

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 14, 1973, at 10:00 A. M.

Present:

John H. Leonard, Supervisor
Robert G. Leonard, Town Justice
Vincent B. Grodski, Councilman
George G. Young, Councilman

Absent: Thomas R. Costello, Town Justice

Also Present: Francis J. Yakaboski, Town Attorney

WAIVER OF NOTICE AND CONSENT OF MEETING

WE, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 10:00 A. M. on the 14th day of August 1973, and do consent to the holding of such meeting for the purpose of discussing and voting on the following matters:

1. Alternative for Northville Turnpike to submit to Suffolk County Legislature on meeting of August 28, 1973 at 9:00 A. M. to be held in Riverhead.
2. Decision on the application of John and Wanda Wittmeier for zone change and special permit to extend mobile park.
3. And for any other matters that may come before the Board.

Dated: August 14, 1973

Signed: John H. Leonard
Supervisor

Robert G. Leonard
Town Justice

Vincent B. Grodski
Councilman

George G. Young
Councilman

Town Board Members to attend meeting of Suffolk County Legislature on August 28th, 1973 relative to Northville Turnpike project.

COMMUNICATIONS

Town Justice Costello, dated August 10, 1973 advising the members of the Town Board that he will be unable to attend the meeting of the Board scheduled for August 14th, at which time the Wittmeier application is to be considered for decision purposes.

Justice Costello is submitting this letter as part of the decision and wishes to have his vote recorded in favor of the application. Filed.

COMMUNICATIONS - Continued:

Town Justice Costello dated August 10, 1973 to Supervisor Leonard outlining an alternative plan for Northville Turnpike with the request that it be taken up with the Town Board and if approved that it be submitted to the County Executive in writing. Filed.

Town Justice Costello, dated August 9, 1973 advising Town Board he is having an eye operation on August 14th and will be several weeks recuperating.

Outlining his feelings on matters pending before Town Board.

1. Votes "yes" on Wittmeier petition to change zone in order to extend the existing mobile home park.
2. Engineering study should be made at Town's expense of property surrounding Ottaviano property at Wading River in order to divert water descending on said property.
3. LILCO should be advised that a building permit be secured before any construction be started either temporary or permanent in connection with the erection of a proposed nuclear plant.
4. A letter be written to County Executive advising him of the alternative plan for Northville Turnpike - flooding areas to be corrected, no real property to be taken for widening of roadway purposes. A traffic light to be installed at Northville Turnpike and Route 58.
5. Apprise the good Judge of the negotiations with the CSEA on the 1974 Contract.
6. Believes the Supervisor should discuss pending matters with the members of the Town Board instead of the newspapers as the Board Members have no means of newspaper reply.
7. Proposes a donation of \$3,000.00 be made to the Riverhead Library Association.
8. Kenter-Graff Matter - if the strip from Griffing Avenue to the rear of the Graff Property is owned by the Graffs, it should be used as a means of exit, entrance with no exit directly into the parking district, if not, a parking district should be given as a fire exit. Filed.

RESOLUTION

Councilman Grodski offered the following resolution which was seconded by Supervisor John Leonard.

-----X
 In the Matter of the Application of :
 JOHN WITTMIEIER AND WANDA WITTMIEIER :
 for a change of zone from Agricul- : DECISION
 ture A to Industrial A :
 -----X

The petitioners, John Wittmeier and Wanda Wittmeier, seek a change of zone for premises acquired by them from Agriculture A to Industrial A and simultaneously petition this board for a special permit, assuming the zone change is granted, to construct a mobile home park on the rezoned premises. Petitioners currently operate a small mobile home park on adjacent premises which park is a pre-existing non-conforming use. The application is made pursuant to provisions of the zoning ordinance in existence prior to December of 1972. Current provisions of the zoning ordinance which became effective in December of 1972 no longer provide for the creation by special permit of a mobile home in the Industrial A zone. It is petitioners' contention that since the application was submitted prior to the zone change the board would have the authority to

RESOLUTION - continued:

grant a special permit subsequent to a zone change. This board does not agree with this contention but it is not necessary to decide this question as the application for the zone change is the major issue before this board.

The board has considered all of the facts and circumstances surrounding this application and relies upon the personal knowledge of its members, as well as upon the various documents filed in connection with this application and the statements made at the public hearing.

A prior application for such a zone change to provide a trailer park was denied by this board just several weeks ago. At that time the planning board recommended that no zone change be granted and the planning board has again recommended in this instance that the application for the zone change be denied. The board is well aware of the number of trailer parks in our community and the character of the neighborhood, and this board is of the same opinion that the application should be denied. The board further notes that a petition with approximately 500 signatures opposing the application was submitted on the 7th day of August, 1973, several weeks after the close of the public hearing. This petition has no bearing on the board's determination in this matter. Based upon all of the circumstances surrounding this application it is the opinion of this board that the application of JOHN WITTMEIER and WANDA WITTMEIER for a zone change be denied. The board will not determine the question of whether it would grant a special permit or even has the authority to do so.

RESOLVED, therefore, that the application of JOHN WITTMEIER and WANDA WITTMEIER for a zone change be and the same is hereby denied.

The Vote, Councilman Young, No, Councilman Grodski, Yes, Town Justice Leonard, No, Town Justice Costello, Absent, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned.

Elizabeth Edwards

Elizabeth Edwards, Deputy Town Clerk

EE: