Restaurant, and

WHEREAS, this Board desires to ameliorate the economic impact on the proprietors of the Beach Boy Restaurant caused by its resolution #247 above rescinding the contract of sale, and

WHEREAS, the Suffolk County Department of Health Services has approved the siting of the cesspools shown on the attached survey, and

WHEREAS, the Department of Health Services has determined that the neighboring property to the north is served by a public water system.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to execute a license agreement which license agreement shall permit the proprietor of the Beach Boy Restaurant to construct cesspools as shown on the attached Health Department approved survey within the property bounded by the description given in Exhibit A attached hereto.

BE IT FURTHER, RESOLVED, that the exact siting of the cesspools shall also be approved by the Riverhead Highway Superintendent, and

RESOLUTION Continued

BE IT FURTHER, RESOLVED, that the Petersens shall obtain a Highway Opening Permit from the Riverhead Highway Superintendent, and

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the Riverhead Highway Superintendent and Robert and Roberta Petersen.

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

The resolution was thereupon declared duly adopted.

#249 ADVANCES ACCOUNT CLERK TYPIST IN ACCOUNTING DEPARTMENT.

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

WHEREAS, Frances Friszolowski has completed her one year probationary period,

NOW, THEREFORE, BE IT

RESOLVED, that Frances Friszolowski be advanced to Group 7 Step 1 of the Salary Administration Schedule at an annual salary of \$13,296.66, effective April 18, 1984.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read a notice of Public Hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 17, 1984 at 7:55 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit application of Albert Belonzi to re-establish the use of a gasoline 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.

CORRESPONDENCE:

1. Planning Board, 4/11/84-recommending that the application of Albert Belonzi be approved.
2. Dorothea Delehanty, 4/9/84-expressing concern regarding underground gas tanks possibly causing pollution to the water table and stating that the town should require the inspection of gas tanks before issuing permits.

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PUBLIC HEARING Continued

3. Environmental Quality Review Board, 3/22/84-recommendation that application is a Type II Action.

4. Suffolk County Dept. of Planning, 3/23/84-that the matter of the application is for local determination.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present represent the applicant?"

Henry Saxtein, Attorney, "Yes there is. Good evening ladies and gentleman and members of the Board. My name is Henry Saxtein. I represent the applicant Albert Belonzi. Basically this application is to re-establish a gas station up at the old Scotts gas station located next to the Post Office Annex on West Main Street. I am sure that you are familiar with this building. My client is the contract vendee for this parcel of property. If this permit is granted, he intends to purchase the property and he plans to do a number of things to the property that will enhance it. Number 1: He intends to re-establish the gas station use. Number 2: He does not plan to do any repair work there. Number 3: He will be cleaning up the building. He will be repairing the roof and he also is cognizance of the fact that any permit granted here is subject to site plan review. Currently, there are some delapidated buildings and fences and a lot of other debris on the property which will be cleaned up. There are currently 4 tanks there on the property. The tanks have been replaces with fiberglass tanks and they have been tested. So I don't believe Mrs. Delehante will have much of a problem with pollution. Once the building has been cleaned up, the rear of the property will be fenced and plants to protect the property and to act as a buffer area. Additionally, there will be 4 pumps out front as it was in the past. I would like to point out to the Board that a structure such as this in this neighborhood is really not condusive to any other type of use and a type of use that would envision repairing of vehicles or dismanteling of vehicles where a bodyshop would be much less beneficial to the neighborhood then the use that is proposed. My client is here with me tonight and if you have any questions that I can't answer, I can have my client answer them for you."

Supervisor Janoski, "Thank you Henry. Is there anyone else present who wishes to address the Board on the matter of this application? Does any member of the Board have any question? Henry let met advise you that our Community Development Office has done a little bit of a suggestion for site plan and some ideas that I wish you would stop by at my office and pick up."

Henry Saxtein, "We would be glad to meet with you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. No one having any comment, I declare this hearing closed. Let's get back to resolutions."

7:55 PUBLIC HEARING CLOSED AT 7:59

RESOLUTIONS

#250 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO SECTION 108-90 OF THE RIVERHEAD TOWN CODE, "APPLICATIONS FOR CHANGE OR AMENDMENT", RE: CHANGE OF ZONE.

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 amending section 108-80 of the Riverhead Town Code, "Applications for change or amendment", regarding change of zone applications.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 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 following amendment to Section 108-80 of the Riverhead Town Code, Re: Change of Zone.

108-80. Applications for change or amendment.

All applications for a change or amendment to this chapter (including any map incorporated therein) shall be made ~~in sextuplet~~ by filing the original with thirteen (13) copies accompanied by ~~six-(6)~~ fourteen (14) copies of an accurately drawn map showing the dimensions of the property to be considered, tied in by distance to the nearest recognized street intersection. An abstract of title certified by a New York State licensed attorney at law or title company with offices in Suffolk County, certifying the chain of title of all adjoining parcels within a radius of 500 feet of the subject property shall be filed with the Town Clerk. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a change of zone application is pending before the Riverhead Town Board. Said application shall be referred to the Planning Board which will transmit its recommendations to Town Board within sixty (60) days of referral. After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by section 265 of the Town Law. The Town Clerk shall forward by certified mail a copy of the public

RESOLUTIONS Continued

hearing notice to the applicant wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Additionally, the Town Clerk shall forward a certified copy of the public hearing notice, by certified mail, to all property owners within a 500 foot radius of the subject property to be effected by the change of zone, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage, and transcription of testimony. However, if said change of zone request is made by the Riverhead Town Board, the Town shall assume the expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information.

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

The resolution was thereupon duly declared adopted.

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

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 amending Section 108-3 of the Riverhead Town Code, regarding the definition of "Special Permit".

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 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 following amendment to Section 108-3 of the Riverhead Town Code, "Special Permit".

A (3) An abstract of title certified by a New York State licensed attorney at law or title company with offices in Suffolk County, certifying the chain of title to all adjoining parcels for ten (10) years prior to the date of the application within a radius of 500 feet of the subject property.

E. Application procedure.

RESOLUTIONS Continued

(1) Any application made pursuant to the provisions of this definition shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board which will transmit its recommendations to the Town Board within sixty (60) day of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Town Board. Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant wherein the applicant shall then fill in the date and time of public hearing on the sign heretofore posted at the subject property. Before the Town Board can deny or approve said special permit, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

(2) After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by section 265 of the Town Law. The Town Clerk shall forward a certified copy of the public hearing notice, by certified mail, to all property owners within a 500 foot radius of the subject property to be effected by the special permit, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage, and transcription of testimony. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information.

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

The resolution was thereupon duly declared adopted.

#252 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO SECTION 101-9 OF THE RIVERHEAD TOWN CODE, "INSTALLATION AND MAINTENANCE OF TRAFFIC SIGNALS".

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 the proposed amendment to Section 101-9 of the Riverhead Town Code, maintained by the Town of Riverhead.

RESOLUTIONS Continued

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 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 following proposed amendment to Section 101-9 of the Riverhead Town Code, updating the list of all traffic signals installed and/or maintained by the Town of Riverhead:

101-9. Installation and maintenance.

Pursuant to authority granted by Section 1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

## INTERSECTIONS

Court Street and Osborne Avenue  
 Osborne Avenue and Pulaski Street  
 Griffing Avenue and Pulaski Street  
 Roanoke Avenue and Pulaski Street  
 Northville Turnpike and Elton Street  
 S. Jamesport Avenue and North Railroad Street  
 S. Jamesport Avenue and South Railroad Street  
 Roanoke Avenue and 2nd Street  
 Entrance to Billy Blake's and Route No. 58  
 Entrance to Riverhead Shopping Plaza and Route 58  
 Route 58 (Old Country Road) and Osborne Avenue  
 Route 58 (Old Country Road) and Northville Turnpike  
Route 58 (Old Country Road) and Ostrander Avenue  
Northville Turnpike and Route 105  
Pulaski Street and Griffing Path

\*Underscore indicates addition

\*Running line indicates deletion

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

The resolution was thereupon duly declared adopted.

#253 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF RISING SUN WOODWORKING.

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 the special permit application of Rising Sun Woodworking for a non-nuisance industry to be located at premises located near Hubbard Avenue and East Main Street, Riverhead, New York, tax map #0600-111-1-9.

RESOLUTIONS Continued

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 1984, at 8:20 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 Rising Sun Woodworking for a non-nuisance industry at premises located near East Main Street and Hubbard Avenue, Riverhead, New York, tax map #0600-111-1-9, to use said building as a woodworking shop focusing on the production of architectural woodwork such as doors, windows, special cabinetry and general millwork.

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

The resolution was thereupon duly declared adopted.

#254 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF JOSEPH ZINNA

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 special permit application of Joseph Zinna to construct and operate a transmission repair business as a non-nuisance industry in an Industrial B Use district at premises located on the corner of East Main Street and Hubbard Avenue, Riverhead, New York.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 1984, at 8:10 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 Joseph Zinna to construct and operate a transmission repair business as a non-nuisance industry in and Industrial B Use District at premises located on the southwest corner of Hubbard Avenue and East Main Street, Riverhead, New York

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#255 AUTHORIZES SUPERVISOR TO ENTER INTO AGREEMENT WITH WM.  
MULLEN RE: INSURANCE BIDS.

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

WHEREAS, this Town Board does believe it to be in the best interest of the Town to bid our insurance coverage in 1984.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to enter into an agreement with William Mullen to serve as insurance consultant to the town wherein he will prepare the insurance bid specifications, let the bid specifications, review the bids received, and make a recommendation to the town Board.

BE IT FURTHER, RESOLVED, that said agreement shall not exceed \$5,000, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to William Mullen

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 17, 1984 at 8:05 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit application of William J. Mills III to construct a non-nuisance industry in the Industrial B District located at premises on Elton Street for the purpose of operating a canvas products factory.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present representing the applicant?"

Robert Tooker, Attorney, "Yes Mr. Supervisor. My name is Robert Tooker. I am a member of the firm Tooker and Smith and I appear on behalf of the applicant. We are debating on the whole as to whether or not Mr. Jamie Mills, who is here tonight, was the fourth or fifth generation of Mills family in the canvas business. It's one or the other. The consensus seems to be fourth generation. For 104 years, William J. Mills and Company has operated their business in Greenport. A new generation has come along. They've substantially expanded the business and they would like to come to our community to relocate their operation from Greenport into Riverhead. There are three of the key employees of the corporation here tonight.

PUBLIC HEARING Continued

three of the key employees of the corporation here tonight. The application that is before the Board, is an application for a special permit to operate a non-nuisance industry in an industrial B zoning use district. The property in question is 5 1/2 acres on the south side of Elton Street property across from the chemical compound. The applicant proposes the construction of a one-story building of approximately 25 thousand square feet. The applicant holds no position on this property and would request the Board to give favorable consideration to the approval of a special permit to conduct their operation here. Mr. William J. Mills III is here to speak to you about what the company does. What they plan to do in Riverhead and to answer any questions the Board may have."

William J. Mills, "For the record, my name is William J. Mills. I am Vice President of 125 127 Main Street Corporation which is the corporation of the entity empowered under New York State law. We go by William J. Mills III and Company. As Mr. Tooker stated, we have been in business approximately 104 years. We make canvas products. We make sails for sailboats. We make awnings, commercial and residential. We do rigging work for sail boats. We do canvas work for your boat and mine. We make quite a bit of canvas luggage. Duffle bags are in vogue these days. Unfortunately, I neglected to bring a handful. I figured I might be able to bribe you if I gave you all a bag. We employ roughly 35 people right now. Various positions, sewing. We have certain craftsmen that we have trained. The type of people don't learn making boat canvas in Suffolk County 202 courses. It takes a few years to learn the trade of building canvas. We have awning technicians. I would say our employment right now runs 50% male, 50% female, black, white, red, yellow. We don't care. We want people to do the job. We are interested in our employees and our employees are interested in our concern. We presently have a two-story building. It's old. Our offices are on the third floor. We are crammed to the eyeballs. We have had to move part of our operation into a neighboring shipyard for this coming summer. We have a separate warehouse which is located 8 or 9 blocks from our present building. We would like to build a one-story building. Trying to improve our productivity, consolidate, be able to keep track of what is going on a little bit better. We would like to do it in Riverhead. Riverhead, being the hub of the 2 forks which quite a bit of our business is located on the south shore, it's an ideal location for us. The Board has been very open to us. It's been a different approach then we've seen. If there's any questions you would like to address to me, I am available."

Councilman Artale, "Mr. Mills, currently, you said you employ around 30 people."

William J. Mills, "35."

Councilman Artale, "And what is your projected employment for the Town of Riverhead?"

PUBLIC HEARING Continued

William J. Mills, "Over the next 3 to 4 years, we are hoping to add 25 to 30 more people."

Councilman Artale, "Double your capacity."

William J. Mills, "Approximately, yes."

Councilman Artale, "Thank you."

Supervisor Janoski, Does anyone else wish to address the Board on this application?"

Jeff McCann, Aquebogue, "I am Jeff McCann. I live in Aquebogue. I would like to urge the Board to do everything possible (everything, short of taking a bribe) to encourage this business to come to Riverhead and any more business in Greenport that would like to come. We would love to have you."

Supervisor Janoski, "Thank you Jeff. Is there anyone else present who wishes to address the Town Board on this special permit application? Vinny."

Vincent Celino, 1212 Roanoke Avenue, "My name is Vincent Celino. I just have one question. In the making of this canvas, are there any cleaning or that type of thing that has to be used? Any chemicals?"

Supervisor Janoski, I don't know. I'll let them answer. But one of the plusses to this particular site is that it has both public water and public sewage. I will let them answer."

William J. Mills, "No there isn't other than your basic alcohol which is fantastic."

Vincent Celino, "I would also like to encourage the Board to accept the application."

Supervisor Janoski, "Thank you Vinny. Is there anyone else present who wishes to address the Board on this special permit application?"

William J. Mills, "I wish to thank the Board for allowing us to make application and we ask you look favorably upon our application."

Supervisor Janoski, Thank you Mr. Mills. There being no further comment, I hereby declare the hearing closed. Have a good trip back to Greenport."

William J. Mills, "Thank you very much."

8:05 PUBLIC HEARING CLOSED AT 8:13

Supervisor Janoski, "Looks like we have 2 minutes. I guess we could do one."

RESOLUTIONS Continued#256 AUTHORIZES SUPERVISOR TO EXECUTE LETTER OF AGREEMENT RE:  
NEW DIRECTIONS.

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

WHEREAS, New Directions, a resource center for women, provided many programs and necessary services to the women of today, and

WHEREAS, the Town of Riverhead is happy to have New Directions re-established in Riverhead.

NOW, THEREFORE, BE IT,

RESOLVED, that the Supervisor is hereby authorized to execute a letter of agreement with the President of New Directions granting \$1,500 to the New Directions Resource Center for Women to offset the operating expenses of that organization.

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jeanne Block President of New Directions, and Jane Hollander, Director.

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

The resolution was thereupon duly declared adopted.

#257 APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST RE: TAX  
RECEIVER'S OFFICE.

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

WHEREAS, due to the election of Dorothy Jermusyk to the office of Tax Receiver a vacancy presently exists in that office, and

WHEREAS, this vacancy was duly advertised, and

WHEREAS, all applicants were interviewed.

NOW, THEREFORE BE IT

RESOLVED, that DOROTHY E. BUGDIN be and is hereby appointed provisionally to the position of Account Clerk Typist in the Office of the Tax Receiver for a probationary period of one year at the annual salary of \$11,796.66 as set forth in Group P of the 1984 CSEA Salary Schedule effective April 6, 1984.

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

The resolution was thereupon duly declared adopted.

8:15 Supervisor Janoski, "Let the record show that the hour of p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING ContinuedPUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 17, 1984 at 8:15 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The proposed amendment to the Town Code, Section 108-127 on the Parking Schedule.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The Town Code provides that minimum parking spaces be provided for certain business establishments. The proposal has been drawn up by the Town Building Department which formulates their reduction for modification of that schedule. Many of them are the same and I won't go into those, but the ones where there are changes. Multiple dwellings, there is an increase of 1 and 1/4 per dwelling unit to 1 1/2 per dwelling unit. Hospitals, from one per 1 1/2 patient beds up to one per patient bed. Theaters and Auditoriums, from one per 3 seats to one per 2 seats. Retail stores would see a reduction. One per 150 square feet currently down to 1 per 200 square feet. Likewise with retail stores in business D. Industrial manufacturing had been 1 per each 2 employees based on 300 square feet and is now 1 per 200 employees based on 400 square feet. Commercial businesses not otherwise expressly provided for, would be 1 per 200 square feet. Were currently 1 per 200 square feet would become 1 per 300 square feet. Drive-In Restaurants would see an increase from one per 500 to 1 per 300 square feet. Professional Service buildings would go down from 1 per 100 square feet to 1 per 150 square feet and the remainder would be the same. The purpose of this hearing is to hear public comment on those changes."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Town Board on this proposal? Let me just say that the interest of the Town Board was in the direction of: we have examined our requirements for parking in the Town of Riverhead with businesses. We have discovered that we (in the past) have created seas of asphalt of useless parking. The Town Board was interested in providing the grass and landscaping with business and this seems like an avenue to approach that. To reduce the number of parking spaces required made relatively good sense. I think the former Great Eastern building is an excellent example of 2000 parking spaces being provided which would probably never in anyones imagination be used. I don't know if there are 2000 cars in the Town of Riverhead. Without comment, I declare the hearing closed."

8:15 PUBLIC HEARING CLOSED AT 8:18 p.m.

