

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead held in the Riverhead Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, April 6, 1993, at 7:00 p.m.

Present:

Joseph F. Janoski,	Supervisor
Victor Prusinowski,	Councilman
James Stark,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

Also Present:

Patricia Moore,	Town Attorney
Barbara Grattan,	Town Clerk

Supervisor Janoski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski: "If I can have a motion to approve the minutes of a Regular Board Meeting of March 16, and Special Board Meetings of March 24th and 29th."

Councilman Stark: "So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

Supervisor Janoski: "Reports."

REPORTS:

<u>BUILDING DEPARTMENT</u>	Monthly report for March, 1993 \$12,125.00
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<u>TOWN CLERK</u>	Monthly report for March, 1993 \$8,516.34
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RECEIVER OF TAXES

Statement of Tax Collections
\$22,858,105.31

RIVERHEAD FIRE DISTRICT

Their annual report

OPEN BID REPORT

For a 1993 Ford F-350 Crew Cab
4 x 2 Utility Truck, four bids
were received. They were opened
on March 30, 1993, and also
Percent Off Grainger Industrial &
Commercial Equipment and Sales
Two bids were received. They
were opened on March 30, 1993

APPLICATIONS

OKEANOS OCEAN RESEARCH
FOUNDATION

Special permit to construct a two
story aquarium of approximately
50,000 sq. feet.

WILLIAM SCHULMAN

To amend the site plan to change
location of the entrance drive or
road and location of clubhouse,
locate driving range in different
direction, and add 40 stalls to
driving range

RIVERHEAD RACEWAY

Fireworks permit for July 3, 1993

POLISH TOWN CIVIC
ASSOCIATION, INC.

The Polish Town Fair for dates
of August 21st and August 22nd

TACO BELL

Constructing a 70 seat Taco Bell
Restaurant and associated site
improvements

CORRESPONDENCE

TOWN OF SOUTHAMPTON

Notifying the town of various
Local Laws adopted and of a Public
Hearing in the Town of Southampton

COUNTY OF SUFFOLK

A Notice of Enactment for Local
Law No. 7 of 1993, in the Town of
Brookhaven

TOWN OF SOUTHOLD

Notice of Enactment of Local Law No. 3, 1993, a Local Law in relation to Affordable Housing

COUNTY OF SUFFOLK

Notice of Enactment of Local Law No. 3, 1993 from the Town of Southold

COUNTY OF SUFFOLK

Notice of Enactment for the Town of Southampton, regarding amending Zoning Ordinance Local Law No. 6 and Local Law No. 8

TOWN OF BROOKHAVEN

Notifying the town of proposed plan to dredge sediments etc. at southeast corner of North Country Road and Zophar Mills, Wading River

KAY CHAPLICK

Would like to see the Board consider a third traffic lane by Swezey's Department Store to ease traffic coming out of parking lot onto Main Street

ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

Thanking the Town Board for Resolution No. 28 supporting the county's application to New York State for designation as one of the participating municipalities in the one year mandate relief experiment. (Pre-School Handicapped Schildren's Program)

JOHN H. ROBINSON

A letter commending Gary Pendzick, the Superintendent of the Water District and his work crew on a job done in a professional manner

RELAY COMMUNICATIONS

A letter addressing the parking problems in the Griffing Avenue parking lot

ROBERT E. BROWN

A letter of resignation

Barbara Grattan: "That concludes Correspondence."

Supervisor Janoski: "Thank you. The time appointed for the first Public Hearing is 7:15 p.m., but we do have some very important business to take up and I would like to call up out of order, Resolution No. 203 and recognize Councilwoman Gilliam for the purpose of offering the Resolution."

Councilwoman Gilliam: "Thank you, Mr. Supervisor. I would like to read this Resolution in its entirety. Resolution of the Riverhead Town Board honoring Reverend Donna Schaper.

