

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on July 21, 1964 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Thomas R. Costello, Justice of the Peace

Vincent B. Grodski  
George G. Young, Councilmen

Absent: Bruno F. Zaloga, Jr., Justice of the Peace

Also present: Shepard M. Scheinberg, Town Attorney.

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

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on July 7, 1964 be approved as submitted.

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

Approximately 42 persons attended the meeting to participate in the discussion on the question, "Whether or not non-residents can use Riverhead Town Public Beaches."

Mr. Edwin Lapham, representing the Wading River Civic Association appeared before the Board opposing the issuance of non-resident beach permits for Wading River Beach and urging that the Board adhere to policy of issuing permits only to Riverhead Town residents.

Four persons from Southampton Township residing in the Northampton and Flanders areas were heard requesting taxpayers in their areas be permitted to purchase beach stickers and also be included in the Riverhead Town Recreation Program for the reason they are paying School and Fire District taxes, attend churches and support the merchants of the Town of Riverhead, and further expressing opinions that a fee of \$2.00 would be considered a fair price for a non-resident permit and a fee of \$5.00 would be too high.

The Town Board advised that the Town of Southampton has a Swimming Program which is open to all residents of Southampton Town.

Eleven persons from Wading River addressed the Board and opposed the issuance of non-resident beach stickers for the reason that the beach is already over-crowded due to the smallness of the area.

At this point of the meeting Supervisor Vojvoda declared a temporary suspension of this discussion to resume immediately after the conclusion of the Public Hearing.

At 11:00 A. M. Notice of Public Hearing was read and submitted to the Board relative to amending Ordinance No. 2, Fire Protection Ordinance of the Town of Riverhead.

The Notice was ordered placed on file.

Supervisor Vojvoda declared the Hearing open to anyone wishing to be heard in favor of or in opposition to the aforesaid amendments.

There being no one wishing to be heard and no communications relative thereto having been received, Supervisor Vojvoda declared the Hearing closed.

The discussion on non-resident beach stickers was resumed at this point of the meeting.

Two taxpayers from Brookhaven Township residing near the Riverhead Town line were heard requesting they be included in the Riverhead Recreation Program and be permitted to use the Riverhead beaches for the reason that their children attend the Riverhead Town schools, that all their shopping is done in Riverhead and that they also receive mail in the Town of Riverhead.

The Town Board advised that the Town of Brookhaven has public beaches and also an excellent Recreation Program which is open to all residents of Brookhaven Town.

Several taxpayers informed the Board that the Beach Attendants and Lifeguards employed at the Town Beaches are doing a good job.

At this point of the meeting Supervisor Vojvoda announced that he had received a telephone call from Justice Zaloga saying he was sorry he was unable to attend the meeting due to a set-back.

Mr. O'Beirne stated that stickers may be obtained and are being issued every day at Wildwood State Park and submitted three photographs showing availability of parking spaces at the State Park.

Four communications opposing the issuance of non-resident beach permits were submitted to the Board as follows:

- Dated: July 17, 1964 - Mr. & Mrs. Henry Reppa, Wading River, N. Y.
  - Dated: July 18, 1964 - Mrs. Margaret W. Heatley, Wading River, N. Y.
  - Dated: July 18, 1964 - Mrs. Mabel Heatley, Wading River, N. Y.
  - Dated: July 19, 1964 - Mrs. Lars G. DeLagerberg, Wading River, N. Y.
- The communications were ordered filed.

Supervisor Vojvoda thanked the people for coming to the meeting and stated the Board would give their suggestions every consideration.

The Town Board tabled its decision on the matter of issuing non-resident beach stickers for survey and further study.

Mr. George Schmelzer appeared before the Board making application for a Mobile Home Park.

The matter was referred to the Planning Board for report.

Mrs. Richard White appeared before the Board and read a statement on behalf of the members of the Aquebogue Civic Association, expressing appreciation to the Town Board for their interest and cooperation in the abatement of the pollution program.

Supervisor Vojvoda declared a Recess for lunch at 12:10 P. M. to reconvene at 1:30 P. M.

The Town Board reconvened at 2:00 P. M. with all members present, excepting Justice of the Peace Bruno F. Zaloga, Jr.

John P. Riedsorph, Water Plant Superintendent requested that an observation be noted on the minutes of this Meeting in respect to the Stotzky Memorial Park as follows: "That Justice Bruno Zaloga and the late Councilman Elmer Stotzky be commended for the starting of the Park and the amount of work they put forth to make the Park a reality."

The Recreation Department report for June, 1964 was submitted to the Board and ordered placed on file.

A communication from Vito Raso, Wading River, N. Y., dated July 14, 1964 making request for installation of a street light on 20th Street, Wading River, N. Y., in the Wading River Lighting District was submitted to the Board.

The communication was ordered filed.

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

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to make a survey for installation of a street light on 20th Street, Wading River, New York.

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

The following communications were submitted from the Suffolk County Department of Planning:

Dated: July 9, 1964 - Re: Amended Building Zone Ordinance-Town of Southold.

Dated: July 16, 1964 - Re: Amendment to Building Zone Ordinance Group 3, Town of Brookhaven.

The communications were ordered filed and referred to the Town Attorney.

A communication from the Town of Southold under date of July 14, 1964 relative to Proposal to amend Zoning Ordinance Amendment No. 61 was submitted to the Board.

The communication was ordered filed and referred to the Town Attorney.

A communication from the Town of Southampton dated July 8, 1964 relative to Public Hearings on Town Ordinance No. 22, Zone Ordinance No. 26 and Ordinance No. 26 relating to Garden Apartments was submitted to the Board.

The communication was ordered filed and referred to the Town Attorney.

A communication from the Town of Brookhaven dated July 16, 1964 relative to Amendment to Ordinance Group 3 Art. xx-A was submitted to the Board.

The communication was ordered filed and referred to the Town Attorney.

A communication from Ralph T. Preston, Inc., dated July 9, 1964, giving estimate of \$932.00 for repairs of the East dock in the East Main Street Parking lot, Riverhead, N. Y., was submitted to the Board.

The communication was ordered filed.

A communication was submitted to the Board from the Riverhead Town Planning Board under date of July 15, 1964, stating its Board will act on the request for study of St. Isidor's R. C. Church Cemetery location at a meeting to be held on July 22, 1964.

A communication from Joseph J. Tysh, River Road, Calverton, N. Y., dated July 13, 1964, relative to windshield damage was submitted to the Board.

The communication was ordered filed.

The Town Clerk advised that the communication was referred to the Insurance Broker on July 15, 1964.

A communication under date of July 2, 1964 from Fred. Eimers, Wading River, N. Y., offering for sale seven parcels of vacant land fronting on Hulse Landing Road, Wading River, N. Y., for parking field purposes.

The communication was ordered filed and the Town Clerk was directed to refer the matter to Joseph Kozofsky, Real Estate Broker, for appraisal and report.

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

RESOLVED, That the Supervisor be and is hereby authorized to execute the lease with the New York State Conservation Department covering a portion of the South Jamesport Public Beach.

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

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

WHEREAS, A Public Hearing was held on May 12, 1964, by the Town Board of the Town of Riverhead concerning the proposition, "Shall the Town Board of the Town of Riverhead, Acting as the Governing Body of the Riverhead Water District, rescind the resolution of June 18, 1952, approving fluoridation of the public water supply of the Riverhead Water District," and

WHEREAS, The Town Board of the Town of Riverhead, Acting as the Governing Body of the Riverhead Water District, has decided that fluoridation be discontinued permanently from the public water supply of the Riverhead Water District,

NOW, THEREFORE, BE IT RESOLVED, That the resolution of June 18, 1952, of the Town Board of the Town of Riverhead, Acting as the Governing Body of the Riverhead Water District, approving fluoridation of the public water supply of the Riverhead Water District be and is hereby rescinded.

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

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

RESOLVED, That the salary of Theodore Jasinski, Lifeguard, be changed from \$1.55 per hour to \$1.75 per hour, effective August 3, 1964.

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

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

WHEREAS, Charles R. Murtha was appointed Lifeguard effective June 20, 1964,

and WHEREAS, Charles R. Murtha has indicated his inability to continue to serve for personal reasons, be it therefore

RESOLVED, That the appointment of Charles R. Murtha as Lifeguard duly made by resolution of the Town Board on May 5, 1964, be and it is hereby rescinded effective at the close of the working day of August 2, 1964.

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

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

RESOLVED, That Kenneth W. Bourgeois be and he is hereby appointed Lifeguard effective August 3, 1964 to and including September 7, 1964, to be paid semi-monthly at the hourly rate of \$1.50 and to serve at the pleasure of the Town Board.

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

The Town Board convened as a Board of Audit and examined all Town Bills submitted on Warrants dated July 21, 1964 as follows: General Town - \$32,068.19, General Repairs Highway Item No. 1-\$4,951.73, Machinery Highway Item No. 3-\$1,937.03 and Miscellaneous Highway Item No. 4-\$317.46.

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

RESOLVED, That the General Town Bills as submitted in the amount of \$32,068.19 be approved for payment, and

FURTHER RESOLVED, That General Repairs Highway Item No. 1 Bills in the amount of \$4,951.73, Machinery Highway Item No. 3 Bills in the amount of \$1,937.03, and Miscellaneous Highway Item No. 4 Bills in the amount of \$317.46 be approved for payment.

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

Three residents of Nadel Drive, Riverhead, N. Y., appeared before the Board urging that action be taken to complete road repairs in the area of Nadel Drive before the Winter months set in.

The Town Board assured the residents of Nadel Drive that steps would be taken immediately in order that the work be completed at the earliest possible time.

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

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York has caused all matters and things to be done which are required by the Town Law in order that an amendment, change and modification of an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby ordains and enacts the following amendment, change and modification of Ordinance No. 26 of the Town of Riverhead:

**NOTICE**

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an amendment, change and modification of an ordinance may be adopted by the Town,

NOW, THEREFORE, by virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby ordains and enacts the following amendment, change and modification of Ordinance No. 26 of the Town of Riverhead:

1. By amending the table of CONTENTS, ARTICLE II — USE DISTRICTS by adding the following thereto:

To Section 201 — Residence 1 District: Sect 201K Living Area

To Section 202 — Residence 2 District: Sect 202K Living Area

To Section 203 — Business 1 District: Sect 203H Living Area

To Section 204 — Business 2 District: Sect 204H Living Area

To Section 205 — Farm 1 District: Sect 205H Living Area

To Section 206 — Industrial 1 District: Sect 206H Living Area

To Section 207 — Farm 2 District: Sect 207H Living Area

2. By amending the table of CONTENTS, ARTICLE II — USE DISTRICTS as follows:

SECTION 203 — Business 1 District, Sect 203C to read "Sect 203C Front Yard"

SECTION 204 — Business 2 District, Sect 204C to read "Sect 204C Front Yard"

SECTION 205 — Farm 1 District, Sect 205C to read "Sect 205C Front Yard"

SECTION 206 — Industrial 1 District, Sect 206C to read "Sect 206C Front Yard"

SECTION 207 — Farm 2 District, Sect 207C to read "Sect 207C Front Yard"

SECTION 208 — Business 3 District, Sect 208C to read "Sect 208C Front Yard"

SECTION 209 — Industrial 2 District, Sect 209B to read "Sect 209B Front Yard"

3. By amending the table of CONTENTS, ARTICLE III — SUPPLEMENTARY USE REGULATIONS by adding thereto the following:

Sect 301H Prohibited Uses of Front Yard

Sect 301I Swimming Pool

Sect 301J Off Street Parking

4. By amending ARTICLE I — GENERAL, SECTION 102 — DEFINITIONS the following paragraphs to read as follows:

1. ACCESSORY BUILDING, STRUCTURE OR USE — A building, structure or use customarily incidental and subordinate to the principal building or use and located on the same lot with such principal building or use.

6. BUILDING — A structure having a roof supported by walls, and when separated by a party wall without openings it shall be deemed a separate building. A building shall include tents and lunch wagons, dining cars, camp cars, travel trailers, mobile homes or other structures on wheels or other supports, if used for business or living purposes.

16. CAMP — Any one or more of the following whether or not conducted for profit and whether or not occupied by adults or by children, either as individuals, families or groups, other than a hospital, place of detention or school offering general instruction:

a. TYPE 1. Any area of land on which are located 2 or more tents, tent houses and/or camp cottages of a design or character suitable for seasonal or temporary living purposes, regardless of whether such structure or other accommodations actually are occupied seasonally or otherwise; or

b. TYPE 2. Any area of land on which are located 2 or more house trailers or mobile homes suitable for living purposes; or

c. TYPE 3. Any area of land on which are located camp cars, pickup coaches and/or travel trailers for living purposes; or

d. TYPE 4. Any land, including any building thereon, used for what is commonly known as "day camp" purposes; or

e. TYPE 5. Any area of land on which are located a grouping of buildings, exclusive of mobile homes, travel trailers, and/or camp cars or pickup coaches, for the operation of a recreational camp where certain functions are provided in separate buildings such as dining, laundering, recreational, sleeping, dormitory, rest room, etc.

32. NONCONFORMING USE — Any building, structure or land lawfully occupied by a use that does not conform with the regulations of the use district in which it is situated.