Supervisor Janoski, "Let us continue with the resolutions."

RESOLUTIONS

#258 APPROVES SITE PLAN OF COLGATE DESIGN CORP., INC.

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

WHEREAS, a site plan prepared by William Edward Grennon, Architect, was submitted to this Town Board for approval for a building permit for a post office to be located at premises located on Wading River-Manorville Road, Wading River, New York, and

WHEREAS, this site plan has been reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Colgate Design Corp. of 3605 Merrick Road, Seaford, New York for a post office to be located on Wading River-Manorville Road, Wading River, New York, as prepared by William Edward Grennon, Architect, and dated most recently March 9, 1984, and revised March 24, 1984, be and is hereby approved, subject to the following:

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

2. Subject to Colgate Design Corp. obtaining the necessary Town of Riverhead curb cut approvals; Suffolk County Health Department approval;

3. That a covenant containing all the limitations and provisions of this site plan approval resolution, in a form as 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.

4. 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. All existing signage shall be removed.

5. That the entire parking area and exterior areas of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

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

7. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the

RESOLUTIONS Continued

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 property.

8. 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. and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Colgate Design Corp. and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of April, 1984, by Colgate Design Corp. with offices at 3605 Merrick Road, Seaford, New York 11783, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Wading River-Manorville Road, Wading River, 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, 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. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.

RESOLUTIONS Continued

2. Subject to Colgate Design Corp. obtaining the necessary Town of Riverhead curb cut approvals; Suffolk County Health Department approval;

3. 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. All existing signage shall be removed.

4. 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

5. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

6. 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 property.

7. 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.

COGATE DESIGN CORP.

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of April, 1984, before me personally came \_\_\_\_\_, the individual authorized to execute this Declaration and Covenant on behalf of Colage Design Corp. and he so signed by resolution to Colgate Design Corp. and he did swear to me that he executed same.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS#259 APPROVES SITE PLAN OF ATLAS REALTY CO.

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

WHEREAS, a site plan prepared by Young and Young was submitted to this Town Board for approval for a building permit for a truck and trailer repair shop to be located at premises located on the north side of New York State Route 25, Riverhead, New York, and

WHEREAS, this site plan has been reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Atlas Realty Co. as prepared by Young and Young and dated most recently March 28, 1984, be and is hereby approved, subject to the following:

1. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.
2. Subject to Atlas Realty Co. obtaining the necessary Department of Transportation curb cut approvals.
3. That a covenant containing all the limitations and provisions of this site plan approval resolution, in a form as 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.
4. 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. All existing signage shall be removed.
5. That the entire parking area and exterior areas of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.
6. Trash receptacles of a decorative design shall be maintained at the entrance of the building.
7. 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 property.

RESOLUTIONS Continued

8. That the building be equipped with the necessary number of fire extinguishers.

9. That proper signage be placed in front of the business stating the name of the business, business hours, and telephone number.  
and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Atlas Realty Co. and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of April, 1984, by William and Marilyn Gironda d/b/a Atlas Realty Co. with offices at RR1 Leonard Street, Wading River, New York 11792, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Route 25, Calverton, 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, 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. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.
2. Subject to Atlas Realty Co. obtaining the necessary Department of Transportation curb cut approvals.
3. 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. All existing signage shall be removed.

RESOLUTIONS Continued

4. 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.

5. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

6. 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 property.

7. That the building be equipped with the necessary number of fire extinguishers.

8. That proper signage be placed in front of the business stating the name of the business, business hours, and telephone number.

ATLAS REALTY CO.

BY: \_\_\_\_\_  
William Gironda

\_\_\_\_\_  
Marilyn Gironda

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_\_ day of April, 1984, before me personally came WILLIAM GIRONDA AND MARILYN GIRONDA, the individuals who executed the above Declaration and Covenant and they declared to me that they executed same.

\_\_\_\_\_  
The vote, Boschetti, yes, Artale, Yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

PUBLIC HEARING Continued

Supervisor Janoski, "Let the record show that the hour of 10:26 p.m. has arrived. I'm sorry, 8:26 p.m. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on tuesday, April 17, 1984 at 8:25 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The proposed amendment to the Town Code, Section 108-3, "Special Permits."

Supervisor Janoski, "Thank you Mrs. Pendzick. Mr. Town Attorney."

Richard Ehlers, The Town Code provides that the Town Board may grant special permits in sections of the Town which are zoned for those permitted uses. It's important to remember that a special permit can be obtained where the Board has already determined, through its zoning ordinance that such use is permitted. It then provides a procedure (of which you've seen through coming to the Board meetings) where the Board meets the desire of the Town Board along with its interpretations of the existing ordinances as they apply to blend that use in with the particular location that it's to be given. So it's an automatic thing. In that section that provides for the procedures for the granting of the special permit, it currently provides that the Town Board may alter (in its legislative determination in granting of the special permit) any variance dealing with a side yard, setback, area coverage, height, lot area, fore area, front yard, rear yard or parking requirements by 5%. The suggestion brought before the Board by way of this public hearing this evening, is that that legislative determination permit the latitude of the Board to vary those requirements within 25% of any of those required setbacks. And that would pertain either in the special permit as the special permit is issued or in the site plan determinations which would result from the issuance of such a special permit. The attempted is to give the Board more latitude to interpret its own ordinances in applying them throughout the community to the special permit uses which have already been determined appropriate for the land areas that are covered by them."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Town Board on this public hearing? Vinny."

Vincent Celino, "I hate to do this, but I didn't understand what you said."

Richard Ehlers, "That was intentional."

PUBLIC HEARING Continued

Irene J. Pendzick, "Would you give your name and address please?"

Vincent Celino, "My name is Vinny Celino. I live at 1212 Roanoke Avenue, Riverhead. I really don't want you to go through the whole thing again. What I would like to know is, you probably did say it but I didn't understand it."

Supervisor Janoski, "It's tied in with the last public hearing and the desire of the Town Board to take each case individually to make determinations specifically in our mind about parking space requirements. There are other things listed, side yards, setbacks and so forth. But it is parking requirements that the Town Board really wishes to address and you as a businessman in the Town in that there are different types of businesses which require different types of parking. The ordinance doesn't take into consideration those different types of businesses. And what the Town Board is seeking to do here is: on an individual basis....."

TAPE ENDED AND REMAINDER OF CONVERSATION UNRECORDED.

Vincent Celino, "I understand that your intent is to deal with the parking and allowing more greenage. I don't want any more asphalt but are you in anyway, allowing yourselves to let us use a special permit to change a zone?"

Supervisor Janoski, "No."

Vincent Celino, "No way shape or form?"

Supervisor Janoski, "No."

Vincent Celino, "Just the variances according to setbacks."

Supervisor Janoski, "Yes."

Vincent Celino, "Thank you very much."

Supervisor Janoski, "Thank you Vinny. Is there anyone else present who wishes to address the Town Board on this matter? That being the case, I declare the hearing closed."

8:25 PUBLIC HEARING CLOSED AT 8:30

8:30 Supervisor Janoski, "Let the record show that the hour of p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING ContinuedPUBLIC HEARING - 8:30 p.m.

I have affidavits of publishing and posting of a public notice of a public hearing to be held on Tuesday, April 17, 1984 at 8:30 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Change of Zone application of Douglas and Carol Sowinski and 25 East Realty Company to change the existing Agricultural A zoning to Business B zoning in the area north and south of Route 25, west of Cross River Drive, Route 105.

CORRESPONDENCE:

1. Mary Zaneski-stating that she has been a neighbor of the Sowinski's business, and of the former owners, for 35 years and has never known any trouble.
2. Kris Olsen, 4/17/84-asking to go on record as in opposition to the proposed rezoning from Agricultural to Business.
3. Nancy Dillingham, 4/9/84-stating her opposition to the rezoning of Route 25 in Aquebogue as a life long resident, and states that the area is a residential area.

PREVIOUS PUBLIC HEARINGS- April 3, and February 22, 1984.

Supervisor Janoski, "As in the past, I want to point out that this proceeding is in fact a legal proceeding as required by the law of the Town of Riverhead. It is an opportunity for those who are applicants, to be heard and those who have other positions on the matter, also to be heard. I would like to say that at no point during this proceeding should there be any discussion between the speaker and any member of the audience. Please do not interrupt the speaker with disagreement or cat calls or any such behavior. We do follow a 5 minute rule. The Town Board shall presume that everyone speaking to the matter in question, will be telling the truth. Except for the representative for the applicant and those representing the opponent. And by that I mean legal council. That being said, let us be on with this. Is there anyone present representing the applicant?"

Pete Danowski, Attorney, "Peter S. Danowski, Jr. of 1380 Roanoke Avenue Riverhead, New York. I represent both Kinney Chevrolet and 25 East Realty Co. and Carol and Doug Sowinski. At the outset, I would probably like to say, where's the air condition? It was a little hot the last time. It's getting even hotter today. What we have now, is a recalling of a public hearing. Many of the people who appear here tonight, were present the last time the public hearing was scheduled. Bearing that in mind and realizing there are many people here who might want to address the issue, I am not going to carry on as long as I did the last time. I would like to, however, put forth in the record exhibits that were offered the last time,

PUBLIC HEARING ContinuedPete Danowski Continued

in referring mainly to the photographs and the artist rendering with regard to the potential building of Mr. and Mrs. Sowinski. I would like to make reference to them in speaking briefly tonight. I would also like to point out at the outset that, is many of you already know, this is not merely an application with regard to Sowinski's, with regard to one parcel. This is an application which has been joined in and has been supported by other property owners who are included in the proposed change of zone. The last time this public hearing was scheduled, Mrs. Finch was present outside this particular room after the meeting was adjourned. She asked me to speak on behalf of her in saying she was in favor of this project. She is a property owner to the west and her house and property had not been previously depicted in the photographs presented. I will be presenting tonight, a further photograph of 2. One of which will contain her home as well. Additionally, moving from her home eastward, there is a vacant portion of property that is owned by the Estate of Eugene Andrae. They are the owners as well, of the property proposed to be built on by the Sowinskis. They are also in favor of this particular project. We also have the home and property of Martin Kart. He also is in favor of this particular project and application which asks for an extension of the existing business B zone. I also said at the outset the last time, and I'll repeat today and tonight. We have no intention of making any application which would effect anything east of 105. Additionally, it is my understanding that Mr. Olsen who owns the Homeside Florist, does not want to be included in this particular application for a change of zone. Should that be his wish, I certainly, on behalf of the applicants and the supporters, have no objection of his being not included in the extension of the business zone. I only make remarks with regard to pieces of property tonight, not on a personal basis, but to show that they are used today in some fashion in a commercial sense. I think this Town Board and I would request this Town Board, to make part of the record that will be with regard to this piece of town, records that pertain to every piece of property that is included in the potential zone. That would include Homeside Florist, westward toward the Finch property. I think all of those parcels, all the Building Department's records, all the Planning Department's records, all the Town Clerk's records, that show a history of what has happened to each of the parcels that would be included in this particular change of zone should be made part of the record. I think that is only fair because I think it shows a history of the usage of the property. One of the facts is to be considered is, what is the general nature and appearance of the neighborhood and the properties that surround the potential change of zone? And I have said before, again, this should not be a question of a personality contest or acquisition amongst neighbors. Everyone has a right to speak their mind and address the issues here. But it's my position that this is not a residential neighborhood. We have Kinney Chevrolet across the

PUBLIC HEARING ContinuedPete Danowski Continued

street from the Sowinski parcel. We have Homeside Florist which is a retail store adjacent to 105. If you look to the west, you see a Carvel stand. Neil Thorenson's place. We see the Kelly McCross Agency. We can go across from that and we see the Sunoco gas station. This is not a residential neighborhood. It has been converted to commercial use. Some of the conversions took place prior to zoning. They were existing after zoning. I am suggesting to this Town Board that you're not going to change the character of the neighborhood. It is already commercial. I am suggesting to you that the Sowinskis are willing to listen to Town Board input with regard to any site plan questions. But it is not merely them. Tonight in the audience we have Henry Glittenkamp and Martin Nelson and their wives, who, if need be would come forward and address you on any issue and they are 2 of the principals behind the ownership of the property involving the Sowinski piece and the other piece which is next to Mrs. Finch. So I think what I would like to do now is just point out for the record and submit some further photographs. Spell out a few more points and then sit down and let the neighbors speak. I am going to add 3 particular photographs to that grouping which is number 3. This is in part response to someones comment the last time that certain pictures might not have been included in the particular change of zone. I will leave these near the Board. Ask they be included as a document to number 3 and they are certainly free to be observed by anyone in the public. Now, Mr. Nelson had previously (I believe recently) written to the Town Board. I would just like to make a copy of his letter available and made part of the record. And I would also submit a written demand with regard or request with regard to admitting as part of the record the records available in the Town with regard to each of the properties that are included in the proposed change of zone. I would also indicate that there probably should be two separate records kept with regard to the two separate applications. We have got applications for both sides of the streets. One effects Kinney Chevrolet. One effects the Sowinskis and the other property owners on the other side of the street. I also would address the question of the Sowinskis practical problem now. They have an operating business where they are. They are very very crowded where they are. They are local business people who have spent a great deal of time and effort in putting forth a good business in this Town. They need space dearly. They do not have possibly the space to provide the services necessary in part mandated by the recent statue and so they have had to keep much of their items outside. This causes a problem that would be overcome should the proposed building be built because of all of the items or much of the items that are kept outside would now be kept inside in the new proposed building. Also, the property, should they leave it where their business now exists, would be kept on the tax rolls. They have been negotiating and talking about the possible resale or leasing of the premises. And of

PUBLIC HEARING ContinuedPete Danowski Continued

course, one a new tenant or a new owner comes in, that person may have some very specific ideas about what he wishes to do with that property and it may not be exactly what Mr. Sowinski might do today. So he is in a position now, of waiting to hear from this Town Board so that the new property owner or new tenant can clean up the property where he is now located in a fashion fit to that new owner or tenant. Now, also, it's going to take some period of time for Mr. Sowinski to move in should the change of zone be built. And obviously, we would like a decision rendering as soon as possible. I have nothing further to say at this point. I don't know if the Town Board is going to give council for both sides an opportunity to respond to any questions, but I think perhaps, we should get going with people who want to speak."

Supervisor Janoski, "Thank you Mr. Danowski. Does Council for the opponents have any objection to all records pertaining to the properties within the boundaries of the zone application (change application) being admitted into the record?"

Arthur DiPietro, Attorney, "Yes I do object. I think it's..... (Inaudible) I don't know what all records mean. I don't know what records are on file. Quite frankly, I don't think they have any relativity to the applications. I think this Town Board certainly can take notice of the relative area based on your own observations. When you agree with Mr. Danowski or when you agree with me on the conclusion that the character of the neighborhood is either residential or commercial, is really going to be what determines this."

ARTHUR DIPIETRO SPOKE FROM THE AUDIENCE AND THE ABOVE IS ALL THE COMMENTS DECIPHERABLE FROM HIS CONVERSATION.

Supervisor Janoski, "I'm sorry to interrupt you, but you don't have the microphone so your comments may not be recorded for the record."

Arthur DiPietro, "Well I was just pointing out one objection. I think that the 30 petitioners..." INAUDIBLE

Pete Danowski, "I would think that the Town can obviously take judicial notice of their own records and obtain them and consider them in reaching a decision. I would just ask the Town Board for that courtesy and I would ask that all of the facts come before the Town Board and that would include any records that would pertain to these properties."

Arthur DiPietro, "How can records be incorporated by reference now and then only physically become part of the record after the close of the hearing without giving people interested in the proceeding, an opportunity to see what Mr. Janoski is going to do?"

PUBLIC HEARING Continued

Supervisor Janoski, "Mr. Danowski, do you have any specific request what records you wish to be included?"

Pete Danowski, "Well, you clearly want to establish that there are some commercial properties listed with regard to the areas we are now talking about. That would include even my own client with regard to Kinney Chevrolet. That would certainly include Mr. Olsen's property at Homeside Florist and any other commercial entities along the way. I would think certainly, the Building Department's records pertaining to both Kinney Chevrolet and Homeside Florist should be brought forward and introduced and that can even be done tonight. I have no objection of introducing it."

Arthur DiPietro, "With regard to Homeside Florist perhaps, for brevity and clarity, I would stipulate that it constitutes a legal pre-existing nonconforming use under the zoning ordinance and under the rules and regulations of the Town of Riverhead. So on behalf of my client, will make that part of the public record and I have no objection to proceed."

Pete Danowski, "I think that Mr. DiPietro knows and is well aware that I am not willing to concede that that be a factual statement concerning that particular parcel. It may be a business use. Whether it's legal non-conforming pre-existing, is another question. One of the items that I speak of here and is not a question of a personal nature. It's a question of my client wants to put a retail store up. In my opinion, that is a retail store. If he is allowed to exist, my client's retail store should be allowed to exist."

Supervisor Janoski, "Thank you. I direct that all records pertaining to those properties within the boundaries of the zone application change, be included as part of the record of this proceeding. Mr. DiPietro, it's your turn."

Arthur DiPietro, "I would reserve my comments until later."

Supervisor Janoski, "Ok fine. Is there anyone else present who wishes to address the Town Board on the matter of the change application of Mr. and Mrs. Douglas Sowinski. Vinny."

Vincent Celino, "My name is Vinny Celino. I live at 1212 Roanoke Avenue, Riverhead. I don't really want to talk about whether or not the zoning change should be done or should not be done. Whether or not that is right or wrong. All I would like to say is that I would like to say a few words about the Sowinski people as I know them, as their professional integrity. I've known them for a number of years and they have been business people in Riverhead. And as far as I know, and I've been dealing in Riverhead for 18 years, I don't know how long they've been here but they do have a sense of worth and a sense

PUBLIC HEARING ContinuedVinny Celino Continued

of pride in their businesses. I've know that the one business they had in Aquebogue was a deli at one time. Grocery you might want to call it and they did in fact fix it up and make it more presentable. The beer distributor that they took over (the soda and beer distributor) on Ostrander Avenue, they did in fact fix that up and make that more presentable. I would just like to say that it's unfortunate that the neighbors in Riverhead with the Sowinskis are a having a problem in this respect. In any other respect, I would think that there is no objection to the Sowinskis in the way that they conduct themselves on a professional way in Riverhead. I believe that in the 10 or so beverage distributors that I deliver to, they in fact show an example of pride and of self respect towards the property that they own, that they conduct their business on. That's all."

Supervisor Janoski, "Thank you Vinny. Is there anyone else present who wishes to..... Mrs. Brown."

Betty Brown, Aquebogue, "My name is Betty Brown and I live on Peconic Bay Boulevard in Aquebogue. I am here this evening to oppose any change of zone from Agricultural to B one the north side of Route 25 to include Mr. Heingartner's petition and Saul Lerner's land to Route 105. I also oppose the petition for change of zone or extension of zone (have you) on the south side of Route 25 to include 7 parcels west of Route 105 sought after by Mr. and Mrs. Sowinski. It is my opinion that the adoption of these zone changes would create a hardship on the residents in this area, making it next to impossible for them to continue to live and raise their families here. At a first glance, one may be sympathetic toward businessmen with fine reputations and the promises of buildings be architecturally esthetic and a possible aspect to our community. It is these individual characteristics and personalities that zoning has no regard for and rightfully so. To change the zone on Mr. Sowinski's parcel only to accomodate his distributorship, would be frowned upon as spot zoning. As would also apply to Mr. Heingartner. Therefore, it would seem feasible to change an area rather than change one parcel. This is just the case. These two petitions before the Board are to accomodate 2 businesses already existing in Riverhead township. Were we, the residents of Aquebogue, expected to welcome with open arms one relocation and one expanding business to the tune of losing a total of 37 acres of Agricultural land? That is a stiff price to pay. I would like to point out to the Board and everyone here, since there seems to be many misunderstandings about the parcel of land designated for the beer and soda distributor in question. The newspapers have mentioned the lot in question as a wooded 2 or 3 acre parcel or piece. Mr. Danowski has described this parcel (quote) "As being adjacent to a main thoroughfare and near to County Road 105 which negates any practical use of the property for residential use. (end quote)

PUBLIC HEARING ContinuedBetty Brown Continued

This would suggest that since it is not ideal for residents, then therefore, they would like to change it to business. I would like to clarify that this parcel is neither a small wooded lot. Nor is it zoned for residential use. This lot is part of 45 acres (excuse me) owned by Mr. Andrae's Estate. The applicants have applied for a variance to segregate this piece and then discuss its short comings in Riverhead to show cause for zone change. This wooded lot is an ideal buffer zone for the many residential lots that are being planned adjoining this land in the rear. If not that, then the owner could explore the many possibilities under the Agricultural zoning in existence. An Agricultural business perhaps, which is an allowed use. I submit to the Board that there is no just cause for a zone change in this area. With regard to land utilization, it would be my hope that the residents could help determine their own destiny. Vote for the people and vote no."

Irene J. Pendzick, "Betty, do you have a copy of that that you could give to me?"

Betty Brown, "Yes sure."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board. Mrs. McCann."

Sally McCann, Aquebogue, "Hello. My name is Sally McCann. I live on Overlook Drive and I am a little nervous. I would like to say hello to Mr. Janoski and the members of the Board. I am for the change of zone to business for several reasons. 1. I know Doug and Carol Sowinski. I am one of the owners of Nautique Limited and we have taken over that Delicatessen that they had taken. It was in shambles at the beginning. We've seen what they've done and we know well what they could do. But in addition to that, with all the publicity over this area, I've driven up and down Route 25, 58 over and over again looking at the community. What are we talking about? It's business as far as I can see. And this one parcel of land, if you really look at it, yes it is a wooded piece of land. But it's a felled piece. Its timbers are knocked down. It's not a pretty parcel. Something was mentioned at the last meeting about spot zoning. I don't know what's wrong with spot zoning. I see what Mr. Janoski has done in his administration. It would be wonderful to do a little spot zoning, especially on this road. How about going in there. We now have the plans of this beautiful building that is going to go up. We can go in there and then perhaps we can get some of those billboards and we can knock them down. And we can get some of the other businesses and we can change them as this administration is trying to do. I think you said when you look at it, it is business. This one little piece of Agricultural land is passe now. We are a business. We don't want people to drive through Riverhead down Route 25, see these bilboards, see these pieces

PUBLIC HEARING ContinuedSally McCann Continued

of parcels that are unkept. We want to change this image. It was wonderful about the Mills Company that is going to come to Riverhead. We need the companies. We need esthetically beautiful major highways and roads so people will come to Riverhead and spend there money and not go into Mattituck. Excuse me. So therefore, I am really in favor of this and I really would like to see it. Perhaps, it is a beginning of changing Route 25 to make it really beautiful as the rejuvenation of Riverhead has become over the last few years since we have been here. Thank you."

Supervisor Janoski, "Thank you. I see Dick Benedict."

Dick Benedict, Fanning Blvd. Riverhead, "I am probably within a half mile of the proposed zone change and as far as I am concerned, the 25 years I've spent in Riverhead, I've never perceived that piece of land as anything but commercial. It's always been commercial in my eyes. I built in the woods by the Lighting Company and since then I've had Malvese. I've had the Lighting Company. I've had Metropolitan life. Route 58 and that piece of Route 25 has always been commercial and should be."

Supervisor Janoski, "Thank you. The lady with the green right in the center here."

Dorothy Draper, Route 25, "Members of the Town Board. I am Dorothy Draper. I am a resident. I've been a resident. My property is involved. I live west of Kinney Chevrolet. I have lived there before Kinney Chevrolet. I've been there 30 years and I have considered it a residential area. I am pointing out tonight that it is no longer considered that way. I would like to say that I am opposed to this zone change for two reasons. The first one being, there is much property available in a commercial zoned B that is vacant. And one thing that I would like to point out, at one time the property where we are right now was a vacant A&P store. It was a blight on the Town as vacant. And now it has been turned around and it's a very attractive building. I think that's the direction Riverhead should be going. We have a lot of vacant available stores right on Main Street even. And it bothers me to see this. The second reason that I am opposed to it, is the traffic. I can not go out of my driveway which is left of Kinney Chevrolet, without waiting. And I do get impatient. Now if you change this, you're going to have people that want to go in and out with this beverage distributor. I wouldn't want to be responsible for saying that I put this here so they can't go out. Because the traffic comes in and down 25 and you wait and I think we know that light at 105 changes and it does and the traffic comes on around. So you wait longer. And most of the time I go west on 25 in order to go east. And therefore, I think it would be a most dangerous thing to take this area and

PUBLIC HEARING ContinuedDorothy Draper Continued

and make it commercial development and change the zoning from Agricultural to Business. I really believe it would be a very dangerous thing for people. The traffic trying to go in and out at a distributorship. Thank you."

Supervisor Janoski, "Thank you. Who wants to go first? Mr. or Mrs. Olsen? Mrs. Olsen."

Elaine Olsen, "My name is Elaine Olsen I live on Route 25 Aquebogue. I come before this impartial board tonight to state why I am opposed to down zoning of these 37 acres. The Board and our Supervisor Mr. Janoski are mediators and have the interest of Riverhead at heart. They must do what is right for the Town and also have the best interest of their taxpayers in mind. They must always think justly and only let the points brought up about the zoning issue enter into their decision. I live in the large grey house next to the proposed site of Riverhead Beverage. The picture of my house was not presented in the picture gallery. I would like the board to realize my home is situated next to this property and included in the zone change which I am opposed to. There is no advantage to rezoning agriculture property to Business B when Riverhead Town already has excess land zoned for business vacant. Why not encourage the concentration of business within a designated area such as Route 58 and down Town Riverhead. This will strengthen the Businesses that are already in these areas. The proposed Master Plan update for the eastern end of the Route 58 Corridor recommends reducing the amounts of land designated for industrial and for commercial purposes and increasing the amount of land uses for office and residential purposes that is one housing unit per acre. The area from Doctors Path East on Route 25 according to the Master Plan update is and is to remain low density. The strip of land is the gateway to the North Fork. The Gateway begins where the two routes come together, Route 25 and Route 58. This land is a very important first impression of the North Fork. We do have a unique situation with vineyards and horse farms located on the North Fork to help create additional tourism. We should try to encourage tourism. If these, those 37 acres are rezoned to Business B, you are rezoning just to relocate one business. This business is not just a retail business but also wholesale as stated in their advertisement. According to the Site Plan of Riverhead Beverage, the retail area is 2520 square feet. The warehouse area is 6480 square feet. Wholesale warehousing is allowed on Industrial A by permitting wholesale warehousing on Business B property, you would be setting a trend. You will realistically be down zoning 5 zones that is from Agricultural A Business A, Business B, Business C, Business D, Industrial A. By putting a moratorium on the Route 58 land zoned business B from Oliver

PUBLIC HEARING ContinuedELAINE OLSEN Continues:

Oliver Street to Doctors Path and rezoning Route 25 from Doctors Path east to 105. You are being inconsistent in your Master Planning.

I urge the Board to vote against this proposal changing 37 acres from Agricultural A to Business B for the relocation of one business that doesn't belong in this area. Thank you."

IRENE PENDZICK: "Mrs. Olsen."

SUPERVISOR JANOSKI: "Mr. Olsen, do you wish to address the Board?"

ERNEST OLSEN: "My name is Ernest Olsen and together with my family and eighteen co-workers we operate the Homeside Florists and greenhouses. As the name Homeside Florist implies, our home is located next to the Florist and Greenhouses. Our home is as important to us as our business and both were built in 1927. This August 7th would be our 30th year as proprietor of this business. The Greenhouse business is a very unique form of agriculture. Living close to the greenhouses is a necessity. In case of power failure during a winter storm, you only have minutes before you have a frozen crop. Boiler checks throughout the night, door checks on nights of gail winds, steam pressure checks on cold nights, are all reasons for living close to the greenhouses. When it is five-o'clock, we can not turn the key to our business and leave for a shore front home for the night or for the week-end leaving our work area behind us. For us, quality of life includes our home, our work, our customers, the community and its environment, as a matter of fact, they are inseparable. What happens to our neighborhood is important to us, we are faced with it twenty-four hours a day not just a forty hour work week. When Doug Sowingski first mentioned to me that he would like to build a retail beverage store next to our property, with a home for himself and Carol in the rear section of the property, I thought of the Meetinghouse Deli and was ready to help him in any way I can. When I saw the Site Plan submitted to Town Hall, many questions were raised. His petition stated that he wants to build a retail store, yet he states it is a relocation of his present business which is advertised as retail-wholesale. The dimensions of the building on the Site Plan is 100 feet by 90 feet, that is almost one quarter of an acre under one roof, much too large to house a neighborhood business. No residence was included in the Site Plan and it not even permitted to be build a home on Business B property unless a special permit is granted by the Town Board. Other questions kept popping-up, will this change lower the quality of life for my family and I? Will additional traffic endanger motorists? Does this operation comply with the Town's Master Plan? Is this an environmentally sound operation? Is there any need for more business zoned property in Riverhead would this

PUBLIC HEARING ContinuedERNEST OLSEN Continues:

increase loitering on or about my property? I also noticed that only a small section of this building is fronted by the retail stores. The entire rear section is warehouse, which is only permitted in Industrial A or B property. By Danowski's own admission, that cute little artist's drawing is an artist's rendition of what it might look like. In other words, it is the artist's interpretation, not the actual look of the finished building. After I looked at the site plan, I received an entirely different interpretation of what it might look like. Looking at it from both by home and the home of Colleen and Krises, we see two large overhead doors leading into the warehouse where the beer and soda trucks would load and unload. Of the hundreds of people I have spoken to about this, none would welcome this type of business next to their home unless they had intentions of moving away and earning additional money on their property. We don't want to leave this area, we are permanent residents and we want to keep it that way. Background studies for the Route 58 corridor report indicates that about 70% of the land zoned for commercial use on Route 58 is currently vacant or underutilized. It is a known fact that commercially zoned land with homes on it is worth less than barren land because of the cost of removing the old home in order to build a business. Consequently, the property with homes on it is the last to sell, unless they could be picked up cheap and rented for a quick profit. Welfare Agencies are always looking for homes to rent, but I doubt anyone would want to rent next to a beer distributor unless it is very inexpensive. What I am saying is, that if seventy percent of the commercial property is vacant, and if more is added-increasing the percentage, the value of the land with homes on it may even devaluate. You all remember Nancy Stewert, that college girl who kept asking why. Why would anyone want to build in an agricultural area away from all of the business areas that are already zoned properly for this type of construction? That girl is a brilliant journalist student, I am sure she knew the answer- it is economics. It is a lot cheaper to put a deposit down on agricultural land pending a zone change, convince the Town Board it is in the name of progress, change the zone, buy the property, build a business and sell for a terrific profit. That picture gallery that Mr. Danowski displayed of all of the businesses that Doug owned, did not even include all of them. I know of at least one other business he was involved in and that is the refrigeration business. That is quite a turnover of businesses for a relatively young man. Can we expect the pattern to change? Would the new owners have as sterling a character as Doug and Carol? When Mr. Danowski stated that the beer distributor would be located in between two existing businesses, Homeside Florist on the east and the land owned by Jim and Martin Kart, who once sold his automobiles on that property. If selling your own automobile justifies rezoning

PUBLIC HEARING ContinuedERNEST OLSEN Continues:

residential property to Business B property, you would probably have to change half the residential property in Riverhead. As many people have a for sale sign in their car and they park it in their own driveway. He also forgot to mention my home and the home of Colleen and Kris which is south of my home and the home of Jean and Martin Kart. In fact, he wants to wedge this beer distributor in between three homes. I am not anti-business or anti-progress. The Town must go forward and in the town's master plan this building and this type of business would be a welcome addition. In the generalized existing land use map, the Riverhead Beverage is listed as a heavy commercialized business. According to the Police blotter, break-ins happen on a regular basis. In the master plan where concentration of businesses, as a means of strengthening all of the businesses of that area, offers better promotion, better protection and more efficient use of the Town facilities including police. Spreading the businesses out only decentralizes the business district and works against the master plan. The master plan further states that the area east of Doctor's Path is proposed for low density residential or one dwelling per acre. Let's not rezone this entire area for the benefit of one business that doesn't even belong here. Now we have a Main Street shopping area, a Route 58 shopping area, and we don't need a route 25 shopping area."

Ken Zahler, Union Avenue, Aquebogue, "My name is Ken Zahler. I live on Union Avenue in Aquebogue. I am against the zone change for a variety of reasons. I think the Board should consider... There's so many things I want to say. The number one issue really here is, are you going to vote for the rural future of the Northfork or for speculation over-development, commercialization unnecessary use. We have, as has been stated before, we have more business zoned area than is currently used. Far more. It's in the foreseeable future, I don't think anybody up there on the Board really thinks we will run out of business zoned areas. It's just not ever possible. The artist rendering. If you put a parking lot in front of a building, no matter how beautifully designed, nobody sees the building. They see rear bumpers and trunk lids. That's all. The only exception to that that I can think of and within areas that are already zoned Business B, I urge you to consider this, in the future, is the group of stores on Route 58 across from the A&P involving the video where the parking is behind the stores and there is grass in the front. That is terrific. That is something I think you should try and consider in the future anytime somebody is applying for a business zoning change. We don't need additional business zoned property. As a matter of fact, I think you should stop and consider possibly up zoning certain areas east of the 105 intersecation which are zoned business now and shouldn't be. Another thought comes to mind

PUBLIC HEARING ContinuedKen Zahler Continued

and I address this to the applicants themselves. With this over-powering of objection on the part of the people in the area, who will their customers be? They should think about that. Also, how will those same people react to the Board if this is okayed? It was mentioned (I think by Mr. Danowski.) that their existing store is crowded. Do they have the amount of area of real estate to add on to the building? If so, there's no need for this evening. The people who live or own properties or homes in the immediate who are in favor of the zone change, I think the Board should ask themselves who are they? Why are they in favor? If I was somebody owning a house in an Agricultural zoned area on a main road and had been approached and told that a change to business zoning would in all probability double or triple or quadruple the value of that house. Because it could be sold for a business. No matter how I personally feel about the area, it would be very difficult to turn that down. I think the Olsens are a very special group of people that they are saying to you that although.... Maybe they don't recognize it themselves. I don't know, but their property would be worth a lot more money if this was zoned business. They're saying to you, they are really not interested. We are interested in our own business and in our home and the future of the area. I also have a letter that was written by a neighbor of mine, Joseph Fisher. He's out of town on business and he asked that I give this to you for you to read."

Supervisor Janoski, "Thank you. Mr. Spanburgh."

Richard Spanburgh, Union Avenue, Aquebogue, "I hope that before I give this little speech that I have prepared for you, that this particular meeting be allowed to go forward and not be declared once more illegal."

Supervisor Janoski, "I can also join in that."

