

11/19/74

428.

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, November 19th, 1974, at 7:30 P.M.

Present:

John H. Leonard, Supervisor
Robert G. Leonard, Town Justice
Gregory R. Manning, Town Justice
George G. Young, Councilman
Francis E. Menendez, Councilman

Also present: Allen M. Smith, Town Attorney
Absent: Alex E. Horton, Supt. of Highways

EXECUTIVE SESSION

- 10:00 A.M. - Fallacaro and Shepard M. Scheinberg, Esq. re Annual Town Fair
10:30 A.M. - Costa Papson, Thomas Dougherty, Esqs. & William Johnke, re Island Federal Savings & Loan Association Bank, Riverhead Shopping Plaza

Supervisor Leonard called the Meeting to Order at 7:30 P.M.

The Pledge of Allegiance to the Flag was recited.

Town Justice Leonard offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Minutes of the Regular Town Board Meeting held November 6th, 1974, be approved as submitted.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the bills submitted on Abstract, dated November 19th, 1974, as follows:

General Town	\$31,586.36
Highway Item #1	\$ 7,192.96
Highway Item #3	\$ 2,516.84
Highway Item #4	\$ 5,446.04
Sr. Nutrition Program	\$ 105.36
Drug Abuse Program	\$ 170.53
Special Districts	\$ 8,182.17

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That the following bills be and are hereby approved for payment:

RESOLUTION - continued:

General Town	\$31,586.36
Highway Item #1	\$ 7,192.96
Highway Item #3	\$ 2,516.84
Highway Item #4	\$ 5,446.04
Sr. Nutrition Program	\$ 105.36
Drug Abuse Program	\$ 170.53
Special Districts	\$ 8,182.17

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Supervisor's, month of October, 1974. Filed.

Recreation Department, month of October, 1974. Filed.

OPEN BID REPORT - ½ Ton Pick-up Truck - Recreation Dept.

After being duly advertised the following bids for One 1975 ½ Ton Pick-up Truck for use of the Riverhead Recreation Department were received by the Town Clerk on Monday, November 18th, 1974, at 10:00 A.M.:

J.J. Hart, Inc.
Route 58 (Cor.) Osborne Avenue
Riverhead, N.Y. 11901

Year 1975 Make Ford Model F100

Delivery Date: As soon as possible.

Delivered Price: \$3,511.00

Filed.

Tryac Truck & Equipment Co., Inc.
Route 58, P.O. Box 98
Riverhead, New York 11901

Year 1975 Make International Model 150

Delivery Date: 90 Days

Delivered Price: \$3,645.53

Filed.

Year 1974 Make International Model 100 Serial # 4H160DHB30065

Delivered Price: \$3,653.00

Filed.

Year 1974 Make International Model 100 Serial # 4H160DHB30216

Delivered Price: \$3,276.00

Filed.

Year 1975 Make International Model 150 Serial # E0130EHD149

Delivered Price: \$3,490.00

Filed.

CORRESPONDENCE

Allen M. Smith, Town Attorney, dated 11/8/74 to International Order of Odd Fellows, stating he has not received a reply to his letter under date of August 28th, making inquiry with reference to a lease for the Town Hall for the year 1975. Filed.

Copies to Town Board.

J. Leo Saxstein, Esq., to Town Attorney, dated 11/18/74, relating to proposed lease for Town Offices. Advising the basic rent is increased by \$125. a month. This will cover the greatly increased fuel cost, electric cost, taxes on the part of the building they use and increased other costs and expenses. Filed.

Copies to Town Board.

N. Y. State Department of Environmental Conservation, dated 11/4/74, advising that the permit dated 4/11/74, to replace and extend bulkhead and construct new portion of Eastside of boat launching ramp will expire on 12/31/74. If it is desired to renew the permit, the request must be made in writing prior to expiration date. If an extension is not required, office must be notified of the completion date. Filed.

Copies to Town Board and Town Attorney.

Stanley Grodski, Recreation Supervisor, advised that Supervisor Leonard and he have been watching this project throughout the year. Because of extenuating circumstances, Supervisor Leonard and he have decided to renew the permit for another year.