38. STRUCTURE — A combination of materials other than a building, forming a construction that is safe and stable, and includes, among other things, stadiums, gospel and circus tents, reviewing stands, platforms, swimming pools, stagings, stacks, observation towers, sheds, coal bins, bulkheads or walls, except as retaining walls, fences over six (6) feet in height, and signs. The word "structure" shall be construed as though followed by the words "or part thereof". In general a structure is to be considered as anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

5. By amending ARTICLE I — GENERAL, SECTION 102 — DEFINITIONS by adding thereto the following paragraphs:

5A. BREEZEWAY — A roof, which may or may not be supported by columns or pillars, tied into two buildings by structural members. A breezeway so constructed shall be considered as a part of the building and the two buildings which it connects shall be considered as one building.

20A. FAMILY — A single individual doing his own cooking and living upon the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based up-

on birth, marriage, or other domestic bond as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

21A. FLOOR AREA — The total of the horizontal areas of floors of a building measured between exterior faces of exterior walls, excluding areas used for accessory garage purposes and such basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building.

24A. HOME OCCUPATION OR PROFESSION — An accessory use of a service nature which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate and in connection therewith there is not involved the keeping of a stock in trade. The office of a physician, surgeon, dentist or other professional person, including an instructor in violin, piano or other individual instrument limited to a single pupil at a time, who offers skilled services to clients, and is not professionally engaged in the purchase or sale of economic goods, shall be deemed to be Home Occupations; and the occupations of dressmaker, hairdresser, radio technician, woodworker and similar craftsman shall be deemed to be Home Occupations. Dancing instruction, band instrument instruction in groups, tea rooms, tourist homes, real estate offices, convalescent homes, mortuary establishments, and stores, trades or business of any kind not herein excepted shall not be deemed to be Home Occupations.

33A. PORCHES, UNINCLOSED — A roof supported by columns or pillars, the sides of which shall not be inclosed with screens, windows, jalousies or bulkhead, except that a railing with pickets not over 30 inches in height may be installed between columns or pillars.

33B. PROFESSION — See Home Occupation.

34A. SIGN, AREA OF — The area of the sign shall include all the surface or surfaces which carries any device for visual communication.

38A. SIDRY — That portion of a building included between the surface of any floor other than a cellar floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it. The ground or first story is the lowest story of a building above the level of the ground in front of building, and shall include the area on more than one level provided each of the levels are separated by not more than eight (8) risers.

38B. STORY, HALF — A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

38C. STORE, AREA OF — The area of any story of a building measured between exterior faces of exterior walls, excluding attached garages, carports, uninclosed porches and breezeways.

38A. SWIMMING POOL — A body of water having a depth of more than eighteen (18) inches in an artificial or semi-artificial receptacle or other container whether located indoors or outdoors, used or designated, arranged, or intended to be used for public semi-public or private swimming by adults or children, or both adults and children, whether or not any charge or fee is imposed upon such adults or children.

6. By amending ARTICLE I — GENERAL, SECTION 102 — DEFINITIONS by deleting the following paragraphs:

7. BUILDING, ACCESSORY.

12. BUILDING, FIRST STORY OF.

13. BUILDING, TWO STORY.

14. BUILDING, TWO AND ONE-HALF STORY

16. CAMP UNIT.

25A. LIVING AREA.

7. By amending ARTICLE I — GENERAL, SECTION 103 — INTERPRETATION by deleting from the last paragraph the following:

"the word 'building' shall include tents and lunch wagons, dining cars, camp cars, mobile homes or other structures on wheels or other supports, if used for business or living purposes."

8. By amending ARTICLE II — USE DISTRICTS, SECTION 201 RESIDENCE 1 DISTRICT as follows: Amend paragraphs 5b and 5c of Section 201A USES to read as follows:

5b. Home occupations or

professions conducted within the dwelling by the residents thereof.

5c. Private garages; non-commercial greenhouses; private boathouses; summer houses used exclusively for sleeping or recreational purposes, and other similar accessory buildings.

Add paragraphs 5d and 5e to Section 201A USES to read as follows:

5d. A temporary building or shed used during construction of a building or structure on the premises provided such building or shed is located in the rear yard.

5e. Swimming pools constructed in accordance with Article III, Section 301I of this Ordinance.

9. By amending the following Subsections of ARTICLE II — USE DISTRICTS, SECTION 201 — RESIDENCE 1 DISTRICT to read as follows:

Sect 201C FRONT YARD:

There shall be a front yard having a minimum depth of forty (40) feet. Where forty per cent (40%) or more of the frontage on that side of the street between two (2) intersecting streets is improved with main buildings, no building or structure shall project beyond the average front yard line so established. However, this regulation shall not be interpreted to require a front yard depth of more than fifty (50) feet. Further, the averaging provision shall not be considered or applied where the distance between two (2) intersecting streets is more than one thousand (1000) feet. Sect 201H ACCESSORY BUILDINGS:

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

1. In a front yard.
2. In a side yard unless the accessory building is forty (40) feet from a side street line, ten (10) feet from a property line and four (4) feet from any other building.
3. In a rear yard unless the accessory building is four (4) feet from a property line and four (4) feet from any other building and forty (40) feet from a side street line and rear street line.

Accessory buildings or structures shall not be erected, reconstructed or altered so as to occupy more than ten (10) per cent of the total lot area, or to be more than twenty five (25) feet in height.

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

Sect 201I OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance. Sect 201K LIVING AREA:

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

1. For single family dwelling — Not less than 800 square feet of area of the first story, but a maximum of 150 square feet of area of the second story may be used and applied to the area requirement of the first story, and exclusive of attached garages, carports, uninclosed porches and breezeways.
2. For two family dwelling — Not less than 1500 square feet of area of the first story, but a maximum of 700 square feet of area of the second story may be used and applied to the area requirement of the first story, and exclusive of attached garages, carports, uninclosed porches and breezeways.

10. By amending ARTICLE II — USE DISTRICTS, SECTION 202 — RESIDENCE 2 DISTRICT as follows: Amend paragraphs 1 and 2 of Sect 202A USES to read as follows:

1. One family dwellings; two family dwellings.
2. Marinas, provided no services are rendered.

Amend paragraphs 6b and 6c of Sect 202A USES to read as follows:

6b. Home occupations or professions conducted within the dwelling by the residents thereof or in a building accessory thereto.

6c. Private garages; non-commercial greenhouses; professional offices; private boathouses; summer homes used exclusively for sleeping or recreational purposes, and other similar accessory buildings.

Add paragraphs 6d and 6e of Sect 202A USES to read as follows:

6d. A temporary building or shed used during construction of a building or structure on the premises provided such building or shed is located in the rear yard.

6e. Swimming pools constructed in accordance with Article III, Section 301I of this Ordinance.

11. By amending the following subsections of ARTICLE II — USE DISTRICTS, SECTION 202 — RESIDENCE 2 DISTRICT to read as follows: Sect 202B LOT AREA:

No main building shall be erected on a lot of an area less than eight thousand four hundred (8,400) square feet

and having a width of less than seventy (70) feet.