Richard Spanburgh, "This Board would be well advised to heed a quote from the movie "NETWORK", and I quote "WE ARE MAD AS HELL, WE ARE NOT GOING TO TAKE IT ANYMORE." To think that it is necessary to come down to this meeting and place ourselves at the mercy of this Town Board to preserve a way of LIFE that we, my neighbors, and myself have created and that YOU may take away is simply OUTRAGEOUS. The residents of this Town are struggling to improve the quality of life and save the area from the "CHECKBOOK CARPETBAGGER" developers who descend on this area to make a "QUICK BUCK". If it doesn't work out, they abandon us, leaving their failed legacies behind as a reminder of how projects approved without an overall master plan can result in the strangulation of a once pristine setting. We have only to look to the westerly part of this Island to see the devastation unplannead growth can wreck an entire way of life. I have come before this Town Board on on many occassions

PUBLIC HEARING ContinuedRICHARD SPANBURGH Continues:

TRYING - TRYING- TRYING to preserve our way of life. I have seen the so called "MASTER PLAN" corrupted time and time again. I question where is the "planning" in the "PLANNING BOARD"? I have had to appear at Z.B.A. Meetings, Planning Board Meetings and Town Board Meetings to stop them from establishing unwarranted development of my homeland, only to realize, I and my neighbors have to keep attending these meetings religiously to stop HELTER SKELTER development. I implore this Town Board to for once and for all come up with a "MASTER PLAN" for this Town that will preserve the quality of life we the residents of this Town have created, NOT THIS BOARD. The members of this Board will come and go while my neighbors and I are left with the consequences of their actions. Of course, I believe that this Board is not deliberately striving to foster unplanned development. HOWEVER, it's a sad commentary on our present system that I and my neighbors find ourselves having to attend these meetings almost on a weekly basis to monitor whether we the residents will inherit this Town or loose out to the developers. I am not an elected official, a paid official, an appointed official, nor a political crony. I am just a concerned citizen. I wish this Town Board would tackle the problem of a MASTER PLAN once and for all and stick by it. Don't sell us out to the checkbook "CARPET BAGGERS". I am tired of fighting and loosing to the Pizza Huts, now abandoned, approval of an airport in a rural historical setting, a snowmobile outlet in a quiet residential section and presently a meat plant placed in a potato storage house located in one of the nicest areas in this Town, a street that I live on and a beer distributor in an area that is the last best hope for this Town to generate a quality of life enjoyed by our sister towns to the East but still elusive to the residents of Riverhead. Finally I want to congratulate my fellow neighbors in Aquebogue and Jamesport for coming to these meetings and for myself." "I believe in a quality of life, and am willing to fight for it. The time is now, the cause is just. The dream shall never die." "Thank you."

Supervisor Janoski, "Don't go away Mr. Spanburgh. Just one question. I have to ask you one question. Can you give me an instance in which this Town Board has corrupted (whatever you said) the Master Plan?"

Richard Spanburgh, "I am not deliberately accusing this Town Board of corrupting the Master Plan. I am just saying that I had been on the receiving end of seeing many decisions in which I thought if we had a comprehensive Master Plan in this town and stuck to it then everyone of us would know what exactly is going on."

Supervisor Janoski, "What is the case and point that you have in mind?"

PUBLIC HEARING Continued

Richard Spanburgh, "I'm talking about an overproductive... It doesn't seem to me...."

Supervisor Janoski, "I heard you say specifically that this Town Board has over and over again (seems that is what I heard) done something against the Master Plan. I will check the record."

Richard Spanburgh, "I have seen the Town Board, what I consider.... Ok. I will tell you. To be specific, I want to know why I am down here and they have a Skidoo plant on 25 by my house. I want to know why I have to be down here? Nothing against Doug and Carol Sowinski."

Supervisor Janoski, "Let me ask you that question, Richard, because every citizen has the right to petition the Town Board."

Richard Spanburgh, "Petition. But why can't we have a plan that's in effect? Whether it be a developer or a resident, they will know right here and now, what this plan calls for. Where do we have allowed spot zoning when someone comes in to make a petition? Where do we allow a concept that even east of 105, commercial buildings can go up? What is our overall concept? That has never been explained to the residents of this Town where the overall concept of this Board is going. Where do you plan on taking us from this point forward? We have no idea where you're planning on taking us. Consequently, every time there's a petition for some type of business in this town, we have to come down here on a weekly basis. I have spent hours at the Zoning Board of Appeals meeting. I have spent hours at Planning Board meetings just to find out what's going on and trying to have some input into this Town as to where you're taking us. It's about time we started to take you and you not take us anywhere. Let us know what you plan on doing."

Supervisor Janoski, "The Town Board has not submitted anything in my record as being Supervisor. Every person has the opportunity to seek zoning changes, special permits and whatever other procedure is allowed, every citizen of this community. I regret the fact that you feel prevailed upon to come down and represent yourself, but that also is the right of every citizen in this community. Jeff. I can't recognize you until everybody up here has been heard. The lady in the back there. Jeff, did you speak on this issue? I am sorry. I will get you next."

Arlene Galasso, Aquebogue, "My name is Arlene Galasso and I live on Meeting House Creek Road. I am in favor of this petition along Route 58, 25. Call it whatever you may. The reason I am in favor of this is that I feel that the town needs business in town. Whether it be another beverage place or not, that's besides the point. I feel it would be an asset to the

PUBLIC HEARING ContinuedArlene Galasso, Continued

Town and the main road. The reasons for the proposal are many including that there are already 5 businesses in the area on the main road. I also take exception to outside consulting firms and lawyers coming before our Town Board and telling it and our town's people what we should and should not do with our town. As for the extra trucking along this Main Road going further east, seems in my opinion, this would not constitute more traffic. Thank you."

Supervisor Janoski, "Thank you. Jeff."

Jeff McCann, "The Riverhead that I live in....."

Irene Pendzick, "Mr. McCann, just say your name for the record."

Jeff McCann, "Yes. Jeff McCann. I live in Aquebogue. The Riverhead town that I live in is vibrant, improving day by day. I see a downtown area that only 5 or 6 years ago was a litter strewn ghost town at night. I sang Christmas carols in downtown Riverhead this year and I am proud of that. I think that it stands as testimony to the job that many people, most faces I am looking at, have done with Country Fair and Townscape and the community with the support and the help of our Town Board. These men are trying very hard to work with all of us today for all of us in the best interest of this town and I am d--- thankful. Take a look at East Main Street or Main Street. We have got a beautiful park now where it was once a broken down parking lot sliding into the river. 821 is a beautiful place now. The Raspberry Hilton is gone. 414 is going. I could go on and on. County Road 58, once a pot-hole..."

TAPE ENDED AND LAST FEW REMARKS WERE UNRECORDED.

SUPERVISOR JANOSKI RECESSED THE MEETING AT 9:34

SUPERVISOR JANOSKI RECONVENED THE MEETING AT 9:53

Penny Olsen, Aquebogue, "My name is Penny Olsen. I live with my parents on Route 25 in Aquebogue. I was born in Central Suffolk Hospital and I have lived nearly all of my 23 years in Riverhead. I left home to go on a rotary exchange to Australia and to go to college but I decided to make Riverhead, rather Aquebogue, my home. While not in this Town I learned how important my home is. In Australia I lived in the busy city of Melbourne and in the potato farmland of Tasmania. The city was exciting but didn't have the kind of caring that exists here. The farm community of Tasmania reminded me of Aquebogue but the feeling of having people who have known you since birth and have treated you like their family couldn't be found for me anywhere else. I care about this area. I want to live here and the land around my house should not be rezoned from Agriculture to Business. I am apposed to the change. It was mentioned to me, by Mr. Janoski, that he would not like to

PUBLIC HEARING ContinuedPENNY OLSEN: Continues:

live as I do next to a flower grower. I can understand his view point. I'm sure many people who choose to live in a development would not like to live next to a farm. There is dust, and soil piles. When you compare development living with the life style found on Main Road or roads like it there are many differences. I like living in a home which is not surrounded by homes which all look the same. Each home in our area was built in a different era and each one has a lot personality. The families in our community are like their houses, each very individualistic. You don't need to keep up with the Jones here, instead we try to help each other get ahead. I feel I should have a choice, like Mr. Janoski does, of the type of environment I would like my home to be in. If I bought the property next to yours and wanted to change the zoning so I could raise pigs I'm sure you too would be outraged. You most likely chose your home in an area zoned residential and feel the Town will protect your home from allowing such a thing to take place. I have chosen to live in Aquebogue in an area zoned Agriculture not Business B. Let the animals move in here and let the business move in up on Route 58. I have several reasons for being opposed to this change. First: many towns on Long Island have allowed haphazard construction to take place on main roads. The end result is a town no one wants to live in. Riverhead seems to have centralized the business district on the main street area and along Route 58. Having a shopping district is a good idea. Two: no one will come to Riverhad for a Sunday drive to visit a beer distributor. Instead they will drive right on by and stop at Laurel, Mattituck or Greenport. Tourists are an important industry to eastern Long Island. What draws them here are farmland, produce, beaches, and the slower paced life. Many business like beverage stores benefit the tourist trade but do not bring them here. Three: should businesses such as funeral homes, arcades, 24-hour delis, used car lots and beer distributors be nestled between 2 homes? This zoning change would allow this type of thing to happen. If Riverhead encourages this form of planning, do we need the protection of a Planning Board at all? Four: Riverhead Town Board must be concerned about the safety of the public. Motorists would be endangered if we encourage the congestion and entrance exit activity on a bottle neck within 500 feet of a major county thoroughfare. At present, Route 25 is a very busy road. If a car stops while heading east and waiting to turn into Kinney, the cars behind tend to pass on the outside. Often missing telephone poles by inches. If there is a high traffic business with cars exiting at the same time, an accident is inevitable. The corner of 105 and 25 has often been the scene of auto-auto and auto-bicycle accidents. Four: the intersection of 105 and 25, not during a seasonal peak at rush hour, has 1,150 vehicles pass through. The intersection of 112 and 25, has 1,160. That's 10 cars more per hour with the same condition according to the D.O.T. Five: I feel that changing farmland to business should be this Town Board's last resort. Protecting our agricultural environment

PUBLIC HEARING ContinuedPENNY OLSEN: Continues:

should be a priority. Beauty, nature and ecological balance are things we must protect for its people. Any change, no matter how small, may have a devastating effect on our future. I care. I don't want any unnecessary changes in zoning made. I know that one park created may not destroy our world, but let's not take a chance since we don't have to. Six: Does Riverhead Town need more business zoned property? There are many vacant business or open lots for sale on Route 58. They include 1.3 acres east of McDonalds. 1 acre west of McDonalds. Property east of Malveses. Property west of the former Martin Paint. Property from Northville east on both side. (Both the north and south sides) Property on the corner of Osborn and Route 58 northwest. Property east of Arbys. The former Pizza Hut. Corner of Harrison and Route 58. Property west of Sunoco. Corner of Osborn and 58. Property west of the police impound. Property west of Neils ice cream stand. It would be a good idea in my opinion, to encourage renovation of existing buildings which are presently vacant. These former businesses make our town look shabby. Unkept land gives the appearance of a town whose boom is over. Instead of tearing down woodland or blacking topping farm fields, lets develop and restore Main Street and Route 58. Thank you."

Councilman Prusinowski, "I just have one question. I am a little confused. Could you just restate your 1,000 cars per... Was that per hour?"

Penny Olsen, "Sure. That is the intersection of 105 and 25 not during a seasonal peak."

Councilman Prusinowski, "Not during a seasonal peak which means what?"

Penny Olsen, "It means not during our summer tourist trade."

Councilman Prusinowski, "Not during the summer."

Penny Olsen, "At rush hour, has 1,150 vehicles pass through."

Councilman Prusinowski, "Per hour?"

Penny Olsen, "Per hour during peak."

Councilman Prusinowski, "1,050."

Penny Olsen, "1,150."

Councilman Prusinowski, "Alright and you compared it to Route 112?"

PUBLIC HEARING Continued

Penny Olsen, "112 and 25 which has 1,160. This is the report that was on file this year."

Councilman Prusinowski, "That's with the Department of Transportation?"

Penny Olen, "Yes."

Councilman Prusinowski, "New York State Department of Transportation."

Penny Olsen, "Yes."

Councilman Prusinowski, Ok. Thank you."

Supervisor Janoski, "Thank you. Reverend."

Reverend James Tuturo, Aquebogue, "Gentlemen, my name is Reverend James Tuturo and I am from Aquebogue. I am happy to be here this evening. I've heard some fine oratory and I am glad to share some of my interpretations that I have experienced within the past month with regard to this proposal."

Councilman Artale, "You may raise that microphone. It's more comfortable."

Reverend James Tuturo, "The first interpretation that I would like to share with you is that; I think what we have touched here is a sensitivity within the community that we are very concerned. Many of the people are concerned with the responsibility with which your leadership has in tact with regard to the future development of our community. I would like you not to interpret the speeches that you hear here this evening, merely as one individual self interest against another. But this is, in my opinion, much deeper here. That's my first interpretation. Secondly; your responsibility and your leadership to share with us a Master Plan is by in large, something that needs to be grasped now and for the future. Because in my opinion, it is stale. People here, if you were to ask them, what is the Master Plan and what purpose does it serve? They might not be able to give you an honest or reasonable answer. But in the future, I plead to you to help us. I am not an adversary, but we are looking to you for your leadership, responsible leadership with regard to the future of our community. That's all I have to say."

Supervisor Janoski, "Thank you Reverend."

William McCaffery, Pondview Road, Riverhead, "My name is William McCaffery and I live at 809 Pondview Road, Riverhead. I don't want to repeat what everyone has already said. I'd just like to urge the Board to approve this change of zone proposed by the Sowinskis and East Realty Corp. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. The lady with the black sweater. Blue."

Joyce Rienzo, Rural Route, Calverton, "My name is Joyce Rienzo from Rural Route Calverton. I'd just like to point out something that maybe a lot of people have not thought about with the water, the waste products of these businesses, industries that you will be bringing in. For instance, in the (latest) last 2 issues of the New York State Environmental, Long Island has been the major feature for water because of our ground water. We have to depend on our ground water here. If we start contaminating this, we don't take into consideration now before we say ok. The industry might be fine. But would it effect us in another 10, 15 years as far as our drinking water goes? Or the sewage, or the chemicals that might be illegal which most of these companies end up (doing) disposing of. What's going to happen? We live here. We are going to be the ones poisoned. They are having a problem for instance, Florida. They had the coastal waste. Now they are finding out that they are going to have to go through and change the whole thing over again. Do we want to go through that? Do we want to look like what Nassau County is going through right now with the water problem? Or take for instance, Queens in New York. They are depending on the Catskill Mountains for their drinking water. We want to be independent in Suffolk County and I think right now the county is doing great. But if you take into consideration and think before we let all these industries, is fine. But take the beer distributor. Maybe he's only one company. He is, as far as a waste person, ok. But if we let one in you're going to have to start letting other people. How can you say no to everybody? And it's the major industries. I live over on the other end of 58 and it's all going industry and they are putting up an adhesive plant right now. What's going to happen to all their waste? Has anybody looked into the planning, what the environmentalists say that they can do and what they can't do and what they are going to do. Thank you."

Irene Pendzick, "Can I have the spelling of your last name please?"

Joyce Rienzo, "R-I-E-N-Z-O."

Supervisor Janoski, "Mary Beth."