WHEREAS, the Town Board wishes to recognize the community service of those who assist the citizens of the Town of Riverhead, and

WHEREAS, Reverend Donna Schaper has served the people of the Town of Riverhead as Pastor of the First Congregational Church, Main Street, Riverhead, New York, and by assisting in the establishment of the Bread and More Soup Kitchen and the Green and More Market, and

WHEREAS, Reverend Schaper will be leaving the community on April 15, 1993,

NOW, THEREFORE BE IT RESOLVED, that the Riverhead Town Board pauses in its deliberations to recognize the contributions of Reverend Donna Schaper in recognition of her service to the citizens of the Town of Riverhead.

BE IT FURTHER RESOLVED that the Town Board of the Town of Riverhead has set their hand and caused the great seal of the Town of Riverhead to be affixed this 6th day of April, in the year of Our Lord, nineteen hundred and ninety three.

So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes.

Supervisor Janoski: "Well, Madam Town Clerk, I would ask that the Town Board consider enacting this Resolution by Acclamation."

Councilman Stark: "So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "By Acclamation."

Supervisor Janoski: "And, poof, it appears. I would ask Mr. Goldstein to come forward, representing Reverend Schaper who is otherwise-- which way do we want-- let's go to the right for a change. Nice to know you and best wishes for the future (inaudible)."

Mr. Goldstein: "Well, I'm sure that given Donna's shall we say complicated relationship to the Town Board (inaudible), it is my honor to accept (inaudible)."

Supervisor Janoski: "That did not bring us to the hour of 7:15, so I will recognize anyone who wishes to be heard on any subject who might be present in the audience today. Mr. Steve Haizlip."

Steve Haizlip: "I'm Steve Haizlip of Calverton. Mr. Prusinowski, I would like to address this to you."

Supervisor Janoski: "I think maybe your microphone is too low and could be turned down."

Steve Haizlip: "Is it on now? Mr. Prusinowski, I would like to address-- "

Councilman Stark: "Wait a minute. Steve, one second. Let's get that other mike over there for you because we want this for prosperity."

Steve Haizlip: "Well, we'll start all over again."

Supervisor Janoski: "Start from the very beginning, Steve."

Steve Haizlip: "Mr. Prusinowski, I want to address this comment to you. I have taken the initiative and have taken action and got a letter wrote up for the Hyacinth Avenue crossing for the

proposed Taco Bell which I see is coming, and it went to Commissioner Stephen Hodack for his review and recommendations, and I hope it's forthcoming. Thank you."

Supervisor Janoski: "It has been. Hasn't it?"

Steve Haizlip: "The letter just went out Friday."

Supervisor Janoski: "Okay, is there anyone else who wishes to address the Town Board on any subject?"

Councilman Prusinowski: "Let's do a Resolution."

Supervisor Janoski: "Well, let us move on then to the Resolutions."

Resolution No. 202

Councilman Prusinowski: "Budget adjustment for the Water District. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution No. 204

Councilman Creighton: "This authorizes the Town Clerk to advertise for bids to furnish and place asphalt concrete and bituminous material and plant pick up of asphalt concrete. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #205

Councilwoman Gilliam: "Authorizes Town Clerk to publish and post Public Notice to consider an amendment to Chapter 108 Zoning of the Riverhead Town Code Section 108-61, Off Street Loading. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #206

Councilman Prusinowski: "Approves application of St. John the Evangelist School. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #207

Councilman Stark: "Grants a leave of absence. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #208

Councilman Creighton: "This authorizes the Assistant to the Superintendent of the Recreation Department to attend a conference. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #209

Councilwoman Gilliam: "This Resolution authorizes our DARE Officer, Officer Dennis Wynan to attend the DARE, the National DARE Conference. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #210

Councilman Prusinowski: "Authorizes Town Clerk to accept maintenance bond and release performance bond of W.J. Northridge Construction Corp. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #211

Councilman Stark: "This is a budget adjustment in the Town Attorney's Office. So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #212