Sect 202C FRONT YARD:

There shall be a front yard having a minimum depth of twenty five (25) feet. Where forty per cent (40%) or more of the frontage on that side of the street between two (2) intersecting streets is improved with main buildings, no building shall project beyond the average front yard line so established. However, this regulation shall not be interpreted to require a front yard depth of more than thirty (30) feet. Further, the averaging provision shall not be considered or applied where the distance between two (2) intersecting streets is more than one thousand (1000) feet.

Sect 202H ACCESSORY BUILDINGS:

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

1. In a front yard.
2. In a side yard unless the accessory building is twenty five (25) feet from a side street line, eight (8) feet from a property line and four (4) feet from any other building.
3. In a rear yard unless the accessory building is four (4) feet from a property line and four (4) feet from any other building and twenty five (25) feet from a side street line or rear street line.

Accessory buildings or structures shall not be erected, reconstructed or altered so as to occupy more than ten (10) per cent of the total lot area, or to be more than twenty five (25) feet in height.

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

Sect 202I OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance.

- 12. By amending ARTICLE II, SECTION 202 - RESIDENCE 2 DISTRICT by adding the following:

Sect 202K LIVING AREA:

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

- 1. For single family dwelling - Not less than eight hundred (800) square feet of area of the first story, but a maximum of one hundred fifty (150) square feet of area of the second story may be used and applied to the area requirement of the first story, and exclusive of attached garages, carports, uninclosed porches and breezeways.
2. For two family dwelling - Not less than one thousand five hundred (1500) square feet of area of the first story, but a maximum of seven hundred (700) square feet of area of the second story may be used and applied to the area requirement of the first story, and exclusive of attached garages, carports, uninclosed porches and breezeways.

- 13. By amending the following paragraphs of ARTICLE II - USE DISTRICTS, SECTION 203 - BUSINESS 1 DISTRICT, Sect 203A USES to read as follows:

- 1. one family dwellings; two family dwellings.
3. Multiple family dwellings, apartment houses and apartments, when authorized by special permit from the Town Board and subject to such conditions and safeguards as the Town Board may deem appropriate. Paragraphs in this section numbered 3 through 8 to be changed to 4 through 9.

- 10. Theatres; moving picture houses; bowling alleys; skating rinks; dance halls or studios; billiard parlors; pool halls; public swimming pools; miniature golf courses, golf driving ranges, archery ranges, baseball batting ranges and other similar recreational facilities. Paragraphs in this section numbered 10 through 19 to be changed toll through 20.

- 14. By amending ARTICLE II, SECTION 203 - BUSINESS 1 DISTRICT, Sect 203B to read as follows: Sect 203B RESIDENTIAL USE:

All lots used in whole or in part for residential purposes shall have lot areas, widths, yard requirements, building areas and heights complying with the provisions of the Residence 2 District. All lots used in whole for residential purposes shall comply with the provisions of Residence 2 District for parking areas and signs. All lots used in part for residential purposes shall comply with the provisions of this section for parking areas and signs.

- 15. By amending the title of Sect 203C in ARTICLE II, SECTION 203 - BUSINESS 1 DISTRICT, to read as follows: Sect 203C FRONT YARD:

- 16. By amending Sect 203F OFF STREET PARKING of ARTICLE II, SECTION 203 - BUSINESS 1 DISTRICT to read as follows: Sect 203F OFF STREET PARKING:

Off street parking in this District shall comply with the

provisions of Article III, Section 301J of this Ordinance.

- 17. By amending ARTICLE II, SECTION 203 - BUSINESS 1 DISTRICT by adding the following new subsection: Sect 203H LIVING AREA:

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

- 1. For single family dwelling - Not less than four hundred (400) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.
2. For two family dwelling - Not less than seven hundred fifty (750) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

- 18. By amending paragraph 1 of ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT, Sect 204A USES to read as follows:

1. All uses permitted in Section 203A of this Ordinance.

- 19. By amending ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT, Sect 204A USES by deleting paragraphs 2 through 19.

- 20. By amending ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT, Sect 204B to read as follows: Sect 204B RESIDENTIAL USE:

All lots used in whole or in part for residential purposes shall have lot areas, widths,

yard requirements, building areas and heights complying with the provisions of the Residence 2 District. All lots used in whole for residential purposes shall comply with the provisions of Residence 2 District for parking areas and signs. All lots used in part for residential purposes shall comply with the provisions of this Section for parking areas and signs.

- 21. By amending the title of Sect 204C in ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT to read as follows: Sect 204C FRONT YARD.

- 22. By amending Sect 204F of ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT to read as follows: Sect 204F OFF STREET PARKING:

Off street parking in this District shall comply with the provisions of Article III Section 301J of this Ordinance.

- 23. By amending ARTICLE II, SECTION 204 - BUSINESS 2 DISTRICT by adding the following new subsection: Sect 204H LIVING AREA:

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

- 1. For single family dwelling - Not less than four hundred (400) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.
2. For two family dwelling - Not less than seven hundred fifty (750) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

- 24. By amending ARTICLE II, SECTION 205 - FARM 1 DISTRICT, Sect 205A USES as follows:

Paragraph 2 to read: 2. One family dwellings; two family dwellings.

Paragraph 3 to read: 3. Multiple family dwellings, apartment houses, apartments, hotels, motels, boarding houses, when authorized by special permit from the Town Board and subject to such conditions and safeguards as the Town Board may deem appropriate. Delete paragraph 7 thereof.

Renumber paragraphs 8 through 31 to 7 through 30 thereof.

- 25. By amending Sect 205B of ARTICLE II, SECTION 205 - FARM 1 DISTRICT to read as follows:

Sect 205B RESIDENTIAL USE:

All lots used in whole or in part for residential purposes

shall have lot areas, widths, yard requirements, building areas and heights complying with the provisions of Residence 2 District. All lots used in whole for residential purposes shall comply with the provisions of Residence 2 District for parking areas and signs. All lots used in part for residential purposes shall comply with the provisions of this Section for parking areas and signs.

- 26. By amending the title of Sect 205C of ARTICLE II, SECTION 205 - FARM 1 DISTRICT to read as follows: Sect 205C FRONT YARD.

- 27. By amending Sect 205F of ARTICLE II, SECTION 205 - FARM 1 DISTRICT to read as follows: Sect 205F OFF STREET PARKING:

Off street parking in this District shall comply with the provisions of Article III, Section 301J of this Ordinance.