Mary Beth Andresen, Aquebogue, "Mr. Supervisor, members of the Town Board. I am Mary Beth Andresen and I live on Church Lane in Aquebogue. Good evening residents. I was hoping that the other map was out like it was two weeks ago. Because the zoning map that exists in this Town can be misconstrued by most of the people if it is not looked at carefully. So I took it upon myself to put the zoning map in a context which I could understand, in colors that I could understand which are much more meaningful to me than the lovely pastels

PUBLIC HEARING ContinuedMary Beth Andresen Continued

that are on the one in the Planning Board. I labelled all the industrial the same because technically, industry is the same and all the business is the same. We are talking about commercial property. The industrial on this map is black. It is now existing in the Town of Riverhead. The business properties on this map are in brown. They have all been blacked in. The green is the residential property that is listed and zoned as residential. The white you see is Agricultural farmlands. Many of which have residences on it and many of which have businesses on it. Pre-existent to the zoning of 1969. The red that you see is the recreational Baiting Hollow Country Club (Flagg Country Club, whatever the word is this week.) and there is a little tiny blue dot down on the Main Road in Aquebogue for the only professional business district that exists in this town. As you can see by this map, we have an awful lot of industrial and business zoning in many areas that would be very surprising to many people in this town including the entire blanket of West Lane for Photo Circuits, including all of the land down by Felix's duck farm. This is now dismal. As you can see, much of this land is still available. You yourself know where you drive through this town, how much of it is actually being used. Granted Grumman does take up quite a lot. But last year Grumman threatened to leave the Island because of the LILCO hike, the rate hike. That can happen and they sold off already to Calverton National Cemetery and they can sell off in the future and we would be left with what we see. There is a heck of a lot of land in this Town that already is zoned for business. I am totally against taking anymore land at this time and down zoning it. I am as much in argument that I would like to state may points at this time. Suffolk County is the largest Agricultural County in the State of New York per capita dollars. And of the County, the primary agricultural premise is within the 5 eastern towns. Let me quote Paul Ebert, who is the school professor of Rural Sociology at Cornell. According to the New York census of 1950 through 1980, rural counties are showing fewer signs of distinct rural character. With an increase in service oriented sectors of banking, wholesale and retail trade, insurance and real estate. This increase makes rural counties look like metropolitan county types. I, as a citizen in the Hamlet of Aquebogue, chose this area to make my home and raise my family in a rural setting. I worked very hard to have my 6 1/2 acres in a rural setting to raise my livestock and my vegetables and to try to keep this area the rural area that it is and can be. How many of you on the Town Board live within the Aquebogue community? No. I think you all live in developed areas. Let me quote an excerpt from an article by Charles Little, the editor of the American Land Forum. A journal dealing with land resource policy. The title of his article is "What's Happening to the Countryside?" I think you'll find it quite alarming. Nowadays, the migration of people to the American countryside is no longer news to the social scientists and government

PUBLIC HEARING ContinuedMary Beth Andresen Continued

officials they serve. Although there is a certain uneasiness because things are changing not only rapidly, but unpredictably, that this change is not better understood. It is just conserting for the urban to rural population turnaround, is the single event that must be taken into account if the Americans are to continue to have a countryside worth looking at and loving and living in. These are, it would appear, the worse of times for the hinter lands. Academic experts and government policy makers and environmentalists all are profoundly gloomy about current conditions and future prospects in an American countryside that is beset with a range of new and vexing problems. Consider one of the most dismal of these. The loss of farmland to development. The conversion of rural land at the rate of 3 million acres per year to urban uses is not happening tidely but in a buckshot pattern. Even though the development is quite thinly distributed in most areas, it effects sometimes mortally much wider areas then did the urban swirl of the suburban boom of the 1960's. Buckshot development of potential dustbowls, the bitter end of small farming. These are not the components of anybody's idea of an acceptable future for the American countryside. And yet despite the certainty of the economists, who believe such changes to be inevitable, the beautiful dream of a pure country persists. There is however, a hope and a plan now being instituted in Havelly, Massachusetts, with fencing in fields and pastures surrounding their village center. The ever increasing demand of individuals and owners to down zone property for the purpose of selling to big business, should now cease in this town and the hamlet line should remain constant. Not ever changing as the Agricultural Riverhead east line appears to keep doing. The down zoning of an area, such as this area of 37 acres, is not an item to be taken lightly. The land, with a change of zone, would be a pitfall to any steam of commercial enterprise. For example, let's take for instance the land on the north side of Route 25 behind Kinney Chevrolet and inclusive to Route 105. Let's talk about that parcel in particular. That parcel is also to be included in the petition of Doug Sowinski. That parcel is a parcel not even petitioned for in the down zoning. But however, will be included and so I might quote Mr. Janoski, "For in the interest of good planning", let's just for a moment talk about this large tract of land that extends from Doctor's Path to Route 105. We have listened to the merits of Doug and Carol Sowinski and their plans for the future of their businesses. And now shall we look at the past experiences of the owner of the large tract of land on the north side of the road, being included with the change of zone, (through the back door I might add) the land that is owned by Sol Lerner. Sol Lerner is a hewlett investor and owner of many shopping stores. Sol Lerner purchased a large farm from the Goodale family in 1968 and in 1969 brought a proposal to the Town Board for a shopping center and low cost substandard housing for this parcel. We will not get into what happened at that time. But as you can

PUBLIC HEARING ContinuedMary Beth Andresen Continued

see, it did not exist. At this time, that land is now zoned agricultural. Mr. Lerner has bided his time with his property so far. He has bided his time until recently when an article appeared in the paper about Mr. Lerner's grapevines, his vineyards, his winery. It was flashed appropriately in the papers last fall. Mr. Lerner has gotten a monetary inducement from Riverhead I.D.A. to go ahead. Let's face the facts in this town. Isn't this entire proposal of down zoning being established for Mr. Sol Lerner? Mr. Lerner is an investor who needs the business zoning for his property investments in the future. If, when it is down zoned to business, isn't this shopping center or a mall, a conceivable alternative to grapes? Take for a fact that last year in New York State, 7 major grapevines went out of business. They went bankrupt. These are in the prime grape growing areas of the Finger Lakes. Didn't they go out of business because the surplus exceeded the demand? And isn't planting grapes within a 10 year real property tax levy, an inducement to bide out the years of the future growth on the Northfork? If Mr. Sol Lerner is indeed interested in grape farming and in agricultural endeavors, he could easily establish his agricultural business, agricultural land without a down zoning. Because we must look to the future, the decision rests tonight on this very fragile land dispersal. Let's for a moment, look back at this map and envision this extremely delicate situation of down zoning further east. Let's look into the future of where the L.I.E. will hook up. We all know that the entrance to the Hamlet of Riverhead is where the L.I.E. now stops. And the exit from the Hamlet of Riverhead is not going to be the 105 interchange. That is a fact. That is in the Planning Boards in the state. This is the prime property. Let's look at this intersection and see why this issue is imperative at this time. Let's invite the people to get off the expressway at the entrance to the Riverhead business district and shopping district not at the entrance to Aquebogue north and southfork with heavy business. Leave heavy business to the end of the Riverhead Hamlet line. Let's be clever and keep the area as low density rural as possible so the farming and tourism will remain. Not the crush of urbanization and onward buckshot development. Thank you."

Supervisor Janoski, "There is someone behind you. Whatever you wish. You're the council for the opponents."

Arthur DiPietro, "Mr. Supervisor and members of the Town Board. I would like to set a few matters straight here tonight. Number 1 is: I've stated before and as I am sure you are all well aware, the likeability as human beings of these particular applicants is about as relevant to this proceeding and the merits of the application as where the opponents have selected their experts. Both legal and planning. Secondly; a statement was made by you Mr. Janoski that, when you are petitioned by a member of the public, you have no alternative

PUBLIC HEARING ContinuedArthur DiPietro continued

but to hear that petition. I respectfully submit that although that might be an astute thing to do as a matter of political realty, as a matter of law, it is incorrect. Unlike an application to a Zoning Board of Appeals..... "

Supervisor Janoski, "I find it very... You were Town Attorney at the Town of Southampton, but if that is what you want to say, that is fine with me. I know I don't have to consider it. I am well aware of it."

Arthur DiPietro, "As long as you concede that. But I think it's very imporatat to the perception of the people here and the perception of the merits of this application. Because invaritable or I should say ordinarily, there is a process of review and consideration of a change of zone application which is a very sensitive thing. It's the legislative act of the Town Board in amending the zoning ordinance or amending the zoning map and not every change of zone application that is ever thought of, whether it's initiated by the municipalilty and their advisors or by property owners even, not everyone of these always gets to the light of day at a public hearing. This one did. I understand that there were events that occurred before I personally got involved on behalf of these people, lot of controversy about it. That there wasn't a problem and maybe it wasn't a bad idea. What I am standing here and saying to you tonight, that in order for a petitioner to have an application for a change of zone justified, he has to show you gentlemen something. He has to show you more than the fact that he is a nice guy and a good businessman. He has to show you that there is a compelling need for you to do something as drastic as change your zoning ordinance or change your zoning map. He has to show you that his business use can not survive in the town because there's no zoning to handle it. That is not the case. We have sat here tonight and we have heard many people say things that are very factually correct and astute. There are just bag fulls of land zoned and vacant begging for this kind of use all over the Town of Riverhead. But more importantly, even tailored for Mr. Sowinski's needs relatively in the same geographic vacinity as this piece of property. You have a planning report. At your last meeting you adopted a resolution sending a request back to your planning consultants to start to work on zoning amendments. In other words, it attested to the zoning ordinance, in order to implement their Route 58 corridor recommendations. Why would this Board, should this Board, or could this Board, sit here and seriously consider this application to down zone an area which you previously have confirmed by adopting your planning consultants report, should be upzoned. How could you 2 weeks ago,....."

PUBLIC HEARING Continued

Supervisor Janoski, "That is incorrect. It has never been adopted."

Arthur DiPietro, "It is the statement of the Town Board that the Parish, Moses, Parish, Pine, and Weiner report recommendation has never been adopted. Is that what you're saying?"

Supervisor Janoski, "Right."

Arthur DiPietro, "And it is not part of the comprehensive plan of the Town of Riverhead?"

Town Board, "Nope."

Arthur DiPietro, "Has it ever been rejected?"

Supervisor Janoski, "Let's not play games. It has never been adopted. We are moving towards implementation."

Arthur DiPietro, "And one of those steps toward implementation was a resolution adopted 2 weeks ago to request that same consulting firm to draft text amendments to the zoning ordinance. Is that not correct? A lot of emotion has been expended tonight and at past meetings. But this emotion is not a tyranny of the masses. These people have something, I think, very very important to say. They are not just saying; protect my land and turn somebody else down. They are really echos from the grass roots, what your planners recommended a couple of years ago. I would think that given the kind of public support you're getting for your planners recommendations, if you have not yet adopted it, you should do so quite quickly. There are some unanswered questions here as far as the applicant is concerned. No statement whatsoever has been made as to whether or not the Sowinskis are contract vendees or owners at this point. I assume they are still contract vendees. No statement has been made as to whether or not the contract is conditioned upon the approval of the upzoning. No statement has been made, although questions have been raised, speculation has been raised regarding the purchase price of this parcel. These are the values of lands presently zoned for business of like-size configurations and road frontage. I think these are important questions. I think the record is somewhat void without them. At the very inception of this review, your environmental review Board issued a report that was apparently a contradiction. They made a finding of insignificance under the State Environmental Quality Review Act. But in so finding, they stated that the change of zone in their opinion, should not be granted because it contradicted your planners report. It would seem to me that that contradiction even of itself, should have led that Board to conclude that there might be some environmental significance and further closer hard look under the Environmental Quality Review Act should have been taken. I do not know if in fact, these documents which are Town record were previously

PUBLIC HEARING ContinuedArthur DiPietro Continued

made exhibits in this public hearing. But just to be on the safe side, at this time I would like to offer as part of the record, the text of the minutes of your March 6, 1984 meeting which you have previously agreed in order to void repetition, would be made part of the record?"

Supervisor Janoski, "If I could interrupt you for one minute. Is Mary Beth here?"

Mary Beth Andresen, "Yes."

Supervisor Janoski, "Mary Beth, is that map to be entered into the record? Is that map to be....."

TAPE ENDED AND END OF CONVERSATION WAS UNRECORDED.  
TAPE PICKS UP WITH ARTHUR DIPIETRO'S CONVERSATION ALREADY STARTED.

Arthur DiPietro, "A letter dated March 2, 1984 from Jane Stromski, clerk of the Planning Board pertaining to the Sowinski change of zone be Marked 1-C. That a true copy of Jane Stromski's letter of February 3, 1984 pertaining to 25 East Realty special permit be marked 1-D. That the memo of the Town of Riverhead Environmental Quality Riverhead Board dated January 19, 1984, re: Estate of Eugene Andrae and 25 East Realty Co. be marked 1-E. That the resolution of the Environmental Quality Board dated January 12, 1984 regarding East Realty Co. be marked 1-F. I would also at this time, like to offer as part of the record, a letter from the Suffolk County Department of Planning dated March 8, 1984 were received by the Town of Riverhead March 14, 1984. It's addressed to Mr. Miles Fairley, chairman of the Riverhead Town Planning Board. I would ask that that be marked 1-G. I would just like to refer to the contents of that letter in a synopsis form and I think it really underlines the problem with this application for a change of zone. That letter is the report and recommendation of the Suffolk County Planning Commission regarding the minor subdivision application, to thin off this plot that the Sowinskis are interested in and leave the estate with the remainder of the property. Anyone who reads the details of this report and recommendation, knows quite obviously that the Suffolk County Planning Commission was operating on the assumption that this land was residential. They refer specifically to the fact that the estate retains a tremendous amount of property to sell. But some day it's going to be a residential subdivision. The concern with thinning off this minor subdivision because it limits a point of access to Route 25. that means that the piece of property that the estate is retaining, that Mr. Danowski referred to earlier, is going to be the only point of ingress and egress as if and when that property to the south is developed as a residential subdivision. If this Board adopts this change of zone, you are going to be creating a cor-

PUBLIC HEARING ContinuedArthur DiPietro Continued

ridor into a residential subdivision that is going to be developed with businesses, convenience shops, stationary stores, and whatever. So that the entire point of access and congestion for all of this residential traffic to get out onto Route 25 is also going to have to leapfrog this hurdle of a business strip along Route 25. I am saying this not to make it impossible for you to sit here and try to figure out what's going to happen 25 years from now. I am saying it to point out that you're doing something here tonight or you're being asked to do something that is much more than an average barn for Mr. and Mrs. Sowinski. It has far greater implications and it should be viewed in the context of those applications. And in saying that, I would like to point out that Mr. Olsen's position was mis-stated by Mr. Danowski. I think it is gratuitous to the point of being insulting for Mr. Danowski to stand up here and say that if Mr. Olsen is opposed to having his property rezoned, then we'll stop at the boundary line between the 2 properties. I think every one of you gentlemen knows that Mr. Olsen is opposed to having this use next to him. And that is the context in which he opposed this change of zone. And that is a very valid basis to oppose it. So to say that you can stop short of Olsen's property and solve the problems, I think just misses the mark terribly. I believe your Board, because of the nature of this application, and I would like to refer to Mr. Danowski's letter to the Riverhead Town Board and Planning Board, it's undated but it refers to the Sowinski application. It seems it was submitted sometime around the same time as the Sowinski's affidavit which was January 5, 1984. Mr. Danowski says and I quote following the requirements for an application for a change of zone, actually here, an extension of an existing zone, an environmental assessment form is included. However, in looking at the questions contained in the form, few, if any, appear applicable, since there is no specific project encompassing the proposed extension of the district. It is also noted that the individual applicant, Sowinski, has filed a short form, environmental assessment form regarding his application for a minor subdivision. If in fact the only thing that this applicant has done to comply with the requirements of the SEQUA, is to file a short form, SEQUA application in connection with minor subdivision. I submit, without your Boards applying itself to its duty to review the environmental impact of this application, it suffers a fatal defect. I would also take exception to Mr. Danowski's request that 2 separate records be made here. This was advertised as one public hearing and one change of zone application. That, I would like to point out, that the application for a change of zone, like 25 East Realty, formally requests that it stop at his easterly property line. It contains a gratuitous comment, that if someone in their wisdom, thinks it better for zoning to continue it to 105, then so be it. But there is no formal application for that. There was certainly a comment by Mr.

PUBLIC HEARING ContinuedArthur DiPietro Continued

Tooker at the February 22 meeting that says to the effect, yes, throw in the Lerner property too. But the reason I bring this up, there's been no Environmental Quality Review of a change of zone including the Lerner property. There's been no Planning Board analysis and recommendation of the change of zone including the Lerner property. As a matter of fact, it's somewhat open to question as to what the Planning Board and the Environmental Quality Review Board thought the application consisted of. I refer your Board and your attorney to the petition for a change of zone filed in connection with this case. Each of them is 2 pages long, 3 or 4 paragraphs. Neither one of them contains one factual basis whatsoever to justify a change of zone. On the basis of legal vacuum that the applicants have provided you with, a vacuum that has been filled by intelligent heart felt opposition of residents of this town, I submit you only have one choice. And that is to deny this change of zone. Continue your comprehensive planning and make Riverhead a place for business and a place for community. Thank you."

Margaret Goodale, Main Road, Aquebogue, "My name is Margaret Goodale. I live on Main Road Aquebogue. I have here a petition signed by 239 residents of the Town of Riverhead stating that they are against future down zoning of Agricultural or Residential and to business or industrial."

Supervisor Janoski, "Is that the statement?"

Margaret Goodale, "No. I'll read it now. Hold on. This is what the petition states. We, the undersigned residents of the Town of Riverhead, do hereby oppose any further down zoning of the Town of Riverhead be down zoned. We are referring to the change of zone from Agricultural or Residential to Business or Industrial. I am sure that if we had the time to educate the public to how much land is already zoned business and industrial already and to show them the zoning map, we would have many more signatures. The public is not aware of what is going on or how it will effect the future of the Town of Riverhead. Maybe something should be done about this. I have no idea about how Town Boards were before I got involed with this proposed zoning change. When I went down to the Town Board members, it ended up with most of the Town Board present. I had no motive for going, only to ask a few questions. I was told that I shouldn't be here, to come to them because I might be trying to sway their decision. I was shocked. If I can't go to them and ask them and let them know how I feel, what are they there for? How else am I going to let them know? How else are the people going to let them know? How else are the people going to let them know how they feel? We had to hire a lawyer just to make sure we got a chance to be heard. What I can't figure out is why, if so much land is already zoned business, why does the Planning Board, the Zoning Board and the town Board consider a change of a 37 acre parcel zoned residential or agricultural to business. I am sure there

PUBLIC HEARING ContinuedMargaret Goodale Continued

is a much better use for such a large parcel. The future of Aquebogue is at stake here. Maybe you just think we're just a bunch of rebel rousers who don't really care what happens to our Town and our neighbors. I'll tell you one thing. You're going to see our faces here a lot more in the future. Aquebogue, Main Road will not look like Route 58 if we can prevent it. Please help us save Aquebogue."

Supervisor Janoski, "If I might explain the reason for my comment. And quite honestly, I am a little disturbed to hear you and you, use for the public record, comments that we made in a private conversation. But be that as it may, this Board is sitting as a judge in a legal proceeding. If you had a case in court, you would no more be able to have a private conversation with that judge concerning that case. And quite honestly, now that you have made it part of the record, the applicants may now use that information for some purpose. We are and please. I point out to you that it was in my opinion, wrong for you to be here while we were in the midst of a legal proceeding (legal application) a public hearing going on and of course we have called a number of them, to influence and that is what you were trying to do."

Margaret Goodale, "I was asking questions. That's all."