Councilman Creighton: "This authorizes the Supervisor to enter into a lease to establish a municipal parking lot to add 42 spaces for 10 years to our downtown parking in anticipation of what's coming. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #213

Councilwoman Gilliam: "Authorizes the solicitation of bids for water meters for use by the Town of Riverhead Water Department. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #214

Councilman Prusinowski: "Determination of significance of special permit/site plan petition of Robert Andrews. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #215

Councilman Stark: "This is another budget adjustment for sundry things. So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #216

Councilman Creighton: "This amends the rules and regulations of the Riverhead Water District. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #217

Councilwoman Gilliam: "This Resolution establishes a committee to review memorials and monuments, and I'd like to read the Resolution because there has been some press coverage regarding this matter.

WHEREAS, the Town Board has been requested to establish an appropriate memorial to honor PFC Garfield Langhorn , who received the Congressional Medal of Honor posthumously for heroism above and beyond the call of duty in Viet Nam, and

WHEREAS, the Town Board wishes to recognize and memorialize the extraordinary heroism of PFC Langhorn , and

WHEREAS, the Town Board wishes to memorialize appropriately all those residents who gave their lives in the service of the nation,

NOW, THEREFORE BE IT RESOLVED, that Councilman Frank Creighton, Col. Retired US Army be and is hereby appointed to review the Town's monuments and memorials to fallen Armed Services men and women, and be it

FURTHER RESOLVED, that a report be submitted to the Town Board making recommendations for an appropriate memorial to PFC

Garfield Langhorn and such other monuments and memorials as may be appropriate to properly honor all those men and woman from Riverhead who have died in the service of the nation in war or conflict, and be it

FURTHER RESOLVED, that a committee composed of family members, organizations and citizens be formed to assist in the review and formulation of recommendations. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #218

Councilman Prusinowski: "Another budget adjustment for a capital project in the Police Department. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #219

Councilman Stark: "This is a budget adoption for the Rimland Building acquisition capital project. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #220

Councilman Creighton: "This authorizes the Supervisor to

establish a \$2,000 budget adjustment. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #221

Councilwoman Gilliam: "Approves application of African-American Leadership Council. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #222

Councilman Prusinowski: "Authorizes the Supervisor to enter into a settlement agreement and general release. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #223

Councilman Stark: "Authorizes the Town Clerk to publish and post Public Notice to consider an amendment to various sections of Chapter 105 Water of the Riverhead Town Code. So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #224

Councilman Creighton: "This authorizes the Town Clerk to release the performance bond of W.H.M. Plumbing & Heating Contractors and to accept a maintenance bond with respect to work done at the day care center here in Riverhead. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #225

Councilwoman Gilliam: "Authorizes the Town Supervisor to enter into a memorandum of understanding on behalf of the Town of Riverhead with the County to participate in the 1993 Summer Youth Employment and Training Program. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #226

Councilman Prusinowski: "Appoints the chief the chief. He passed the Civil Service Test, he's number one on the list. This will make him permanent. So moved."

Councilman Stark: "Before I second, he's not only number one on the list but he attained a final rating of 94.5. Congratulations Chief. It's nice to have you aboard formally and officially. Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Supervisor Janoski: "Okay. The Town Board is going to recess for two minutes. There was a time that I would have had a cigarette during this little break, but I don't smoke anymore, so we'll make it a short break. Five minutes for the purpose of clearing up some language-- a language in the Resolution."

Recess - five minutes.

Resolution #227

Councilman Stark: "Establishes the commitment of the Riverhead Town Board to planning and development of the Okeanos Ocean Research Foundation Aquarium. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

Resolution #228

Councilwoman Gilliam: "This Resolution accepts the findings statement on the Petition of Stanley Tanger and Associates. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Councilman Prusinowski: "Before we have the Public Hearing, I'll just make a motion to pay the bills."

Councilman Stark: "Seconded."

Supervisor Janoski: "Have a motion to pay the bills which

is moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes to pay bills.