- 28. By amending ARTICLE II, SECTION 205 - FARM 1 DISTRICT by adding the following new subsection to read as follows: Sect 205H LIVING AREA:

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

- 1. For single family dwelling - Not less than four hundred (400) square feet of

area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

2. For two family dwelling - Not less than seven hundred fifty (750) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

- 29. By amending ARTICLE II, SECTION 206 - INDUSTRIAL 1 DISTRICT, Sect 206A USES by adding the following paragraphs:

59. Camps, except when authorized by Special Permit from the Town Board and subject to such conditions and safeguards as the Town Board may deem appropriate.

60. Multiple family dwellings, apartment houses, apartments, hotels, motels, boarding houses.

- 30. By amending Sect 206B of ARTICLE II, SECTION 206 - INDUSTRIAL 1 DISTRICT to read as follows: Sect 206B RESIDENTIAL USE:

All lots used in whole or in part for residential purposes shall have lot areas, widths, yard requirements, building areas and heights complying

with the provisions of the Residence 2 District. All lots used in whole for residential purposes shall comply with the provisions of Residence 2 District for parking areas and signs. All lots used in part for residential purposes shall comply with the provisions of this Section for parking areas and signs.

31. By amending the title of Sect 206C of ARTICLE II, SECTION 206 — INDUSTRIAL 1 DISTRICT to read as follows: Sect 206C FRONT YARD.

32. By amending Sect 206F of ARTICLE II, SECTION 206 — INDUSTRIAL 1 DISTRICT to read as follows: Sect 206F OFF STREET PARKING.

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance.

33. By amending ARTICLE II, SECTION 206 — INDUSTRIAL 1 DISTRICT by adding the following new subsection: Sect 206H LIVING AREA:

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

1. For single family dwelling — Not less than four hundred (400) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

2. For two family dwelling — Not less than seven hundred fifty (750) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

34. By amending Sect 207B of ARTICLE II, SECTION 207 — FARM 2 DISTRICT to read as follows: Sect 207B RESIDENTIAL USE:

All lots used in whole or in part for residential purposes shall have lot areas, widths, yard requirements, building areas and heights complying with the provisions of the Residence 2 District. All lots used in whole for residential purposes shall comply with the provisions of Residence 2 District for parking areas and signs. All lots used in part for residential purposes shall comply with the provisions of this Section for parking areas and signs.

35. By amending the title of Sect 207C in ARTICLE II, SECTION 207 — FARM 2 DISTRICT to read as follows: Sect 207C FRONT YARD.

36. By amending Sect 207F of ARTICLE II, SECTION 207 — FARM 2 DISTRICT to read as follows:

Sect 207F OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance.

37. By amending ARTICLE II, SECTION 207 — FARM 2 DISTRICT by adding thereto the following new section to read as follows: Sect 207H LIVING AREA:

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

1. For single family dwelling — Not less than four hundred (400) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

2. For two family dwelling — Not less than seven hundred fifty (750) square feet of area of the first story, exclusive of attached garages, carports, uninclosed porches and breezeways.

38. By amending the title of Sect 208C of ARTICLE II, SECTION 208 — BUSINESS 3 DISTRICT to read as follows: Sect 208C FRONT YARD.

39. By amending Sect 208F of ARTICLE II, SECTION 208 — BUSINESS 3 DISTRICT to read as follows: Sect 208F OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance.

40. By amending the title of Sect 209B, ARTICLE II, SECTION 209 — INDUSTRIAL 2 DISTRICT to read as follows:

Sect 209B FRONT YARD.

41. By amending Sect 209E of ARTICLE II, SECTION 209 — INDUSTRIAL 2 DISTRICT to read as follows:

Sect 209E OFF STREET PARKING:

Off street parking in this district shall comply with the provisions of Article III, Section 301J of this Ordinance.

By amending ARTICLE III, SECTION 301 — SUPPLEMENTARY USE REGULATIONS, Sect 301A NONCONFORMITY, by adding thereto the following new paragraph:

Any parcel of land, which has been used or has been shown on a plan filed with the Town Clerk of the Town of Riverhead for a Camp, or any

parcel of land which has been held in a single ownership by an organization, such as the Boy Scouts, Girl Scouts, 4 H Club or other similar recognized civic or fraternal organization and all or a part thereof has been used for the purposes of a Camp, may be continued to be used as a Camp from the effective date of this amendment to this Ordinance, although such use does not conform to the regulations of the District in which it is located.

43. By amending Sect 301F SIGNS of ARTICLE III, SECTION 301 — SUPPLEMENTARY USE REGULATIONS to read as follows: Sect 301F SIGNS:

1. The following signs are allowed in any use district without a permit:

a. Signs pertaining to the lease or sale of lots or buildings placed on the premises thereof, provided that the area of each sign shall not exceed eight (8) square feet for each building or for each three hundred (300) feet of highway frontage, and further

(1) The sign may be erected in the front yard,

(2) The sign shall be at least twenty five (25) feet from the property lines of the land of the adjoining owner.

b. One (1) sign, not exceeding two (2) square feet in area, bearing only the name of the resident or the name and profession or occupation of the resident, and further

(1) The sign may be erected in the front yard,

(2) The sign shall be at least twenty five (25) feet from the property lines of the land of the adjoining owner.

c. During the construction of a building or structure each contractor may display one (1) temporary sign, bearing the name and occupation of the contractor, either as a structure or as a sign painted on a surface of a building, provided that the area of the sign shall not exceed eight (8) square feet, and further

(1) The sign may be erected in the front yard,

(2) The sign shall be at least twenty five (25) feet from the property lines of the land of the adjoining owner.

2. The following signs are allowed in any business, farm or industrial use district without a permit:

a. A sign of an area not exceeding ten (10) square feet directing attention to the sale at retail of "home-grown" or "home-made" products produced on the premises, and further

(1) The sign may be erected in the front yard,

(2) The sign shall be at least twenty five (25) feet from the property lines of the land of the adjoining owner,

(3) Signs shall be spaced at least one hundred (100) feet apart on any one side of the street.

3. The following signs are allowed in any business or industrial use district without a permit:

a. A sign attached to, incorporated in or painted on a building, provided that the sign shall not project more than six (6) inches from the wall of the building and shall not exceed the height restriction of the use district in which it is located.

4. Signs advertising the development of real estate, which require a permit, are allowed in any residence use district when approved as a special exception by the Board of Appeals as herein-after provided.

5. The following signs, which require a permit, are allowed in any farm use district:

a. Business signs:

(1) Signs shall not exceed six hundred (600) square feet in area,

(2) Signs shall be spaced at least one hundred (100) feet apart on any one side of the street,

(3) There shall be an open space except for pillars or posts from the ground to the base of the frame of sign of not less than two and one-half (2½) feet,

(4) Signs may be permitted in front yard when approved as a special exception the Board of Appeals as hereinafter provided.

b. Advertising signs:

(1) Signs shall not exceed six hundred (600) square feet in area,

(2) Signs shall be spaced a minimum distance of six hundred (600) feet apart on any one side of the street.