Supervisor Janoski, "I remember very many of the conversations. The judgement of the Board. That was my advice to the Councilmen. I have been advised by Council (my council, who is sitting right here) that that provision was absolutely correct. I am sorry if I tried to do my job. Every once in a while....."

Margaret Goodale, "Why is Mr. Danowski down here at your office all the time?"

Supervisor Janoski, "Mr. Danowski is an attorney doing business within the Town of Riverhead. As a matter of fact, he was hired by the Town on many occasion."

Margaret Goodale, "Well, all I was asking was some questions. If that's against the law, then I don't why you're sitting....."

Supervisor Janoski, "I didn't say it is against the law. It's just that...."

Margaret Goodale, "Well, you said it can't be used for the record so there must be something wrong with it."

Supervisor Janoski, "No. But let's just leave it at that alright."

PUBLIC HEARING Continued

Margaret Goodale, "Alright. Fine with me."

Supervisor Janoski, "Way in the back."

Pat Panchak, Reeves Park, "My name is Pat Panchak and I come from Reeves Park in Riverhead. I am not going to ask you where my water is. But I am in opposition of this rezoning because I feel there is enough business places in Riverhead ready to go on. I don't understand why you have to take something else and make it into a business zone. Why can't we use what is there first and then go and change it if we have to? I don't live in Aquebogue. I think it is beautiful to ride through. I live where I choose to live and think the people in Aquebogue choose to live there because it was zoned agricultural. I think the people in Riverhead should do business in Riverhead and I should live by the beach because it is where I like to live. Even if I don't have water."

Supervisor Janoski, "Mr. Kart."

Martin Kart, Main Road, Aquebogue, "Good evening. My name is Martin Kart. I live on Main Road, Aquebogue. I own the property (the first piece of property) to the west of the Sowinski proposal. I have lived there for 32 years. I was there before zoning. I was there before Kinney Chevrolet. I came in about the time of Homeside Florist. Give or take a couple of years. I have lived opposite Kinney Chevrolet and they are a very large business. As is Mr. Olsen's business, the Homeside Florist. They have all expanded and I guess that the dealership (the automobile dealership) is probably the biggest business on this end of the Island as far as automobile dealers. Joe, excuse me. I'm nervous. As for Mr. Olsen's property, he is probably the largest florist on this end of the Island. I can't recall any other florist being larger. In view of this, I feel that this use, and the other businesses in the area, plus the rider that is on my property, I feel that this ought to be zoned business. It ought to be changed. As far as Sowinski coming in, as I understand it, all of his business is going to be done under one roof. Is that correct? Can I ask that? The automobile dealership does their business some inside and some outside. I am not going to divide it up percentage wise. Same with Mr. Olsen's property. Mr. Sowinski is not the first person to want to come into my immediate area. I have Mr. Sowinski who wanted to come in to the east of me. I have Mr. Stillwagon (Bill Stillwagon, Andrea's husband) come to me and ask me if I would oppose it if he would put a building in his back yard so that he could bring his propeller business from New Suffolk and install it in his back yard and in his building. He said, of course he would have to go through zoning. I say I have no objection and I do not have any objection to Mr. Sowinski having his business down here and I strongly recommend that you change the zoning to business. Thank you."

PUBLIC HEARING Continued

Marion Dillingham, Aquebogue, "I am Marion Dillingham and was born and I have lived in Aquebogue for 60 years. I certainly oppose bringing business down into Aquebogue. You can keep it up on 58. This isn't a matter of personalities we're discussing here. But if you let one business in there, who knows what's coming after that or next to it. We, all of us in our neighborhood, oppose it."

Chauncy Luce, Main Road, Aquebogue, "My name is Chauncy Luce and I live on Main Road, Aquebogue. That piece of property that Mr. Sowinski is trying to get, has never been anything but what it is for the last 50 years and some of these people that are squawking about business in the area, as far as I am concerned, it's all been business all the way to the west. There's only 2 or 3 houses in there that I know of in the years I've been here. I am in favor of changing the zoning and letting Mr. Sowinski build there. Thank you."

Supervisor Janoski, "Thank you. Mr. Stillwagon."

Bill Stillwagon, Aquebogue, "My name is Bill Stillwagon. I live across the street from Kinney Chevrolet in Aquebogue. I have here the latest figures from the Suffolk County Traffic Safety Board. The latest compilation of information is from 1982. Located at the west end of the proposed down zoning is the bottle neck of East Main Street, Route 58, Middle Road, Doctor's Path, and Route 25. This is the 4th most dangerous intersection in the Riverhead township. Located at the east end of the proposed down zoning is the intersection of Route 25 and Route 105, infamously and literally the single most dangerous intersection in the township of Riverhead. In the February 1983 update of the Master Plan Route 58 Corridor, Page 4, Paragraph 4, it states: "Within the framework of townwide goals, goals for the improvement and desirable utilization of the Route 58 corridor are:" And it lists 8 items. Item #8 reads: "Promote the efficient and safe flow of traffic." Now, in the interest of good planning, traffic wise, this is the worst possible area for new businesses. The road is extremely narrow here. Cars and trucks constantly swerve around the right side of vehicles turning into Kinney Chevrolet. They swerve onto the shoulder and the edges of the lawns of residences here. It's rare when anyone even slows down. I have here photographic proof of the dangers, which I would like to submit as evidence. These were taken April 2, at 2:15 p.m. I purposely avoided the rush hours to prove the traffic is bad here, even in the best of times. Just 3 weeks ago, while swerving around a vehicle, truck hit and bent a road sign on the front of the proposed beer distributor site. To decrease the efficient and safe flow of traffic on this narrow and overly-travelled roadway, is unthinkable. The latest traffic safety publication places Riverhead second highest in vehicular deaths and injuries. We are also second highest in pedestrian and bicycle accidents. We should be doing everything in our power to lower our undesirable standing as a township with major accident

PUBLIC HEARING ContinuedBill Stillwagon Continued

problems. No one will argue the fact that by bringing more businesses to this area will cause an increase in accidents. There is a very lovely mural on the wall over there. When I think of the township of Riverhead, that's what I picture in my mind. Now, how would that look with a beer distributor smack dab in the middle of it? I sure wouldn't want that near my house. Now, I know my property isn't on an open field, but it is heavily wooded around most of it. Knock down the heavily wooded land and build this proposal. That doesn't look too bad? It's pretty disgusting to me. Now, that's not too bad of a looking building. It's amazing what a dressed up facade can do. It works wonders. For instance, there's a term called guilding the lily. For instance, you can take a nice pig and put make-up on and you put high heel shoes on it. I say golly that sounds pretty nice and that is supposed to be a pig. But the point is, you can dress it up and make it is as pretty as you want, but it is still a pig. Down zoning this area paves the way for any business venture. How about a tatoo parlor or a methadon clinic, anything like that. You stated at the last meeting on this subject, how you prided the Board on it's integrity. Well, we're all watching. We're all listening. Make us as proud of your integrity as you say you are. Everyone knows the difference between right and wrong. I'll say it again. Everyone knows the difference between right and wrong. Please do not approve the down zoning of our neighborhood. I hope you understand the decision you make here tonight will deeply and permanently affect the lives of your constituents, mainly of those of us who voted you into office in the first place. First of all, in their petition dated October 26, 1983 in item #5: Mr. and Sowinski swore, that the property to be acquired is surrounded by business interests. That is not true. Bordering this parcel to the east is a residence. To the south is agriculturally zoned non-developed property and to the west is a residence. The only business that semi-borders this parcel is Kinney Chevrolet across the street and to the north. They never should have swore they were surrounded by business and they went ahead and were duly sworn and signed their names to it. In item #6: they swear that the property is also adjacent to a main thoroughfare and near to a County Road 105, which negates any practical use of property for residential purposes. Well my residence is there as well as 11 others and have been for 20-50 years. My house has been there for over a century. How insulting that is. I say, that since there are so many residences, that it negates any practical use of the property for a beer distributor. Its only practical use is for which it is currently zoned and that is residential-agricultural. A little while ago Mr. McCann came up here and made some statements. I'll try to sum it up the best I can. He said he understands the concerns of the girl whose son may be killed on the road and then turns around and says, but Riverhead needs the money. Do we sacrifice that for money? Mr. Danowski has obviously forgotten about one house. He has

PUBLIC HEARING ContinuedBill Stillwagon Continued

cleverly missed in his photographs, the resident that is next door to the proposed business site which is Mr. and Mrs. Olsen's. There is not a business next to that site. It is a residence. The other pictures too. I wish I had brought a picture before the current owners of the Meeting House Creek Deli and the Nautical shop before they repaired the outsides of their buildings, painted them up beautifully and changed the inside before he showed photographs of what they did and say that Mr. Sowinski did it. Mr. Kart, my neighbor, says that he is in favor of this zone change. Mr. Danowski backed it up and said that Mr. Kart had a business there. Well, Mr. Kart doesn't have a business there. Mr. Kart took me through his garage and there is no business there. Mr. Kart came to my house on March 2 at 11 o'clock at night and at the top of his voice, stated emphatically that he has done no business there for a decade and a half. He said that he sold his cars there a decade and a half ago. Withdrew any permit that he had to do so. So there is no business around there. It was a fact stated to me. As far as making my propeller business there, as soon as we moved in, I really didn't know what we were zoned. We moved in and I said it's a nice place to put a business and now I see the way the community is reacting. I would never ever try to pour something like that down their throats. That's terrible. I will submit these photographs. I have some for the Town Board and the Town Clerk as far as the traffic goes. Thank you."

Councilman Artale, "Mr. Stillwagon. Can I ask you a question?"

Bill Stillwagon, "Yes."

Councilman Artale, "How long ago was it that you talked to Mr. Kart about establishing a business at your residence?"

Bill Stillwagon, "When we first moved in. January."

Harold Goodale, Aquebogue, "My name is Harry Goodale, Jr. I live in Aquebogue approximately about 400 yards from this proposed site. There's a lot of things that I really don't understand about this. When we first started about a month ago, I heard Sol Lerner's name mentioned a lot. Then all of a sudden tonight I heard nothing until a lot of people brought it out here. Is this name, Sol Lerner on this application? It wasn't in the beginning."

Supervisor Janoski, "Mr. Lerner's name has never been on this application."

Harold Goodale, "Is his property included in this?"

PUBLIC HEARING Continued

Richard Ehlers, "What the Council for the opponents have stated is correct. j That the original petition stated gratuitously, that Mr. Lerner's property may wish to be considered in the application. In the publication of the public notice for the public hearing, it was included within the documentation described. At one point, Mr. Allen Smith, representative of Mr. Lerner, contacted my office and stated that they would not oppose the application. At a later time, I was led to understand by conversations with Mr. Smith, that they did not want to be within the zone change. The winery is a permitted use within the agricultural district. That is what they have their I.D.A. application pending for and that is what they are proceeding for. So it has been represented to me. The Lerner property has been carried on the application as far as the public notice goes because we have had trouble with the public notice which council for the opposition brought up at the last meeting. We felt it prudent not to meddle with what the public thought they were coming down to hear about. In other words, change it in the middle. Although, some of the councilman had requested that it be removed, so Mr. Lerner's property was not part of the original petition. It is part of the discussion tonight. It's part of the public hearing tonight. If you wish to address it, you certainly may."

Harry Goodale, "Is it or is it not on the proposal?"

Richard Ehlers, "It is not on their petition. No it is not. But it is a topic of which you may discuss."

Harry Goodale, "It's excluded from this proposal here? In other words, if it does pass, it won't be zoned business."

Richard Ehlers, "The Town Board can act upon this application in a variety of ways."

Harry Goodale, "So in other words, it is on it then. You're running around the bush here."

Richard Ehlers, "No I am not running around the bush."

Harry Goodale, "Is it or is it not?"

Supervisor Janoski, "Mr. Goodale, I just want you to have the respect for the Town Attorney and please do not suggest that he is trying to fool you. He's trying...."

Harry Goodale, "I just asked him a simple yes or no question. And that is all I want. Is it yes or is it no? That's all I'm asking."

Richard Ehlers, "It's part of the hearing tonight and you may address it. That is correct. It's not on Mr. Sowinski's petition. That's all."

PUBLIC HEARING Continued

Harry Goodale, "In other words, It would have to be a separate petition for...."

Richard Ehlers, "Not necessarily."

Harry Goodale, "So it's on it then."

Richard Ehlers, "Yes. You may address it."

Councilman Prusinowski, "Excuse me Mr. Town Attorney. I am going to answer the question directly because we went around with this and I remember because I've lived in Riverhead my whole life too. 15 or 20 years ago, Mr. Lerner did not come up to this Town Board with his checkbook (Mary Beth) and say: I want to change this zoning to business so that he can put the shopping center there that he proposed 15 years ago. He did not do that. I was one of the ones that requested that if that is the case, let's remove it from this application. But it was thought that if we removed it, somebody would say later on that we have to redo the whole thing again. That is not the case. He's not part of this. He was on the application but he did not represent to us: that I want to have that change of zone and without doing this...."

Supervisor Janoski, "Excuse me Councilman. There is a speaker at the microphone Mary Beth. The rule is, that after everyone has spoken, you can come back up again. I have explained that."

Mary Beth Andresen, "I understand that."

Supervisor Janoski, "Ok. That's fine. No Mary Beth you may not Mary Beth and please don't try me. Mr. Goodale."

Councilman Prusinowski, "And all I'm saying is that he did not come up to us and I don't want to imply that a big developer is influencing the Town Board. I am sorry Mary Beth. Maybe you didn't use the word checkbook but I'll take that back."

Harry Goodale, "Excuse me. I am not implying that at all. I just want to know that if such things happen, that if so, in other words, just say for example, that this did pass and Sol Lerner says; well, I want mine on it. He doesn't have to put in another petition? You'll just give it to him? Is that correct? That's what you're saying. So it is on the petition."

Supervisor Janoski, "The Town Board has been brought up in these proceedings, looked at 105 as a boundary and it was advertised with 105 being the eastern boundary of the proposed zone change. As the town attorney tried to explain, there's a number of ways to go about this when we act upon it. But Mr. Lerner has not applied for a change of zone and I think that's what you want to know. He has not applied."

PUBLIC HEARING ContinuedPete Danowski, Continued

It's clearly indicated in this as well. We supplied to the Town, at some point, the title abstract indicating the ownership of not only our property but the adjacent property owners. That clearly was part of the record and clearly points out exactly what we knew and what we didn't. So we're not asking for anything on behalf of Sol Lerner. We're not projecting to purchase anything from him and the straight line drawn across by the surveyors, speaks for itself. I am not the property line expert. I presume Young & Young is."

Harry Goodale, "I just don't know. Is it an old map?"

Pete Danowski, "Young & Young's map will be dated a certain time. You can go up there and look at it. It's a public record but the new map is there and it indicated the line to be drawn."

Harry Goodale, "That was my only question. So that you know the section to be abutted and the fence is already 600 feet long. And as far as zoning back 600 feet and buying more, the zoning isn't correct. That's the only thing I am saying. The only other thing I have to say to the people here tonight is that I definitely am against this zone change and for some residents that don't mind living in the middle of business, I ask them just to view this and just view where Van Dyke and Yousik, Lawrence of Riverhead, the Gallo Fish Shop, Kelly's Deli and Riverhead Brake. Now, nobody knows that there is a little gray house in there. Nobody knows that little gray house or that wasn't business. And anybody that wants to buy that house and who would want to live in it, are welcome to it. That's what business does when it comes in a residential area. You all ought to take a ride by there and see how it's built up around it. This is just right on Main Street. I stand very much opposed to the zoning change. Thank you."

Supervisor Janoski, Thank you Mr. Goodale. Yes."

Bernadette Troyan, Mr. Supervisor, Councilman. I would just like to say that I am in favor of Doug and Carol Sowinski's application."

Irene Pendzick, "Just say your name please."

Bernadette Troyan, "Oh. I'm sorry. Bernadette Troyan. I am in favor of Doug and Carol Sowinski's application for rezoning. I think it's an ideal place for a beverage shop."

Supervisor Janoski, "Did I see another hand. Way in the back in the middle. I see a hand. Yes you Ma'am with the blue."

PUBLIC HEARING Continued

Harry Goodale, "Mr. Lerner has never applied for anything in person himself. He always hires somebody to come. You'll never see Mr. Lerner. I know him very well."

Supervisor Janoski, "To the best of my knowledge Mr. Danowski and Mr. Sowinski are not acting as agents for Mr. Lerner."

Harry Goodale, "All I want to know is that the people here should know that this is an implied business, that he does one day does plan on having a restaurant in front of there and as far as I am concerned that is a high velocity business. At that intersection it is very rough. It's to go along with his winery that he has proposed in back like they do upstate with the restaurants and winery in back. This is why I also think this should be considered greatly. I don't know and still don't understand whether it's in this proposal or not. I was just asking for a yes or a no and I still don't know."

Supervisor Janoski, "It's in the boundaries of the consideration."

Harry Goodale, "Well, that's what I am saying. Another thing that I find is that, if you look on this map with Kinney Chevrolet, it shows going back 600 feet and it shows a parcel in the back of there that is to be acquired from Sol Lerner. What I find is that I go out and measure his fence and it is already 600 feet long. Now how does that work?"

Supervisor Janoski, "I don't know what you're referring to. Counselor do you understand the question?"

Harry Goodale, "You have Kinney Chevrolet. It says on this map that was published in the paper and the ones that were here, it shows the line where they own and puts in dotted lines 600 feet back to show a small parcel to be bought from Sol Lerner in fine print on top. If you measure his property right now, it's 600 feet long. Now, which one is correct? Does he own 600 feet or is he proposing to buy more? Or what's going on back there?"