Supervisor Janoski: "Okay. Let the record show that the hour of 7:30 p.m. has arrived. The Town Clerk will please read the Notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:15 p.m. on Tuesday, April 6, 1993, to hear all interested persons who wish to be heard regarding a special permit application of Darroll E. Meyer for a non-nuisance wholesale business, motor vehicle repair, and retail accessory use on real property within the Industrial B Zoning Use District."

Supervisor Janoski: "Is there anyone present representing the applicant?"

Jean Marie Costello: "Good evening. Hi. I have an affidavit of posting. Mrs. Grattan, would you like to-- "

Barbara Grattan: "Yes, please. Thank you."

Jean Marie Costello: "Good evening. I represent Darroll Meyer, who is the applicant in this matter. Mr. Meyer is seeking a special permit application for-- an application for a special permit under Section 10848 B4, Wholesale Business, Non-Nuisance. His use is tires under Section 10848 B12, Motor Vehicle Repair Shop for the repair, mounting and balancing of tires and under Section 10848 C3, an Accessory Use of retail sales related to the permitted use, such as selling tires. Mr. Meyer has owned this property in the Town of Riverhead since 1978. All the surrounding zones around the area are zoned Business D, which allow all the above permitted uses in that zone. Initially it was a gas station, which was owned by Mr. Fioto many years ago. My client bought the property, as I said, 1978. It's been in continuous business in some sort of automotive use since then, as Delta Transmissions or professional window treatment tinting, and Tire Inc. has a long term lease for 20 years with Mr. Meyer if this application is granted, which was from September of 1992 to the present time. I believe that Mr. Meyer's use will not

change the character of the neighborhood. We already have been -- gone to the attention of the Planning Board and has referred it to you for your attention. There's going to be no physical site alteration. I believe no additional traffic congestion, and there's no similar business to the Tires, Inc. in the particular area."

Supervisor Janoski: "Recognize Councilman Prusinowski for a question."

Jean Marie Costello: "Yes."

Councilman Prusinowski: "Where's this located again, exactly?"

Jean Marie Costello: "West Main Street, right next to Dr. Nick Transmission or one after that-- on the corner-- across from the-- "

Councilman Prusinowski: "This is the one that's been operating already without a permit?"

Jean Marie Costello: "Yes."

Councilman Prusinowski: "Okay."

Jean Marie Costello: "Anybody else have any questions in this regard?"

Councilman Stark: "How's the baby?"

Jean Marie Costello: "Good. Thank you."

Councilman Stark: "This is my new neighbor. We have children back on the block."

Supervisor Janoski: "Is there-- I would like to point out something that should the Town Board act favorably on this application, there are some outstanding problems as far as outdoor display, signage, etc., which need to be resolved. It would be in my opinion that I would like to address those before I personally am willing to cast a vote on this application."

Jean Marie Costello: "I'd be happy to meet with Miss Moore or whatever to address-- "

Supervisor Janoski: "Well, I would start in the Planning Department. Okay. Is there anyone who wishes to address the Town Board in this matter? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I've got no objections to what the lady wants to do with the property and her client and the business. The only objections I do have, her name is not on that tape, and she didn't announce who she was. Now, later on, if this tape is opened up, who was that lady? You know, like the Lone Ranger that rode on there. So I'd just like to get her name on that tape."

Councilman Stark: "That's Judge Costello's daughter."

Steve Haizlip: "That's all right. It could be-- "

Councilman Stark: "The new married name I don't know."

Supervisor Janoski: "Steve, you're absolutely right. I missed that."

Councilman Stark: "Jean Marie, would you come up?"

Jean Marie Costello: "-- my name is Jean Marie Costello."

Steve Haizlip: "It's got to go on the tape."

Councilman Prusinowski: "Steve's our parliamentarian."

Steve Haizlip: "You got to follow procedure, Jean Marie. I have to do it."

Jean Marie Costello: "Okay. Good evening again. My name is Jean Marie Costello. And I represent Darroll Meyer in this application. Thank you."