(3) Signs shall not be

situated nearer to the point of intersection of street lines than seventy five (75) feet.

(4) There shall be an open space except for pillars or posts from the ground to the base of the frame of sign of not less than two and one half (2½) feet.

6. The following signs which require a permit, are allowed in any business or industrial use district:

a. Business signs:

(1) May be permitted in front yard when approved as a special exception by the Board of Appeals as hereinafter provided.

b. Advertising signs:

(1) There shall be an open space except for pillars or posts from the ground to the base of the frame of the advertising sign of not less than two and one half (2½) feet.

7. The following signs, which require a permit, are allowed in all use districts except residence use districts:

a. Temporary signs advertising an event of public interest, such as a State or County fair or charitable affair for a period not exceeding thirty (30) days, and further:

(1) The sign shall be removed prior to or on the expiration date.

(2) The permit shall be non-renewable.

(3) The fee for the permit shall be waived.

(4) The sign, if not exceeding eight (8) square feet in area, may be erected in the front yard.

8. All signs which require a permit shall at all times bear the assigned permit number in numerals of at least two (2) inches in height prominently and permanently painted to or affixed to the face of the sign thereof.

44. By adding Section 301H to ARTICLE III, SECTION 301 — SUPPLEMENTARY USE REGULATIONS to read as follows:

Section 301H PROHIBITED USES OF FRONT YARD:

Goods, wares, merchandise, produce, machinery, cars, trailers, lumber or other materials, including "home - grown" or "home - made" products produced on the premises, may be displayed in connection with business on a 25 foot setback, except that if the display of same causes a hazard to pedestrians, traffic or the general safety of the public, the Town Board in their sole discretion shall have the authority to correct the display of same in the interest of public safety.

5. By adding Section 301I to ARTICLE III, SECTION 301 — SUPPLEMENTARY USE REGULATIONS to read as follows:

Sect. 301I SWIMMING POOL:

No swimming pool shall be constructed, installed, used or maintained in any district except in accordance with the following provisions:

1. Every outdoor swimming pool shall be enclosed as follows:

(a) The swimming pool shall be completely surrounded by a four (4)-foot high chain link fence or four (4)-foot high basket weave fence or four (4)-foot high woven picket fence. A building may be used as part of such enclosure.

(b) All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when the owner or occupant of the premises is not present at the swimming pool, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

2. In the event an owner shall abandon an outdoor swimming pool, he shall forthwith fill all voids and depressions and restore the premises to the same grade and condition as before the swimming pool was constructed, and shall accordingly notify the Building Inspector when said restoration work has been completed.

3. No current carrying electrical conductors shall cross an outdoor swimming pool, either overhead or underground, or within fifteen (15) feet of such pool. All metal enclosures, fences or railings near or adjacent to an outdoor swimming pool which might become electrically alive as a result of contact with broken overhead conductors or from any other cause, shall be effectively grounded.

4. Outdoor swimming pools are permitted in all residence districts as an accessory use to a dwelling for the private use of the owner or occupant of such dwelling and his family and guests.

5. Outdoor swimming pools are permitted in all other districts as a main use or accessory use.

46. By adding Section 301J to ARTICLE III, SECTION 301 — SUPPLEMENTARY USE REGULATIONS to read as follows:

Sect. 301J OFF STREET PARKING:

1. The owner of the property for each building, structure or premises which shall be hereafter erected, enlarged or altered for use shall provide the

following number of off street parking spaces for any of the following purposes:

a. One-family and two-family dwellings — One (1) parking space for each dwelling unit.

b. Multiple dwellings — One and one-quarter (1¼) parking spaces for each dwelling unit.

c. Hotels, motels, tourist homes, cabins, lodging, rooming and boarding houses — One (1) parking space for each guest sleeping room or suite.

d. Fraternities, sororities or dormitories — One (1) parking space for each two (2) sleeping rooms.

e. Hospitals — Two (2) parking spaces for each three (3) patient beds.

f. Sanitariums or convalescent homes — One (1) parking space for each three (3) patient beds.

g. Medical or dental offices — One (1) parking space for each one hundred fifty (150) square feet of floor area.

h. Mortuary or funeral directors' establishments — One (1) parking space for each seventy five (75) square feet of the area of the assembly rooms for services.

i. Bowling alleys — Four (4) parking spaces for each alley.

j. Theatres, auditoriums, or any public assembly area, including churches, schools above elementary level, colleges and universities, with fixed seats — One (1) parking space for each three (3) seats provided, based on maximum seating capacity.

k. Any public assembly area without fixed seats — One (1) parking space for each one hundred (100) square feet of floor area.

l. Elementary schools — One (1) parking space for each classroom.

m. Office Buildings — One (1) parking space for each one hundred fifty (150) square feet of floor area.

n. Restaurants — One (1) parking space for each three (3) seats provided for patrons, based on maximum seating capacity.

o. Marinas — One (1) parking space for each boat slip or mooring station.

p. Retail stores — One (1) parking space for each one hundred fifty (150) square feet of total floor area.

q. Industrial or manufacturing establishments — One (1) parking space for each two (2) employees, computed on the basis of the greatest number of persons to be employed at peak employment,

but in no case less than one (1) parking space for each three hundred (300) square feet of floor area.

r. Any commercial or business use not otherwise expressly provided for — One (1) parking space for each two hundred (200) square feet of floor area.

2. In the case of mixed uses, the parking spaces required shall be the sum of the requirements for the various individual uses computed separately; parking facilities for one use shall not be considered as providing the required parking facilities for any other use.

3. In the event any building or structure shall be hereafter altered or enlarged, the entire building or structure as altered or enlarged shall be deemed new construction and the number of parking spaces to be provided and maintained for such building or structure as altered or enlarged shall be determined on such basis.

4. In all districts off street parking area, except those used for one-family and two-family dwellings, shall be constructed and maintained in the following manner:

a. All parking spaces and the passageways and driveways appurtenant thereto shall be paved with an asphaltic or concrete surface.

b. The entire parking area shall have adequate and self-contained drainage.

c. All underground installations shall have suitable covers or bridges sufficient to support all traffic over the same.

d. Each parking space shall be clearly marked and delineated and shall have wheel or bumper guards.

e. Access driveways and passageways shall be marked not only with entrance and exit signs but also with arrows indicating the proper flow of traffic.

f. The entire parking areas shall be fully illuminated during the night business hours of the premises which it serves.