Supervisor Janoski, "Mr. Danowski. Can you answer the question?"

Pete Danowski, Spoke from audience and was INAUDIBLE.

Supervisor Janoski, "Wait until you get up to the microphone. We want your every word to be on the record."

Pete Danowski, "Yes. I think the surveyors may have indicated that in the past, property may have been purchased from Sol Lerner. We have nothing to do with Sol Lerner as far as our application with Kinney Chevrolet. What we have done with the surveyors is to indicate to him our property. He has drawn a straight line across the back portion of our property."

PUBLIC HEARING Continued

Del Harmon, "Del Harmon. I am not a resident of Riverhead but I come here. I work here every day. I chose to go to Suffolk Community School and I shop in Riverhead and I am appalled that anyone would even consider changing an agricultural property to business. I chose to go to Suffolk Community College because I am interested in horticulture. I am interested in preserving any type of agricultural property that is out here now. Otherwise, I wouldn't live here. As far as traffic, I don't think that that property, if changed to business, could take any more traffic. I do occasional deliveries now for Homeside Florist and I've taken my own life in my hands to try to get out of that driveway to try to get back. If there was another business next door, I am sure that there would be even more problems getting in and getting out. Thank you."

Supervisor Janoski, "Eddie Purcell. Did I see your hand up there before?"

Eddie Purcell, Riverhead, My name is Eddie Purcell. I live on East Main Street in Riverhead. I feel that the Kinney application really should be separate from the Sowinski application. I am all for Kinney expanding a little bit if it would improve their outlook on the Town of Riverhead. If this might help improve the way their property would look and would be beneficial to their business. On the other hand, the Sowinski problem. I feel the only reason they are looking at that piece of property is that was probably a very good deal and if they get the zone changed, they won't be forced into buying a piece of business property that may be in the same area such as next to McDonalds. That would be much more expensive and wouldn't have as near as much problem with the people in the area. I don't like to be considered..... I don't like Riverhead to be considered as the east end as being only for the tourist. I like business. I want business to come to Riverhead. But I feel a beer distributorship at that point where there is so much traffic right now, is not really needed and it really would be big harm to the area. I feel it would be a better spot would be some place on 58. Or it's possible down in my area where somebody had just said that spot near Riverhead Brake where it would be a much better area for it. Now, it would be a lot more traffic but it would not be as much trouble if you wanted to get in and out the (in the Carvel) ice cream stand or in Homeside that a beer distributorship would. That is a very high volume business. It would just be impossible. I feel that you're going to have a lot more traffic accidents and I feel you don't really need that business in that area. Thank you."

Supervisor Janoski, "Mr. Giordano."

Mike Giordano, Riverhead, "I won this shirt. I've been listening to everyone talk here and I just came to listen tonight to see what is going on. But I don't know if Mr. Sowinski is raising pigs or chemicals. Everybody is worrying about pollution. Somebody told me they are going to raise pigs

PUBLIC HEARING ContinuedMike Girodano Continued

there. I don't know. But I don't know. This beer distributor, he has an important problem right now which I don't know if anybody realizes. I work for coca cola. Not as anything to do with the bottling. I am a mechanic. But we do have a recycling program going and it takes a lot of room. It takes an awful lot of room. We are right now in the process of building a building in Westhampton four times the size we had because we didn't have the room for recycling. This is probably the main thing Doug has got his problem with and with this you have a health problem. So in order to get this stuff stored properly and moved out, he's going to need room and that is probably why he has to move. And I think this would be a good location. Everybody is talking agricultural. I see business there. Homeside Florist, is that a business? Is that agricultural? It's retail and wholesale right out the front door. They have a parking lot in the front. They even store something in the front. I see the ice cream store down the road. Is that agricultural? I don't see that man growing any plants. He's selling ice cream. You got a car dealer across the street. Are they agricultural there? They must be business. I imagine there is one more business. If I can remember it use to be a liquor store there. I think it changed to a real estate. Now I don't know what it is. It might be a travel bureau. But it is also a business place there. Next to the ice cream place, is there a little business place there? Some kind of a shop there or something?"

Town Board, "Insurance Agency."

Mike Giordano, "What does it do? It's real estate. That's not business? That's agricultural? What are they growing there? So I don't know what we're talking about, business, agricultural. But the eastern most part there is a business and if we're going to draw the line, we ought to draw the line at 105. That would be a good place to draw it and if we have to widen that road up a little out there to Suffolk County, then widen that road up. Or the state. Whoever owns the road. They've taken care of roads before. It's their job. Thank you."

Supervisor Janoski, "Thank you Mike. Bob Panchak, are you going to go home tonight?"

Bob Panchak, "Right after this."

Supervisor Janoski, "No. What I mean, we're wondering about your point of view and I was wondering if your wife was going to let you come home."

Bob Panchak, "I am Bob Panchak and I live in Reeves Park and I can't drink my water either. Back in the mid 70's, the Town Board at the time, realized their limitations as land planners and they took our tax money and they hired

PUBLIC HEARING ContinuedMike Girodano Continued

professional land planners who came up with some type of a plan to control (not so much as control as to regulate) where the roads in the town are going to be in the future. I think at this time, this Town Board should also realize their limitations as land planners and I think they should follow that plan. Thank you."

Supervisor Janoski, "Does anyone else wish to be heard? Yes sir."

Bob Dillingham, "It burns me up sitting here tonight when these people say they want to have this here and they don't even live anywhere around here. We have lived in Aquebogue. My wife was born there and I've been there for about 35 years. And these people that want this beer place, why don't they put it next to their house or in their neighborhood. Not in ours."

Supervisor Janoski, "Andrea."

Andrea Stillwagon, "My name is Andrea Stillwagon and I live across from Kinney Chevrolet. I own the Brannon house and it's been standing there for 58 years. I have one question before I read this. The Weiner report that you say you haven't adopted, how much did that cost? About. Just a ballpark figure. A thousand dollars, 10, 50, 60? A lot of money?"

Supervisor Janoski, "I think you're misinterpreting."

Andrea Stillwagon, "No I don't."

Supervisor Janoski, "If you let me explain Andrea please. We have hired Raymond, Parish, Pine and Weiner to look at a number of areas within the town. Because we, as you, want to redevelop in a logical way. We are going through a very long process of them looking at it. A situation coming up with ideas, and the final result will be the adoption and implementation of what is finally decided. The fact that it has not been adopted has been mentioned here. It does not mean that we are not working towards adoption and implementation."

Andrea Stillwagon, "What I was wondering about in particular, was the published piece that we picked up at Town Hall a few weeks ago. That was printed (I think) in 1983, in January."

Supervisor Janoski, "What did it say on it?"

Councilman Prusinowski, "The preliminary report."

Andrea Stillwagon, "Is that what it was? I see. Thank you. My home is one of those threatened by the proposed rezoning. My family loves Aquebogue and we love our home. I am

PUBLIC HEARING ContinuedAndrea Stillwagon Continued

heart broken to think that we may be forced from it. I am opposed to any zone change of my property or the surrounding properties. There simply isn't a need to change approximately 37 acres of Agricultural land to Business B or C, (which ever it is) when many appropriate parcels are available. It doesn't seem justifiable to rezone this large area just to accomodate one beer distributor warehouse, which use doesn't belong in there in the first place. The Board can and should find relief for Kinney Chevrolet so that they can operate harmonously among their neighbors. This can be done without down zoning the entire area. Such a change would be catastrophic for any family. (As my own which wishes to remain in the neighborhood) To down zone the area would be to write a death warrant on any future residential use. The area in question now contains 11 homes. Should this block busting scheme be successful, it will effectively eliminate most of the homes. The vacant parcels which would be most attractive to developers, will build up first. Homeowners would eventually have to sell out when life becomes insufficiently uncomfortable. As a community, we will not be able to have a voice in the development or the construction of the area surrounding our homes, should they be rezoned to business. Are you listening to me? Thank you. The beer distributor who has set his sites on the woods 100 feet east of my house, is a particularly unattractive type of business to have as a neighbor. Who knows what could happen to the vacant lot on the west. I shudder to think of it. I understand that some of my neighbors welcome the zone change. These people report that they expect to sell their homes at a huge profit and plan to leave the area. I wouldn't blame them. I stress that those of us who care most about this disintegration of the neighborhood, are those who plan a future here and care about Aquebogue. We feel a responsibility to protect our homes and community. We have a right to raise our families in this chosen agricultural atmosphere. The decision of the Board will have a profound effect on those of us who live in and love Aquebogue. I trust in your integrity and of the Supervisor and all of the Board to weigh all of the facts and make a fair decision. Thank you."

Supervisor Janoski, Thank you Andrea."

Evelyn Beebe, Church Lane, Aquebogue, "I will make this very very short gentlemen because very frankly, I am getting tired. I realize that this is a very important issue coming before the Board. I also realize how profitable business is to the Town of Riverhead. I've been a resident of Riverhead for 9 years. I average during that time, I've paid about 2 thousand dollars a year in taxes. That's about 18 thousand dollars. I feel for my 18 thousand dollars that I have the right to not have a beer distributor on my road. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Do I see a hand back there? Ok come on up."

Ann Marie Galasso, Aquebogue, "My name is Ann Marie Galasso and I also live on the main road in Aquebogue and I love Aquebogue just as much as anybody else in this room. Fortunately for the Olsen's, they've been able to build up a business and make a nice success of it. I just think Doug and Carol should be given the same opportunity."

Supervisor Janoski, "Ok. Just a moment Mr. Olsen. Is there anyone else who has not spoken who wishes to address the Town Board? Ok."

Nancy Binger, Main Road, Aquebogue, "My name is Nancy Binger and I reside on Main Road, Aquebogue. I just have a question on Route 58. Is it correct that there is a moratorium on Route 58? I am not exactly sure what a moratorium is."

Supervisor Janoski, "It means that the Town Board will not entertain any development planning during the period of the moratorium which has been set at 3 months."

Nancy Binger, "Ok. At the suggestion of a Planning Board?"

Supervisor Janoski, "No. At my suggestion."

Nancy Binger, "Ok. I also read in the paper (and all these Town Board meetings and kind of things are new to us) that there is a possibility of rezoning what is business in Aquebogue now which I live on, to either residential or P or B. And it just seems a little strange to me that there should be some consistency."

Supervisor Janoski, "There is consistency. It was this occasion. As I mentioned before, the Town Board in a series of investigations regarding different areas in the town, coastal zone management, Sound Avenue, Route 58, 25A. We are going through what we believe are high pressures for development in order to put intelligent planning in place. We would have gotten to this area that you live on during the course of events. This particular issue brought to our attention, something that seems very odd to us. That is; east of 105 is all zoned business B, business C, and business PB, from (Gee, I don't remember.) Union Avenue. So that being the case, we recognized that we agree that that area of Aquebogue perhaps, should not have shopping centers and all the other things that were allowed under some of those zones. The Town Board agreed to refer to the Planning Board in consideration of rezoning of that area, more consistent with our desire for the future. The moratorium, once again we're doing something. We're re-thinking what we're about. There is a broad range of things that are possible in present zoning of the eastern end of route 58. We don't want any more shopping centers etc. etc. So at my

PUBLIC HEARING ContinuedSupervisor Janoski Continued

suggestion, the Town Board agreed that we should place the moratorium so that there would not be any applications while we sort out what it is that we are going to do and eventually arrive at adoption of a plan and then implementation. Does that answer the question?"

Nancy Binger, "Yes. That answers that question. I would only say then that in view of that fact, and the possibility of changing the business that is in Aquebogue, back to either PB or Residential or whatever have you. That you also delay your decision or somehow just until some sort of plan... I am against business. My family has been in business along the Main Road in Aquebogue for many many years. But I also lived up the west end of the Island right next to Hempstead Turnpike and I really don't want to see that where I live."

Supervisor Janoski, "That's exactly what we are trying to avoid."

Nancy Binger, "Right. I understand that. You clarified my question. Thank you very much."

Supervisor Janoski, "Thank you. Is there anyone else who hasn't spoken, who wishes to address the Town Board? That being the case, Mary Beth, you get another shot."

Mary Beth Andresen, "The reason I brought up the Sol Lerner proposal, is that that property was indeed included in this even though he wasn't a separate proposal. I brought it up because I felt it was a very important issue. As Mr. Janoski just stated, he doesn't want any more strip zoning and shopping centers. When in effect, this property of Mr. Sol Lerner could indeed become that. Very easily if this entire property is upzoned. The property zoning was started on Doctor's Path which has been the Riverhead hamlet line to East Main Street. The contents of zone on this application, is actually a new zone. You have taken the property from the Doctor's Path line and moved it right to 105. The line was originally established at Doctor's Path. But when I brought up Sol Lerner's name, I did it because I felt it was an important issue for other people to be aware of passed performances. We talked about the passed performances of Doug and Carol Sowinski at the beverage depot on Ostrander Avenue. We talked about the passed performances of Doug and Carol Sowinski on the Edgar Avenue property down by the duck farm. We talked about the passed performances of Doug and Carol Sowinski on the Meeting House Creek Deli proposal. I think it's time that many of the people in this audience should know about the passed performances of Mr. Sol Lerner. An investor and a developer. I never once mentioned anybody (being) accepting money or what have you, Mr. Prusinowski. Obviously you must be very much on the defensive to even bring it up. Thank you."

PUBLIC HEARING Continued

Councilman Prusinowski, "No. Excuse me Mary Beth. I want to answer that. What you said was in your presentation, (I am sorry I used the word checkbook) what you said in your presentation and I did not want to be misconstrued, that for some reason, he was behind the whole application. And I want to clarify the point is that he is not on this particular application. You did state in there that it seems like he's behind this whole thing which he really isn't. That's my point that I want to make."

Mary Beth Andresen, "I did not say he was behind it. I said he was included in it."

Councilman Prusinowski, "Whatever it was, that is the interpretation I received on it and I just want to clarify that point."

Mary Beth Andresen, "I just want...."

Councilman Prusinowski, "And I am not on the defensive because I don't have anything to be defensive about."

Supervisor Janoski, "Ladies and gentlemen, the hour is getting late and I really don't want to get into an argument. Do you have anything else to add?"

Mary Beth Andresen, "I just want to state that I in no way said he was behind it and you have it on public record. I want the people to be aware he was included. That's it."

Supervisor Janoski, "Good. Ok. There's a gentlemen in the back with his hand up and I don't recognize him. Have you spoken yet?"

Walter Binger, Main Road, Aquebogue, "Good evening. Almost good morning. I happen to be in a unique situation."

Irene Pendzick, "Excuse me. I have to have your name."

Walter Binger, "Walter Binger, Main Road, Aquebogue. I happen to probably be in the most unique situation in this room. I happen to have a residence on the Main Road in Aquebogue built on business property, although I own no business on the Main Road property up fronting my agricultural land on the Main Road in Aquebogue. Therefore, I really have a tough time taking sides here. So I am trying not to take sides. I am trying to evaluate the issue in my mind as things come up during the night. Which the Town Board is also trying to do. There are things that are not coming up here. Now. What has come up here is that Doug and Carol are fine citizens and we consider ourselves friends of Doug and Carol and we wish them all the best in any business in Aquebogue, in Riverhead, whatever. My pursuit happens to be towards the size of his business, the use of that business. If it is a warehouse of a 90 foot frontage by 200 feet. That's a h--- of a big business

PUBLIC HEARING ContinuedWalter Binger Continued

It's all one piece of road. I come down it every day. I don't go around through town. I came 58 and down 25. It's a straight shot. There's no turns. Let's get it all together when it comes to 90 days."

Supervisor Janoski, "There is a pending application. I am afraid the Town Board can't do that. I could not in good conscience vote for something like that."

Walter Binger, "Ok. Then in good conscience, let's deny the zoning change. Let's leave it the h--- the way it is and let them reapply."

Supervisor Janoski, "Mrs. Olsen."

Elaine Olsen, "I just want to clarify the property that I own. We bought it in 1954. The greenhouse and the house was built in 1927 by Dan Diamond. He owned the property next to it with a nursery. That was all and the greenhouses are agricultural. That has been there for 54 years. That's a long time. We're not new business. Thank you."

Supervisor Janoski, "Mr. Olsen."

Ernest Olsen, "Of course living next to the property that was part of Homeside Florist originally, I know a little about the ecology and the history. Years ago, at the turn of the century, that was a potato farm as the property. Now the source of information was Dave Young. He had farmed that piece of property. But the property right at that point to the highway was unsuitable because of a clay situation and poor drainage. There was a big gap in that property unsuitable for farming. Now, prior to that, my source of information is Perry Conklin. He's an amateur Indian archeologist from Aquebogue. The area that is there, in Indian time, was mined for a pure clay substance that came in large veins. That gray clay was used for Indian pots on all of eastern Long Island. Now. What it is, is through the years, many people have looked at that commercially. They have tested it because of the water standing on the ground. I know a little about trees. An ordinary maple tree evaporates 2 thousand pounds of water on an average summer day. Now. As evidence by when he puts drainage ditches alongside the road, the one that was put in front of this property, filled up completely with water and the excess water just ran down the street. There is very poor drainage. I tried to dig, as further test, a cesspool on the west side of my house. It was unsuitable. It was straight layers of solid clay layered 6 feet deep with this clay. Now, when I looked at the site plan and the bottle or can washing and a very small section leading into cesspools, I am very concerned. I know from experience living adjacent to the property, it's inadequate. When this area was black topped and even figuring on 4 inches of rain, through the parking lot there was no drainage."