Supervisor Janoski: "Thank you, Jean Marie. Thank you Steve for taking note of our omission. Is there anyone else who has any-- did you want to testify? Oh, okay. Do you want me to operate the camera?"

Ken Tuthill: "My name is Ken Tuthill and I am also an owner of property that's adjacent to Mr. Meyer's property. And that station before it was a station owned by Don Fioto, was a Gulf gas station owned by the Gulf Oil Corp. It has been in that type of industry since it was built and as an adjacent property owner, I was notified in the mail. I have no problem with what Mr. Meyer is trying to do with that property and I think it will add another asset to that area which is a business that should be viable in that particular area. Because that area is starting to go down the hill a little bit. I have no problem with Mr. Meyer's application, and I think it should be considered favorably. Thank you."

Supervisor Janoski: "Thank you, Ken. Anyone else wish to address the Town Board? That being the case, and without objection, I declare this Hearing to be closed."

Hearing closed: 7:37 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:37 p.m. has arrived. The Town Clerk will please read the Notice of Public Hearing. Lauren, could I have your ear?"

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:15 p.m. on Tuesday, April 6, 1993, to hear all interested persons who wish to be heard regarding the special permit application to construct a miniature golf course on Edwards Avenue, Calverton."

Supervisor Janoski: "I see Mr. Shulman's representatives are biting at the bit to get up here."

Charles Cuddy: "I'm Charles Cuddy. I represent Mr. Shulman, Mrs. Shulman, who own the 82 acre parcel on the west side of Edwards Avenue in Calverton, just north of the railroad tracks. We've been here several times before. This Board has granted special permit approval for a nine hole golf course. You granted site plan approval. Both of those were in August and September of last year. You recently on the date of March 2, gave us a declaration of non-significance in connection with this particular application which is a miniature golf course at the same site. The miniature golf course will be located midway, both north

and south, and also probably east and west, in this particular site. Which means that it's not near the homes, it's not really near any road. And I think that it is appropriately buffered. It's going to be a small site. By itself, it's approximately three-quarters of an acre. It's going to be done very well. There's some pictures here to show how it's going to be done. I would submit to you under the special permit criteria, that it's not adverse in any way whatsoever to the health, welfare or safety of the community. And I would ask that you approve it. Mr. Cole Hayes (phonetic) is here as the design and planner-- designer and planner. Mr. and Mrs. Shulman, as I said are here. If you have any questions, we would be happy to answer them."

Supervisor Janoski: "We'll see if anyone has any questions. The Town Board has considered the revision to the site plan and has found nothing objectionable in that revision, the amendment. However, we withheld our approval until such time as we act on the special permit change here. It makes sense that they should go hand in hand. So does anyone in the audience wish to address the Town Board on the application to construct a miniature golf course on Edwards Avenue? And I think that you pointed out that this is a miniature golf course within a real golf course. Are you rising to the occasion Sherri? Okay. Steve, Sherri's going to do it."

Sherri Johnson: "Good evening, my name is Sherri Johnson. I currently serve as Program Director for the North Fork Environmental Council and I am certainly pleased to see on tonight's agenda the addition under Applications, to amend the site plan on this application. Because I felt in the original, its submission back in January, that some things were perhaps left off that application that needed attention. What I'll do since that does address some of my concerns, is go through my statement and then come back to the additional application."

The issue of whether or not Calverton needs a miniature golf course should not become the only focus of your deliberations for this application. The NFEC is not against miniature golf, and Calverton may very well benefit from such an addition to the community. But in the rush to push this newest segment of Mr. Shulman's project through, I think that you may have overlooked some critical issues and not taken the hard look that this application requires. Calverton may be the ideal location