Long Island Lighting Co., dated 10/24/74, submitting surveys on light installations as follows:

1. One (1) 7600 Lumen Mercury Street light fixture - Pole #17 - Linda Avenue, Aquebogue, N. Y. \$52. 20 per annum.
2. One (1) 7600 Lumen Mercury Street light fixture - Pole #18, Longpond Road, Wading River (opposite Barnes Road). \$52. 20 per annum. Filed.

The Long Island Traveler Mattituck Watchman, dated 10/25/74, advising that the periodical has observed its first anniversary and it has continued its expansion during the year, and is enjoying a continuous growth in its circulation throughout Riverhead Township. This circulation includes not only mailed subscriptions but distributions by newstands in the Town's hamlets. Further stating that it is interested in being designated as an official newspaper for the Town of Riverhead as is allowed by Town Law Section 67 (11). Filed.

Copies to Town Board and Town Attorney.

Town Board will take the request under consideration.

Riverhead Town Bicentennial Committee, dated 10/31/74, written by Chairman of the Town Bicentennial Committee of the Town of Riverhead, requesting that the Town Board start off its Bicentennial years with a bang by showing the way and open all Town Board Meetings with the Pledge of Allegiance to the Flag. Filed.

Copies to Town Board and Town Attorney.

CORRESPONDENCE continued:

Allen M. Smith, Town Attorney, dated 11/18/74, replying to the question whether a town police can enforce the Town Burning. Suggests this problem can best be solved by amending the Ordinance in question, pursuant to provisions of Section 30 of the Town Law to direct enforcement by the Town Police Force. Filed. Copies to Town Board, Building Department and Police Chief.

Allen M. Smith, Town Attorney, dated 11/15/74, relating to bid on fuel oil. Filed. Copies to Town Board.

Richard J. Cron, dated 11/14/74, relating to Performance Bond for Westwood Acres at Aquebogue - Subdivision - requesting that the agreement be reviewed and if found to be satisfactory, to advise Mr. Cron and he will immediately prepare an agreement with the Town of Riverhead, posting the required passbook in the sum required by the Planning Board. Enclosed is a photocopy of agreement that they have used in the past with other Towns where passbooks were posted in lieu of a Performance Bond. They will appreciate anything that can be done to expedite a reply to this request. Filed.

Copies to Town Board and Town Attorney.

American Lung Association of Nassau-Suffolk, Inc., dated 11/15/74, asking permission to fly the Christmas Seal Banner on official buildings. The banners are 4' by 6' and contain the symbol of the red double-barred cross and the slogan "Christmas Seals fight TB, Emphysema and Air Pollution." If the Town is willing to fly these banners, advise how many will be needed. Filed.

Copies to Town Board, Town Attorney and Police Chief. Referred to Town Clerk for reply.

Riverhead Lions Club, dated 11/13/74, inviting the participation of Town Board in the Annual Lions Club Christmas Parade to take place on Sunday, Dec. 8th, 1974 at 1:00 P. M. Line of march starting at Osborne Avenue at Main Street and proceeding to the parking lot at the rear of Edward Archer Store on East Main Street. All participants to be in their places no later than 12:45 P. M. Request knowing the number of Town Board members which will participate. Filed.

Town Clerk to reply that entire Town Board will participate in the Parade.

Town of Southampton, dated 11/13/74, relating to public hearing for 12/17/74 at 7:30 P. M. to amend Zoning Ordinance No. 26-Section 2-40-20, Section 2-40-20.02 (c) and Section 2-40-20.02 (d). Filed.

Copies to all Town Agencies.

CORRESPONDENCE continued:

Suffolk County Department of Planning, dated 11/12/74, reading as follows:

"The Suffolk County Charter provides a thirty-day review period for certain classes of subdivision and zoning actions. Since the Commission meets once a month, it is extremely difficult to process applications submitted just prior to the meeting.