47. By amending Sect. 303B of ARTICLE III, SECTION 303 — SUPPLEMENTARY AREA REGULATIONS to read as follows:

Sect. 303B VISIBILITY AT INTERSECTIONS:

On a corner lot in all use districts no fence except an open wire or chain link fence without any planting thereon, wall, hedge or other planting more than three and one half (3½) feet in height measured above street level, and no object or any other obstruction of a height in excess of two (2)

feet shall be erected, placed, parked or maintained within the triangular area formed by the intersecting street lines and a straight line joining said street lines at points which are thirty (30) feet distant from the point of intersection, measured along said street lines. This section shall not prohibit one (1) tree to be grown in this area provided that the branches of the tree are trimmed away to a height of at least six (6) feet above street level.

48. By amending SECTION 402 of ARTICLE IV — ADMINISTRATION by adding thereto the following paragraph:

Start of construction shall mean that the foundation and the bearing walls and/or the piers have been constructed or erected to the height of the girders or beams which support the first story of a building and shall mean for other structures that the bases, piers, posts or other supporting members have been constructed or erected.

49. By amending SECTION 403B POWERS of ARTICLE IV, SECTION 403 — BOARD OF APPEALS to read as follows:

Sect. 403B POWERS:

The Board of Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the Zoning Administrator.

The Board of Appeals shall have the power to, in accordance with statutory provisions, after due notice and public hearing, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, vary or modify the application of any of the regulations or provisions of this Ordinance relative to the use, construction, or alteration of buildings or structures or the use of land, so that the spirit of the Ordinance shall be observed, public safety and welfare secured and substantial justice done.

The Board of Appeals shall have the power to, in a specific case, after due notice and public hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the regulations of this Ordinance in harmony with their general purpose and intent as follows:

1. Grant in undeveloped sections of the town temporary and conditional permits for not more than two (2) years for structures and uses in contravention of the regulations controlling districts; provided such uses are important to the development of such undeveloped

sections and/or provided such uses are not prejudicial to adjoining and neighboring sections already developed.

2. The Board of Appeals shall have power to issue special exceptions for any of the areas for which this Ordinance requires the obtaining of such special exceptions from the Board of Appeals. In granting such special exceptions the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. No special exception shall be granted by the Board of Appeals unless it shall determine:

a. That the use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts;

b. That the safety, the health, the welfare, the comfort, the convenience or the order of the Town will not be adversely affected by the proposed use and its location;

c. That the property values will be conserved and that the most appropriate uses of land is effected;

d. That the use will be in harmony with and promote the general purposes and intent of this Ordinance;

e. That the effect of the location of any of such permissive uses and the peculiar suitability of such district for the location of such uses is in character and harmony with the existing and probable development of uses in the district;

f. That the effect of the location or use will not generate traffic, create congestion upon the highways or develop highway hazards;

g. That the use will not cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities, if existing, or if proposed by the Town or by other competent governmental agency;

h. That a hazard to life, limb or property because of fire, flood, erosion or panic will not be created by reason or as a result of the use, or by the structures to be used therefor or by the inaccessibility of the plot or structures thereon for the convenient entry and operation of fire and other emergency apparatus or by the undue concentration or assemblage of persons upon such plot;

i. That the use or the structures to be used therefor will not cause an overcrowding of land or undue concentration of population;

j. That the physical characteristics, the topography of the land and the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof; and

k. That the use to be operated is not unreasonably near to a church, school, theatre, recreational area or place of public assembly.

3. Grant a special exception where it is provided in this Ordinance that the approval of the Board of Appeals is required for the increase in total building area and increase in the height of buildings when the Board shall further determine:

a. That the spacing of the buildings or the construction with suitable materials will prevent a conflagration.

4. Grant a special exception where it is provided in this Ordinance that the approval of the Board of Appeals is required for the erection of business signs in the front yard when the Board shall further determine:

a. That the sign will not interfere with the vision of drivers of vehicles so that there will not be developed highway hazards; and

b. That where the installation of outdoor flood or spot lighting is intended, that no unshielded lights shall be permitted and that such lighting will not shine directly upon any abutting property.

5. Grant a special exception where it is provided in this Ordinance that the approval of the Board of Appeals is required for the erection of signs advertising the development of real estate when the Board shall further determine:

a. That the sign will not interfere with the vision of drivers of vehicles so that there will not be developed highway hazards;

b. That where the installation of outdoor flood or spot lighting is intended, that no unshielded lights shall be permitted and that such lighting will not shine directly upon any abutting property.

c. That the sign shall not exceed six hundred (600) square feet in area;

d. That the signs shall be spaced a minimum distance of one hundred (100) feet apart on any one side of the street;

e. That the sign shall not be situated nearer to a point of intersection of street lines than seventy five (75) feet;

f. That there shall be an open space except for pillars or posts from the ground to the base of the frame of sign of not less than two and one half (2½) feet; and

g. That the sign shall be at least one hundred (100) feet from the property lines of the land of the adjoining owners.

6. Grant a special exception where it is provided in this Ordinance that the approval of the Board of Appeals is required for the use of premises and erection of public utility buildings or structures, alcohol manufacture, and sand and gravel grading operation when the Board shall further determine:

a. That the use or materials incidental thereto or produced thereby will not give off obnoxious gases, odors, smoke or soot;

b. That the use will not cause disturbing emission of electrical discharges, dust, light, vibration or noise to the detriment of adjoining properties; and

c. That the applicant is fully aware of the necessity of securing any other permits which are required by law or ordinance of the state, county or town.

Any determination made by the Board of Appeals shall be exercised by obtaining a zoning permit within one year of the date of determination unless the Board of Appeals stipulates a period of time in its determination. This regulation shall not apply in the cases of interpretation or where a variance is granted for the use of land, unless the Board of Appeals stipulates a period of time in its determination.

And the Town Clerk is hereby authorized and directed to enter the said amendment to Ordinance No. 26 in the minutes of the Town Board, and to publish a copy of the amendment once in The News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law, and file in her office affidavits of said publication and posting.

This amendment, modification and change of Ordinance No. 26 shall take effect ten (10) days after such publication and posting.

By Order of the Town Board  
Town of Riverhead, New York  
HELENE M. BLOCK,  
Town Clerk

And the Town Clerk is hereby authorized and directed to enter the said amendment to Ordinance No. 26 in the minutes of the Town Board, and to publish a copy of the amendment once in the News Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law, and file in her office affidavits of said publication and posting,

AND FURTHER RESOLVED, That the Clerk be directed to send a copy of the amendment to Ordinance No. 26 of the Town of Riverhead to the Towns of Brookhaven, Southampton and Southold, the State Park Commission and the Suffolk County Department of Planning.

This amendment, modification and change of Ordinance No. 26 shall take effect ten days after such publication and posting.

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

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

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an amendment, change and modification of an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby ordains and enacts the following amendment, change and modification of Ordinance No. 18 of the Town of Riverhead:

#### NOTICE

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an amendment, change and modification of an ordinance may be adopted by the Town.