to site golf courses and other recreationally oriented projects, but they must be planned and made the best that they can be in the approval process. If we don't take advantage of the opportunities provided now, there may not be a second chance. The environmental conditions that exist on this site, warrant a close look at any application that is proposed here. The site is within a designated state rivers corridor, a critical environmental area, the Central Suffolk Pine Barrens, a special groundwater protection area, and within the Peconic Estuary study area. There are freshwater wetlands on site and endangered and special concern species are present. Every possible red flag that there could be is raised on this site. It is in all probability, the most environmentally significant site in Calverton. This new application does not just add a miniature golf course to the already approved driving range and golf course. There are extensive site plan changes that have been included as part of the package. The location of the driving range has been changed. The parking lot and road have been changed. The clubhouse has been relocated and a previously approved nine hole golf course has been redesigned so that holes six, seven and eight, are now located in the buffer area adjacent to the driving range. All of these modifications change the previously approved site plan. You must take a close look at them. Is the second site plan better than the first? Could the miniature golf course had been worked into the first plan without making the other changes? If the miniature golf segment attracts more people to the facility, have they been provided for? What about parking? Is more needed? Will the runoff and drainage patterns change? Are the sanitary facilities adequate? Have any of the conditions of the first site plan approval been violated? And does the second approval void the first? Or does this become a multiple choice project? These questions must be answered. The miniature golf course application is a Type 1 action under SEQRA for two reasons. First it is within a critical environmental area and secondly it is located within wild, scenic and recreational rivers corridor. By State law, it cannot be classified as Type 2 or unlisted. Because it is a Type 1 action, this is your opportunity to take the hard look and make sure that a balanced project that meets both the applicant's needs and the environmental needs comes out of this process. To do less is short changing the people of Calverton. I'm not convinced that all the additional changes that have been made to this project after the initial review are necessary. And I urge you to take a second look before you issue any

additional approvals. And what I'd like to know, if you're going to incorporate all these different things into one process so that it's some type of coordinated review is going to take place on the site plan. Okay. Thank you."

Supervisor Janoski: "You're welcome. Is there anyone else present wishing to address the subject of this application? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I've got no problems with this. It's all right with me, if something can be put in there productive and create some jobs, they add a little recreation. It's good. And now the only thing that's got me a little disappointed is back in September or October when they said, Calverton Links, approved, it was in the Town Board Resolution-- on the Resolution. Don't ask me the number. But it was approved. I said, Oh, goody, they'll get started. Then time went by and I said, Well, they're waiting for the bad weather to get off, then the spring will come. All of a sudden one day I see the bulldozer. I says, Oh, they going. Then I find out it was something like the history of yesteryear in the upper 80's when the railroad was being built across the country. They got so far and they says, Oh, we have to stop now and start hauling passengers to get some money so we could finish the rest of the railroad. So inquiring, I understand that Mr. Shulman wants to build a miniature golf course and a driving range to get a little money so he can come back and build a nine hole golf course. Well, that disappoints me because I figured pretty soon now, I'm going to have this golf course right in the back of the house and I'm going to have avid golfers take a look and say, Oh, you got a beautiful house. How much you want for it? I'd like to be right here by the golf course. Now, am I going to have to wait another year?"

Supervisor Janoski: "Thank you, Steve. Is there anyone else who wishes to address the Board on the matter of the application of Mr. Shulman?"

Charles Cuddy: "Can I just address-- ?"

Supervisor Janoski: "Sure."

Charles Cuddy: "I'm not sure if I was surprised by Sherri

Johnson or just dismayed, but it's hard to believe that she did several things. One, that she lumped the special permit with the site plan, the special permit is the subject of this Hearing. But more importantly, it's time that the NFEC took off some camouflage. If they're against something, I would like for the sake of intellectual integrity, that they say they're against it. But she's wrong on both counts that she gave you tonight. This special permit application has nothing to do with the wild, scenic and recreational rivers area. This is beyond it. She's also wrong as to the critical environmental area. Both counts she's wrong. This is an application that doesn't take into connection either one of those, for consideration either one of those. And I think the Board should be aware of that. And it's wrong for the NFEC to come up and say something like that."