The Commission, therefore, respectfully requests that you give consideration to directing the Town Clerk, the Town Planning Board, and the Zoning Board of Appeals that no subdivision, variance, or zoning action be submitted to the Commission within 10 days of the 1st Wednesday of each month. In this fashion, adequate and proper attention can be paid to these matters and sufficient time will be available if it is necessary to request additional information. This should greatly improve our mutually cooperative working relationship and avoid extra loss of time in the request for additional information.

We would greatly appreciate hearing from you on this matter. On behalf of the Commission, I want to thank you for your consideration." (End) Filed.

Copies to all Town Agencies.

PERSONAL APPEARANCES

At this point of the meeting Supervisor Leonard asked if anyone wished to be heard and the following responded:

J. WILSON STOUT thanked the Town Board for the beautifully worded resolution honoring him upon his retirement from the Town. He further stated that now that he has reached the age of 75 years, he might be of some use as a consultant.

Mr. Stout also announced that it was his 75th birthday today. He was wished a Happy Birthday by all.

PAUL MEYER stated he was very unhappy when he heard of the raises that the Town Board has voted themselves, especially after the Southampton Board refused their raises. He further stated that people are buying dog food to live on and some senior citizens are living on an income of \$5,000 a year or less. He concluded by saying to the Board, "Shame on you for taking raises at the time when other people are suffering."

DR. CARYL GRANTHAM stated that in view of the meeting at Mercy High when so many young people asked questions about the proposed Nuclear Plant at Jamesport, she gathered that the Board was not as familiar with this subject as she had hoped, so she has gathered several vital pieces of information that she thought the Board would like to read. Dr. Granttham handed copies to the Board.

SUPERVISOR LEONARD reported the following: "Last Friday five members of the Board took time out to go to the Millstone Plant at Waterford, Connecticut. We flew with the Engineers. I think what we've heard from you Dr. Granttham, in most cases, is just one side of the story. The Board felt it was about time they took it on their own and investigated, as they did last Friday. They took a plane over to Waterford, Connecticut and they were really impressed and came back with a good report. They found out how the people there felt about the plants and most were glad that they

PERSONAL APPEARANCES continued:
had two or three plants."

COUNCILMAN YOUNG reported as follows: "They have two plants over there. One has been in operation for several years and the other is 85% completed. We were conducted through this plant and it was pretty well explained to us. The plant emits no smoke, costs are minimal to produce electricity and the plants are so clean you could eat off the floor."

He went on to say that the Board is not yet completely sold on a nuclear plant, but they were very impressed and are going to completely study all aspects. A study trip to Brookhaven might be in order to get all the facts the Board can before making a final decision.

COUNCILMAN MENENDEZ added his report stating: "Some of the questions we asked were ones that have been posed to us, like, 'If the plant blows up, it will take all of Long Island.' These people in Connecticut said there is no way in the world that should make this thing blow up. They are not using the same uranium that they use for bombs. On their safety devices, they have back-ups behind back-ups and everything is monitored constantly and if anything reaches the point where it might be dangerous, everything shuts off automatically in a fraction of a second."

DR. GRANTTHAM stated that Plant #3 at Millstone is constantly malfunctioning.

COUNCILMAN YOUNG replied that they checked into this situation and the plant is shut down considerably less than the plants run by oil and the shut-downs having nothing to do with the nuclear, they are minor mechanical problems.

DR. GRANTTHAM asked if the Board was aware that the Environmental Radiation Report Bulletin just published in their Annual Report that cesium is now appearing in the fish in L. L. Sound and also in the kelp out at Fisher's Island.

She further stated that 'the radiation level in the milk at Brookhaven went up again quite alarmingly this summer.'

Dr. Granttham continued to say that not any scientist knows the safe daily emission levels that come out of these plants. As to the costs, she pointed out that it was unfair to compare with the cost of the plants run by fuel oil, because of the government subsidizing of the mining, shipping and storing of nuclear fuels, etc.

She concluded commending the Board for their studies and hopes they continue to take such a vital interest.

DR. ALFRED SMITH asked what the Board was told about what the Connecticut plants did with their atomic wastes.