PUBLIC HEARING ContinuedWalter Binger Continued

Aquebogue is small businesses. Riverhead is large businesses. Let's make a differentiation. We have commercial zone on 58. That's Riverhead to me. We have 25A east of that. That's Aquebogue to me. Ok. 105 was a man-made barrier. It was added. Aquebogue was first before Riverhead Town was even incorporated. So we can't say that the Riverhead Town line stops at 105. I am trying to set all that aside and I am trying to figure out what's going on there. We have a moratorium on Route 58 stopping business for 90 days. As my wife mentioned, which nobody had mentioned here tonight, that had been mentioned in earlier meetings, there is business in Aquebogue not totally zoned business, zoned partially. It's all zoned partially through into Laurel, into Jamesport, into Mattituck. Small business zones to allow its corner deli, to allow a Nautique, a small gift shop, whatever."

Supervisor Janoski, "There is business B and C zone which allows for a shopping center."

Walter Binger, "That's correct. But there's small areas of small depth."

Supervisor Janoski, "500 feet is usual depth for the highway."

Walter Binger, "Therefore, we are taking the usual depth and we are taking Mr. Lerner's property and Kinney Chevrolet. 500 foot depth, 700 foot depth? It's relatively 37 acres. Ok. What I am trying to say, we've got a moratorium here. We got business here. We've got a road change that's been blurted in the papers as the Martins Paint store, which I thought was a ridiculous idea to put the Police station because they have no access going eastbound coming out of the Martins Paint. So where you now got a Motor Vehicle Department in there, it said that the road would be changed. There is some traffic flow. Now what happened to that? Now that we have that traffic flow that goes into the little piece of Route 25 which is stuck between 105 and Doctor's Path. Now we got a moratorium this side. We want business on this side. We don't know what we're going to do with business on this side. We then change the road in the middle. The road between is now wide. We have no problem now. Homeside Florist is opposite agricultural land. We don't have an opposing driveway. Kinney Chevrolet is opposite residential land. We don't have opposing driveways. Carvel and the Insurance Company do not have opposing driveways. Except to residential. Now. That's got to be brought up. You're going to put 2 commercial properties, bang crash with another car coming eastbound westbound. What's going on? What I am trying to say is this: why don't we put a d--- moratorium for 90 days on this piece and get it all in one lump sum, all together. Let's not fight over an issue about one piece of property here. This one don't count because it's east of Doctor's Path. This one counts because it is west of 105."

PUBLIC HEARING ContinuedErnest Olsen Continued

but what I am saying is: it could be towed in, dipped into adequate drainage. But it would have to have a number of them because there's no trees now to evaporate water roots to penetrate the clay layers. It was mentioned tonight that there was quite a few trees that toppled over. These are circuit root trees that do topple over because of the ecology and of course of the soil and subsoil being in such a clay manner. This land, when it was used for a nursery by Dan Diamond, it was packed up clay which made easy balls and agriculturally it could be used. It can be used for balling and it's good for that. But it still provides a good surface drainage by that and evaporation to the leaves. Thank you."

Supervisor Janoski, "Andrea. Is there anyone else who wishes to address the Town Board on this matter? Mr. Stillwagon."

Bill Stillwagon, "Thank you. I had said before that Mr. Sowinski had a right to expand his business and that I am in agreement with it, to expand his business where he is now. Not in our back yard. My neighbor, who said he is in favor of this zone change, his reasons being that he told me that he has a big offer on his property if the zone use changed to business. In fact, he said that he was retiring in a few years. He wants to make a killing on the property and he is getting the h--- out of here. You know. Like take the money and run. Ok."

Martin Kart, "That's not what I said."

Bill Stillwagon, "That's exactly what you told me."

Supervisor Janoski, "Mr. Kart, please don't speak out."

Bill Stillwagon, "Ok. That's done. I still want to live here. I am not driven by greed or love of the almighty dollar. I purchased my property, my residence, here because it's a good place to live. I want to stay here. I am sorry. I'll say that again in case you missed that. I still want to live here. I am not driven by greed or love of the almighty dollar. I purchased my residence here because it is a good place to live. I want to stay here. I want to raise my family and live out my life. I can't do that in a business zoned property. Thank you."

Supervisor Janoski, "Thank you. Come on up. I wish this was the price is right. We could give something away. Come on down."

Dorothy Draper, "I don't....."

Supervisor Janoski, "You have to identify yourself ma'am for the record."

PUBLIC HEARING Continued

Dorothy Draper, "I don't like to see this bickering. We are talking with neighbors. Tinny Kart has been a neighbor of mine for over....."

Supervisor Janoski, "Could you state your name again please?"

Dorothy Draper, "Dorothy Draper. My property is involved in this too. I don't like to see this arguing. And as I said, I've known Tinny for 30 some years and Tinny called me to persuade me to vote for this. Tinny you can't deny that. You talked to me for 3/4 of an hour. I just want to say when he said Mr. Stillwagon..... He told me he had an offer on his property. I just want to say it backing up Mr. Stillwagon that Tinny Kart did tell me he did have an offer if it goes through."

Supervisor Janoski, "Thank you. Just say once again who you are."

Martin Kart, "I am Mr. Kart. I am the boy on the spot. I did talk (with) on the phone with Mrs. Draper. I didn't try in any way to; change her mind. She stated her position and I sad she's entitled to do whatever she wants with her property. I did say I had an offer on my property. I had 2 offers on my property. The reason I am considering both of them is for the fact, that for the last 32 years I have been in this area and large businesses in the area, they've been allowed too (not allowed to but) they have expanded. They've been allowed to expand and the residences in the area... I am ahead of myself. They've been allowed to expand. And therefore, their property becomes all the more valuable. Well, at the same time, the residences in the area we stay status quo, practical. With the exception of a token few. We don't even get an inquiry about our property. Only the one piece of property sold in the last 32 years since I've been there. And that is to Andrea and Bill Stillwagon. That was done last year. And the only reason she bought it was that she is going to run Mr. and Mrs. Olsen's business. And it's handy for her to live at that location because she has children. She lived previously I believe, in Mattituck. And she had to travel back and forth bringing her kids to St. David's school in Riverhead. Now, as far as change in anyone's mind about what they do with their property.... Dorothy I even stated to you..."

Supervisor Janoski, "Mr. Kart please address the Town Board. You can say whatever you want to say but just don't.."

Martin Kart, "But I did state to her that I didn't want to change her mind as to what she thought was good for her property and in fact I am in favor of her wishes. If she wishes to keep her property, that's fine. But I wish to sell mine if I can. If it stays as a residence, I'll just only have a token piece of property to offer. In fact, the property that was sold, I believe it had one offer. He had one person He

PUBLIC HEARING ContinuedMartin Kart Continued

had that for sale for almost a year. He had one person inquire about the property. It happened to be Andrea and Bill. Because they know and it's handy for them and that's all I got to say."

Supervisor Janoski, "Thank you Mr. Kart. Is there anyone else who wishes to address the Town Board on this matter? Ok. I declare the hearing closed. Now, I expect everyone is going to stay until we finish the resolutions. We don't want to do this by ourselves here. Ok. Without objection and unless anybody wants to here the entire resolution, we are going to introduce them and move them by number and title."

RESOLUTIONS#260 APPROVES SITE PLAN OF PECONIC RIVER YACHT BASIN, INC.

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

WHEREAS, a site plan prepared by Donald A. Denis, Architect, was submitted to this Town Board for approval for a building permit for a marina and support facilities to be located at premises located on the south side of East Main Street, Riverhead, New York, and

WHEREAS, this site plan has been reviewed by the Environmental Quality Review Board and they have recommended that this site plan is a Type II action, and

WHEREAS, this site plan has been reviewed by this Town board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Peconic River Yacht Basin, Inc., as prepared by Donald A. Denis, Architect, and dated most recently April 10, 1984, be and is hereby approved, subject to the following:

1. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.
2. Subject to Peconic River Yacht Basin, Inc., obtaining the necessary Department of Transportation curb cut approvals; Suffolk County Health Department approval; Town of Riverhead Conservation Advisory Council approval; approval by the Riverhead Zoning Board of Appeals for parking; and Department of Environmental Conservation approval.
3. That additional plantings shall be placed along Route 25 as screening.
4. That no docks, buildings, or moors shall be installed without Department of Environmental Conservation approval.

RESOLUTIONS Continued

5. That a covenant containing all the limitations and provisions of this site plan approval resolution, in a form as 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.

6. 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. All existing signage shall be removed.

7. 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.

8. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

9. 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 property.

10. 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.

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Peconic River Yacht Basin, Inc., and the Riverhead Building Department.

RESOLUTIONS Continued

## DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of April 1984, by Peconic River Yacht Basin, Inc. with offices at 1380 Roanoke Avenue, Riverhead, New York, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, South side of Route 25, 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, 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. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.

2. Subject to Peconic River Yacht Basin, Inc., obtaining the necessary Department of Transportation curb cut approvals; Suffolk County Health Department approval; Town of Riverhead Conservation Advisory Council approval; approval by the Riverhead Zoning Board of Appeals for parking; and Department of Environmental Conservation approval.

3. That additional plantings shall be placed along Route 25 as screening.

4. That no docks, buildings, or moors shall be installed without Department of Environmental Conservation approval.

5. 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. All existing signage shall be removed.

6. 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.

RESOLUTIONS Continued

7. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

8. 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 property.

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

PECONIC RIVER YACHT BASIN, INC.

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_\_ day of April, 1984, before me personally came \_\_\_\_\_, the individual authorized to execute the Declaration and Covenant on behalf of Peconic River Yacht Basin, Inc.; that said individual was duly authorized by resolution by Peconic River Yacht Basin, Inc., and he did swear to me that he executed same.

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

The resolution was thereupon duly declared adopted.

#261 AUTHORIZES SUPERVISOR TO SETTLE THE APPEAL OF EMILIA KOSTIUK.

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

RESOLVED, that the Supervisor be and hereby is authorized to settle the appeal of Emilia Kostiuik to the United States Court of Appeals for the Second Circuit in the amount of \$3,000.00 upon receipt of a Release of Claim.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

EASTLAND REALTY SERVICES, INC.

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_\_ day of April, 1984, before me personally came \_\_\_\_\_, authorized to execute this declaration and covenant on behalf Eastland Realty Services, Inc. and did so by resolution of said corporation; that he did swear to me that he executed same.

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

The resolution was thereupon duly declared adopted.

#263 AUTHORIZES THE SOLICITATION FOR BIDS FOR NEW 1984 CARGO VAN.

(See Sewer Minutes)

#264 AUTHORIZES THE SOLICITATION FOR BIDS FOR NEW 1984 TRUCK CAB & CHASSIS.

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertised for sealed bids for the purchase of New 1984 Truck Cab and Chassis for use by Riverhead Police Dept. and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:00 a.m. on \_\_\_\_\_ 1984 at Town Hall, 200 Howell Avenue, Riverhead, New York 11901; and to make a report of the results of said bids to the Town Board at the next scheduled Town Board 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 AS TABLED.

RESOLUTIONS Continued

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. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.

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 this covenant shall cover and be binding upon the entire shopping plaza.

5. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

6. 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 property.

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

8. That this approval is only for renovations to be made to the existing shopping center as detailed in the drawings submitted by Gary D. Cannella Associates on behalf of Eastland Realty as outlined on pages 1, 2, 3, and 4 dated March 29, 1984, and excludes approval of the proposed one story addition which must be approved by further resolution of the Town Board.

9. That on-site drainage designed by Holzmacher, McLendon and Murrell, P.C., who has been engaged by Mr. Cannella to complete a drainage study, be installed to collect and contain all storm water from the entire shopping center, which plan shall be subject to approval by the Town Board.

RESOLUTIONS Continued

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 property.

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

9. That this approval is only for renovations to be made to the existing shopping center as detailed in the drawings submitted by Gary D. Cannella Associates on behalf of Eastland Realty as outlined on pages 1, 2, 3, and 4 dated March 29, 1984, and excludes approval of the proposed one story addition which must be approved by further resolution of the Town Board.

10. That on-site drainage designed by Holzmacher, McLendon and Murrell, P.C., who has been engaged by Mr. Cannella to complete a drainage study, be installed to collect and contain all storm water from the entire shopping center, which plan shall be subject to approval by the Town Board.

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Eastland Realty and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of April 1984, by Eastland Realty Services, Inc. with offices at 555 North Broadway, Jericho, New York, Declarant,

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

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

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

RESOLUTIONS Continued#262 APPROVES SITE PLAN OF EASTLAND REALTY

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

WHEREAS, a site plan prepared by Gary D. Cannella Associates, Architects, was submitted to this Town Board for approval for a building permit for renovation to the existing shopping center known as Riverhead Plaza located on the south side of Route 58, Riverhead, New York, and

WHEREAS, this site plan has been reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Eastland Realty as prepared by Gary D. Cannella, Associates, Architects, and dated most recently March 29, 1984, be and is hereby approved, subject to the following:

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

2. That a covenant containing all the limitations and provisions of this site plan approval resolution, in a form as 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.

3. 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.

4. 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.

5. That this covenant shall cover and be binding upon the entire shopping plaza.

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

7. 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

RESOLUTIONS Continued#265 AUTHORIZES SOLICITATION FOR BIDS FOR NEW SINGLE BOOM WRECKER.

Councilman Artale offered the following resolution (TO BE TABLED) which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of a New Single Boom Wrecker for use by the Riverhead Police Department and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:00 a.m. on 1984 at Town Hall, 200 Howell Avenue, Riverhead, New York 11901; and to make a report of the results of said bids to the Town Board at the next scheduled Town Board 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 AS TABLED.

#266 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF ROBERT CELIC, EUGENE BAILEY AND FLORENCE BAILEY.

Councilman Artale 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 the special permit application of Robert Celic, Eugene Bailey and Florence Bailey to establish a day care/nursery school on premises located at the southeast corner of Shade Tree Lane and NYS Route 25, Aquebogue, New York, tax map #0600-85-3-12.1, pursuant to Section 108-15 of the Riverhead Town Code, a use permitted by special permit of the Town Board in the Residence C zoning district.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 1984, at 8:40 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 Robert Celic, Eugene Bailey and Florence Bailey to establish a day care/nursery school on premises located on the southeast corner of Shade tree Lane and NYS Route 25, Aquebogue, New York, tax map #0600-85-3-12.1, pursuant to Section 108-15 of the Riverhead Town Code, a permitted use by special permit of this Town Board in the Residence C zoning district.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#267 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: CHANGE OF ZONE APPLICATION OF ROBERT CELIC, EUGENE BAILEY AND FLORENCE BAILEY.

Councilman Lombardi 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 change of zone application of Robert Celic, Eugene Bailey and Florence Bailey to change the zone of premises known as tax map #0600-85-3-12.1, located at the southwest corner of Route 25 and Shade Tree Lane, Aquebogue, New York, from Agricultural A to Residence C.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of May, 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 application of Robert Celic, Eugene Bailey and Florence Bailey for a change of zone from Agricultural A to Residence C of the premises known as tax map #0600-85-3-12.1, located at the southeast corner of Route 25 and Shade Tree Lane, Aquebogue, New York, approximately described as follows:

BEGINNING at a point located at the corner formed by the intersection of Shade Tree Lane and NYS Route 25; Running thence easterly along NYS Route 25 131.59 feet, more or less to a point; thence southerly and parallel to Shade Tree Lane 290.85 feet, more or less, to a point; Thence westerly 121.46 feet to Shade Tree Lane; thence northerly along Shade Tree Lane 326.77 feet to the point or place of BEGINNING.

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

The resolution was thereupon duly declared adopted.

#268 AUTHORIZES TOWN ATTORNEY TO NOTIFY INVOLVED AGENCIES RE: DESIGNATION OF LEAD AGENCY, KIMBROOK ENTERPRISES, INC.

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

RESOLVED, that the Town Attorney be and is hereby authorized to notify all involved agencies regarding the application of Kimbrooke Enterprises, Inc., that the Town Board of the Town of Riverhead wishes to be designated as Lead Agency pursuant to Part 617 of the State Environmental Quality Review Act.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#269 APPOINTS CORNELIUS FENTON AND ROBERT DONNELLY TO THE RIVERHEAD CONSERVATION ADVISORY COUNCIL.

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

WHEREAS, Timothy Drawbridge and Sal Messina have resigned from their membership with the Riverhead Conservation Advisory Council, and

WHEREAS, the Riverhead Town Board does wish to express its gratitude to Timothy Drawbridge and Sal Messina for their dedication to the community, and

WHEREAS, there now exists two vacancies on the Riverhead Conservation Advisory Council.

NOW, THEREFORE, BE IT

RESOLVED, that Cornelius Fenton and Robert Donnelly be and are hereby appointed as members of the Riverhead Conservation Advisory Council at no compensation effective immediately.

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

The resolution was thereupon duly declared adopted.

#270 AUTHORIZES SETTLEMENT OF TOTAL CONSTRUCTION PRICE, RE: STONY BROOK CONSTRUCTION CORP.

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

RESOLVED, that the Supervisor be and is hereby authorized to settle with Stony Brook Construction Corp. the total construction price award at a final cost of an additional \$9,200.00, with regard to Project No. RDSD 82-01B, Maintenance Building, Contract No. 1 General Construction and Mechanical work, Riverhead Sewer District.

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

The resolution was thereupon duly declared adopted.

(SEE SEWER MINUTES)

There being no further business on motion or vote, the meeting adjourned at 11:39 p.m.



Irene J. Pendick  
Town Clerk