NOW, THEREFORE, by virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby ordains and enacts the following amendment, change and modification of Ordinance No. 18 of the Town of Riverhead:

1. By amending Section 3 by adding thereto the following paragraph:

3A Boats shall be launched and recovered at designated areas only.

2. By amending Section 8 by adding thereto the following: — unless otherwise authorized by the Town Board in writing.

3. By amending Section 9 by adding thereto the following paragraphs:

9A All flotation devices and swimming aids including water wings, tubes, rafts, rings, beach balls, masks, kick boards and the like; excepting flippers and Coast Guard approved life vests are banned, at all beaches on the Long Island Sound.

9B Face masks and beach balls are banned at all beaches on the Peconic Bay.

9C Area in front of lifeguard stands marked with green flags are to remain clear of people, blankets, umbrellas, and other obstruction that may interfere with the performance of lifeguard duties.

9D In severe weather or under other dangerous conditions the Recreation Director shall have the authority to limit bathing and swimming by posting the prohibition in writing at each beach in the area of the lifeguard stand.

4. By amending Section 10 to read as follows: Any violation of any section or provision of this ordinance shall constitute an offense, except when a parking violation occurs, then it shall constitute a traffic infraction; and up-

on conviction both shall be punishable by a fine of not more than \$50.00 or imprisonment in the County Jail for not more than ten (10) days or both.

And the Town Clerk is hereby authorized and directed to enter the said amendment to Ordinance No. 18 in the minutes of the Town Board, and to publish a copy of the amendment once in The News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law, and file in her office affidavits of said publication and posting.

This amendment, modification and change of Ordinance No. 18 shall take effect ten days after such publication and posting.

By Order of the Town Board  
Town of Riverhead, New York.  
HELENE M. BLOCK, Town  
Clerk

And the Town Clerk is hereby authorized and directed to enter the said amendment to Ordinance No. 18 in the minutes of the Town Board, and to publish a copy of the amendment once in the News Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law, and file in her office affidavits of said publication and posting.

This amendment, modification and change of Ordinance No. 18 shall take effect ten days after such publication and posting.

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

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

RESOLVED, That a sum not to exceed \$2000. be and is hereby authorized to be expended for the construction of a garage to house the Caterpillar Traxcavator at the Town Dump.

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

Kenneth G. Rowland, Recreation Director appeared before the Board relative to Stotzky Memorial Park, stating that the flag pole has been moved and that he has been informed by Mrs. O'Callaghan that the Garden Club has moneys available to plant flowers and shrubs in the area of the Park and will do so sometime during the Fall months.

Mr. Rowland suggested that some publicity be given for the dedication of the Elmer Stotzky Memorial Park.

Supervisor Vojvoda assured Mr. Rowland that upon the return of Justice Zaloga a definite date will be scheduled for the dedication and publicity will be released to the newspapers.

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

CAPITAL NOTE RESOLUTION - DATED JULY 21, 1964.

WHEREAS, The Town Board of the Town of Riverhead, N. Y., by resolutions duly adopted on the 5th day of May, 1964 and the 21st day of July, 1964, authorized the purchase of a Caterpillar Traxcavator and the construction of a garage to house the Traxcavator at the Town Dump, and provided that \$33,000.00 of such cost was to be paid from the proceeds of obligations to be issued pursuant to the Local Finance Law,

NOW, THEREFORE, BE IT RESOLVED:

1. That the specific object or purpose for which obligations are to be issued pursuant to this resolution is to finance the purchase of a Caterpillar Traxcavator and the construction of a garage to house the Traxcavator at the Town Dump, in and for said Town.
2. The maximum cost of such purchase of a Caterpillar Traxcavator and the construction of a garage to house the Traxcavator at the Town Dump is \$33,000.00 and the plan of financing such cost is by the issuance of a Capital Note of said Town in the principal amount of \$33,000.00, pursuant to Section 32.00 of the Local Finance Law.
3. The period of probable usefulness of such purchase of the Caterpillar Traxcavator is hereby determined to be five years.

4. The period of probable usefulness of such construction of a garage to house said Traxcavator at the Town Dump is hereby determined to be fifteen years.

5. The Town of Riverhead hereby authorizes the issuance of its Capital Note in the amount of \$33,000.00 to finance such cost in accordance with the financial plan set forth above.

6. Such Capital Note shall be numbered 1 and shall mature in the year 1965. The power to fix and determine the date upon which such note shall become due and payable is hereby delegated to the Supervisor. The note shall be issued in bearer form, shall not contain a power to convert to registered form, and shall bear interest at a rate not exceeding two and one-half per centum per annum payable annually. Such note shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
COUNTY OF SUFFOLK  
TOWN OF RIVERHEAD

No. 1

\$33,000.00

CAPITAL NOTE OF 1964

The Town of Riverhead, in the County of Suffolk, a municipality of the State of New York, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this note the sum of THIRTY THREE THOUSAND DOLLARS (\$33,000.00) on the 5th day of August, 1965, together with interest thereon from the date hereof at the rate of \_\_\_\_\_ per centum ( \_\_\_\_\_ %) per annum, payable annually. Both principal of and interest on this note will be paid in lawful money of the United States of America, at the office of the \_\_\_\_\_, Riverhead, N. Y.

This note may not be converted to registered form.

This note is the only note of an authorized issue in the amount of Thirty Three Thousand Dollars (\$33,000.00).

This note is issued pursuant to the provisions of a resolution entitled "Capital Note Resolution" duly adopted by the Town Board of such Town of Riverhead on July 21, 1964.

The faith and credit of such Town of Riverhead are hereby irrevocably pledged for the punctual payment of the principal of and interest on this note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this note, exist, have happened and have been performed, and that this note, together with all other indebtedness of such Town of Riverhead is within every debt and other limit prescribed by the Constitution and laws of such State.

IN WITNESS WHEREOF, the Town of Riverhead, New York, has caused this note to be signed by its Supervisor, and its corporate seal to be hereunto affixed and attested by its Town Clerk and this note to be dated as of the 5th day of August, 1964.

TOWN OF RIVERHEAD, NEW YORK

(Town Seal)

Attest:

By: \_\_\_\_\_

Town Clerk of the Town of Riverhead,  
New York.

Supervisor

7. The Supervisor is hereby delegated the power to prepare such note and to sell such note at private sale at not less than par and accrued interest, and at such sale to fix the interest rate to be borne by such note within the limitations set forth in this resolution. The Supervisor shall deliver such note to the purchaser thereof only against cash or a certified check. The powers delegated to the Supervisor by this resolution shall be exercised in conformity with the provisions of the Local Finance Law.

8. This resolution shall take effect immediately.

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

There being no further business, on motion and vote, the meeting adjourned at 8:00 P. M. to meet on Tuesday, August 4, 1964 at 10:30 A. M.

*Helene M. Block*

Helene M. Block, Town Clerk

HMB.