COUNCILMAN YOUNG replied that it's taken out once a year and held under the water in a container, at their plant, for at least three months. Then it is taken to another plant and re-processed.

He further added that if you have a home of five persons with an all electric house, the residue that you would end up with would be the size of three aspirin tablets, and then they store this residue in salt mines.

PERSONAL APPEARANCES - continued:

DR. SMITH asked if they were told what the life span of the plant would be.

COUNCILMAN YOUNG answered saying "Thirty to forty years with an additional ten to twenty years projected."

DR. SMITH then complained about the possibility of Sound Avenue becoming a three-lane highway with 3,000 cars all coming out of work at 4P.M. "What was to become of it after the plant was no longer in use? "

COUNCILMAN YOUNG replied to Dr. Smith by saying that in Connecticut they had a road from the plant the size of Sound Avenue and not a three-lane highway as Holzmacher, McLendon & Murrell stated in their letter that Dr. Smith referred to.

Councilman Young further added that he goes by the plant in Shoreham two or three times a week and he has never run into any traffic congestion.

RESOLUTIONS

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That a Public Hearing will be held on the 3rd day of December, 1974, at 11:00 A.M., before the Town Board of the Town of Riverhead, 220 Roanoke Avenue, Riverhead, New York, upon the application of VICTOR H. LEWIN, SR., for a Special Permit to erect one single family residence, in an Industrial B Use District, pursuant to Article II, Section 210A (2i) of Ordinance #26 of the Town of Riverhead.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install the following street lights:

1) Install One (1) 7600 LMV street light on Pole #17, on Linda Avenue, Aquebogue, at an annual operating cost of \$52.20.

2) Install One (1) 7600 LMV street light on Pole #18, Longpond Road, Wading River (opposite Barnes Road), at an annual operating cost of \$52.20.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That Ordinance #10, Mobile Home and Travel Trailer Parks of the Town of Riverhead, New York as amended April 1, 1969 be amended by changing Article I, Section G, Sub-section 2c. to read: "c. All parks existing prior to the adoption of this ordinance shall be issued a Temporary Mobile Home or Travel Trailer Park Permit which shall expire June 30th, following the date of issuance or renewal," all following in this sentence to remain the same,

AND BE IT FURTHER RESOLVED, That a Public Hearing will be held on the 3rd day of December, 1974 at 11:00 A.M., before the Town Board of the Town of Riverhead, 220 Roanoke Avenue, Riverhead, New York, to amend the aforesaid Ordinance #10.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued

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

RESOLVED, That Highway bills submitted on abstracts dated November 19, 1974, as follows:

General Repairs Item 1: Midhampton Asphalt Corp. , bill dated November 4, 1974 in the amount of \$1,384.19, and Mobil Oil Corporation, bills dated October 24 and 25, 1974 totaling \$747.85;

Machinery Item 3: Eastern Welding Co. , bill dated November 7, 1974 in the amount of \$800.00;

Miscellaneous Item 4: Capitol Highway Materials, Inc. , bills dated October 24 and 31, 1974 totalling \$1,692.50; Cargill, Inc. , bills dated October 8, 9 and 10, 1974 totalling \$4,237.15, and Mid-Island Lumber & Supply Co. Inc. , bill dated November 1, 1974 in the amount of \$657.38; be and the same are hereby approved for payment.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Bid for One 1/2 Ton Pick-Up Truck, 1975 International Model 150, for the use of the Riverhead Recreation Department, be and is hereby awarded to Tryac Truck & Equipment Co. , Inc. , Route 58, P. O. Box 98, Riverhead, N. Y. , at a net cost of \$3,490.00, and be it

FURTHER RESOLVED, That the acceptance of this bid is subject to the specification bid form filed in the office of the Town Clerk.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Town Clerk is hereby directed to publish the attached notice of public hearing calling for a public hearing on an amendment to Ordinance 18.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 3rd day of December, 1974 at 11:15 o'clock A. M. , a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with the proposed amendments to Zoning Ordinance No. 18 of the Town of Riverhead, in the following respects:

That Ordinance 18 shall be amended to read as follows:

ORDINANCE NO. 18
ORDINANCE REGULATING THE USE OF
RECREATION CENTERS AND PUBLIC
BEACHES

Section 1: No vehicle shall be allowed to enter upon or park at any public bathing beach or recreation center owned, leased, operated or maintained by the Town of Riverhead unless it is licensed as herein provided.