Sherrri Johnson: "Sherrri Johnson, representing the North Fork Environmental Council. In my own defense of the last comments, the Central Suffolk Pine Barrens Zone Riverhead Map 4, I did not include the map, but I certainly can get it to you. I did include a copy of the environmental notice bulletin from January 20, 1988, when Suffolk County designated the Central Suffolk Pine Barrens Zone of which this entire project is located within, not wholly or partially, but totally within, as a critical environmental area, and from the effective date of February 10, 1988, of this designation, any unlisted action that is proposed for this area that is wholly or partially within or substantially contiguous to the area, must be reviewed as a Type 1 action under SEQRA."

Supervisor Janoski: "Thank you. We will sort this all out. Is there anyone else who wishes to address the Board in the matter of this application?"

Ken Tuthill: "Again, my name is Ken Tuthill. I am from the Calverton area. I own two parcels of land, one that is adjacent to the property and one that is located across the street. This project, we have been in the Calverton area looking forward to, and I think the Riverhead area has been looking forward to having this project completed. Miniature golf, the driving range, I think I might have been the one to put the bug into Mr. Shulman's ear about the miniature golf because I thought it was a pretty good idea for down in that area. I would like to see this project go forward. Owning two parcels of property

right next door, I think gives the local people a chance to voice their opinion if they speak up, and I think that this is a positive move for Calverton. I would like to see this project completed without delay and I think a lot of other people in the area would also. Thank you."

Supervisor Janoski: "Thank you, Ken."

Cole Hayes: "My name is Cole Hayes from Design Properties. I'm the project designer for Calverton Links Golf Course. I just wanted to clear up a few facts. The infrastructure which is being installed right now is for the entire golf course. We're putting in three phase service, all the infrastructure, the roads, the drainage, sanitary, everything that goes along with the nine hole course as well as the driving range. So just to clarify, there's no short cuts here to just do a driving range and a miniature golf course. We're doing the whole thing. It's being staged in phases, but the whole thing will be done."

Supervisor Janoski: "Thank you. Anyone else present wishing to address the Board? I was wondering when you were going to get into the act. George? Come on, George, let's get it over with."

George Schmelzer: "I have an idea why Ken is in favor of it. Figure gets a lot of free golf balls, he owns the land next door. Well, this is a miniature golf course, we should have a miniature hearing to be over shortly."

Supervisor Janoski: "Any contribution you can make in that direction will be appreciated, George."

George Schmelzer: "Well, get rid of the environmentalist first. That will cure a lot of trouble. They want to save the farms, let them buy a farm. I don't see one of them doing it."

Supervisor Janoski: "What is your opinion of the application? Are you in favor of it?"

George Schmelzer: "It doesn't bother me, it's all right. At least you get some use out of the land. Guy would go broke raising potatoes, so at least you can spill some golf balls. What else I have to say, I'll probably remember when I sit down."

Supervisor Janoski: "That will be fine. Drop us a note."

George Schmelzer: "Yeah, would you read it?"

Supervisor Janoski: "Sure."

George Schmelzer: "You going to play golf there, too?"

Supervisor Janoski: "I don't play golf."

George Schmelzer: "I don't either."

Supervisor Janoski: "I consider it a waste of time."

Councilman Stark: "I think you ought to take and reconsider that last statement, don't you?"

George Schmelzer: "Of what?"

Councilman Stark: "Joe."

Supervisor Janoski: "He thinks I should take up golf."

Councilman Stark: "Get a little exercise. Maybe take a little off."

George Schmelzer: "Waste of time? Want me to tell you what I think is a waste of time?"

Supervisor Janoski: "No."

George Schmelzer: "No? Okay. I won't say it. So long."

Supervisor Janoski: "Thank you, George. Is there anyone else who wishes to address the Board in the matter of this application? That being the case, and without objection, I declare the Hearing to be closed."

Hearing closed: 7:55 p.m.

There being no further business on motion and vote, the meeting adjourned at 8:00 p.m.

Barbara Dutton
Town Clerk