Section 2: Vehicles entering any public bathing beach or recreation center shall enter only at designated entrances and leave only through designated exits. Parking of all vehicles is permitted only in spaces indicated therefor. Only vehicles displaying a parking permit, obtained as hereinafter provided, shall be permitted to park in the spaces provided at any public bathing beach or recreation center. The Recreation Department is hereby authorized to issue a parking permit for use at any public bathing beach or recreation center, to any of the following persons (1) residents, tenants or taxpayers of the Town of Riverhead, upon due application by such person and upon payment of an annual fee of Three (\$3.00) Dollars, (2) non-residents upon due application by such person and upon payment of a daily fee of Two (\$2.00) Dollars. Excepted from such payment of said annual fee shall be all residents, inhabitants, tenants and taxpayers of the Town of Riverhead, who can furnish proof of being over 60 years of age or proof of receiving a disability allowance from the Social Security Administration. Such permit shall be evidenced by a printed sticker which shall be prominently displayed on the vehicle for which it was issued. Stickers lost or defaced may be reissued. All resident parking permits shall expire on the last day of December of each year and may be renewed on or after the first day of January.

Section 3: Non-resident permits shall be valid at the South Jamesport and Iron Pier bathing beaches only.

Section 4: No vehicles shall be driven or operated over or upon the beach area or stand at any public bathing beach or recreation center, except for the purpose of launching or recovery of boats.

Section 5: No person shall throw, break, cast, lay or deposit bottles, crockery, papers, wrappers, garbage or refuse of any kind or nature on the beach, or in or upon any parking area, roadway or footpath, but shall place the same in the containers provided therefor. No fire started or maintained on the beach area shall be left unattended, and all fires shall be completely extinguished before the person maintaining such leaves the beach area.

Section 6: Swimming and bathing is permitted only in the water area delineated or enclosed by floating lines or markers. No person shall launch, land, moor or operate any boat or vessel in, through, or across the swimming and bathing area. No fishing is permitted in any swimming and bathing area.

Section 7: No dogs or domestic animals shall be allowed on any public bathing beach or recreation center. No person shall, in any manner, damage, deface, injure or destroy any structure, planting, roadway, embankment, building or equipment located on the grounds of any bathing beach or recreation center.

Section 8: The selling, vending or offering for sale of any wares, food stuffs or merchandise upon the grounds or in and about the facilities or any public bathing beach or recreation center is strictly prohibited, except where as in such case and instance as the Town Board of the Town of Riverhead has issued a permit therefor.

RESOLUTIONS continued

Section 9: All public bathing beaches and recreation centers of the Town of Riverhead shall be open only between the hours of sunrise and ten P. M.

Section 10: Any person using a public bathing beach or recreation center or any of its facilities shall do so with the understanding that the Town of Riverhead assumes no responsibility for any injury or damage which such person may sustain while so using said facilities or while occupying said beach or recreation center; and that the Town of Riverhead will not be responsible for any article that may be stolen from any building, structure or vehicle occupying or so using the facilities of said beach or recreation center.

Section 11: Any violation of any section or provision of this ordinance, upon conviction of such violation, shall be punishable by a fine of not less than Five (5.00) Dollars nor more than Fifty (50.00) Dollars.

This ordinance shall take effect immediately.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Town Clerk is hereby directed

1. To publish the attached notice of public hearing calling for a public on an amendment to Ordinance No. 26,
2. Post the same and the map referred to therein on her official sign board, and
3. Transmit notice hereof to the Suffolk County Planning Commission and the Riverhead Town Planning Board.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 3rd day of December, 1974 at 11:45 o'clock A. M., a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with the proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead, in the following respects:

That Section 211 (3) be amended to read as follows:

The "Riverhead Hamlet" shall be bounded and described as follows:

- a) on the South by the southerly boundary of the Town of Riverhead;
- b) On the West by a line along the center line of Forge Road from a point where the center line of Forge Road intersects the southerly boundary of the Town of Riverhead Northerly to a point where the center line of Forge Road intersects the center line of Old River Road, and from said point on a straight line to a point where the center line of River Road intersects the center line of State Route 25, and thence Northerly along the center line of State Route 25 to a point where the same intersects the center line of the Long Island Expressway.

RESOLUTION - continued:

c) on the North by a line running from the intersection of the center line of State Route 25 with the center line of the Long Island Expressway easterly along the center line of the Long Island Expressway to its most easterly point and thence along a straight line from said point to a point where the center line of Middle Road intersects the center line of Mill Road and thence easterly from said point on a straight line to a point on the easterly line of Roanoke Avenue said point being 1500 feet north of the intersection of the northerly side of Madel Court with the easterly side of Roanoke Avenue and from said point easterly on a straight line to a point on the westerly line of Doctor's Path said point being 1650 feet northerly of the intersection of the northerly line of Oakland Drive North and the easterly line of Doctor's Path and from said point southerly along the westerly line of Doctor's Path to the northerly line of Northville Turnpike and thence easterly along the northerly line of Northville Turnpike to its intersection with the easterly line of County Road 105.

d) on the East by the westerly line of County Road 105.

PLEASE TAKE FURTHER NOTICE, That pursuant to Sections 264 and 265 of the Town Law, that at the aforesaid time and place, the Town Board of the Town of Riverhead shall hear all persons in connection with the adoption on a map entitled "Zoning Use Districts, Town of Riverhead" redated for the purposes of S211 of Ordinance #26 only, November 11, 1974, a true copy of which is posted upon the sign board of the Town Clerk, 220 Roanoke Avenue, Riverhead, New York.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, and Supervisor Leonard, No.

The resolution was thereupon declared duly adopted.

Town Attorney's comment on aforesaid resolution: "The Section 211 that was recently put in the Ordinance, which is a cluster-type condominium use on the Residence C Land. The hamlet area, the description is long and in one place inartfully drawn, so we had a survey and a new description prepared. So I would suggest that anyone who is really interested in it, rather than try to listen to me read the description, that they go into Miss Block's Office and look at the copy of the survey posted on the wall." (End)

Supervisor Leonard explained that the reason the Bid Award for the Data Processing is being held is because of the fact that the County had offered to do the work. He added that the Board of Assessors and the Tax Receiver will meet with the County on December 4th, at 2P.M. to see if it would be worth the Town's while to let the County do the processing.

OPEN BID REPORT - Data Processing - Assessor's Office
 After being duly advertised the following bid for Data
 processing and received by the Town Clerk on Monday, November 18th,
 1974, at 11:00 A.M.:

Parity Systems Corporation
 900 Walt Whitman Road
 Melville, N.Y. 11746

Bid for Services and Materials necessary for the Riverhead
 Town Tax Assessment Roll by a data processing system and to provide all
 services in connection therewith, pursuant to specifications annexed
 hereto, for a period of one (1) year is the sum of \$8,600.00 . Filed.

No Action was taken at this time.

PETITIONS

- a) West Side Realty Co. re Bank Building at Shopping Plaza.
 Town Board to hold this Petition for further study.
- b) Broad Cove, Inc. for Special Permit for use of property
 for multiple family dwellings, apartment houses and garden apartments.
 Referred to the Planning Board for their recommendation
 and report.

Supervisor Leonard adjourned the meeting for five minutes and re-opened
 the meeting at 8:30 P.M. and then proceeded to recess the meeting to hold a public
 hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavit of posting and publishing
 Notice of Public Hearing on Petition of Riverhead Associates to amend
 Zoning Ordinance No. 26.

The affidavit was ordered filed.

Supervisor Leonard thereupon declared the Hearing open
 and asked if anyone wished to be heard.

Town Clerk read excerpt from Town of Riverhead Planning
 Board recommendation:

"WHEREAS, This Board, recognizing that the percentage of
 building area to total area was not a material factor in the development
 of shopping centers, but rather that the number of parking spaces to
 floor area is a better criteria, would again recommend the change of
 percentage of building area to total land area in Business B Use District
 to be 20%,

NOW, THEREFORE, BE IT RESOLVED, That this Board still de-
 sires that the Town Board give due consideration to the application and
 recommendation of this Board in respect to the petition for a reduction
 in percentage of building area to total land area of Riverhead Associates
 dated June 19, 1974 and wishes to call to your attention the fact that
 this Board did not consider this change in light of this petition, but
 felt that it was applicable to all areas zoned as Business B, and

BE IT FURTHER RESOLVED, That if the Town Board should decide
 that a change of zoning of this parcel of land to Business C is more
 desirable, then this Board recommends the change provided that Riverhead
 Associates covenants that all regulations for Business B Zoning Use Dis-
 trict will apply to this parcel of land except that the building area to
 lot area shall be 20%". (End)

PUBLIC HEARING - continued:

William W. Esseks, Esq. appeared before the Board and stated: "The property in question, is the property at the northwest corner of Route 58 and Roanoke Avenue. Our clients have been before this Board and the Planning Board with regard to this particular parcel on several occasions.

The parcel is now zoned Business B and pursuant to the applicable regulations of the Town of Riverhead Zoning Ordinance in the Business B District, the maximum building area would be 15%. Right now, the property is developed, my client's particular parcel, is developed to exactly 15%. On the site plan that has heretofore been submitted to the Town, for the Town's consideration, it shows that we wish to add Retail Store "B" and Retail Store "C", which would be an additional 12,000 feet.

Right now, the maximum coverage is 71,786 square feet. We wish to increase it to 89,000 square feet.

We have heretofore made an application to change the property to "C" District. This Board did not favorably act upon that.

Now, we ask at this time, that this particular parcel of property be rezoned Business C to allow a 20% coverage maximum.

When we were here before, certain suggestions were made and were recorded in the local newspaper about putting up directional signs and landscaping around the entrances. That we have done. If this is not satisfactory to you or if you want more landscaping and directional signs, my client would not refuse any reasonable request along those lines.

The Board knows the adjoining property to the west is zoned Business C and the adjoining property to the south and southeast is zoned Business C all allowing 30% coverage, which is 100% more than what our parcel is right now. We are not asking for a 100% coverage, only 20%. "

Judge Leonard asked: "Where would you put the stores, Mr. Esseks?"

Mr. Esseks replied that it showed the stores right on the site plan, as presented.

Councilman Young then stated that the increase in total square footage to 89,000 square feet would be less than the 20% coverage Mr. Esseks was seeking.

Mr. Esseks agreed that it would.

Judge Manning asked Mr. Esseks if he would covenant for all time to stick to the 20% he was asking for.

Mr. Esseks replied: "Yes, Sir."

Further discussion ensued regarding footage and parking space requirements.

Allen M. Smith, Town Attorney suggested an updated map signed by the surveyor "with his license appearing thereon, showing the Super X Drug Store, as it exists, and the parcel in the southwest corner and an updated site plan in lieu of that. That way if the figures are wrong, his license is on the hook."

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441.

PUBLIC HEARING - continued:

Mr. Esseks answered: "No problem."

Mr. Wiwczar asked if the request was for a change from Business B to Business C.

He further stated that according to the Ordinance the maximum was 15%, but could be changed subject to the Board of Appeals.

Mr. Esseks replied that they went that route once and the Board of Appeals felt that if it was going to be developed more than 15%, it should be Town Board action rather than Board of Appeals action.

No one else wishing to be heard and no more communications having been received thereto, Supervisor Leonard declared the Hearing closed.

There being no further business on motion and vote, the meeting adjourned at 8:45 P.M. to meet on Tuesday, December 3, 1974, at 10:30 A.M.

Helene M. Block

Helene M. Block, Town Clerk

HMB/mhj